

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, May 6, 2013  
7:00PM

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

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

For the Applicants: Paul Quartararo & Kirk Horton for Quartararo Subdivision, Brenda Masterson for Dwy Lane & Harry Nichols for O'Mara 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 by Chair Wylock and began with the Pledge of Allegiance

**Public Hearing:**

**I. QUARTARARO SUBDIVISION - 6962-00-161869**

APPLICANT: Paul Quartararo      PLANS PREPARED BY: KIRK HORTON

PROPERTY LOCATED at: 632 Chestnut Ridge Road, Millbrook

Applicant seeks to merge Abandoned Camby Road 0.233 acres to Primary parcel in the RC district

Kirk Horton- Mr.Quartararo wants to combine the 0.98 acres with 0.233 acres which will be 1.213 once combined

No comments from the Planning Board Consultants

**Motion made by Pete Muroski to open the Quartararo Public Hearing second by Bill Sedor**

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

*Motion approved*

There was no Public Comment

**Motion made by Michael Villano to close the Quartararo Public Hearing second by Valerie LaRobardier**

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

*Motion approved*

**RESOLUTION GRANTING PRELIMINARY LAYOUT AND FINAL SUBDIVISION PLAT APPROVAL  
QUARTARARO SUBDIVISION**

**May 6, 2013**

**Property Address: 632 Chestnut Ridge Road**

WHEREAS, the applicant, Paul Quartararo, has submitted an application for a lot line alteration to merge a 0.980 acre lot located at 632 Chestnut Ridge Road, Millbrook, Tax ID #6962-00-161869, located in the RC Zoning District, with 0.233 acres of land which was formerly part of Camby Road; and

WHEREAS, the proposal is depicted on a subdivision plat entitled, "Lot Consolidation Map Prepared for Paul and Theresa Quartararo," prepared by Kirk K. Horton, L.S., dated March 20, 2012; and

WHEREAS, the lot line alteration will make the undersized lot more conforming; and

WHEREAS, the existing 0.980 acre lot contains a single-family dwelling and the garage is proposed to be constructed on the additional 0.233 acre portion of the lot; and

WHEREAS, on August 1, 2012, the Zoning Board of Appeals granted the applicant a side yard and front yard setback for the garage on the new 0.233 acre portion of the lot; and

WHEREAS, on January 16, 2013, the Dover Town Board adopted a resolution authorizing the Town Supervisor to execute a quitclaim deed conveying the abandoned portion of Camby Road to the applicant; and

WHEREAS, on April 1, 2013, the Planning Board classified the action as an unlisted action and adopted a determination of non-significance, finding 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, a proper case does not exist for requiring the set aside of recreation land; and

WHEREAS, a duly noticed public hearing was held on May 6, 2013, during which all those who wished to speak were heard.

**NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants preliminary layout and final subdivision approval to the plat entitled, "Lot Consolidation Map, prepared for Paul & Theresa Quartararo" prepared by Kirk K. Horton, L.S. 049954, dated March 20, 2013, and authorizes the Chair or his authorized designee to sign the plat after compliance with the following conditions:**

1. **Payment of all fees and escrow.**
2. **Department of Health permission to file.**
3. **Submission of a merger deed for the 0.233 acre parcel and 0.980 acre parcel in form manner and substance acceptable to the Planning Board Attorney. The approved deed shall be filed recorded simultaneously with the subdivision plat.**

**BE IT FURTHER RESOLVED, that before a building permit for the garage may be issued, the applicant shall provide the Land Use Coordinator with proof that the approved merger deed has been properly recorded in the Office of the Dutchess County Clerk.**

**Moved by:** Valerie LaRobardier      **Seconded by:** Michael Villano

David Wylock	<u>Aye</u>	Valerie LaRobardier	<u>Aye</u>
Peter Muroski	<u>Aye</u>	William Sedor	<u>Aye</u>

Michael Villano            Aye

Planning Board Chair David Wylock

Mr. Horton- The deeds have already been filed.

Attorney- the Merger deeds?

A: Yes

Attorney - Please email them to me

A: I think I did, I emailed pdf’s, and there were 2 deeds.

Attorney- We can further discuss this after the meeting

The applicant brought the maps with him; they were not signed by the applicant or his wife. Once the maps are signed and the deeds to satisfy condition #3 are verified, the Chair can sign the map.

**OLD BUSINESS:**

**II. O’MARA 2 LOT SUBDIVISION 7059-00-917529**

No one was present at this time, so this item was moved back on the agenda

**NEW BUSINESS:**

**III. DWY LANE RELOCATION- 7161-04-929119**

APPLICANT Brenda Masterson    PLANS PREPARED BY Eric Gardell, P.L., P.L.S.

PROPERTY LOCATED Dwy Lane, Wingdale

APPLICATION FOR Adjustment of Dwy Lane in increase acreage to better serve residents at north end of road and allowing better access through formal easement RU district

Brenda Masterson- The problem goes back to the 70’s, when her brother in law, James Dwy owned all of Dwy lane, all of the lots. Her parents purchased parcels and her sister Patricia Masterson & Ken Gray were going to purchase the small square on the right of the cul-de-sac, it’s a ¼ acre. The bank or Board of Health would no longer allow them to sell a piece that small. So her parents sold them the small piece and the three small lots that were on the west, it created an “L”. The road at that point still belonged to Jim Dwy, he had a survey, it was supposed to place a cul-de-sac at the very top of the road, for some reason, that didn’t happen, he placed it in front of the Grays’ property. It was all family at that time, so it wasn’t a big deal.

It was when her sister might have been loosing their property that they realized the cul-de-sac divided their property. The Bakers and the Masterson deeds give access from Dwy lane, nothing about going over the grey’s property to get to Dwy lane.

She met with a surveyor and what they plan to do is end the road at the narrow section of Dwy lane, take out the cul-de-sac, and provide easements (50’) for Baker & Masterson. Now Grey will be 1 sold piece of property. The surveyor said this would be easier, than extending the road.

Attorney Polidoro- So the problem is, if you are going to end the road, there may need to be a turn around at the end of the road, not the end of the cul-de-sac.

Engineer Berger- Up to your house, is there a driveway now?

A: yes

Engineer Berger- Since you’re going through all of this, why not bring the road up to you?

A: at this point they have a mortgage on their property, so the bank may not be willing to give it away.

Engineer Berger- So the action now is to give the acreage in the cul-de-sac to grey so their house and septic can be on their property and only create an easement for You & Baker?

A: yes

Attorney- Right now as our Code reads, when you end a road there needs to be some form of turn around, which is why there is a turn around, so if you're not extending the road, and there is an easement, the question is can this Board legally allow you to end that road in something other than a hammer head or turn around that meets code requirements. We actually thought you were extending the road, but now we understand.

Chair Wylock- Who owns the road that you travel on now?

A: I own Dwy Lane, to the cul-de-sac, from there up it's Gray's property.

Attorney Polidoro- I noticed it has its own tax ID #

A: yes, it is a separate piece of property.

Attorney Polidoro- So does everyone have an easement over the property?

A: Yes, in the deeds it gives access to the road, but the Bakers and Mastersons do not have legal right to go over Gray to get to the road.

Planner Ley- Is there room by the cul-de-sac to put a hammerhead or some acceptable type of turn around?

A: right now everything turns around my Masterson

Q: can you turn the cul-de-sac to a hammerhead?

A: the septic is there and the cul-de-sac runs through their living room. There is no real cul-de-sac, it's just on paper.

Attorney Polidoro- Part of the concern is, if this is a road, we have road standards, so the extension would be required to meet them.

A: but is a road, it's really just mu driveway

Attorney- That's what we are struggling with, if it's a road, then it has to end in a cul-de-sac or road ending sort of way, if the road is extended to the proposed hammer head, then that road has to meet the standards, there's a lot for the Board to think about

Planner- You can't have more than a certain amount of lots off a driveway.

Site walk set for Monday June 3 @ 5:30 before the next Planning Board meeting

**Motion made by Peter Muroski to set the escrow for Dwy Lane to \$1,000.00 second by Michael Villano**

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

*Motion approved*

**Motion made by Valerie LaRobardier to adopt the short form EAF for Dwy Lane second by Bill Sedor**

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

*Motion approved*

The Short Form EAF was reviewed resulting in the adoption of the following:

**PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)**

<p>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? <span style="float: right;">If yes, coordinate the review process and use the FULL EAF.</span>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? <span style="float: right;">If No, a negative declaration may be superseded by another involved agency.</span>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</p> <p>C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:  no</p> <p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:  no</p> <p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:  no</p> <p>C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:  no</p> <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:  no</p> <p>C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:  no</p> <p>C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:  no</p>
<p>D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <span style="float: right;">If Yes, explain briefly:</span></p>
<p>E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <span style="float: right;">If Yes, explain briefly:</span></p>

**PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which <b>MAY</b> occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action <b>WILL NOT</b> result in any significant adverse environmental impacts <b>AND</b> provide, on attachments as necessary, the reasons supporting this determination.	
<p style="text-align: center;">Dover Planning Board Name of Lead Agency</p> <hr/> <p style="text-align: center;">David Wylock Print or Type Name of Responsible Officer in Lead Agency</p> <hr/> <p style="text-align: center;">Signature on filed document Signature of Responsible Officer in Lead Agency</p>	<p style="text-align: center;">MAY 6, 2013 Date</p> <hr/> <p style="text-align: center;">Title of Responsible Officer</p> <hr/> <p style="text-align: center;">Signature of Preparer (If different from responsible officer)</p>

Attorney Polidoro- What would be the problem with leaving everything as is?

A: Her brother in law is ill, they may loose the property, there is no telling what the Bank or whomever buys it may do with granting access, right now Baker & Masterson drive across the property to get home, So they need the access and to solve the house issue. Once it's not in the Gray's hands; who knows if the new owners will allow access over their property.

Attorney Polidoro- They may want to begin conversations with the Bank, because if the bank is not willing to grant an easement then they should know ahead of time.

**RESOLUTION TYPING ACTION AND ADOPTING DETERMINATION OF NON-SIGNIFICANCE  
DWY LANE RESUBDIVISION**

WHEREAS, the applicant, Brenda Masterson, has applied to the Planning Board for approval of a resubdivision to alter and extend Dwy Lane, a private road, as shown on the plat entitled, "Map Showing Proposed Re-Located Dwy Lane" prepared by Eric W. Gardell., dated March 26, 2012; and

WHEREAS, the proposal involves eliminating an existing cul-de-sac, extending Dwy Lane by 250 feet to an existing residential lot, and altering the lot lines of an adjacent lot to absorb the eliminated cul-de-sac; and

WHEREAS, the parcels involved in this resubdivision are identified as Tax Lot Nos. 7161-04-929119, 7161-04-927092, and 7161-04-934052; and

WHEREAS, no new lots are proposed as part of this resubdivision; and

WHEREAS, the submittal was accompanied by an Environmental Assessment Form ("EAF"), undated; and  
WHEREAS, in accordance with the New York State Environmental Quality Review Act ("SEQRA"), the Planning Board is required to determine whether the proposed action will have a significant impact on the environment; and

WHEREAS, the Planning Board is the only involved agency under SEQRA.

**NOW THEREFORE BE IT RESOLVED that the Planning Board of the Town of Dover hereby classifies the proposed action as an unlisted action under SEQRA.**

**BE IT FURTHER RESOLVED that the Planning Board has reviewed pertinent available information submitted by the applicant and gathered by the Board and has determined that there are no potential significant adverse impacts related to this action and that a Draft Environmental Impact Statement will not be prepared.**

**Date: May 6, 2013**

**Moved By Valerie LaRobardier    Seconded By Michael Villano**

**Resolution Approved/Disapproved:**

<b>David Wylock</b>	<b><u>AYE</u></b>	<b>Valerie LaRobardier</b>	<b><u>AYE</u></b>
<b>Peter Muroski</b>	<b><u>AYE</u></b>	<b>William Sedor</b>	<b><u>AYE</u></b>
<b>Michael Villano</b>	<b><u>AYE</u></b>		

**Planning Board Chair David Wylock**

**OLD BUSINESS:**

**IV. O'MARA 2 LOT SUBDIVISION 7059-00-917529**

APPLICANT O'Mara Realty Corp. PLANS PREPARED BY Harry Nichols, P.E.

PROPERTY LOCATED on Coleman Lane and Johnson Road, Wingdale

APPLICATION FOR Preliminary plat subdivision to create 1 new lot on 2.93 acre parcel in the SR district

Harry Nichols- The map has been revised; this is a non realty 2 lot subdivision, each lot will have its own road frontage. Soil testing has been completed as per Dutchess County Health Department; it meets water standards and service.

Engineer Berger- keep in mind since each lot exceeds ½ acre, if you proceed separately then erosion control, Chapter 65, will need to be done separately. Although the State has a 1 acre threshold, the Town of Dover threshold is ½ acre.

Planner Ley-We saw the letter from DEC regarding the potential of Indiana Bats, so we would like a note to be placed on the plat stating any clearing needs to be done only during the DEC recommended time frame.

Chapter 65 was further explained to Mr. Nichols, 1 lot at a time compared to both lots together. Tree cutting, clearing and stumping as per DEC was also discussed.

Attorney Polidoro- The applicant has already demonstrated he is creating buildable lots, so that is satisfied.

The Short Form EAF was reviewed resulting in the adoption of the following resolution:

**PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)**

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.47 If yes, coordinate the review process and use the FULL EAF.  
 Yes  No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.67 If No, a negative declaration may be superseded by another involved agency.  
 Yes  No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:  
 no

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:  
 no

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:  
 the applicant has agreed to place a note on the subdivision plat requiring that all tree removal take place between October 1, 2013 and March 31, 2013 and prohibiting tree removal at all other times

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:  
 no

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:  
 no

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:  
 no

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:  
 no

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?  
 Yes  No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?  
 Yes  No If Yes, explain briefly:

**PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**  
**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.  
 Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.

Dover Planning Board \_\_\_\_\_ May 6, 2013 \_\_\_\_\_  
 Name of Lead Agency \_\_\_\_\_ Date \_\_\_\_\_  
 David Wylock \_\_\_\_\_  
 Print or Type Name of Responsible Officer in Lead Agency \_\_\_\_\_ Title of Responsible Officer \_\_\_\_\_  
 Signature on filed document \_\_\_\_\_  
 Signature of Responsible Officer in Lead Agency \_\_\_\_\_ Signature of Preparer (if different from responsible officer) \_\_\_\_\_

**RESOLUTION TYPING ACTION AND DETERMINING SIGNIFICANCE  
O'Mara 2-Lot Subdivision**

WHEREAS, Patrick O'Mara has applied to the Planning Board for approval of a non-realty subdivision to create two lots from an existing 2.9 acre lot, as shown on the plat entitled, "Proposed 2 Lot Subdivision of Patrick O'Mara," prepared by Larry L. Lynn, L.S., dated March 26, 2012; and

WHEREAS, the parent lot is located on Coleman Lane in the SR Zoning District and is identified as tax map parcel no. 7059-00-917529; and

WHEREAS, the applicant has proposed to convey a driveway easement to the owners of an adjacent lot for an existing residential driveway encroachment; and

WHEREAS, the NYS Department of Environmental Conservation, by letter dated February 7, 2013, advised the applicant that the parent lot is located within or near recorded observances of the Indiana Bat, a listed species, and that to avoid a take, the applicant should limit tree removal to October 1 and the following March 31; and

WHEREAS, the applicant has agreed to place a note on the subdivision plat requiring that all tree removal take place between October 1 and the following March 31 and prohibiting tree removal at all other times; and

WHEREAS, the submittal was accompanied by an Environmental Assessment Form ("EAF") dated February 7, 2012; and

WHEREAS, in accordance with the New York State Environmental Quality Review Act ("SEQRA"), the Planning Board is required to determine whether the proposed action will have a significant impact on the environment; and

WHEREAS, the Planning Board is the only involved agency under SEQRA.

**NOW THEREFORE BE IT RESOLVED that the Planning Board of the Town of Dover hereby determines that the O'Mara 2-Lot Subdivision is an unlisted action under SEQRA.**

**BE IT FURTHER RESOLVED that the Planning Board has reviewed pertinent available information submitted by the applicant and gathered by the Board and has determined that there are no potential significant adverse impacts related to this action and that a Draft Environmental Impact Statement will not be prepared.**

**Date: May 6, 2013**

**Moved By: William Sedor                      Seconded By Peter Muroski**

**Resolution Approved/Disapproved:**

<b>David Wylock</b>	<u><b>AYE</b></u>	<b>Valerie LaRobardier</b>	<u><b>AYE</b></u>
<b>Peter Muroski</b>	<u><b>AYE</b></u>	<b>William Sedor</b>	<u><b>AYE</b></u>
<b>Michael Villano</b>	<u><b>AYE</b></u>		

**Planning Board Co-Chair David Wylock**

**ENTERTAIN REQUEST FOR EXTENSION:**

**V. MEADOWBROOK ESTATES- 7063-00-511774**

**APPLICANT: Meadow Brook Properties, LLC. PLANS PREPARED BY: ZARECKI & ASSOCIATES**

**PROPERTY LOCATED: on NYS RT22, Dover APPLICATION FOR: Subdivision**

**Entertain Request for extension**

Attorney Polidoro- The applicant received preliminary layout approval on November 8 2007, generally you have to comeback in within 6 months for final plat, they have asked for 10 extensions, time has lapsed and they still have not come back in with final plat. They are working on some issues with DEC, a letter was submitted, we asked for copies of the most recent correspondence with DEC but it seems as though it has been conversations not letters with DEC. We have prepared a resolution to extend the time in which to submit final plat, but since it has been 6 years the Board may wish to update the SEQRA review when they return. This is something that was done with StonyBrook, Things change over the course of time, like rivers and wetlands migrating, it just makes sense.

Planner Ley & Engineer Berger- Agree with revisiting SEQRA when the applicant returns

**ZARECKI**  
&  
**ASSOCIATES, L.L.C.**

Engineers • Architects  
Surveyors

Joseph Zarecki, PE  
Jeffrey Hecker, LS  
Curt Johnson, RA

11 West Main Street  
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(845) 855-3771  
(845) 855-3772 Fax  
Website: zarecki.com  
email: zareckiasoc@earthlink.net

Ridgefield, CT  
(203) 438-7094  
(203) 438-7157 Fax

April 1, 2013

Mr. David Wylock, Planning Board Co-Chairman  
Ms. Valerie LaRobardier, Planning Board Co-Chairman  
Town of Dover Planning Board  
126 East Duncan Hill Road  
Dover Plains, NY 12522

Re: Meadow Brook Subdivision  
NYS Route 22  
Town of Dover

Dear Co-Chairs Mr. Wylock, Ms. LaRobardier and Members of the  
Planning Board:

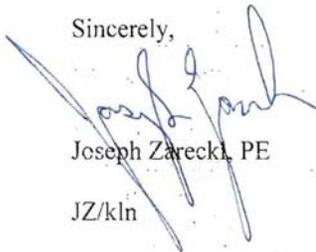
As you may recall, our office presented to the Planning Board a new plan directive which included a separate drawing for the rear two (2) lots (Lot #'s 6 and 7). This was a direct result of the lack of cooperation of the adjoiner who uses the existing driveway (via an easement) across land of the Meadow Brook Subdivision. This option resulted in Meadow Brook having to eliminate Lot #5.

Since our last meeting, plans for the revised driveway have been submitted to the New York State Department of Environmental Conservation (NYSDEC) for a permit to widen the existing driveway within the wetland adjacent area. After much time had elapsed, our office did receive comments on the first submission. Plans were again revised and resubmitted to the NYSDEC. The NYSDEC seems prepared to accept the current alignment and has requested a full submittal at this time. We are now preparing for this submittal.

We respectfully request that the Board provide the applicant with a six (6) month extension of the Preliminary Approval from the May 8, 2013 expiration date to an extended expiration date of November 8, 2013.

Thank you for your consideration in this matter. Please do not hesitate to contact me should you have any questions or concerns.

Sincerely,



Joseph Zarecki, PE

JZ/kln

cc: client



Received by Planning board 5/6/13

**ZARECKI**  
&  
**ASSOCIATES, L.L.C.**

Engineers • Architects  
Surveyors

**Joseph Zarecki, PE**  
**Jeffrey Hecker, LS**  
**Curt Johnson, RA**

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May 6, 2013

Mr. David Wylock, Planning Board Co-Chairman  
Ms. Valerie LaRobardier, Planning Board Co-Chairman  
Town of Dover Planning Board  
126 East Duncan Hill Road  
Dover Plains, NY 12522

Re: Meadow Brook Subdivision  
NYS Route 22  
Town of Dover

Dear Co-Chairs Mr. Wylock, Ms. LaRobardier and Members of the  
Planning Board:

This letter is intended to further explain to the Planning Board the status  
of the NYSDEC and to assist the Planning Board in their decision  
pertaining to our request for an extension of the Preliminary Approval to  
November 8, 2013.

In a conversation with Ms. Heather Gierloff, Biologist with the  
NYSDEC, she indicated that the NYSDEC (Rebecca Crist) has reviewed  
the new Sketch Plan.

The NYSDEC policy is that the existing access is available to gain  
access through to the back of the property and should be pursued. I had  
explained to Ms. Gierloff that the owner of the back property utilizes the  
access via an easement and is the owner is not willing to sign a  
maintenance agreement. The owner is most difficult to deal with; the  
NYSDEC is aware of the owner and agrees.

The current plan moves the driveway closer to the existing one and  
eliminated the small retaining wall. The original design was moved to  
the north to avoid having to relocate the telephone poles along the  
driveway. The new design will require the relocation of the telephone  
poles. The new design eliminates the lot in the front (Lot #5) and only  
disturbs the wetland by 1,300 square feet.

The NYSDEC does not have an issue with the proposed design.  
However, they want to have a narrative provided stating why we cannot  
utilize the existing driveway and mitigation measures proposed. This  
will need to include, but not limited to, the following:

- Adjoiner unreasonable
- The elimination of Lot #5
- The maintenance agreement with the two (2) back lots (via notes  
on the Plat)

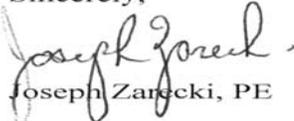


- Explain the hardship not being able to access the back lot without going through the wetland somewhere (wetlands bisects the property from the north to the south)
- The proposal has minimized disturbance to the wetlands
- The NYSDEC want us to show plantings (i.e.: Dogwood) with the mitigation

The NYSDEC has requested our office to forward to them once we have completed the new revisions a set of the original plans so they can compare and review the changes simultaneously.

Again, thank you for your consideration in this matter. Please do not hesitate to contact me should you have any questions or concerns.

Sincerely,



Joseph Zarecki, PE

JZ/kln

cc: client

**RESOLUTION TO EXTEND THE TIME IN WHICH TO SUBMIT A FINAL PLAT  
Meadow Brook Estates Subdivision**

May 6, 2013

WHEREAS, on November 8, 2007, the Planning Board granted preliminary plat approval to the subdivision entitled "Meadow Brook Properties, LLC" for property located on New York State Route 22, Tax Parcel No. 7063-00-511774 (the "site"); and

WHEREAS, pursuant to Section 125-8(A) of the Dover Code, a final plat must be submitted to the Planning Board within six months of preliminary plat approval; and

WHEREAS, the applicant was not able to submit a final plat for the Board's consideration before the expiration of approval of nine six-month extensions of time; and

WHEREAS, by letter dated April 1, 2013, the applicant timely requested an additional extension of time in which to submit a final plat from May 8, 2013 to November 8, 2013; and

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

**NOW, THEREFORE, BE IT RESOLVED, that pursuant to Town Law § 276(5)(h), the Planning Board hereby grants the applicant a six-month extension of time to November 8, 2013, to submit a final plat for the Board's consideration.**

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.

**Moved by:** Michael Villano **Seconded by:** Bill Sedor

David Wylock	<u>AYE</u>	Peter Muroski	<u>AYE</u>
Valerie LaRobardier	<u>AYE</u>	Bill Sedor	<u>AYE</u>
Michael Villano	<u>AYE</u>		

Planning Board Chair David Wylock

**MINUTES:**

**VI. MINUTES OF APRIL 1, 2013**

**Motion made by Michael Villano to approve the minutes of April 1, 2013 second by Valerie LaRobardier**

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

*Motion approved*

AT THIS TIME THE AGENDA SEEMS TO BE LIGHTENEING UP , SO WE WILL BE WORKING WITH 1 MEETING EACH MONTH UNTIL SUBMISSIONS INCREASE , WE WILL CANCEL THE SECOND MEETING FOR AND MAY THE NEXT MEETING IS SET FOR JUNE 3

**Motion made by Peter Muroski to adjourn at 8:05 by Valerie LaRobardier**

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

*Motion approved*

Respectfully submitted,

*Betty-Ann Sherer*

Betty-Ann Sherer

[LandUse@TownofDoverNY.US](mailto:LandUse@TownofDoverNY.US)

This meeting may be viewed in full on the Town of Dover web site by going to [www.townofdoverny.us](http://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