

Town of Dover Planning Board

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



(845) 832-6111 ext 100

Planning Board
Monday, March 19, 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 Ashley Ley, Attorney Victoria Polidoro & Engineer Berger

For the Applicants: there were no 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: 03 pm by Chair Wylock and began with the Pledge of Allegiance

Motion made by David Wylock to go into Attorney Client @7:07 to discuss litigation regarding Putnam Steel 2nd by Tom Holmes

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

Motion approved

Motion made by Michael Villano to return from Attorney Client @ 7:18, no decisions were made; no money was spent by Tom Holmes

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

Motion approved

Discussions:

- I. Response to Town Board-
Circulation of Amendment to 125-8 of the Town Code

Attorney Polidoro-The Town has prepared an amendment to the Subdivision law. Currently our code is silent on the number of extensions an approved plat can have in order to complete the conditions of approval. When approval is granted with conditions there is a time period in which those conditions must be met. NYS law says an unlimited number of 90 day extensions, every 90 days they can request an extension. This does provide the opportunity for the Applicant to come in and update the Board on where they are with the project, etc. It is burdensome to come in every 90 days. The Town is proposing a local law which will do 2 things, it wouldn't limit you to a 90 day period, you can choose a longer time, and still unlimited. This may be too unlimited, too broad, for some of these applications. If approval is granted and there is a 5 year extension, there could be a whole new Board, or project circumstances could change, etc. It's her recommendation that either the number of time for the extension is limited or the number of extensions. A possible reasonable thought is 2 or 3 - 1 year extensions, so they can come back every year instead of every 90 days.

Chair Wylock- noted there are quite a few applications that return just for extensions, every 90 days is costly for an applicant where as annually is reasonable.

Engineer Berger- Agreed, more than a year could be non productive, the staff in an engineering firm could change as well.

Member Villano agree- 90 days may be too frequent, and suggested possibly every 6 months.

Co- Chair LaRobardier- thought the 1 year extension was a fair period of time, and more important than how many times it can be renewed, this will keep things fresh.

Planner Ley - Thought maybe it should be 180 days, since that's how long the initial approval is valid for, it may be weird if the extension is longer than the initial approval, and up to maybe 4 extensions, which would be an additional 2 years- even if you say 6 extensions- 3 years.

Attorney Polidoro- At some point a project gets stale.

Engineer Berger- Most other approvals are 5 years- if it's consistent with those, then they all may die at the same time, like DEC etc. It brings a project back to square 1.

Co-Chair Wylock thought 5 years was a long time, all present agreed

After lengthy deliberation the Planning Board concluded with the following motion:

Motion made by Valerie LaRobardier to recommend a limit of 8- 180 day extensions to the Town Board 2nd by Tom Holmes

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

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

Motion approved

It was requested that Attorney Polidoro prepare a letter of response from the Planning Board to the Town Board - for consideration at the April 2, 2012 Planning Board Meeting.

II. Review of Chapter 125 - Subdivision Law

Review of Dutchess County Department of Planning "Model Subdivision Regulations"

Initial review

There is some overlap between the Model and the Town of Dover Zoning regarding Conservation Subdivision- This certainly takes it to the next level.

The requirement of a Conservation Analysis is something we do not have, and is quite important for either 145 or 125

The Town should also look at Wetland code, which is a large part of conservation analysis. When an applicant first comes in they would have to look at their site and look at where the wetlands are/ where the slopes come in and the net of what is left is where the calculation for units can be done begins. This too allows the Board to determine where the best spot for development to be done as well as where preservation of open space would be. Ridgeline protection, lot size revisions, clustering, setbacks, shared driveways, deed restrictions are just a short list of other items to consider as well.

This would allow the applicant to come in with that map before the lot lines were drawn, this could save them time and money engineering the site before hand. The applicant could be guided before hand. During the resource analysis stage we could have the applicant have conversations with land conservancy much earlier in the process

The Town of Pawling has wetlands regulation; maybe we can look at those. (The Secretary will forward a copy to the Board for review)

This will be a big undertaking; it will take some time and effort, we will look into grant money available to defray the cost.

This Board could certainly pass a resolution recommending adoption to the Town Board, this way they could discuss it at a meeting. We need to have them recognize the need. This Model certainly is strong on procedure. We at least have Rural Road standards, so that portion is already done.

Revision to process could certainly speed up the process, if the land concerns are addressed in the beginning. Minor and Major subdivisions could be looked at in other ways as well.

We can certainly look at other Towns to see if they have looked at this model.

Members should prepare questions and comments for the next meeting.

- The next regularly scheduled meeting will take place on April 2, 2012

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Motion made by Tom Holmes to adjourn 7:56 2nd by Valerie LaRobardier

VOTE: CO-CHAIR WYLOCK – AYE
MEMBER PETER MUROSKI – ABSENT
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

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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