

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 - June 01, 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: Peter Coppola for Coppola Accessory Apartment, Jeffery Lang and Mark Visscher for Domain Erosion Control Permit, Baljit Singh and Jordan Valdina for Singh DBL, Anthony Palumbo and Richard Rennia Jr, for the Plum Hill Site Plan, 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 7:10 PM and began with the Pledge of Allegiance

**A. COPPOLA- ACCESSORY APT 7061-02-611874-0000**

Applicant: Peter Coppola  
Plans Prepared by P.W.Scott  
Property located at 2504 Route 22, 5.33 acres in the SR district  
Application for Special Permit for a 1,000 square ft Accessory apartment  
On the second floor of new garage

Peter Coppola present.  
Seeking an accessory apartment for him self on the second floor of the garage.

Comments:

Planner Ley

The proposed accessory apartment requires a Planning Board Special Permit per §145-12.C. The proposed use appears to meet the dimensional requirements of the zoning code, however a lot and bulk table should be provided. The proposed project will also require an amendment to the current Chapter 65 permit.

Joseph Berger

The proposed plan does not provided for the rain gardens previously approved. These need to be provided for as well as proper erosion control for the proposed SDS including silt fence, seeding and mulching and other items as listed in Chapter 65.

Mr.Coppola- stated the rain gardens are in place they were put in after the septic work was done.

*He was then advised they need to be shown on the plan the health department needs to be aware the rain gardens are there as well.*

Question on septic- are there additional future plans for the property considering the size of the system installed? A: Rather the system large than not big enough

**RESOLUTION SETTING AMOUNT OF ESCROW DEPOSIT**

GRID# 7061-02-611874-0000 Project Name: COPPOLA ACCESSORY- SITE PLAN

**WHEREAS**, pursuant to the Code of the Town of Dover, the Planning Board may require an applicant for a Special permit/ Chapter 65 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**, Peter Coppola has filed an application for a Special permit / Chapter 65 permit

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board of the Town of Dover hereby determines that in connection with the aforesaid Special permit / Chapter 65 permit Application, the applicant shall deposit \$ 1,500.00 into an escrow account in advance of the review of the application.

Dated: June 1, 2009

Moved by: Barbara Kendall Seconded by: Valerie LaRobardier

**Resolution Approved/Disapproved:**

David Wylock	<u>Aye</u>
Barbara Kendall	<u>Aye</u>
John Fila	<u>Aye</u>
James Johnson	<u>absent</u>
Brian Kelly	<u>absent</u>
Valerie LaRobardier	<u>Aye</u>
Peter Muroski	<u>Aye</u>

Planning Board Chair David Wylock

RESOLUTION CLASSIFYING THE ACTION, DECLARING INTENT TO SERVE AS LEAD AGENCY AND REFERRING THE APPLICATION TO THE ARCHITECTURAL REVIEW BOARD AND DUTCHESS COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT

COPPOLA ACCESSORY APARTMENT SITE PLAN, SPECIAL PERMIT AND EROSION AND SEDIMENT CONTROL PERMIT

Date: June 1, 2009

Property Address: 2504 Route 22, Dover Plains, New York

WHEREAS, an application for site plan, special permit and erosion and sediment control permit approval were submitted by Peter Coppola, the owner of property at 2504 Route 22, Dover Plains, New York, tax parcel number 7061-02-611874 (the "site") on May 6, 2009; and

WHEREAS, the owner seeks approval to construct an accessory apartment above the existing garage on the site, which is located in the Suburban Residential District ("SR District"); and

WHEREAS, pursuant to Sections 145-10 & 145-12C of the Town of Dover Code, accessory apartments are a permitted use in the SR District subject to special permit approval; and

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

WHEREAS, the Planning Board of the Town of Dover has performed a preliminary review of the EAF and other application materials; 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.

**NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby classifies the Coppola Accessory Apartment site plan, special use permit and erosion and sediment control permit as an unlisted action under SEQRA; and**

**BE IT FURTHER RESOLVED, that the Planning Board hereby declares its intent to serve as lead agency in a coordinated SEQRA review and directs the secretary to the Planning Board to send notice of its intent to all other involved agencies, as indicated in the attached list; and**

**BE IT FURTHER RESOLVED, that the Planning Board hereby refers the application to the Architectural Review Board for review and approval.**

**BE IT FURTHER RESOLVED, that pursuant to Section 239-m of the General Municipal Law, the Planning Board hereby authorizes and instructs the secretary to the Planning Board to refer the application to the Dutchess County Department of Planning and Development for review and comment.**

Moved by: John Fila      Seconded by: Peter Muroski

David Wylock	AYE	Barbara Kendall	AYE
John Fila	AYE	James Johnson	absent
Brian Kelly	absent	Valerie LaRobardier	AYE
Peter Muroski	AYE		

Planning Board Chair David Wylock

**Involved Agencies:**

**Architectural Review Board, Dutchess County Department of Health**

**B. Domain Expansion E&S Control 7061-00-462732**

Applicant Raymond Demers, Owner

Plans Prepared by Griggs-Lang Consulting Geologists

Application for Erosion & Sedimentation Control Permit

Applicant seeks to continue use of sand & gravel mine by adding 11.5 acres to the life of the mine area, no change in method or manner of operation on this site of 33.7 acres in the RU district

Jeffery Lang VP of Griggs & Lang

Before the Town approx 1 year Spoke to Joseph Berger re erosion control and SWPPP

SWPPP was prepared by Mark Visscher of G-L Engineering

Modifications: 11 ½ acres, 3 phases shown on plan

Phase 1 southern portion; phase 2 middle and phase 3 northern portion of the site

Excavation will proceed northerly through those phases, sequences to move all storm water back into the mine itself reducing potential of off site discharge.

There will be a lip of material left on site to insure internal drainage.

Engineer Berger- has been working with the applicant for a while and they have been very responsive to our questions and comments

The latest plans *dated 05/01/09* are very thorough and provide

We continue to recommend the details be added to plans. Contractors are less likely to construct the proposed erosion and sediment control practices according to the details when they are not shown on the plans and only in the SWPPP report.

Add following details from SWPPP to maps

All details in SWPPP be added to final maps approved

Silt fence detail - cut out to be provided due to long run

Grassed waterway detail

Diversion swale details

Grass Lined Swale

Lined Waterway or outlet

Structural Stream bank Protection

Stone Lined Drainage Swale

Sediment Trap

Riprap Outlet Sediment Trap

Sediment Trap Infiltration Basin

Rock Outlet Protection

Stone Lined Outfall Apron

A vicinity map should be added as a condition of approval

Construction entrance detail

RE: NOI Recommend changes to question 16 it seems to be incomplete The Town of Dover is not MS4

And question 39 is not applicable

Add a note

All work to be done in accordance with Chapter 65 of Town of Dover Code

Recommend to the Board the erosion control permit bond amount of \$ 35,025.10 from appendix J  
Set escrow for inspection of \$ 1,000  
Reclaimed phasing to be done, they are just continuing the action of a sand and gravel bank

Chapter 65 & SWPPP are for Sand & Gravel, DEC permit includes a quarry- What is the status of that? A: The quarry was approved by DEC at this time only the sand and gravel are before the Planning board because it needs to be determined from a town stand point as to whether this lies within the mining overlay district- that's a more legal question, they are only proposing the sand and gravel at this time

The area south of the ponds has been reclaimed. There is a reclamation plan prepared and accepted by DEC. When the site is mined the top soil is removed, the sub soil is removed, it's placed in berms, any trees are removed first, then it is mined and then the sub soil and top soil are replaced then it is seeded, fertilized, mulched and DEC then comes out to inspect it. Then the bond is reduced by the amount of acreage that is reclaimed.

What is the age of the trees being removed? A: possibly 30 years, not very large, they grew back naturally.

## **RESOLUTION APPROVING EROSION AND SEDIMENT CONTROL PERMIT**

### **DOMAIN SAND AND GRAVEL**

**Date: June 1, 2009      Property Address: 2441 NYS Route 22, Dover Plains**

WHEREAS, Nicholas F. Domain Sand & Gravel Company has submitted an application for an erosion and sediment control permit to expand the area of an existing sand and gravel mine on September 16, 2008; and

WHEREAS, in order to expand mining operations, a mining permit must be obtained from the New York State Department of Environmental Conservation ("NYSDEC"); and

WHEREAS, the DEC, serving as lead agency in a coordinated review of the project, issued a notice of completion of the Final Environmental Impact Statement ("FEIS") on December 14, 2005 and issued findings on April 14, 2006 certifying that the requirements of SEQRA had been met; and

WHEREAS, DEC approved a final Mined Land Reclamation Permit on June 9, 2006; and

WHEREAS, pursuant to Chapter 65 of the Code, disturbance of ½ acre or more is not permitted unless an Erosion and Sediment Control permit has first been obtained by the applicant from the Planning Board; and

WHEREAS, the proposed area of expansion of the mine exceeds ½ acre, as indicated on the plans submitted by the applicant, thereby requiring that a Chapter 65 permit be obtained from the Town.

**NOW, THEREFORE BE IT RESOLVED, that the Planning Board hereby adopts the DEC findings statement.**

**BE IT FURTHER RESOLVED**, that the Planning Board hereby grants an erosion and sediment control permit to Nicholas F. Domain Sand & Gravel Company for site disturbance as shown on plans prepared by Griggs-Lane Consulting Geologists, Inc., entitled "The Nicholas F. Domain Sand & Gravel Company, Sand and Gravel Reserve Expansion", dated May 1, 2009, last revised May 1, 2009, containing the following sheets:

- a. EXISTING FEATURES MAP DATED 05/01/09 PHASE A CONSTRUCTION PLAN (2 SHEETS) DATED LAST REVISED 05/01/09
- b. PHASE B CONSTRUCTION PLAN (1 SHEET) LAST REVISED 05/01/09
- c. PHASE C CONSTRUCTION PLAN (1 SHEET) LAST REVISED 05/01/09
- d. PHASE A OPERATION PLAN SHEET 1 OF 4 LAST REVISED 05/01/09
- e. PHASE A OPERATION PLAN SHEET 2 OF 4 LAST REVISED 05/01/09
- f. PHASE B OPERATION PLANS SHEET 3 OF 4 LAST REVISED 05/01/09
- g. PHASE C OPERATION PLAN SHEET 4 OF 4 LAST REVISED 05/01/09

subject to the following conditions:

1. The applicant shall file with the Town Clerk a performance guaranty in the amount of \$35,025.00 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.
2. Payment of an inspection fee for the Planning Board's consulting engineer in the amount of \$1000.00 to cover inspection costs to ensure compliance with these conditions.
3. A note shall be added to each sheet of the plans stating that all work is to be done in conformance with Chapter 65 of the Town of Dover Code.
4. The following notes and details from the Stormwater Pollution Prevention Plan (SWPPP) shall be included on an additional operation plan sheet:
  - a. silt fence details
  - b. grassed waterway details
  - c. diversion swale details
  - d. grass lined swale details
  - e. lined waterway or outlet
  - f. structural stream bank protection
  - g. stone lined drainage swale
  - h. sediment trap
  - i. riprap outlet sediment trap
  - j. sediment trap infiltration basin
  - k. rock outlet protection.
  - l. stone lined outfall apron.
5. A vicinity map shall be included showing the site property boundary and its relationship to Route 22 as well as access to the site.
6. A construction entrance with detail shall be provided on the drawings in accordance with NYSDEC standards.

**7. A note shall be added to the plans and to the report stating that the soil infiltration rate is compared to what is required for an infiltration basin as specified in the NYS Stormwater management Design Manual.**

**8. The silt fence detail shall be revised to state that the silt fence shall be provided with 2/3 cut, no more than 4 feet wide at intervals of 200 feet to allow excess storm water to flow across.**

**9. Payment of all fees, including escrow fees, for project review by the Planning Board's consultants.**

**It is the responsibility of the applicant to track the time frame within which this approval will expire. There will be no written or verbal notification to the applicant from the Planning Board office prior to the expiration of this approval.**

**Moved by: Valerie LaRobardier Seconded by: Barbara Kendall**

David Wylock	AYE
Barbara Kendall	AYE
John Fila	AYE
James Johnson	absent
Brian Kelly	absent
Valerie LaRobardier	AYE
Peter Muroski	AYE

Planning Board Chair David Wylock

**C. PLUM HILL 7061-00-369979**

Applicant Anthony Palumbo

Plans Prepared by Rich Rennia of Rennia Engineering Design

Property located on Dover Furnace Road, on 9.052 acres in the CO land use district within the AQ district

Application for Site Plan, Special Permit and Erosion Control

Applicant seeks to Modify a previously approved but un-built site plan to meet current zoning, DEC wetland setbacks and add additional building

Present Richard Rennia, Jr & Anthony Palumbo

Rich Rennia:

- o Plum Hill Amended Site Plan
- o Exiting 9 acre parcel
- o Located off of Dover Furnace Road on the North end adjacent to the rail crossing
- o Zoning district is commercial light industry
- o Proposed use for the 2 buildings is light industrial, service commercial and contractor office warehouse space
- o The idea is that the 2 buildings can be partitioned off to make offices so the 4 contractors
- o A copy of the original site plan approved in 1996 was submitted
- o Some items have changes since the original proposal
- o The wetlands are delineated on the east
- o The existing site plan showed 23,000 square foot building,  
Due to setbacks it is now moved to the north and west

- There is a 2<sup>nd</sup> building 20,000 square feet with the concept of the same use
- Parking showing 67 parking spaces with 21 in reserve, it will depend on who rented the space and the use. In essence 88 are designated with only a disturbance area for 67
- Since 1996 we now have stormwater regulations- There is an area to the south end the soils are good and they hope to do some form of storm water management infiltration, no design or exploration has been done
- There was a septic on the original plan, it will be relocated to the up to the front portion of the site and soil testing has not been done yet.
- The purpose of this evening was to submit the previous plan with the modifications to get some board feed back

Planner Ley-

- Parking - Look into reducing the number of parking spaces in the north east area, near the wetland buffer. So reduce the number 67 and add that to the reserve parking is located.
- Any area where grass or gravel can be used as opposed to paving to reduce impervious surface and storm water area
- How much disturbance will there be to the wetland buffer when the grading is taking place - **A:** The intent is to stay out of the wetland buffer completely, they would prefer to not have to go to DEC for permission to enter the buffer- although the plan has not been graded yet, that is the intent
- There should be some form of debris fence in case there is outside storage to keep materials from vibrating into the wetland buffer
- There should be a landscaping plan and a wetland mitigation buffer

Joe Berger-

- It was already mentioned septic in the future.  
Also show where the well would go
- As you move forward we will need a separate map surveyors stamp metes and bounds and seal for the topo whether he stamps the existing condition
- Have the wetlands been recently re flagged or is it within the 5 years **A:** It was recently reflagged and a DEC Block will be provided

Attorney Polidoro-

- Owners consent not in package **A:** Submitted this evening
- Planning may want to narrow down the actual uses for the property, Each item does have slightly different parking requirements, it should be narrowed down- it is currently listed as light industrial, service, commercial warehouse **A:** He (the owner) would like to leave the uses open to make the uses available to a variety of renter and uses and not to limit the site. I.e.: electrical contractor, a light metal fabricator for art forms or a light manufacturing company or if there were a cabinet maker and they needed storage space as well that would fall into those uses
- Member Kendall expressed concern with uses and how impacts would be very different between an office use and a manufacturing use and would like to see the uses narrowed down

Anthony Palumbo

Adjacent to New Milford High School, on the south end, there is a warehouse space that is very similar to what he wants to do on this site, a 5, 000 square foot building with an office.

Q: are these docks? A: The idea is the east side would have a loading dock where a 60" tractor could back into a raised dock and unload  
The west would have an at grade garage door so it could be driven into

The other building would have at grade

\There was nothing submitted to show what the structure would actually look like, especially for the view from the train.

The applicant will have to submit elevations to the Planning Board as well as appear before the ARB.

Basically a steel structure, Mr. Palumbo stated he has done a similar building in Carmel, on Houston Road, split phase, 37' high, a moving and storage business is currently occupying that space.

If you go to New Milford it's very similar, there are many uses.

There are concerns to some industrial uses so close to the swamp and the disposal of waste.

The uses are to be narrowed down, more specifically specified

Steep site- will any sand and gravel be removed from site? A: No front of parcel will be open space and left as is, 50% of the site would not even be used.  
Impervious surface is below Town Code requirements, that allowable is 40% and they are at 21%. 50% under allowable uses

The original site plan that was approved and a portion of the original road was cut in, and the grade is not changed too much. The structured will be stepped to try to blend with the existing contours. To keep disturbance to a minimum

**Motion made by John Fila to set escrow for Plum Hill Site Plan for the amount of \$ 1,800.00; 2nd by Peter Muroski**

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

**\*\*\*Site Walk set for 5:45 on June 15, 2009 for the Plum Hill project, Board to meet at the entrance of the site off of Dover Furnace Road\*\*\***

**Will there be a SPEDES permit required- this site may not trigger the requirements. This would be determined by the Health Department.**

- D. EXTENSION REQUESTS
  - a. KUNZELMAN 7161-00-698116

RE: Kunzelman Subdivision  
Weil Road  
Town of Dover

Dear Chairman Wylock and Members of the Board:

Please accept this letter as a request for an extension of the preliminary Subdivision approval, which was granted on June 3, 2008, for the Kunzelman Subdivision project located along Weil Road in the Town of Dover. We received comments from the Dutchess County Health Department and are currently addressing these items. We are also awaiting the finalization of legal documents for the Homeowners Association. We are asking that you please provide the applicant with a six-month extension of the preliminary approval from the June 3, 2009 expiration date to a new date of December 3,2009.

Thank you for your consideration in this matter. Please do not hesitate to contact me should you have any questions or concerns.  
Jonathan Walsh, EIT  
Project Engineer

**RESOLUTION TO EXTEND TIME IN WHICH TO SUBMIT A FINAL PLAT**

**Kunzelman Subdivision**

Date: June 1, 2009

Tax Parcel No. 7161-00-698116

WHEREAS, on June 3, 2008, the Planning Board granted preliminary plat approval to the subdivision entitled “Kunzelman Subdivision” for property located on Weil Road, Tax Parcel No. 7161-00-698116 (the “site”); and

WHEREAS, pursuant to Section 125-8(A) of the Dover Code, a final plat must be submitted to the Planning Board within six months of preliminary plat approval; and

WHEREAS, on December 2, 2008, the Board granted the applicant a 6 month extension of time within which to submit the final plat, to June 3, 2009; and

WHEREAS, the applicant has requested an additional extension of time in which to satisfy the conditions of preliminary plat approval and submit a final plat for the Board’s consideration; and

WHEREAS, the Planning Board has considered the particular circumstances of the applicant which warrant an extension thereof.

**NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby grants the applicant an extension of time within which the applicant shall submit to the Planning Board a final plat for the Board’s consideration to December 3, 2009.**

**It is the responsibility of the applicant to track the time frame within which this extension of approval will expire. There will be no written or verbal notification to the applicant from the Planning Board office prior to the expiration of this extension of the approval.**

Moved by: Barbara Kendall      Seconded by: John Fila

David Wylock	AYE	Barbara Kendall	AYE
John Fila	AYE	James Johnson	absent
Brian Kelly	absent	Valerie LaRobardier	AYE
Peter Muroski	AYE		

Planning Board Chair David Wylock

b. ZINGARO 7259-00-088958

Honorable David Wylock, Chairman  
Town of Dover Planning Board  
Town of Dover  
The Historic Tabor Wing Building  
3128 Route 22  
Dover, New York 12522  
Re: Zingaro Subdivision

Dear Chairman Wylock and Members of the Board:

As you know, my firm represents Mr. John Zingaro who owns property located on New York State Route 55, which has received preliminary subdivision approval. Mr. Zingaro continues his efforts to satisfy all the requirements for filing his application for final subdivision approval. As you also know, pursuant to § 125-8 of the Subdivision Regulations, an application for final approval must be filed within six months of receipt of preliminary subdivision approval. Extensions have been previously granted, and the applicant now must submit to the Planning Board a final plat for the Board's consideration on or before August 15, 2009.

The applicant continues his efforts to satisfy those conditions necessary prior to the filing of the final plat. An agreement in principle has been reached with the Oblong Conservancy, with a formal executed agreement expected relatively soon. As you know, attempts were made to enter into an agreement with other conservation organizations with no success. In addition, well drilling is scheduled for next month to satisfy the Dutchess County Health Department.

Therefore, it is respectfully requested that the applicant receive an additional six (6) month extension in which to file his application for final subdivision approval. Should the Planning Board grant such extension, the applicant must file his application on or before February 15, 2010.

RESOLUTION TO EXTEND TIME IN WHICH TO SUBMIT A FINAL PLAT  
**Zingaro Subdivision**

Date: June 1, 2009

Tax Parcel No. 7259-00-088958

WHEREAS, on February 15, 2008, the Planning Board granted preliminary plat approval to the subdivision entitled "Preliminary Subdivision Plat known as Route 55 Corp" for property located on New York State Route 55, Tax Parcel No. 7259-00-088958 (the "site"); and

WHEREAS, pursuant to Section 125-8(A) of the Dover Code, a final plat must be submitted to the Planning Board within six months of preliminary plat approval; and

WHEREAS, on July 31, 2008, the Board granted the applicant a 6 month extension of time within which to submit the final plat, to February 15, 2009; and

WHEREAS, on January 12, 2009, the Board granted the applicant a second 6 month extension of time within which to submit the final plat, to August 15, 2009; and

WHEREAS, by letter dated June 1, 2009, the applicant has requested an additional extension of time in which to satisfy the conditions of preliminary plat approval and submit a final plat for the Board's consideration; and

WHEREAS, the Planning Board has considered the particular circumstances of the applicant which warrant an extension thereof.

**NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby grants the applicant an additional 6 month extension of the time in which to submit to the Planning Board a final plat for the Board's consideration, to February 15, 2010; and**

**BE IT FURTHER RESOLVED, that any future extension of time in which to submit a final plat may be conditioned upon the applicant’s submission of an updated wetlands delineation to the Planning Board.**

**It is the responsibility of the applicant to track the time frame within which this extension of approval will expire. There will be no written or verbal notification to the applicant from the Planning Board office prior to the expiration of this extension of the approval.**

Moved by: Valerie LaRobardier Seconded by: Barbara Kendall

David Wylock	AYE	Barbara Kendall	AYE
John Fila	AYE	James Johnson	absent
Brian Kelly	absent	Valerie LaRobardier	AYE
Peter Muroski	AYE		

Planning Board Chair David Wylock

**E. SINGH DBL - 7160-00-001179**

Applicant: Baljit Singh  
Plans Prepared by: Jordan Valdina of Synergy Design Engineering  
Property located at 1827 Route 22, Wingdale  
Applicant in front of Planning Board for Site Plan approval  
Simultaneously submitted to ARB

Jordan Valdina

Responding to Joe Berger Letter of 05/22 09

- *Wetland DEC stamp and Validation block*- There is an application before the DEC including this current plan set and narrative created May 12, 2009.
- *Lighting Levels*- Seeking guidance- he submitted sheet C-5 photometric created on the research he had done, not of greenway standards, but of gas stations. These exceed greenway as well as zoning code at property boundary- Planning to go to ZBA to request a variance. He had heard 5 foot-candles are a safe level at gas pumps

*Planner Ley*- In some areas there are foot candles shown up to 25 and that is very high. Applicant to look at other forms of light shielding - A: Mr.Valdina had submitted a PDF previously submitted and dated May 12, 08, where lighting was better directed to the building with 1 fixture instead of 2. This alternative could be applied if the Board approved.

Gas station will be open to 9:00pm- lighting is needed for safety reasons.

Have alternative bulbs been researched? A: No, in some way preliminary research done with basic shielding but not in bulbs or adding lights and using less wattage to reduce hot spots of 18, 25 and 22 foot candles.

Greenway standards are 5 a lot of lights would be needed. Gas stations need higher lights for clearance, these are currently 14'. Mr.Valdina did consult a lighting expert who specialized in gas stations. He had found there were many opinions.

*Engineer Berger*- There can be a compromise of allowing 5 foot candles or referring to the ZBA for the variance for the spillage. Due to the proximity of rt 22 it would be difficult to get to a 5 or 7 foot candle smaller lights it’s hard to do 15 and not get spillage. Heights can be reduces to reduce spillage. If the existing lights were pulled apart that too could reduce the hot spots.

The lower lighting level plan- presents lighting levels too low for safety. Even though Greenway and Dark Skies recommend 5, it was recommended that 5 is low for a gas station and 10 was recommended. 23 is too high- lighting is dropped due to after burn of 60-90 days then become stable. No wall mounted fixtures are proposed on the building. The applicant should look at that option as well.

Reasonable target is average 5 close to 10 - as agreed by Engineer Berger.

General ideas of lighting 10 foot candles are usually seen around an ATM, 25 is like a ball field Mobil and Hess on Rt 22 are more like 45 which is way too high so is 25.

*NYS DOT letter of consent-* This is something to be done by the applicant Engineer Berger- recommended they talk to Chuck Walter @ 473-3076. He will then write a letter to the Board.

*Soil Absorption area-* Shown on the plans, was previously shown, in the updating of the survey which was not correct, then shape of the landscaped island on other drawings had it, the updated survey does not and it *needs to be brought together*

*Car Wash Status and other upgrades that are needed-* The status is an active car wash, any upgrades i.e. the waste water treatment, applicant needs to talk to the DOH. A letter from DOH should be obtained and submitted to the Board. The applicant stated the existing system, he has been told, recycles water, he has not personally inspected the system to confirm this. *This will need to be validated.*

Engineer Valdina- the waste water flow on the site is under the requirement of a SPEDEs permit. The car was has been out of service for 8-9 years, parts have been ordered, and sprayers work but service is not offered.

Applicant will return to the ARB for changes to a decorative roof and signage that is not internally illuminated, but agreed to a debris fence and landscaping.

Approval- on existing tanks will expire and the tanks will need to be empty the existing tanks by July 6. There are no leaks, it is an expiration of the use of these particular tanks and they need to be updated. They are double walled, but have been there for more than 10 years. Jim Dalloway from American Petroleum will be monitoring the tank removal. DEC is aware of this and in direct communication with him. Soil samples from tank removal will be done. This too will be submitted to the Board.

Applicant unsure if they will revise plans to meet standards or if they will be applying to the ZBA.

## RESOLUTION REFERRING THE APPLICATION TO THE ZONING BOARD OF APPEALS

### DBL GAS STATION SITE PLAN AND SPECIAL PERMIT

Date: June 1, 2009

Property Address: 1827 Route 22, Wingdale, New York

WHEREAS, revised plans for site plan and special permit approval were submitted by Synergy Design, the engineer for the owner of property at 1827 Route 22, Wingdale, New York, tax parcel number 7160-00-001179 (the "site") on May 13, 2009; and

WHEREAS, the owner seeks to upgrade the existing fuel dispensers located on the site and to make a variety of improvements to the site for aesthetic and functional business purposes, including, but not limited to, lighting, landscaping, signage and a car wash; and

WHEREAS, pursuant to Section 145-40(L) of the Town of Dover Code, no use shall produce glare so as to cause illumination beyond the boundaries of the property on which it is located in excess of 0.5 foot-candle; and

WHEREAS, the applicant's revised plans propose lighting not to exceed 1.2 foot candles at the property boundary in excess of the 0.5 foot-candle requirement in Section 145-40(L) of the Code and the applicant is requesting a variance there from; and

**NOW THEREFORE BE IT RESOLVED, that that the Planning Board hereby refers the application to the Zoning Board of Appeals for a determination regarding the requested variance from the 0.5 foot candle requirement in Section 145-40(L) of the Town of Dover Code.**

Moved by: Valerie LaRobardier Seconded by: Barbara Kendall

David Wylock	AYE	Barbara Kendall	AYE
John Fila	AYE	James Johnson	absent
Brian Kelly	absent	Valerie LaRobardier	AYE
Peter Muroski	AYE		

Planning Board Chair David Wylock

RESOLUTION CLASSIFYING THE ACTION, DECLARING INTENT TO SERVE AS LEAD  
 AGENCY AND REFERRING THE APPLICATION TO THE DUTCHESS COUNTY  
 DEPARTMENT OF PLANNING AND DEVELOPMENT  
 DBL GAS STATION SITE PLAN AND SPECIAL PERMIT

Date: June 1, 2009 Property Address: 1827 Route 22, Wingdale, New York

WHEREAS, revised plans for site plan and special permit approval were submitted by Synergy Design, the engineer for the owner of property at 1827 Route 22, Wingdale, New York, tax parcel number 7160-00-001179 (the "site") on May 13, 2009; and

WHEREAS, the owner seeks to upgrade the existing fuel dispensers located on the site and to make a variety of improvements to the site for aesthetic and functional business purposes, including, but not limited to, lighting, landscaping, signage and a car wash; and

WHEREAS, the Planning Board of the Town of Dover has performed a preliminary review of the application materials; 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.

**NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby classifies the DBL Gas Station site plan and special use permit as an unlisted action under SEQRA; and**



Any work conducted within the New York State Right-of-way will require a Highway Work Permit. If so, the applicant should be directed to contact our local Highway Work Permit Engineer to initiate the Highway Work Permit review process.

Please contact:

Chuck Walter, Permit Engineer  
NYS Department of Transportation  
334 Violet Avenue, Rte 9G  
Poughkeepsie, NY 12601  
(845) 473-3076  
interest in highway safety.

F. LOCAL LAW DISCUSSION

**Motion made by John Fila to go into Executive Session for Attorney Client; 2nd by Barbara Kendall**

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

**Motion made by John Fila to return from Executive Session, no money was spent, no decisions were made; 2nd by Peter Muroski**

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

*Reminders meetings June 15, 2009 as well as June 29, 2009 with the July regular monthly meetings of July 6 and 20<sup>th</sup>*

*June 15 John Saccardi and Michael Zarin will be here to present the project to the Board.*

*Attorney Polidoro* – In the back of the Master Development Plan there is a Zoning Amendment as proposed by the applicant as part of the development plan. This is the applicants’ point of view. The Town Board does not have to accept it and the Planning Board has been asked to provide comments on it.

Overview-The law requires submission of a master development plan, for applications within MC overlay district. Once the Master development plan is submitted, and once the DEIS is submitted, that’s the plan that is referred to the Planning Board for review and comment. That is the step we are in right now.

Once the Master Development Plan is approved by the Town Board, All development has to be in conformance with it . It’s Almost like a mini comprehensive paln, just for this one district. Like any comprehensive plan it has it’s fair share of room for adjustment. It’s very conceptual it does not tie the applicant to anything very specific at this point. Once we have the approved master development plan, all site plans must be in compliance with it.

The site plans will probably be phased, over a build out of many years. Each particular site plan will be for a small portion of the site. That will then be at the level of detail we look at now for site plan, storm water drainage, wetlands etc.

What happens is that once the site plan is submitted to the Town Board, it has to be approved within 30 days, with no Public Hearing, so long as it is conformance with this plan.

Page 3- “Presumptively shall not require supplemental review under SEQRA and shall be granted with out a hearing, if such site plan amendment meets the following criteria: ...”

I.e.- - (b) If the site plan changed from senior housing to three bedroom homes but did not increase the school age children by more than 10% , then it could be approved with out a Public Hearing and without Public review. 10% is a rather large threshold if you think about it as a 1,000 acre site. Or (G)... does not increase by more than 10% encroachment on wetlands... - So if they

increase the plan by encroaching on 100 more acres of wetlands – then the Town Board would have to approve that without looking at it any more. It almost ties the Town Boards hands as to what they can look at. 10% may not see like a lot, but if you think about increasing traffic and children and density, impervious surfaces all by 10%- it's like looking at a completely different project over 17 years then what was envisioned.

Also- once the master development plan is approved, there is no requirement that it be looked at again. So right now Dover Knolls is isolated, if 15-20 years down the road, there are 4 other dense developments around it, hypothetical, worst case scenario, there is no requirement that the Town Board re look at their vision. Whereas normally under a zoning law, Town Board looks at a comprehensive plan every 10 years to see if this is still the vision.

Page 4 this is where it says that they want to transfer Subdivision and Erosion Control Authority to the Town Board, so they are amending the Zoning code.

D- Limitations on Development- they have changed some of the limitations, so they have provided a maximum density of 1.6 dwelling units per acre of land, and the calculation is done by taking the whole parcel and dividing it up. Normally most zoning subtracts the land for roads, wetlands and other unbuildable features and then divide. This is a policy issue they are not subtracting that, so the applicant is getting a greater density then they would otherwise be allowed. Then they provided a maximum of non residential development as a ratio- which is a difficult calculation to do, it seems very high. It would almost be an impossible threshold to hit. It does not say commercial- it says non residential including the golf course, hiking/walking trails etc. Page 5- They provided for a minimum of 200,000 square feet of floor area- this is an amount probably already covered by the golf course or if a community gym or community club house was provided ( something along that nature). There should be more of a balance of commercial to residential.

(D) Is completely crossed out- There was a requirement that the development had to be in line with Dutchess County Hamlet design Guidelines, and had to be approved by the ARB and the Planning Board that has been taken out in favor of the applicants' master plan providing their own design guidelines. They were submitted to us on CD. They came up with their own guidelines and they want to agree to abide by those guidelines rather than focus on the County's.

(E) There was a provision on the limitation on residential development. It said that “no more than 30% of the gross floor area of all development in the MC overlay district may consist of residential dwelling units of 3 or more bedrooms. No more than 50% of the gross floor area of all development in the MC overlay district may consist of residential development except that age restricted senior Citizen housing shall be excluded from this calculation “ So there is a lot of policy behind that provision , what it does is encourages senior housing because it excludes it from that maximum calculation, so it provides an incentive for a developer to provide age restricted housing. 3-4 Bedroom house have the greatest impact on taxes, greatest net negative on the tax base and they are not affordable. This is something the applicant wanted to remove and did not want to be limited by these calculations and wanted more flexibility.

(F) Protection of Open Space resources- It begins with saying to protect open space then it defines open space – it includes the golf course the Great Swamp, DEC wetlands, it specifically does not include any other wetlands. It previously said ‘wetlands’ now it only says NYS wetlands. Wetlands under 12 acres or federal wetlands would not be deemed worthy of open space, the reservoir or AT. Steep Slopes in excess of 25% - the general rule is slopes of 15% or higher should be protected. - DOH does not allow septic to be built on 15.

Member Fila- Would like to have a clearer reason for the use of the terms of Great Swamp and the Great Swamp River and as to why one term was used as opposed to the other.

**FOR EASE OF REFERENCE – SET FORTH BELOW IS A COMPARE VERSION OF SECTION 145-16 WITH PROPOSED ADDITIONS AND DELETIONS SENTENCES WITH UNDERLINING ARE ADDED AS NEW LANGUAGE SENTENCES WITH STRIKE THROUGH ARE DELETED**

**§ 145-16. Mixed-Use Institutional Conversion Overlay District (MC).**

A. Findings and purpose. The purpose of this overlay district is to facilitate the redevelopment of the former Harlem Valley Psychiatric Center as a mixed-use community that fulfills the goals of the Town of Dover Master Plan and the purposes of this chapter as expressed in Article I. The town wishes to attract development to this site because it contains certain serviceable buildings and water and sewer infrastructure, as well as excellent both highway and commuter rail transportation access. This overlay district is the most appropriate area of the town for intensive mixed-use development. The provisions of this overlay district are intended to streamline permitting and allow greater use flexibility. The regulations that follow require the preparation of a conceptual site plan Master Development Plan that shall be subject to review and approval by the Town Board with input from the Planning Board. Upon approval of the conceptual site plan Master Development Plan, an applicant shall be required to secure site plan approval for the various phases of the development from the Town Board in accordance with Article IX of this Ordinance, as applicable. As part of its review of the site plan, the Town Board shall refer the site plan to the Planning Board for its input and recommendation.

B. Boundaries. The boundaries of the MC Overlay District are shown on the Overlay District Map.

C. Effect of district. Within the MC District, all uses listed on the Use Table, Article III, Section 145-10B, as permitted or requiring a special permit shall be permitted by right subject to site plan approval only. Any use not listed on the Use Table and not prohibited by § 145-10C may be allowed by special permit. Dimensional and density regulations and requirements for buffers between uses may be modified by the Town Board in the course of site plan approval to fit the unique characteristics of the district. Buffer requirements intended to protect residential uses adjoining the MC District shall not be modified. Total allowable development of the district or any portion thereof under review shall not exceed 50% more than would be otherwise permitted in the underlying districts, except that in the portion of the MC Overlay District which is zoned SR a density bonus of 100% shall be allowed. In addition, land use district classifications may be changed in the following ways:

(1) The Town Board may, in its sole discretion, by zoning amendment granted at the request of an applicant, reclassify any portion of the overlay district to any other land use district, except for the M District. In so doing, the Town Board shall make a finding that the reclassification is consistent with the purposes of the Town of Dover Master Plan and this chapter. The reclassification shall entitle the applicant to approval by right subject to site plan approval of all specially permitted uses in the district to which the use has been classified. The Town Board may attach such conditions as it finds necessary to ensure that the reclassification of land in the district will be in harmony with surrounding land uses and the purposes of the overlay district.

(2) The Town Board may, by zoning amendment in its sole discretion, rezone all or a portion of the MC District and rezone lands substantially contiguous to the MC District pursuant to a comprehensive Master dDevelopment pPlan for a portion of the property that includes at least 40 acres. Such rezoning shall be in the form of a planned development district and shall be consistent with the Town of Dover Master Plan and any other master plan for the site adopted by the Town Board. A conceptual site plan shall be approved by the Town Board as part of the comprehensive development plan rezoning

application approved pursuant to Article X. The conceptual site plan shall show street layouts, an open space system, and density and general use classifications within the planned development district and shall indicate dimensional regulations that will apply within the district. The Master Development Plan shall include a narrative description of the overall plan, along with appropriate graphics, which show proposed street layouts, density and general use classifications, recreation and open spaces, principal and accessory buildings, off-street parking and major utility systems. The Master Development Plan shall also present dimensional regulations, which shall be applicable to the development and project-specific design guidelines illustrating proposed architectural and site plan details. Said regulations and guidelines shall include off-street parking and loading standards applicable to the proposed development in the MC District. Project-specific guidelines shall consider and refer to the Hamlet Design and Building Form Guidelines produced by the Dutchess County Department of Planning and Development to the extent applicable. A phasing plan shall also be provided in the Master Development Plan. The Town Board may attach such conditions as it finds necessary to ensure that the planned development district will be in harmony with surrounding land uses and the purposes of the overlay district.

The Town Board shall refer any **comprehensive development plan and conceptual site Plan Master Development Plan** submitted by an applicant to the Town Planning Board for review and comment as part of the environmental review process. The Planning Board shall provide written comments within sixty-two (62) days from its receipt of the **conceptual site plan Master Development Plan** and an accompanying Draft Environmental Impact Statement (“DEIS”) deemed complete pursuant to the requirements of the New York State Environmental Quality Review Act. The **conceptual site plan Master Development Plan** approved by the Town Board shall provide the development framework for subsequent site plan review by the Town Board, which shall be undertaken by the Town Board in accordance with Article IX of this Ordinance, as applicable. The Town Board shall refer the subsequent site plan to the Planning Board, which shall provide written comments to the Town Board within sixty-two (62) days from its receipt of the site plan. **At its sole risk, an Applicant may submit a detailed site plan(s) to the Town Board for site plan approval for all or part of an MC development concurrently with the Town Board review of the Master Development Plan, provided, that approval of a site plan may not occur until the Town Board approves the Master Development Plan.**

No site plan or site plan amendment shall be approved by the Town Board unless the Town Board determines that such site plan (or site plan amendment) complies in all material respects with the **conceptual site plan `Master Development Plan** adopted by the Town Board. **An amendment to the approved site plan hereunder shall be deemed to comply in all material respects with the conceptual site plan adopted by the Town Board, and shall not constitute a substantial change for the purposes of the Town Board’s implementation of Section 145-68(D) (“Site Plan Amendments”), and presumptively shall not require supplemental review under SEQRA and shall be granted without a hearing, if such site plan amendment meets the following criteria:**

- a) does not increase traffic volumes generated by the approved site plan as calculated pursuant to the most recent edition of the Institute of Transportation Engineer’s Trip Generation manual by more than ten percent (10%);
- b) does not increase the number of school children generated by the approved site plan by more than ten percent (10%);
- c) does not alter the aggregate gross residential density or non-residential floor area in the approved site plan by more than ten percent (10%). It is specifically intended that, consistent with the goal of allowing greater use flexibility in the MC District, a change in product or use mix shall not in itself constitute a substantial change;

- d) does not increase impervious surfaces in the approved site plan by more than ten percent (10%);
- e) does not increase the amount of sewage effluent or water consumption (gpd) by more than ten percent (10%);
- f) conforms or substantially conforms with any Design Guidelines or other conditions adopted in connection with the approved site plan; and
- g) does not increase by more than ten percent (10%) any encroachment on: (i) wetlands under the jurisdiction of the New York State Department of Environmental Conservation or the United States Army Corps of Engineers; (ii) slopes exceeding fifteen percent (15%); or (iii) any Environmental Sensitive Area specifically designated by the Town Board in connection with its approval of the original conceptual site plan.

Based solely upon these objective criteria, the Town Board shall make a determination concerning any site plan amendment within thirty (30) days of the submission of a request for such determination, containing the aforementioned information.

In an effort to facilitate the Planning Board's review and comment on any comprehensive development plan and conceptual site plan Master Development Plan submitted to the Town Board and in an effort to keep the Planning Board apprised of the various revisions to such plans prior to the referral provided for above, five (5) copies of any comprehensive development plan and conceptual site Master Development Plan plan and any revision thereto submitted to the Town Board shall also be simultaneously submitted to the Planning Board. The DEIS shall be submitted to the Planning Board in accordance with SEQRA and the referral provided for above. Notwithstanding anything in Chapter 125 of the Town Code of the Town of Dover ("Subdivision of Land"), the Town Board has the sole power and authority to approve or disapprove plats for subdivisions related to projects proposed within the MC District. An applicant shall be required to secure subdivision for projects within the MC District in accordance with Chapter 125 of the Town Code, as applicable. Notwithstanding anything in Chapter 65 of the Town Code of the Town of Dover ("Erosion and Sediment Control"), the Town Board has the sole power and authority to approve or disapprove any application subject to said Chapter 65 within the MC District. An applicant for project within the MC District shall be required to secure approvals from the Town Board for matters subject to Chapter 65, in accordance with said Chapter, as applicable.

#### D. Limitations on development.

##### 1. Overall Density of Development

(a) The maximum density of residential development shall not exceed 1.6 dwelling units per gross acre of land. The gross acres of land within the District shall be determined by calculating, without any qualifications or deductions, the total acreage within the District, including roads, parking and loading areas, land under buildings, water bodies and other natural features.

(b) The maximum square footage of non-residential development shall not exceed a floor area ratio of 0.015, with the floor area ratio defined as the total square footage of all non-residential uses divided by the gross acres of land within the District, as defined in C.2(a.) above.

##### 2. Dimensional Regulations

Lot and bulk controls and off-street parking requirements shall be defined as part of the proposed Master Development Plan. Said controls and requirements shall be subject to review and approval by the Town Board as per Section C hereof.

E. Non-residential development. Non-residential development shall be designed within a mixed use hamlet center. It shall provide a variety of retail, restaurant, personal service, community facility, and other uses that support the proposed development and provide a focus for the

immediate area, consistent with market conditions as defined in the SEQRA review process, provided however, that the total square footage of non-residential development in the District shall total a minimum of 200,000 square feet of floor area.

D. Applicability of design guidelines. In reviewing any site plan application in the MC Overlay District, the Town Board and the Architectural and Community Appearance Board of Review shall apply the Dutchess County Hamlet Design Guidelines, Rural Development Guidelines, and Building Form Guidelines as appropriate to ensure that development is compatible with the character of the town. Where the specific historic character of existing buildings on the site justifies divergence from the recommendations of the Guidelines, the Architectural and Community Appearance Board of Review may permit such divergence with a written explanation in its decision. Architectural compatibility with existing post-1950 architecture may not be the basis for such divergence. However, architectural excellence may provide the basis for divergence from the Guidelines.

E. Limitation on residential development. No more than 30% of the gross floor area of all development in the MC Overlay District may consist of residential dwelling units containing three or more bedrooms. No more than 50% of the gross floor area of all development in the MC Overlay District may consist of residential development, except that age-restricted senior citizen housing shall be excluded from this calculation.

F. Protection of open space resources. All development in the MC District shall protect open space of conservation value by clustering development and utilizing traditional neighborhood design concepts, to the maximum extent practical. Particular open space resources designated for protection of conservation value includes the existing golf course, the Great Swamp River, New York State designated wetlands, and the area on the east side of the district that includes steep slopes in excess of 25%, the reservoir and the Appalachian Trail.

Member Kendall- Looking at the calculations- I always thought the Zoning Code should be something a member of the Public could pick up and read it and understand it- I'm having difficulty understanding what this really translates to

Planner Ley- Look at- DEIS Land use Zoning and Public Policy Chapter- There is a full build out analysis of what the zoning code would propose- there is a table in there which shows the existing zoning and what can be built under that verses the proposed zoning- that is a good resource for you take a look at what is proposed. The Planning Board can always take that chart and create a 3<sup>rd</sup> column and show what the Planning Board would propose.

*Attorney Polidoro* – All references have been changed from “Town Board” to “Planning Board”

Some reasons- The Planning Board is more continuous – only 1 member changes each year, probably more beneficial for the applicant, in 15 years they will return for a site plan with a new Board that would have to refresh itself. The Town Board is not required to get Land Use training and does not get to review Site plans that often.

The Planning Board should make recommendation of a law that works for other projects possibly coming into town not just project specific.

Once this recommendation document is reviewed by the Planning Board- It can and will be edited and adopted to make formal recommendation to the Town Board.

Discussion on the Design guidelines and concern if the ARB will be able to carry out the vision of the developer and how it all fits within the master development plan. It was explained that the ARB would actually be insuring the character off the phases to be consistent. It would be more of a system of checks and balances to make sure what is proposed is what will happen.

Member Kendall- Criteria- Wetlands- the revision by Attorney Polidoro is something Member Kendall agrees with concerning the encroachment of the wetlands

Also discussed was the concern that Town Board would be taking Subdivision and Erosion Control from the Planning Board. NYS Town Law is laid out so that it started with the Planning board, once you have a Planning Board; subdivision for beginning to the end with the filing with the County Clerk is with Planning. It's important that this stay with Planning.

There is a question which right now is open as to if that can legally be transferred to the Town Board if the Planning Board is established, if the Planning Board was abolished it could be done. Site Plan review as well is another reason why there is a Planning Board.

Written comments from the Board are expected to insure this response is truly reflective of the Boards concerns and recommendations

Kathy Schibanoff- It is her understanding that this Master Development Plan is a proposed action and the goal is that no matter what happens to the Town Board or Planning Boards, the plan will retain the vision of the Project. With the Comprehensive plan the Town put together- the Psych Center was to be a growth center of town to insure the rest of the town could remain green and the work be concentrated in that area because of the water sewer, drainage infrastructure would be concentrated.

Ms.Schibanoff was reminded that there was a commitment from the Attorney for Dover Knolls that escrow would be posted for Planning Board review and it would be appreciated if this were received by the 15<sup>th</sup> of June

**Motion made by Barbara Kendall to adjourn 2nd by John Fila**

VOTE: DAVID WYLOCK - AYE	MEMBER BARBARA KENDALL - AYE	MEMBER JOHN FILA - AYE
MEMBER BRIAN KELLY-ABSENT	MEMBER JAMES JOHNSON-ABSENT	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](http://www.townofdover.us)  
Full Audio may be requested for a fee by completing a FOIL request form from the Dover Town Clerk