



Planning Board

Regular Meeting

<http://www.townofdovery.ny.us/>

~ Minutes ~

Monday, April 7, 2014

7:00 PM

Town Hall

The Town of Dover Planning Board held a Regular Meeting at 7:00 PM on Monday, April 7, 2014 at the Town Hall, 126 East Duncan Hill Road, Dover Plains, NY 12522 with the following members present:

I. Call to Order

Chairman David Wylock called the meeting to order at 7:00 PM.

Attendee Name	Organization	Title	Status	Arrived
David Wylock	Town of Dover	Chairman	Present	
Valerie LaRobardier	Town of Dover	Board Member	Present	
Peter Muroski	Town of Dover	Board Member	Present	
William Sedor	Town of Dover	Board Member	Present	
Michael Villano	Town of Dover	Board Member	Present	

II. Pledge of Allegiance

Everyone stood for the Pledge of Allegiance to the flag.

III. Public Hearings:

a. Reagans Mill Water Company Lot Line Change 7160-00-190630 & 7160-01-235625

Motion to open the Public Hearing for Reagans Mill Water Co

RESULT: ADOPTED [UNANIMOUS]

MOVER: Valerie LaRobardier, Board Member; **SECONDER:** Michael Villano, Board Member

AYES: Wylock, LaRobardier, Muroski, Sedor, Villano

Anthony Pisarri was present for the Applicant

Points of information:

The Application is for Lot line change between the factory and the water co

The original wells (known as wells 1 & 2 are on a 4 +/- acre parcel

These wells service the Country Mills, Wood Winds & the Factory

Wells 3 & 4(the new wells) were drilled to get the operation further away from the factory

The new wells have an even better yield than 1&2

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The lot line change is to put the new wells on the on own parcel, they will be activated then wells 1 & 2 will be decommissioned.

There were no public comments

Motion to continue the Public Hearing for Reagans Mill Water Co to May 5, 2014

RESULT: ADOPTED [UNANIMOUS]

MOVER: Peter Muroski, Board Member **SECONDER:** William Sedor, Board Member

AYES: Wylock, LaRobardier, Muroski, Sedor, Villano

b. John Quartararo Subdivision 6962-00-310797 & 6962-00-377644

Motion to open the Public Hearing for John Quartararo Subdivision

RESULT: ADOPTED [UNANIMOUS]

MOVER: Michael Villano, Board Member **SECONDER:** Valerie LaRobardier, Board Member

AYES: Wylock, LaRobardier, Muroski, Sedor, Villano

Rich Rennia Application is to take two existing parcel with a total of 190 acres and create 2 new parcels will create 2 new acres 12.8 & 15.7 acres for a non-reatly subdivision.

Driveway profiles were provided to show the lots are buildable

Soils investigation was also completed to show the lots are buildable for septic

A habitat assessment was completed

The Assessment showed there is a rattlesnake den area within 1.5 miles. There was no den or basking habitat on the site itself. The wooded portion of the property has the potential of a travel corridor or foraging habitat. Mitigation was proposed, seasonal restriction earth work will be restricted and will be conducted from November 1- March 31 or a temporary barrier could be installed. NYS DEC reviewed this and they concurred with the findings and felt it was adequate a Taking permit from them would not be necessary.

Letter received from DEC today:

RE: Quartararo Subdivision Timber Rattlesnake Evaluation

Project ID: 4947 Town of Dover, Dutchess County

Dear Mr. Rennia:

Thank you for providing our office with copies of the Eastern Timber Rattlesnake Habitat Assessment Report and cover letter from Ecological Solutions to Lisa Masi date February 10, 2014, as requested by Lisa Masi on January 28, 2014. In response to your inquiry dated March 4, 2014. We offer the following comments:

Ms. Masi. of the department's Region 3 Bureau of Wildlife, has reviewed the submitted materials and determined that the take avoidance measures described on page 6 of the habitat assessment are sufficient to prevent the need for an incidental take permit under Part 182 of NYS Environmental Conservation Law for this project, as currently proposed. This determination is dependent upon the proposed take avoidance measures being implemented correctly in the location currently described. To ensure that these measures are executed as planned, we request that they be incorporated into the project plan notes.

Please contact this office if you have questions regarding the above information. Thank you.

Sincerely, Jean McAvoy

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Region 3, Division of Environmental

No Public Comments

Short EAF reviewed and signed resulting in the following resolution:

RESOLUTION ADOPTING DETERMINATION OF NON-SIGNIFICANCE

QUARTARARO SUBDIVISION

April 7, 2014

Property Address: Chestnut Ridge Road

WHEREAS, the applicant, John Quartararo, has submitted an application for subdivision approval to create two new lots from two existing parcels of land (three existing tax parcels) and to make other associated lot line modifications, as shown on the plan entitled, "Lands of Quartararo" prepared by Rennia Engineering Design, PLLC, and dated October 9, 2013 (the "project"); and

WHEREAS, the parcels involved in this application are identified as tax parcel numbers 6962-00-120800; 6962-00-310797 and 6962-00-377644 (the "site"), and are located in the RC District and AQ and SC Overlay Districts in the Towns of Dover and Pawling; and

WHEREAS, the project includes the abandonment of Old Chestnut Ridge Road, which bisects a lot; and

WHEREAS, the applicant has indicated that this will be a non-realty subdivision; and

WHEREAS, on December 2, 2013, the Planning Board classified the action as an unlisted action and circulated for lead agency, to which no other agency has objected; and

WHEREAS, the applicant has submitted an Eastern Timber Rattlesnake Habitat Assessment Report, prepared by Mike Nowicki, which indicates that the site is not prime basking habitat but does contain general habitat preferred by the Timber Rattlesnake, such as bedrock and talus controlled landscapes in a mixed deciduous forest; and

WHEREAS, the Final Plat shall include a note indicating that are required to avoid impacts to the Eastern Timber Rattlesnake:

1. Disturbance activities, including movement of construction vehicles, excavation, and alteration of vegetation, shall be conducted from November 1st through March 31st.
2. A temporary restrictive barrier shall be installed around the perimeter of the disturbance footprints less than one acre.
 - a. The barrier shall be installed prior to March 31st and maintained until the end of the construction phase of the project, or until November 1st, whichever occurs first; and
 - b. The barrier shall be inspected daily and, if necessary, repaired immediately to a fully functional condition; and
 - c. The barrier shall be constructed in accordance with the following design specifications:
 - i. Made of 1/4 inch square hardware cloth or wire mesh;
 - ii. A minimum of 48 inches high;
 - iii. Anchored into the ground with reinforcement bars placed on the "disturbance side" of the barrier and spaced 6 to 8 feet apart; and
 - iv. Secured at the base (barrier/ground interface) with at least 6 inches of fence material covered with soil backfill.

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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 has considered the criteria contained in 6 NYCRR 617.7 and thoroughly analyzed all identified relevant areas of environmental concern.

NOW THEREFORE BE IT FURTHER RESOLVED that the Planning Board has reviewed pertinent available information submitted by the applicant and gathered by the Board and has reviewed Part 2 of the Environmental Assessment Form and hereby determines that there are no potential significant adverse impacts related to this action and that a Draft Environmental Impact Statement will not be prepared.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Peter Muroski, Board Member; **SECONDER:** Michael Villano, Board Member

AYES: Wylock, LaRobardier, Muroski, Sedor, Villano

Motion to continue the Public Hearing for John Quartararo Subdivision to April 21, 2014

RESULT: ADOPTED [UNANIMOUS]

MOVER: Michael Villano, Board Member **SECONDER:** William Sedor, Board Member

AYES: Wylock, LaRobardier, Muroski, Sedor, Villano

Project review will continue to the April 21, 2014 agenda

c. Dover Plains Plaza- FreshTown 7063-00-509295

Motion to Open the Dover Plaza Public Hearing

RESULT: ADOPTED [UNANIMOUS]

MOVER: Valerie LaRobardier, Board Member **SECONDER:** William Sedor, Board Member

AYES: Wylock, LaRobardier, Muroski, Sedor, Villano

Motion to set the Fresh Town Escrow to \$500.00

RESULT: ADOPTED [UNANIMOUS]

MOVER: Michael Villano, Board Member **SECONDER:** Valerie LaRobardier, Board Member

AYES: Wylock, LaRobardier, Muroski, Sedor, Villano

This is an amendment to a previously (2011) approved site plan. This amendment is proposing to remove a vestibule at the entrance of the building and remove the existing bottle return room

Motion to close the Dover Plaza Public Hearing

RESULT: ADOPTED [UNANIMOUS]

MOVER: William Sedor, Board Member **SECONDER:** Peter Muroski, Board Member

AYES: Wylock, LaRobardier, Muroski, Sedor, Villano

IV. New Business

a. Meadowbrook Estates- 7063-00-511774

RESOLUTION TO EXTEND THE TIME IN WHICH TO SUBMIT A FINAL PLAT

Meadow Brook Estates Subdivision

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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 eleven six-month extensions of time; and

WHEREAS, by letter dated March 3, 2014, the applicant timely requested an additional extension of time in which to submit a final plat from May 8, 2014 to November 8, 2014; 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, 2014, 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.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Valerie LaRobardier, Board Member **SECONDER:** William Sedor, Board Member

AYES: Wylock, LaRobardier, Muroski, Sedor, Villano

V. Old Business:

a. 22 West

Site walk set for Monday April 21, 2014 @ 5:30

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VI. Entertain Request for Extensions

- a. None

VII. Minutes:

- a. **Minutes of March 3, 2014**

Motion to approve the minutes of March 3, 2014

RESULT: ADOPTED [UNANIMOUS]

MOVER: William Sedor, Board Member **SECONDER:** Valerie LaRobardier, Board Member

AYES: Wylock, LaRobardier, Muroski, Sedor, Villano

VIII. Adjournment

Motion to Adjourn at 7:44pm

RESULT: ADOPTED [UNANIMOUS]

MOVER: Peter Muroski, Board Member **SECONDER:** Michael Villano, Board Member

AYES: Wylock, LaRobardier, Muroski, Sedor, Villano

The meeting was closed at 7:44 AM

Recorder