

Town of Dover Planning Board

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



(845) 832-6111 ext 100

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

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

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

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

Meeting Called to Order

The regular monthly meeting of the Town of Dover Planning Board was called to order at 7:05 pm by Chair Wylock and began with the Pledge of Allegiance

Public Hearing:

I. DOVER PLAINS PLAZA-7063-00-509295

Applicant Richard Rennie Jr. for Daniel Katz of Dover Acquisitions

Property located 3081 Route 22, Dover Plains, NY

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

Rich Rennie- When we were here last we were going back to the ARB for approval of the canopy, last meeting was held last Monday night and they have approved the canopy with the additional recessed lighting and ‘maximum clearance’ sign which was requested. For the freestanding sign the ARB has requested a planter and landscaping at the base.

On a separate item the height of the sign is now above the 10’ requirement, as it is pre-existing , with the addition of the planter, the ARB is supporting a recommendation to the Zoning Board of Appeals for a Variance. The only addition to the site plan would be the planter.

Chair- Does the applicant plan to do this work simultaneously with the clock tower?

A: Yes, that is the plan, to have all work done at the same time, as soon as possible.

There were no further comments from the Board

RESOLUTION GRANTING AMENDED SITE PLAN AND SPECIAL PERMIT APPROVAL

**Dover Plains Drive-up Window
7063-00-509295**

March 7, 2011

Property Address: 3081 NYS Route 22

WHEREAS, the applicant, Dover Acquisition, LLC, has submitted an application for approval of an amended site plan and special permit 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, on December 19, 2010, the Planning Board conducted a site walk which resulted in an amended vehicle circulation and parking layout; and

WHEREAS, this proposal amends a site plan approved by the Planning Board on August 2, 2010; and

WHEREAS, on February 7, 2011, the Planning Board, serving as lead agency in a coordinated review of the project, determined that the proposed project would not result in any significant adverse environmental impacts and adopted a determination of non-significance; 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 on December 18, 2010 that it was a matter of local concern; and

WHEREAS, a duly noticed public hearing was held on February 7, 2011, during which all those who wished to speak were heard; and

WHEREAS, on February 28, 2011, the Architectural Review Board approved the applicant’s revised landscaping, signage and façade changes.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby determines that the proposed drive-up window and modified parking layout are consistent with prior special use permit approval granted on August 2, 2010 and will not violate any of the special use permit criteria set forth in Section 145-63B of the Town Code.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants amended site plan and special permit approval to the project, as shown on the site plan set entitled “Dover Plaza”,

prepared by Rennia Engineering and Design, PLLC, dated 11/10/10, last revised 1/10/11, subject to the following conditions:

1. **Payment of all fees and escrow.**
2. **Submission of a final sign package approved by the ARB. If a variance for the proposed sign is not obtained, the applicant shall either return to the ARB for approval of a revised freestanding sign or eliminate the free-standing sign**

Moved by: Valerie LaRobardier

Seconded by: Michael Villano

David Wylock AYE

Valerie LaRobardier AYE

James Johnson absent

Peter Muroski AYE

Michael Villano AYE

Sharon Ipavich AYE

Planning Board Co-Chair David Wylock

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

Applicant Cedar Dover Plains LLC Plans Prepared by Rennia Engineering Design

Property located at 3042 Rt 22, Dover Plains, NY

Application for a Initial Discussion of a Site Plan / Special Permit / Subdivision to subdivide a 5 acre lot and install a 35,814 sf retail grocery store on 5 acres of a 11.9 acre lot in the HC /AQ districts

Rich Rennia- originally the concept plan was for a 24,000+ square foot building, possible tenant was interested in a larger building. This submission now includes a 35,814 square foot building with alternative site layouts submitted.

Concept A-

Similar to the original plan the front of the store faces north, parking in the front, the rear loading area on the south side, pharmacy pick up window to the east, the side is parallel to rt 22. So other items looked at were providing sidewalk connections through the existing Dover village, also some conceptual landscaping to start with. Screening trees, some form of evergreen, spruce etc, while heading north on rt 22, this will provide some screening directly into the back of the building. Street trees along entrance, pedestrian connection to run along post office and through Center Island. Entrance will take the existing entrance and the existing bank drive up outlet and moved it more west to line up the intersection.

Concept B

Not the same issues for view as in concept A, while heading north on rt 22, the open field will still exist. The building is now pushed closer to the existing buildings in the plaza. The south east corner of the building is on the rear setback line. Parking on the west, there would be a new entrance, at the existing 7 wells entrance on rt 22. The Traffic consultant has mentioned this idea to DOT and conceptually they like this idea. As far as traffic, rt 22 is wider at this location, there is already a turning lane. Heading south there is also an area that could be converted into a turning lane. The grades have been looked at and it is possible to be under 5%. The side walk connection is easy, the building would be the same as in concept A, just turned to face west, with the loading dock facing east.

Q: Has this been shown to DOT?

A: Yes, just conceptually, no formal application has been made.

Q: Do they have a problem with a left (southbound) turn out of the proposed new access?

A: there has been discussion that this could become a signalized intersection, if this concept was chosen, there would have to be a traffic signal analysis and if DOT felt it were necessary.

Co-Chair Wylock - Not speaking for the Board, but for himself, he prefers concept B. The elevation looks more like a warehouse, there has been discussion of the LaGrange design, more windows and at least the illusion of mini store, and possible a French roof could work to break up the front of the building. After talking to Engineer Berger, there is 2 way traffic and perpendicular parking on the south side of the existing office building, will there be a problem with backing out and clearance?

A: that was thought about, in plan A- there was a right in and a right out only, there would be no left turn out. That would create more internal traffic. In B there would be a full intersection at the new entrance/exit, which would reduce the internal demand. The current use of the office building is low, the only vehicles there now are the paramedics, their cars are there all day and the ambulance goes in and out. It may make sense to remove some of the parking.

Engineer Berger- It could be reserved parking only. The plan is good, he likes the bioretention. The stormwater approach is good; the sewer plant is good to join in with the other complex. Will there be a building for the filter?

A: yes, it's not finalized, but an MDR, type of system either with closed concrete tankage, outside with a smaller control building with pumps UV etc. Or a complete package plant set up on a sealed skid and placed inside a building, either a building 20 X 50 or 20 X 20.

Q: where would the parking area for the maintenance people be? As we develop it, it needs to be shown with some stormwater treatment specifically for that. The stormwater from the access off of rt 22, would you expect that to connect into the stormwater treatment area

A: yes there would be a small retaining wall, and the stormwater could come down into the site.

Q: Are you mentioning the use of porous pavement

A: it hasn't been discussed; this may not be the right project for that. Maybe in certain areas, with this being a larger more commercial area, the sanding in the winter could create an issue. With the new storm water reduction bioretention only giving you 50%, porous giving you 100% it cuts down on the area you have to do bioretention. I was just wondering if you were looking at both.

Engineer Rennia- Everything is on the table right now.

Co-Chair Wylock - the location of the proposed sewer plant, as we speak is it underwater?

A: no it's not, it's high and dry.

Planner Ley:

In response to comments from the Planning Board and its consultants, the applicant has prepared two concept plans which show alternate layouts for the new grocery store and parking area. Concept A would keep the building in substantially the same place as the former proposal but adds additional landscaping. Concept B would relocate the building to the northeast corner of the property, with parking in front along Route 22. Both concepts would increase the building from 24,505 to 35,814 square feet.

COMMENTS

1. The building location in Concept B is preferable to Concept A. This building orientation has several advantages, including:

- The loading dock would not be visible from Route 22

- The building is aligned with the existing office building and bank in the Dover Village Shopping Center, and thus would share “road frontage.”
- The building would be closer to the existing buildings in the Dover Village Shopping Center and seem more connected to them via the central road, thus improving the walk-ability of the center and potential use of the proposed sidewalk.
- The orientation substantially maintains the existing farm field and view along Route 22.

2. As requested, a bulk table for the remaining Lot 3 was provided. It is noted that Lot 3 would be considered a “rear lot” in order to meet the frontage requirement. The lot would otherwise comply with the dimensional regulations.

3. As discussed in at the last Planning Board meeting, in reviewing a Special Permit application, the Code requires the Planning Board to make Findings, one of which is, “Will be consistent with the goal of concentrating retail uses in hamlets, avoiding strip commercial development, and buffering nonresidential uses that are incompatible with residential use.” (§145-63.B(9)). Since the proposed project is a strip commercial development, the Planning Board should look at ways to minimize the potential impact of that development on the Town’s character. Some of these methods include architectural façade treatments and landscaping that would normally be addressed by the ARB. The following are planning and design aspects that have been addressed to some extent, but should be pushed further:

- The applicant should provide an integrated landscaping and lighting plan. The plantings should include street trees and planted islands to break-up the parking area. The lighting should be full-cut off, and should only provide the minimum amount of light necessary for safety. It is noted that some landscaping has been added to the plans; however, it should be increased. There should be more street trees, as well as salt and snow tolerant grasses and shrubs.
- The landscaped buffer between Route 22 and the parking area should be increased. Also, consider moving some parking spaces to the north side of the building, as well as employee parking behind the building.
- Shopping cart storage and bottle recycling areas should be designated on the plans. These items should be integrated into the design, so they do not stand out as visual clutter on the site and can be maintained in an orderly fashion.
- Although improvements have been made to the proposed façade, additional effort should be made to break up the massing and volume of the building. The applicant should consider the use of false windows, material changes, and color to give the appearance of a hamlet-scale building.
- Avoid expansive blank walls visible from public view.
- Screen roof-top equipment.
- Snow storage areas should be designated on the plans.
- Dumpsters should be located on the plan, preferably in the rear of the building and fenced in. There should be sufficient space within the dumpster enclosure to handle the food, grease, and packaging waste, as well as recycling so that extra storage containers or trailers are not required.

Engineer Berger- The good thing about the bioretention is that you could probably use them for your snow storage. They are situated very nicely to push to snow right in.

Attorney Polidoro- There is only one entrance and exit to the store itself, is that the case? Some stores are now providing both a major and a minor entrance, and this could affect pedestrian crossings.

A: there are multiple emergency exits, but the customer would have 1 central entrance.

Q: are there any minor retail tenants within the market that may want to have an exterior sign as well?

A: no this single structure will be for 1 tenant, 1 grocery store. The pharmacy will be part of the same tenants operation.

Member Villano- Is there a possibility of having a walkway or connection over the brook, into the McDonalds? There are a lot of kids who work there and rather than have them walk on rt 22 some connection to this plaza may be nice, understanding there are different property owners.

A: it can be discussed with the applicant.

Co-Chair LaRobardier- Likes concept B better, especially the intersection. She would rather see the parking in the rear, but understands the site. Preserving the green space is nice, to the south. The facade needs work; the design submitted would work if there were a Walgreens need to it. But it doesn't work here. It should have a similar feel as the other buildings.

Attorney Polidoro: are there any buildings in town that that should be taking inspiration from to make this more Dover?

A: The plaza itself.

Engineer Rennia- The gable is difficult, but it will be a hardy plank siding, and trying to keep in the New England/Colonial theme. So it would be the siding, not just painted concrete block and dressing up the bottom with brick. He understands the other areas will need to be dressed up.

Attorney Polidoro- If you brought in some sample materials that maybe helpful for the Board

Co-Chair Wylock - To both Engineers Rennia & Berger- Is plan B encroaching on the flood Plain?

Engineer Rennia- it's probably in the 500 year floodplain, there may be a portion in the 100 year. I do think we will need to use the new preliminary maps. We can prepare as part of the project an overlay that would show where those lines fall.

Engineer Berger- Looked quickly and felt that only the sewer plant would, and that was expected.

Engineer Rennia- knows in the new revised study the 100 year flood elevation in the corner where the sewer plant is, possibly dropped over a foot at that point.

Member Ipavich agreed with the comments of Co-Chair LaRobardier.

Member Muroski- 7 Wells Road, is that the road Andrens is on? A: yes

The speed limit on rt 22 in that area is what? A: 35mph

Also in favor of concept b, when heading north the tendency is to look down into the field. If the building were turned, it would look like a monster. Plan b hides it a bit, the south exit is also better.

The building looks very much like a ware house, some thing more 'barn' style would make more sense. The office building, what about parallel parking, there is enough parking south and east and would alleviate the problem with pulling out.

With respect to the Landscaping more planting going down the hill on the south, not to block the visual, but along the lower hill. A mix of evergreens would be interesting; it could be white pine, white

spruce, juniper maybe a mix of 5 different trees. It might get wet in there so white cedars or something that can tolerate wet feet. They would grow and create screening.

Member LaRobardier- would like to keep the green triangle of land to the south an open field

Engineer Rennia- the plan would be to have a nice looking building and not hide it. The open street trees would allow that.

Member Muroski- there are no trees there now and that's too bare for him

Planner Ley you could have street trees line the driveway

Engineer Rennia- agreed with the idea of the trees along the entrance

Co-Chair LaRobardier- trees along the road would be fine, but the meadow has been open all along and she likes it natural.

Member Muroski- Everyone has a different idea of what they like- to plant along the perimeter would look good - it should look more natural.

Engineer Rennia- if the perimeter is trees they will eventually grow and block your view of the field. Maybe there can be different plant grouping to add design.

Attorney Polidoro- If there a future plan or possibility for development to happen in lot 4?

A: yes there would be, on the bulk regulations there is room 15% of the lot could have coverage.

Co-Chair Wylock - why not put together a couple of landscaping designs for the area.

SITE WALK SET FOR WEDNESDAY MARCH 30, 2011 @ 5:00 meet at the site

Attorney Polidoro- Now that you have a better idea of your concept- we would like a complete application.

Engineer Rennia- Understood- since we're in the concept phase, this still has to go to County Planning. The sooner we can get this to them the better

Attorney Polidoro- We can't refer it until we get more information, a complete application, a full EAF, it's a catch 22.

As a minimum to go to the County, they need an EAF, elevations usually a sign

Engineer Rennia- Prior to the SEQRA circulation, can we submit to the County for Concept - as a 239 referral. The sooner we can submit the concepts to them, the better it will be for design. We can have the EAF for the next meeting

Attorney Polidoro- you can do that tonight, you can refer it tonight, contingent on the submission of the EAF, once it's received the Secretary can send it out. We would probably have to send it twice, first on concepts, elevations and EAF and a second for when we really get into the site plan, showing landscape and lighting etc.

Engineer Berger- When you spoke to your traffic consultant- were you proposing a signal, will you let DOT decide.

A: they did the counts they were very close and will leave it up to DOT.

Usually when they are close, usually DOT looks to the Town for support. They like to know how the Town or Planning Board feels or recommends the signal. They work with the Town on whether or not it's wanted or recommended.

The GIS Department created maps showing the new FEMA flood plains and how the concepts submitted would be affected.

Attorney Polidoro- have you considered electric car outlets and things like that.

A: it have not been mentioned yet that this would be a LEED project.

Attorney Polidoro- I was not necessarily saying LEED, just trying to green this up a bit.

A: I can discuss it with the applicant.

**RESOLUTION REFERRING THE CONCEPT PLAN TO THE DUTCHESS COUNTY DEPARTMENT
OF PLANNING AND DEVELOPMENT**

Dover Village Plaza Expansion

March 7, 2011

Property Address: 3042 NYS Route 22

WHEREAS, the applicant, Cedar Dover Plains, LLC, has submitted an application for subdivision, special permit, site plan and erosion and sediment control permit approval to construct a 35,814 sq. ft. grocery store and associated site improvements on a parcel located at 3042 Route 22, Dover Plains, in the HC District (the “site”); and

WHEREAS, service and retail businesses are permitted uses in the HC District, subject to site plan and special permit approval; and

WHEREAS, the facility will be served by a shared sewage treatment facility, the environmental impacts of which have been separately reviewed by Planning Board, which issued a negative declaration on September 2, 2008, for the Country Squire site plan; and

WHEREAS, the applicant has submitted two concept plans for the Board’s consideration; and

WHEREAS, the Planning Board desires to have input on the concept plans from the Dutchess county Department of Planning and Development before the applicant prepares detailed site plans.

BE IT FURTHER RESOLVED, that the Planning Board hereby directs the Secretary to the Planning Board to refer the application to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law for comments on the concept plans upon receipt of a full EAF from the applicant.

Moved by: Valerie LaRobardier

Seconded by: Peter Muroski

David Wylock AYE
Valerie LaRobardier AYE
Sharon Ipavich AYE
James Johnson absent
Peter Muroski AYE
Michael Villano AYE

Planning Board Co-Chair David Wylock

III. OAK HILL SUBDIVISION- 7061-00-608644

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

Steven Vincent- Submitted a letter to the Board with respect to a conversation he had with Mr. Murray of the DEC.

Co-Chair Wylock - We did receive that letter and our Planning has made comments on that letter.

Planner Ley- there are a few issues here, if the Planning Board were to grant subdivision approval with out you conducting the habitat study, what that would enable you to do is as a right build 6 single family homes. Without having the habitat study, it is harder for the Board to evaluate where those homes would be and to make sure that those homes would not be in a place where there were some environmental significance. While you are creating large lots so there must be some clear area for you to build a house, we don't know that. A benefit to preparing the study at this time would be that the buildable areas would be mapped out on the site and the lot lines could then be done to equally divide the buildable areas for the beneficiaries. This would also help the planning Board make a determination of Significance as to whether or not there would be an adverse impact on the environment.

Mr. Vincent- Currently under the zoning, I can submit applications on these lots where I wouldn't be subject to site plan review if I were to put houses in different areas, correct?

A: you would still require a building permit and possible a chapter 65 permit, which would require Planning Board review. So that would be 1 security the Board would have, if a habitat study was not required at this time. Anywhere you try to put a house would probably trigger a chapter 65 permit and then a habitat study could be requested.

A: We would rather do it at that time, we have no plans for buildings right now. Our intent is to preserve as much open space as we can.

Co-Chair Wylock - we understand what your father is doing, and it is wise, but no of us can guarantee 10 years down the road, what will happen. I would rather that this board dot every I and cross every t now then have something to come back and haunt us later, anything can happen in a family. Personally- I would like to see everything clean now, so in the future, it's all taken care of.

Mr. Vincent- The Board wants a habitat study for both sides of the road or will they accept what the mine has already done and submitted?

A: We would want both sides of the road.

Co-Chair Wylock - we know it's an extra expense for you, but it would be better for you and your family.

Member Muroski- If we ask him to do the habitat study now, what we're doing is designing these lots for him now, instead of in the future, like the driveway can go in and the septic can go in based on what's done now?

Co-Chair Wylock - the site plan for the drive way would have to avoid the areas of concern

Planner Ley- there was an application recently, where potential habitat for Bog Turtle was found on the site, they were able to show on the plat a 300' buffer around the potential habitat. They created a no build area on the plat, that's what the goal would be from this habitat study. If after the study it were found that there was one lot that was less buildable than another, it could be redesigned now.

Member Muroski- I understand you're saying what's unbuildable, what im asking is what is buildable, so that it's helping him and his family, the lay out of where driveways houses, septic based on the study.

Planner Ley- basically, we wouldn't go into that detail now, just to show what's open for development and what areas are to be avoided.

Q: How long is a habitat study valid for, if it is done now, and then in 15 years he wants to build, would it have to be done again?

A: yes, there's now rule how long it's good for, but after 10 years the study should be redone. Species migrate and wetland move.

Mr. Vincent- Certain areas are going to be actively be used for agriculture and that will change things also. If we do this and then we do additional land clearing for additional fields, it will waste our money because we'll have to do it again.

Member Muroski- I'm almost agreeing with him

Member Ipavich - it a habitat study costly?

Attorney Polidoro- on this many acres yes.

Mr. Vincent- We do agree that at some point in time, if someone wants to do something with a parcel they will have to address this. If you want to put that on the plat as a condition, that's fine. I don't think anybody has a problem with that.

Attorney Polidoro- On the 5 new lots, the ability to create 1 new house as a right would not have a significant environmental impact, the problem is there is not a ton of information on which to base that. They are large lots and you can assume that there is enough land to do so, but there's no study to prove that.

Mr. Vincent- in the foreseeable future we don't see any development, but things do change. When it happens the person looking to build would have to do the study.

Attorney Polidoro- but at that point the lines would have been drawn and the study would be limited to that parcel, not the entire holdings.

Member LaRobardier- Will Hudsonia be done by then, we (our Town) was selected for the study.

Co-Chair Wylock - Can we put something on the map that states before construction a habitat study is to be conducted?

Attorney Polidoro- We can't, the trigger for Chapter 65 is disturbance of 1/2 acre, so for driveway, it will be required. But if it under 1/2 acre, they would not need to come before planning and we would then be delegating that responsibility to review a habitat study to the Building Inspector. His role is non discretionary issuance of permits. We can't write it in that way.

Mr. Vincent- just the disturbance for a septic, could trigger that.

Engineer Berger- a house even with a short drive can do it, the chances of a chapter 65 are good there.

Co-Chair Wylock - what's the Board's feeling?

Co-Chair LaRobardier- There doesn't seem to be an easy answer.

Co-Chair Wylock- Does the Board want to proceed on the basis that if we were to move forward they would most likely have to come on for a chapter 65.

Member- yes

2 signs will be posted on the site

Motion made by Peter Muroski to set the Public Hearing for Oak Hill Subdivision 2nd by Michael Villano

VOTE: CO-CHAIR WYLOCK – AYE

MEMBER JAMES JOHNSON - ABSENT

MEMBER MICHAEL VILLANO – AYE

CO-CHAIR VALERIE LAROBARDIER- AYE

MEMBER PETER MUROSKI – AYE

MEMBER SHARON IPAVICH- AYE

Motion approved

IV. 486 RT 55- PUTNAM STEEL- 7160-00-451311

Property located at 486 Rt 55 Wingdale, NY 12522

Application for a Site Plan / Special Permit change of use on 15.1 acres of land in the RU district

They appeared before the ZBA last week, their Attorney and Engineer made their presentation and the ZBA did not make a decision, they will appear again April 6th.

V. Camp Ramah 7161-00-610450

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

Property located at 91 Ramah Road Wingdale, NY 12522

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

Curt Johnson- At the last meeting- we circulated for Lead- since not all of the responses have come in- we at this time would like to update the Board. We know Ashley has worked with Tim Miller Associates so we're working on the noise study. We also contacted C.T.Male who did the original wetland study and they will be updating that to include the entire site, both Army Corps and DEC wetlands.

Based on the comments from the last meeting, the camp has reassessed the cars on site and has removed 4 vehicles which they have deemed unnecessary.

As for the deadline- we will have a large event management plan for review and will be coming in for individual site plans for the High Rope Course and the Gymnasium. A preliminary SWPPP will also be done.

Engineer Berger- Will they be separate site plans and separate Chapter 65's?

A: yes we'll keep them separate, so they can be constructed separately.

Engineer Berger- if they SWPPP can be done in 1 for both it would be easier.

If the Applicant needs an extension of deadline he can communicate with the secretary.

I. WEINSTEIN ACCESSORY - 6959-00-770123

Applicant Sam Weinstein Plans Prepared by Curt Johnson of Zarecki & Associates

Property located at 690 West Dover Road

Application for an accessory Apartment 11/2009 Applicant was denied a building permit for the change of use from an agricultural building to a residential use and referred application to the Planning Board

Property located on 6.9 acres in the RU district and Stream Corridor overlay district

Curt Johnson- We were here a few months ago- we went to the Health Department and DEC- The Health Department has stated they will accept the existing septic for both the main house and accessory, what they do want is an approvable plan which shows the expansion area in case one or both of those systems fail. So DEC was approached with an application to dig test holes for a buffer area to prove out soils. We just got the approval for test hole; unfortunately there is a lot of water on the site right now, so we have to hold off. If we can get suitable soils we'll go back to the Health Department with a plan. We probably won't have anything ready for the next meeting.

I. KUNZELMAN- GRID # 7161-00-698116

Applicant: Gail Kunzelman Plans Prepared by: James Sullivan of Zarecki Associates

Property located on Weil Road

Application for a 5 lot subdivision

Jim Sullivan- The purpose of my appearance is to request to have the common driveway be gravel as opposed to paved. Oblong conservancy has made this request of us.

Co-Chair Wylock - We had requested that as well in the beginning.

Engineer Sullivan- That is now reflected in our plan.

Attorney Polidoro- Under our code - you will need to obtain approval from our Highway Superintendent for a gravel road, you may want to have a conversation with her.

Engineer Berger- It was approved by the previous Highway Super, over 4 years ago. It would be better to just have that discussion, to update her.

Engineer Sullivan - we have BOH it's coming in the mail. He's not sure of what else is needed for final; he spoke to Engineer Berger-earlier about bond estimates for Chapter 65 and erosion on site.

Attorney Polidoro- When you received the Preliminary approval- there was a checklist of conditions attached, if you could draft a narrative explaining how each item has been addressed.

The road has a name now, has it been approved by Dutchess County E911?

A: Unsure

As far as ESC- it's only good for 1 year, do you anticipate starting construction within 1 year of approval?

A: most likely yes.

We received a copy of the Land Trusts standard agreement we would like to see the revised agreement before it is finalized. We also requested road maintenance and widening agreement for Weil Road.

A: We do show the widening of the road on the plans as well as the drainage improvements for them.

Q: I was wondering if you had met with the Town board on this.

A: no not yet.

Engineer Berger- I had gone over the engineering with JoAnne the current Highway Superintendent,

In 2007 the previous Highway Super had approved them. The Town Board will be accepting the easement. All the engineering has been completed so this is all paper now.

Engineer Sullivan- So my next steps will be to form a response to the conditions and to meet with the Highway superintendent.

Other items:

Co-Chair Wylock - Something not on the agenda but I wanted to have mentioned-

1. Ashley has been communicating with the Engineer for Dacheille-

Planner Ley- I received an email from their engineer they did hear back from NHP. NHP did say that there were no threatened or endangered species found in the vicinity of their property, as found in the historical records. They were requesting a waiver of the Habitat study the Planning Board had asked them to prepare.

The issues on this site are that there is a DEC classified stream that crosses the property, and in order to get to the new lot, they would be required to cross that stream. One reason the board had asked for the study was because of this stream, and they wanted to make sure there were no species of concern. Also to have that area delineated on the plans. She had not followed up with DEC, the Engineer said he had communicated with them and asked what the probability of the permit being granted was. Also if they (DEC) would be requiring a habitat study. According to the Engineer DEC is deferring to this Board with the requiring of the study.

Co-Chair Wylock - this lot does have large wetlands, plus a classified trout stream which would need to be crossed. Before we make a decision about the study, he personally thinks it is appropriate.

Attorney Polidoro- It is possible, if this board does not require the study, DEC would. As lead agency there is the obligation to do the required environmental analysis of the property. In this case the constraints are significant

Engineer Berger agrees the study should be done.

Planner Ley- the only way to get to this lot is to cross this potential area of environmental impact.

Attorney Polidoro- even if there is an impact there may be a way to mitigate it, but you need to know before you make a decision.

Co-Chair Wylock - so do we make a motion to require the study or can the planner respond to them,

Planner Ley- I can respond to them and advise them the Board will not waive the request.

Engineer Berger- it would be better for them to find out now, if this were waived and they were given preliminary, if for whatever reason they were moving quickly with the Health Department, they could spend a significant amount of time designing a septic system that may wind up having to be redone after the studies results are in.

Planner- Were they hoping to receive preliminary before they have DEC approval, because you don't want to create an unbuildable lot, a lot with no access.

Engineer Berger- doing the study is a good idea, but going to DEC for a Stream crossing without preliminary will be hard, they are saying, they won't do it right now.

Planner Ley- The Board can get some indication from DEC that they will entertain it

Engineer Berger- Maybe we can speak to someone there- Scott Ballard or Heather, it may be helpful, the manpower requirements are tough right now.

Co-Chair Wylock - Ashley- if you could please respond to them for the Board.

2. The Town of Union Vale has received an application for a timber harvest- of the 13 parcels 3 are in the Town of Dover, so Betty-Ann will communicate with the Town of Union Vale's secretary and get a copy of their Timber Harvest ordinance and we should be coordinating for SEQRA since they would most likely be Lead agent
3. Our conference calls- it's great that everyone wants to call in-but we can't have everyone, so an option may be to have a workshop or work out a rotation system. It's up to the Board.

Engineer Berger- Remember the work sessions, they were open to the Public, the engineers and applicants came and they turned into meetings. It squashed the open frank discussion we generally have.

So Mike and Sharon will work that out, David usually calls Pete

The secretary after the last session sent Mike a brief synopsis of what was discussed

4. We had talked about criteria for significant land use projects for posting on the Town web site, our town code does have criteria for land use projects, but the thresholds are low, so we tried to increase them a bit. So if the Board could review this information and come back with some revisions we can discuss this at detail. Items like camp Type 1, the posting on the web site can help reduce FOIL requests, but also cost the applicants.

The FAQ's are good, but the Public has many options to see the meetings, whether on TV, or any time when streaming on the web and soon we'll be live.

VI. MINUTES 02/07/2011

Motion made by Valerie LaRobardier to approve the minutes of February 7, 2011 2nd by Michael Villano

VOTE: CO-CHAIR WYLOCK – AYE	CO-CHAIR VALERIE LAROBARDIER- AYE
MEMBER JAMES JOHNSON - ABSENT	MEMBER PETER MUROSKI – AYE
MEMBER MICHAEL VILLANO– AYE	MEMBER SHARON IPAVICH-AYE

Motion approved

Motion made by Peter Muroski to adjourn 8:57 pm 2nd by Sharon Ipavich

VOTE: CO-CHAIR WYLOCK – AYE	CO-CHAIR VALERIE LAROBARDIER- AYE
MEMBER JAMES JOHNSON - ABSENT	MEMBER PETER MUROSKI – AYE
MEMBER MICHAEL VILLANO– AYE	MEMBER SHARON IPAVICH-AYE

Motion approved

Respectfully submitted,
Betty-Ann Sherer
Betty-Ann Sherer

PlanningARB@TownofDoverNY.US

This meeting may be viewed in full on the Town of Dover web site by going to www.townofdoverny.us

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