

Town of Dover Planning Board

Town of Dover
Historic Tabor Wing House
3128 Rt 22
Dover Plains, NY 12522



(845) 877-4271

(845) 877-4273 fax

Planning Board Meeting
Monday - February 2, 2009
7:00PM

- Ⓟ Co-CHAIR David Wylock
- Ⓟ Member Barbara Kendall
- Ⓟ Member John Fila
- Ⓟ Member Brian Kelly
- Ⓟ Member James Johnson
- Ⓟ Member Valerie LaRobardier
- Ⓟ Member Peter Muroski

Also, in attendance representing the Planning Board were Planning Board Attorney Victoria Polidoro, Planner Ashley Ley and Engineer Joseph Berger. For the Applicants: Ruth Parkins & Brian Wolf for Dover Compressor Site Plan Amendment, Curt Johnson of Zarecki & Associates for Camp Ramah. Brain Houston for Anderson Zervos, 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 by Chair Wylock at 7:02 PM and began with the Pledge of Allegiance

Chair Wylock took a moment to welcome and introduce the newest member of the Planning Board Peter Muroski

- A. Dover Compressor Station Market Access Project Amendment - 7061-00-380560
Applicant Ruth Parkins, Manager of Public Affairs
Property located 186 Dover Furnace Road, Dover
Plans Prepared by Russell Palucci of Cimarron Engineering

Applicant sees site plan amendment to formally show a previously approved existing temporary access road outside of the existing fencing as a permanent access
Town of Dover CEO verbal approval 01-15-08, FERC approval granted 10/24/08

County response 1/16/09- as a "Matter of Local Concern"

Letter from GTH dated 01/14/09- Natural vegetation screening has been complied with as per site review of GTH on 01/23/09

**Motion made by Barbara Kendall to set escrow For Iroquois Site Plan Amendment for \$ 1,600.00
2nd by Brian Kelly**

VOTE: DAVID WYLOCK - AYE	MEMBER BARBARA KENDALL - AYE	MEMBER JOHN FILA - AYE
MEMBER BRIAN KELLY- AYE	MEMBER JAMES JOHNSON- AYE	MEMBER PETER MUROSKI- AYE
MEMBER VALERIE LAROBARDIER- AYE		



ONE CORPORATE DRIVE, SUITE 600
SHELTON, CT 06484-6211

TEL: (203) 925-7200
FAX: (203) 929-9501

January 30, 2009

Ms. Betty-Ann Sherer
Town of Dover Planning Board
Tabor Wing Building
3128 Route 22
Dover Plains, NY 12522

Dear Betty-Ann:

RE: Site Plan Amendment – Dover Compressor Station Market Access Project

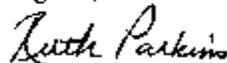
Thank you for informing me that discussion on Iroquois' above-referenced application has been continued and is on the agenda for the Planning Board's February 2, 2009 meeting.

It was our understanding that this permanent access road was approved with the condition that the end of the road have a turnaround area sufficient to accommodate emergency equipment. As Fire Chief Sherer had indicated, he believed there was ample space available, but due to the ice and snow cover present during his visit, it was difficult for him to determine if the current road would provide the surface necessary for emergency equipment to turn around.

While the main purpose of this road is to provide access for maintenance and operations, we believe the width of the gravel covered roadway, along with the compacted earth with grass surrounding it, will meet the needs of emergency personnel should they ever have to utilize the road. It is not our intent to expand the disturbed area by creating a cul-de-sac; however, once the winter weather is behind us, we are certainly willing to place additional stone if necessary to allow such vehicles to safely exit the area and have extended an invitation for the Chief to revisit the site once the snow has cleared.

I will plan to attend the meeting on Monday night to answer any additional questions the Board may have. In the meantime, if you have any questions, please contact me at 203-925-7209.

Regards,


Ruth Parkins
Manager, Public Affairs

Enclosure



Ruth Parkins-

At the last meeting the Fire Chief requested that there be enough room for a truck to turn around

Not looking to increase impact, merely to keep additional access as a maintenance road

She went to site and felt there was more than enough room for a fire truck to turn around.

Access will be maintained and fresh stone will be added as needed

Member Kelly- wanted more information as to how much room for a turnaround actually existed.

A: Ruth Parkins: This is a huge open space.

Brian wolf - possibly a 10' back up-

the road itself is approx 12' wide with an additional 10' on each side.

The ground is firm and road was used for construction and supported those trucks.

Applicant does not want to increase area of disturbance.

Other areas surrounding had been restored to original condition with grass.

Fire Chief reviewed Jan 30, 2009 letter by Ruth Parkins and was satisfied with their response to his comments.

Additional note can be added to the final map stating the secondary access road is to be maintained as access with gravel, this will insure the road in the future does not fall to disrepair.

RESOLUTION GRANTING SITE PLAN AMENDMENT APPROVAL

Dover Compressor Station Site Plan Amendment

February 2, 2009

Property Address: 186 Dover Furnace Road, Dover Plains, NY

WHEREAS, an application for the approval of a site plan amendment for the Dover Compressor Station Market Access Project to maintain an existing temporary access road as a permanent access road, entitled "Plot Plan, Dover Compressor Station," prepared by Cimarron Engineering, dated 12/14/07, was submitted to the Planning Board on December 17, 2008, by Iroquois Gas Transmission System; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, the Planning Board referred the application to the Dutchess County Department of Planning and Development, which responded by letter dated January 16, 2009, that it was a matter of local concern; and

WHEREAS, on January 12, 2009, the Planning Board adopted a negative declaration, determining 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

WHEREAS, pursuant to Section 145-68(D)(1), the Planning Board shall grant a proposed site plan amendment without a hearing if the Board finds that a proposed site plan amendment is consistent with the terms of any applicable special permit approval and does not represent a substantial change from the approved site plan.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the proposed amendment does not represent a substantial change from the previously approved site plan.

BE IT FURTHER RESOLVED, that the Planning Board approves the site plan amendment to maintain an existing temporary access road as a permanent access road, as shown on the site plan entitled "Plot Plan, Dover Compressor Station," prepared by Cimarron Engineering, dated 12/14/07, subject to the following condition(s):

- 1. Payment of any and all pertinent outstanding fees and escrow**
- 2. Addition of a note to the site plan which states the access road shall be maintained in a passable state with gravel replaced as necessary and plowed in inclement weather**

Dated: February 2, 2009

Moved By: James Johnson Seconded By: Barbara Kendall

Resolution Approved/Disapproved

David Wylock: Aye
 John Fila: Aye
 James Johnson: Aye
 Brian Kelly: Aye
 Barbara Kendall: Aye
 Valerie LaRobardier: Aye
 Peter Muroski: Aye

Planning Board Chair David Wylock

B. CAMP RAMAH - 7161-00-610450

Applicant- Contact- Michael Landau, Manager
 Plans Prepared by Curt Johnson of Zarecki & Assoc.
 Property Located @ 91 Ramah Road, Wingdale, NY
 Application for Site Plan Approval for a new Gymnasium on a 294.2 acre recreation
 Camp parcel in the RU district
 1/14/09- Received- Timber Rattlesnake Habitat Assessment
 1/19/09 Preliminary Drainage Report

Curt Johnson

Appeared before the ZBA for variances

SEORA was not completed; Applicant now appears before the Planning Board for a SERQA determination in order to return to ZBA for consideration of variance

A full drainage report as well as SWPPP will be provided as the project progresses
 MEMBER FILA- Looking at the rattlesnake report- it appears the site has changed- seeking clarification. It is noted the mapping for the rattlesnake report was incorrect and showed the location of the structure in a different location. The location of the structure has not changed, just incorrect in the report.

A: Site has not changed; actual location of den is approx 2000' away. The gym has remained in the same location

The Board reviewed the Long Form EAF which resulted in the adoption of the following resolution:

**DETERMINATION OF SIGNIFICANCE RESOLUTION
CAMP RAMAH SITE PLAN AND SPECIAL PERMIT AMENDMENT**

Date: February 2, 2009

Property Address: 91 Ramah Road, Dover Plains, NY

WHEREAS, an application for a special permit and site plan amendment for the construction of a 15,576 sq. ft. gymnasium and parking lot located on 91 Ramah Road, Dover Plains, NY, Tax Parcel No. 132600-7161-00-610450 (the "Site"), was submitted to the Planning Board on March 11, 2008; and

WHEREAS, on April 1, 2008, the Planning Board classified the action as an unlisted action under the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, on October 7, 2008, the Planning Board declared its intent to serve as lead agency in a coordinated review of the action, to which no other agency has objected; and

WHEREAS, the Planning Board has reviewed the EAF provided by the applicant, dated June 10, 2008, and the Phase I Timber Rattlesnake Habitat Assessment, dated October 7, 2008, which concluded that the proposed gymnasium site does not contain timber rattlesnake habitat; and

WHEREAS, the applicant has submitted a Preliminary Drainage Report, dated January 19, 2009, which made a preliminary assessment of pre and post development stormwater quality and quantity; and

WHEREAS, the Planning Board has thoroughly analyzed the information concerning relevant areas of environmental concern both submitted by the applicant and gathered by the Board through its consultants and considered the criteria contained in 6 NYCRR 617.7.

NOW THEREFORE BE IT RESOLVED, that the Town of Dover Planning 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.

Dated: February 2, 2009

Moved By: Brian Kelly Seconded By: James Johnson

Resolution Approved/Disapproved:

- Dave Wylock: Aye
- John Fila: Aye
- James Johnson: Aye
- Brian Kelly: Aye
- Barbara Kendall: Aye
- Valerie LaRobardier: Aye
- Peter Muroski: Aye

Planning Board Chair David Wylock

Barbara Kendall made comment to amend the resolution to read as ' which made a preliminary assessment of pre and post development'

Motion made by John Fila to amend the resolution 2nd by James Johnson

VOTE: DAVID WYLOCK - AYE	MEMBER BARBARA KENDALL - AYE	MEMBER JOHN FILA - AYE
MEMBER BRIAN KELLY- AYE	MEMBER JAMES JOHNSON- AYE	MEMBER PETER MUROSKI- AYE
MEMBER VALERIE LAROBARDIER- AYE		

C. Anderson 7160-00-916798 & Zervos7160-00-951810 Lot Line & driveway easement

Applicants B. Anderson 214 Dog Tail Corners Road - 0.79 acres
& M. Zervos 206 Dog Tail Corners Road - 7.29 acres

Plans Prepared by Brian Houston, L.S.

Applicants seek to provide drive way easement to Zervos via Anderson in exchange of .7 acres of land to Anderson

BRIAN HOUSTON:

The Zervos property is currently serviced by a driveway owned by the adjoined Mr. Strawbridge. Mr. Strawbridge was hoping to buy back the rights to the driveway. In the course of obtaining a driveway permit (which is before the County) since the road is Dog Tail Corners. The County is requiring that the site distance be obtained over the lands of Mr. Anderson they have come up with a site line easement that would be agreeable to the county and Mr. Anderson. In compensation of the site line, Mr. Anderson then gets these .79 acres.

For the County to approve the driveway entrance, one condition is this site line easement.

ATTORNEY POLIDORO- We would like to see the site line easement as well as the condition of it.

MEMBER JOHNSON- Is this permitted by our zoning, in the past it was said if you're going to change a non conforming lot you would have to make it conforming.

PLANNER LEY- There are a few things that make it non conforming, the acreage, setbacks, road frontage. It's a non conforming lot with non conforming set backs.

ATTORNEY POLIDORO- You can't subdivide a non conforming lot, unless you are making it conforming.

It can be referred to the ZBA for either an area variance or an interpretation of the code stating you don't need a variance if you are making the lot less non conforming. § 145-29-b

MEMBER JOHNSON- questioned the section of the Town Code that states if a lot that is non conforming 2 adjacent non conforming lots are owned by the same owner at one time must be combined. This would pertain if building was going to take place on the lot

Deed and Tax map of entire parcel is to be supplied

Member Fila needed further explanation of the provisions in the code §125-22 definition of re-subdivision - one lot is diminishing and the other is increasing so this is re-subdivision

There were questions again on the ideas of making a lot less non conforming although it is not being brought up to the required acreage of that zone.
There were no further comments or questions from the Board

RESOLUTION CLASSIFYING ACTION, CIRCULATING FOR LEAD AGENCY AND REFERRING APPLICATION TO ZONING BOARD OF APPEALS

Lot Line Change between Anderson and Zervos

February 2, 2009

Property Address: 214 Dog Tail Corners Road, Wingdale

WHEREAS, an application for a re subdivision of property to convey .07 acre from the Zervos property, Tax Parcel No. 7160-00-951810 to the Anderson property, Tax Parcel No. 7160-00-916798, in exchange for a site distance easement, has been submitted to the Planning Board for subdivision plat approval; and

WHEREAS, the parcels are located in the RU District, which has a minimum lot size of 2 acres; and

WHEREAS, the size of the Anderson lot will be increased by .07 acre, from .79 acre to .86 acre, thereby decreasing the non-conformity of the existing nonconforming lot; and

WHEREAS, Section 145-29(B) of the Code states that “[a] nonconforming lot may be subdivided only if the subdivision plat shows that every subdivided portion of such lot will be merged with adjoining properties to increase the area of such properties, thereby eliminating the nonconforming lot; and

WHEREAS, the submittal was accompanied by a short Environmental Assessment Form (“EAF”); and

WHEREAS, in accordance with the New York State Environmental Quality Review Act (“SEQRA”), the Board is required to determine the classification of the proposed action.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby classifies the proposed action as an unlisted action under SEQRA.

BE IT FURTHER RESOLVED, that the Planning Board hereby declares its intent to serve as lead agency in a coordinated review of the proposed action and directs the secretary to the Planning Board to circulate notice of its intent to all involved and interested agencies.

BE IT FURTHER RESOLVED, that the Planning Board hereby refers the application to the Town of Dover Zoning Board of Appeals for consideration of a variance to allow the subdivision of an existing nonconforming lot, or alternatively for an interpretation that a variance is not necessary under Section 145-29(B) of the Code when the subdivision decreases the nonconformity of the lot.

Dated: February 2, 2009

Moved By: Valerie LaRobardier

Seconded By: Barbara Kendall

Resolution Approved/Disapproved

- David Wylock: Aye
- John Fila: Aye
- James Johnson: Aye
- Brian Kelly: Aye
- Barbara Kendall: Aye
- Valerie LaRobardier: Aye
- Peter Muroski: Aye

Planning Board Chair David Wylock

Documentation of the easement request from the County should be provided by the applicant as well

Refer to County Department of Public Works & ZBA

Motion made by Brian Kelly to set the Escrow for Anderson Zervos for \$ 1,500.00 2nd by James Johnson

VOTE: DAVID WYLOCK – AYE MEMBER BARBARA KENDALL – AYE MEMBER JOHN FILA – AYE
MEMBER BRIAN KELLY-AYE MEMBER JAMES JOHNSON- AYE MEMBER PETER MUROSKI- AYE
MEMBER VALERIE LAROBARDIER- AYE

Site walk set for February 7, 2009 @ 1:00 pm - Members LaRobardier, Kendall & Engineer Berger plan to attend

KETCHAM’S CORNER – Mr. Hearn Letter – Mr. Mitchell is looking into adding shed roofs to the site; we are awaiting additional information from Mr. Hearn. If applicant chose to revise this plan he will need to return for site plan amendment

MOUNTAIN VIEW- Applicant is moving forward for final plat review

DOVER KNOLLS- Letter

Re: Dover Knolls
 Involved Agency Status

Dear Supervisor Courtien:

It has come to my attention that the Town of Dover Planning Board is listed as an interested agency in the Dover Knolls Preliminary Draft Environmental Impact Statement (DEIS). The Planning Board respectfully requests that the DEIS and all future SEQRA documents include the Planning Board as an involved agency.

Section 25 of the Environmental Assessment Form (EAF) indicates that erosion and sediment control permit approval and subdivision approval are required as part of the proposed action. In conjunction with the conceptual master development plan, the applicant has proposed a zoning amendment which would divest the Planning Board of subdivision and erosion and sediment control permit authority. Until the proposed law is adopted by the Town Board, the Planning Board remains an involved agency.

Please do not hesitate to contact me should you have any questions or concerns. The Planning Board looks forward to continued cooperation in the project review process.

Sincerely,

David Wylock
Chair, Dover Planning Board

Motion made by Valerie LaRobardier to send letter to the Town Board 2nd by Barbara Kendall

VOTE: DAVID WYLOCK – AYE MEMBER BARBARA KENDALL – AYE MEMBER JOHN FILA – AYE
MEMBER BRIAN KELLY-AYE MEMBER JAMES JOHNSON- AYE MEMBER PETER MUROSKI- AYE
MEMBER VALERIE LAROBARDIER- AYE

Motion made by Valerie LaRobardier to amend the letter and send the letter to both the Supervisor & Town Board 2nd by Barbara Kendall

VOTE: DAVID WYLOCK - AYE MEMBER BARBARA KENDALL - AYE MEMBER JOHN FILA - AYE
MEMBER BRIAN KELLY-AYE MEMBER JAMES JOHNSON- AYE MEMBER PETER MUROSKI- AYE
MEMBER VALERIE LAROBARDIER- AYE

Motion made by Brian Kelly to adjourn 2nd by Barbara Kendall

VOTE: DAVID WYLOCK - AYE MEMBER BARBARA KENDALL - AYE MEMBER JOHN FILA - AYE
MEMBER BRIAN KELLY-AYE MEMBER JAMES JOHNSON- AYE MEMBER PETER MUROSKI- AYE
MEMBER VALERIE LAROBARDIER- AYE

Respectfully submitted,

Betty-Ann Sherer

This meeting may be viewed in full on the Town of Dover web site by going to www.townofdover.us
Full Audio may be requested for a fee by completing a FOIL request form from the Dover Town Clerk

