APPROVED

Town of Dover Planning Board

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

RECEIVED
JUN 18 2014
TOWN CLERKS OFFICE
TOWN OF DOVER

(845) 832-6111 ext. 100

RESOLUTION GRANTING AMENDED SPECIAL PERMIT AND SITE PLAN APPROVAL

486 ROUTE 55 LLC – LASCON INC.

June 16, 2014 **Property Address: 6584 Route 55, Dover, NY**

WHEREAS, the applicant, 486 Route 55 LLC, has submitted an application for site plan and special permit amendment approval to permit a new Home Occupation, landscaping equipment storage, on a 15.1 acre parcel located at 6584 Route 55, Dover, in the RU Zoning District, and identified as Tax No. 7160-00-451311 (the "Property"); and

WHEREAS, the amended site plan is shown on a plan entitled "Lascon, Incorporated," prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated May 14, 2014; and

WHEREAS, a special use permit to conduct a Home Occupation on the site was granted on September 25, 1997 for a firewood operation during daytime hours; and

WHEREAS, the applicant asserts that the current special use permit is still valid and that the firewood operation has been in continual operation; and

WHEREAS, the Zoning Law was amended to reduce the amount of space that can be occupied by a home occupation, but the existing commercial building and special use permit precede this change; and

WHEREAS, the existing site plan, which was signed August 5, 1999, requires the applicant to return to the Planning Board for site plan approval for any change in use; and

WHEREAS, pursuant to Section 145-64 of the Zoning Law, the terms and conditions of an existing special permit may be amended in the same manner as required for issuance of the permit; and

WHEREAS, on August 6, 2012, the Planning Board granted site plan and special use permit amendment approval to permit Putnam Steel to establish a Home Occupation in an existing 11,879 sq. ft. structure (10,370 sq.ft. footprint) on the Property, but which was never implemented and has since expired; and

WHEREAS, the new Home Occupation would have less of an impact than Putnam Steel's operation, which would have had 14 employees on site performing metal fabrication; and

WHEREAS, the application was accompanied by a Short Environmental Assessment Form ("EAF") dated May 14, 2014; and

WHEREAS, on June 2, 2014, the Planning Board reaffirmed its prior SEQRA determination of non-significance for the change of Home Occupation adopted on August 6, 2012; and

WHEREAS, no signage is proposed to be placed on the property; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, the application was referred to the Dutchess County Department of Planning and Development, which responded on June 16, 2014 that it was a matter of local concern; and

WHEREAS, a duly noticed public hearing was held on June 16, 2014, at which time all those who wished to speak were heard.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants special use permit and site plan approval for applicant 486 Route 55 LLC, as shown on a plan entitled "Lascon, Incorporated," prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated May 14, 2014, and authorizes the Chair to sign the plan after compliance with the following conditions:

1. **Payment of all fees and escrow.**

2. **Revision of the site plan to include the following note: To the greatest extent practicable, vehicles and hardscape materials shall be stored inside the building.**

It shall be the obligation of the applicant to track the time within which this approval expires. No written or verbal notice of the pending expiration of this approval shall be given to the applicant by the Planning Board or any other Town department

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

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

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Planning Board Chair David Wylock