

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 Agenda
Monday June 3, 2013
7:00 PM

- 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: Brenda Masterson for Dwy Lane, Harry Nichols for O'Mara Subdivision, Joe Couture for Benson Couture 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 at 7:03 and began with the Pledge of Allegiance

Public Hearing:

I. 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- Proposing a 2 lot subdivision on Johnson Road. Each lot will have appropriate road frontage. The septic systems have been tested and meet DOH requirements for both rates and size. There is an endangered species on site as noted by DEC, a bat , and we have agreed to place a note on the map requiring that all tree removal take place between October 1st and March 31st. There is also the issue of the parcel north of this parcel, where the driveway crosses, an easement will be created in order to allow it to remain. There will be limited disturbance, just for the home and septic, much of the site will remain wooded.

Motion made by David Wylock to open the O'Mara Public Hearing second by Peter Muroski

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

Motion approved

Planner Ley- Point of correction, DEC did not identify the Indiana Bat as being on site but the potential for it, and an Indiana bat survey was not completed for the property

Michael Stra:

My name is Michael Stra I am current owner the parcel adjoining the applicant's property directly to the north. I would like to thank the Dover planning board for allowing me to state my concerns regarding the pending application for the 2 lot subdivision located at Coleman Lane and Johnson Rd. I would like to stress that I am not against the proposed plan and that it may possibly increase surrounding property values. That is only if the subdivision is done correctly and not rushed to market. I hope to voice the concerns of those present as well as those not present that have interest not only in the future development of our community but the impact it may have on the surrounding property, our water quality our health and the future health of our children. My immediate concern is the rerouting of the current ground water that this time flows both adjacent with and across Coleman Lane. At the present time this ground water caused by natural water pressure, well overflow and rain runoff flows to a natural formed stream that runs thru the southernmost part of proposed lot 2 and eventually crosses both Hill Lane and Hutcheson Ave and eventually into the great swap, an Aquifer for the Harlem Valley and NYC. The proposed subdivision would reroute this natural flow of ground water thru a series of culverts and open ditches across the uppermost point of the property along Coleman Lane, down Johnson hill and finally making a 90 degree turn into an open curtain drain eventually rejoining the original stream. The design in which this reroute is created is of greatest concern and poses the several questions. The proposed plan does not address whether or not the rerouting along Johnson Rd is a covered or protected stream. If not covered the steam would increase the egress of road salt, silt, oil, gasoline and other hazardous wastes that run down the length of Johnson hill. As this is routed back into the adjoining properties and seeps into our water table it becomes a concern whether you have a opinion or not.

I have spoken to Mr. Harrison who owns the property directly to the south and he may have his own questions however the question I'd like to address this evening are as follows.

- **What size homes are being purposed on the O'mara subdivision as septic tanks and field studies are based on those sizes?**
- **In Lot 1 what is the planed setback of the closest septic field from the Stra property and what is the minimum requirements**
- **In Lot 1 the stated setback from the well of the Stra property and septic is 100 feet what is the minimum required under NYS DEC requirements.**
- **Should either purposed septic field fail what area is designated for new fields or expansion area?**
- **Has the DEC been informed in the plans submitted as it incurs a change in current flows of silt and soil?**

Harrison

- **How will the current plan reroute support flow without flooding the Harrison property**

- **Has a study been done on the current flow, spring runoff and flood flow of the stream in place? (Last Year's Hurricane) Who will be responsible for the construction of the rerouting said reroute, including the reinforcing of the stream that crosses the Harrison property to support the increased flow?**
- **Who will be responsible for the maintenance of the culverts that follow Coleman Lane, Johnson Rd and the Harrison property?**
- **What size culvert will be placed at the junction of both the Coleman Lane / Johnson Rd intersection and the intersection of the Harrison property where the stream is forced to make a 90 degree turn?**
- **Will culverts be placed along the south side of Johnson Rd to Hutcheson Ave should the flow of the reroute cross under the existing culvert of Johnson Rd.?**

Mr. Stra's comments were made with respect to the initial map submitted in which houses were proposed as a realty subdivision, since that time, the project has been revised to now be a non realty subdivision.

Engineer Berger- the application before us at this time is a non realty subdivision, although the applicant has shown the feasibility of septic design, there is nothing before this board showing grading. As the Board knows a non realty subdivision is purely the division of the land into 2 lots, allowing the property owner to seek Health Department approval and a Chapter 65 separately on each, which is allowed under the subdivision laws. So the questions just asked, are not answered within this submission, because there are no houses proposed at this time. When they apply for a building permit, if the threshold for chapter 65 is triggered then they return, then these questions would be relevant

Planner- Not necessarily in a public forum.

Attorney- You're approving vacant lots with no development, when the lots are sold if the development is under ½ acre, then there is no further review by this board. If greater then they come back

Engineer Berger-The health department approves the sub surface sewer disposal and well, and the driveway location with respect to how it affects the well and septic, the Building inspector will approve the house and grading the highway superintendent will approve the drive way access and ditches and culverts

Mr. Nichols- The septic meets the requirements of Dutchess County Health, the soils are not a problem, the septic will be designed within the regulations with 100 expansion shown. There are no pipes proposed except under possibly the driveways, the natural swale along Coleman lane and the flow is diverted into the water course which exists.

Engineer Berger- Like I said, these are things that are not being proposed in the application that is before the Board now, all of that is for when the homes are proposed. Not the driveways or homes now.

Mr. Nichols- at this time the plan is to keep the disturbance under ½ acre, if now they will return for a chapter 65

Mr. Harrison: His only concern is about if the water is going to be re routed down the road past his house or in the stream next to him and flood his property. If the drainage is not right, he will get too much water on his site.

Mr. Stra the current plan does not show the route of water down Johnson road, when looking at the dotted line down Johnson Hill Road that does not exist. It would move the current stream which goes through lot 2 right now. This is why he has such concerns about water, right now it goes down lot 2.

Planner- There was an earlier plan which had the potential layout, that has been withdrawn and this is the current plan, there is no proposal of rerouting any water.

Mr. Nichols- When originally submitting, the plan was conventional subdivision, this is now a non realty subdivision. This plan has been renamed as exhibit, it originally showed the stream, which is not being changed or modified; it will remain and function as it currently does. There is no proposal to change the direction of flow of any drainage. 2/7/12 revised 3/15/12 submitted 4/9/13.

Engineer- During our site walk and since then he has walk the area, the culvert on Coleman, the water drops out and sheets across lot 2 but there is no full running water. To note- as a non realty, when going to the highway Superintendent, they approve the driveway and culverts, any redirection of water would also trigger chapter 65.

There were no additional comments from the Public or the Board

Chair Wylock- At this time due to the Public comment, I'm not sure if we are ready to close the Public hearing. Maybe we should go back and look at the site since it's been a year

Engineer Berger- Agreed, especially with the rains we have been having. It is always good under new conditions.

Motion made by Michael Villano to continue the O'Mara Public Hearing to July 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

Last site walk was held 3/5/12 - Site walk set for Wednesday June 12 @ 5:30

OLD BUSINESS:

II. 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

Site walk held 6/3/13 @ 5:30

Mr. Gardell- We had a site walk earlier this evening, what we are trying to accomplish is to eliminate the turn around that is at the end of a 50' wide road way as it bisects the property of Mr. & Mrs. Grey , the house is on one side and the septic on the other, It is now understood that there needs to e a turn around at the end of the road. If we were to bring the road up to Mastersons lot, the road would need to be brought up to rural road standards, which would be very costly. In the

field we discussed a hammer head ant the end of the road on the grey property, after the site walk he spoke to Mr. grey who showed him where the septic etc exist. What will be done is locate the features and include them on the map revision.

Engineer- Berger- Do you feel the hammer head type of turn around would work?

A: yes I think it will fit very well and will be added to the map. There will also be a sign posted for no parking there.

Attorney- The Zoning chart needs to be added and there should be a bond posted for the actual construction of the turn around and the easements should be revised

Motion made by Bill Sedor to set the Dwy Lane Public Hearing for July 1 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 circulate the application to the Fire Department & Highway Department second by Peter Muroski

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

Motion approved

NEW BUSINESS:

III. BENSON/ COUTURE LOT LINE CHANGE 7162-00-307119& 7162-00-315092

APPLICANT Joseph Couture PLANS PREPARED BY Ed Bator

PROPERTY LOCATED 29 North East Mountain Road, Dover

APPLICATION FOR Lot Line Change To take acreage from Benson to Couture, RU district

Benson to retain required 2 acres, Couture to gain acreage to become less non conforming

and allow existing driveway to have better access to parcel

Joe Couture- Here proposing a lot line adjustment, to correct and existing condition. His driveway crosses Mrs. Benson's lot. There is a utility pole there and when the driveway was constructed his father in law chose to cross his own property and they would fix it later, so now they are here to fix it.

Engineer Berger- No comments

Planner Ley

One item discussed is that this is a pre existing non conforming lot

The applicant is before the Planning Board for the initial review of a subdivision application (lot line change). The applicant proposes to transfer 0.32 acres from Lot 2 to Lot 1 to correct the existing driveway crossing. Lot 1 is a pre-existing non-conforming flag lot in the RU Zoning District (2 acre minimum for conventional lots, 4 acre minimum for flag lots). The proposed action would increase the size of Lot 1 from 1.17 acres to 1.49 acres, and would decrease the acreage of Lot 2 from 2.38 acres to 2.06 acres. Therefore, Lot 2 would remain conforming and Lot 1 would be made less non-conforming.

Section 145-29.B of the Town Code states that, "A nonconforming lot may be subdivided only if the subdivision plat shows that every subdivided portion of such lot will be merged with adjoining properties to increase the area of such properties, thereby eliminating the nonconforming lot." A

conservative interpretation of 145-29.B would only allow a subdivision application to proceed on the Lot 1 if the non-conforming lot is eliminated. However, the proposed action would make an existing lot less non-conforming, which is encouraged by the Town of Dover Code. It would also not enable any new lots to be created, nor make any other lot less conforming. As such, from a planning perspective, I have no objections to this application being approved. However, I do have concerns as to its conformance with 145-29.B. This issue has been raised in the past on the Anderson and Zervos application (2009), as well as the Detric-Hearn application (2012); as such, the ZBA may have already issued an interpretation on this subject and should be consulted.

A setbacks table with the proposed conditions is shown on the subdivision plat, however a complete lot and bulk table for the existing and proposed conditions should also be provided to demonstrate the improved condition of the proposed action. Along with the requirements



Town of Dover, New York
Michael C. Segelken, Building Inspector

126 East Duncan Hill Road
Dover Plains, New York 12522
Phone (845) 832-6111 x102
Fax (845) 832-3188



June 3, 2013

Town of Dover Planning Board

§ 145-29. Existing nonconforming lots.

- B. A nonconforming lot may be subdivided only if the subdivision plat shows that every subdivided portion of such lot will be merged with adjoining properties to increase the area of such properties, thereby eliminating the nonconforming lot.

In the case of subdivision, I believe the intent of 145-29 B of the Town of Dover Subdivision law is to prevent creating non conforming lots, but allowing a non conforming lot to gain acreage thus making it less non conforming.

Sincerely,

Michael Segelken
Building CEO



617.20 Appendix C State Environmental Quality Review SHORT ENVIRONMENTAL ASSESSMENT FORM For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR: Joseph M. Couture; 2. PROJECT NAME: Lot Line Change; 3. PROJECT LOCATION: Municipality Town of Dover, County Dutchess; 4. PRECISE LOCATION: 21 North East Mt Rd, Dover Plains N.Y. 12522; 5. PROPOSED ACTION IS: Modification/alteration; 6. DESCRIBE PROJECT BRIEFLY: Lot Line Change / 2 Lots; 7. AMOUNT OF LAND AFFECTED: Initially 3.55 acres, Ultimately 3.55 acres; 8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?: No, Preexisting Areas; 9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?: Residential; 10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? No; 11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? No; 12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? No; I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE; Applicant/sponsor name: Joseph M. Couture; Date: 5/8/13; Signature: [Handwritten Signature]

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER 1



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

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? 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 617.6? 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:
 NO

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.

Town of Dover Planning Board 6/10/13
 Name of Lead Agency Date

David Couture CHAIRMAN
 Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer

[Signature] *[Signature]*
 Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from responsible officer)

**RESOLUTION TYPING ACTION AND DETERMINING SIGNIFICANCE
 BENSON-COUTURE LOT LINE ALTERATION**

WHEREAS, Joseph M. Couture has applied to the Planning Board for approval of a lot line alteration to transfer 0.32 acre of property from a 2.38 acre lot owned by Juanita Benson, identified as Tax Parcel No. 7163-00-315092 to a 1.17 acre parcel owned by Joseph M. Couture and Lori Benson, identified as Tax Parcel No.

**RESOLUTION GRANTING SIXTH EXTENSION OF EROSION AND SEDIMENT
CONTROL PERMIT
RUSCIANO EROSION AND SEDIMENT CONTROL PERMIT**

June 3, 2013

Property Address: 236 & 246 Cricket Hill Road

WHEREAS, on February 1, 2010, the Planning Board granted the applicant, Peter Rusciano, an erosion and sediment control permit for disturbance as shown on the plan entitled "Proposed Fill Plan, Rusciano Property", prepared by John Meyer Consulting, P.C., dated 07/07/2009, last revised 01/06/2010, to expire on February 2, 2011, subject to several conditions including submission of a performance guaranty in the amount of \$3,000.000; and

WHEREAS, on October 4, 2010, the Planning Board granted the applicant a six-month extension of time to August 2, 2011, to complete the work contemplated under the permit; and

WHEREAS, on May 16, 2011, the Planning Board granted the applicant a second six-month extension of time to February 2, 2012, to complete the work contemplated under the permit; and

WHEREAS on December 19, 2011, the Planning Board granted the applicant a third six-month extension of time to August 2, 2012, to complete the work contemplated under the permit; and

WHEREAS on May 21, 2012, the Planning Board granted the applicant a fourth six-month extension of time to February 2, 2013, to complete the work contemplated under the permit; and

WHEREAS, on December 3, 2012, the Planning Board granted the applicant a fifth six-month extension of time to August 2, 2013, to complete the work contemplated under the permit; and

WHEREAS, by letter dated May 9, 2013, the applicant has requested an additional extension of time to complete the work; 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, permit renewals are Type II actions under SEQRA; 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 six-month extension of time to February 2, 2014, to complete the work contemplated under the erosion and sediment control permit, as shown on the approved plan entitled "Proposed Fill Plan, Rusciano Property", prepared by John Meyer Consulting, P.C., dated 07/07/2009, as last revised.

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:** Valerie LaRobardier

David Wylock Aye
Valerie LaRobardier Aye

Peter Muroski Aye
William Sedor Aye
Michael Villano Aye

Planning Board Chair David Wylock

V. DOVER ESTATES 6 LOT SUBDIVISION- 7060-00-788552 & 7060-16-779491

APPLICANT Peter Rusciano PLANS PREPARED BY Richard Pearson of John Meyer Consulting
PROPERTY LOCATED at: NYS Rt22 and Rural Avenue, Dover, NY RU district

APPLICANT SEEKS an Extension of Erosion Control Permit remove fill and level property

RESOLUTION GRANTING THIRD 6-MONTH EXTENSION OF EROSION AND SEDIMENT CONTROL PERMIT APPROVAL

DOVER ESTATES SUBDIVISION

June 3, 2013

Tax Parcel Nos. 7060-00-788552 & 7060-16-779491

WHEREAS, on August 1, 2011, the Planning Board granted conditional final approval to the subdivision plat entitled "Dover Estates, Town of Dover", Sheets 1-14, dated 10/21/04, last revised 6/11, prepared by Northern Westchester Civil Engineering, PC and granted an erosion and sediment control permit for disturbance shown thereon; 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 December 19, 2011, the Planning Board granted the applicant a six-month extension of time to February 1, 2013, to complete the work contemplated under the permit; and

WHEREAS, on December 3, 2012, the Planning Board granted the applicant a second six-month extension of time to August 1, 2013, to complete the work contemplated under the permit; and

WHEREAS, by letter dated May 9, 2013, the applicant has requested an additional extension of time to complete the work authorized under the permit; 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 third 6-month extension of time to February 1, 2014 to complete the work contemplated under the erosion and sediment control permit, as shown on the approved plan entitled, "Dover Estates, Town of Dover", Sheets 1-14, dated 10/21/04, last revised 6/11, prepared by Northern Westchester Civil Engineering, PC, subject to satisfaction of the conditions set forth in the resolution adopted by the Board on August 1, 2011; and

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: William Sedor Seconded by: **Valerie LaRobardier**

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

Planning Board Chair David Wylock

ENTERTAIN BOND RELEASE:

VI. DACHILLE ESC- Engineer Berger completed inspection and submitted letter recommending release of bond

Dachille Subdivision, Town of Dover New York

	<p>BERGER ENGINEERING AND SURVEYING 100 Fulton Avenue Poughkeepsie, New York 12603 Engineering Services: (845) 471-7383 GIS Services: (845) 392-7180 www.BergerEngr.com</p>
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05/21/13

*Chairpersons Wylock
And members of the Town of Dover Planning Board
126 East Duncan Hill Road
Dover Plains, New York 12522*

*Re: Dachille Subdivision
51 Dugway Drive, Dover NY
Grid 6959-00-383093*

Dear Chairpersons Wylock, and Members of the Planning Board:

I have inspected the above site and found it to be acceptable and recommend that the erosion control bond be released.

If you have any questions regarding the enclosed comments, please feel free to call me at (845) 471-7383 x 105

Sincerely,

Joseph P. Berger

Joseph P. Berger P.E., L.S.

**RESOLUTION RECOMMENDING RELEASE OF PERFORMANCE BOND
DACHILLE CONVENTIONAL SUBDIVISION**

June 3, 2013

51 Dugway Drive, Pawling

WHEREAS, on December 3, 2012, the Town of Dover Planning Board granted William Dachille a Chapter 65 Erosion & Sediment Control Permit (the "permit") in connection with subdivision approval 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, as a condition of permit approval, the applicant was required to submit a performance guaranty in the amount of \$2,700.00; and

WHEREAS, the Planning Board Engineer has conducted a final inspection and confirmed that all work contemplated under the permit has been satisfactorily completed; and

WHEREAS, pursuant to Town Code Section 65-11(C), "such performance guaranty shall continue in full force and effect until a certificate of compliance shall have been issued by the authorized official after such consultation with any agencies or individuals as he deems necessary to ensure that all provisions of this chapter and of the permit have been met."

NOW THEREFORE BE IT RESOLVED, pursuant to Town Code Section 65-11(C), the Town of Dover Planning Board hereby recommends issuance of a certificate of completion and the subsequent release of the performance guaranty submitted to the Town by the applicant.

Resolution Approved/Disapproved:

Moved by: Peter Muroski **Seconded by:** Michael Villano

David Wylock Aye
Valerie LaRobardier Aye
Peter Muroski Aye
William Sedor Aye
Michael VillanoAye

Planning Board Chair David Wylock

MINUTES:

VII. MINUTES OF MAY 6, 2013

Motion made by Valerie LaRobardier to approve the minutes of May 6, 2013 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

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 JUNE THE NEXT MEETING IS SET FOR JULY 1

Motion made by Peter Muroski to adjourn at 8:06 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

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