

### Town of Dover Planning Board

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



(845) 832-6111 ext 100

Planning Board Meeting  
Monday December 06, 2010  
7:00PM

- Co-CHAIR David Wylock
- Co- Chair Valerie LaRobardier
- 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 & Engineer Joseph Berger

For the Applicants: - Jack Nelson for Rasco, Joseph Buschynski and Debbie Kaufman for Prendergast subdivision, Joel Chase for Dachille Subdivision, Steven Vincent for Oak Hill Subdivision, Rich Rennia Jr. for Dover Plaza Drive Thru, 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 7:06 PM and began with the Pledge of Allegiance

*Co-Chair Wylock - Just wanted to state Member John Fila has resigned his position on the Planning Board, He was sent a letter wishing him well and thanking him for his service on the Board, he will be missed.*

**Public Hearings:**

**RASCO MATERIALS SITE PLAN-7061-00-585063 & 7061-00-580190**

Applicant: RASCO Materials, Property Owner Howland Lake Partners, LP  
Plans Prepared by Frank Peduto of Spectra Engineering  
Property located at Wingdale Industrial Park, 2241 NYS RT 22, Wingdale  
Application for Site Plan on 3.0 acres of a 177 acre parcel *In the M and Aquifer overlay districts*

Continued Public Hearing- applicant appeared before the ZBA 8/4, 9/1, 10/06, 10/20, 11/03 & 12/08

This will be on the December 8, 2010 agenda and the ZBA will make a determination as to whether this is a pre existing use or not. If they make the decision to uphold the determination by the Code Enforcement officer, this Chair will call a special meeting of the Planning Board on Wednesday December 15 @ 7:00 pm.

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

VOTE: Co-CHAIR DAVID WYLOCK – AYE                      Co-CHAIR VALERIE LAROBARDIER- AYE  
MEMBER JAMES JOHNSON - Absent                      MEMBER PETER MUROSKI – AYE  
MEMBER MICHAEL VILLANO– AYE

*Motion approved*

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

**Motion made by Valerie LaRobardier to continue the Public Hearing to December 15, 2010 2nd by Peter Muroski**

VOTE: Co-CHAIR DAVID WYLOCK – AYE                      Co-CHAIR VALERIE LAROBARDIER- AYE  
MEMBER JAMES JOHNSON - Absent                      MEMBER PETER MUROSKI – AYE  
MEMBER MICHAEL VILLANO– AYE

*Motion approved*

**DISCUSSIONS:**

- I. PRENDERGAST SUBDIVISION 7059-04-810295 & 7059-00-820299  
     **Applicant:** Michael Prendergast      **Engineer:** Joseph Buschynski of Bibbo Associates  
     **Property located at** 48 Sprague Road Wingdale, NY  
     **Application for a 3 lot Subdivision, conventional plans submitted**  
         With E & S profiles & details

**Final Plat and SWPPP submitted November 3, 2010**

Joseph Berger- Reviewed the submission, the plans were all acceptable and met all of the standards. As far as the Chapter 65 review, he reviewed the cost estimate provided by the applicant.

Recommendations to the Board:

- 1-\$10,000 bond for ESC.
- 2-To the map (not the subdivision map) one of the sheets recommended for approval 2 notes added to the plans 1 to show volume of fill & note E from the SWPPP report sheet 4 of 10 to the approved plans- that is the construction sequence, it would be good to have it on the plans themselves.

Planner Ley- All previous comments have been addressed

Attorney Polidoro- Over the course of the process, there have been discussions on certain easements and road agreements. She spoke with the Town Attorney, as part of the subdivision; they will have to widen a portion of Sprague Road. Sprague road is a user road, the Town does not own it, but has an easement over it, so the new portion of Sprague road that is widened, the Town will not have Title to, so we were going to ask for an offer of session. This would say the applicant agrees to give it to the town if and when the Town wants it , so there is no question down the road, whether or not that there is right. So the first question is - how does the Applicant feel about that?

A: Engineer Joseph Buschynski- The widening of Sprague Road, there is no widening proposed. On the plan there is a widening of the drive way. The Town ownership is 25 feet from the centerline. If the Town wishes to do so they can. There is no actual widening of the road proposed. We are providing a drainage swale along the side of the road in the shoulder area.

Engineer Berger- That’s the widening we are referring to

Attorney Polidoro- Who will maintain the drainage swale?

Engineer Berger- Once built, the Town Highway Department will take it over.

Attorney Polidoro- Will the applicant be willing to give a deed for that 25', so if the Town wanted to Improve it, they could. It would be easier than filing the deed and doing the title search later on.

Engineer Buschynski- What did we provide you?

A: (Attorney Polidoro) An offer of session, we would like an offer of session and a deed; a quit claim deed.

Engineer Buschynski- I'm sure that would be fine

Attorney Polidoro- the Town Attorney will probably want a small title search done, you'll just have to work that out with him.

Engineer Berger- Are there any sheets that do not have Department of Health, this way you can add the notes to the sheet and not have to go back to the Department of Health?

A: If it's just a matter of resigature, we can do it.

With respect to 911- E911 needed an approved plat to issue their approval, but did formally approve the name of "Locust Drive".

**RESOLUTION GRANTING CONDITIONAL FINAL SUBDIVISION PLAT APPROVAL  
PRENDERGAST**

December 6, 2010

**Old Sprague Road**

WHEREAS, the applicant, Michael Prendergast, has submitted an application for approval of a 3-lot subdivision and associated erosion and sediment control permit for property located on Old Sprague Road, identified as tax parcel numbers 7059-04-810295 & 7059-00-820299, in the SR District; and

WHEREAS, the applicant seeks to subdivide two contiguous parcels of land consisting of approximately 4.05 acres into 3 residential lots consisting of 1.70 acres, 1.20 acres and 1.07 acres and to convey approximately .01 acres to an adjacent lot identified as tax parcel number 7059-04-804287; and

WHEREAS, on July 15, 2009, the Zoning Board of Appeals granted the applicant an area variance to permit a sideyard setback of approximately 17 feet for an existing structure on a corner lot; and

WHEREAS, on January 6, 2010, the Planning Board determined that the proposed subdivision would not have a significant adverse impact on the environment and that a Draft Environmental Impact Statement would not be prepared; and

WHEREAS, on March 1, 2010, after a duly noticed public hearing, the Planning Board granted preliminary plat approval to the subdivision plat entitled "Subdivision Plat, Prendergast Subdivision", prepared by Bibbo Associates, LLP, dated May 21, 2007, last revised January 27, 2010, sheets P-1, SP-1 and LP-1; and

WHEREAS, before granting preliminary approval, the Board found that a proper case exists for requiring parks and playgrounds to be suitably located and that a park of adequate size cannot be located on the site and required the applicant to pay a fee for each new lot if the plat receives final subdivision approval; and

WHEREAS, the submitted final plat complies in all material respects with the approved preliminary plat.

**NOW THEREFORE BE IT RESOLVED that the Planning Board hereby grants final plat approval to the subdivision plat entitled “Subdivision Plat, Prendergast Subdivision”, prepared by Bibbo Associates, LLP, dated May 21, 2010, last revised September 16, 2010, subject to the following conditions:**

- 1. Payment of all fees and escrow, including the recreation fee for two new lots.**
- 2. E-911 approval of the private road name.**
- 3. Approval by the Planning Board attorney of the road easement and maintenance agreement as to form, substance and manner of execution.**
- 4. Approval by the Planning Board attorney of the well-line easement as to form, substance and manner of execution.**
- 5. Approval by the Town Attorney a quitclaim deed for the additional 25 feet right of way as to form, substance and matter of execution**
- 6. Revision of Sheet 1 of 10 to include the following:**
  - a. the volume of fill**
  - b. Note E, construction sequence, from Sheet 4.**

**BE IT FURTHER RESOLVED, that before a building permit may be issued for development on Lots 2 or 3, the applicant shall provide the Town with proof of filing of the road easement and maintenance agreement, the well-line easement, and the deed.**

**BE IT FURTHER RESOLVED, that the Planning Board hereby grants the applicant an erosion and sediment control permit for disturbance as shown on the plan entitled “Subdivision Plat, Prendergast Subdivision”, prepared by Bibbo Associates, LLP, dated May 21, 2010, last revised September 16, 2010, subject to the following conditions:**

- 1. Submission of \$ 500 to be placed into escrow to cover the cost of site inspections by the Planning Board Engineer or Planner.**
- 2. Submission of a performance guaranty in the amount of \$10,000.00, in form, substance, and matter of execution satisfactory to the Town attorney.**

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

Moved by: Michael Villano

Seconded by: Peter Muroski

David Wylock            Aye  
 James Johnson        absent  
 Michael Villano        Aye

Valerie LaRobardier Aye  
 Peter Muroski         Aye

Planning Board Co-Chair David Wylock

**II. DACHILLE SUBDIVISION 6959-00-383093**

Plans prepared by Zarecki & Associates

Property locate at 51 Dugway Drive, Wingdale

Application to subdivide a 5.98 acre parcel with existing residence, detached garage and pool into 2 lots, Parcel is located in the RC and the SR districts

Variance granted by ZBA 7/7/10

Joel Chase - Requested initiation of SEQRA process

Co Chair Wylock- Revised maps have been reviewed. There is a question on the driveway, yes they were separated, but there is no pull off on the way the to rear lot. We had asked for that  
Engineer Chase- In the letter of response, it's only 400 linear feet and the width is 14'.

Co-Chair Wylock - 2 vehicles are 16', I would personally insist a pull off be put in. I'm not sure how the rest of the Board feels.

Engineer Berger- A pull off in the middle of the drive for lot 2 seems feasible, and would be beneficial considering the 14' width. There are no other comments all other comments have been addressed.

Planner Ley- It looks like they are still in the process of getting a Habitat assessment and contacting DEC

Attorney Polidoro- Asking the Applicant to conform ownership of Dugway Drive, whether it's in an HOA or privately owned. Sometimes when it's an older private road, there are limits to how many people can access from it. This is to insure the lots can have the additional curb cuts.

Engineer Chase- It is maintained by the HOA, we can confirm who it's owned by.

Member Muroski- It might be a Town Road up to the pillars, and then it is private. Engineer Berger agreed.

Co-Chair Wylock- Will there be a turning radius problem for fire trucks, how wide is Dugway Drive?

Engineer Berger- Not sure, plans to review site with Highway Superintendent and possibly the Fire Department. We need to check grade, we are submitting to the Fire Department and will set up a site meeting with them along with the Applicants Engineer.

Attorney Polidoro- The question came up if the site was located in a area of potential archeological sensitivity. It came up as to whether we should refer this to OPRHP for comment.

Planner Ley- It is not within the grayed area on the Mapper; it might have local significance, but required to refer to SHPO

It was agreed by the Board not to refer this project to OPRHP

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**RESOLUTION CLASSIFYING THE ACTION AND DECLARING INTENT TO SERVE AS LEAD AGENCY  
DACHILLE CONVENTIONAL SUBDIVISION**

December 6, 2010

51 Dugway Drive, Pawling

WHEREAS, the applicant, William Dachille, has submitted an application for approval of a conventional subdivision plat to create a 1.5 acre lot and a 4.48 acre lot from an existing 5.98 acre lot located on 51 Dugway Drive, Pawling, Tax Grid No. 6959-00-383093 (the "site"); and

WHEREAS, the site is located on the boundary of the SR and RC Zoning Districts which require a minimum lot size of 1 acre and 5 acres, respectively; and

WHEREAS, the applicant has obtained a .52 acre area variance for Lot 2 from the Zoning Board of Appeals; and

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

WHEREAS, the Planning Board 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 Dachille Conventional Subdivision application 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.**

Moved by: Valerie LaRobardier      Seconded by: Michael Villano

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

Planning Board Co-Chair David Wylock

**Involved and Interested Agencies:**

- |   |   |
|---|---|
| 1. NYS Department of Environmental Conservation | 2. <del>NYS Office of Parks, Recreation and Historic Preservation</del> |
| 3. J.H. Ketcham Hose Company, Inc.              | 4. Dutchess County Department of Health                                 |

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**III. OAK HILL SUBDIVISION- 7061-00-608644**

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

Steve Vincent

This action is part of his Father's estate planning; proposing to subdivide into lots between 49 and 65 acres. A total of 6 lots

Co-Chair Wylock- Lot 6 seems to be land locked

Mr. Vincent- There was an omission on the map, when Consolidated Edison came through, his Grandfather retained 2 easements on the Cricket Hill Road, these were not surveyed and put on the map. John Decker is currently working on that, it will be put on the map. Currently there is access, a driveway on Cricket Hill Road.

Planner Ley: The property is very close to the Great swamp, a portion of the Swamp River runs through it, because of the proximity, there are significant natural resources in that area. Although nothing is proposed on the land in that area right now, what has been the practice of the Board is to have a limited Habitat assessment done. This will identify potential significant habitat areas where there could be threatened or endangered special. Then a buffer is to be mapped around those areas, identifying where development will be limited to, should there be development in the future.

Mr. Vincent- We have no future plans of development, there has been through Domain Sand & Gravel, extensive studies done on the west side of RT 22. These are extremely large lots.

Attorney Polidoro- That is understood, the Board just needs to look at any possible future development, although its 6 new houses, that could possibly be built, the Board needs to look at this holistically. It's a requirement of the Board to look at all possible impacts.

Mr. Vincent- I realize that and would ask for a waiver of that, even if there were a 50 acre lot to build 1 house, the impact would be small.

Attorney Polidoro- We still ask for wetlands, so the boundaries are mapped.

Planner Ley- A portion of your property is very close to DEC wetland DP 29 so it is unclear if that buffer extends onto your property or not, we would need to know that as well.

Attorney Polidoro- We understand your frustration, but this will make it easier down the road to have everything down the road.

Co-Chair Wylock - Will this be necessary to do this on the East side of Rt 22?

Planner Ley- the east side is still on the rare plants and animals trigger for the DEC Mapper. It is not as likely as on the west.

Attorney Polidoro- Perhaps if you have some of these studies already done, you can just dig them out and submit them

Mr. Vincent- The Town has them on file with the Mining permit and Erosion Permit for Domain

Planner Ley- We will review them.

AKRF, Inc. has reviewed the following documents and plans for the above referenced application:

1. Subdivision Plat, prepared by John H Decker, dated 10/13/10
2. Final Subdivision Application Forms, dated 11/8/10

### **PROJECT DESCRIPTION**

The Applicant proposes to subdivide an existing 333 acre parcel into 6 parcels ranging in size from 49 to 66 acres. The property is located on Dover Furnace Road and NYS Route 22, and is entirely within the RU Zoning District. Portions of the proposed Lots 1, 2, and 3 are located within the Soil Mining Overlay District. The Swamp River, a NYSDEC classified C(T) stream, which traverses the proposed Lots 1 and 2, is within the Town of Dover Stream Corridor Overlay District (SC) and Town of Dover Floodplain Overlay District (FP). No new structures, improvements, or uses are proposed as part of this application.

### **ZONING**

It is noted that the proposed Lot 6 does not have any road frontage. Therefore, a 25 foot wide deeded easement or a access strip should be provided, since it has sufficient acreage to be a flag lot. Otherwise, as proposed, the new lots would comply with all applicable lot and bulk zoning regulations.

### **NATURAL RESOURCES**

The NYSDEC Environmental Resources Mapper identifies the entire property as having the potential to support rare animals and plants. In addition, portions of proposed Lots 1 and 2 have the potential to hold significant natural communities, and portions of Lot 3 may be within the buffer of NYSDEC wetland DP-29. The limits of the NYSDEC wetland DP-29 and associated buffer should be field verified.

In addition, the applicant should contact the New York State Natural Heritage program to determine whether any threatened or endangered species are known to be located in the vicinity of the project site. Once a response is received, it should be forwarded to the Planning Board.

Given the known sensitive areas on and in close proximity to the site, a habitat survey is recommended prior to the issuance of a SEQR determination. The habitat survey could be used to shift lot lines and establish buffers to ensure that the Planning Board does not create lots that are undevelopable due to the presence of threatened or endangered species, wetlands, or significant natural resources. Should potential habitat areas or wetlands be discovered, these areas and appropriate buffers should be identified on the Final Plat.

### **ARCHAEOLOGICAL RESOURCES**

The majority of the project site is located within areas designated by the NYS Office of Parks Recreation and Historic Preservation (OPRHP) as being archaeologically sensitive areas. While no development is proposed at this time, it should be noted that future development of the property that meets the threshold for a NYSDEC SPDES permit will require coordination with OPRHP.

Attorney Polidoro- it might be better for lot 6 to get an actual strip of land so you're not getting access by easement, but by an actual piece of land. It's not required by the code

Mr. Vincent- We have been using this as a truck entrance for years, Con Edison and Iroquois has deeded it over the pipeline as a heavy driveway.

Attorney Polidoro- the concern is down the road there will be a huge lot , if someone wants to then subdivide it and put in houses, there is no actual strip of land for access. Iroquois or ConEd can say we don't want all of those people to use our easement.

Mr. Vincent- It is a deeded right of way, pretty much set in stone, they can't keep us off.

Co-Chair Wylock - the concern is that no one can predict what future generations will do, things do change. This will prevent any problems in the future, you could make it a flag lot- you would only need a 25' strip of land.

Engineer Berger- the easement is already granted by Con Edison, why can't that information be provided on the map.

Attorney Polidoro- an easement is an easement- we can review it, but sometimes there are limits on it. It's always better to have the land.

Mr. Vincent- The easement from Con Edison is forever  
Attorney Polidoro- it's a 66 acre parcel that will only have access by easement. It's something for the Board to consider

Mr. Vincent- It's not 66 acres of totally buildable land, you have to look at the land constraints too.

Review Habitat study submitted with the Domain application  
Easement to be submitted

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board of the Town of Dover hereby determines that in connection with the aforesaid Subdivision Application, the applicant shall deposit \$ 1,200.00 into an escrow account in advance of the review of the application.

Dated: December 6, 2010

Moved by Peter Muroski      Seconded by Michael Villano

Resolution Approved/Disapproved:

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

Planning Board Co-Chair

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**RESOLUTION CLASSIFYING THE ACTION AND DECLARING INTENT TO SERVE AS LEAD AGENCY**

**OAK HILL SUBDIVISION**

December 6, 2010

Dover Furnace Road, Dover Plains

WHEREAS, the applicant, C. Gerard Vincent, has submitted an application for approval of a conventional subdivision plat to create 6 lots from an existing 333 acre lot located on 62 Dover Furnace Road, Dover Plains, Tax Grid No. 7061-00-608644 (the “site”); and

WHEREAS, the parcels contain a mix of industrial, agricultural and mining uses and the applicant has indicated that he is not seeking a change in use at this time; and

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

WHEREAS, the Planning Board 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 Oak Hill Subdivision application as an unlisted action under SEQRA and declares its intent to serve as lead agency in a coordinated SEQRA review and further directs the secretary to the Planning Board to send notice of its intent to all other involved and interested agencies, as indicated in the attached list.**

Moved by Peter Muroski      Seconded by: Valerie LaRobardier

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

Planning Board Co-Chair David Wylock

Involved and Interested Agencies:

- |   |   |
|---|---|
| 1. NYS Department of Environmental Conservation | 2. NYS Department of Transportation       |
| 3. Friends of the Great Swamp                   | 4. Consolidated Edison                    |
| 5. Dover School District                        | 6. MTA                                    |
| 7. Dutchess County EMC                          | [8. Dutchess County Department of Health] |

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#### IV. DOVER PLAINS PLAZA-7063-00-509295

**Applicant** Richard Rennia Jr. for Daniel Katz of Dover Acquisitions

**Property located** 3081 Route 22, Dover Plains, NY

**Application For** Site Plan & Special Permit to modify the existing site plan to add a drive up window to the north end of the building on 0.32 acres in the HC district and Aquifer overlay district

Rich Rennia- We were here a few months ago, in which we received approval to move the clock Tower to the north end of the building. He originally talked about doing a drive up window; he has now found it to be cost effective if he did all the work through one contract. This way all of the work will be done at one time.

What is proposed is to go to the north end of the building where there is currently parking on both sides and we found a layout that will allow the existing parking away from the north end of the building. A 10' wide lane 1' of curbing parking then pass through traffic lane with additional parking on the north side of that.

Co-Chair Wylock - The bank has a drive up window as those cars come out, there's great potential for traffic congestion; an accident waiting to happen.

We would like to have a site walk and use our vehicles for demonstration.

Engineer Rennia- Agreed there's always potential for something and traffic. Maybe we can install traffic signage, to slow and stop the traffic. When too much paving is present, the cars seem to take it up if it's directed and restricted space, it allows for better flow. The concrete curbs should help.

Engineer Berger- Agrees with site walk, the next submission should include the turning movements to see how the movements map. Also try some form of bioretention swale or rain garden for the new blacktop, if it can be pitched to treat some of the storm water. Not a full drainage study but placing the practices there.

Planner Ley- Concerns related to the circulation on site and traffic, have you considered a traffic study.

Engineer Rennia- For this, no typically one is done for the entrances and exits to the State road. We weren't looking at this as increasing traffic to the site, but another use for the existing shoppers. It will allow them the call in or on line ordering and to pull in and pick up.

Planner Ley- we should see how the site walk turns out and possibly revisit this.

Attorney Polidoro- do you have any numbers / data of this being done at other stores and that it actually did not increase the numbers.

Engineer Rennia- I can ask I don't think one has been done.

Attorney Polidoro- Another concern is signage, traffic signage etc, that should be reviewed by both Planning & ARB.

Other than that, nice job carrying over previous approval and notes.

Co-Chair Wylock - does the property owner also own the bank?

A: yes the entire site, Subway and the Bank are leases.

Co-Chair LaRobardier- Why does the new stippled parking area angle over?

A: Try not to add too much more impervious, but also trying to keep it straight and follow the existing lines to minimize additional pavement. With this layout we are able to maintain the 144

parking spaces the site has always had. The calculation had been redone and we have room to loose a few spaces as well.

Member Muroski- If we don't need all of these parking spaces; it would make sense to alleviate the traffic flow right in the turn area.

He presented the Board with an architectural rendering to show a full canopy, which will control larger vehicles.

**Motion made by Valerie LaRobardier to set escrow for \$3,000.00; 2nd by Michael Villano**

VOTE: Co-CHAIR DAVID WYLOCK – AYE  
MEMBER JAMES JOHNSON - Absent  
MEMBER MICHAEL VILLANO– AYE  
Co-CHAIR VALERIE LAROBARDIER- AYE  
MEMBER PETER MUROSKI – AYE

*Motion approved*

**Site walk scheduled for Sunday, December 19, 2010 @ 10:30 am**

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

**Dover Plains Plaza Drive-up Window**

December 6, 2010

3081 Route 22, Dover Plains

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

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

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

WHEREAS, the Planning Board 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 Dover Plains Plaza Drive-up Window application as an unlisted action under SEQRA and declares its intent to serve as lead agency in a coordinated SEQRA review, and further directs the secretary to the Planning Board to send notice of its intent to all other involved and interested agencies, as indicated in the attached list.**

**BE IT FURTHER RESOLVED, that the Planning Board hereby directs the secretary to the Planning Board to refer a copy of the application and EAF to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law.**

Moved by: Peter Muroski      Seconded by: Valerie LaRobardier

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

Planning Board Co-Chair David Wylock

Involved and Interested Agencies:

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

*Planner Ley will check to see if one of the traffic consultants from AKRF would be able to attend the site walk*

\*\*\*\*\*

CO-CHAIR WYLOCK - currently we have 4 member who regularly attend meetings, we need 4 for a quorum, how would the Board feel if we were reduced to 5 members. It's not our decision but the Town Boards; I just wanted to get the feelings of the Board. It seems to be hard to get members for these Boards. He would be in favor. The Consultant s discussed how most other towns have 7 members for Planning- Some have alternates. Co-Chair Wylock will sit down and discuss this with the Supervisor.

MINUTES 11/15/10

**Motion made by Valerie LaRobardier to accept the minutes of November 15, 2010 2nd by Peter Muroski**

|                                   |                                   |
|-----------------------------------|-----------------------------------|
| VOTE: CO-CHAIR DAVID WYLOCK – AYE | CO-CHAIR VALERIE LAROBARDIER- AYE |
| MEMBER JAMES JOHNSON - Absent     | MEMBER PETER MUROSKI – AYE        |
| MEMBER MICHAEL VILLANO– AYE       |                                   |

*Motion approved*

2011 MEETING SCHEDULE:

THE FIRST MEETING FOR JANUARY WIL BE THE 3<sup>RD</sup> THE SECOND MEETING JANUARY 17<sup>TH</sup> IS MARTIN LUTHER KING DAY AND WILL BE CANCELLED.

FEBRUARY'S FIRST MEETING WILL BE FEBRUARY 7<sup>TH</sup>, THE SECOND MEETING FEBRUARY 21 IS PRESIDENT'S DAY AND WILL BE CANCELLED

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

|                                   |                                   |
|-----------------------------------|-----------------------------------|
| VOTE: CO-CHAIR DAVID WYLOCK – AYE | CO-CHAIR VALERIE LAROBARDIER- AYE |
| MEMBER JAMES JOHNSON - Absent     | MEMBER PETER MUROSKI – AYE        |
| MEMBER MICHAEL VILLANO– AYE       |                                   |

*Motion approved*

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**Motion made by Valerie LaRobardier to adjourn 2nd by Peter Muroski**

VOTE: Co-CHAIR DAVID WYLOCK – AYE  
MEMBER JAMES JOHNSON - Absent  
MEMBER MICHAEL VILLANO– AYE  
Co-CHAIR VALERIE LAROBARDIER- AYE  
MEMBER PETER MUROSKI – 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](http://www.townofdoverny.us)  
Full Audio may be requested for a fee by completing a FOIL request form from the Dover Town Clerk  
This meeting may now be viewed at Cablevision Channel 22 for residents who have that provider-Please check local listings for meeting re broadcast times

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

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

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