

### 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, August 01, 2011  
7:00PM

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

Also, in attendance representing the Planning Board was Planning Board Attorney Victoria Polidoro. Planner Graham Trelstad & Engineer Joseph Berger

For the Applicants: Amy Rosuck, Rabbi Paul Resnick, Jason Smally, Michael Hayes, Esq. of Daniels & Porco & Curt Johnson of Zarecki & Associates for Camp Ramah, Sam Weinstein and Curt Johnson for Weinstein Site Plan Special Permit, Rich Renna for Dover Village Plaza Expansion, Rich Pearson, Rob Roselli and Peter Rusciano for Dover Estates, Joel Chase of Zarecki & Associates and James Rogers for Crystal House, Theresa Ryan for DiPasqua Pond 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 Hearings:

**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 for the Gymnasium

Curt Johnson- Since the last meeting there was a discussion on the road ownership and improvements being done within that roadway.

Since then the site plan has been redesigned so that there are no improvements to the road or any improvements to the road area. It was sent to Engineer Berger and engineering wise it all works. Also within that time period there has been a memorandum of understanding worked out with Mr. Fila. This states that the camp can go ahead and at some point improve, maintain and

upgrade that road. So it works out that the plan was redesigned but if we need to do there is an understanding in place we can do so

**Motion made by Peter Muroski to open the Public Hearing for the Camp Ramah Gymnasium  
2nd by Valerie LaRobardier**

VOTE: CO-CHAIR WYLOCK – AYE  
MEMBER JAMES JOHNSON - ABSENT  
MEMBER MICHAEL VILLANO - AYE  
MEMBER TOM HOLMES – AYE

CO-CHAIR VALERIE LAROBARDIER- AYE  
MEMBER PETER MUROSKI – AYE  
MEMBER SHARON IPAVICH – AYE

*Motion approved*

Michael Hayes- represents Camp Ramah- There is a memorandum of understanding signed by John Fila as the executor of the estate of Delores Weil and as the authorized representative of the heirs of John Weil. Authorizing the camp to widen, improve, maintain and use the road the strip of land that has been part of these conversations to the extent needed. His understanding is that the plan has been redesigned in a manor that eliminates the widening of the road. There has never been a question about the camp having a legal easement over the road. Between the revisions to the plan and MOU, we have now cleared the legal issue with Mr. Fila.

Attorney Polidoro- We have not received or had the opportunity to review the MOU. We need clarification, you are moving forward with the revised plan?

A: Yes, correct.

Q: the question is now, do we need fire department review, since the road is not going to be widened - has the fire department seen this?

A: the Fire Department has been out there in the past. The road shows on the survey as being about 14' wide, a dirt road, in reality it probably wider than that

Q: The memorandum of agreement, if the road is not being widened, then we don't need it, but we would like to request a copy for the Planning Board.

Mr. Hayes- a copy was emailed on Friday, it was signed on Friday. We may not need it for the purposes of this evening, but Mr. Fila has agreed to it, so if there does come a point when other improvements beyond what's shown on the plan are contemplated, whatever may need to be done with Mr. Fila's cooperation clears up any lingering doubt there may be, as to whether there is legal authority to proceed with the plan as currently presented

Co Chair Wylock-With this agreement would you go back to the original road design?

Engineer Johnson- It is something to contemplate, but the new design allows us to not have to cut into the road bed

Q: How long did you know the Weil family has this property?

A: it's been quite some time; there's been a lot of not really knowing who knows what.

Mr. Fila- He is in general agreement with the statements made, except for 1 comment which went beyond the memorandum. It seemed to extend it into the future, there is no question about the legal right to use the road, and it's an 'easement by use'. The memorandum covers specifically any modifications that are required or that are in the site plan; there is no discussion or intent about extending that into the future, for anything.

Attorney Polidoro- (to Mr. Fila) was the site plan you were looking at the site plan that showed the widening of that road?

A: it was the most current site plan of about 1 week ago

Engineer Johnson- That one did have the widening

Mr. Fila- he was under the impression that was going to require widening, it was a necessity.

Attorney Polidoro- So the question for the Board is do you feel the widening of the road near the gymnasium is necessary or is the alternative layout which does not involve the widening of the road. They are both viable options at this time.

Engineer Berger- The widening is certainly beneficial the alternative works just as well, the fire department gets up there now, but the widening and improvement of an existing road is always preferable. So if given the choice of widening or not, widening it certainly is an improvement.

Co Chair Wylock- Going through this whole process, we had no problems with the site plan, why can't we stay with it, so long as the issue with the road has cleared up.

Engineer Johnson- We have the alternative, as long as the Board is satisfied, with the plan the Board has reviewed all along, the road widening is fine with us. It's probably not less costly, because of the grading.

Engineer Berger- The widening would be his recommendation if the board is in agreement Attorney Polidoro- is not comfortable approving this revised plan tonight without sending it to the fire department, because the original plans did involve the widening of the road.

The Board agreed to support the original plan with widening of the road for approval

The plans are dated; last revised June 17, 2011.

The landscaping plan, is that part of the newly revised plan set?

A: It's part of the new set as part of a response to the Planner.

Planner Trelstad - as part of the resolution there is a condition, of the revision for the landscaping plan and he briefly reviewed that plan and feels it is close. The area of coverage was a question as well as that information would then dictate the number of plugs required. It can be resolved easily

**Motion made by Valerie LaRobardier Close the Public Hearing 2nd by Tom Holmes**

VOTE: CO-CHAIR WYLOCK – AYE  
MEMBER JAMES JOHNSON - ABSENT  
MEMBER MICHAEL VILLANO - AYE  
MEMBER TOM HOLMES – AYE

CO-CHAIR VALERIE LAROBARDIER- AYE  
MEMBER PETER MUROSKI – AYE  
MEMBER SHARON IPAVICH – AYE

*Motion approved*

**RESOLUTION GRANTING SITE PLAN APPROVAL AND EROSION & SEDIMENT CONTROL PERMIT APPROVAL**

**Camp Ramah Gymnasium**

**August 1, 2011**

**Property Address: 91 Ramah Road, Wingdale**

WHEREAS, the applicant, Camp Ramah in the Berkshires, has submitted a site plan and erosion and sediment control permit application for a new gymnasium at an existing 294 acre Camp Type I facility; and

WHEREAS, the site is located at 91 Ramah Road, Wingdale, in the RU and RC Zoning Districts; and

WHEREAS, Camp Type I is a permitted use subject to site plan and special permit approval in the RU and RC Zoning Districts; and

WHEREAS, pursuant to Section 145-44, a Camp Type I with more than five accessory facilities must prepare a master development plan as part of the special permit approval process; and

WHEREAS, following approval of the Master Development Plan, individual components of the Master Development Plan may be implemented upon receiving site plan approval; and

WHEREAS, on June 6, 2011, the Planning Board, serving as lead agency in a coordinated review of the project, adopted a determination of non-significance for the Master Plan, finding that the plan would not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement would not be prepared; and

WHEREAS, on June 6, 2011, the Planning Board approved the applicant's Master Development Plan and approved the site plan for the High Ropes Course; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, the site plan for the proposed gymnasium was referred to the Dutchess County Department of Planning and Development, which responded on April 15, 2011, that it was a matter of local concern; and

WHEREAS, pursuant to Section 145-45G of the Town Code, the Planning Board may increase the maximum footprint of a Camp Type I structure up to 20,000 square feet, provided that the requirements of that section are met; and

WHEREAS, on June 17, 2011 the Architectural Review Board approved the building elevations for the proposed gymnasium; and

WHEREAS, the applicant has undertaken a limited Phase 1A/1B Archaeological Investigation which included the proposed areas of disturbance, but any future disturbance will require additional archaeological review; and

WHEREAS, by letter dated July 8, 2011, the NYS Office of Parks, Recreation and Historic Preservation determined that the proposed project would have no impact upon cultural resources in or eligible for inclusion on the State and National Registers of Historic Places; and

WHEREAS, a public hearing was held on the site plan for the gymnasium on June 6, 2011 and continued to August 1, 2011, during which all those who wished to speak were heard.

**NOW THEREFORE BE IT RESOLVED, that the Planning Board makes the following findings in accordance with Section 145-45G of the Town Code:**

- 1. The structure is not located on a ridgeline.**
- 2. The structure will not create an unmitigated adverse impact to any scenic viewsheds, including views from the Appalachian Trail.**
- 3. The building is appropriately located on the site. The building is located within the camp site and will not be visible from adjacent residences.**
- 4. The structure has been reviewed by the Architectural Review Board, which recommended approval conditioned on the applicant submitting a lighting plan with down lighting to avoid light spillage.**

**5. The Planning Board adopted a negative declaration on June 6, 2011, finding that there would be no significant adverse impacts on the environment resulting from this project. The proposed structure is located within 50 feet of a wetland and the applicant will restore a portion of the wetland buffer as part of the project.**

**BE IT FURTHER RESOLVED, that the Planning Board hereby approves the footprint for the gymnasium building, as shown on the site plan hereafter referenced, and approves the site plan entitled, "Gymnasium Site Plan", prepared by Zarecki and Associates, dated March 11, 2011, and the elevations entitled, "New Gymnasium at Camp Ramah", prepared by Zarecki and Associates, received on June 17, 2011, and authorizes the Chair of the Board or other authorized designee to affix his or her signature to the plan after compliance with the following conditions:**

**1. Satisfaction of all conditions of Master Plan approval, as set forth in the June 6, 2011 resolution granting approval.**

**2. Submission of a detailed wetland restoration plan subject to approval of the Planning Board Engineer and Planner which provides for mix of native perennials, shrubs and trees appropriate for a wetland buffer. The plan shall contain plant name, size, quantity, and spacing details.**

**3. Department of Health Approval of method of water supply and sewage disposal.**

**4. Revision of the site plan to contain the following note: If the proposed gymnasium structure is moved substantially or if new areas of disturbance are proposed, the applicant shall return to the Planning Board to determine whether additional archaeological studies are required.**

**5. Revision of the site plan to include the following note: As specified in the Noise Study, prepared by Tim Miller Associates, and dated 6/1/11, to mitigate camp noise during the evening hours, all camp activities conducted after 9:00 pm shall occur within the proposed gymnasium. This restriction excludes the four events specified in the noise study that are held each camp season in the outdoor amphitheater which shall end by 10:00 pm. With the exception of these four events, the use of the public address system shall be prohibited after 9:00 pm.**

**6. Revision of the site plan to include a signature block.**

**7. Payment of all fees and escrow.**

**BE IT FURTHER RESOLVED, that the Planning Board hereby grants the applicant an erosion and sediment control permit for site disturbance as shown on plans entitled "Gymnasium Site Plan" and "Erosion and Sediment Control Plan", prepared by Zarecki and Associates, dated June 17, 2011, subject to the following conditions:**

**1. The applicant shall file with the Town Clerk a performance guaranty in the amount of \$24,000 in form and manner acceptable to the Town Board and Town Attorney, which shall be kept in full force and effect until a certificate of compliance shall have been issued by the authorized official to ensure that all provisions of this chapter and of the permit have been met.**

**2. Payment of all fees and escrow.**

**3. The applicant shall place \$1,000 into escrow to cover the cost of inspections by the Planning Board Engineer.**

**4. This permit shall expire one year after the date of adoption, unless extended by the Planning Board.**

**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:** Valerie LaRobardier **Seconded by:** Sharon Ipavich

- David Wylock Aye
- Valerie LaRobardier Aye
- Tom Holmes Aye
- Sharon Ipavich Aye
- James Johnson absent
- Peter Muroski Aye
- Michael Villano Aye

Planning Board Co-Chair David Wylock

**WEINSTEIN ACCESSORY - 6959-00-770123**

**Applicant** Sam Weinstein

**Plans Prepared by** Curt Johnson of Zarecki & Associates

**Property located at** 690 West Dover Road, Wingdale, NY

**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 on 6.9 acres in the RU district and Stream Corridor overlay

Co Chair Wylock- was there a violation cited by the Building Inspector?

A: Yes there was

Q; how was that disposed?

A: Mr. Weinstein did appear before the Judge and has now worked to remedy with the Planning Board.

Engineer Johnson- We have an almost 7 acre parcel that was part of the Valley View Subdivision, these buildings were part of the original farm buildings on site. There is an existing 3 bedroom residence with a large barn and a bull barn. The Bull barn was converted into an accessory apartment. We are before the board to legalize the accessory apartment. It is approximately 600 square feet with one bedroom; the lower floor plan is an open area with a small kitchenette area.

Co Chair Wylock- we had one outstanding issue with a letter from the Board of Health.

A: Yes that was submitted to the Board, there were no physical changes to the site with this application.

*Part 2 of the Long Form EAF was reviewed resulting in the approval of the following resolution*

**Motion made by Valerie LaRobardier to accept the long form EAF 2nd by Michael Villano**

VOTE: CO-CHAIR WYLOCK – AYE  
MEMBER JAMES JOHNSON - ABSENT  
MEMBER MICHAEL VILLANO - AYE  
MEMBER TOM HOLMES – AYE

CO-CHAIR VALERIE LAROBARDIER- AYE  
MEMBER PETER MUROSKI – AYE  
MEMBER SHARON IPAVICH – AYE

*Motion approved*

**Motion made by Peter Muroski to open the Public Hearing 2nd by Valerie LaRobardier**

VOTE: CO-CHAIR WYLOCK – AYE  
MEMBER JAMES JOHNSON - ABSENT  
MEMBER MICHAEL VILLANO - AYE  
MEMBER TOM HOLMES – AYE

CO-CHAIR VALERIE LAROBARDIER- AYE  
MEMBER PETER MUROSKI – AYE  
MEMBER SHARON IPAVICH – AYE

*Motion approved*

No comments from the Public

**Motion made by Valerie LaRobardier to close the Public Hearing 2nd by Tom Holmes**

VOTE: CO-CHAIR WYLOCK – AYE  
MEMBER JAMES JOHNSON - ABSENT  
MEMBER MICHAEL VILLANO - AYE  
MEMBER TOM HOLMES – AYE

CO-CHAIR VALERIE LAROBARDIER- AYE  
MEMBER PETER MUROSKI – AYE  
MEMBER SHARON IPAVICH – AYE

*Motion approved*

**RESOLUTION ADOPTING DETERMINATION OF NON-SIGNIFICANCE**

**WEINSTEIN ACCESSORY APARTMENT**

August 1, 2011

Property Address: 690 West Dover Road, Dover, NY

WHEREAS, the applicants, Sam & Christine Weinstein, have submitted an application for special permit and site plan approval to legalize an existing apartment accessory to a single-family residence, located at 690 West Dover Road, Dover, in the RU and Stream Corridor Overlay District (the “site”); and

WHEREAS, an accessory apartment is a permitted use subject to special permit and site plan approval and the requirements in Section 145-12C of the Town Code; and

WHEREAS, September 20, 2010, the Planning Board classified the action as an unlisted action and declared its intent to serve as lead agency in a coordinated review of the project, to which no other agency has objected; and

WHEREAS, the Planning Board has reviewed the revised Full EAF provided by the applicant dated September 27, 2010; and

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

**NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby determines that the proposed action will not have a significant adverse impact on the environment and a Draft Environmental Impact Statement will not be prepared.**

**Moved by:** Peter Muroski **Seconded by:** Valerie LaRobardier

David Wylock Aye  
Valerie LaRobardier Aye  
Tom Holmes Aye  
Sharon Ipvach Aye

James Johnson            absent  
Peter Muroski            Aye  
Michael Villano          Aye

Planning Board Co-Chair David Wylock

**RESOLUTION GRANTING SITE PLAN AND SPECIAL PERMIT APPROVAL  
WEINSTEIN ACCESSORY APARTMENT**

August 1, 2011

Property Address: 690 West Dover Road, Dover, NY

WHEREAS, the applicants, Sam & Christine Weinstein, have submitted an application for special permit and site plan approval to legalize an existing apartment accessory to a single-family residence, located at 690 West Dover Road, Dover, in the RU and Stream Corridor Overlay District (the “site”); and

WHEREAS, an accessory apartment is a permitted use subject to special permit and site plan approval and the requirements in Section 145-12C of the Town Code; and

WHEREAS, the accessory apartment will comprise approximately 600 SF; and

WHEREAS, September 20, 2010, the Planning Board classified the action as an unlisted action and declared its intent to serve as lead agency in a coordinated review of the project, to which no other agency has objected; and

WHEREAS, on August 1, 2011, the Planning Board, serving as lead agency in a coordinated review of the project, adopted a determination of non-significance, finding that the proposed project would not result in a significant adverse environmental impact and that a Draft Environmental Impact Statement would not be prepared; and

WHEREAS, by letter dated December 2, 2010, the NYS DEC advised the applicant that an endangered species, the bog turtle, has been recorded on or near the project site and that any further disturbance of the site would require the applicant to evaluate the impact of the disturbance on the bog turtle; 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 October 7, 2010 that it was a matter of local concern; and

WHEREAS, by letter dated July 26, 2011, the Dutchess County Department of Health accepted the engineer’s certification that the existing on-site sewage disposal system is adequate to serve the one bedroom apartment; and

WHEREAS, a duly noticed public hearing was held on August 1, 2011, during which all those who wished to speak were heard.

**NOW THEREFORE BE IT RESOLVED, that the Planning Board finds that the proposed application for an accessory apartment within an existing detached accessory structure meets all of the criteria set forth in Section 145-63 of the Town Code.**

**BE IT FURTHER RESOLVED, that the Planning Board hereby grants special permit and site plan approval to the application, as shown on a site plan entitled, “Site Plan – Weinstein Residence Proposed Accessory Apartment”, prepared by Zarecki & Associates, L.L.C., dated 8/17/10, no revision date, and authorizes the Co-Chair or authorized designee to sign the site plan after compliance with the following conditions:**

- 1. Payment of all fees and escrow.**
- 2. Revision of the site plan to include the following note: The applicant shall return to the Planning Board for approval of any further site disturbance, at which point the Board shall determine whether the applicant must evaluate the impact of such disturbance on the bog turtle.**
- 3. Revision of the plan to include the jurisdictional determination.**

**Moved by: Valerie LaRobardier**

**Seconded by: Michael Villano**

David Wylock	<u>Aye</u>
Valerie LaRobardier	<u>Aye</u>
Tom Holmes	<u>Aye</u>
Sharon Ipavich	<u>Aye</u>
James Johnson	<u>absent</u>
Peter Muroski	<u>Aye</u>
Michael Villano	<u>Aye</u>

Planning Board Co-Chair David Wylock

**Discussions:**

**DOVER VILLAGE PLAZA EXPANSION - 7063-00-562258**

Applicant Cedar Dover Plains LLC

Plans Prepared by Renna Engineering Design

Property located at 3042 Rt 22, Dover Plains, NY

Application for Site Plan / Special Permit / Subdivision to subdivide a 5 acre lot and install a 36,000 sf retail grocery store on 5 acres of a 11.9 acre lot in the HC /AQ districts

Rich Renna- since the last time before the board, the current submission has 2 new items of detail-

- 1- Grading and utility plan- the site plan has not changed much, as far as the location of the building and parking. The grading and utility plan shows the proposed grades, drainage structure, water line locations, sewer location
- 2- Detailed landscaping plan- broken into 3 sheets- done to help screen the building and soften the entire area, especially the parking as viewed from RT 22.
- 3- Lighting plan-this question was sent to Planner Ley- the light plan that ahas been put together, has a total of 23 light poles and that is required due to the lights need to be kept to a height of 15’ as per Town Code. This creates more poles, would the Board be interested in the option of increasing the height of the poles to 20-25’ which could reduce the number of poles.

Co Chair Wylock- You may have to get a variance from the ZBA

Engineer Rennia was unsure if this could be done by a waiver from the Planning Board. It is unsure how many poles could possibly be reduced. The lighting plan would have to be reviewed looking at a higher pole height, to see what would be the reduction if any. If it is only 1 or 2 poles, this would not make sense.

Planner Trelstad- would like to review the Town code and if there is flexibility, the option is attractive due to the possible reduction of the number of poles on site.

Engineer Berger- Another option may be to work with 2 different heights, taller poles in the perimeter and lower softer poles in the pedestrian traffic areas.

Planner Trelstad- Section of the code 145-38-A-4-d

- (d) Lighting. Lighting within parking lots shall be on low poles of 12 feet to 15 feet maximum height, with color-corrected lamps and cutoff luminaires designed to minimize glare and light pollution. Design of poles and luminaires shall be compatible with the style of the architecture and adjoining streetscape treatment. Sidewalks leading from parking lots shall be lit with bollard lighting and indirect illumination of buildings and vegetation.

There is no noting of a variance or number of poles

Attorney Polidoro- We would have to look at the code to see if there were authority for the Board to waive this, right now it is unsure.

Q: what type of lighting is there now?

A: there is low lighting but the area being lit is smaller, that will be checked. There are 2 taller lamps in the entrance right now. The new site will most likely have the feeling of being a distinct and different site.

Co Chair Wylock- we requested Member Muroski review the plantings and make comments  
Member Muroski- In the industry the use of the Bradford pear is decreasing.

ARB has also mentioned to change the pear species

Letter from Peter Muroski to Rich Rennia:

28 July 2011

Dear Richard:

In regard to the Dover Village shopping center plaza, dated 7/13/11, I would like to make some comments on the landscape design. Concerning the steep hillside adjacent to Route 22, I would like to see additional plantings on this hillside. Please be aware that it is a hillside adjacent to the highway and more salt tolerant species should be used.

In general, I agree with the basic plan and the plants you're recommending. I do have some concerns about the Bradford pear. Bradford pear has been used extensively as a specimen tree since the mid -1950's. A tree native to China, some recent studies tend to suggest we should start using less Bradford pears in the landscape. They are fast growing and have tight branching patterns that tend to split in high winds and heavy snow and ice situations. Because of these characteristics, they tend to be short-lived, generally failing after twenty years.

Instead of the Bradford pear, there are several alternatives that would work. A possible list for your consideration is:

1. Malus 'Adirondack' (Adirondack Crabapple)
2. Amelanchier x grandiflora 'Autumn Brilliance' (Autumn Brilliance Apple Serviceberry)
3. Crataegus crus-galli vari 'inermis' (Thornless Cockspur Hawthorn)
4. Magnolia x 'Butterflies'

Malus 'Adirondack': a narrow, upright flowering crabapple; 20 feet tall; hardy in zones 4 to 8; one of the most profusely flowering of all crabapples, flowers begin as a carmine bud and opens to a large, white flower; disease resistant; attracts birds; attractive small orange-red fruit; North American native, frost tolerant, urban tolerant; requires virtually no pruning; sun; will tolerate drought; Winner of 2002 Gold Medal Pennsylvania Horticultural Society; highly rated by the International Ornamental Crabapple Society.

Amelanchier x grandiflora 'Autumn Brilliance': a small tree (20-25 feet tall); fragrant showy large, white flowers in spring; attracts birds; easy to care for; sun to partial sun; intense yellow-orange-red fall color; edible berries; North American hybrid; adapted to a wide range of soil with some drought tolerance although prefers moist.

Crataegus crus-galli vari 'inermis': the Thornless Cockspur Hawthorn is a small, thornless tree with beautiful, single white flowers in late spring; abundant red fruit produced in masses in fall; glossy green summer foliage turns a showy orange in fall; very disease resistant, including rust diseases; no major insect problems; exfoliating bark provides winter interest; 15-20 feet tall and wide; adaptable to many soil types; sun; drought tolerant; zones 4-7.

Magnolia x 'Butterflies': Small tree matures to an upright, pyramidal specimen tree; best yellow-flowering magnolias, flowers are up to 4-5" across, bloom for 7-9 days; light-yellow-green foliage leaves mature to a lustrous dark-green; no serious insect or disease problems.

On this particular site, I'm recommending substituting the Bradford pear with the Malus 'Adirondack' because of the upright growth habit, its disease resistance and urban tolerance. It basically requires no pruning. Also included in this letter are the other trees you may want to consider in future design.

Due to the property line, which is just on the east side of the poles, some of the plantings have moved off the back corner for more effective screening

The parking near Engineer Renna's office is still vertical not parallel as discussed near the ambulance. There is still a concern with cars backing out into the flow of traffic leaving the grocery store.

A: There was discussion on that revision and a reduction from 16 spaces to 8 spaces with leaving a buffer may be a better alternative.

Member LaRobardier- Didn't see any real changes in the elevations

Engineer Renna- Met with the ARB, had a very hands on workshop on the elevations, and the recommendations have been passed on to the architects working on the designs. He is open to suggestions and comments from this Board.

Co Chair Wylock- Would like to see something more like the grocery store in LaGrange.

A: That was discussed with the ARB and as a whole; they did not want that design. They felt that design would better fit the Dover Knolls development. That scale of hamlet would not fit the existing area as it is now. It may be best to have a joint meeting to work with both Boards.

Co Chair LaRobardier- Didn't feel that a copy of the LaGrange store would work, but more of a hamlet feeling is the direction the Board would like to move towards. A variation of planes and roof lines. She also agrees a "streetscape" would not fit, but a hamlet look.

Engineer Rennia- the code says to keep with surrounding structures.

Attorney Polidoro- Would it be possible for the Architect attend these meetings?

A: yes.

It would be helpful for him to see and hear that the Board would like to see something tailored specifically to Dover. Not specifically the LaGrange store, but something unique to Dover something for the hamlet area.

A: Right although this project is not in the hamlet area.

The Board does have the obligation to prevent strip development and this kind of development with a large parking lot in front of the building is strip development, the board is trying to mitigate that for them to be able to issue a special permit.

A: Engineer Rennia had issue with the term strip development and that the planner has been using that term. The zoning code prevents strip development. What he is presenting is in a small area of HC a retail cluster. The way the town zoning is will not create a route 9. There is a hamlet area in Dover Plains and as you head south there is a small retail cluster. Nothing they do will create strip development. The existing plaza is a series of small buildings which in itself prevents strip development. The bigger issue is to have a building which conforms with the surrounding structures. The Planning board and ARB are to insure the building is in keeping with the characteristic of the surrounding buildings.

Planner Trelstad understood the point presented and supports Planner Leys' comments. In stating that the zoning itself prevents that sprawl from happening is understood, but the criteria for site plan review shows that it's not just adjacent structures but also traditional structures of the surrounding area and keeping with the small town architecture character of Dover. They are looking to draw from the architecture of the region. He has seen larger buildings than this that certainly responds to that kind of character.

A: After meeting with the ARB, there is a difference from the hamlet scale and keeping with the surrounding area.

There were no further comments from the Board

**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 Village Plaza Expansion**

**August 1, 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 36,000 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 application was accompanied by a full Environmental Assessment Form (“EAF”); and

WHEREAS, the application was referred to the Dutchess County Department of Planning and Development for a preliminary review, which responded on May 19, 2011 with a preliminary comment letter; 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 project as a Type I action under SEQRA; and**

**BE IT FURTHER RESOLVED, that the Planning Board hereby declares its intent to serve as lead agency in a coordinated review of the project and directs the Secretary to the Planning Board to send notice of its intent to all interested and involved agencies; and**

**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.**

**Moved by:** Peter Muroski      **Seconded by:** Sharon Ipavich

David Wylock	<u>Aye</u>
Valerie LaRobardier	<u>Aye</u>
Tom Holmes	<u>Aye</u>
Sharon Ipavich	<u>Aye</u>
James Johnson	<u>absent</u>
Peter Muroski	<u>Aye</u>
Michael Villano	<u>Aye</u>

Planning Board Co-Chair David Wylock

Involved Agencies

Town of Dover Architectural Review Board  
NYS Department of Transportation  
NYS Department of Environmental Conservation,  
Dutchess County Department of Health

Interested Agencies

J.H. Ketcham Hose Company  
Metropolitan Transit Authority

**DOVER ESTATES 6 LOT SUBDIVISION- 7060-00-788552 & 7060-16-779491**

Applicant Peter Rusciano

Plans prepared by Richard Pearson of Meyer Consulting

Property located at Rt22 and Rural Avenue, Dover, NY RU district

Applicant seeks to subdivide 16.64 acres to create 6 new lots

Rich Pearson-

Comments from Joe Berger have been addressed, as well as the Department of Health. There are some test wells that need to be done, and they were hoping to get PB approval prior to beginning the tests.

Comments for consideration**Per Section 125-16, 125-17 and 125-18**

125-16 A and 125-17H

*A vicinity map at a scale of 1" = 2000 feet is required*

*An area map at a scale of 1"= 400 feet is provided and as such I recommend a waiver be granted for section 125-16A and 125-17H a vicinity map at a scale 1" = 2000 feet*

125-17 B, D, *Metes and bounds of all proposed lot lines and easements needs to be provided.*

**STILL NEEDED**

125-17-E *requires dimension of streets. As the street limits are shown and can be scaled*

**COMPLETED**

125-17-F *Wells are provided in the legend but could not be seen on the plan.*

**COMPLETED**

125-18 C *needs to be provided.*

**COMPLETED**

125-18-G *Storm drains and pipes are provided however it is felt that additional drainage is needed at the intersection of the proposed drive with Rural Ave To direct flow offsite without flowing onto Rural Ave.*

**COMPLETED**

125-18 I *A detail for concrete monument is provided but the location on the maps is not shown.*

**COMPLETED**

125-18 K *Highway Superintendant would like to see monuments placed on the lot corners fronting on Rural Ave.*

**COMPLETED**

125-18- L *Maintenance agreements and easements shall be provided to the Town for approval.*

**STILL NEEDED***General comments on Sheets 1 through 8 and Chapter 65 – erosion and sediment control*

1. *One rain garden is shown for each house. Recommend that a note is added to the plans stating that the roof leaders are to extend to rain gardens.*

**COMPLETED**

2. *DCHD approval is required for the SDS and wells.*

3. *Consider using check dams and additional diversion swales within the site to divert and control runoff before it reaches the silt fence. The design is well presented and good but these additions may improve the design. A check dam detail has been added on sheet 7. The construction sequence no longer lists diversion swales or check dams.*

**COMPLETED**

4. *A detail for grass swales has been added to sheet 8. The detail calls for swale slopes exceeding 8%, jute mesh shall be utilized. We recommend jute mesh or other erosion control material be utilized on*

swale slopes greater than 2%. We also recommend including placing check dam location on all swales

**COMPLETED**

5. Check dams are no longer listed in construction sequence. Recommend providing note or adding to construction sequence when check dams should be installed.  
**COMPLETED**
6. Consider sloping drives to one side during construction and installing a sediment trap at the intersection with the private road.  
**COMPLETED**
7. The area of disturbance is 4.95+/- acres per Proposed Sediment & Erosion Control Plan, sheet 5.
8. Rain garden cross section detail provided on sheet 8 without planting list and spacing. Provide planting list with spacing.  
**COMPLETED**
9. The Town Highway Superintendent should review and approve location of private drive  
A meeting was held at the site with the Highway Superintendent who has approved the location of the drive with conditions that a new culvert be placed under the main road.
10. Is a HOA being proposed for the project?
11. A diversion swale with running ground water was observed at the entrance to Rural Ave. This needs to be shown on the plan and in the drainage report. The report should also discuss how it will be incorporated into the drainage design.  
**COMPLETED**
12. Discharge from pipe labeled ESC located on lot 1 is on a steep slope and is partially located on NYSDOT Rt 22 ROW. Additional velocity dissipation is needed at this location.  
**COMPLETED**
13. A detail for grass swales has been added to sheet 8. The detail calls for swale slopes exceeding 8%, jute mesh shall be utilized. We recommend jute mesh or other erosion control material be utilized on swale slopes greater than 2%.  
**COMPLETED**
14. Calculations are provided for all proposed pipes during 25 year storms. The design parameters for the swales are provided. The calculations for the function of the swales, at their various slopes, during a 25-year storm need to be provided.  
**COMPLETED**
15. Slopes of 1v:2h can be unstable especially near roads and in cuts. Turf Reinforcement Matting (TRM) was previously shown and is now not shown. The use of slope stabilization techniques shall be considered in addition to seeding and mulching so that the steep slopes proposed in this application. Provide radii of private road at intersection with Rural Avenue.  
**COMPLETED**
16. **Needed per section 65-9-E an estimate of cost to provide temporary and permanent vegetation and drainage, erosion and sediment control facilities shall be prepared.**

Roadway Profile and Detail, Sheet 9 of 13

- a. Centerline slopes are equal to or less than maximum allowed of 10%.
- b. The vertical curves of the centerline profile are acceptable for a private road serving 6 lots.
- c. Pavement Turning Circle detail
  - Radii are acceptable
  - Update road width and wearing course material on plan view to match cross section
- d. Concrete Monument – Show installation locations on Subdivision Plat

**COMPLETED**

Driveway Profiles and Details, Sheet 10 of 13

- e. Centerline slopes are equal to or less than maximum allowed of 12%.
- f. Vertical curve lengths are reasonable except for crest curve on lot 1 which may be too short to provide adequate sight distance.

**COMPLETED**

- g. *Road Underdrain Detail – A Potential curtain drain location is shown on the road cross-section detail. Detail should provided for the curtain drain which shall include the criteria for when the drain needs to be installed or the following note added "As ordered by site engineer or Town Engineer".*

**COMPLETED**

- h. *Driveway Cross Section detail*

- *Provide specifications or detail for driveways flanked by retaining*

**COMPLETED**

Storm Water Report

*The report submitted is well done and answers all concerns raised in previous reviews.*

Waivers recommended

*For Final Subdivision approval*

1. *Section 125-16A and 125-17H a vicinity map at a scale of 1" = 2000 feet*

*For Chapter 65 Permit*

1. *Section 65-9 A2, A3, A4, A6*

Mr. Pearson- There still needs to be the metes and bounds shown corrections to the cover sheet revising to say final plat, the public hearing date in the signature box, as well as the maintenance agreement and easement to the Town, we respectfully request conditional final subdivision approval and erosion and sediment control permit.

Conditions of preliminary have been met- he presented the maps and a brief description- there is a side access drive off of Rural Avenue. This location was determined by meeting with the Town Engineer and the Highway Superintendent. 6 lots with revision to the 6<sup>th</sup> lot the house was shifted back and to the right, the plans are consistent with the earlier preliminary plat. Date of the map being shown 6/11

Engineer Berger- reviewed all of the conditions of approval and modifications requested were completed. 1 condition was to provide pull offs for every driveway that is 700' long as per the recommendation of the Fire Company. What was done since preliminary was making the road a rural road so no pull offs were required. Lot 1 does have a pull off.

A: all of the Fire company concerns were addressed.

Some small items of review were recommended for waivers the check lists and rain gardens swales etc were provided as well as the bond estimate requested \$ 16,405.00.

Attorney Polidoro- If the Board finds that the submitted plat is in agreement with the Preliminary layout approved almost 2 years ago, then you don't have to hold a Public Hearing, and approval can be granted.

**RESOLUTION GRANTING CONDITIONAL FINAL SUBDIVISION APPROVAL AND  
EROSION AND SEDIMENT CONTROL PERMIT**

**DOVER ESTATES SUBDIVISION**

August 1, 2011

Tax Parcel Nos. 7060-00-788552 & 7060-16-779491

WHEREAS, an application for final approval of a plat to subdivide 16.64 acres into 6 residential lots, as depicted on the plat entitled, "Dover Estates, Town of Dover", dated 10/21/04, last revised 6/11, prepared by Northern Westchester Civil Engineering, PC, and an application for an erosion and sediment control permit, has been submitted to the Planning Board; and

WHEREAS, the proposed subdivision is located at Route 22 and Rural Avenue in the RU District and will be served by a private road; and

WHEREAS, on September 21, 2009, the Planning Board determined that the action would not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement would not be prepared and approved the preliminary layout; and

WHEREAS, by letter dated August 9, 2009, J. H. Ketcham Hose Company, Inc., submitted comments on the proposed layout, requesting, among other things, that a pull off area measuring 12' wide by 50' long be provided approximately 700' from Rural Avenue and that no hardscape features be placed within 10' of the road on either side; and

WHEREAS, the applicant has revised the plat to accommodate the Fire Company's requests; and

WHEREAS, pursuant to Section 277 of Town Law and Section 125-13 of the Code of the Town of Dover, before the Planning Board may approve a subdivision plat containing residential units, such subdivision plat shall also show, when required by such board, a park or parks suitably located for playground and other recreational purposes; and

WHEREAS, on September 21, 2009, the Planning Board found that a proper case exists for requiring that a park or parks be suitably located for playgrounds or other recreational purposes within the town and that a suitable park or parks of adequate size to meet the requirement cannot be properly located on the proposed plat and in lieu thereof requires that payment to the Town of Dover Recreation Trust Fund in the amount of \$ 15,000.00 be made prior to the signing of the Final Plat by the Planning Board Chair; and

WHEREAS, a duly noticed public hearing on the application was held on September 21, 2009, during which all those who wished to be heard were heard; and

WHEREAS, the final plat is in substantial agreement with the preliminary layout.

**NOW, THEREFORE BE IT RESOLVED, that, upon the recommendation of the Planning Board Engineer, the Planning Board hereby waives the requirements of Sections 125-16A, 125-17H and 65-9(A)(2), (3), (4) & (6) of the Town Code as they are not necessary for the review of this application.**

**BE IT FURTHER RESOLVED, that the Planning Board hereby grants conditional final plat approval to the subdivision plat entitled "Dover Estates, Town of Dover", Sheets 1-14, dated 10/21/04, last revised 6/11, prepared by Northern Westchester Civil Engineering, PC, and authorizes the Co-Chair or other authorized official to affix his or her signature to the plat after compliance with the following conditions:**

- 1. Revision of the plat to indicate that it is the final plat.**
- 2. Submission of a survey stamped by a licensed surveyor.**

- 3. Approval by Planning Board Attorney of method of ownership and maintenance of private road, including review of easement and maintenance agreement or HOA documents and declarations, and proof of filing of same with the Attorney General.**
- 4. Department of Health Approval for methods of water and sewage disposal.**
- 5. Revision of the Planning Board signature block on Sheet 1 to contain the correct public hearing date.**
- 6. Payment of all fees and escrow.**

**BE IT FURTHER RESOLVED, that the Planning Board grants the applicant an erosion and sediment control permit for disturbance as shown on the subdivision plat entitled, "Dover Estates, Town of Dover", Sheets 1-14, dated 10/21/04, last revised 6/11, prepared by Northern Westchester Civil Engineering, PC, subject to the following conditions:**

- 1. Submission of \$1,000.00 to be placed into escrow to cover the cost of site inspections by the Planning Board consultants.**
- 2. Submission of a performance guaranty in the amount of \$16,405.00 in form, substance, and matter of execution satisfactory to the Town Attorney.**
- 3. Proof of filing final subdivision plat with the County Clerk.**
- 4. Payment of all required fees and escrow.**

**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: Valerie LaRobardier    Seconded by: Michael Villano**

David Wylock	<u>Aye</u>
Valerie LaRobardier	<u>Aye</u>
Tom Holmes	<u>Aye</u>
Sharon Ipavich	<u>Aye</u>
James Johnson	<u>absent</u>
Peter Muroski	<u>Aye</u>
Michael Villano	<u>Aye</u>

Planning Board Co-Chair David Wylock

**HOWLANDS LAKE PARTNERS SUBDIVISION**

APPLICANT: Robert DeMeyers of Cricket Valley Energy  
 Plans Prepared by Jeff Hecker of Zarecki & Associates  
 Property located at 2241 NYS Rt 22, Dover Plains, NY on 72.082 acres in the M district  
 Application to subdivide a 72.082 acre parcel into 2 lots- 1= 52.117 acres 2=19.965 acres

Site walk was conducted on 7/26 - the applicants flagged the property lines. At this time the Board will not continue review until advised by our Attorney

Attorney Polidoro- the Attorney for RASCO was contacted as a courtesy, to advise him the subdivision was submitted. They are not aware of it and may contact our secretary for a copy of their submission

Planner- As the Board is aware DEC is lead agent on this application and the review is completely in their control

**CRYSTAL HOUSE EXPANSION 7063-12-771567- 0.97 acres & 7063-00-717621-20.1acres**

Applicant James Rogers for Crystal House  
 Plans Prepared by James Sullivan of Zarecki & Associates  
 Property located at: 97 Mill Street, Dover

Applicant seeks *Site Plan & Special permit* to add a rear second story addition to provide an additional 2.5 bathrooms with 9 additional resident rooms on a .97 acre parcel in the HR district  
*Subdivision* application has been submitted in order for the applicant to gain acreage to accommodate his SDS

Joel Chase- The first application is for Site Plan Special use- proposing to expand the use from 39 to 57 residents as well as an increase in staff from 6 to 18. The use is pre existing non-conforming; this action requires special use and site plan. The increase of personnel requires the expansion of the SDS. The existing site is limited for the increase. So the applicant has negotiated with a neighboring property owner and is will to purchase a vacant acreage in hopes of expanding the SDS and ultimately merging the 2 lots.

The second application is the lot line change- Mr. Rogers is hoping to hold off the purchase of the 2<sup>nd</sup> parcel until he's certain the DEC and Health Department are willing to sign off on the system

Engineer Berger's comments:

1. *Plans submitted for future application should include either a LS stamp on the map or a separate map showing the boundary, site improvements and site topography.*
2. *The map showing the SDS is referenced, this should also be provided or the location shown on the surveyor's map.*
3. *A bulk regulation table per sec 145-11 needs to be provided.*
4. *How many vehicles will be used on the site and is the parking shown adequate?*
5. *The expansion of the existing SDS will required DCHD approval.*
6. *The proposal should include some green practice for storm water such as a possible rain garden at the west side of the existing residence and near the existing drive on the east side of the drive if topography and soils allow. How will the increase in storm water runoff be treated?*
7. *Is the water service line adequate in size to provide the additional flow to the expansion? Please provide size and type of existing service line.*
8. *Will the proposed expansion have sprinklers for fire protection?*
9. *Please show sight distance at the entrance to the site.*

**AKRF, Comments:**

*The applicant proposes to expand an existing adult home from 39 beds with 6 employees to 57 beds with 18 employees. The proposed addition is 2,368 square feet, which represents a 41% increase in the total square footage. In addition, to accommodate the necessary septic expansion, the applicant now proposes to acquire the adjacent parcel and merge it with the existing lot. The applicant states that the use of the existing building for an adult home pre-dates the adoption of the Zoning Code in 1999, thus making it a pre-existing non-conforming use. The proposed expansion would not increase any pre-existing non-conforming lot or bulk regulations.*

**COMMENTS**

1. Pursuant to §145-25.B, “The Planning Board may issue a special permit allowing an expansion of a nonconforming use or structure by up to 50% of its area at the time of the adoption of this chapter, provided that all other requirements can be met, and that such expansion does not reduce any nonconforming setbacks by more than 20%.” As such, the proposed expansion requires a Special Permit from the Planning Board and findings pursuant to §145-63 will be required.

2. A landscaping and lighting plan for the project should be provided. The applicant should consider the installation of outdoor recreational amenities to serve the residents, such as a patio, sitting areas, walking paths, or garden.

Attorney Polidoro: The Board should make the determination if the application is complete, circulation for Lead agency can be started.

**Motion made by Peter Muroski set the Public Hearing on the Crystal House Expansion for September 19, 2011 2nd by Valerie LaRobardier**

VOTE: CO-CHAIR WYLOCK – AYE  
MEMBER JAMES JOHNSON - ABSENT  
MEMBER MICHAEL VILLANO - AYE  
MEMBER TOM HOLMES – AYE

CO-CHAIR VALERIE LAROBARDIER- AYE  
MEMBER PETER MUROSKI – AYE  
MEMBER SHARON IPAVICH – AYE

*Motion approved*

**RESOLUTION CLASSIFYING ACTION AND DECLARING INTENT TO SERVE AS LEAD AGENCY IN A COORDINATED SEQRA REVIEW**

**CRYSTAL HOUSE EXPANSION**

August 1, 2011

Property Address: 97 Mill Street, Dover Plains

WHEREAS, the applicant, James Rogers, has submitted an application for special permit, site plan and subdivision approval for the expansion of an preexisting nonconforming Residential Care Facility, located at 97 Mill Street, Dover Plains, in the Hamlet Residential District, identified as Tax Parcel Nos. 7063-00-717621 and 7063-12-771567 (the “site”); and

WHEREAS, pursuant to Section 145-10 of the Code, the Planning Board may issue a special permit allowing an expansion of a nonconforming use or structure by up to 50% of its area at the time of adoption of the zoning law, provided that all other requirements can be met and that such expansion does not reduce any nonconforming setbacks by more than 20%; and

WHEREAS, the facility currently has 39 beds and 6 and the applicant is proposing to expand the facility to accommodate 18 additional beds and 12 additional employees; and

WHEREAS, the applicant is proposing to merge his existing .97 acre lot with the adjacent 20.1 acre lot to provide adequate area for expansion of the sewage disposal system; and

WHEREAS, the application was accompanied by a Short Environmental Assessment Form (“EAF”) dated July 13, 2011; 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 application as an unlisted action under SEQRA and further declares its intent to serve as lead agency in a coordinated review of the project, and directs the Secretary to the Planning Board to circulate notice of its intent to all involved and interested agencies.**

**Moved by:** Valerie LaRobardier      **Seconded by:** Michael Villano

David Wylock	<u>Aye</u>
Valerie LaRobardier	<u>Aye</u>
Tom Holmes	<u>Aye</u>
Sharon Ipavich	<u>Aye</u>
James Johnson	<u>absent</u>
Peter Muroski	<u>Aye</u>
Michael Villano	<u>Aye</u>

Planning Board Co-Chair David Wylock

**Involved Agencies:**

**Architectural Review Board  
Dutchess County Department of Health  
NYS Department of Environmental Conservation**

**Interested Agencies:**

**JH Ketcham Fire Company  
Metro North Railroad  
State Police  
County Sheriff**

**DiPasqua Pond ESC- 7159-00-447416**  
Applicant: Michael DiPasqua  
Plans prepared by John Watson of Insite Engineering  
Property located: at 165 Duell Hollow Road, Wingdale, on 29.7 acres in the RC district  
Application for an Erosion Control permit to excavate and dredge a pond

Theresa Ryan from Insite Engineering

Chapter 65 submitted to dredge an existing pond. This pond was used quite a few years ago for the Girl Scout camp. It was dredged around 15 years ago; a significant amount of sediment has accumulated since then, mostly from hurricane Floyd. The plan is to dredge 3,000-5,000

cubic yards of material, deposit it in a tree cleared area just to the north of the pond, about 100' from the stream. It will be dewatered there and spread within 50' of the existing stream.

There is also an application before DEC for the same operation, a NOCA was received. That information along with a negative declaration in an uncoordinated review, a long form EAF, a copy of the wetland report to delineated ARMY Corp wetlands- which there are and they are staying at least 50' away from those wetlands. Also submitted were copies of the permits received for the construction of a bridge and a driveway permit. The site is approximately 30 acres but there is limited road frontage along Duell Hollow road. The only way to access the site is to cross Duell Hollow Brook; there was 1 large culvert and 2 smaller ones with concrete and stone backing. This is a CT stream and the work on the pond needs to be done by October 1.

Co Chair Wylock- what was the delay in submitting the application to us?

A: They didn't realize an ESC permit was needed. Application were submitted t DEC and ARMY Corps, the wetlands were delineated and it has been quite a process.

Q: The driveway off of Duell Hollow Road, was that an original trail?

A: Part of it is original and part has been relocated. The original trail followed the southern boundary and it was relocated slightly north because the owners will have horses and needed the turning radius for a truck and trailer, so it had to be shifted.

Attorney Polidoro- Did that not meet the thresholds for an ESC permit?

A: they were not sure

The thresholds are ½ acres or 200 yards of disturbance

A: a call was made for the driveway permit and she was informed by the Building department the driveway permit was all that was needed

Planner- So you're here for erosion control for the driveway which has already been constructed?

A: The dredging of the pond, they didn't realize they needed it for the driveway. There should have been an ESC permit for the driveway, is there any violation?  
Engineer Berger - Not that we know of.

The use will be for a single family home with a 7 stall horse barn with living quarters for the barn  
Engineer Berger- When that happened you will need a chapter 65 for that construction

Currently it is vacant land

Site walk set for August 10, 2011 @ 5:30 pm

This way we can review our findings at the August 15<sup>th</sup> meeting

**Motion made by Peter Muroski set the escrow at \$3,000.00 2nd by Tom Holmes**

VOTE: CO-CHAIR WYLOCK – AYE  
MEMBER JAMES JOHNSON - ABSENT  
MEMBER MICHAEL VILLANO - AYE  
MEMBER TOM HOLMES – AYE

CO-CHAIR VALERIE LAROBARDIER- AYE  
MEMBER PETER MUROSKI – AYE  
MEMBER SHARON IPAVICH – AYE

*Motion approved*

MINUTES: July 18, 2011

MINUTES WILL BE TABLED TO THE AUGUST 15 MEETING

- The deadline for September has been extended from August 10 to August 17
- The September 5 meeting has been cancelled due to Labor Day

**Motion made by Peter Muroski to adjourn at 9:27 2nd by Michael Villano**

VOTE: CO-CHAIR WYLOCK – AYE  
MEMBER JAMES JOHNSON - ABSENT  
MEMBER MICHAEL VILLANO - AYE  
MEMBER TOM HOLMES – AYE

CO-CHAIR VALERIE LAROBARDIER- AYE  
MEMBER PETER MUROSKI – AYE  
MEMBER SHARON IPAVICH – AYE

*Motion approved*

Respectfully submitted,

***Betty-Ann Sherer***

Betty-Ann Sherer

PlanningARB@TownofDoverNY.US

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[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