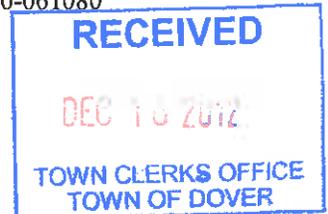


**APPROVED**

**Town of Dover Planning Board**

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



(845) 832-6111 ext. 100

**RESOLUTION TO GRANT SITE PLAN AND EROSION AND SEDIMENT CONTROL  
PERMIT APPROVAL**

**DOVER MOBIL**

**December 17, 2012**

**Property Address: 1782 Route 22**

WHEREAS, the applicant, Quality Petroleum, has submitted an application for site plan and erosion and sediment control permit approval for the construction of a 3575 square foot convenience store with a drive thru, fueling facility with five unleaded gas pump islands, two diesel gas pump islands, and associated site improvements; and

WHEREAS, the site is located at the intersection of NYS Route 22 and Pleasant Ridge Road, in the hamlet of Wingdale, in the HM Zoning District; and

WHEREAS, retail and service businesses are permitted in the HM District subject to site plan review; and

WHEREAS, drive thru windows are permitted in the HM District subject to site plan review; and

WHEREAS, the site is located within close proximity to NYCDEP Wetlands DP-22 (the Great Swamp) and DP-30 and is identified on the NYSDEC's Environmental Resource Mapper as being within the "wetland check zone"; and

WHEREAS, the applicant has submitted correspondence from the NYSDEC dated October 10, 2012, indicating that any on-site wetlands are not DEC wetlands; and

WHEREAS, although the NYSDEC Environmental Resource Mapper has identified the project site as having the potential to support threatened or endangered species, the site is comprised of a 3.3 acre "island" located between two state highways and a county road, fragmenting it from other potential habitat; and

WHEREAS, the applicant will not be disturbing sensitive areas of the site and has only proposed to increase disturbance at the site by .02 acres, leaving approximately 2 acres undisturbed; and

WHEREAS, all stormwater will be captured and treated on-site, as detailed in a drainage report prepared by John Kalin, P.E., dated July 2012; and

WHEREAS, the applicant has caused the preparation of a traffic study which concludes that the proposed layout will not result in significant traffic impacts off or on-site; and

WHEREAS, the applicant has revised the layout of the project based on comments from the Planning Board to minimize pedestrian and vehicle conflicts, to avoid potential queuing conflicts, and to improve the general circulation of the site; and

WHEREAS, on December 3, 2012, the Planning Board, serving as lead agency in a coordinated review of the project, adopted a determination of non-significance, determining that the project as proposed would not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement would not be prepared; and

WHEREAS, the application was referred to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law, which responded on October 23, 2012 that it was a matter of local concern with comments, and suggested that additional landscaping at the corner of Route 22 and Pleasant Ridge Road and reduction of the height of the freestanding sign; and

WHEREAS, a revised sign package and the elevations were approved by the Architectural Review Board on December 17, 2012; and

WHEREAS, the applicant has addressed the concerns of the Dutchess County Department of Public Works ("DCDPW"), as reflected in a letter from DCDPW dated December 14, 2012; and

WHEREAS, a duly noticed public hearing was held on December 3, 2012, during which all those who wished to speak were heard.

**NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby approves the site plan for the Dover Mobil project, entitled, "Dover Mobil," prepared by D.C. Engineering, PC, dated January 11, 2011, last revised August 13, 2012 (the "approved plan"), subject to the following conditions:**

- 1. Payment of all fees and escrow.**
- 2. Department of Health Approval for methods of water supply and sewage disposal**
- 3. Revision of plans to include the following note: Upon completion of construction and prior to issuance of a certificate of occupancy for the site a Professional Engineer licensed in New York shall provide the following:**
  - A certification that all work including tanks, dispensers and canopy were installed in accordance with the approved plans and New York State applicable laws and regulations.**
  - As-built drawings of tanks, fuel lines and fuel dispensers.**
  - As built site survey of entire site stamped by NYS professional land surveyor.**
  - Certification to Health Department for construction of SDS and well**
  - Copies of inspection and certifications provided to NYSDOT and DCDPW for entrance work performed.**
  - Copies of all test performed during construction of site and referenced in construction certification.**

**BE IT FURTHER RESOLVED, that before a building permit may be issued for any improvements shown on the approved site plan, the applicant shall file a copy of the Health and Safety Plan and Emergency Response Plan with the Building Department and J.H. Ketcham Hose Company.**

**BE IT FURTHER RESOLVED, that prior to the issuance of a certificate of occupancy for the site, a licensed Professional Engineer, on behalf of the applicant, shall provide the following:**

- **A certification that all work including tanks, dispensers and canopy were installed in accordance with the approved plans and New York State applicable laws and regulations.**
- **As-built drawings of tanks, fuel lines and fuel dispensers.**
- **As built site survey of entire site stamped by NYS professional land surveyor.**
- **Certification to Health Department for construction of SDS and well.**
- **Copies of inspection and certifications provided to NYSDOT and DCDPW for entrance work performed.**
- **Copies of all test performed during construction of site and referenced in construction certification.**

**BE IT FURTHER RESOLVED, that the Board hereby grants the applicant an erosion and sediment control permit for disturbance as shown on the approved plan, subject to the following conditions:**

- 1. Submission of \$750.00 to be placed into escrow to cover the cost of site inspections by the Planning Board Engineer or Planner.**
- 2. Submission of a performance guaranty in the amount of \$6,600.00, in form, substance, and matter of execution satisfactory to the Town Attorney.**

**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:** Peter Muroski **Seconded by:** William Sedor

David Wylock	<u>AYE</u>
Valerie LaRobardier	<u>AYE</u>
Nick D'Agostino	<u>AYE</u>
Tom Holmes	<u>absent</u>
Peter Muroski	<u>AYE</u>
William Sedor	<u>AYE</u>
Michael Villano	<u>AYE</u>

  
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Planning Board Co-Chair David Wylock

