APPROVED

Town of Dover Planning Board

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

(845) 832-6111 ext. 100

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SEP 17 2013
TOWN CLERKS OFFICE
TOWN OF DOVER

RESOLUTION GRANTING PRELIMINARY LAYOUT AND FINAL SUBDIVISION PLAT APPROVAL

O'NEILL

WHEREAS, Loralie and David O'Neill have applied to the Planning Board for approval of a subdivision and lot line alteration to create three new lots and to alter the size of two existing lots, as shown on the plat entitled, "Non-Realty Subdivision, prepared for Loralie and Davie O'Neill", prepared by Kenneth B. Salzmann, L.S. No. 49712, dated January 23, 2013, last revised August 19, 2013; and

WHEREAS, the parent lot is located on Parmalee Road in the RU Zoning District and is identified as tax map parcel no.7160-03-360320; and

WHEREAS, proposed Lot 1 contains a residential dwelling unit, proposed Lot 2 contains a residential dwelling unit, and proposed Lot 3 contains three mobile homes and no new development is proposed as part of this action; and

WHEREAS, the submittal was accompanied by a short Environmental Assessment Form ("EAF"), dated June 12, 2013; and

WHEREAS, on July 1, 2013 the Planning Board 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 duly noticed public hearing was held on August 5, 2013 and continued to September 16, 2013, during which all those who wished to speak were heard; and

WHEREAS, a proper case does not exist for requiring a park or parks suitably located on the lots for residential purposes as no new vacant building lots are being created.

NOW THEREFORE BE IT RESOLVED the Planning Board hereby grants preliminary layout and final subdivision approval to the plat entitled, "Plat of Non-Realty Subdivision prepared for Loralie and David O'Neill" prepared by Kenneth B. Salzmann, Land Surveyor, dated January 23, 2013, last revised on August 19, 2013, and authorizes the Chair to sign the plat after compliance with the following conditions:

1. **Payment of all fees and all escrow.**
2. **Department of Health permission to file.**
3. **Approval by Planning Board Attorney of a common driveway and maintenance agreement between Tompkins and Stinner.**
4. **Revision of the plat to contain the following note: A chapter 65 permit shall be obtained before installation of any new driveways from Davis Road due to the potential for severe erosion.**

5. **Approval by the Planning Board Attorney of a revised private road easement and maintenance agreement to provide access to and from Parmalee Road for Lot 2, Stinner, Tompkins and Lot 3.**
6. **Approval by the Planning Board Attorney of a deed from O'Neill to Tompkins and a merger deed from Tompkins to Tompkins.**
7. **Approval by the Planning Board Attorney of a deed from O'Neill to Booth and a merger deed from Booth to Booth.**

NOW THEREFORE BE IT FURTHER RESOLVED, that before a building permit may be issued for any new improvements on any of three new lots or altered lots, the following shall be provided to the Land Use Coordinator:

1. **Proof of recording of the shared driveway easement and maintenance agreement, private road easement and maintenance agreement, and the required merger deeds.**

Date: September 16, 2013

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

Resolution Approved/Disapproved:

David Wylock	Y
Valerie LaRobardier	Y
Peter Muroski	Y
William Sedor	Y
Michael Villano	Y

Planning Board Chair David Wylock