

**APPROVED****Town of Dover Planning Board**

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



(845) 832-6111 ext. 100

**RECEIVED**

JUN 03 2014

TOWN CLERKS OFFICE  
TOWN OF DOVER**RESOLUTION GRANTING PRELIMINARY AND FINAL SUBDIVISION APPROVAL****QUARTARARO SUBDIVISION**

June 2, 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 plat entitled, Subdivision of the Lands of John P. Quartararo", prepared by Sheridan Land Surveyors, dated January 7, 2014 (the "Subdivision"); 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 Union Vale; and

WHEREAS, the Subdivision 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 but has demonstrated that each proposed new lot is capable of providing water and supporting a septic disposal system; and

WHEREAS, on February 26, 2014, the Town Board authorized the conveyance of Old Chestnut Ridge Road to John Quartararo; 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, by letter dated April 7, 2014, the NYS DEC 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 the NYS Environmental Conservation Law for the Subdivision as proposed; and

WHEREAS, on April 7, 2014, the Planning Board, serving as lead agency in a coordinated review of the project, adopted a determination of non-significance, finding that the Subdivision would not result in any significant adverse environmental impacts and that the

applicant has included measures sufficient to mitigate any impacts to the Timber Rattlesnake; and

WHEREAS, pursuant to Section 145-65D(4) of the Code of the Town of Dover, before the Planning Board may approve a subdivision plat containing residential units, such subdivision plat shall also show, when required by such board, a park or parks suitably located for playground and other recreational purposes; and

WHEREAS, the J. H. Ketcham Hose Company Inc., submitted a memorandum dated May 14, 2014 which provided comments on minimum emergency access requirements for single- and two-family dwellings and recommended installation of automatic sprinkler systems; and

WHEREAS, pursuant to Sections 277(1) and (2) of the Town Law, the Planning Board is authorized to require that “streets and highways be of sufficient width . . . to facilitate fire protection, and to provide access of firefighting equipment to buildings” and to further require that water mains and fire alarm signal devices be installed in accordance with all applicable standards; and

WHEREAS, in 1990 Op. Atty. Gen. 1138, the Attorney General opined that the Planning Board has implicit authority to require the installation of fire hydrants as a condition of subdivision approval; and

WHEREAS, the Subdivision is not located in an area serviced by water mains and the Planning Board has determined that underground holding tanks with dry hydrants will serve as the functional equivalent to the installation of water mains and a fire hydrant; and

WHEREAS, the applicant has requested that the Planning Board permit alternatives to the installation of the underground storage tanks; and

WHEREAS, a duly noticed public hearing on the application was opened on January 15, 2014 and closed on April 21, 2014, during which all those who wished to speak were heard.

**NOW THEREFORE BE IT RESOLVED, that a proper case exists for requiring that a park or parks be suitably located for playgrounds or other recreational purposes within the town and that a suitable park or parks of adequate size to meet the requirement cannot be properly located on the proposed plat and in lieu thereof requires that payment to the Town of Dover Recreation Trust Fund for two new lots be made prior to the signing of the Final Plat by the Planning Board Chair.**

**BE IT FURTHER RESOLVED, that the Planning Board grants preliminary layout approval to the Quartararo Subdivision.**

**BE IT FURTHER RESOLVED, that that the Planning Board hereby grants final subdivision approval to the subdivision plat entitled, “Subdivision of the Lands of John P. Quartararo”, prepared by Sheridan Land Surveyors, dated January 7, 2014, and authorizes the Chair to affix his or her signature to the plat after compliance with the following conditions:**

- 1. Payment of all fees, including a recreation fee of \$6000.00 and escrow.**
- 2. Submission of recorded Deed which conveyed Old Chestnut Ridge Road to Quartararo.**
- 3. Revision of the subdivision plat to amend the calculation of area for Lot 1 to include the entire lot, including the portion of the lot located in the Town of Union Vale.**
- 4. Revision of the plat to contain the following note: Lot 1 is subject to a conservation easement which was recorded with the Dutchess County Clerk on November 22, 2000 as Document No. 02 2000 10615.**
- 5. Amendment of the Plat to indicate that the Lots are located in the Stream Corridor and Aquifer Overlay Districts.**
- 6. Revision of the plat to contain the following notes:**
  - a. Disturbance activities, including movement of construction vehicles, excavation and alteration of vegetation shall only be conducted from November 1<sup>st</sup> through March 31<sup>st</sup> annually.**
  - b. A temporary restrictive barrier shall be installed around the perimeter of any disturbance with a footprint of less than one acre.**
    - i. The barrier shall be installed prior to March 31<sup>st</sup> and maintained until the end of the construction phase of the project, or until November 1<sup>st</sup>, whichever occurs first; and**
    - ii. The barrier shall be inspected daily and, if necessary, repaired immediately to a fully functional condition; and**
    - iii. The barrier shall be constructed in accordance with the following design specifications:**
      - 1. Made of ¼ inch square hardware cloth or wire mesh;**
      - 2. A minimum of 48 inches high;**
      - 3. Anchored into the ground with reinforcement bars placed on the “disturbance side” of the barrier and spaced 6-8 feet apart; and**
      - 4. Secured at the base (barrier/ground interface) with at least 6 inches of fence material covered with soil backfill.**
  - c. No building permit shall be issued for a residential dwelling unit unless such dwelling unit includes an underground storage tank with dry hydrant / elevated stand pipe accessible to a fire company pumper that is appropriately sized in accordance with NFPA and local Code standards. The tank should not be located further than 250 feet from the residence. In lieu of the provision of an underground storage tank, a lot owner may voluntarily install an automatic sprinkler system that meets the**

requirements of NFPA 13D, as may be revised from time to time, and any local and state requirements.

- d. All future driveways for single- family dwellings shall adhere to the following minimum standards:
  - i. The maximum grade shall be 12%.
  - ii. Driveways shall be constructed with a minimum of 8" deep run of bank gravel base that has been properly compacted
  - iii. Driveways shall provide a minimum unobstructed width of 12' and a minimum height of 13' 6".
  - iv. Driveways in excess of 500 feet in length that do not exit to another fire apparatus access road or public street, shall be provided with a suitable turnaround for use by fire apparatus as approved by the Fire Chief
  - v. Driveways in excess of 500 feet in length and less than 20 feet in width shall be provided with turnouts along the driveway that are a minimum of 20 feet in width for a length of 50 feet. The turnouts shall be placed at intervals not to exceed 500 feet along the driveway.
  - vi. Driveways, including bridges and other supporting structure of driveways, shall be constructed to support fire apparatus in all weather conditions
  - vii. The design of driveways, including turning radius and grade, shall facilitate passage of fire apparatus and be approved by Town Engineer and Highway Superintendent.
  - viii. Comply with all other standards of Town Code section 93: HIGHWAY STANDARDS.
  
- e. An erosion and sediment control permit under Chapter 65 of the Town Code is required before the construction of each driveway.

7. Department of Health permission to file.

Date: June 2, 2014

Moved By: David Wylock

Seconded By: Peter Muroski

Resolution Approved/Disapproved:

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



David Wylock  
David Wylock, Planning Board Chair