

Town of Dover Planning Board

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



(845) 832-6111 ext 100

Planning Board Meeting
Monday , January 07, 2012
7:00PM

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

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

For the Applicants: Gerald Hatcher for Westchester Modular Homes Multi Family Dwellings.

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

I. Appointment of Consultants and Clerk for 2013

Joseph Berger-

Motion made by David Wylock to Re appoint Berger engineering as Engineer for 2013 2nd by Peter Muroski

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

Motion approved

AKRF-

Motion made by David Wylock to Re appoint AKRF as Planner for 2013 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	ABSENT	MEMBER WILLIAM SEDOR	ABSENT

Motion approved

Rapport Meyers

Motion made by David Wylock to Re appoint Rapport Meyers as Attorneys for 2013 2nd by Michael Villano

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

Motion approved

Joseph Berger-

Motion made by David Wylock to Re appoint Berger engineering as Engineer for 2013 2nd by Michael Villano

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

Motion approved

Secretary

Motion made by David Wylock to Re appoint Betty-Ann Sherer as Secretary for 2013 2nd by Michael Villano

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

Motion approved

Old Business:

I. WESTCHESTER MODULAR HOMES - 7160-00-227678, 167667& 196673

APPLICANT: Paul Walter for PROPERTY OWNER Charles Hatcher

PLANS PREPARED BY: ANTHONY PISARRI

PROPERTY LOCATED at: 30 Reagan's Mill Road, Wingdale combined 4.042 acres in the CO district.

APPLICATION FOR site plan special Permit & Subdivision to construct 4 multi family dwellings - 1 acre lot per unit

Revised renderings received last week but due to illness, the Secretary was unable to circulate until today

Gerald Hatcher- revised landscaping plan - Landscape Architect unable to attend meeting tonight. Plans have been revised as per previous comments. Primarily revision was the visualization of plants on site, which has been provided

Chair Wylock spoke to Mr Hatcher, who indicated he (Mr. Hatcher would like to move building 1 - 14' further east (closer to lot 2), which is reflected on the plans presented tonight.

Large existing trees can now be preserved closer to the river which will help in screening and erosion control.

Still needed- elevations of current compared to proposed possibly using the blue house with proposed superimposed

Site plan to be revised

Currently the garage sits at 510.5 and right now the house is at 506/ 507

Revisions should be submitted prior to the 22nd (the end of Public Comment)

Previous concerns with screening on lots 1 & 2 - trees have been added

Lot 4 has additional evergreens added

Member Muroski felt his concerns have been addressed.

Engineer Berger -A comparison was done; the Town recently had the floodplain re mapped. The mapping the applicant's engineer has provided is the old map. It appears that the existing and proposed buildings are just to the east of the flood plain. The landscaping plan does show the new building moved.

The lighter grey line and dotted area show the flood plain, with the black line as the fringe. Engineer Berger spoke with the Applicants Engineer earlier and revisions will be made to the plan.

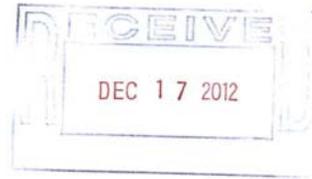
The heights of the proposed structure will be 6' shorter than the existing model home, although the model has no foundation, elevation details will be provided



J. H. KETCHAM HOSE COMPANY INC.

Post Office Box 706
Dover Plains, New York
12522

To: David Wylock, Chairperson
Town of Dover Planning Board
From: Brian D. Kelly, Fire Chief
Date: December 11, 2012
Re: Westchester Modular Factory Housing
30 Reagans Mill Road



Upon review of the above referenced project we offer the following comments and concerns:

2010 Fire Code of New York State

- 01) Section 503 Fire Apparatus Access Roads, 503.2 Specifications, 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. Access roads do not meet the minimum width at this time due to island design. Tree canopies must meet the minimum unobstructed vertical clearance.
- 02) Section 503.2.3 Surface, Refer to Appendix D, Fire Apparatus Access Roads
Appendix D, Section 102 Required Access, D102.1 Access and Loading: Must meet the requirements of this section, specifically be accessible to fire department by way of an approved fire apparatus access road with an asphalt, concrete, or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.
- 03) The fire department request that each multi-family building be equipped with an Automatic Sprinkler System and installed in accordance to NFPA 13.
- 04) The fire department request that the proposed water main be increased from 6" to a minimum size water main of 8" and a hydrant be installed on Parcel ID# 167667 on the west side of the access road with the 4 1/2" steamer connection facing Reagans Mill Road.

2010 Fire Code of New York State Section 508.5.6 Physical Protection: Where fire hydrants are subject to impact by a motor vehicle, guard post or other approved means shall comply with Section 312.

- 05) The fire department request that two additional parking spaces be added to each multi-family building where there is more than one three bedroom unit per building.
- 06) The fire department request upon completion of construction that a walkthrough be conducted of the multi-family units for informational purposes only.

Thank you for allowing the fire department to comment on the above referenced project. If you have any questions concerning this matter feel free to give me a call.

Items 1 & 2- there is a 50' setback from Reagans Mill Road, the driveways are not be considered access roads. The applicant is not proposing the driveways as fire access roads; the main road is considered fire access. It is understood to provide access for one truck to pass another, and that exists, only 1 access point is required

Item # 3- Applicant had already agreed to provide automatic sprinklers

Item # 4 - an additional 2 hydrants will be installed 1- by lot 1 and additionally at the 1/2 way point to the existing one on Sycamore there is no need to increase to an 8' line since the building will have sprinklers

Physical protection should be provided for existing and proposed hydrants

Item # 5 - not necessary

Item # 6 should be arranged with the Building inspector- the applicant is incomplete agreement to the Fire company inspections

All Board Members are to submit conditions they would like they would like on the maps to be in to the Secretary prior to the February meeting. Items such as no parking of vehicles on the grass, no burning of trash, trash and garbage receptacles are to brought in after pick up, no sports equipment to be set up on front lawns

KALA
Karen Arent Landscape Architect

December 31, 2012

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

Re: Westchester Modular Homes

Dear Town of Dover Planning Board:

Herewith you will find a revised Landscape Plan. Revisions include additional trees to screen the view of the homes from Reagans Mill Road. Mr. Hatcher also had the site plan revised to move the building on lot one away from the river to save two existing trees, a 42" evergreen and a 36" Maple to provide screening of the building on lot one from across the river.

Photo simulations of the landscaping after five years growth are also included. Two existing trees that will be preserved, the 36" Maple on lot one and the 48" Sycamore on lot three were not shown on the simulations to allow more of the proposed landscaping to be visible. A typical façade planting was also included in the package so the board could see the landscaping along the façade of the building obscured by the proposed foreground planting in the simulations. The building that was used for the typical façade landscaping is the proposed building for lot one. The submission also includes a sheet that shows the homes without landscaping.

Please note that I will be away from Jan 2 to Jan 12.

Best regards,

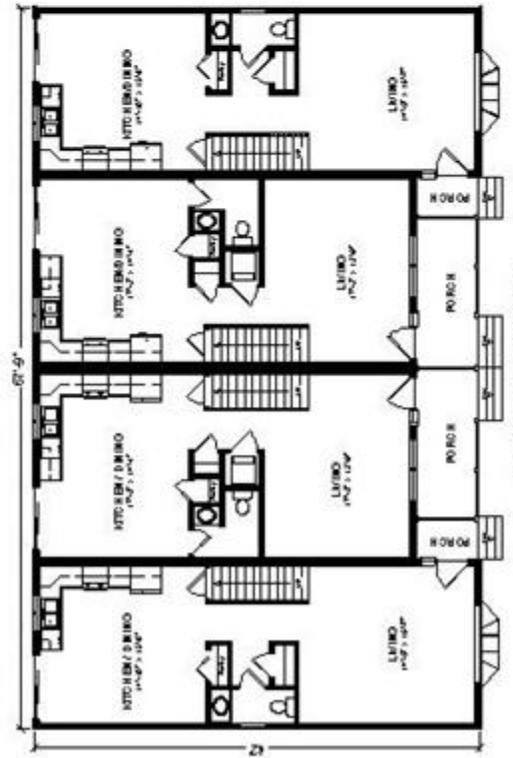
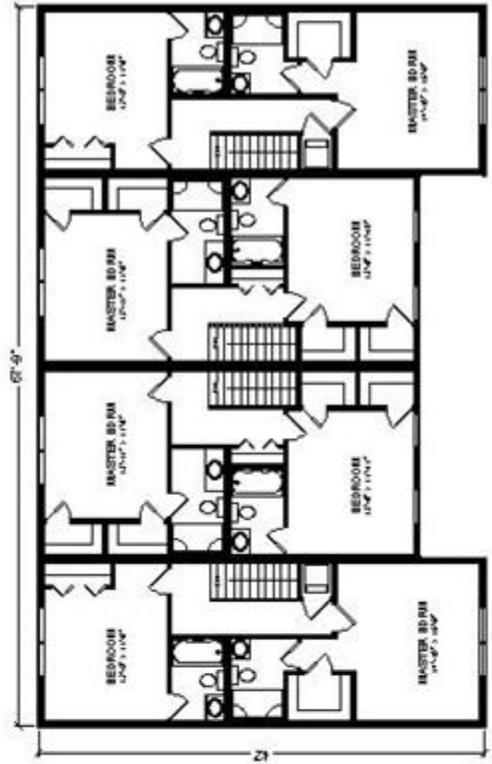
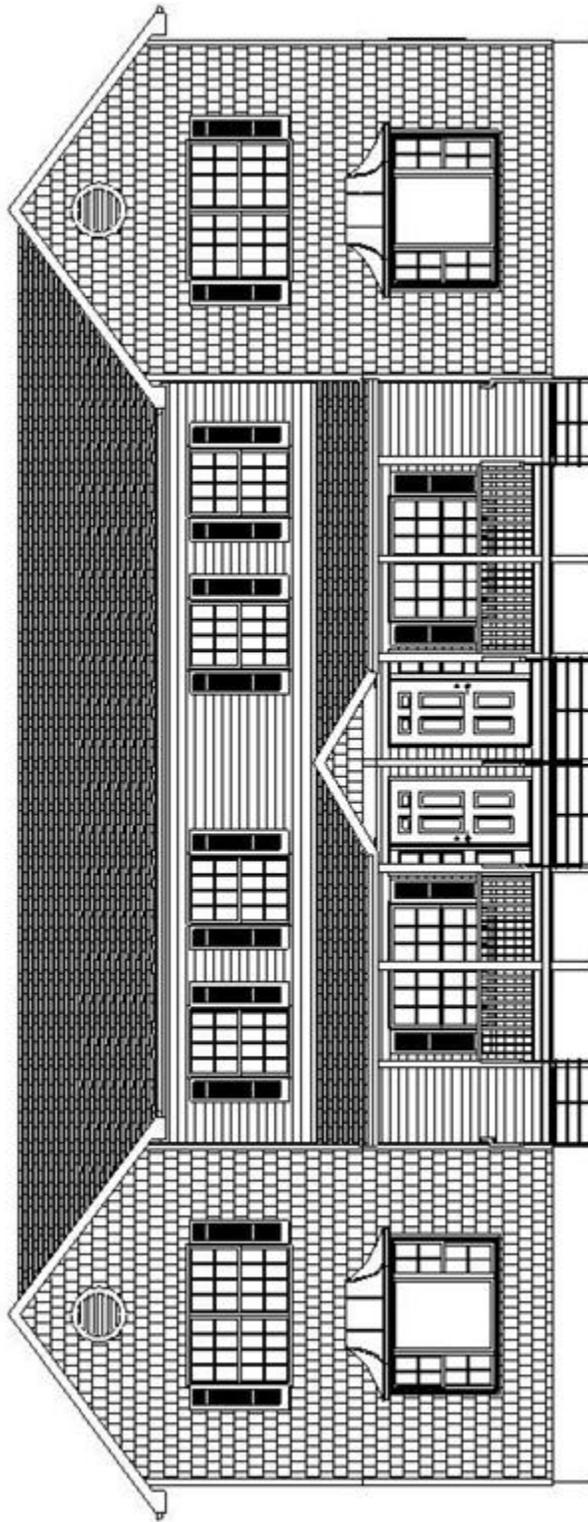


Karen Arent RLA

Cc: Mr. Chuck Hatcher, Ms. Ashley Ley, Mr. Joseph Berger, Ms. Victoria Polidoro

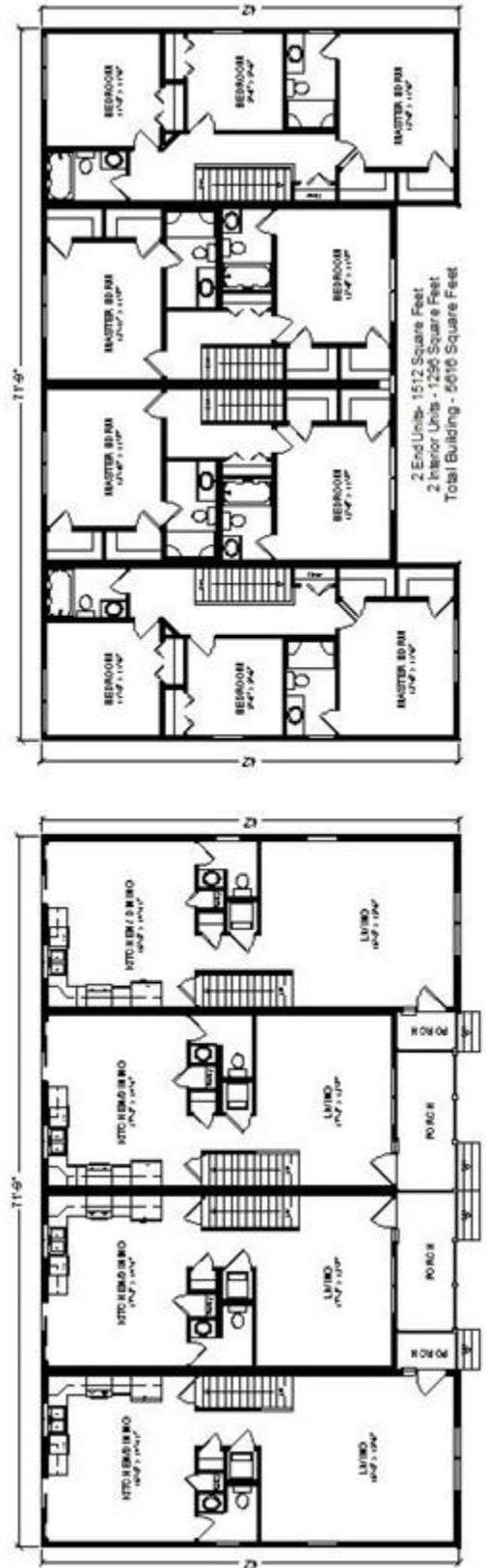
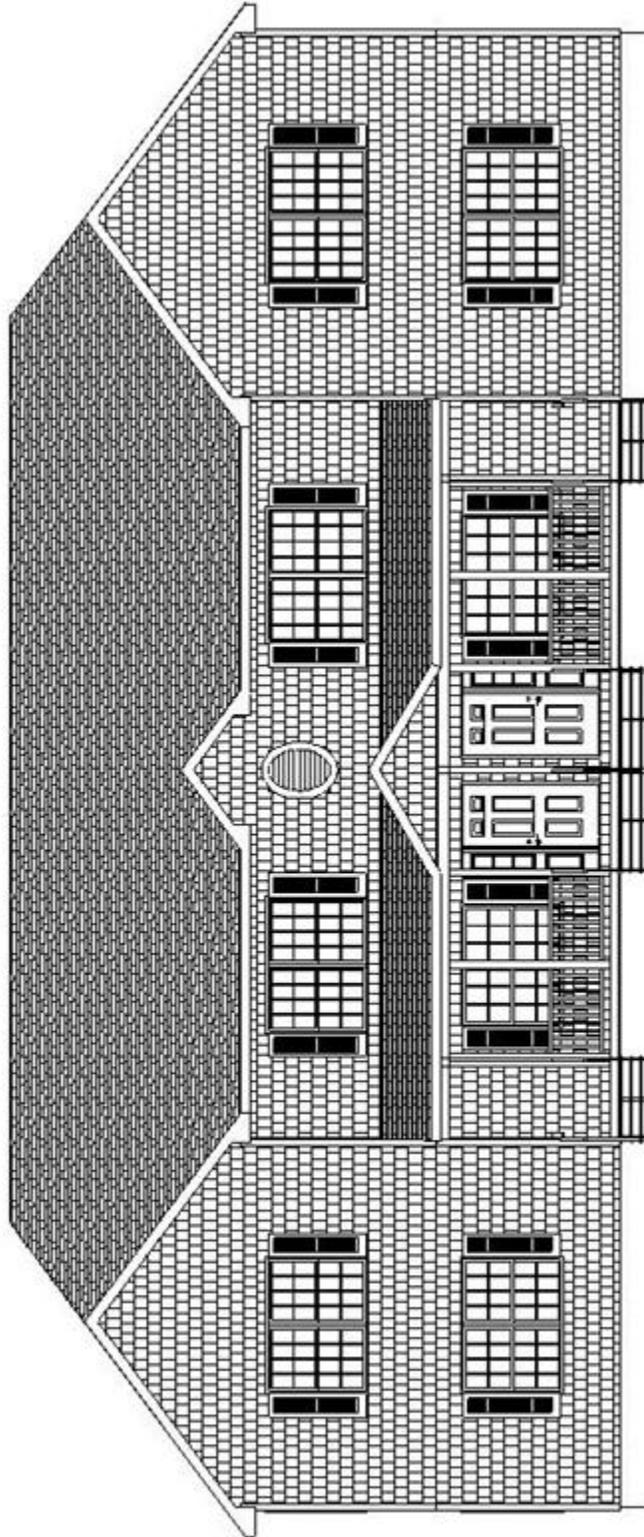


New Proposed Townhomes



2 End Units - 1344 Square Feet
2 Interior Units - 1256 Square Feet
Total Building - 6280 Square Feet

New Proposed Townhomes 3 Bedroom End Units





Lot 1



Lot 2



Lot 3



Lot 4

View of Houses Before Landscaping:

Westchester Modular Homes

Prepared by KALA and Westchester Modular Homes

December 31, 2012



Typical Facade Landscape without Foreground
Five Years after Planting
WESTCHESTER MODULAR HOMES LOT ONE
Prepared by KALA and Westchester Modular Homes
December 31, 2012



Five Years after Landscaping (without Existing Red Maple)

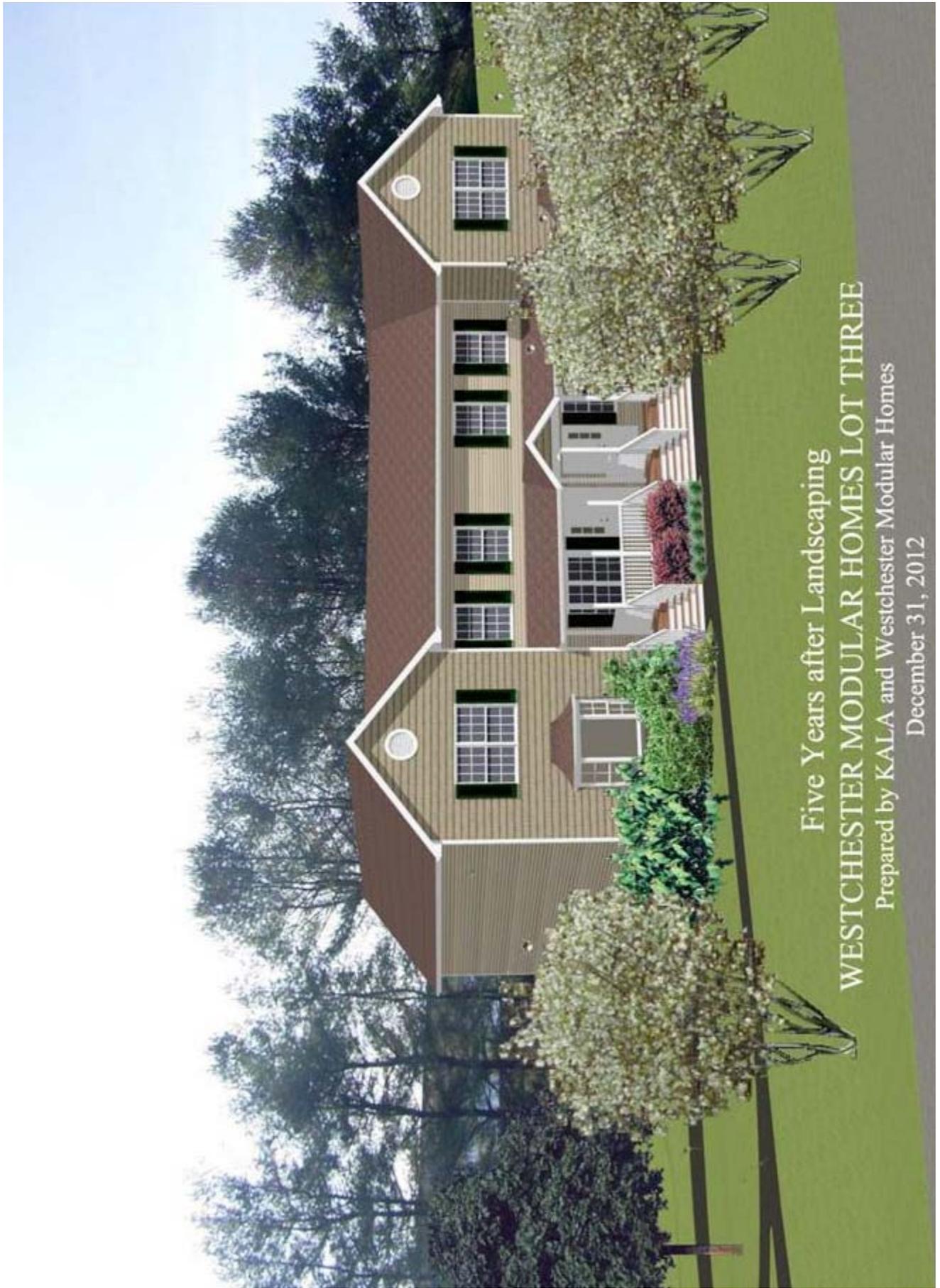
WESTCHESTER MODULAR HOMES LOT ONE

Prepared by KALA and Westchester Modular Homes

December 31, 2012



Five Years after Landscaping
WESTCHESTER MODULAR HOMES LOT TWO
Prepared by KALA and Westchester Modular Homes
December 31, 2012



Five Years after Landscaping
WESTCHESTER MODULAR HOMES LOT THREE

Prepared by KALA and Westchester Modular Homes

December 31, 2012



Five Years after Landscaping (without Existing Sycamore)
WESTCHESTER MODULAR HOMES LOT FOUR

Prepared by KALA and Westchester Modular Homes
December 31, 2012

New Business:**II. DOUBLE JK RANCH - EROSION CONTROL PERMIT 7163-00-380110**

APPLICANT & PROPERTY OWNER: Double JK Ranch LLC

PLANS PREPARED BY: RICH RENNIA OF RENNIA ENGINEERING DESIGN

PROPERTY LOCATED at: 39 NE Mountain Road, Dover, NY

APPLICATION FOR Erosion Control Permit for the creation of a 2.4 acre Agricultural pond _
application to remedy a violation on 241.23 acre parcel in the RU district

No one was present for this application-

Engineer Berger commented this is pretty straight forward

As few questions are as follows:

What is the status of DEC review?

There is an NOI but that does not mean they are not still pursuing permission of remediation

The embankment, has it been classified as a dam.

This is already built and that is the key

The embankment is 12'-14' if DEC is not looking at it, the applicant' engineer will need to certify its stability

There will need to be borings or deep tests, to insure it is clay core, ground penetrating radar can also be used,

This was built last fall.

As part of the remediation we need to move forward, type and circulate.

**Re: Double JK Ranch Chapter 65 application
NE 39 Mountain Road Dover Plains NY 12522
132600-7163-38110**

Dear Chairpersons Wylock, LaRobardier, and Members of the Planning Board:

I have received and reviewed the following information for the above application:

1. *Land Use Application with Erosion and Sedimentation Control Permit checked*
2. *Short Form EAF not dated*
3. *Pond Construction & Grading Plan dated 12-19-12 from Rennia Engineering Design, PLLC*
4. *Erosion & Sediment Control Plan dated 12-19-12 from Rennia Engineering Design, PLLC*
5. *Site Details dated 12-19-12 from Rennia Engineering Design, PLLC*
6. *Basic SWPPP dated last revised 12-19-12 from Rennia Engineering Design, PLLC*

Comments:

1. **What is the status with NYSDEC review**
2. *Erosion and Sediment Control Checklist not provided. A review of the requirements is listed below:*

65-9- A Existing features map(s), at a scale no smaller than one inch equals 100 feet, indicating:

- (1) The boundaries of all parcels on which site preparation activities are proposed to be undertaken and boundaries of all parcels adjacent to the subject site.
- (2) All structures and roads within a distance of 500 feet of the parcel on which site preparation activities are proposed to be undertaken. The structures shall be identified by their uses, and the roads shall be identified by their surface material and width of surface.
- (3) All watercourses within a distance of 500 feet of the parcels on which site preparation activities are proposed to be undertaken.
- (4) Existing topography at contour intervals of two feet within a distance of 500 feet of the parcels on which site preparation activities are proposed to be undertaken.
- (5) All sewer, water, gas and electric lines and all other utilities within the parcels on which site preparation activities are proposed to be undertaken.

- (6) Major wooded areas and tree clusters within a distance of 500 feet of the parcels on which site preparation activities are proposed to be undertaken.
- (7) All vegetation areas on the site proposed for site preparation activities, including areas of grass, areas of brush and wooded areas and tree clusters.
- (8) The depth to bedrock on the site proposed for site preparation activities, if determined during site evaluation.
- (9) The depth to permanent groundwater aquifers on the site proposed for site preparation activities, if such depth is determined during site evaluation.
- (10) The boundary of the one-hundred-year floodplain, together with the designated wetland boundaries, where applicable.
- (11) Drainage computations prior to site preparation and after site preparation may be required.

65-9-C Operations map(s) at a scale no smaller than one inch equals 100 feet, which present a complete erosion and sediment control plan and which indicate:

- (1) All excavation, filling and grading proposed to be undertaken, identified as to the depth, volume and nature of the materials involved.
- (2) All stripping, identified as to the nature of vegetation affected.
- (3) All areas where topsoil is removed and stockpiled and where topsoil is ultimately placed, identified as to the depth of topsoil in each such area.
- (4) All temporary and permanent vegetation to be placed on the site, identified as to planting type, size and extent.
- (5) All temporary and permanent drainage, erosion and sediment control facilities, including such facilities as ponds and sediment basins, identified as to the type of facility, the materials from which it is constructed, its dimensions and its capacity in gallons.
- (6) The anticipated pattern of surface drainage during periods of peak runoff upon completion of site preparation and construction activities, identified as to rate and direction of flow at all major points within the drainage system.
- (7) The location of all roads, driveways, sidewalks, structures, utilities and other improvements.
- (8) The final contours of the site in intervals of no greater than two feet.

I recommend accepting the maps as submitted as the scale of the proposed work is shown on a scale of 1" = 30' and the entire site is shown within an insert at a scale of 1" = 800 feet.

This will require a waiver for chapter 65- 9 A and C.

The following should be provided in any future submission:

65-9-A10

The boundary of the one-hundred-year floodplain, together with the designated wetland boundaries, where applicable, or a note stating none exist in area of proposed work with method of determination

65-9-D

A time schedule which is keyed to the operation map(s), indicating:

- (1) When major phases of the proposed project are to be initiated and completed.*
- (2) When major site preparation activities are to be initiated and completed.*
- (3) When the installation of temporary and permanent vegetation and drainage, erosion and sediment control*

facilities is to be completed.

(4) The anticipated duration, in days, of exposure of all major areas of site preparation before the installation of erosion and sediment control measures.

65-9-E

An estimate of the costs of providing temporary and permanent vegetation and drainage, erosion and sediment control facilities shall be prepared by applicant's engineer and confirmed by the Town Engineer.

A site walk with the planning board is also recommended for this project.

Site walk set for 1/26/13 @ 10:30 am

Motion made by David Wylock to set escrow for Double JK Ranch ESC permit at \$3,000.00 2nd by Peter Muroski

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

Motion approved

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

DOUBLE JK RANCH EROSION AND SEDIMENT CONTROL PERMIT

January 7, 2013

Property Address: NE 39 Mountain Road, Dover Plains

WHEREAS, an application for erosion and sediment control permit approval was submitted by Double JK Ranch, LLC, the owner of property at NE 39 Mountain Road, Dover Plains, NY, tax parcel number 7163-00-380110 (the "site"); and

WHEREAS, the owner seeks approval to develop an existing hay field into a 2.4 acre pond (the "project"); and

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

WHEREAS, the Planning Board of the Town of Dover has performed a preliminary review of the EAF and other application materials; 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 an unlisted 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 its Secretary to circulate notice of the Board's intent, along with a copy of the application and EAF, to all involved and interested agencies.

Moved by: Michael Villano Seconded by: Valerie LaRobardier

David Wylock	<u>AYE</u>	Valerie LaRobardier	<u>AYE</u>
Thomas Holmes	<u>absent</u>	Peter Muroski	<u>AYE</u>
William Sedor	<u>absent</u>	Michael Villano	<u>AYE</u>

Planning Board Chair David Wylock

Involved and Interested Agencies:

(1)NYS DEC, (2) DEC Division of Water Bureau of Flood Protection and Dam Safety, (3) Town Highway Superintendent

ENTERTAIN REQUEST FOR EXTENSION:

III. ZINGARO PROPERTY Grid # 7259-00-088958
APPLICANT John Zingaro Represented by Richard O'Rourke, Esq. of Keane & Beane
PROPERTY LOCATED on Route 55 in the RC district
Requesting a 180 day extension of Final Plat



■ **Main Office**
445 Hamilton Avenue
White Plains, NY 10601
Phone 914.946.4777
Fax 914.946.6868

■ **Mid-Hudson Office**
200 Westage Business Center
Fishkill, NY 12524
Phone 845.896.0120

January 7, 2013

Via email: PlanningARB@TownofDoverNY.us

Ms. Betty-Ann Sherer,
Planning Board Secretary
Town of Dover Planning Board
Town Hall
126 East Duncan Hill Road
Dover Plains, New York 12522

RICHARD L. O'ROURKE
Principal Member
ro'rourke@kblaw.com

Re: Route 55 Corp., Zingaro

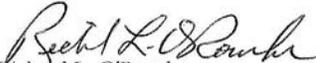
Dear Betty-Ann:

As you know, Route 55 Corp. received Final Subdivision Plat and Erosion and Sediment Control Permit Approvals by Resolution dated August 2, 2010, filed with the Town Clerk's Office on August 3, 2010, and ninety-day extensions have been granted due to the continuing sluggish housing market.

The purpose of this letter is to respectfully request a one hundred-eighty (180) day extension pursuant to new legislation by the Town. By resolution dated July 16, 2012, the Planning Board granted an extension expiring January 21, 2013 (copy attached). Kindly have this matter placed on the next available agenda. Kindly confirm the date.

Thank you for your consideration.

Very truly yours,


Richard L. O'Rourke

RLO/mq
Enclosure

cc: Mr. John Zingaro (Via Email jzingaro@verizon.net)
Theresa Ryan, P.E. (Via Email tryan@insite-eng.com)
Patrick J. O'Sullivan, Esq. (Via Email posullivan@kblaw.com)

**RESOLUTION GRANTING 180 DAY EXTENSION OF TIME IN WHICH TO SATISFY THE
CONDITIONS OF FINAL SUBDIVISION PLAT APPROVAL
ZINGARO (ROUTE 55 CORP.)**

January 7, 2013

Tax Parcel No. 7259-00-088958

WHEREAS, on August 2, 2010, the Planning Board granted an erosion and sediment control permit and conditional final approval to an eight lot flexible subdivision plat entitled "Final Subdivision Plat known as Route 55 Corp.," for property located on New York State Route 55, Tax Parcel No. 7259-00-088958 (the "site"); and

WHEREAS, pursuant to Section 276(7)(c) of the NYS Town Law, conditional approval of a final plat shall expire within 180 days after the resolution granting such approval unless all requirements stated in such resolution have been certified as completed; and

WHEREAS, pursuant to Section 276(7)(c) of the NYS Town Law, a planning board may extend for periods of 90 days the time in which a conditionally approved plat must be submitted for signature if, in the planning board's opinion, such extension is warranted; and

WHEREAS, on May 30, 2012, Local Law No. 3 was adopted which authorizes the Planning Board to grant eight extensions of up to 180 days each; and

WHEREAS, on January 3, 2011, the Planning Board granted the applicant a 90 day extension of time in which to meet the conditions of final plat approval to April 29, 2011; and

WHEREAS, on April 4, 2011, the Planning Board granted the applicant a second 90 day extension of time in which to meet the conditions of final plat approval to July 28, 2011; and

WHEREAS, on July 18, 2011, the Planning Board granted the applicant a third 90 day extension of time in which to meet the conditions of final plat approval to October 26, 2011; and

WHEREAS, on October 3, 2011, the Planning Board granted the applicant a fourth 90 day extension of time in which to meet the conditions of final plat approval to January 24, 2012; and

WHEREAS, on January 16, 2012, the Planning Board granted the applicant a fifth 90 day extension of time in which to meet the conditions of final plat approval to April 23, 2012; and

WHEREAS, on April 2, 2012, the Planning Board granted the applicant a sixth 90 day extension of time in which to meet the conditions of final plat approval to July 23, 2012; and

WHEREAS, on July 16, 2012, the Planning Board granted the applicant a seventh extension of time in which to satisfy the conditions of final plat approval to and including January 21, 2013, constituting the fourth 180-day extension; and

WHEREAS, by letter dated January 7, 2013, the applicant's attorney requested another 180-day extension of the time in which to meet the conditions of final plat approval; 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 grants the applicant a fifth 180-day extension of time in which to satisfy the conditions of final plat approval to and including July 22, 2013.

Moved by: Valerie LaRobardier **Seconded by:** Valerie LaRobardier

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

It is the responsibility of the applicant to track the time frame within which this extension of approval will expire. There will be no written or verbal notification to the applicant from the Planning Board office prior to the expiration of this extension of the approval.

IV. STONY BROOK ESTATES SITE PLAN/ ESC & SPECIAL PERMIT - 7063-00-442492
 APPLICANT Randallo Inc
 PROPERTY LOCATED - NYS Rt 22, Dover Plains
 APPLICATION FOR 28 Condominium units on 38.01 acres of land in the RC district

KEANE & BEANE P.C.
 ATTORNEYS AT LAW

■ **Main Office**
 445 Hamilton Avenue
 White Plains, NY 10601
 Phone 914.946.4777
 Fax 914.946.6868

■ **Mid-Hudson Office**
 200 Westage Business Center
 Fishkill, NY 12524
 Phone 845.896.0120

January 7, 2013

RICHARD L. O'ROURKE
 Principal Member
 ro'rourke@kblaw.com

Via E-mail PlanningARB@TownofDoverNY.us

Town of Dover Planning Board
126 East Duncan Hill Road
Dover Plains, New York 12522

Attn: Mr. David Wylock, Co-Chair and
Valerie LaRobardier, Co-Chair

Re: Stony Brook Estates, Randallo, Inc.

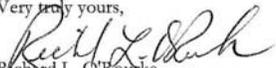
Dear Members of the Planning Board:

Stony Brook Estates, Randallo, Inc. received an extension of site plan approval and ESC Permit Approval, which is due to expire on February 1, 2013 (copy attached). In addition, the special permit and erosion and sediment control permit approvals also were granted extensions, due to expire on February 1, 2013. As the Planning Board knows, the approvals granted were the culmination of a complete and thorough review of this project, and also included a conveyance of a significant amount of land for the perpetual protection of Old Stone Church. Despite good faith efforts by the owner to seek financing to proceed, market conditions continue to be difficult. Accordingly, we wish to make every effort to continue these expensive approvals, and hereby request a further extension.

We would respectfully request that this matter be discussed at the first available Planning Board meeting. Please let me know if we have been placed on a Planning Board Agenda.

Thank you for your consideration.

Very truly yours,



Richard L. O'Rourke

RLO/mq
Enclosure(s)

cc: Town of Dover Town Board
Thomas J. Jacobellis, Esq., Town Attorney
Randy Oser, President, Randallo, Inc.

This application is ESC Site Plan & SUP< last time they needed an extension. Our code permits extension of site plan and ESC approval but not for Special Permit. Last time they came in reapplied and public hearing was set. This request was first submitted today, at 4:00 so time to allow for that process was not available. The resolution was written to allow site plan to be extended contingent of submission of Special permit application by February 1. Once a 6 month extension is granted tonight, all of their extensions of site plan, will have been exhausted. They will need to re apply as well. This is a temporary fix.

RESOLUTION EXTENDING SITE PLAN APPROVAL AND ESC PERMIT APPROVAL

January 7, 2013

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, on January 3, 2011, the Planning Board renewed the applicant's erosion and sediment control permit and special use permit until February 1, 2012; and

WHEREAS, pursuant to Section 145-68E(1) of the Code, site plan approval shall expire if the applicant fails to obtain the necessary building permits or fails to comply with the conditions of the site plan approval within 18 months of its issuance; and

WHEREAS, prior to January 6, 2012, Section 145-68E(1) of the Code further provided that the Planning Board may grant a one-time six-month extension of site plan approval; and

WHEREAS, on July 18, 2011, the Planning Board granted the applicant a one-time six month extension of approval pursuant to Section 145-68E(1); and

WHEREAS, the Town Board has amended Section 145-68E(1) to permit the Planning Board to grant up to two one-year extensions of approval; and

WHEREAS, pursuant to Section 65-8H of the Code, an erosion and sediment control permit shall not exceed one year's duration; and

WHEREAS, pursuant to Section 65-8K of the Code, the Planning Board may grant an extension of time to complete the work contemplated under an erosion and sediment control permit if, in its discretion, the Planning Board finds that such extension was warranted; and

WHEREAS, on January 16, 2012, the Planning Board granted the applicant a one-year extension of the erosion and sediment control permit to February 1, 2013, and a one-year extension of site plan approval to February 1, 2013; and

WHEREAS, by letter dated January 7, 2013, the applicant's attorney has requested another extension of site plan and erosion and sediment control permit approval; 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 grants the applicant a six-month extension of the erosion and sediment control permit for disturbance as shown on the map set entitled "Stony Brook Estates," prepared by Michael J. Budzinski, P.E., last revised November 5, 2009, to expire on August 1, 2013, subject to the conditions set forth in the resolution granting approval dated February 1, 2010; and

BE IT FURTHER RESOLVED, that before the authorized official may issue a Certificate of Compliance for work completed in accordance with the erosion and sediment control permit, the Planning Board Engineer shall provide the authorized official with a written statement indicating that all work authorized under the permit has been completed and is satisfactory; and

BE IT FURTHER RESOLVED, that the Planning Board grants the applicant a six-month extension of site plan approval, to expire on August 1, 2013, subject to the applicant submitting a complete application for special use permit approval by February 1, 2013. In accordance with Section 145-68E(1), the applicant may not apply for any additional extensions of site plan approval.

Moved by: Michael Villano Seconded by: Valerie LaRobardier

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

Minutes

V. MINUTES OF DECEMBER 3 , 2012

Motion made by Peter Muroski to Approve the Minutes of December 3, 2012 as corrected 2nd by Michael Villano

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

Motion approved

Written comment period for Westchester Modular has been extended to 1/22/13

The January 21, 2013 meeting has been cancelled due to Martin Luther King Jr day

Motion made by Peter Muroski to adjourn at 7:50 2nd by Michael Villano

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

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.townofdovery.ny.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