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HYDE PARK, NY**

Town of Hyde Park
ZONING BOARD OF APPEALS
4383 Albany Post Road
Hyde Park, NY 12538
845-229-5111 ext. 2

**RESOLUTION CLASSIFYING THE ACTION AND REFERRING THE APPLICATION
TO THE DUTCHESS COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT**

Rite Aid Signage
1 Crum Elbow Road

Date: October 27, 2021

Motion: David McNary

Resolution # 21-19Z-a

Second: Richard Perkins

WHEREAS, the applicant, GNS Group Ltd., has submitted an application for area variances to increase the maximum permissible graphic and/or letter height, sign size, and cumulative sign area as they seek to replace all signs at the site, which currently contains a Rite Aid (the "Project"), on property located at 1 Crum Elbow Road, identified as tax parcel no. 6165-03-429214, in the East Park Business District (the "Site"); and

WHEREAS, the proposed signage is depicted on a signage plan entitled "RITE AID – Store # 07849," prepared by Universal Signs & Service, dated April 30, 2021 (the "Sign Plan"); and

WHEREAS, the applicant seeks the following area variances:

1. For Sign R1:
 - a. To permit maximum dimensions of 19.5"x15" for a symbol, where maximum dimensions of 10 inches are permitted pursuant to Zoning Law § 108-24.2F(2)(a).
 - b. To permit a maximum sign height of 7'10" where 7' is permitted pursuant to Zoning Law § 108-24.2C(1)(b).
 - c. To permit a maximum height for decorative elements of 11' where 8' is permitted pursuant to Zoning Law § 108-24.2C(1)(b).
2. For Signs R2, R3, and R5:
 - a. To permit signage areas of 4 sq ft where 2 sq ft is permitted pursuant to Zoning Law § 108-24.2C(3)(b).
3. For Sign R4:
 - a. To permit two freestanding signs where only one is permitted pursuant to Zoning Law § 108-24.2C(1)(b).
 - b. To permit maximum dimensions of 19.5"x15" for a symbol, where maximum dimensions of 10 inches are permitted pursuant to Zoning Law § 108-24.2F(2)(a).
 - c. To permit a maximum sign height of 7'10" where 7' is permitted pursuant to Zoning Law § 108-24.2C(1)(b).

- d. To permit a maximum height for decorative elements of 11' where 8' is permitted pursuant to Zoning Law § 108-24.2C(1)(b).
4. For Sign R6:
 - a. To permit 107.25 sq ft of signage where 25.75 sq ft is permitted pursuant to Zoning Law § 108-24.2C(1)(a).
 - b. To permit maximum dimensions of 50.875"x41.5" for a symbol, where maximum dimensions of 10 inches are permitted pursuant to Zoning Law § 108-24.2F(2)(a), pending any relaxation thereof by the Planning Board.
 - c. To permit a maximum letter height of 21.375" (for "Rite" and "Aid") where 10" is permitted pursuant to Zoning Law § 108-24.2F(2)(b), pending any relaxation thereof by the Planning Board.
 - d. To permit a maximum letter height of 11" (for "Pharmacy") where 10" is permitted pursuant to Zoning Law § 108-24.2F(2)(b), pending any relaxation thereof by the Planning Board.
 - e. To permit a maximum wall sign area of 107.25 sq ft where 32 sq ft is permitted pursuant to Zoning Law § 108-24.2C(1)(d).
 5. For Sign R8:
 - a. To permit signage area of 3.375 sq ft where 2 sq ft is permitted pursuant to Zoning Law § 108-24.2C(3)(b).
 6. For Sign R12
 - a. To permit maximum dimensions of 50.875"x41.5" for a symbol, where maximum dimensions of 10 inches are permitted pursuant to Zoning Law § 108-24.2F(2)(a), pending any relaxation thereof by the Planning Board.
 - b. To permit a maximum letter height of 21.375" (for "Rite" and "Aid") where 10" is permitted pursuant to Zoning Law § 108-24.2F(2)(b), pending any relaxation thereof by the Planning Board.
 - c. To permit a maximum wall sign area of 71.5 sq ft where 32 sq ft is permitted pursuant to Zoning Law § 108-24.2FC(1)(d).
 7. For all Signs:
 - a. To permit a cumulative sign area of 239.375 sq ft where a maximum cumulative sign area of 100 sq ft is permitted.

WHEREAS, the applicant has submitted a Short Environmental Assessment Form Part 1 dated September 7, 2021, albeit on an outdated Form; and

WHEREAS, in accordance with the State Environmental Quality Review Act ("SEQRA"), the Planning Board is required to determine the classification of the proposed Project; and

WHEREAS, pursuant to 6 NYCRR § 617.2(a), any action not identified as a Type I or Type II action under SEQRA is an Unlisted action; and

WHEREAS, the Project Site is located within 500 feet of New York State Route 9G; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, projects located within 500 feet of a state highway must be referred to the Dutchess County Department of Planning and Development for a report and recommendation thereon.

NOW THEREFORE BE IT RESOLVED, that the Zoning Board of Appeals hereby:

1. Classifies the Project as an Unlisted action under SEQRA; and
2. Pending submission of a revised EAF, directs its secretary to refer the application to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law.

Adopted:

James Agrawal	YES	
Gerald Bowen	YES	
Paul Donnelly	YES	
Richard Perkins	YES	
David McNary	YES	CARRIED

Filed with Town Clerk 10/28/21



Sarina Teuschler
Secretary to Zoning Board of Appeals