



Historic Town of Hyde Park  
Planning Board  
4383 Albany Post Road  
Hyde Park, NY 12538  
(845) 229-5111, Ext. 2

*“Working with you for a better Hyde Park”*

**DRAFT MINUTES OF THE OCTOBER 19, 2022, 6:00 PM  
PUBLIC HEARING/WORKSHOP/REGULAR MEETING  
OF THE HYDE PARK PLANNING BOARD**

**MEMBERS PRESENT: MICHAEL DUPREE – CHAIRMAN  
CHRISTOPHER OLIVER – VICE CHAIR  
JOHN GUERCIO, JR  
STEPHANIE WASSER  
ROBERT WATERS  
ANN WEISER**

**MEMBERS ABSENT: ANNE DEXTER - VICE CHAIR**

**OTHERS PRESENT: VICTORIA POLIDORO, PB ATTORNEY  
PETER SETARO, PB ENGINEER  
BONNIE FRANSON, PB PLANNER  
KATHLEEN MOSS, HP ZONING ADMINISTRATOR  
CYNTHIA WITMAN, PB SECRETARY**

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<b>TABLE OF CONTENTS</b>	<b>PAGE</b>
<b>NICHOLS OXYGEN SERVICE</b>	<b>2-</b>
<b>CAMP VICTORY LAKE MASTER PLAN &amp; PHASE 1 CHURCH</b>	<b>-</b>
<b>BELLEFIELD PHASE II FINAL DEVELOPMENT PLAN/SUBDIVISION</b>	<b>-</b>
<b>RAPHAEL, STEPHEN</b>	<b>-</b>
<b>DALTON, RYAN</b>	<b>-</b>
<b>SCHIFKO &amp; BENSON</b>	<b>-</b>
<b>KO STORAGE OF STAATSBURG (f.k.a. Hutchins Staatsburg Storage)</b>	<b>-</b>

**Chairman Dupree:** Good Evening, everyone. Thank you for joining us at the October 19<sup>th</sup> meeting of the Hyde Park Planning Board. Please take note of all the exits around the room and now join me as we reaffirm our fealty to the American Flag.

*The Chairman led the Pledge of Allegiance.*

**PLEDGE OF ALLEGIANCE**

**NEW PUBLIC HEARING:**

**NICHOLS OXYGEN SERVICE**

Site Plan Approval Extension (#2022-48)

Location: 1564 Route 9G

Grid #: 6166-04-882279

MOTION: Ms. Wasser

SECOND: Vice-Chair Oliver

**To open the public hearing for the Nichols Oxygen Service.**

<b>Aye</b>	<b>Ms. Weiser</b>
<b>Aye</b>	<b>Mr. Waters</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Vice-Chair Oliver</b>
<b>Aye</b>	<b>Mr. Guercio</b>
<b>Absent</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Chairman Dupree</b>

**VOICE VOTE      Aye-6   Absent-1   Nay-0                      Motion Carried**

*There was no public comment, nor questions or comments from the Board or consultants.*

MOTION: Ms. Wasser

SECOND: Vice-Chair Oliver

**To close the public hearing for the Nichols Oxygen Service.**

<b>Aye</b>	<b>Ms. Weiser</b>
<b>Aye</b>	<b>Mr. Waters</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Vice-Chair Oliver</b>
<b>Aye</b>	<b>Mr. Guercio</b>
<b>Absent</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Chairman Dupree</b>

**VOICE VOTE      Aye-6 Absent-1 Nay-0      Motion Carried**

**Town of Hyde Park Planning Board**

**RESOLUTION TO GRANT A ONE-YEAR EXTENSION OF TIME TO COMPLETE CONSTRUCTION**

**Nichols Oxygen Service**

**Date: October 19, 2022**

**Moved By: Vice-chair Oliver**

**Resolution: #2022-48**

**Seconded By: Mr. Guercio, Jr.**

WHEREAS, by Resolution # 2019-07B, dated October 2, 2019, the Planning Board granted amended site plan and special use permit approval to Nichols Oxygen Service, Inc. to establish used car sales, auto repair, and equipment storage uses and to increase scale by 47% (the "Project") at property located at 1564 Route 9G, tax parcel no. 6166-04-882279, in the Neighborhood Business District (the "Site"); and

WHEREAS, the approved site plan for the Project was signed by the Chairperson on March 6, 2020; and

WHEREAS, pursuant to Section 108-9.6(a), "a site plan shall be void and the building permit, if any, shall be revoked if substantial construction is not started within one year and the entire project or phase is not completed within two years of signing of the site plan;" and

WHEREAS, on March 7, 2020, by Executive Order 202, the Governor of the State of New York State declared the outbreak of the novel coronavirus, COVID-19, an emergency in the State; and

WHEREAS, by a series of Executive Orders up to and including Order 202.67, the time limit for the filing of any process or proceeding as prescribed by any statute, local law, ordinance, order, rule, or regulation, or part thereof, was tolled until November 3, 2020; and

WHEREAS, by Resolution # 2019-07D, dated March 2, 2022, the Planning Board documented the tolling period and applied it to the Project such that substantial construction needed to be completed by October 21, 2022; and

WHEREAS, the Zoning Administrator has determined that substantial construction has begun but the Project will not be completed by October 21, 2022; and

WHEREAS, the Site has been sold to a new owner named Steve Relyea, on behalf of Relyea Properties LLC (the “Applicant”); and

WHEREAS, by email dated September 23, 2022, the Applicant requested an extension of time to complete substantial construction of the Project; and

WHEREAS, pursuant to Section 108-9.6(b) “the Planning Board may, at its discretion, after conducting a public hearing, grant an extension to an approved site plan;” and

WHEREAS, a duly noticed public hearing was held on October 19, 2022, during which all those who wished to speak were heard.

**NOW THEREFORE BE IT RESOLVED, that pursuant to Section 108-9.6(b) of the Town Code, the Planning Board hereby grants the applicant a one-year extension of time in which to complete substantial construction of the Project to and including October 21, 2023.**

<b>Aye</b>	<b>Chairman Dupree</b>
<b>Absent</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Mr. Guercio</b>
<b>Aye</b>	<b>Mr. Kane</b>
<b>Aye</b>	<b>Vice-Chair Oliver</b>
<b>Aye</b>	<b>Mr. Waters</b>
<b>Aye</b>	<b>Ms. Weiser</b>

**Voice Vote                    Aye-6   Absent-1   Nay-0                    Motion Carried**

**CONTINUED PUBLIC HEARING:**

**CAMP VICTORY LAKE MASTER PLAN & PHASE 1 CHURCH**

Site Plan & Special Use Permit Approvals (#2018-66)  
Location: 277 Crum Elbow Road, 232 & 262 Cardinal Road  
Grid #s: 6265-04-630350, -539445, 6265-02-721505, 6265-04-672479,  
-681487, -712479

MOTION: Ms. Wasser  
SECOND: Vice-Chair Oliver

**To re-open the public hearing for the Camp Victory Lake Master Plan & Phase 1 Church.**

<b>Aye</b>	<b>Ms. Weiser</b>
<b>Aye</b>	<b>Mr. Waters</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Vice-Chair Oliver</b>
<b>Aye</b>	<b>Mr. Guercio</b>
<b>Absent</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Chairman Dupree</b>

**VOICE VOTE      Aye-6   Absent-1   Nay-0                      Motion Carried**

*There was no public comment, nor questions or comments from the Board or consultants.*

MOTION: Ms. Weiser  
 SECOND: Vice-Chair Oliver

**To adjourn the public hearing for the Camp Victory Lake Master Plan & Phase 1 Church to November 16, 2022.**

<b>Aye</b>	<b>Ms. Weiser</b>
<b>Aye</b>	<b>Mr. Waters</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Vice-Chair Oliver</b>
<b>Aye</b>	<b>Mr. Guercio</b>
<b>Absent</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Chairman Dupree</b>

**VOICE VOTE      Aye-6   Absent-1   Nay-0                      Motion Carried**

**WORKSHOP:**

**BELLEFIELD PHASE II FINAL DEVELOPMENT PLAN/SUBDIVISION**

Final Development Plan/Subdivision Approval (#2022-27-28)  
 Location: 15 West Dorsey Lane, Hyde Park, NY 12538  
 Grid#: 6163-01-131849

*In Attendance:*                      *Larry Boudreau, T-Rex Capital Group*  
    *Jennifer Van Tuyl, Cuddy & Feder*  
    *Kelly Libolt, KARC*  
    *Michael McCormack, Liscum, McCormack, Van Voorhis*

*The applicants presented the Phase II plan with updated architectural renderings and answered questions from the Board and consultants.*

**Town of Hyde Park Planning Board**  
**RESOLUTION TO ACCEPT FOR SKETCH**  
**BELLEFIELD – Phase 2**

**Date: October 19, 2022**

**Moved By: Ms. Wasser**

**Resolution #: 2022-27 & 2022-28**

**Seconded By: Ms. Weiser**

WHEREAS, the applicant, T-Rex Owner Hyde Park LLC, has submitted an application for subdivision and final development plan approval for Phase 2 of the project formerly known as St. Andrew’s PUD, now known as Bellefield, to construct a mixed-use residential community including 24 buildings consisting of 12 townhomes, 18 buildings consisting of 224 multifamily units over commercial space, 120 loft apartments over commercial space, a clubhouse over commercial space, a sales office, a multi-tenant commercial building, a two-story parking garage, and associated site improvements including maintenance buildings and parking on property located at 15 W Dorsey Lane, identified as tax parcel no. 6163-01-131849 (the “Property”), in the Bellefield Planned Development Zoning District (the “Project”); and

WHEREAS, the Project is depicted on plans entitled, “Site Development Plans for Bellefield Phase 2” Sheets G001, G001A, G002, G003, G004, G005, G006, C120, C121, C130, C131, C140, C141, C150, C151, C160, C161, C170, C171, C180 C181, C530, C540, C550, C560 prepared by the Passero Associates, dated September 27, 2022, and 27-49 of 49 prepared by Liscum McCormack Van Voorhis, dated September 27, 2022 (the “Site Plan Set”) including a subdivision sketch plan entitled, “Subdivision Sketch Plan, Bellefield Phase II” prepared by Passero Associates, dated September 27, 2022 Sheet G001A (the “Sketch Plat”); and

WHEREAS, on August 29, 2007, the Town Board adopted a concept plan for the St. Andrew’s PUD (“Concept Plan”) after accepting a Final Environmental Impact Statement for the Concept Plan as complete, and adopted a Findings Statement under the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, on January 3, 2018, the Planning Board, having considered the previous Environmental Impact Statements as well as supplemental information provided by the applicant, determined that the environmental record before it was sufficient to assess the potential impacts of the project as proposed in the site plan application and determining that a Supplemental Environmental Impact Statement would not be required, granted the applicant Final Development Plan approval for the first sub-phase of the St. Andrews PUD Project, now called Bellefield, (Sub-Phase 1-A) in accordance with Section 108-7.3.E and 108-7.4.B of the Zoning Law; and

WHEREAS, subsequent to the approval of Sub-Phase 1-A, the applicant proposed an amended Concept Plan to include an “Agrihood Concept” (the “Amended Concept Plan”); and

WHEREAS, the Planning Board reviewed and recommended adoption of the Amended Concept Plan and adopted an Amended SEQRA Findings Statement on December 8, 2021; and

WHEREAS, on December 20, 2021, the Town Board approved an Amended Concept Plan, after first adopting an Amended SEQRA Findings Statement which adopted the Planning Board’s amended Findings Statement as those of the Town Board; and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form (“EAF”) dated July 5, 2022, last revised September 27, 2022, pursuant to the State Environmental Quality Review Act (“SEQRA”) to evaluate the changes in Phase 2 of the Bellefield Project; and

WHEREAS, pursuant to Section 96-12C of the Subdivision Law, the Planning Board is required to determine whether the sketch plan may be accepted as adequate for further review by the Planning Board and, where necessary, to make specific recommendations to be incorporated into future submissions.

**NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby:**

- 1. Classifies the Subdivision Plan as a Major Subdivision pursuant to Section 96-5of the Subdivision Law.**
- 2. Accepts the Subdivision Plan for Sketch Plan in accordance with Section 96-12C of the Subdivision Law.**
- 3. Directs its Secretary to provide a courtesy notice of the application to the Dutchess County Water and Wastewater Authority, the Dutchess County Department of Behavioral and Community Health, the Department of Environmental Conservation, the NYS Office of Parks, Recreation and Historic Preservation and the Town Board.**

<b>Aye</b>	<b>Chairman Dupree</b>
<b>Absent</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Mr. Guercio</b>
<b>Aye</b>	<b>Vice-Chair Oliver</b>
<b>Aye</b>	<b>Mr. Waters</b>
<b>Aye</b>	<b>Ms. Wasser</b>

**Aye Ms. Weiser**

**Voice Vote Aye-6 Absent-1 Nay-0 Motion Carried**

MOTION: Vice-Chair Oliver  
SECOND: Ms. Wasser

**To set a public hearing for Bellefield Phase II Final Development Plan for November 16, 2022, contingent on the applicant submitting a preliminary Stormwater Pollution Prevention Plan and building footprints with measurements by close of business on October 26, 2022.**

**Aye Ms. Weiser  
Aye Mr. Waters  
Aye Ms. Wasser  
Aye Vice-Chair Oliver  
Aye Mr. Guercio  
Absent Vice-Chair Dexter  
Aye Chairman Dupree**

**VOICE VOTE Aye-6 Absent1- Nay- 0 Motion Carried**

*This motion was immediately amended to change the date to October 28<sup>th</sup>.*

MOTION: Vice-Chair Oliver  
SECOND: Ms. Wasser

**To amend the previous motion to set a public hearing for Bellefield Phase II Final Development Plan for November 16, 2022, contingent on the applicant submitting a preliminary Stormwater Pollution Prevention Plan and building footprints with measurements by close of business on October 28, 2022.**

**Aye Ms. Weiser  
Aye Mr. Waters  
Aye Ms. Wasser  
Aye Vice-Chair Oliver  
Aye Mr. Guercio  
Absent Vice-Chair Dexter  
Aye Chairman Dupree**

**VOICE VOTE Aye-6 Absent1- Nay- 0 Motion Carried**



**OTHER BUSINESS:**

**RAPHAEL, STEPHEN**

Site Plan Waiver In-ground pool (#2022-50)

Location: 26 Curry Lane, Hyde Park, NY 12538

Grid #: 6065-04-577087

**TOWN OF HYDE PARK PLANNING BOARD**

**Stephen Raphael**

**26 Curry Lane, Hyde Park, NY**

**6065-04-577087**

**SITE PLAN WAIVER**

***Town Code Section 108-9.4 C 2***

**Date: October 19, 2022**

**Resolution #: 2022-50**

**Moved By: Ms. Weiser**

**Seconded By: Mr. Waters**

*Whereas*, an application requesting a waiver of site plan has been made to the Town of Hyde Park Planning Board by Stephen Raphael for property located at 26 Curry Lane, Hyde Park, NY, and

*Whereas*, the application is to construct an 18' x 36' in-ground pool in the rear of the single-family home which is in an historic overlay district, and

*Whereas*, the in-ground pool is not visible from the Hudson River, and

*Whereas*, the change will have minimal impact to the character of the neighborhood, and

*Whereas*, the Planning Board has reviewed the request submitted by the applicant, and has received a recommendation from the Zoning Administrator, and

*Whereas*, the applicant is required to return to the Planning Board for all other changes to the property, and

***NOW THEREFORE BE IT RESOLVED***, that the **Town of Hyde Park Planning Board** hereby waives site plan requirements for the file entitled **Raphael**, regarding the specific request received October 3, 2022, and as identified in the building permit application dated September 26, 2022.

**Aye**                      **Chairman Dupree**

**Absent**                 **Vice-Chair Dexter**

**Aye**                      **Mr. John Guercio**

Aye Vice-Chair Oliver  
Aye Ms. Wasser  
Aye Mr. Waters  
Aye Ms. Weiser

VOICE VOTE                      Aye-6   Absent- 1   Nay-0           Motion Carried

**DALTON, RYAN**

Site Plan Waiver Generator (#2022-51)  
Location: 10 Cove Road, Rhinebeck, NY 12572  
Grid #: 6168-03-325236

**TOWN OF HYDE PARK PLANNING BOARD**

**Ryan Dalton**  
6168-03-325236  
**10 Cove Road, Rhinebeck, NY 12572**  
**SITE PLAN Waiver**  
*Town Code Section 108-9.4 C 2*

**Date: October 19, 2022**  
**Resolution #:2022-51**

**Moved By: Mr. Guercio, Jr.**  
**Seconded By: Ms. Wasser**

***Whereas***, a request for Site Plan Waiver has been made to the Town of Hyde Park Planning Board by Ryan Dalton, for installation of a standby generator on the property associated with a single-family home requiring a building permit, and,

*Whereas*, the proposed change is declared a Type II action under SEQRA, and

*Whereas*, the applicant is proposing to install a standby generator, and

*Whereas*, the proposed addition meets the zoning code setback requirements, and

*Whereas*, the proposed changes are minor in nature, and

*Whereas*, Section 108-9.4 C 2, allows the Planning Board to waive the site plan procedures for minor changes requiring a building permit, and

*Whereas*, no other changes have been requested at this time and whereas the applicant is required to return to the Planning Board for all other changes to the approved plans, now

***THEREFORE, BE IT RESOLVED***, that the Town of Hyde Park Planning Board hereby waives site plan requirements for the proposed addition as described in the building permit

received by the Building Department September 14, 2022, and per the request to the Planning Board dated October 3, 2022.

Aye Chairman Dupree  
Absent Vice Chair Dexter  
Aye Mr. Guercio  
Aye Vice Chair Oliver  
Aye Ms. Wasser  
Aye Mr. Waters  
Aye Ms. Weiser

VOICE VOTE                      Aye-6    Absent-1    Nay-0                      Motion Carried

**SCHIFKO & BENSON**

Site Plan Waiver Two-Story Rear Addition (#2022-53)  
Location: 10 Cronk Place, Hyde Park, NY 12538  
Grid #: 6164-04-531379

**TOWN OF HYDE PARK PLANNING BOARD**

**Travis Schifko and Riston Benson**  
**10 Cronk Place**  
**6164-04-531379**  
**SITE PLAN WAIVER**  
*Town Code Section 108-9.4 C 2*

**Date: October 19, 2022**  
**Resolution #: 2022-53**

**Moved By: Mr. Waters**  
**Seconded By: Vice-chair Oliver**

**Whereas, an application requesting a waiver of site plan has been made to the Town of Hyde Park Planning Board by Travis Schifko and Riston Benson, on October 11, 2022, for property located at 10 Cronk Place, Hyde Park, NY, and**

**Whereas, the application is to construct a two-story addition to the rear of the single-family home that is located in an historic overlay district, and**

**Whereas, the change will have minimal impact to the character of the neighborhood, and**

**Whereas, the Planning Board has reviewed the request submitted by the applicant, and has received a recommendation from the Zoning Administrator, and**



MOTION: Ms. Wasser  
SECOND: Vice-Chair Oliver

**To adjourn.**

<b>Aye</b>	<b>Ms. Weiser</b>
<b>Aye</b>	<b>Mr. Waters</b>
<b>Aye</b>	<b>Ms. Wasser</b>
<b>Aye</b>	<b>Vice-Chair Oliver</b>
<b>Aye</b>	<b>Mr. Guercio</b>
<b>Absent</b>	<b>Vice-Chair Dexter</b>
<b>Aye</b>	<b>Chairman Dupree</b>

**VOICE VOTE      Aye-6   Absent-1   Nay-0                      Motion Carried**

**Next Meeting November 2, 2022**