

2021 Proposed Plan Consistency with § 108-7. Article 7: Planned Unit Development

§ 108-7. ARTICLE 7: PLANNED UNIT DEVELOPMENT (PUD)

§ 108-7.1. Purpose; objectives.

- A. Purpose. The purpose of the PUD Overlay District is to allow the planned creation of new communities or expansion of existing communities. Residential and nonresidential uses are a required component of each PUD. The PUD process is intended to encourage and allow more creative and imaginative design of land development. The PUD process allows for substantial flexibility in planning and designing a proposal. While greater density than the underlying district may be allowed and more lenient site requirements may be granted, PUD proposals shall reflect the principles of development set forth in the Greenway Connections and the Comprehensive Plan.

2021 Proposed Plan: The 2021 Proposed Plan is the proposed amendment to the approved St. Andrews PUD, which is located within the BPDD, with the Greenbelt District (GB) as the underlying district. In the BPDD, pursuant to 108-5.12 A, “any application for and approval of development in this district shall be conducted pursuant to the provisions of Article 7, Planned Unit Development, except as modified herein.” Furthermore, the 2021 Proposed Plan meets the purpose of the PUD Overlay District because it includes a mixed residential and nonresidential development, uses imaginative and creative design to maximize the natural beauty of the site, protect natural resources, and create a unique community centered around culinary and agricultural tourism, with a village core, hospitality area, and several residential neighborhoods offering various housing types. The flexibility of the PUD Overlay District is critical to development on this site due to its unique natural and historic and cultural resource character.

The Comprehensive Plan of the Town of Hyde Park, 2005

The Town of Hyde Park Comprehensive Plan (Plan) consists of two parts: 1) Revitalization Strategies: A vision for the Town, identification of underlying issues, and strategies to address these challenges, and 2) Land-Use Implications: Practical application of the revitalization strategies.

The vision of the Town is expressed as follows:

- **Expanding Economic Opportunities – Appropriate Growth**
 - Future Development
 - Commercial Ventures
- **Deepening Village Unity – Citizen Involvement**
 - Community Forms (e.g., increasing visual beauty, fostering pedestrian orientation, strengthening core identities, heightening civic cohesion)
- **Developing Tourism Industry – Cultural Resources**
 - Local Attractions
 - Support Services

The underlying issues impeding the vision are explained as follows:

- Unacknowledged potential of local economics (e.g., unused tourist potential);
- Negative impacts of basic identity (e.g., limited local attractions; weak community identity);

- Disintegrative patterns of land use (e.g., partial community linkages);
- Debilitating procedures for development approval (e.g., insufficient local jobs);
- Incomplete integration of infrastructure growth (inadequate public services);
- Excessive complexity of public accountability (e.g., frequent political changes); and
- Partial utilization of external resources (e.g., uncoordinated infrastructure).

The Town's strategies to address the challenges listed above include the following:

- Encouraging organic growth;
- Strengthening civic cohesion;
- Broadening tourist promotion; and
- Stimulating economic expansion.

As part of the 2005 Comprehensive Plan and Zoning Initiative, the entire Bellefield Property, was placed within the BPDD Overlay District, a zoning district which requires the property be developed under the PUD Overlay District (Article 7, Section 108-7).

The BPDD is addressed in detail in the Comprehensive Plan as an implementation strategy for encouraging organic growth within the Town. Under Land Use Projects (an implementation strategy on page 28) it states,

“Planned development is needed to ensure that the District is developed in a way that preserves the natural beauty of the land, promotes tourism and the connection between the FDR Home and Valkill, supports the existing commercial districts, and sensitively expands the Town Center Historic District with planned mixed use development. The provisions of this District are intended to streamline permitting and allow greater use flexibility.”

Under Community Pilots Project (an implementation strategy on page 33) it states,

“The Bellefield PDD is intended to provide for a mixture of uses: promoting tourism related businesses and building the Town's commercial tax base; complementing the FDR Home and Valkill National Historic Sites; developing a walkway or other link between the FDR Home and Valkill; supporting the existing commercial activity in the adjacent Business Districts; sensitively expanding the existing mixed use of these commercial areas; maintaining and developing an attractive gateway entrance to the southern Route 9 area at Teller Hill; preserving and protecting important views and natural features of the landscape; and serving the region beyond the boundaries of the Town of Hyde Park.”

The Comprehensive Plan explains on page 46 that, “growth should be encouraged in the places where it has already occurred”...and, “that mixed-use, diverse compact communities encourage greater economic and social vitality than do sprawling single-use districts. This is becoming clearer as our region moves from an economy supported largely by industry to one based on service and information businesses.” On Page 78, the PUD Overlay is identified as a strategy to expand the economic base of the community. “Such a strategy has several objectives: creating jobs, expanding the tax base, providing additional services to the community, and attracting, retaining and circulating outside monies as intensively as possible. To expand economic base of community.” The

Town's gateways are identified as resources to promote tourism in Hyde Park on page 84 where it states, "arguably the most important of these gateways is the vista from the Culinary Institute of America northward to the top of Teller Hill. This Gateway, the Teller Hill Gateway, establishes the fact that Hyde Park offers travelers something different from the urbanized development to the south. Development proposed for this gateway area should be subject to the most rigorous review."

The 2021 Proposed Plan is consistent with the objectives of the BPDD and PUD Overlays (see Compliance with BPDD and PUD Overlay documents submitted separately), which were established to foster organic growth, broaden tourist expansion, and stimulate economic expansion. The 2021 Proposed Plan includes a mixed residential and nonresidential development that uses imaginative and creative design to maximize the natural beauty of the site, protect natural resources, and create a unique community centered around culinary and agricultural tourism, with a village core, hospitality area, and several residential neighborhoods offering various housing types. The flexibility of the BPDD is critical to development on this site due to its unique natural and historic and cultural resource character. The project will expand the local economy through the creation of new jobs, additional residents, and provide the connection (e.g., wineries, breweries, culinary and agricultural creator space) between the CIA and the sake facility to create a culinary corridor while at the same time providing a beautifully designed gateway to the Town, including open and agricultural fields, stately specimen trees, rock walls, view of forest and the undulating topography surrounding the Maritje Kill. Finally, the 2021 Proposed Plan will include approximately ten miles of trails, approximately five miles of sidewalks, and shared access for bicyclists along roadways providing safe and efficient access throughout the interior of the development. The trails are designed to connect to the properties located south of Valkill and the FDR site, which provide connections to these resources.

As summarized in the following sections, there will be no adverse impacts related to the development of this project. Therefore, the proposed project is consistent with the Plan, and will implement important strategies identified as supporting the Town's vision.

Dutchess County Hudson River Valley Greenway Compact Plan, 2000

Dutchess County is one of 13 counties that make up the Hudson River Valley Greenway, which was established by the State by the Hudson River Valley Greenway Act of 1991. In March 2000, the Hudson River Valley Greenway Council approved the Dutchess County Greenway Compact Plan, "Greenway Connections: Greenway Compact Program and Guides for Dutchess County Communities." The Greenway was created to facilitate the development of a voluntary regional strategy for preserving scenic, natural, historic, cultural and recreational resources while encouraging compatible economic development and maintaining the tradition of home rule for land use decision-making. In 2002, the Town became a participating community in the Dutchess County Greenway Compact Program. As such, the Town adopted as a statement of land use policies, principles and guides, the document entitled "Greenway Connections: Greenway Compact Program and Guides for Dutchess County Communities" dated March 8, 2000. The Greenway Compact promotes intermunicipal cooperation on five complementary goals:

- Natural and cultural resource protection;**
- Economic development including agriculture, tourism, and urban redevelopment;**
- Public access and trail systems, including a Hudson River Greenway Trail;**

- Regional planning; and
- Heritage and environmental education.

The project site is located within an emerging “Center” as described in the Centers: Compact, Complete, and Connected Guide. Centers are described in part as, “focal points for community history, commercial exchange, and close-knit development.” The Guide states, “In order to promote a stronger sense of community, encourage efficiencies in land use, energy, and transportation, and protect the rural countryside from commercial strip and residential sprawl development, most new growth should be concentrated in and around existing or emerging centers. This may include infill between buildings, redevelopment, or extensions of existing centers within walkable distances.”

The Greenway Compact describes the St. Andrews neighborhood (Bellefield Property and CIA) as an emerging center and explains that, “the (Town’s) zoning code supports a potentially large, mixed-use, and tourist-oriented emerging center on the vacant 339-acre property across Route 9 from the Culinary Institute of America.”

The Greenway Compact’s Strengthening Centers Guide suggests strategies for Centers, including:

- Locating primary growth areas
 - The Bellefield Property is identified as an emerging center in the Guide.
- Creating walkable communities
 - The 2021 Proposed Plan includes a mixed-use center and approximately ten miles of trails, approximately five miles of sidewalks, and shared access for bicyclists along roadways providing safe and efficient access throughout the interior of the development and to adjacent uses, including the CIA and Asahi Shujo’s sake facility.
- Building in context
 - The architecture surrounding the Bellefield Property is dominated by the CIA development, which includes a combination of historic architecture and contemporary design, with ample surface parking partially buffered from US Route 9 views. The buildings at the CIA reach heights of 45 – 60 feet tall. At the intersection of West Dorsey Lane and US Route 9, there is a two-story, with a one-story parking level, apartment building. Further east on West Dorsey Lane are single-family homes on parcels ranging from one-to-six acre lots, with a condominium development set back off the road to the south.
 - Modifications to the maximum allowable heights are being sought, including new provisions applicable in the Bellefield PUD. These modifications will allow a 20-foot high retail floor and 10-foot high ceilings in the residential units, which are critical to the design aesthetic and advantageous to developing a sense of place within the Bellefield Village center. The proposed heights for the 2021 Proposed Plan are consistent with existing building heights at the CIA campus (located across NYS Route 9). Furthermore, as shown in HH Figure 4 (submitted separately), the proposed

heights within the Village are typical of those found in other historic Hudson Valley villages.

- **Massing and articulation of building forms for the various use types will be developed in accordance with the Design Guidelines. These guidelines encourage contemporary building designs that draw upon regional heritage and local traditions. Residential building forms will be designed with a simple massing and façade organization strategy and commercial and non-residential building forms will be designed to vary from one another and be massed and articulated to represent the use.**
 - **The project will enhance the Town’s gateway along US Route 9 with a beautiful estate-like entrance featuring stone walls, specimen trees, views of the Village center (approximately 300-350 feet east of US Route 9) coupled with continued views as you drive north of open fields, agriculture, forest and undulating topography.**
- **Using slower, safer streets**
 - **The 2021 Proposed Plan will use the road specifications that are consistent with the approved Open Development Plan that was approved for Sub-phase 1A. The development utilizes a hierarchy of streets, with different style streets corresponding to the context of each neighborhood and featuring the appropriate pedestrian and cyclist treatments.**

As demonstrated, the proposed 2021 Proposed Plan is consistent with the Greenway Compact vision for strengthening centers and the overall goals as the overall design works in tandem with the natural landscape, introduces a mixed-use development that helps to establish a culinary corridor linking nearby tourist attractions (CIA, Asahi Shujo’s sake facility), provides ample pedestrian and cyclist accommodations, and includes creator space to support the Town’s agricultural and culinary industries.

B. Objectives. Through proper planning and design, each PUD shall include features that further, and are in compliance with, the following objectives:

- (1) To allow for the design of new communities that are architecturally and environmentally innovative, and that achieve better utilization of land than is possible through strict application of standard zoning and subdivision controls;

2021 Proposed Plan: The 2021 Proposed Plan is more environmentally innovative than the prior design because it works in tandem with the natural landscape, incorporating the more sensitive areas (e.g. steep slopes, Maritje Kill, specimen trees) in the open space and trail network, elements of biophilic design, agriculture, and food into the design of all aspects of the project, resulting in strengths in culinary and agricultural tourism and a greater interaction with nature and the native landscape. The overall disturbance area is the same as the prior plan, but the Bellefield design removes the underground parking area drastically reducing impacts to the

natural landscape.

The 2021 Proposed Plan is also more architecturally innovative than the previous design with a design ethos that is more authentically Hudson Valley, and less European/Mediterranean than the 2007 Approved Plan. Residential building forms will be designed with a simple massing and façade organization strategy. Commercial and non-residential building forms will be designed to vary from one another and be massed and articulated in a manner fitting to the use within the building.

- Multi-family residential buildings will incorporate overhangs, balconies, and porches to facilitate and reinforce the public atmosphere of the Village center. Building architecture will be contemporary, with each building maintaining a distinctive identity. Buildings will be articulated to reduce massing effects using varied roof forms and heights and massing breaks (full building height, approximately every 100 feet) and a focus on vertical proportions. Multi-family residential buildings will be three stories in height over one story of parking spanning a total of 51 feet high.
- Townhouse units will be attached with units located side-by-side (no units above) featuring ground floor entries off a street or common open space and garages loaded from the street or alley. Townhouse buildings will be three stories in height and 46 feet tall.
- Estate homes will be detached single-family homes with front, side and rear yards with entry will be primarily from the street. Estate Home buildings will be 2.5 stories in height and 35 feet high.
- Cottages are smaller detached single-family homes with front, side and rear yards with entry will be primarily from the street. Cottage buildings will be 2.5 stories in height and 35 feet tall.
- Patio homes are duplexes (attached, containing two dwelling units). Similar to the townhouse units, no units will be stacked above. Garage access will be front or rear loaded. Patio home buildings will be 2.5 stories in height and 35 feet tall.
- Mixed-use buildings will be designed to encourage storefront retail on the ground floor with residential loft units above. Residential entries will be separate from public entries to non-residential or commercial spaces. Buildings will be 3 stories in height with a height of 51 feet to the parapet, and 59 feet to a shaped roof, which accommodates a 20-foot high retail floor on the ground floor and 10 foot ceilings for residential floors.
- Retail, community buildings (housing amenities for either residential or non-residential uses), and educational buildings will be designed to encourage year round village-type public activities of various types. Using elements such as arcades, overhangs and awnings, the retail experience will be designed for the pedestrian, creating sheltered outdoor areas that provide fluid transitions between the street, parking areas and internal spaces.

Glazing will be maximized to enhance visibility of storefronts. Sidewalks, streets and plazas will be designed in concert with ground floor non-residential uses. Retail and community buildings will be 2.5 stories in height and 35 feet tall and culinary/educational/agricultural center buildings will be three stories in height and 46 feet tall.

- Hotel and conference center, event barn and spa will be designed to reflect the traditions of the local architectural vernacular, but contemporary architecture and will address entries and circulation needs depending on use with seasonal variations in indoor and outdoor function space. Hotel and conference buildings will be five stories in height and 75 feet tall. The event barn and spa will be 2.5 stories in height and 35 feet tall. Note that the Village Hotel design, including proposed height of 5 stories, is approved pursuant to Sub-Phase-1-A.

Proposed building lengths range from 80 to 300 feet to create the scale and sense of place that are integral to a successful village core. Building length along Main Street is used to create a walkable pedestrian experience without large gaps or ‘missing teeth’ in the walkable Village-core framework. The proposed hotel/conference center in the Crescent neighborhood is proposed to have a maximum 600 feet maximum length, which is consistent with appropriate size of these facilities.

Ground-level or partially submerged parking will be designed to reduce visibility. Where parking is exposed on an interior court or drive the façade of the parking level will be articulated as part of the overall massing and façade articulation for the structure. Openings at the parking level will be louvered or screened to allow natural light and air. Parking structures will not front or be accessible from main streets, pedestrian ways, or recreational areas unless that exposed parking structure façade is above the second story and is designed and architecturally treated to resemble the façade of an occupied building. Freestanding surface and structured parking will be constructed with a 20-foot landscaped buffer, which can include the use of small structures (“parking sheds” see page 85 in the Design Guidelines) to assist in screening and softening views toward the parking area.

Amongst the various use groups, a wide variety of roof styles (including front and side-facing gable, gambrel, hip, mansard, shed roofs, and flat roofs) will assist in varying building forms. For larger buildings, vertical roof plane breaks, changes in ridge height or other roof accent forms will be used to reduce the overall perceived scale of the building. Flat roofs with parapet walls may be utilized as roof decks. Building proportions will be further controlled through vertical (regular rhythm of bays, component vs. larger masses, alternate materials) and horizontal (establishment of base, middle, and top, use of arcade/gallery, use of step-backs) articulation strategies. Other massing strategies will employ corner massing (change of material, tower elements, lantern effect) and massing breaks (full building height, approximately every 100 feet), including recessed building portions to create depth in the façade, step backs, change in materials, and variation in size.

New height provisions applicable in the Bellefield PUD are being sought to allow a 20-foot high retail floor and 10-foot high ceilings in the residential units, which are critical to the design

aesthetic and advantageous to developing a sense of place within the Bellefield Village center. The proposed height provisions which determine how height in feet is calculated for a building with one shaped roof, multiple shaped roofs, or parapet roofs. The provisions also identify permitted height encroachments deemed appropriate by the Planning Board, including architectural features (e.g. parapets, equipment screening elements), stair and elevator bulkheads, and utility and telecommunication equipment. The provisions also specify that height in stories shall include all habitable or occupiable stories from the first habitable floor of the building. Note that an area below the first habitable floor of the building shall not count as a story.

As shown in HH Figure 4 (submitted separately), the proposed heights within the Village are typical of those found in other historic Hudson Valley villages. In addition, the proposed heights for the 2021 Proposed Plan are consistent with existing building heights at the CIA campus (located across NYS Route 9).

- (2) To encourage land development that, to the greatest extent possible, preserves natural vegetation, respects natural topographic and geologic conditions, and does not adversely affect flooding, soil, drainage and natural ecologic conditions;

2021 Proposed Plan: The 2021 Proposed Plan will result in greater preservation of natural vegetation, natural topographic and geologic conditions. The project design includes approximately 117.6 acres to be preserved in a permanent conservation easement.¹ In addition to the site design strategies discussed above, grading is anticipated to be balanced on site (no excessive cuts and fills).

The 2021 Proposed Plan will not result adversely affect flooding, soil, drainage, and natural ecologic conditions. There is no work proposed within the 100-year floodplain, Town regulated wetland buffer, or the regulated NYSDEC stream buffer, except possibly for the footings of a potential pedestrian bridge. A Stormwater Pollution Prevention Plan (SWPPP) will be submitted to the New York State Department of Environmental Conservation (NYSDEC) in accordance with General Permit (GP) 0-20-001, for the issuance of a general permit for discharges associated with construction activities. The 2007 Approved Plan indicated minimal disturbance to wetlands; however, based on Chazen's review of the overall footprint and intensity of development additional encroachment and/or disturbance to wetlands seems likely. The 2021 Proposed Plan utilizes approximately the same overall footprint with a similar intensity of development and similar to the 2007 Approved Plan will require limited encroachment and/or disturbance in federally regulated wetlands. No impacts to NYSDEC wetlands or wetland buffers are anticipated to occur. A US Army Corps of Engineers (USACE) Nationwide permit is available for wetland impacts on the property and will be obtained prior to development. The effects of the proposed development on wetlands will be evaluated by the regulatory agencies during the permit review process, which by definition includes avoidance of wetland impacts where possible, minimization of unavoidable wetland impacts, and finally, mitigation of all minimized

¹ The 2017 Amended SEQR findings specify 200 acres (58%) in permanent conservation easement; page 3 in the 2007 Approved Plan specifies a minimum of 50% of site is required to be open space. The Chazen Companies did a trace of the 2007 site plan and found only 115.5 acres of conservation area identified on the approved plan. The Amended CDP includes 117.6 acres in conservation easement (east parcel and around Maritje Kill) in addition to public and pocket parks, trails, agricultural fields and natural vegetated areas.

impacts.

- (3) To provide for abundant, accessible, and properly located public open and recreation space;

2021 Proposed Plan: There will be no reduction in the public open and recreation space as part of the modified design. The 2021 Proposed Plan includes 117.6 acres in conservation easement (east parcel and around Maritje Kill) in addition to public and pocket parks, trails, agricultural fields and natural vegetated areas. The development will include approximately ten miles of trails, approximately five miles of sidewalks, and shared access for bicyclists along roadways providing safe and efficient access throughout the interior of the development. The system will connect the residential areas, St. Andrews, The Village, and the conservation area. Public and pocket parks will be located throughout the development and will feature amenities (community buildings or structures, playgrounds, etc.) in addition to agricultural fields and related activities. In addition, there will be interior gardens, courts, and other amenity structures to provide inviting, active areas for residents. Visitors will be able to park within Bellefield to utilize the onsite parks, trail system and bicycle accommodations. The trail system is designed to link to off-site Town wide existing and future proposed trail systems leading to Val-kill.

- (4) To encourage uses of land that reduce transportation needs and conserve energy and natural resources to the maximum extent possible;

2021 Proposed Plan: As described above the 2021 Proposed Plan is a fully integrated design that will provide connectivity, reducing transportation needs and conserving energy and natural resources. Bellefield's St. Andrews neighborhood, at the corner of US Route 9 and St. Andrews Road, provides an easy transition to Corridor Business Zoning District as it is primarily commercial and responds to its crossroads location. This area has become increasingly pedestrian scale with adjacent new development of Asahi Shuzo's Sake facility north of the site, including a rice polishing building close to the crossroads intersection (at a 150-foot setback) that features a tasting room and visitor tours. Furthermore, A bus stop is located at US Route 9 and St. Andrews Road for midday northbound stops serviced by Route C of Dutchess County LOOP. A bus stop is also located at US Route 9 and West Dorsey Lane for daily service by Route C of Dutchess County LOOP. Finally, with reduced retail and office space, the total vehicular trips for the Bellefield project will be less than the 2007 Approved Plan. The 2007 Approved Plan included a potential to provide future shuttle service between National Park Service sites and to and from the Poughkeepsie Train Station. With reduced traffic, increased accessibility/connectivity via the trail network, and available bus service there is little, if any, demand or need for shuttle services.

- (5) To lower development and building costs by permitting smaller networks of utilities and streets and the use of more economical building types and shared facilities;

2021 Proposed Plan: The 2021 Proposed Plan has the same entrance points on the surrounding road systems, the same general internal road circulation system, and the same general overall area of disturbance, although it eliminates the proposal for excavation for underground parking. Similar to the 2007 Approved Plan, project roads remain privately owned and maintained, but accessible to the public. As part of the Sub-Phase 1-A approval in

2018, the WWTP was relocated to a more suitable location on the site which allowed for a reduction in the number of pumping stations from eight to three.

- (6) To promote the combining and coordinating of land uses, building types and building relationships within a planned development, which otherwise would not be provided under a conventional zoning district;

2021 Proposed Plan: Due to the site's location within the BPDD, a PUD is required for the site. The 2021 Proposed Plan makes intelligent use of the PUD Overlay to allow for the development of a community focused on agriculture, the natural environment, and the culinary strength of the region. Contemporary building and site designs draw upon that heritage and local tradition reflecting the sense of place and strong history of Hyde Park. The Master Plan enhances its tourism and hospitality base by providing for two hotels, which cater to varied elements of the tourism market. The Village Core includes "placemaking" design to support the center with access to a system of parks and open space, including a greater number, and a wider variety of desirable housing types, including highly-amenitized rental buildings, condominium buildings, as well as apartment lofts over retail. This proposed residential density and variety of unit types provides essential year-round economic support to the restaurant/winery/brewery/food businesses in the Village Center.

- (7) To provide additional convenience and economy in the location of retail and other commercial enterprises and services, and to provide a wider range of housing costs and settings for Town residents;

2021 Proposed Plan: The 2021 Proposed Plan includes a convenience retail geared towards residents and visitors to the site, which will not compete with existing businesses. With two new hotels (extended stay and all suite) and remaining commercial focused on culinary and agriculture, the 2021 Proposed Plan will enhance tourism. The project will increase housing diversity as compared to the 2007 Approved Plan, with the addition of rental apartments amongst a wide array of housing options, including single-family residence, townhomes, patio homes or duplexes, lofts above retail, and condominiums.

- (8) To promote sensitive development of land adjacent to already settled areas in order to provide orderly and organic transition from Neighborhoods to Hamlets, and to create new community centers;

2021 Proposed Plan: The 2021 Proposed Plan will complement the Culinary Institute of America (CIA) development across US Route 9 to the west with the development of The Village, which is the community's core and consists of retail, commercial, and mixed-use buildings, lofts, townhouses, condominiums and multi-family rental units set back behind the estate-like, stone-walled main entry and fields with specimen trees. The Village will be joined by four other neighborhoods, including The Crescent, which hosts condominium flats, townhouses, patio homes, and a hospitality program with ample buffer between nearby residences on West Dorsey Lane. The Ridge, which overlooks the site, features estate homes, cottages, and additional patio homes. The Terrace connects to The Ridge and includes townhouses and additional cottages. The St. Andrews neighborhood at the corner of US Route 9 and St. Andrews Road is primarily commercial and relates well to the Corridor Business

zoned uses located immediately north, including the new sake facility and tasting room. Within these neighborhoods, community amenity buildings and outdoor spaces provide natural areas and programs for neighbors to enjoy outside of their individual homes. In addition, the development will include approximately ten miles of trails, approximately five miles of sidewalks, and shared access for bicyclists along roadways providing safe and efficient access throughout the interior of the development and onto trails off-site.

- (9) To allow access by the general public to all streets and public facilities, without regard to whether such streets and public facilities are owned by the Town or a community association.

2021 Proposed Plan: Similar to the 2007 Approved Plan, project roads remain privately owned and maintained, but accessible to the public.

§ 108-7.2. Eligibility.

The PUD Overlay District is designed to allow an applicant to submit a proposal for consideration of any uses or any mixture of uses permitted by this chapter in any district that are consistent with the Comprehensive Plan of the Town, and to allow the Planning Board and the Town Board to approve any proposal which the Town Board determines to be in the best interest of the public health, safety and welfare, along with any conditions, requirements or limitations thereon which the Town Board and the Planning Board deem advisable. Final approval of a PUD proposal rests with the Town Board. However, no PUD shall be eligible for approval unless the following minimum conditions are met:

- A. Minimum area and density. In the Greenbelt and Waterfront Districts, the minimum area required for a PUD proposal is 40 acres. In the Neighborhood, Hamlet, Business Districts, Landing Districts and Cores, the minimum area required for a PUD proposal is 20 acres. In the Bellefield Planned Development District, the minimum area required for a PUD proposal is 100 acres. All residential density increases above the underlying density maximums shall be subject to review and approval by the Town Board. In determining base densities for all residential components of a proposed PUD, the proposed total acreage for all nonresidential uses shall be subtracted from the total PUD acreage. (Note the additional factors for Greenbelt and Waterfront calculations in § 108-5.15.) The remaining acreage shall then be used to determine the maximum number of dwelling units for the residential component of the PUD.

2021 Proposed Plan: The 2021 Proposed Plan is comprised of 339.62 acres² (ac), including wetlands, which meets the minimum land area required for a PUD proposal in the Bellefield Planned Development District (BPDD). Per § 108-5.15³, to determine underlying base densities, aquatic resources (43.936 ac.) and 100-year floodplain areas (1.14 ac.) must be deducted. The

² Based on the existing conditions plan approved for Inn at Bellefield (Sub-Phase 1-A of the 2007 Approved Plan) on January 3, 2018 the site is comprised of 339.62 ac. The 2007 Approved Plan uses 339.5 ac. This difference results in a negligible change in the calculation.

³ In the Greenbelt and Waterfront Districts, when calculating the density of acreage for a given parcel, all Federal Army Corps of Engineers and NYS DEC regulated wetlands proper as well as lands within the one-hundred-year flood hazard area shall be excluded from the total parcel acreage calculation. Where the resulting residual acreage is equal to or less than 10.0 acres, minimum average density shall be calculated on the basis of 2.0 A/DU for this residual acreage. Where the resulting residual acreage is more than 10.0 acres, the minimum average density shall be calculated on the basis of 2.5 A/DU for this residual acreage.

Master Plan includes 2.58 DU per area of gross site area, which increased to 2.96 DU per net area (less aquatic resources). With the addition of the 1.14 ac. of floodplain, the density increases to 2.97 DU per net area. The 32 Villas count as dwelling units. The increased density is comprised of smaller sized single-family dwelling units (patio homes (or duplexes) and cottages) located in the Terrace, Ridge and Crescent neighborhoods. Increased housing will bring a critical mass of residents to support Bellefield's commercial program.

- B. Not less than 30% and not more than 50% of the gross square feet of the floor space of the proposed development shall be for nonresidential uses. All such nonresidential uses shall be clustered within a center.

[Amended 8-24-2009 by L.L. No. 2-2009]

2021 Proposed Plan: Nonresidential uses comprise 38% of the 2021 Proposed Plan. Nonresidential uses are clustered within a center (see HH Figure 2, submitted separately). The hospitality uses located in the Crescent neighborhood are clustered together with the nonresidential and residential uses located within the Village core, which generally aligns with the boundaries of the center approved in the 2007 Approved Plan. Note that similar to the 2007 Approved Plan, this clustered center also includes residential uses. With the 2018 approval of Sub-Phase 1-A, the wastewater treatment plan (WWTP) was relocated from its St. Andrews Road location to where it is in the 2021 Proposed Plan (north of the main entry), off US Route 9. In the 2021 Proposed Plan, the former WWTP site is proposed to be developed with a restaurant that overlooks the Maritje Kill. The relocation of the WWTP was an obvious improvement to the Master Plan as it allowed for a design that celebrates the Maritje Kill and works in tandem with the natural topography, which is undulating in the north-central part of the site. In addition to the restaurant, the St. Andrews neighborhood will include additional commercial (retail and office) that will relate to the Corridor Business Zoning District located across St. Andrews Road. The St. Andrews neighborhood includes approximately 83,000 SF or 10% of the overall nonresidential area, which is a small portion of the overall nonresidential area. Despite the topographic challenges, this neighborhood is highly accessible from within Bellefield by the trail and road network.

- C. Open space. A minimum acreage of 30% of the total PUD acreage shall be designated as open space for all PUD proposals.

2021 Proposed Plan: The 2021 Proposed Plan includes approximately 244.73 ac. of open space, which is approximately 72% of the total PUD acreage.⁴ The plan includes approximately 117.6 acres to be preserved in a permanent conservation easement, which is in addition to the trails, pocket and public parks, natural areas, agricultural area, and area devoted to historic and cultural resources.⁵

⁴ Open space definition per §108-2.2: Land left in a natural state for conservation and agricultural purposes or land landscaped for scenic purposes, devoted to active or passive recreation, or devoted to the preservation of distinctive architectural, historic, geologic or botanic sites. The term shall not include land that is paved, used for the storage, parking or circulation of automobiles, or occupied by any structure. Preserved open space may be included as a portion of one or more large lots or may be contained in a separate open space lot. The required open space land may not include private yards within 50 feet of a permitted structure, other than an accessory structure.

⁵ The 2007/2017 findings specify 200 acres (58%) in permanent conservation easement; page 3 in the 2007 Approved CDP specifies a minimum of 50% of site is required to be open space. The Chazen Companies did a trace

- D. Configuration. The lot or lots for which the PUD proposal is made shall be contiguous and with sufficient width and depth to accommodate the proposed use.

2021 Proposed Plan: The 2021 Proposed Plan is consistent with the Individual Building – Yard and Setback requirements of the approved 2007 Approved Plan. Residential and Nonresidential uses are consistent with those approved in the 2007 Approved Plan, with the exception of free-standing multi-family buildings (including rentals) and craft brewery, winery, distillery and or food manufacturing, tasting room, mixed-use, commercial recreation, an event barn, agriculture, farm, animal husbandry, shed, and membership club. The Applicant is seeking Concept Plan approval to include the additional permitted uses. These uses are appropriate pursuant to 108-5.12B(1) as they promote tourism, contribute to the estate-like entry and gateway to the Town complementing other local historic resources and the CIA, are supportive of other Town commercial areas due to the convenience scale commercial uses proposed, and complement the new culinary oriented development (sake facility) across St. Andrews within the Corridor Business Zone.

- E. Unified control/ownership. All land included for the purpose of development within a PUD shall be under the unified control of the applicant for such PUD, whether the applicant be an individual, partnership, corporation, or other entity, and shall be planned and developed as a whole in a single development operation or a definitely programmed series of development operations or phases. The applicant shall provide the Zoning Administrator all of the necessary documents and information that may be required by the Town Attorney to assure the Town that the development project may be lawfully completed according to the plans sought to be approved.

2021 Proposed Plan: The 2021 Proposed Plan will be subject to the approved Development Plan and Master Association.

- F. Phasing. If the development is to be phased, residential and nonresidential uses shall be included in each phase of the development to assure that each phase maintains the percentage balance of residential and nonresidential uses required by the Town Board in its approval of the PUD concept plan. (See § 108-7.3B below.)

2021 Proposed Plan: The 2021 Proposed Plan will not be phased. Construction will take place in a series of sequences depending on market conditions. Construction of both entrances on US Route 9 are completed, as is the West Dorsey Lane access, previously approved in Sub-Phase-1-A, including corresponding improvements to US Route 9. Site access is ensured for construction, emergency access, and for circulation amongst project elements and infrastructure is established as each construction sequence is executed. To allow for flexibility during buildout of the project, a temporary increase to 72% residential and 32% non-residential similar to that which was approved for the 2007 Approved Plan is being requested for the 2021 Proposed Plan by approval of Town Board.

§ 108-7.3. Procedure.

of the 2007 site plan and found only 115.5 acres of conservation area identified on the approved plan. The Amended CDP includes 117.6 acres in conservation easement (east parcel and Maritje Kill) in addition to public and pocket parks, trails, agricultural fields and natural vegetated areas.

A PUD application shall include a PUD concept plan. The PUD review process will be coordinated between the Planning Board and the Town Board. The review process consists of the following steps:

- A. Preapplication conference. A request for a preapplication conference shall be submitted, along with the appropriate preapplication fee, to the Zoning Administrator. The intent of the preapplication conference is for the applicant to obtain a general awareness of the Town's planning rationale, the compatibility of the proposed PUD with existing and anticipated land uses in the vicinity, and a familiarity with the Town's PUD procedures. The conference assists the applicant in determining the suitability of a proposed PUD in the proposed location, without incurring the expense of preparation of a PUD concept plan. The conference will be an informal meeting with the Town Board at a workshop session, open to the public, and included on its agenda in advance of the meeting. The Planning Board shall be invited to attend this conference. The preapplication conference is mandatory but does not require the filing of a PUD concept plan or plat.

2021 Proposed Plan: The Applicant has met with the Town and its consultants on multiple occasions (beginning in the Fall of 2020) to discuss the proposed amendment to the PUD CDP.

- B. PUD concept plan submission. A PUD concept plan is a detailed plan that shows the proposed use and scale, density and intensity of use for all uses of all lands within the PUD in accordance with the information requirements in subsections §§ 108-7.4 and 108-30. An application for approval of the PUD concept plan shall be submitted, along with the appropriate application fee, to the Zoning Administrator as set forth in the current fee schedule adopted by the Town Board. The Zoning Administrator shall ascertain that all filing requirements have been met and if so, shall forward the application document simultaneously to the Town Board and the Planning Board. If the PUD is to be phased, a PUD concept plan for each phase shall be submitted as part of the initial submission.

2021 Proposed Plan: The Applicant has submitted a concept plan that includes proposed uses and scale, density and intensity of uses for all uses of all lands within the PUD pursuant to §§ 108-7.4 and 108-30 as part of this submission. The 2021 Proposed Plan is not proposed to be phased.

- C. Planning Board review of PUD concept plan. The Planning Board shall review the application for compliance with the standards set forth in § 108-7.5 of this chapter. At its first regular meeting after timely submission of an administratively complete application, the Planning Board shall entertain a presentation of the project by the applicant, review the application materials and the PUD concept plan, and review the EAF or DEIS submitted by the applicant. All PUD applications shall be considered Type I actions under SEQRA requiring coordinated review. The Planning Board shall be lead agency for purposes of SEQRA review. At its first meeting, the Planning Board shall determine all other involved agencies, including the Town Board, based on the material submitted by the applicant, and shall resolve to circulate a lead agency letter to all other involved and interested agencies as required by SEQRA. Upon completion of its SEQRA review, the Planning Board shall forward a report to the Town Board of the Planning Board's findings and recommendations regarding the PUD concept plan. The Town Board and the Planning Board are encouraged to hold joint meetings during the PUD concept plan and SEQRA review. The Town Board may hold separate workshop meetings on the PUD concept plan or may attend the Planning Board meetings.

2021 Proposed Plan: A Full Environmental Assessment Form (FEAF) Part 1 with a comparative

analysis demonstrating any potential for significant adverse environmental impacts as compared to the approved 2007 Approved Plan, with consideration as to the consistency with the 2017 St. Andrew's at Historic Hyde Park Findings Statement is being submitted separately.

- D. Town Board action on the PUD concept plan. Within 62 days of receipt of the report of the Planning Board on the PUD concept plan, the Town Board shall hold a public hearing on the proposed PUD concept plan, which public hearing may be combined with a public hearing on the DEIS held by the Planning Board. Public notice shall be required in the same manner as provided in § 108-8.3C. The Town Board shall, within 62 days of the close of the public hearing, approve, approve with conditions, or disapprove the PUD concept plan, provided that the Planning Board has first completed the environmental review process under SEQRA. The decision of the Town Board shall be final and shall be supported by written findings. The decision of the Town Board shall be forwarded to the Planning Board for further action. If the PUD concept plan is disapproved, there shall be no further proceedings by the Planning Board. If the PUD concept plan is approved or approved with conditions, the Planning Board shall proceed in accordance with such determination.

2021 Proposed Plan: no comment.

- E. Planning Board review of final development plan. Upon receiving the Town Board's approval, with or without conditions, the applicant shall submit a final development plan, in the same manner and level of detail as a site plan, to the Planning Board for approval. If the development is to be phased, the final development plan shall include a development plan for each phase. The final development plan is a detailed development plan prepared to scale showing accurately and with complete dimensioning the boundaries of a site and the location of all buildings, structures, land uses, and principal site development features. The submittal requirements are set forth in the following section.

2021 Proposed Plan: no comment.

- F. The time within which the Planning Board or Town Board must render its decision may be extended by mutual consent of the applicant and the Planning Board or Town Board.

2021 Proposed Plan: no comment.

§ 108-7.4. Submittal requirements.

- A. PUD concept plan. A PUD concept plan shall consist of the graphic and/or textual information itemized below. Adjustments to this information can be made at the preapplication conference.

- (1) A general plan for the use of all lands within the proposed PUD. Such plans shall indicate the general location of residential areas (including density and unit types), open space, parks, passive or scenic areas, and commercial and other nonresidential areas (including building square footage and height).

2021 Proposed Plan: See HH Figure 2 Program Concept Plan (submitted separately)

- (2) A plan of vehicular and pedestrian circulation showing the general locations and right-of-way widths of roads, sidewalks, the capacity of the system and access points to the external and

internal thoroughfare network.

2021 Proposed Plan: See HH Figure 3 Bellefield Circulation and Trails and Chazen’s Open Development Plan, both submitted separately. Note that there is no “right-of-way” because similar to the 2007 CDP PUD, project roads remain privately owned and maintained, but accessible to the public.

- (3) Quantitative summary of land uses (maximum acres, maximum nonresidential building square feet, and maximum number of residential dwelling units).

2021 Proposed Plan: This information is included in the Project Narrative and the SEQR Comparison Technical Report (submitted separately).

- (4) A report justifying the approval of the PUD, including:

- (a) Identification of each use consistent with the use classifications of this chapter.

2021 Proposed Plan: This information is included in the Project Narrative and the SEQR Comparison Technical Report (submitted separately) in Table 4.

- (b) The proposed scale, density and intensity of use applicable to each such use.

2021 Proposed Plan: This information is included in the Project Narrative and the SEQR Comparison Technical Report (submitted separately).

- (c) The manner in which the PUD supports and is consistent with the statement of land use policies, principles and guides in the Greenway Connections, and the other purposes of this chapter.

2021 Proposed Plan: This information is included in the Project Narrative and the SEQR Comparison Technical Report (submitted separately).

- (d) The manner in which the PUD is suitable for the particular underlying district and compatible with the character of the underlying district.

2021 Proposed Plan: The 2021 Proposed Plan is the proposed amendment to the approved St. Andrews PUD. Due to the site’s location within the BPDD, a PUD is required for the site. Per § 108-5.12 A, “The Bellefield District shall be treated as an overlay district for purposes of as-of-right density and bulk regulations.” The BPDD proposes purposes and goals that are different from those of the underlying district. Additionally, the site is over 339 acres in size. However, the plan is congruent with the fundamental policies of the Greenbelt District. Per § 108-5.3, the following standards apply to the Greenbelt District:

The following standards apply to the Greenbelt and Waterfront Districts:

A. The negative impacts on environmental and scenic resources of any new development shall be minimized.

2021 Proposed Plan: The 2021 Proposed Plan will result in greater preservation of natural vegetation, natural topographic and geologic conditions. The project design includes approximately 117.6 acres to be preserved in a permanent conservation easement. In addition to the site design strategies discussed above, grading is anticipated to be balanced on site (no excessive cuts and fills) and excavation will utilize mechanical processes to the greatest extent possible (similar to the 2007 Approved Plan), including the utilization of rippers and hydraulic hammers for rock excavation. Excavation of natural material is anticipated to be less than the 2007 Approved Plan because the 2021 Proposed Plan does not include an underground parking plan.

The 2021 Proposed Plan will not result adversely affect flooding, soil, drainage, and natural ecologic conditions. There is no work proposed within the 100-year floodplain, Town's regulated buffer or NYSDEC regulated stream buffer except possibly for the footings of a potential pedestrian bridge. A SWPPP will be submitted to the NYSDEC in accordance with GP 0-20-001, for the issuance of a general permit for discharges associated with construction activities. The 2021 Proposed Plan utilizes approximately the same overall footprint with a similar intensity of development and similar to the 2007 Approved Plan will require encroachment and/or disturbance in federally regulated wetlands. No impacts to NYSDEC wetlands or buffers are anticipated to occur. A US Army Corps of Engineers (USACE) Nationwide permit is available for wetland impacts on the property and will be obtained prior to development.

Similar to the approved 2007 Approved Plan, the 2021 Proposed Plan includes development amongst historic and cultural resources, including the Roosevelt Compound, which is considered eligible for listing on the National and State Register of Historic Places. A Restrictive Declaration was recorded on November 19th, 2018 protecting the Roosevelt Compound and its 15-foot buffer from future disturbance. The Area of Potential Effect (APE) studied in the Draft Environmental Impact Statement (DEIS) and Final Environmental Impact Statement (FEIS) for the St. Andrew's at Historic Hyde Park included the entire current project's disturbance area and testing was undertaken to account for the entire APE, with some additional testing in certain areas resulting in the restrictive declaration for the Roosevelt Compound and no further investigations required for the remaining property. The 2021 Proposed Plan utilizes approximately the same overall footprint and is not anticipated to result in significant adverse impacts to historic and cultural resources.

As described, the 2021 Proposed Plan minimizes negative impacts on environmental and scenic resources.

B. Existing tree rows and hedgerows, stone walls, and similar features shall be retained in the development of any new use or the expansion of any existing use.

2021 Proposed Plan: The 2021 Proposed Plan works in tandem with the natural landscape, incorporating the more sensitive areas (e.g., steep slopes, Maritje Kill, specimen trees) in the open space and trail network. The design retains specimen trees and features open fields, forest and other natural areas coupled with architectural

design that is contextual. Stone walls will be used at entries on US Route 9 and St. Andrews Road.

C. The number of off-street parking spaces required shall be the minimum necessary to adequately serve the intended use.

2021 Proposed Plan: The 2021 Proposed Plan utilizes the parking requirements set in the approved 2007 Approved Plan, which require 2,539 parking spaces. The Master Plan provides for 2,751 spaces (does not include on-street parking that will be available in the Terrace and Ridge neighborhoods), which is the minimum necessary to adequately serve the intended use.

D. The primary means of access to lots shall be via the existing street corridors to minimize the number of new streets created.

2021 Proposed Plan: The 2021 Proposed Plan has the same entrance points on the surrounding road systems, the same general internal road circulation system, and the same general overall area of disturbance as the approved 2007 Approved Plan.

E. All new streets shall be designed with rural characteristics, including narrower rights-of-way, minimal tree clearing, minimal grading and filling of existing topography, and usage of natural drainage where practicable.

2021 Proposed Plan: Road specifications for the 2021 Master Plan will be consistent with the approved Open Development Plan (submitted separately) approved for Sub-phase 1A.

F. On-street parking is discouraged.

2021 Proposed Plan: On-street parking will occur throughout the 2021 Proposed Plan community to reduce the need for underground parking garages and because the road specifications (as approved within the Open Development Plan) are suitable for this use.

The Bellefield development will enhance the gateway to the Town. Traveling north on US Route 9, first by the estate-like main entry complete with stone walls, will be a momentary view of a barn, fields with preserved specimen trees, and the Village core located further east, complementing the CIA development across US Route 9 to the west. The view a bit further north will reveal views of agricultural fields and farmland, followed by a more heavily vegetated natural area, the Maritje Kill basin. Views toward the St. Andrews neighborhood will respond to and complement the views of recent development that has occurred off site to the north at the St. Andrews/Route 9 intersection. The parking area in front of the restaurant off St. Andrews Road will include a planted landscaped area that will partially buffer views from St. Andrews Road toward the parking area on the south side of the road. Further east on St. Andrews Road, views of the conservation area will dominate. The overall design works in tandem with the natural landscape, incorporating the more sensitive areas (e.g., steep slopes,

Maritje Kill, specimen trees) in the open space and trail network while introducing agrarian areas with maintained forest where appropriate.

Bellefield will include 117.6 acres in conservation easement (east parcel and Maritje Kill) in addition to public and pocket parks, trails, agricultural fields and natural vegetated areas. The development will include approximately ten miles of trails, approximately five miles of sidewalks, and shared access for bicyclists along roadways providing safe and efficient access throughout the interior of the development. The system will connect the residential areas, St. Andrews, The Village, and the conservation area. The trail system is designed to link to off-site Town-wide existing and future proposed trail systems leading to Val-kill.

The 2021 Proposed Plan is an interconnected, walkable community. The design uses contemporary building designs that draw upon regional heritage and local traditions. Updated Design Guidelines have been developed for the 2021 Proposed Plan that are in keeping with the Town's zoning and policy initiatives to assure the development of a community that is architecturally and environmentally innovative, while also being compatible with the character of the underlying Greenbelt District and the BPDD Overlay. The guidelines are consistent with Greenway Connections, so as to create a community which provides a fitting gateway entrance to the Town of Hyde Park.

The Design Guidelines provide information on building proportion and façade organization, massing and articulation, lighting, and signage for all building types included in the 2021 Proposed Plan. In addition, the Design Guidelines provide locational and design standards for freestanding and integrated parking decks in the Village and Terrace neighborhoods to accommodate the parking needs of hospitality, multi-family, and/or mixed-use buildings, while assuring that the design and aesthetics of the structures are appropriate for the BPDD.

In general, the 2021 Proposed Plan complies with the approved 2007 Approved Plan, the BPDD Overlay and the underlying Greenbelt District.

- (e) The manner in which the physical improvements will satisfy the site development standards applicable to the district in which the proposed use is located and will comply with the standards for such district.

2021 Proposed Plan: The approved St. Andrews PUD is located within the BPDD, with the Greenbelt District (GB) as the underlying district. A summary demonstrating that the 2021 Proposed Plan complies with the BPDD is being submitted separately.

- (5) A detailed description of the proposed development, including:

- (a) The total acreage of the project, the density of the underlying district and the number of dwelling units allowed by the underlying district.

2021 Proposed Plan: Similar to the approved 2007 Approved Plan, the total acreage of the

project site is 339.62⁶. The entire site is located within the BPDD, with the Greenbelt District (GB) as the underlying district. The number of dwelling units allowed by the underlying district are 2.5 acres per DU or 118 dwelling units⁷. The proposed 2021 Proposed Plan would increase residential density by approximately 51% from the 2007 Approved Plan, which allowed 558 dwelling units. As compared to the 2007 Approved Plan, the 2021 Proposed Plan's additional density is mostly comprised of multi-family buildings. Increased housing will not only increase range of housing choice, but also supply residential support necessary to support Bellefield's commercial program. Therefore, the Applicant is seeking Town Board approval of the increased density pursuant to 108-5.12B(2).

- (b) The number of acres proposed to be developed in the various categories of land shown on the PUD concept plan, the percentage of total acreage represented by each category of use and each component of development, and an itemized list of uses proposed for each of the components which shall be the range of uses permitted for that section of the PUD.

2021 Proposed Plan: See Project Narrative, SEQR Comparison Technical Report, CDP Plan Set Figure 4, and HH Figure 2 submitted separately.

- (c) The number and type of dwelling units proposed for the overall site and for its components, including dwelling- unit-per-acre calculations and population projections for each or, for nonresidential projects, the gross square footage devoted to each land use.

2021 Proposed Plan: See Project Narrative, SEQR Comparison Technical Report (2,298 new residents proposed to live at Bellefield) HH Figures 2 and 5 submitted separately.

- (d) The proposed development standards that shall govern the site and development such as lot shape and size, internal streets and walkways, open space provisions, off- street parking, buffers and landscape areas.

2021 Proposed Plan: See HH Design Guidelines, which are separately submitted.

- (e) A program for the operation and maintenance of the areas, facilities and improvements for common use by some or all of the occupants of the development, but which will not be provided, operated or maintained by the Town at public expense.

2021 Proposed Plan Operations and Maintenance Plan is as follows:

Common property including open space areas (outside designated conservation areas) and the parking lots and parking structures in the Mixed-Use Center and the 24-space parking lot in the residential cluster: Homeowners' association and a property owners' association.

Mixed-Use Center portion of the project: Condominium association for the residential component; separate condominium association for the retail/commercial component.

⁶ Based on the existing conditions plan approved for Inn at Bellefield (Sub-Phase 1-A of the 2007 Approved Plan) on January 3, 2018 the site is comprised of 339.62 ac. The 2007 Approved Plan uses 339.5 ac. This difference results in a negligible change in the calculation.

⁷ 294.42 acres (net site area 339.62 – 43.936 aquatic resources – 1.14 floodplains)/2.5 = 117.77 or 118.

Every owner of one of these units will automatically become a member of the respective association and will be required to pay dues and/or common charges to fund the operation of the association. A mixed-use area master association will consist of the residential and the retail/commercial associations and will be responsible for operation and maintenance of the common areas and roads in the mixed-use portion of the development.

Residential portion of the project to be developed outside of the mixed-use center: Condominium association for the 96 townhouse units, a Class A membership homeowners association for the 50 single-family homes, and a Class A membership homeowners association for the 82 duplex units. Every resident of one of these units automatically becomes a member of the respective association and will be required to pay dues and/or common charges to fund the operations of the association. In addition, there will be a master s association for all condominium/ HOA/Single Family Homes outside the mixed-use area.

The Master Association will be responsible for maintaining all of the private roads outside of the mixed-use portion of the development together with the associated private utilities and improvements, such as pavement, curbing, sidewalks, signage, stormwater system, rubbish collection., lighting, etc. The respective HOAs will also be responsible for maintaining yard landscaping, irrigation, mailbox clusters, siding, roofing, leaders and gutters, etc.

An overall master association will be responsible for coordinating operation and maintenance of those portions of the development that affect both the residential components and the retail/commercial component, such as the entrance to the project. This overall master association will also be responsible for coordinating the overall design precepts for the project as a whole.

Apportionment of the maintenance costs will be established in the declarations to be submitted to, and approved by, the Attorney General.

(f) An existing conditions map that includes:

- [1] A legal description and boundary survey signed and sealed by a registered land surveyor.
- [2] The name of the PUD, owner, subdivider/lessee/ optionee (if applicable) and address and phone number of each, surveyor and engineer of record, and date of drawing.
- [3] The scale, date, North arrow, and general location map showing the relationship of the site to external uses, structures and features.
- [4] Boundaries of the subject property, all existing streets, buildings, watercourses, easements, municipal boundaries, and important physical features.
- [5] Existing topography referenced to a current datum as required by the Town Engineer.
- [6] The location and size of all existing drainage facilities and a utility concept plan.

[7] Information about the existing vegetative cover and general soil types, and their appropriateness for the proposed PUD.

[8] The location and function of all other existing public facilities which would serve the residents of the PUD, including but not limited to schools, parks and fire districts. Notation of this information on a scaled map is acceptable.

2021 Proposed Plan: An existing conditions map is enclosed within the CDP Plan Set on Sheet SV1 (submitted separately).

(6) Full environmental assessment form or DEIS.

2021 Proposed Plan: A FEAF Part 1 and SEQR Comparison Technical Report is submitted separately.

B. Final development plan. The submittal requirements for the final development plan shall include:

(1) The requirements of § 108-7.4A.

(2) An application for site plan review meeting the requirements of § 108-9.4 for site plan approval, together with the site plan application fee required by § 108-9.3A.

(3) An application for a major subdivision meeting the requirements for preliminary and final plat approval and accompanying data set forth in § 96-20 of Chapter 96 of this Code, together with the subdivision fees required by Chapter 96 of this Code. The PUD concept plan shall serve as the accepted sketch plan.

(4) The Town Board resolution approving the PUD concept plan.

(5) In the event that a final development plan is not submitted to the Planning Board for approval within two years of the date of the approval of the concept plan, the Town Board in its discretion may revoke its approval of the concept plan and require the applicant to refile for approval of its PUD concept plan. [Added 10-17-2016 by L.L. No. 9-2016]

2021 Proposed Plan: These requirements will be met as part of future submittals.

§ 108-7.5. Standards.

A. In reviewing the concept plan and the final development plan, the reviewing board shall apply the general requirements set forth in this article, as well as Article 4 of this chapter and the standards for the underlying district set forth in Article 5, unless the reviewing board, subject to final Town Board approval, determines that alteration of those standards in the context of the PUD would better protect the public health, safety and general welfare and carry out the purposes of the Comprehensive Plan of the Town and the Greenway Connections.

2021 Proposed Plan: According to § 108-4.1, the purpose of Article 4 is to provide the use

classifications, use regulations, bulk regulations, site development standards, historic overlay standards, and scenic overlay standards applicable to all zoning districts. Additional regulations applicable to specific districts are identified in Article 5 and have been discussed above in the response to 108-7.4 A (4) d. The site is not located within the historic or scenic overlays. The 2021 Proposed Plan is consistent with the approved 2007 Approved Plan and pertinent public policy. As such, the proposed 2021 Proposed Plan meets the standards of the PUD Overlay District.

B. In addition to the standards set forth above, no PUD may be approved by the Town Board unless it meets the following standards:

(1) The proposed PUD must support and be consistent with the statement of land use policies, principles and guides in the Greenway Connections.

2021 Proposed Plan: The 2021 Proposed Plan is consistent with the approved 2007 Approved Plan and public policy, see also the SEQR Comparison Technical Report, submitted separately.

(2) The proposed PUD must be suitable and compatible for the particular underlying district.

The 2021 Proposed Plan: See response to 108-7.4 A (4) d and the summary of consistency with the BPDD submitted separately. The 2021 Proposed Plan is suitable and compatible with the underlying Greenbelt Zoning District and the BPDD.

(3) The proposed PUD must be compatible with the character of the underlying district with particular regard for the visual, aesthetic, safety and traffic impacts.

The 2021 Proposed Plan: See response to 108-7.4 A (4) d. The 2021 Proposed Plan is compatible with the character of the Greenbelt Zoning District. The Master Plan will enhance the Town's gateway along US Route 9 with a beautiful estate-like entrance featuring stone walls, specimen trees, views of the Village center coupled with continued views as you drive north of open fields, agriculture, forest and undulating topography. Careful consideration has gone into the overall site design to minimize impacts to natural resources and maximize the benefits of these resources through the allocation of open space. The design is highly integrated with trails and a road network that provides safe accessibility and connectivity. Uses that are less desirable (WWTP, parking) are screened behind buildings, vegetative buffers and topographical changes. The design is complementary to the nearby CIA with its agrarian theme and celebration of the culinary field as demonstrated by the proposed uses being sought and the site design. Moreover, the hospitality focus of the Crescent neighborhood will be a great benefit to the CIA as will the local housing. Bellefield's St. Andrews neighborhood will be a great compliment to the new sake facility development (which includes a tasting room) north of St. Andrews Road within the Corridor Business Zone as it will feature a new restaurant and other convenience retail. Again, the hospitality focus of the Crescent neighborhood will be a great benefit to visitors to the sake facility as well as to the overall tourism industry within the Town. Along West Dorsey Lane and the southeast border, the Master Plan will provide ample buffer though vegetative buffers. Overall traffic effects are minimized in this plan as compared to the approved 2007 Approved Plan due to the reduction in commercial area.

- (4) Any physical improvements in the proposed use must satisfy the site development standards applicable to the underlying district in which the proposed use is located, and with the standards for such underlying district.

The 2021 Proposed Plan: Updated Design Guidelines (submitted separately) have been developed for the 2021 Proposed Plan that are in keeping with the Town's zoning provisions and policy initiatives to assure the development of a community that is architecturally and environmentally innovative, while also being compatible with the character of the underlying Greenbelt District and the BPDD Overlay. The guidelines are consistent with Greenway Connections, so as to create a community which provides a fitting gateway entrance to the Town of Hyde Park.

The Design Guidelines provide information on building proportion and façade organization, massing and articulation, lighting, and signage for all building types included in the 2021 Proposed Plan. In addition, the Design Guidelines provide locational and design standards for freestanding and integrated parking decks in the Village and Terrace neighborhoods to accommodate the parking needs of hospitality, multi-family, and/or mixed-use buildings, while assuring that the design and aesthetics of the structures are appropriate for the BPDD.

- (5) The proposed PUD must conform to requirements in §§ 108-7.1 and 108-7.2.

The 2021 Proposed Plan: See above for the responses demonstrating that the 2021 Proposed Plan conforms to those sections.

- (6) Bicycle paths shall be included in such proposed development based on the following:

- (a) The need for parallel bikeway routes that bypass busy commercial corridors within core areas where on-street parking may conflict with bicycle movement.

The 2021 Proposed Plan: The development will include approximately ten miles of trails, approximately five miles of sidewalks, and shared access for bicyclists along roadways providing safe and efficient access throughout the interior of the development. The system will connect the residential areas, St. Andrews, The Village, and the conservation area. Visitors will be able to park within Bellefield to utilize the on-site parks, trail system and bicycle accommodations. See HH Figure 3 submitted separately.

- (b) The need for routes linking such bypass to a Core area location where bicycle racks are provided.

The 2021 Proposed Plan: See response above to (a).

§ 108-7.6. Decisions.

- A. Approval of a PUD concept plan by the Town Board shall be considered a binding commitment on the applicant and all subsequent owners to adhere to such plan in the final development plan review and approval process. A PUD concept plan approval does not in any way require the applicant to proceed with the approved plan.

The 2021 Proposed Plan: The 2021 Proposed Plan is consistent with the 2007 Approved Plan and public policy. Some modifications are being sought (as described below), which are consistent with the Town’s public policy and goals and objectives for this property and will not result in significant adverse impacts.

Description	Proposed 2021 Plan	Purpose
Permitted Uses	Additional Permitted Uses	To support housing diversity, tourism, commercial trends, and development aesthetic
Residential-to-Non-Residential Ratio	Increased residential development	To support commercial program and flexibility during build out
Residential Density	Increased residential development	To support commercial program
Maximum Building Heights	Increased maximum building heights, including new height provisions applicable in the Bellefield PUD.	To support building functionality, contemporary design, and market demand
Variations from Bulk and Lot Controls	Allow transfer of residential development area amongst neighborhoods with no increase in dwelling units or introduction of new uses by approval of the Planning Board at Final Development Plan (site plan) approval	To support residential program
Signage	Unique plan per Master Plan	To support program and contribute to overall aesthetic and tourism

B. A final development plan shall be approved in the same form and manner as a site plan pursuant to **§ 108-9.4**, and the provisions therein shall be fully applicable to such approvals. Any approval of a PUD concept plan or final development plan shall incorporate the findings required under SEQRA and shall be made in written form that includes each of the following:

- (1) Identification of each use consistent with the use classifications of this chapter;
- (2) The maximum scale and density applicable to each such use;
[Amended 8-24-2009 by L.L. No. 2-2009]
- (3) The manner in which the proposed plan supports and is consistent with the requirements in §§ **108-7.1** and **108-7.2** and the statement of land use policies, principles and guides in the Greenway Connections;
- (4) The manner in which the proposed plan is found to be suitable for the particular underlying district;
- (5) The manner in which the physical improvements will satisfy the site development standards applicable to the underlying district in which the proposed use is located, and will comply with the standards for such district;
- (6) The particular elements of a site plan that are subject to Planning Board approval during site plan

review;

- (7) Any conditions which shall become restrictions for the approved PUD concept plan with the same force as if they were included in Article 5;
- (8) Any required dedication or reservation, which must include a determination that such dedication or reservation is related both in nature and extent to the impact of the proposed project; and
- (9) Modifications of site development elements necessary to ensure that any physical improvements meet the standards established in Article 5 for the particular underlying district.

The 2021 Proposed Plan: To be provided as part of a future submission.

- C. Any disapproval of a final development plan must be in writing and must address the specific reasons for the disapproval.

The 2021 Proposed Plan: No Comment

- D. Expiration. A final development plan approval shall be deemed to authorize only the particular uses specified in such approval and shall expire if substantial construction of the final development plan is not commenced within two years from the date of the final signature of the plan maps. The Planning Board may, at its discretion, after conducting a public hearing, grant an extension to an approved final development plan. The applicant shall submit a written request 60 days prior to the date of expiration of the final development plan approval, requesting an extension for a specified time and the reason therefor. In granting the extension, the Planning Board may require revision of the previously approved final development plan to comply with current regulations and conditions. The Planning Board shall render a decision, in writing, to the applicant and the other appropriate agencies within 45 days of closing the public hearing. The time within which the Planning Board must render its decision may be extended by mutual consent of the applicant and the Planning Board.

The 2021 Proposed Plan: No Comment