

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, February 6, 2012
7:00PM

- Co-Chair David Wylock
- Co- Chair Valerie LaRobardier
- Member Peter Muroski
- Member Michael Villano
- Member Tom Holmes

Also, in attendance representing the Planning Board was Planner Susan Jainchill, Attorney Victoria Polidoro & Engineer Berger

For the Applicants: Jaime Scaglione, Jack DiPietro & Attorney Rick O'Rourke for Stony Brook Estates, Lewis Fitzgerald & Debra Drake for NYSEG Substation, Joel Chase, Bill Dachille & Mark DelBalzo for Dachille Subdivision, 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: 07 pm by Chair Wylock and began with the Pledge of Allegiance

PUBLIC HEARING- STONY BROOK ESTATES SPECIAL PERMIT RENEWAL- 7063-00-442492

APPLICANT RandallIO Inc

PROPERTY LOCATED - NYS Rt 22, Dover Plains

APPLICATION FOR renewal of a Special Permit for 28 Condominium units on 38.01 acres of land in the RC district, with no change to previously approved plans

COUNTY 239- M RECEIVED AS "A MATTER OF LOCAL CONCERN" 1/23/12

ARB RE APPROVAL GRANTED 1/23/12

THE APPLICANT REQUESTED A DELAY IN OPENING THE PUBLIC HEARING UNTIL THEIR ATTORNEY ARRIVES

FOUR SEASONS PLAZA 7059-00-757268

APPLICANT Giocondo DiPietro PLANS PREPARED by Michael Circosta

PROPERTY LOCATED at 12 Furlong Drive Wingdale

APPLICATION FOR Site Plan Amendment- applicant wishes to expand the use from the previously approved 4 retail businesses to 6, no change in foot print on an 1.95 acre parcel in the SR district

Michael Circosta- Revisions have been made to the Plans

The project may now be 6 stores not 7, due to an interest by a tenant.

Revisions have been made to the zoning data on the map

The original zoning did not provide provisions for certain calculations to complete the chart

Engineer Berger-

I have reviewed the above plans and reviewed the site and offer the following comments for consideration:

1. *The original sealed survey needs to be included in the application package.*
Still needs to be provided
2. *The revised plans has been modified per comments made during the site walk however several items are still needed.*
 - a. *bulk table showing all the current uses with sf areas.*
 - b. *sign at Rt 22 showed*
Completed this will need NYSDOT approval
 - c. *Engineers report showing how current and anticipated flows do not exceed current DCHD approval*
Completed.
 - d. *Table showing parking calculations to show adequate parking exist onsite.*
Needs to be clarified as what is required and what is existing.

We will need DOT approval; a letter would satisfy this requirement.

There are clarifications needed for the parking calculation on the bulk table

All other comment have been addressed

Planner Jainchill:

The revised site plan, as submitted, is incomplete and presents incorrect information. The following items should be corrected and/or added:

1. The Zoning Data information is incorrect, incomplete and confusing. The zoning district is currently "SR" (Suburban Residential) not RS as shown on the submitted sheet. The prior zoning district is CO (Commercial/Office). **Completed.**

At a minimum, as stated in the AKRF memo dated 11/17/11, the Applicant should update the Zoning Data table. If the Applicant would like to include information about the zoning requirements of the previous zoning designation an additional column should be added to reflect the lot and bulk requirements of the CO zoning district as well. The information in these columns should reflect the zoning code requirements and should not read "per planning board" **Still needs to be provided - Clarification minimum as per C zoning and Minimum as per SR zoning**

2. The site plan includes a table indicating the proposed use and parking requirements for each store, as requested in the AKRF memo dated 11/17/11, but the table is confusing. The column titled "Parking Spaces" should be title "Parking Spaces required". **Completed**

The column "Current Uses" should be title "Current Tenants". An additional column titled "Current Use" should be added. This column should indicate the use of the each space as defined in the current Town of Dover Code (i.e. retail, office, light industry, etc.) **Still needs to be completed**

3. A more detailed/clear location map has been provided in the current submission as requested in the AKRF memo dated 11/17/11. **Completed**

4. The location of the site signage has been shown on the site plan as requested in the AKRF memo dated 11/17/11. **Completed**

5. The edges of the planting areas have been defined on the site plan and a table indicating the common and botanical names of the existing vegetation has been provided. For clarity this table should be titled "Existing Site Plantings" or something similar. The column titled "Caliper or Size" is not in a format descriptive of existing planting. The approximate sizes should be called out in reference to the height or spread of the plant (i.e. - 3 ft high hedge or 15 ft high x 8 ft wide evergreen shrub). Alternatively the vegetation can be shown and called out on the plan to indicate the current size of the shrub. The intent is to have an accurate record of the exiting site conditions for future reference. ***Still needs to be completed***

6. The location of doors accessing each of the stores should be indicated on the site plan
And covered walkway ***Still needs to be provided***

Attorney Polidoro- In the bulk table it is noted the Town of Dover code has been substantially revised in 1998, but you have not stated what it was approved for- it should be stated the site was approved for retail business/ service in 1998 - this will allow the language to carry over to this map.
The board still needs to send this to County Planning.

Chair - There have been no changes to the foot print of this structure, it is his opinion the Board can waive Public Hearing on this

Motion made by Peter Muroski to waive Public Hearing on the Four Season Site Plan amendment 2nd by Michael Villano

VOTE: CO-CHAIR WYLOCK - AYE
MEMBER PETER MUROSKI - AYE
MEMBER TOM HOLMES - AYE

CO-CHAIR VALERIE LAROBARDIER - AYE
MEMBER MICHAEL VILLANO - AYE

Motion approved

Motion made by Michael Villano to send this application to Dutchess County Planning 2nd by Valerie LaRobardier

VOTE: CO-CHAIR WYLOCK - AYE
MEMBER PETER MUROSKI - AYE
MEMBER TOM HOLMES - AYE

CO-CHAIR VALERIE LAROBARDIER - AYE
MEMBER MICHAEL VILLANO - AYE

Motion approved

It has been mentioned that you may have a tenant for a Day Care Center- the Board has no problem, but a word of caution there are very restrictive regulations on that use, before your client gets too involved make certain every I is dotted and t is crossed

Engineer Berger- You would need to return to the Health Department- there are different uses of flow and water usage and out door recreation etc. The State is very specific on how this can be done.

Once this is figured out - you would need to return for an amendment of site plan

PUBLIC HEARING- STONY BROOK ESTATES SPECIAL PERMIT RENEWAL- 7063-00-442492

APPLICANT RandallIO Inc

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COUNTY 239- M RECEIVED AS "A MATTER OF LOCAL CONCERN" 1/23/12

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**PUBLIC NOTICE
TOWN OF DOVER PLANNING BOARD
Public Hearing
February 6, 2012 - 7:00 PM**

Project Name: "Stony Brook Estates" Project Address: NYS Route 22

Applicant seeks: Renewal / Reissuance of a Special Permit for 28 Condominium units

The Town of Dover Planning Board will hold a Public Hearing for the Renewal / Reissuance of a Special Permit on the application known as Stony Brook Estates on Monday February 6, 2012, at 7:00 PM at the Town of Dover Town Hall, 126 East Duncan Hill Road, Dover Plains, NY 12522. The parcel is located in the RC District, on NYS Route 22 in the Town of Dover. The Applicant seeks to create 28 family dwellings units on a 38.01 acre parcel with 50% preserved open space.

The property is bounded on the North by n/f Care, Russo, Reichenberg, Eimicke, Furnia and Muir, West by n/f the Town of Dover South by n/f Dover Plains Water Company, Town of Dover East by n/f Farinon, Cresci, Four Brothers Pizza, Town of Dover, J.H. Ketcham Hose Company, M.Whalen, G.Whalen, E.Yeno, W.Yeno, , Dover Union Free School District, , Henderson ,Rennia, House, Haan, Quezada, VSH Realty, Saugerties Fuel, 3 Brady Lane, Shelters Schibanoff and Ostrander

If you have any questions please feel free to contact the Planning Board office at (845)832-6111 ext 100, Monday -Friday between 9 Am and 4 PM.

Attorney O'Rourke- this is an application which already had received this very permit as well as ESC. Site Plan & Subdivision a large portion of which was donated to the Town for preservation of the Dover Stone Church. With respect to the code, this is one permit which does not provide for extension as we need it. This has been the subject of multiple public hearings; we now seek approval for this project as it was previously approved with no changes. County Planning - had no issue as well as the ARB.

Motion made by Valerie LaRobardier to open the Public Hearing for the Stony Brook Estates Special Permit renewal 2nd by Michael Villano

VOTE: CO-CHAIR WYLOCK - AYE

MEMBER PETER MUROSKI - AYE

MEMBER TOM HOLMES - AYE

CO-CHAIR VALERIE LAROBARDIER - AYE

MEMBER MICHAEL VILLANO - AYE

Motion approved

There were no comments from the Public

Attorney Polidoro- When this project was originally approved it was subject to conditions

The applicant has since met those conditions and maps were signed, this time many of the permits are still valid, but a condition has been added that states it is the Applicants responsibility to assure the approvals remain valid and no building permit can be permitted unless those permits are valid

Motion made by Valerie LaRobardier to close the Public Hearing for the Stony Brook Estates Special Permit renewal 2nd by Tom Holmes

VOTE: CO-CHAIR WYLOCK – AYE
MEMBER PETER MUROSKI – AYE
MEMBER TOM HOLMES- AYE

CO-CHAIR VALERIE LAROBARDIER- AYE
MEMBER MICHAEL VILLANO - AYE

Motion approved

RESOLUTION REISSUING SPECIAL PERMIT

STONYBROOK ESTATES

February 6, 2012

Property Address: NYS Route 22, Dover Plains, NY

WHEREAS, on February 1, 2010, the Planning Board granted the applicant, Randallo, Inc., site plan, special permit and erosion and sediment control permit approval to construct a 28 dwelling unit condominium development on a 100.9 acre site located on Route 22, Dover Plains, in the RC District, Tax Grid Nos. 7063-00-442492 & -390362 (the “site”), known as “Stony Brook Estates”; and

WHEREAS, on December 4, 2007, the Planning Board approved a subdivision plat in connection with the application, which has been duly filed in the County Clerk’s Office as Filed Map number 12219; and

WHEREAS, the applicant has conveyed an easement to the Dutchess Land Conservancy to preserve 50.53 acres of the site in perpetuity and has conveyed 62.9 acres of land to the Town of Dover for use as a public park, and the project will be constructed on the remaining 38.1 acres; and

WHEREAS, on December 4, 2007, the Planning Board determined that the proposed action would not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement would not be prepared, which determination was reaffirmed by the Board on December 7, 2009, after reviewing the project and any and all changed circumstances surrounding the project site; and

WHEREAS, pursuant to Section 145-63 of the Code, a special permit shall expire if the applicant fails to obtain the necessary building permits or comply with the conditions of the special use permit within 12 months of its issuance; and

WHEREAS, by letter dated December 20, 2011, the applicant’s attorney requested that the special use permit be renewed; and

WHEREAS, on January 16, 2012, the Planning Board granted the applicant one-year extensions of site plan and erosion and sediment control permit approval; and

WHEREAS, the application was referred to the Architectural Review Board which reaffirmed its prior approval on January 23, 2012; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, the matter was referred to the Dutchess County Department of Planning and Development, which responded on January 23, 2012 that it was a matter of local concern; and

WHEREAS, a duly noticed public hearing on the reissuance of the special use permit was held on February 6, 2011, during which all those who wished to speak were heard; and

WHEREAS, the Planning Board has considered the particular circumstances of the applicant which warrant an extension thereof.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby reaffirms its prior determination of non-significance for the project, issued on December 4, 2007 and reaffirmed on December 7, 2009; and

BE IT FURTHER RESOLVED, that the Planning Board hereby reissues the special permit for the multi-family 28-unit condominium development known as "Stony Brook Estates", as depicted on the map set entitled "Stony Brook Estates," prepared by Michael J. Budzinski, P.E., last revised November 5, 2009, subject to the conditions set forth in the resolution granting approval dated February 1, 2010; and

BE IT FURTHER RESOLVED, that it is the applicant's responsibility to ensure that all agency permits and approvals, including but not limited to conceptual DOT approval, DOH approval, and SWPPP approval remain valid and in effect, and no building permit shall be issued for any improvements on site until the applicant has provided the Building Inspector with valid copies of all required approvals and permits; and

BE IT FURTHER RESOLVED, that the following conditions shall be met prior to the issuance of any Certificates of Occupancy for the residential units:

1. All disturbed areas shall be graded, seeded and/or stabilized and mulched to the satisfaction of the Planning Board Engineer and in accordance with the erosion and sediment control permit.
2. Proof of approval or no-action letter from the Attorney General's office of the Declaration of Condominium, By-laws, and Rules and Regulations.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Moved by: Valerie LaRobardier Seconded by: Peter Muroski

David Wylock	<u>Aye</u>
Valerie LaRobardier	<u>Aye</u>
Tom Holmes	<u>Aye</u>
Peter Muroski	<u>Aye</u>
Michael Villano	<u>Aye</u>

Planning Board Co-Chair David Wylock

NYSEG -DOVER PLAINS SUB STATION 7163-13-059456

APPLICANT Lewis Fitzgerald for PROPERTY OWNER NYSEG

PROPERTY LOCATED at 5 McCarthy Road, Dover

APPLICATION FOR Site Plan- to construct a new - pre fabricated 12 X 18 control building to house new power equipment on an existing 1 acre parcel in the RUY district

Lewis Fitzgerald- They just came out of the ARB meeting in which approval of their review was granted.

Engineer Berger-

Comments:

1. *The proposal is minimal in area and intensity.*
2. *In accordance with section 145-67 procedure for minor project review Requirements of section 145-65 B may be waived as deemed appropriate by the planning board.*

“Required information for site plan: An application for site plan approval shall be accompanied by plans and descriptive information sufficient to clearly portray the intentions of the applicant. Minor project site plans shall contain only such information listed below as the Planning Board deems necessary to conduct an informed review. “

(1) A vicinity map drawn at the scale of 2,000 feet to the inch or larger that shows the relationship of the proposal to existing community facilities which affect or serve it, such as roads, shopping areas, schools, etc. The map shall also show all properties, subdivisions, streets, and easements within 500 feet of the property. Such a sketch may be superimposed on a United States Geological Survey or New York State Department of Transportation map of the area.

A Location map with no scale is provided but the location being at an intersection of two streets is easy to find using this map. A waiver is recommended for this application

(2) An existing conditions map, showing existing buildings, roads, utilities, and other man-made features, as well as topography and all existing natural land features that may influence the design of the proposed use, such as rock outcrops, single trees eight or more inches in diameter located within any area where clearing will occur, forest cover, soils (including prime and statewide important agricultural soils), and ponds, lakes, wetlands and watercourses, aquifers, floodplains, and drainage retention areas.

The site is flat and the improvements proposed are minor. As such the information provided is adequate for an engineering review. A waiver is also recommended.

(3) A site plan, drawn at a scale and on a sheet size appropriate to the project. The information listed below shall be shown on the site plan and continuation sheets.

Completed

(4) Name of the project, boundaries, date, North arrow, and scale of the plan, name and address of the owner of record, developer, and seal of the engineer, architect, or landscape architect. If the applicant is not the record owner, a letter of authorization shall be required from the owner.

Map needs to have seal of professional engineer and land Surveyor.

A 1951 survey map showing no site improvements and no seal was provided.

The requirements for a sealed survey showing eth existing conditions still needs to completed.

(5) The location and use of all existing and proposed structures within the property, including all dimensions of height and floor area, all exterior entrances, and all anticipated future additions and alterations.

Completed

(6) The location of all present and proposed public and private ways, off-street parking areas, driveways, outdoor storage areas, sidewalks, ramps, curbs, paths, landscaping, walls, and fences. Location, type, and screening details for all waste disposal containers shall also be shown.

Proposed landscaping has been provided.

(7) The location, height, intensity, and bulb type (sodium, incandescent, etc.) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties must also be shown.

No proposed lighting is shown. If proposed this should be provided.

(8) The location, height, size, materials, and design of all proposed signs.

No signs are being proposed

(9) The location of all present and proposed utility systems, including:

(a) Sewage or septic system;

(b) Water supply system;

(c) Telephone, cable, and electrical systems; and

(d) Storm drainage system, including existing and proposed drain lines, culverts, catch basins, headwalls, endwalls, hydrants, manholes, and drainage swales.

No facilities are shown or proposed in this application. The site is flat but no additional drainage is proposed.

(10) Erosion and sedimentation control plan required by Chapter 65 of the Dover Town Code to prevent the pollution of surface or ground water, erosion of soil both during and after construction, excessive runoff, excessive raising or lowering of the water table, and flooding of other properties, as applicable.

The proposal is under the threshold for a chapter 65. It is recommend that a note stating

All appropriate and applicable erosion control practices as specified in the New York State Blue Book including and not limited to seeding and mulching of any disturbed areas, be undertaken

Completed.

(11) Existing and proposed topography at two-foot contour intervals or such other contour interval as the Board shall specify. All elevations shall refer to the nearest United States Coastal and Geodetic Bench Mark. If any portion of the parcel is within the one-hundred-year floodplain, the area will be shown and base flood elevations given. Areas shall be indicated within the proposed site and within 50 feet of the proposed site where soil removal or filling is required, showing the approximate volume in cubic yards.

The site is relatively flat and the proposal is minimal in size and disturbance.

I recommend waving this requirement.

Completed

(12) A landscape, planting, and grading plan showing proposed changes to existing features.

Completed

(13) Land use district boundaries within 200 feet of the site's perimeter shall be drawn and identified on the site plan, as well as any overlay districts that apply to the property.

This can be waived by planning board.

(14) Traffic flow patterns within the site, entrances and exits, and loading and unloading areas, as well as curb cuts on the site and within 100 feet of the site. The Planning Board may, at its discretion, require a detailed traffic study for large developments or for those in heavy traffic areas to satisfy the requirements of § [145-40N](#).

No traffic study is needed for this application and the site access is shown on the site plan

(15) For new construction or alterations to any structure, a table containing the following information shall be included:

Information for this use not needed

(16) Elevations at a scale of 1/4 inch equals one foot for all exterior facades of the proposed structure(s) and/or alterations to or expansions of existing facades, showing design features and indicating the type and color of materials to be used.

Completed

(17) Where appropriate, the Planning Board may request soil logs, percolation test results, and storm runoff calculations.

For this limited proposed I feel this information is not required.

(18) Plans for disposal of construction and demolition waste, either on site or at an approved disposal facility.

Completed with a note

Lewis Fitzgerald- we feel there was a cross in communication for the Survey and accepts responsibility for that, a professional survey with seal will be provided to the Board as soon as possible.

Planner- There are mature evergreen trees on site and she would like to see them on the survey and be assured they will not be disturbed.

Attorney Polidoro- we have a little wrinkle we do not have the documentation that shows there is an existing special permit granted for this site. Public Utilities are permitted but need a special permit, so while the Board can waive the public Hearing on Site plan, they can not for Special permit.

No further comments from the Board

Motion made by Michael Villano to set the Public Hearing for this Special Permit 2nd by Valerie LaRobardier

VOTE: CO-CHAIR WYLOCK – AYE CO-CHAIR VALERIE LAROBARDIER- AYE
MEMBER PETER MUROSKI – AYE MEMBER MICHAEL VILLANO - AYE
MEMBER TOM HOLMES- AYE

Motion approved

DACHILLE SUBDIVISION 6959-00-383093

Plans prepared by Zarecki & Associates

Property located at 51 Dugway Drive, Wingdale

Application to subdivide a 5.98 acre parcel with existing residence, detached garage and pool

Into 2 lots, Parcel is located in the RC and the SR districts

Mark DeIBalzo - This application was before the board- we were asked to get some input from DEC regarding some environmental issues with the wetlands, this information has been provided to the Board. There has been a wetland mitigation plan/ crossing plan which was worked on with DEC. We request SEQRA determination and possible setting of the Public Hearing.

Engineer Berger-

Comments:

1. *The application is complete for SEQRA
It is recommended that when final maps are submitted a rain garden for storm water runoff from the house be shown.*
2. *Site requires reflagging of the wetland as its more then 5 years old.
Completed*
3. *The proposed driveway to lot 2 crosses the state wetland and buffer and will require a permit. The crossing has provided information required by NYSDEC and is found acceptable.*
4. *An area variance is needed for the subdivision to be considered.
This has been obtained.*
5. *Is the stream regulated and if so the site may be subject to the stream overlay district
The NYSDEC has reviewed and provided a letter accepting the proposal.*
6. *Driveway should be designed to meet the fire department recommendations. A turnout is recommended.
Completed*
7. *Dutchess County Health Department approval for SDS and well is needed.
Needed for Final Approval*

As we move towards final- the applicant should look to rain gardens for the SDS silt fence was shown around the area of disturbance, an orange fence may be helpful to show the areas for the contactors to stay away from.

Planner Jainchill:

As stated in AKRF's memoranda dated November 12, 2010 and April 29, 2011, a wetland and wetland buffer mitigation plan should be prepared for the proposed project and submitted to the Planning Board. The watercourse, wetland and buffer through which the access drive is shown to be constructed are protected by both NYSDEC and ACOE because they have some environmental value.

This value will be impacted by the clearing of existing vegetation and filling of material which will support the driveway for the new residential lot. It is AKRF's recommendation that mitigation be provided for the approximately 1,000 square feet of wetland and watercourse area, and 2,800 square feet of wetland buffer area directly impacted by the project.

Is there an existing culvert?

A: yes

The NYS DEC Guidelines on Compensatory Mitigation state that the preference is to avoid or minimize any impact on state regulated wetlands. As stated in AKRF's April 29, 2011 memorandum, the proposed impacts to the wetland, wetland buffer, and watercourse areas are avoidable. Since there proposed project will

require a discretionary action by the Planning Board, and impacts could be *avoided* by the Planning Board denying the subdivision application. The applicant could *minimize* impact by bridging over the stream or using a box culvert to reduce the area of fill within the wetlands and wetlands buffer

Mitigation for impact within the wetlands as shown in the submitted plans may consist of creating new wetlands with a similar function or enhancing the function of the remaining wetlands. One possibility is a plan to remove existing of invasive vegetation in a defined area and introduce appropriate native plant types to benefit wetland function and wildlife habitat. This plan would also include monitoring of the site for a period of time to assure establishment of the new vegetation. 1:1 if not 2:1 ratio on the wetland addition

The Engineer for this project agreed to these points, and a list of plantings is to be submitted to the Board.

There already appears to be a 2:1 restoration area

Member- Was there a repairing type planting along the driveway to stabilize the drives way edges before it gets into the swamp?

A: that is a good idea.

Attorney Polidoro- Because this is subdivision the Planning Board can not set Public Hearing until SEQRA is done, we have prepared a resolution for your consideration. The applicant has provided a limited habitat study and there is a letter from DEC which says it is acceptable. We do have the concept of the mitigation plan in place

After review of the long form EAF dated submitted 11/29/11 the following resolution was adopted:

Comment: the addition of a native species proposal in the area of disturbance clause

RESOLUTION ADOPTING DETERMINATION OF NON-SIGNIFICANCE

DACHILLE CONVENTIONAL SUBDIVISION

February 6, 2012

51 Dugway Drive, Pawling

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

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

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

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

WHEREAS, on December 6, 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 action, to which no other agency has objected; and

WHEREAS, by letter dated December 6, 2010, the New York State Department of Environmental Conservation (“DEC”) Natural Heritage Program advised the applicant that the New England Cottontail, a species of special concern, is located within the vicinity of the project site; and

WHEREAS, Aspen Environmental prepared a limited habitat survey dated March 30, 2011, and supplemental submission dated April 4, 2011 (“Aspen Report”), which concluded that there is not sufficient ground coverage for the New England Cottontail on the site and that the habitat would not support any other protected species; and

WHEREAS, the Aspen Report further indicated that the stream which traverses the site is of average quality and that the wetlands found at the rear of the site are one of the most commonly found wetland communities in the state and that the proposed stream crossing would not constitute an adverse impact to these water resources; and

WHEREAS, by letter dated November 17, 2011, the DEC advised the applicant and the Board that technical staff has reviewed the submitted information and found it to be acceptable to the DEC standards; and

WHEREAS, by e-mail dated December 8, 2011, the US Army Corps of Engineers advised the applicant and the Board that the applicant may proceed with the project as proposed; 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.

WHEREAS, the Applicant has proposed to plant native species in the area of disturbance.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby determines that the Dachille Conventional Subdivision will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared, and directs the Secretary to the Board to provide notice of the negative declaration to all involved and interested agencies.

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

David Wylock	<u>AYE</u>	Valerie LaRobardier	<u>AYE</u>
Tom Holmes	<u>AYE</u>	Peter Muroski	<u>AYE</u>
Michael Villano	<u>AYE</u>		

Planning Board Co-Chair David Wylock

Involved and Interested Agencies:

NYS Department of Environmental Conservation
NYS Office of Parks, Recreation and Historic Preservation
J.H. Ketcham Hose Company, Inc.
Dutchess County Department of Health

**Motion made by Michael Villano to set the Public Hearing for the Dachille Subdivision
2nd by Tom Holmes**

VOTE: CO-CHAIR WYLOCK – AYE	CO-CHAIR VALERIE LAROBARDIER- AYE
MEMBER PETER MUROSKI – AYE	MEMBER MICHAEL VILLANO - AYE
MEMBER TOM HOLMES- AYE	

Motion approved

APPROVAL OF MINUTES JANUARY 16, 2012

**Motion made by Michael Villano to approve the minutes of January 16, 2012 as submitted
2nd by Valerie LaRobardier**

VOTE: CO-CHAIR WYLOCK – AYE
MEMBER PETER MUROSKI – AYE
MEMBER TOM HOLMES- AYE

CO-CHAIR VALERIE LAROBARDIER- AYE
MEMBER MICHAEL VILLANO - AYE

Motion approved

Motion made by Tom Holmes to adjourn 8:26 2nd by Peter Muroski

VOTE: CO-CHAIR WYLOCK – AYE
MEMBER PETER MUROSKI – AYE
MEMBER TOM HOLMES- AYE

CO-CHAIR VALERIE LAROBARDIER- AYE
MEMBER MICHAEL VILLANO - 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