

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 15, 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 Engineer Joseph Berger

For the Applicants: 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 7:04 pm by Chair Wylock and began with the Pledge of Allegiance

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

August 10, 2011 the Planning Board conducted a site walk with Our Engineer Planner and the Applicant's Engineer

Engineer Berger-The erosion control is already on site and stabilized. The site is in good shape. The dredging of the pond is warranted and the plans as presented show all of the proper mitigation to protect the environment from the dredging.

No comments from the Board

The Board confirmed there was no necessity for a Public hearing to be held on this application

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

RESOLUTION DETERMINING SIGNIFICANCE AND GRANTING EROSION AND SEDIMENT CONTROL PERMIT

DIPASQUA

August 15, 2011

Property Address: 165 Duell Hollow Road

WHEREAS, the applicant, Michael DiPasqua, has submitted an application for approval of an erosion and sediment control permit to dredge between 3,000 and 5,000 cubic yards of sediment from an existing pond on property located at 165 Duell Hollow Road, Wingdale, identified as Tax Parcel No. 7159-00-447416 (the "site"); and

WHEREAS, the applicant has submitted an erosion and sediment control plan entitled, "Pond Excavation Plan", Sheets 1 and 2 of 2, prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated February 7, 2011; and

WHEREAS, excavation of more than 200 cubic yards of material requires an erosion and sediment control permit pursuant to Chapter 65 of the Town Code; and

WHEREAS, the application was accompanied by a short Environmental Assessment Form ("EAF") dated March 3, 2011 and a full EAF dated July 28, 2011; and

WHEREAS, the application is an unlisted action under 6 NYCRR 617.4 and 617.5; and

WHEREAS, the site is located in the Duell Hollow Critical Environmental Area; and

WHEREAS, according to the applicant, the pond was dredged approximately 15 years ago and the material was placed onsite in the current proposed area of disturbance, so that the only areas currently proposed for disturbance have been previously disturbed; and

WHEREAS, the applicant has applied to the Department of Environmental Conservation ("DEC") for an Article 15 permit and a Clean Water Act Quality Certification, which adopted a determination of non-significance in an uncoordinated environmental review of the project; and

WHEREAS, the DEC performed a search of the Natural Heritage database, which indicated that no threatened or endangered species had been identified in the vicinity of the site; and

WHEREAS, the Planning Board has considered the criteria contained in 6 NYCRR 617.7 and thoroughly analyzed all identified relevant areas of environmental concern; and

WHEREAS, the Planning Board has, in its discretion, determined that a public hearing will not be held on this application.

NOW THEREFORE BE IT RESOLVED that the Planning Board hereby waives the requirements of Section 65-9A(1), (2), (4), (5) and (6) of the Town Code based upon the recommendation of the Planning Board Engineer.

BE IT FURTHER RESOLVED, that the Planning Board finds that the proposed action will not have a significant adverse impact on the environment and a Draft Environmental Impact Statement will not be prepared.

BE IT FURTHER RESOLVED, that the Planning Board grants the applicant an erosion and sediment control permit for disturbance as shown on the plan entitled, "Pond Excavation Plan", Sheets 1 and 2 of 2, prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated February 7, 2011, subject to the following:

- 1. Submission of final Article 15 permit from the DEC.**
- 2. Submission of \$1,000.00 to be placed into escrow to cover the cost of site inspections by the Planning Board Engineer or Planner.**
- 3. Submission of a performance guaranty in the amount of \$16,400.00 in form, substance, and matter of execution satisfactory to the Town Attorney.**
- 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 Ipvavich	<u>Aye</u>
James Johnson	<u>absent</u>
Peter Muroski	<u>Aye</u>
Michael Villano	<u>Aye</u>

Planning Board Co-Chair David Wylock

The Building inspector may require the applicant to return for an erosion control permit for the driveway

I. MINUTES : July 18, 2011

Motion made by Peter Muroski to accept the minutes of July 18, 2011 2nd by Tom Holmes

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
MEMBER TOM HOLMES– AYE	

Motion approved

- The deadline for September has been extended form August 10 to August 17
- The September 5 meeting has been cancelled due to Labor Day
- The next meeting is scheduled for September 19

Planning Federation training in October - Please contact the Secretary if you wish to attend

Motion made by Michael Villano to adjourn at 7:18 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

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.townofdoveryny.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