

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

Town of Dover Planning Board



(845) 832-6111 ext 100

Planning Board Meeting
Monday June 7, 2010
7:00PM

- Co-CHAIR David Wylock
- Co- Chair Valerie LaRobardier
- Member John Fila
- Member Brian Kelly
- Member James Johnson
- Member Peter Muroski
- Member Michael Villano

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

For the Applicants: - Rich Rennia & Mrs. Quezada for El Universal, Rich Rennia & Daniel Katz for FreshTown, Matt Martin for Cricket Valley, Linda French and 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 7:05 PM and began with the Pledge of Allegiance

Public Hearings:

1. **SINGH DBL - 7160-00-001179**
Applicant: Baljit Singh --Plans Prepared by: Jordan Valdina of Synergy Design Engineering
Property located at 1827 Route 22, Wingdale
Application for Site Plan approval
Continued Public Hearing

The applicant called earlier in the day as requested the Board move his item to the end of the agenda, as he is unable to attend the meeting until 8:00

2. **EL UNIVERSAL- 7059-04-756319**
Applicant Daniel Quezada Plans Prepared by Rennia Engineering Design PLLC
Property located at 1456 Route 22, Wingdale
Application for Special Permit as per March 11, 2010 G.T.Hearn letter
Parcel in the SR district with in the AQ overlay district on .872 acres of land
Site plan and survey submitted

Rich Rennia: Here for Public Hearing formerly Strata's on Rt22, Wingdale. Across from Ben's Deli, North Wingdale Pizza behind it residential area. The site is just under an acre

Project seeks to take the existing use of a restaurant / bar and convert tot a café /deli mini market. It would be a change from 1 non conforming use to another. The café/deli section of the proposal would be approximately 2,000 square feet, mini market portion of that would be just over 1,356. He believes it is within the code to allow the Planning Board to allow the non conforming use change as long as the impacts found by the Planning Board are the same or less than existing. He believed the impacts would be less. The 2 biggest items to support the lesser impact are the hours of operation would be reduced and the reduction in seating. I the last submission, as per 145-63 criteria for Special Permit - The Planner suggested the Board consider the criteria, he also reviewed the criteria.

Motion made by John Fila to open the Public Hearing 2nd by Valerie LaRobardier

VOTE: CO-CHAIR DAVID WYLOCK – AYE
MEMBER JOHN FILA – AYE
MEMBER JAMES JOHNSON - absent
MEMBER MICHAEL VILLANO– AYE

CO-CHAIR VALERIE LAROBARDIER- AYE
MEMBER BRIAN KELLY - absent
MEMBER PETER MUROSKI - AYE

Motion approved

There were no comments from the Public

Engineer Berger- the Board would like to see more control of the entrance on rt22, right now it's very open. Septic plan is shown, the engineer stated its fine, and the Health Department has chosen to no do this type of review.

He feels the letter from the Engineer satisfies his concern as to statement of the Septic being adequate for this use.

Co-Chair Wylock -

The letter received from Dutchess County Planning, he agrees with the comments made in the last paragraph:

In the event that the Planning Board approves the proposed modification of use on this site, site plan approval should be contingent upon improvements to the entrance/exit, the parking area, and the landscaping. The Board could request a landscape plan that includes clearer delineation of the entrance and exit drives as well as additional landscaping including clearly defined planting areas and street trees along Route 22.

Since Engineer Renna had received this letter early, he had discussed the comments with the Applicant; they have agreed that they will have him work on "necking down" the very wide entrance into 1 entrance with DOT and a concrete curb. Possibly on the south end and leave the remaining area grass, 1 entrance in and out combined, box in the rest of the parking and possibly move the sign to the north end to not obstruct the site distance.

Landscaping - an inventory of what exists will be done, and new items will be added.

Q: Is there anything additional in the rear that the Board would like to see?

Member Muroski- Is that an old sports court?

A: Yes, an old horse shoe pit

Q: Is the gazebo going to stay?

A: yes they were not planning on removing it, but the use is changing and they are not planning to use it.

Co-Chair Wylock - Is the fencing in good shape

A: It has to be looked at

Member Fila- Did you show the trash receptacle

A: Yes it's revised and shown in the rear of the building just by the condensers, there will be protective pipe bollards to keep the dumpster from slamming into the condenser units

Q: Any fencing?

A: No we did not have that planned, we thought this was the best location for ease of the sanitation truck to come in and service it. The entrance on the south would also make it easier for delivery trucks as well.

Co-Chair Wylock -if you could get us some photos of the rear that would be helpful

Planner Ley- Would like to see a landscaping plan and the hours of operation have been included in a memo but should be in the final resolution as well.

Member Villano- Would also like to see the landscaping plan

Member Muroski- Also felt the landscaping plan would help- since all of the businesses along that route are wide open it would be nice to have something to soften the look

Co-Chair Wylock agreed that the County made a good point

Engineer Renna- The only point in the County's letter that would be hard to achieve is the street trees along rt 22. Part of the issue would be the overhead wires doing too much could cause an issue. They were looking at the possible new location of the sign, but unsure if a nice row of street trees would work.

Member Muroski- They don't necessarily have to be shade trees, understory trees ie dogwoods could work

Engineer Renna- That was discussed, but the applicant was concerned with blocking the visual of the business.

Member Muroski- Look at shade trees along the edge and then something lower

Co-Chair Wylock - the issue of curbing is valid

A: Currently there is an issue of 18 wheelers parking along rt 22 and the applicants would like to stop it.

Motion made by Valerie LaRobardier to continue the Public Hearing to July 19, 2010 2nd by Michael Villano

VOTE: Co-CHAIR DAVID WYLOCK – AYE
MEMBER JOHN FILA – AYE
MEMBER JAMES JOHNSON - absent
MEMBER MICHAEL VILLANO– AYE

Co-CHAIR VALERIE LAROBARDIER- AYE
MEMBER BRIAN KELLY - absent
MEMBER PETER MUROSKI - AYE

Motion approved

Motion made by Peter Muroski to refer this application to the ARB 2nd by John Fila

VOTE: Co-CHAIR DAVID WYLOCK – AYE
MEMBER JOHN FILA – AYE
MEMBER JAMES JOHNSON - absent
MEMBER MICHAEL VILLANO– AYE

Co-CHAIR VALERIE LAROBARDIER- AYE
MEMBER BRIAN KELLY - absent
MEMBER PETER MUROSKI - AYE

Motion approved

These applications will run simultaneously

Discussions:**3. DOVER PLAINS PLAZA- FRESHTOWN 7063-00-509295**

Applicant Dover Acquisition LLC c/o Daniel Katz

Plans Presented by Rich Rennia plans prepared by Rosenbaum Design Group

Property located @ 3081 Route 22, Dover

Application for Site Plan amendment / Special Permit

Parcel located in the HC / AQ district on 4.7 acres of land

Daniel Katz & Rich Rennia Present

Co-Chair Wylock - The Applicant met with us to discuss a revision to the application, changing the location of the clock tower and changes to the bottle redemption area.

Engineer Rennia there are 2 plans submitted- 1 is the elevation with revised location of the clock tower and bottle return. On the original approval these were to be located in other locations. There are multiple reasons why this needed to be revised. The original clock tower was to be over the main entrance, the structure can not support that, and the main entrance would have to be shut down in order to do the work. The bottle return area was to be on the opposite end, the far northern end which takes it out of use and away from the doors. The new location of the clock tower would be on the north east corner of the building and the bottle return area is to be in the same location but in an enclosure so it is hidden from view and in its own room. A parking space will be removed in order to accomplish this. A triangular cross walk will allow pedestrian traffic to continue. No grassy area is proposed

Co-Chair Wylock - Could you put curbing there to keep people from parking there?

A: that could be possible

Member Muroski - you could put landscaping

A: you could- it would be tough and it would be hard to keep people from walking through it. It may work with a planter; they also right now display their plants for sale.

Co-Chair Wylock - this is an improvement

A: this plan should bring them back into compliance. This is that heart of what they want to achieve and would like to have this done before the season ends.

Member Fila- Can you give an engineering answer as to why the original clock tower position doesn't work

Engineer Rennia was not the Engineer when this was proposed; he has been told that there would have to be a considerable amount of work to modify the structure to support the weight of the clock tower. The amount of work and time it would take would not be easy or feasible.

Co-Chair LaRobardier - thinks this would be much better, and the bottles would be in a safer place.

Member Fila- thinks it looks off balance, and would have liked the clock tower in the center, but if it can't be done, it can't be done.

Brief discussion about the location of the clock tower in Amenia.

Member Muroski- Is the clock tower going to be lit at night

A: it can not be internally illuminated, Amenia has no light. Also if you don't want the clock tower, they would agree to that

The Board discussed cupolas, clock towers, location of gables and dormers. The existing roof is flat any existing peaks are just facade; the applicant is trying to satisfy the requirement of the previously approved site plan.

The applicant was not seeking a complete revision of the façade work that was done but to add the tower as requested. Dormers and the peak at CVS were recently added

There was also discussion about moving the FreshTown sign and minimize the empty space of the facade

Member Fila- Suggested softening the façade under the clock tower with some form of landscaping

Member Muroski- agreed with member Fila, It is a bit imbalanced, and the north end where the tower is proposed could be softened

The height of the clock tower is 36' -

Possible planting of some form of Ivy or birch tree such as a heritage river birch -

the applicant agreed to some form of landscaping would be incorporated in the plans

Co-Chair Wylock- Mr. Katz does have future plans

Engineer Rennia explained the second drawing in the submission to get the Board's feeling on the idea of the drive up type of business. This is not something to be done immediately but possibly in 3-5 years.

The applicant does not want this to hold up item 1 of the submission.

Co-Chair Wylock - This was discussed with the consultants and the possibility of a master plan did come up

Attorney Polidoro- it makes sense to look at this as a holistic approach of the site, this could be looked at as a master plan for the SEQRA review on how this site works as it is proposed including traffic impacts of the proposed drive thru. Once SEQRA is done you can submit a site plan amendment just showing the improvements that will be done in the near future. You could then come back in 3-5 years and show another site plan amendment showing the other phases of development. This way you will not get into a situation of having an open site plan. Site plan does expire.

Q: How detailed would the master plan need to be, could it be just conceptual or formally laid out?

New survey and parking etc

A: You need enough to do the SEQRA review.

Planner Ley- We would need a new survey and to make sure the parking flow works and that traffic wouldn't interfere with the bank, some preliminary layout of additional landscaping, going through with the master plan could be the best option.

Engineer Berger- The site engineering would be minimal because of the impervious surface

Engineer Rennia- We will be adding some impervious surface

Engineer Berger- then you can provide the minimum amount of drainage work, not increasing septic so state it, topography should be submitted.

Engineer Rennia- The concern is if we were to go down that path now, the time frame could be extensive; he would like to complete the façade work this summer.

Attorney Polidoro- In this case there is enough of a disconnect between the façade change and the future improvements to the parking lot layout and drive through- there shouldn't be a segmentation problem. - it is always better to look at the whole site.

Planner Ley- We will need to see a zoning table to make sure you comply with the parking requirements; you are removing a parking space

Co-Chair Wylock - How does the Board feel about moving forward with the clock tower in the new location and the bottle return being enclosed and the base of the clock tower base being softened by landscaping, and later coming back for the master plan?

Attorney Polidoro- He can do a site plan amendment, afterwards.

Co-Chair Wylock - Time is of the essence- the July meeting is the 19th-

Member Fila thought the two issues could be treated separately

Engineer Rennia- If it is just the Clock tower and bottle return and we just change the location - do we have to reopen SEQRA?

Planner Ley- We were just discussing that and it could be typed as a type II action under SEQRA, since it is less than 4,000 square feet and a façade improvement.

Engineer Rennia- so if we were to just pursue that we could go to the ARB for the change, satisfy your comments and try to get an approval this summer.

Attorney Polidoro- I would just want to look at the old approval to make sure the clock tower wasn't part of their findings. It doesn't seem like we would have to re open it.

The Board agreed it would be a good idea

The ARB meets the last Monday of the month
Just to avoid delay between the 2 Boards, this Board could type this so the ARB could do their approval and they could come back to us.

To avoid confusion between this board and ARB- what is the plan that will be sent to ARB?

The plan showing the tower in the proposed north location, bulk regulations table on it with a tree and cut out planter in that area and the bottle return will be squared off, possible raised planter near the bottle return - it should be kept open.

Motion made by Valerie LaRobardier to type this action as type II under SEQRA 2010 2nd by Michael Villano

VOTE: Co-CHAIR DAVID WYLOCK – AYE	Co-CHAIR VALERIE LAROBARDIER- AYE
MEMBER JOHN FILA – AYE	MEMBER BRIAN KELLY - absent
MEMBER JAMES JOHNSON - absent	MEMBER PETER MUROSKI - AYE
MEMBER MICHAEL VILLANO– AYE	

Motion approved

Motion made by Michael Villano to authorize the Secretary to circulate revised documents to County Planning & ARB upon receipt 2nd by Peter Muroski

VOTE: Co-CHAIR DAVID WYLOCK – AYE	Co-CHAIR VALERIE LAROBARDIER- AYE
MEMBER JOHN FILA – AYE	MEMBER BRIAN KELLY - absent
MEMBER JAMES JOHNSON - absent	MEMBER PETER MUROSKI - AYE
MEMBER MICHAEL VILLANO– AYE	

Motion approved

Motion made by John Fila to set Public Hearing for July 19, 2010 2nd by Peter Muroski

VOTE: Co-CHAIR DAVID WYLOCK – AYE	Co-CHAIR VALERIE LAROBARDIER- AYE
MEMBER JOHN FILA – AYE	MEMBER BRIAN KELLY - absent
MEMBER JAMES JOHNSON - absent	MEMBER PETER MUROSKI - AYE
MEMBER MICHAEL VILLANO– AYE	

Motion approved

Letter of Authorization is needed

4. CRICKET VALLEY ENERGY PROJECT 7060-00-493989; 7061-00-465190; 7061-00-580190; 7061-00-585063

Applicant: Cricket Valley Energy Center, LLC
Property located 2241 NY Route 22 Dover, NY 12522
Application for: Applicant currently before the Planning Board for the Scoping process
Lead Agent- DEC

Co-Chair Wylock – Planner has created a letter with comments from John Fila incorporated:

June 7, 2010

*Hon. Supervisor Ryan Courtien and
Members of the Town Board
Town of Dover
126 East Duncan Hill Road
Dover Plains, NY 12522*

Re: Cricket Valley Energy Project Draft Scoping Document

Dear Supervisor Courtien and Members of the Town Board,

The Planning Board has reviewed the Cricket Valley Energy Project Draft Scoping Document (the "Draft Scoping Document"), prepared by the New York State Department of Environmental Conservation (NYSDEC), and dated May 3, 2010. The Planning Board has also reviewed AKRF's comments on the draft scope, as presented in a letter from Graham Trelstad, AICP, to Supervisor Courtien and Members of the Town Board, dated April 28, 2010. The Planning Board concurs with the comments contained in that letter, and recommends the following addition(s):

- 1. The project site is currently occupied by one or more business tenants. The DEIS should describe which, if any, of these businesses would remain on the site, and any additional approvals that may be required to accommodate them (e.g. subdivision).*
- 2. The Land Use/Zoning analysis should acknowledge the former Harlem Valley Psychiatric Center property and the recently approved Master Development Plan for the Knolls of Dover, and should identify the effects of the proposed action on this redevelopment area.*
- 3. Since the proposed action is a power plant with large stacks, pursuant to the NYSDEC Policy, Assessing and Mitigating Visual Impacts, (DEP-00-2, 2000) referenced in the Scoping document, the DEIS should document any impacts beyond five miles to listed resources (see specifically page 5 which references the more stringent standard for power plants).*

We trust that you will include the Planning Board's comments in the Town of Dover's written comment letter to NYSDEC on the Draft Scoping Document. We look forward to working with the Town Board on this important project.

Sincerely,

*David Wylock
Planning Board Co-Chair*

*Valerie LaRobardier
Planning Board Co-Chair*

Motion made by Valerie LaRobardier to approve the Letter to The Dover Town Board regarding Scoping document on Cricket Valley Energy 2nd by John Fila

VOTE: Co-CHAIR DAVID WYLOCK – AYE Co-CHAIR VALERIE LAROBARDIER- AYE
MEMBER JOHN FILA – AYE MEMBER BRIAN KELLY - absent
MEMBER JAMES JOHNSON - absent MEMBER PETER MUROSKI - AYE
MEMBER MICHAEL VILLANO– AYE

Motion approved

5. Discuss July 5, 2010 meeting

Motion made by John Fila to cancel the July 5, 2010 meeting due to the July 4th holiday and meet July 19 as the next regularly scheduled July meeting 2nd by Peter Muroski

VOTE: Co-CHAIR DAVID WYLOCK – AYE Co-CHAIR VALERIE LAROBARDIER- AYE
MEMBER JOHN FILA – AYE MEMBER BRIAN KELLY - absent
MEMBER JAMES JOHNSON - absent MEMBER PETER MUROSKI - AYE
MEMBER MICHAEL VILLANO– AYE

Motion approved

Motion made by Valerie LaRobardier to extend the deadline from June 9, 2010 to June 16 2010 for the July meeting 2nd by Michael Villano

VOTE: Co-CHAIR DAVID WYLOCK – AYE Co-CHAIR VALERIE LAROBARDIER- AYE
MEMBER JOHN FILA – AYE MEMBER BRIAN KELLY - absent
MEMBER JAMES JOHNSON - absent MEMBER PETER MUROSKI - AYE
MEMBER MICHAEL VILLANO– AYE

Motion approved

6. SINGH DBL - 7160-00-001179

Applicant: Baljit Singh -Plans Prepared by: Jordan Valdina of Synergy Design Engineering
Property located at 1827 Route 22, Wingdale
Application for Site Plan approval
Continued Public Hearing

Motion made by Valerie LaRobardier to open the Singh Public Hearing 2nd by Michael Villano

VOTE: Co-CHAIR DAVID WYLOCK – AYE
MEMBER JOHN FILA – AYE
MEMBER JAMES JOHNSON - absent
MEMBER MICHAEL VILLANO– AYE

Co-CHAIR VALERIE LAROBARDIER- AYE
MEMBER BRIAN KELLY - absent
MEMBER PETER MUROSKI - AYE

Motion approved

There were no comments from the Public

Engineer Berger- The information provided by the Applicant’s engineer concerning the car wash- is acceptable with the conditions noted in the resolution.

Attorney Polidoro- The Board is approving a special permit, please make sure you review the standards in 145-63 to make sure it is consistent with those standards.

RESOLUTION GRANTING SITE PLAN AND SPECIAL PERMIT APPROVAL

DBL GAS STATION SITE PLAN AND SPECIAL PERMIT

June 7, 2010

Property Address: 1827 Route 22, Wingdale, New York

WHEREAS, the applicant, Baljit Singh Chhinia, is seeking site plan and special permit approval to redevelop an existing fueling facility and convenience store (known as “DBL Gas”) located at 1827 Route 22, Wingdale, NY tax parcel number 7160-00-001179, in the HR District (the “site”); and

WHEREAS, the proposed improvements to the site include lighting, landscaping, signage and the reactivation of an existing car wash; and

WHEREAS, the site contains a preexisting nonconforming one-bedroom residential dwelling unit consisting of approximately 453 sq. ft., which is not being modified as part of this proposal; and

WHEREAS, on September 21, 2009, the Planning Board adopted a determination of non-significance, determining that no significant adverse impacts would result from the proposed action and that a Draft Environmental Impact Statement would not be prepared; and

WHEREAS, the Zoning Board of Appeals granted the applicant a variance from the lighting requirements in Section 145-40(L) of the Town of Dover Code; and

WHEREAS, the Architectural Review Board granted the applicant approval of the exterior façade, landscaping and signage; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, the application was referred to the Dutchess County Department of Planning and Development, which responded by letter dated July 31, 2009 that it was a matter of local concern; and

WHEREAS, on April 12, 2010, the applicant’s consultant provided the Board with additional information concerning the the car wash and indicated that the system is a zero discharge system so long as it is properly maintained and pumped out; and

WHEREAS, a note has been added to the site plan which requires the applicant to inspect the car wash system at least once every three months and to repair and pump the system as necessary; and

WHEREAS, a public hearing on the application was opened on July 6, 2009 and continued to June 7, 2010, during which all those who wished to speak were heard.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board finds that the applicant’s proposed expanded use of the property as a service business, a permitted use subject to special permit approval, satisfies the criteria set forth in Section 145-63A of the Code, and hereby grants the applicant a special use permit, subject to the following conditions:

- 1. Payment of all fees and escrow.**

BE IT FURTHER RESOLVED, that the Planning Board hereby grants site plan approval to the site plan entitled “Site Plan Drawings for: DBL Gas Station”, prepared by Synergy Design, dated May 12, 2009, no revision date, and Sheets C-1, C-3, and C-5, dated August 26, 2009, and Sheet C 0.2, dated April 12, 2010, subject to the following conditions:

- 1. Payment of all fees and escrow.**
- 2. Department of Health approval or written documentation that no approval is required.**
- 3. Issuance of a Freshwater Wetlands Permit from NYS Department of Environmental Conservation.**
- 4. Revision of site plan to: 1) prohibit parking in the area of the access way to the rear of the building and around the mechanical area in the rear of the building; 2) to provide a minimum height clearance of 13’-6” and width of 12’ in all areas where fire apparatus may have to pass; and 3) provide signage for fire extinguishers and safety shutoffs that meet or exceed NFPA requirements.**

Moved by: Valerie LaRobardier Seconded by: Peter Muroski

David Wylock	<u>AYE</u>
Valerie LaRobardier	<u>AYE</u>
John Fila	<u>AYE</u>
James Johnson	<u>absent</u>
Brian Kelly	<u>absent</u>
Peter Muroski	<u>AYE</u>
Michael Villano	<u>AYE</u>

Planning Board Co-Chair David Wylock

Co-Chair Wylock - Dover Knolls, are we an involved agency? If so must we do our own finding statement?

Attorney Polidoro- I don’t believe you’re involved any more, the law was adopted. The Town did adopt the law

Member Fila- The law was part of the SEQRA process, and the SERQA process doesn’t finish until all agencies have submitted their finding statement.

Attorney Polidoro- I believe there is a time limit, so is this board interested in putting together a finding statement?

Member Fila- Every involved agency is required to submit a finding statement.

... "Each involved agency, not only the lead agency, must prepare its own SEQR findings following acceptance of a final EIS. Findings provide "the teeth" in the SEQR process because they articulate the basis for substantive aspects of each agency's decision, including supporting any conditions to be imposed by the agency"...

Attorney Polidoro- The wrinkle here is this Board no longer has jurisdiction, normally an agency would adopt findings so that it has a basis for its own decision, if you were an involved agency and you wanted to dis-approve a project and you didn't like the Town's findings, you would have your own findings, as a basis for your decision. In this case, you're not going to be making any decisions.

Member Fila- Not necessarily true, if for example our finding statement came out strongly against, theoretically, and that resulted in the change not being made, it still has an impact.

Attorney Polidoro- I don't think your finding has an impact on the Towns-

Member Fila- Our finding statement can include any part of the EIS, and one part of that is the zoning law that does away with our function or any function we have remaining in our domain, our finding statement can point that out and say what we've said a number of times, because we are still an involved agency, up until a point in time when the SEQRA process is finished, at which point in time

Attorney Polidoro- They've already adopted the law-

Co-Chair LaRobardier- What is it that makes the difference between being involved and interested?

A: An agency that is involved has approval authority, in the beginning of the process the Planning Board was involved, because it had authority for subdivision and erosion control.

Member Fila- We still do

Attorney Polidoro- No, they've already adopted the law that says the Town Board has control

Member Fila- At what point was the law adopted?

Co-Chair Wylock - Site plan was 2008 subdivision and erosion control was recently-

Secretary - it might be the 12th of May.

Member Fila- Was it the same meeting which the - if the zoning law meeting was separate and distinct from the SEQRA process wouldn't they have to go through the same routine of Public Notification hearings, etc. that they failed to do the first time?

Attorney Polidoro- They did have a Public Hearing and they did refer it to this Board and we commented

Member Fila- That specific zoning law?

A: yes that was the most recent report

Member Fila- I thought that was part and parcel of the FEIS.

Attorney Polidoro- It was but a separate Public hearing was on it, I didn't have a chance to look over the file, I didn't know we were going to be discussing this, I believe they had the public hearing on the local law, they referred it to us and they went through that procedure.

Planner Ley- This Planning Board sent a letter

Co-Chair Wylock - If I recall on the site plan approval was early 2008 subdivision and erosion control the first time was over a year ago-

Attorney Polidoro- There was one more recently

Member Fila- I thought that was for the SEQRA process, it wasn't separate and distinct, I don't recall we ever went through a separate zoning law change process

Planner Ley- under SEQRA you're allowed to combine the Public Hearings as long as it is in the notice

Member Fila- That may be the point-was it just the SEQRA process or

Planner Ley- It was noticed for both

Co-Chair Wylock - I'm almost sure the hearing 1 year ago was for the zoning

Attorney Polidoro- It was and then it changed

Planner Ley Around the same time they had the Public Hearing for the FEIS

Member Fila- Could you check on the law to make sure- on any that applies -I want to make we are not responsible for issuing a finding statement.

7.MINUTES 5/3/10 & 5/17/10

MAY 3, 2010

Motion made by Valerie LaRobardier to accept the May 3, 2010 minutes 2nd by Peter Muroski

VOTE: Co-CHAIR DAVID WYLOCK – AYE Co-CHAIR VALERIE LAROBARDIER- AYE
MEMBER JOHN FILA – AYE MEMBER BRIAN KELLY - absent
MEMBER JAMES JOHNSON - absent MEMBER PETER MUROSKI - AYE
MEMBER MICHAEL VILLANO– AYE

Motion approved

May 17, 2010

Co-Chair Wylock - Page 3 in the letter by Gordon Douglas the part referring to hazardous waste and hazardous material, has been defined that the Rasco application does not include hazardous waste or hazardous material it is contaminated material and there's a big difference

Motion made by Valerie LaRobardier to accept the May 17 2010 minutes 2nd by Michael Villano

VOTE: Co-CHAIR DAVID WYLOCK – AYE Co-CHAIR VALERIE LAROBARDIER- AYE
MEMBER JOHN FILA – AYE MEMBER BRIAN KELLY - absent
MEMBER JAMES JOHNSON - absent MEMBER PETER MUROSKI - AYE
MEMBER MICHAEL VILLANO– AYE

Motion approved

Motion made by Michael Villano to adjourn 8:26 2nd by Peter Muroski

VOTE: Co-CHAIR DAVID WYLOCK – AYE Co-CHAIR VALERIE LAROBARDIER- AYE
MEMBER JOHN FILA – AYE MEMBER BRIAN KELLY - absent
MEMBER JAMES JOHNSON - absent MEMBER PETER MUROSKI - AYE
MEMBER MICHAEL VILLANO– AYE

Motion approved

Respectfully submitted,

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

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

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