

### Town of Dover Planning Board

Town of Dover  
126 East Duncan Hill Road  
Dover Plains, NY 12522



(845) 832-6111 ext 100

Planning Board  
Monday, February 7, 2011  
7:00PM

- Co-CHAIR David Wylock
- Co- Chair Valerie LaRobardier
- Member James Johnson
- Member Peter Muroski
- Member Michael Villano
- Member Sharon Ipavich

Also, in attendance representing the Planning Board were Planning Board Attorney Victoria Polidoro. Planner Ashley Ley & Engineer Joseph Berger

For the Applicants: -Theresa Ryan, Don Walsh And Rob Nelson for Putnam Steel, Amy Rosuck, Jason Smalley & Curt Johnson of Zarecki & Associates for Camp Ramah, Chris Vincent for Oak Hill Subdivision, Rich Renna & Dan Katz for Dover Plaza Drive Thru, Rich Renna & John Joseph for the Dover Village Expansion, ARB Member Lloyd Scharffenberg, Councilwoman O'Neill as well as other interested members of the Public.

Meeting Called to Order

The regular monthly meeting of the Town of Dover Planning Board was called to order at 7:10pm by Chair Wylock and began with the Pledge of Allegiance

Public Hearing:

- I. **DOVER PLAINS PLAZA-7063-00-509295**  
**Applicant** Richard Renna Jr. for Daniel Katz of Dover Acquisitions  
**Property located** 3081 Route 22, Dover Plains, NY  
**Application For** Site Plan and Special Permit to modify the existing site plan to add a drive up window to the north end of the building on 0.32 acres in the HC district and Aquifer overlay district

Rich Renna- Traffic circulation was discussed at the last meeting. This new submission shows the timber guard rail on the north end of the parking area, rain garden as you come out of the existing bank, details for the crosswalk using thermo plastic surfacing, landscape plan details. They have appeared before the Dover ARB, based on their comments; they are fine with the canopy and made a recommendation of down lighting under the canopy for light and security. A maximum clearance sign

was requested to be added to the canopy. On a separate issue, they opened a discussion on signage existing on site, the menu and M&T signs, which need to come into conformance. Applicant will most likely go for a waiver on the height of the free standing sign.

Attorney Polidoro - Are the items requested by the ARB going to be shown on the site plan?

A: Everything the ARB is asking for would not fall on the site plan except for they had stated they would support a height variance for the Plaza sign, but liked the idea of landscaping and a planter around the bottom to soften the bottom of the sign. The most that would be added to the plan is a planter box around the bottom of the existing sign in the island.

Q Will you change the sign?

A: no, it is currently 19.3 high and sits in a hole. They felt that one sign for the plaza would make sense. The internal illumination needs to be removed, and exterior lighting to be provided. The planter at the base would also shorten the sign

**Motion made by Michael Villano to open the Public Hearing for Dover Plaza 2nd by Valerie LaRobardier**

VOTE: Co-Chair DAVID WYLOCK – AYE Co-Chair VALERIE LAROBARDIER- AYE  
MEMBER JAMES JOHNSON - Absent MEMBER PETER MUROSKI – AYE  
MEMBER MICHAEL VILLANO– AYE Member Sharon Ipavich-AYE

*Motion approved*

There were no comments from the Public  
There were no further comments from the Board

**Motion made by Valerie LaRobardier to close the Public Hearing for Dover Plaza 2nd by Peter Muroski**

VOTE : Co-Chair DAVID WYLOCK – AYE Co-Chair VALERIE LAROBARDIER- AYE  
MEMBER JAMES JOHNSON - Absent MEMBER PETER MUROSKI – AYE  
MEMBER MICHAEL VILLANO– AYE Member Sharon Ipavich-AYE

*Motion approved*

Short EAF was reviewed resulting in the following vote

**Motion made by Peter Muroski to approve the EAF 2nd by Michael Villano**

VOTE: Co-Chair DAVID WYLOCK – AYE Co-Chair VALERIE LAROBARDIER- AYE  
MEMBER JAMES JOHNSON - Absent MEMBER PETER MUROSKI – AYE  
MEMBER MICHAEL VILLANO– AYE Member Sharon Ipavich-AYE

*Motion approved*

**RESOLUTION DETERMINING SIGNIFICANCE  
Negative Declaration  
Dover Plains Plaza Drive-up Window  
7063-00-509295**

WHEREAS, the applicant, Dover Acquisition, LLC, has submitted an application for approval of an amended site plan to modify the parking layout and create a drive-up window at an existing shopping center located at 3081 Route 22, Dover Plains, Tax Grid No. 7063-00-509295 (the "site"), located in the HC and AQ Districts; and

WHEREAS, drive-up windows are permitted subject to site plan review, pursuant to Section 145-43 of the Code, to ensure that street access points and queuing areas are sited in a manner that does not create safety hazards to pedestrians or motorists and that does not increase traffic congestion on existing streets; and

WHEREAS, the application was accompanied by a short Environmental Assessment Form ("EAF"); and

WHEREAS, on December 6, 2010, the Planning Board classified the action as an unlisted action and declared its intent to serve as lead agency in a coordinated review of the project, to which no other agency has objected; and

WHEREAS, on December 19, 2010, the Planning Board conducted a site walk which resulted in an amended vehicle circulation and parking layout; and

WHEREAS, the Planning Board has reviewed the EAF provided and found that it contains sufficient information on which to base a determination of significance; and

WHEREAS, the Planning Board has considered the criteria contained in 6 NYCRR 617.7 and thoroughly analyzed all identified relevant areas of environmental concern.

**NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby determines that the proposed action will not have a significant adverse impact on the environment and that a Draft Environmental Impact Statement will not be prepared and directs the secretary to the Planning Board to send notice of this determination to all involved and interested agencies.**

**Moved by:** Valerie LaRobardier      **Seconded by:** Michael Villano

David Wylock	<u>AYE</u>
Valerie LaRobardier	<u>AYE</u>
James Johnson	<u>absent</u>
Peter Muroski	<u>AYE</u>
Michael Villano	<u>AYE</u>
Sharon Ipavich	<u>AYE</u>

Planning Board Co-Chair David Wylock

Involved and Interested Agencies:

1. NYS Department of Transportation, 2. Town of Dover Architectural Review Board 3. JH Ketcham Hose Company, Inc.

**Discussions:**

**II. DOVER VILLAGE PLAZA CONCEPT EXPANSION - 7063-00-562258**

**Applicant Cedar Dover Plains LLC Plans Prepared by Rennia Engineering Design  
Property located at 3042 Rt 22, Dover Plains, NY**

**Application for a Initial Discussion of a Site Plan / Special Permit / Subdivision to  
subdivide a 5 acre lot and install a 24,505 sf retail grocery store on 5 acres of a 11.9  
acre lot in the HC /AQ districts**

Rich Rennia & John Joseph

Proposing a Grocery store, to be built on the 11.9 acre property where the Dover Village is now. They wish to subdivide the southern portion of the site and share services with Dover Village such as water line and the proposed sewer treatment plant. The building

proposed is 24,505 square feet there are multiple options, what is presented seems to fit and make the best use of the site with least disturbance. There are multiple uses and size options are still being discussed, there may be a larger store proposed for the site that would meet the existing zoning of a maximum of 40,000 square feet.

For this project it is anticipated there is a need for a full traffic study, at this point it is almost completed. Working with DOT there would have to be other arrangements made to get vehicles into the site. The site plan at this time suggested one option of a right in and right out entrance south of the existing post office. The whole site could be reconfigured to have an entrance opposite of Seven Wells Drive; another option is if a traffic light is needed, to look at a light at either location. There may also be a left turning lane in the center.

Co-Chair Wylock - The proposed sewer treatment plant, there is also an application for Country Squire Apartments, would this plant accommodate both?

A: Yes, this has been ongoing, since the apartments had conceptual approval and completed SEQRA, both sites were looking to do a waste water plant, there were applications in to NYS DEC. DEC sent a letter and asked both sites to combine, this proposed plant location has already been sent into DEC, they are doing a SEQRA review on that now. This is for 21,000 gallon a day, which would be a large enough capacity to handle both sites.

Co-Chair Wylock - Conceptually the continuity between the existing plaza is good, there are some questions about how the building is set. It would seem heading north on rt 22, the first visual of this building would be the loading docks. If the building could be turned so the front is facing rt 22 the loading docks would be more out of site.

A: that was discussed, given the height difference, it's 20-30', the thought was not that a car would look down into the loading docks, because of how far back it is set, but more the roof of the building. Turning the building could be looked at.  
Planner Ley:

## PROJECT DESCRIPTION

The applicant proposes to construct a new 24,505 square foot grocery store adjacent to the existing Dover Village Shopping Center. The proposed building would be located on a newly created lot that would be subdivided from the Dover Village Shopping Center. A connection and shared driveway between the two lots is proposed. The project site is zoned Highway Commercial (HC) and the proposed use requires a Planning Board Special Permit. Although further review is required, it appears that the proposed building and new lot would comply with the dimensional regulations of the Code.

## COMMENTS

1. A bulk table should be provided for the remaining Lot 3, so it can be evaluated whether or not the proposed subdivision would create or exacerbate any non-conformities on that lot.
2. In reviewing a Special Permit application, the Code requires the Planning Board to make Findings, one of which is, "Will be consistent with the goal of concentrating retail uses in hamlets, avoiding strip commercial development, and buffering nonresidential uses that are incompatible with residential use." (§145-63.B(9)). The Code defines strip commercial development as follows:

*STRIP COMMERCIAL DEVELOPMENT -- The layout of a commercial use or uses in separated structures more than 50 feet apart along a highway, with parking, gasoline pumps, or other drive-up facilities located between the highway and the commercial building(s), where such parking or drive-up facilities are visible from the road.*

3. Since the proposed project is a strip commercial development, the Planning Board should look at ways to minimize the potential impact of that development on the Town's character. The following are some planning and design aspects that should be considered:
  - a. Interconnect the parking areas of adjacent shopping centers to avoid an excessive number of curb cuts on the highway. (A driveway connection is currently proposed by the applicant, and a sidewalk should be considered as well.)
  - b. Require an integrated landscaping and lighting plan. The plantings should include street trees and planted islands to break-up the parking area. The lighting should be full-cut off, and should only provide the minimum amount of light necessary for safety.
  - c. Use façade treatments and massing to break up the volume of the building.
  - d. Avoid blank walls visible from public view.
  - e. Screen roof-top equipment.
4. The proposed project is located at the base of a hill, on a site that is highly visible to people traveling north on Route 22. As currently proposed, the rear loading dock of the building, as well as the roof, would be highly visible. The Planning Board should request the applicant to prepare some alternate site layouts, or propose design elements, to mitigate any potential visual impacts.

The idea of Hannaford in LaGrange came up as a visual design concept. Engineer Rennia disagreed and that particular example would not fit the design of the existing plaza. It is a more of a broken up facade to appear as if it were several different businesses in a hamlet area. Given the existing shopping center of several buildings with a colonial look, the best look for this building would be to remain with a Colonial appearance.

Co-Chair Wylock - This Board worked with Duncan Donuts, to make sure it was not all concrete and glass, keeping the look of the village would be nice.

Engineer Rennia- A sketch drawing was submitted to the Board with siding, some masonry with a modern feel, the siding would be a hardy plank.

Co-Chair Wylock - Speaking for himself, he would not like to see this look like a warehouse and the exposed loading docks are a concern.

Engineer Berger- As the project moves forward, we will be looking at stormwater, sewerage and other issues, but nothing at this time.

Attorney Polidoro- This is very conceptual at this point, as Ashley had said, the Planning Board does need to make a finding that this is not going to be a strip mall development. That gives the board a lot of leeway to ask for alternatives and to work with this to make it pedestrian oriented and creating a strip mall along rt 22. A question to the Board is whether they would like to be involved in the discussions with DOT and the Applicant at the preliminary stage. The Applicant will be meeting with them to discuss lay out and if the Board would like to participate, that would be appropriate. This would help with the determination of different alternatives, entry ways exits, etc. May times there is just an approval letter from DOT, not a comment letter, so this is an opportunity for all to get in the discussion.

As part of SEQRA- the applicant indicated he is doing a full traffic study, it will be needed, there was a pamphlet (an old edition of the Town Design Manual) was handed out by Co-Chair LaRobardier, and it does show the site having wetlands, so it is up to the Board if

they would like a wetlands study.

Engineer Renna- The wetland that was there was destroyed by the Town back in the 1940's - 1950's with a landfill. There is a small section of the site, under that there was a layer of peat, there were tests done and there is a layer of peat, so that may be the former wet area. The Sewer treatment plant, that DEC is going through SEQRA on, one item that came up in the Environmental review, is that there was a 'hit' of the bog turtle east of the site. They asked for a bog turtle assessment to be done, and it has. The biologist looked at the entire site and looked at Country Squire's entire site. Part of Country Squire's site was a federal wetland, so all of it was looked at. There were no wetlands found on this site, and found that there is also no habitat for Bog Turtles on site. The study is done and will be part of a submission to this Board as part of the SEQRA review.

Q: Did DEC raise any other habitat concerns?

A: Timber rattlesnake, but they felt the rt 22 corridor and the train tracks were significant barriers so they felt no further study was needed.

Q: Is there a letter to that effect?

A: yes, the Board should have a letter, all DEC correspondence has been copied to the Planning Board, at least it says the Board is copied. Copies can be provided.

Q: Are you proposing a transportation Corporation?

A: Yes, and that was one thing slowing down the sewer project. Getting the two project owners and getting them to work together and form the transportation corporation.

Q: there is another subdivision proposed to create a third parcel?

A: Yes

Q: Down the road we will need to discuss access, easement etc.

A: Yes that will be part of the sharing, for both sites to use each entrance.

Q: Since right now both sites are owned by the same person, if DOT wants something widened, is that flexibility there?

A: Yes, there is an existing box culvert that would possibly be a concern with widening the road. There is an extra lane that tapers down. There are multiple access points that DOT can approve. He is anticipating a subdivision and two site plan approvals. Possibly subdivision first then site plans. The existing Dover Village shopping center can be widened if needed, the whole site is open and in play

Q: Once the building is more developed- all elevations should e presented to the Board. The Post Office parcel- is it owned by the Government? A: No, it was created for the Government, because the federal government wanted their own 1 acre piece of property and subdivided off. The Government leases the building and property.

Co-Chair LaRobardier- Can there be trees to create a buffer on the south end of the parcel, and what can possibly be seen from The Nellie Hill Preserve.

A: It was anticipate to plant staggered evergreen trees in the triangle location, so as you head north on 22 the trees buffer the site.

**RESOLUTION SETTING AMOUNT OF ESCROW DEPOSIT**

GRID# 7063-00-562258

Project Name: DOVER VILLAGE PLAZA CONCEPT EXPANSION

**WHEREAS**, pursuant to the Code of the Town of Dover, the Planning Board may require an applicant for a Subdivision, Site Plan & Special Permit to deposit an initial sum of money and additional sums as needed into an escrow account for the purpose of covering the reasonable and necessary costs of reviewing the application in

advance of the review of the application; and

**WHEREAS, Cedar Dover Plains, LLC** has filed an application for a Subdivision, Site Plan & Special Permit

**NOW, THEREFORE, BE IT RESOLVED,** that the Planning Board of the Town of Dover hereby determines that in connection with the aforesaid Subdivision, Site Plan & Special Permit Application, the applicant shall deposit \$ 3,000.00 into an escrow account in advance of the review of the application.

Dated: February 7, 2011

Moved By: Peter Muroski

Seconded By: Valerie LaRobardier

**Resolution Approved**/Disapproved:

David Wylock	<u>AYE</u>
Valerie LaRobardier	<u>AYE</u>
James Johnson	<u>absent</u>
Peter Muroski	<u>AYE</u>
Michael Villano	<u>AYE</u>
Sharon Ipavich	<u>AYE</u>

Planning Board Co-Chair David Wylock

**III. OAK HILL SUBDIVISION- 7061-00-608644**  
**Applicant** Steven Vincent **Plans Prepared by** John Decker  
**Property located** at 62 Dover Furnace Road on 333 acres in the RU district  
**Application** for Subdivision to 5 new large acreage parcels with no plan for development, construction or change of use  
Chris Vincent

Co-Chair Wylock - Since you were here last, we have received a letter from DEC. You have taken one step forward by providing the access to lot 6. According to DEC's letter they are requiring an Environmental Study, which you will have to comply with before we go any further.

Co-Chair LaRobardier- The Environmental study is an update, for the whole site, wetlands and locate the vernal pools etc.

Planner Ley- Originally we had asked you to prepare a habitat study, we had discussed there had been one done as part of the Domain Sand and Gravel application. Some of the information from those studies was applied to your maps. Since then the DEC letter has come in and they are asking for updated studies of the entire property and there are specific species that they are looking for, bog turtle, rattlesnakes, etc. The entire holdings, so it is a much larger undertaking.

Attorney Polidoro- Part of the reason DEC is requesting this is so when the lot lines are drawn, you can make sure there is enough space and that lines are not being drawn through important habitats, vernal pools etc. It seems like there is a lot of land and there might not be an issue, but this is standard practice from DEC. Now is a good time to do it since there is a greater amount of land to look at for habitats, as it gets smaller and smaller it gets harder and harder to identify smaller pieces of habitat.

Planner Ley- You can reach out to DEC directly and have a conversation with them about what you propose to do and explain there are no proposed structures.

Co-Chair Wylock - This letter was sent January 10; we did not know this at our January meeting.

#### IV. Camp Ramah 7161-00-610450

Applicant Jewish Theological Seminary Plans Prepared by Curt Johnson of Zarecki & Assoc.

Property located at 91 Ramah Road Wingdale, NY 12522

Application for a Site Plan / Special Permit for their Master Plan

Curt Johnson Amy Rosuck & Jason

Curt Johnson- Thank you ton behalf of the Camp for all the members coming out in the cold and joining us for a site walk. We would like to answer any questions that may have come up from the site walk as well as get an idea of any additional work we may need to provide. Specifically on the phases- phase 1 the gymnasium and high ropes course. We have submitted the long EAF, so hopefully we can circulate for Lead agency.

Planner Ley's Memo:

AKRF, Inc. has reviewed the proposed Master Plan for the changes to Camp Ramah in the Berkshires and recommends that a noise study be prepared as part of the SEQRA analysis. The noise analysis would determine whether the proposed changes would result in increases in noise level that could have a significant adverse impact on nearby sensitive receptors. AKRF recommends that the noise study include the following components:

- **Select appropriate noise descriptors.** Appropriate noise descriptors to describe the noise environment and the impact of the proposed project will be selected. Consequently, where and when appropriate, the 1-hour equivalent ( $L_{eq(1)}$ ) noise levels will be examined.
- **Select receptor locations for detailed analysis.** A maximum of three (3) receptor sites will be selected at locations adjacent to residences nearest the camp property on both the east and west side of Ellis Pond in order to represent typical conditions on nearby properties.
- **Determine existing noise levels.** Existing noise levels will be determined based upon field measurements. Measurements will be made during a maximum of three time periods that reflect the periods of peak camp activity during the day or night. Measurements will be made using a Type I noise analyzer and would include measurements of  $L_{eq}$ ,  $L_1$ ,  $L_{10}$ ,  $L_{50}$ , and  $L_{90}$  noise levels.
- **Determine noise levels from camp activities.** Noise levels due to camp activities such as sports activities, large gatherings, music activities, use of the PA system, and any other potentially noise activity will be determined based on measurements at existing camp facilities, measurements of comparable facilities, and/or literature searches. These levels will provide a basis for determining noise levels near the camp in the baseline condition without the proposed camp changes or in the future condition with the proposed changes.
- **Determine noise levels with the camp in session without the proposed camp changes.** At each receptor location identified near the camp, baseline noise levels with camp in session would be determined based on measured existing noise levels and camp levels projected using the measured or reference levels for the applicable existing camp activities.
- **Determine future noise levels with the proposed camp changes.** At each receptor location identified near the camp, noise levels with camp in session with the proposed changes would be determined based on measured existing noise levels and camp levels projected using the measured or reference levels for the applicable camp activities with the proposed camp changes.
- **Compare noise levels with standards, guidelines, and other criteria, and impact evaluation.** Baseline noise levels with camp in session without the proposed changes and future noise levels with the proposed camp

changes will be compared with various noise standards, guidelines, and other noise criteria, including the New York State Department of Environmental Conservation's guidance document titled *Assessing and Mitigating Noise Impacts* (October 6, 2000) to determine project impacts and conformance with any applicable state or local standards.

- **Recommend mitigation measures.** If necessary, mitigation measures for the camp activities that produced unacceptable noise levels would be recommended. These may include minimum buffer distances between certain proposed activities and the property line, installation of noise barriers, berms or other building materials, restrictions on the hours of operation of certain activities, changes or upgrades to the PA system, or other noise control measures.
- **Prepare a report.** A report will be prepared summarizing the analysis performed and mitigation measures recommended as described above.

If the Planning Board agrees with the above approach, we recommend that the applicant retain a noise consultant to prepare the study. AKRF would review that study on behalf of the Planning Board, and the cost of that review would be applied to Camp Ramah's Planning Board escrow account.

Attorney Polidoro- Under the new zoning regulations, there is a master development plan, this is for the whole site. The applicant will need to return for the individual components, such as the gym and high ropes course. If the Board has no objections to the layout, then you can look at the site plans for the individual components in conjunction with the Master Development Plan.

Engineer Johnson- Agreed, More detailed information will be submitted for those specific projects.

Attorney Polidoro- The Board will need specific drawings for the building showing the size as all other details.

Engineer Johnson- That is in process and will be submitted, at this time it is projected to be a 12-15,000 square foot building. The Gym is approximately 8,800 square and rest would be for bathrooms, dance rooms etc. They are working with a steel building company right now and will finalize the plan and propose to submit those details.

Attorney Polidoro- The Board is preparing to circulate the master plan and will have to circulate to the County for the site plan approval of the individual components.

Engineer Berger- While developing the site plan- Consider green practices for stormwater, bioretention, disconnect for the roof leaders rain gardens, rain barrels and gravel. We're not ms4 but you will need a Chapter 65 and a SWPPP, which will be submitted to DEC and will incorporate your entire master plan. You may want to prepare a preliminary SWPPP for the whole site with ideas of how it will all work out; it doesn't have to be finalized. An over view can be fine, keep in mind March 1<sup>st</sup> if the beginning of the stormwater reduction requirements coming into place, which is confusing enough, but the more green practices you have the more you will comply. Show some traffic flow, and the sprinklers for the building, and whether you will be using a stand pipe. This will need to go to DOH. Lighting plans will need to be show in the early discussions to make sure there's no problem for the neighbors. Will this be used at night?

A: At his time some of the activities on the courts can be brought inside, lighting can be done on timers. The courts will not be removed, but some of the activity can be brought inside at night.

Attorney Polidoro- as part of the special permit the Board can reduce some of the court uses to restrict night time use.

Planner Ley- It was discussed that the wetlands map was being updated- are those being verified by the Army Corps and DEC?

A: Yes a full study of these wetlands here, were done in the past by C.T. Male and it was requested that they did an analysis of the other DEC wetlands as well.

Planner Ley- The copy of the wetlands map in our file from C.T. Male, on the area of the gym did not say if they were verified by DEC, it should be noted.

Member Muroski-The Camp looked good, there is one thing of concern to be addressed. There seem to be a few vehicles on site that could be removed from the site if they are not running.

Facilities Manager Jason Smalley -All of the vehicles are functioning and used on the grounds, some registered, some not, but are all running and used to maintain the property. They are usually kept in a maintenance area, but the snow is a problem. There is a mechanic on duty at all times. There may be 2 vehicles that are not running and will be removed.

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

**CAMP RAMAH MASTER PLAN**

**February 7, 2011**

**Property Address:91 Ramah Road**

WHEREAS, the applicant, Camp Ramah in the Berkshires, has submitted an application for special permit approval and approval of a master development plan for the proposed expansion of facilities at an existing 294 acre Camp Type I facility, including the construction of a new gymnasium, construction of a new welcome center and administration building, construction of a nature building, and construction of new bunk facilities; and

WHEREAS, the site is located at 91 Ramah Road, Wingdale, in the RU and RC Zoning Districts; and

WHEREAS, Camp Type I is a permitted use subject to site plan and special permit approval in the RU and RC Zoning Districts; and

WHEREAS, pursuant to Section 145-44, a Camp Type I with more than five accessory facilities must prepare a master development plan as part of the special permit approval process; and

WHEREAS, following approval of the Master Development Plan, individual components of the Master Development Plan may be implemented upon receiving site plan approval; and

WHEREAS, the application was accompanied by a Full Environmental Assessment Form ("EAF"); and

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

WHEREAS, the site is located within 500 feet of a certified Agricultural District.

**NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby classifies the project as a Type I action under SEQRA; and**

**BE IT FURTHER RESOLVED, that the Planning Board hereby declares its intent to serve as lead agency in a coordinated review of the project and directs the Secretary to the Planning Board to send notice of its intent to all interested and involved agencies; and**

**BE IT FURTHER RESOLVED, that the Planning Board hereby 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.**

**BE IT FURTHER RESOLVED, that the Planning Board hereby directs its Secretary to mail written notice of the application to the owners of land as identified by the applicant in the agricultural data statement.**

**Moved by:** Peter Muroski    **Seconded by:** Sharon Ipavich

David Wylock	<u>Aye</u>
Valerie LaRobardier	<u>Aye</u>
Sharon Ipavich	<u>Aye</u>
James Johnson	<u>absent</u>
Peter Muroski	<u>Aye</u>
Michael Villano	<u>Aye</u>

Interested and Involved Agencies

Town of Dover Architectural Review Board, ACOE, NYS Department of Environmental Conservation  
Dutchess County Department of Health, J.H. Ketcham Hose Company

**V. 486 RT 55- PUTNAM STEEL- 7160-00-451311**

**Applicant Putnam Steel Inc Plans Prepared by Insite Engineering  
Property located at 486 Rt 55 Wingdale, NY 12522**

**Application for a Site Plan / Special Permit change of use from processing firewood to the design and manufacturing of ornamental steel on 15.1 acres of land in the RU district**

**Theresa Ryan, Don Walsh & Rob Nelson**

Theresa Ryan- Would like the Board's comments from the site walk and would like to know if the Board would consider advancing in the SEQRA process.

Co-Chair Wylock - The site walk was very helpful, but at this point in time the Board's hands are tied, you have to go before the Zoning Board. Their meeting was canceled due to snow, and their next meeting March 2. Until the Zoning Board rules on this application, the Planning Board can not move forward.

Member Muroski- When we went to the site all the leaves were off the trees , there is one section to the north west where you could see a neighbor, there should be some evergreen planting to create screening for visual and sound.

Co-Chair Wylock- The current operation in Brewster, the noise, have there been any problems or complaints from any neighbors?

A: Mr. Nelson- The site is in a business park, there are offices next door to them, moving companies, and there have been no complaints. There is noise and they might be used to it, but there have been no complaints. They have been on that site for approximately 18 years

Co-Chair Wylock- This new location is on top of a hill, the sound would carry quite clearly across the valley, I don't know how much of the operation is out doors or in doors, in the warm weather will you be operating outside?

A: Mr. Nelson- The fabrication is done inside, but in the summer we would have the doors open. I would happen to be the closest neighbor, my house would be the log home on site and those large doors face the house. There will be noise, but he does not think it will go down to the neighbors

Co-Chair Wylock - I have to ask- could the building be disassembled?

A: Mr. Nelson- Anything is possible, that's for sure.

Co-Chair Wylock - The way it's constructed, it's not a question of nuts, bolts and moving it, it would be more complicated than that, correct?

A: Don Walsh- That option was looked at very carefully some time ago the loan for this was acquired.

The history is a lot of small lending companies went out of business after 9/11. The pension plans were set up with their own small lending institution to keep businesses like the former wood working/saw mill in existence. They lent the money to those folks; they were good customers for a long period of time. Eventually when they didn't pay the loan and went into default the Town had about the same time "turned off the use". The mill permits, as it was discovered by, Mr. Hearn, that there was no house. This was originally a butler building built under the Home Occupancy permit, in the late 90's. Part of that law was that you had to live there, to have a home occupation. It was built in accordance to the laws then, except the house was never finished. When the Plan took over the site, they needed to look at a lot of things, 1- they couldn't come back to this board or even market the property without a house, so they had to finish the house. 2- They had to look at the butler building to see if it could be used or disassembled. An engineering firm did an extensive study, as it turned out, the enormous steel pylons that support the building go down to the ground. The cost of disassembling that and getting rid of everything would have been 1/2 a million dollars. More than the loan, at the same time the Plan had to invest a significant amount of money to finish the home. So the answer is no the building couldn't be moved anywhere, it's not practical. It's a deep pad with large steel footings on either side supporting that roof. The options were looked at in the past. Mr. Nelson has the type of business that would fit this site and he would live there, there were other businesses that were looked at, like Webatuk Craft Village, but they were looking for more of a retail site.

We were looking for 1 business, not retail that would be less noisy than what was previously there and minimal traffic in and out.

Co-Chair LaRobardier- How long were you marketing this before you found this tenant?

A: Marketing began January 2008, on the assumption we would finish the house. 2009 the house was finished. It took a while for the septic to be approved by the County. The septic was rebuilt. It was a total of approximately 23 months, there were about 9 potential tenants, we were unsure if they were truly going to live there, 3 others were large and noisier, they others had larger amounts of employees.

Attorney Polidoro- The Board should decide if a noise study would be appropriate, but could wait until the Zoning Board makes a determination.

Has seen noise panels used on ceilings that soften the noise, is that something feasible?

A: It's fairly difficult due to the set up. The noise panels from a firematic perspective are not in a girder frame tin type ceiling. This is about 1/8 of the noise compared to the sawmill There would be no issue with having a noise analysis done. Especially with the existing business, It is steel frame and block they are very similar, both steel, on blocks, almost identical inside and in size

Co-Chair Wylock - What is the address?

A: Brewster Business Park 1944 Rt 22 Brewster, Small business office in Patterson NY 2656 RT22. The Administrative part of the business grew- 2656 is really only for a 3 person crew, it's not efficient to have things in different locations.

Mr. Walsh- to Co-Chair LaRobardier- You had mentioned there was work on the Master Plan being done, we would have no problem participating.

Co-Chair LaRobardier- the Committee is looking at the rt22 Corridor and the Rt 55 Corridor.  
Attorney Polidoro - The Master plan may take years, you could always petition the Town Board.

Mr. Walsh- requested this application be placed on the March 7<sup>th</sup> planning meeting, in case the Zoning board makes a decision.

Attorney Polidoro- At this time the Board was treating this as a uncoordinated SEQRA review where the Planning Board and The Zoning Board could do their own SEQRA review. This would keep you from getting tied up with SEQRA review. If we keep this on the agenda for March 7 then if the ZBA wanted to do a co coordinated review then you'll already be on the agenda.

Mr. Walsh- Requested the Board considering a coordinated review, he has a personal preference of Coordinated SEQRA reviews, and feels it would be in the best interest of the project for this Board to consider a Coordinate review, they will wait to see what the Zoning Board says and then decide to make that request.

Planner Ley- There may be Dutchess County Health department if there is an increase in employees for the septic

VI. Entertain extension of Erosion Control permit requested by Jamie Lintner for Lawrence Thinning submitted January 12, 2011

Engineer Berger- A site walk was done the same day as Putnam steel, all that is going on is the marking of trees. There are no current forestry operations going on, on the Lawrence site. There are operations going on, on the neighboring site with a permit in place. There has been some damage to the causeway, which separates the lake from the rear. The two properties share a common drive. Lawrence owns portions of it, the neighbor owns other portions, and they both need to go over the drives for both to access. The Neighboring harvest is the only one active at this time; it can not be said as to what or caused the damage to the causeway. It just should be noted, and be fixed prior to release of the ESC bond.

**RESOLUTION GRANTING EROSION AND SEDIMENT CONTROL PERMIT APPROVAL & EXTENDING SITE PLAN APPROVAL**

**LAWRENCE TIMBER HARVEST**

**February 7, 2011**

**Property Address: McCarthy Road Rear**

WHEREAS, on March 1, 2010, the Planning Board granted approval to the site plan and erosion and sediment control permit for commercial logging on 212 acres of property located on McCarthy Road Rear, Dover, New York, Tax Parcel No. 7163-00-738572 in the RC District ("the site"); and

WHEREAS, on March 1, 2010, the Planning Board determined that the proposed action would not result in a significant adverse impact on the environment and that a Draft Environmental Impact Statement would not be prepared; and

WHEREAS, commercial logging is permitted in the RC District, subject to site plan approval; and

WHEREAS, pursuant to Chapter 65 of the Code, disturbance of a 1/2 acre or more is not permitted without an erosion and sediment control permit; and

WHEREAS, a referral to the Dutchess County Department of Planning and Development was not required because the project was not located within 500 feet of the Town boundary, state or county roadway, right-of-way, or park, a farm operation in an agricultural district or public land proposed for development; and

WHEREAS, pursuant to Section 65-8H of the Town Code, an erosion and sediment control permit shall not exceed one year's duration; and

WHEREAS, pursuant to Section 145-68E(1) of the Town Code, site plan approval shall expire if the applicant fails to obtain the necessary permits or complete the conditions of approval within 18 months of its issuance, provided that the Planning Board may grant one 6-month extension; and

WHEREAS, the applicant was not able to start the work authorized under the erosion and sediment control permit and by letter dated January 12, 2011, has requested that the Planning Board reissue the permit for another year.

**NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby reaffirms its prior SEQRA determination of non-significance.**

**BE IT FURTHER RESOLVED, that the Planning Board hereby grants the applicant a 6-month extension of site plan approval, to expire on September 1, 2011, conditioned on the applicant revising the plans to depict the boundary of the one-hundred-year floodplain, together with designated wetland boundaries, where applicable, pursuant to Section 65-9(A)(10) of the Code. A copy of the revised plan shall be submitted to the Planning office before initiating site disturbance.**

**BE IT FURTHER RESOLVED, that the Planning Board hereby grants the applicant an erosion and sediment control permit for site disturbance as shown on plans prepared by Jamie Lintner, dated December 8, 2009 and February 7, 2010, subject to the following conditions:**

1. **Payment of all fees and escrow.**
2. **The applicant shall file with the Town Clerk a performance guaranty in the amount of \$1400.00 in form and manner acceptable to the Town Board and Town Attorney, which shall be kept in full force and effect until a certificate of compliance shall have been issued by the authorized official to ensure that all provisions of this chapter and of the permit have been met.**
3. **The applicant shall place \$200.00 into escrow to cover the cost of inspections by the Planning Board Engineer.**

**BE IT FURTHER RESOLVED, that before the authorized official may issue a certificate of compliance, the Planning Board Engineer shall provide the authorized official with a written statement indicating that all work authorized under the permit has been completed in accordance with the approved permit.**

Moved by: Valerie LaRobardier

Seconded by: Michael Villano

**Resolution Approved**/Disapproved:

David Wylock	<u>AYE</u>
Valerie LaRobardier	<u>AYE</u>
James Johnson	<u>absent</u>
Peter Muroski	<u>AYE</u>
Michael Villano	<u>AYE</u>
Sharon Ipavich	<u>AYE</u>

Planning Board Co-Chair David Wylock

Engineer Berger notified the property owners of his findings

VII. MINUTES 01/03/2011

**Motion made by Valerie LaRobardier to approve the minutes of January 3, 2011 2nd by Sharon Ipavich**

VOTE: Co-Chair DAVID WYLOCK – AYE                      Co-Chair VALERIE LAROBARDIER- AYE  
MEMBER JAMES JOHNSON - Absent                      MEMBER PETER MUROSKI – AYE  
MEMBER MICHAEL VILLANO– AYE                      Member Sharon Ipavich-AYE

*Motion approved*

**Motion made by Michael Villano to adjourn 8:36 pm 2nd by Peter Muroski**

VOTE: Co-Chair DAVID WYLOCK – AYE                      Co-Chair VALERIE LAROBARDIER- AYE  
MEMBER JAMES JOHNSON - Absent                      MEMBER PETER MUROSKI – AYE  
MEMBER MICHAEL VILLANO– AYE                      Member Sharon Ipavich-AYE

*Motion approved*

Respectfully submitted,

*Betty-Ann Sherer*

Betty-Ann Sherer

PlanningARB@TownofDoverNY.US

This meeting may be viewed in full on the Town of Dover web site by going to  
[www.townofdoverny.us](http://www.townofdoverny.us)

Full Audio may be requested for a fee by completing a FOIL request form from the Dover Town Clerk  
This meeting may now be viewed at Cablevision Channel 22 for residents who have that provider-Please  
check local listings for meeting re broadcast times

All reasonable accommodations will be made for persons with disabilities. In such a case, please notify Betty-Ann Sherer in advance  
by phone at 845-832-6111 ext 100 so that arrangements can be made

Please call the Planning Board Office with any questions 845-832-6111 ext 100