



Planning Board

APPROVED

Regular Meeting

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

~ Minutes ~

Monday, June 16, 2014

7:00 PM

Town Hall

The Town of Dover Planning Board held a Regular Meeting at 7:00 PM on Monday, June 16, 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 7:20 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	Absent	
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. 486 Rt 55,LLC.- Lascon Inc. Change of Use- 7160-00-451311

Donald Walsh represented the Applicant with Rich Williams from Insite Engineering

Lascon is a full service major site landscaping and lawn service firm. The primary headquarters is in Westchester County.

This site will be purchased by Richard Orfice , who will be living in the home on site and running his business from the Butler building as a home occupation.

The pervious approval for this site was for Putnam Steel and they were going to have 14-15 employees this new use will be for the office up to 5 employees and 1 mechanic, the building itself will be a large garage for off season equipment storage and minor machine repairs.

It is projected that this use is much less intensive than what was previously proposed. No manufacturing, no retail, no wholesale, just storage in the building.

Richard Williams- the site plan remains primarily the same. The 4 differences are:

**TOWN OF DOVER PLANNING BOARD REGULAR MEETING
MONDAY, JUNE 16, 2014**

There will be building mounted motion sensing lights around the existing commercial building
There will be a reduction in the amount of parking proposed from 14 employee spaces, 4 flat bed cranes, 6 large vehicle spaces there will now be 9 employee spaces 5 large vehicle parking spaces.

There will be additional screening along the driveway 8-10 ' Norway spruces to block the neighbor on the east, additional Norway's for the existing on site home and 8-10' spruces to block the other property

There is some erosion on the site and an existing ditch, this will be stabilize and a swale will be created to stop the erosion.

Q: Are there any logs from the previous operation?

A: Yes, there is about 1 flatbed left, they were kept on site to keep the existing use active, this is the last of the wood

Motion to Open the Lascon/ 486 Rt 55 Public Hearing

There was no Public Comment

<p>RESULT: ADOPTED [UNANIMOUS] MOVER: Valerie LaRobardier, Board Member SECONDER: Michael Villano, Board Member AYES: David Wylock, Valerie LaRobardier, William Sedor, Michael Villano ABSENT: Peter Muroski</p>
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Motion to Close the Lascon/ 486 Rt 55 Public Hearing

<p>RESULT: ADOPTED [UNANIMOUS] MOVER: William Sedor, Board Member SECONDER: Michael Villano, Board Member AYES: David Wylock, Valerie LaRobardier, William Sedor, Michael Villano ABSENT: Peter Muroski</p>
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**RESOLUTION GRANTING AMENDED SPECIAL PERMIT
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

**TOWN OF DOVER PLANNING BOARD REGULAR MEETING
MONDAY, JUNE 16, 2014**

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.**

**TOWN OF DOVER PLANNING BOARD REGULAR MEETING
MONDAY, JUNE 16, 2014**

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

RESULT: ADOPTED [UNANIMOUS]

MOVER: Valerie LaRobardier, Board Member

SECONDER: William Sedor, Board Member

AYES: David Wylock, Valerie LaRobardier, William Sedor, Michael Villano

ABSENT: Peter Muroski

b. Westchester Modular Homes – 7160-00-227678, 167667& 196673

Planning Board Chair- This application was approved March 2013, the approvals had lapsed and this is for a reapplication.

Anthony Pisarri for Property owner Charles Hatcher

This plan is exactly the same plan which was approved in March 2013, the only changes were the addition of notes on the plan which were conditions of approval.

Q: What is the time frame to begin construction?

A: As soon as possible. Health Department approval is in place

Motion to Open the Westchester Modular Multi Family Site Plan Special Permit and Erosion Control Permit Renewal Public Hearing

There was no Public Comment

RESULT: ADOPTED [UNANIMOUS]

MOVER: Michael Villano, Board Member

SECONDER: Valerie LaRobardier, Board Member

AYES: David Wylock, Valerie LaRobardier, William Sedor, Michael Villano

ABSENT: Peter Muroski

Motion to Close the Westchester Modular Multi Family Site Plan Special Permit and Erosion Control Permit Renewal Public Hearing

RESULT: ADOPTED [UNANIMOUS]

MOVER: Valerie LaRobardier, Board Member

SECONDER: William Sedor, Board Member

AYES: David Wylock, Valerie LaRobardier, William Sedor, Michael Villano

ABSENT: Peter Muroski

**RESOLUTION GRANTING PRELIMINARY LAYOUT AND FINAL PLAT APPROVAL
WESTCHESTER MODULAR**

June 16, 2014

Property Address: 30 Reagans Mill Road, Wingdale, NY

WHEREAS, the applicant, Westchester Modular, has submitted an application for a conventional subdivision, special permit, site plan and erosion and sediment control permit reapproval to create four lots of 1.041, 1.003, 1.001 and 1.000 acres, respectively, for improvement with one multi-family dwelling per lot, located on Reagans Mill Road, Wingdale, Tax Grid Nos. 7160-00-227678, 7160-00-167667, 7060-00-196673 (the "site"); and

WHEREAS, the subdivision, special permit, site plan and erosion and sediment control permit were conditionally approved on April 1, 2013, but which have expired for failure to timely meet the conditions of approval and submit final plans for signature; and

**TOWN OF DOVER PLANNING BOARD REGULAR MEETING
MONDAY, JUNE 16, 2014**

WHEREAS, the site is located within the Commercial/Industry/Office Mixed-Use (CO) Zoning District which requires a minimum lot size of one acre; and

WHEREAS, the CO District may include, where compatible, residential housing intended to support the permitted primary uses, such as manufacturing; and

WHEREAS, the proposed project will provide housing opportunities for employees of the adjacent factory; and

WHEREAS, a site plan for a daycare facility had previously been approved on the site but has expired; and

WHEREAS, the proposed subdivision is depicted on a plat entitled, "Final Subdivision Plat, prepared for Westchester Modular Homes, Inc.," prepared by Terry Bergendorff Collins, dated March 7, 2013, last revised July 26, 2013; and

WHEREAS, on October 1, 2012, the Planning Board, serving as lead agency in a coordinated review of the project, 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, the Planning Board reaffirmed its SEQRA determination of non-significance on June 2, 2014; and

WHEREAS, by decision dated February 25, 2013, the Architectural Review Board approved the elevations; and

WHEREAS, water supply and wastewater disposal will be provided by Reagan's Mill Water Company and Reagan's Mill Sewer Company; and

WHEREAS, by letter dated December 11, 2012, the J.H. Ketcham Hose Company submitted comments on the proposed site plan; and

WHEREAS, in response to the J.H. Ketcham Hose Company Letter, the Planning Board's Engineer has advised the Board that Reagan's Mill Road can serve as a Fire Access Road, obviating the need to increase the proposed width of the driveways; and

WHEREAS, a duly noticed public hearings was opened on June 16, 2014, during which all those who wished to speak were heard; and

WHEREAS, pursuant to Section 125-13A 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.

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 one new lot be made prior to the signing of the Final Plat by the Planning Board Chair.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants preliminary layout and final subdivision approval to the plat entitled, "Final Subdivision Plat, prepared for Westchester Modular Homes, Inc.," prepared by Terry Bergendorff Collins, dated March 7, 2013, last revised July 26, 2013 and authorizes the Chair to sign the plat after compliance with the following conditions:

- 1. Payment of all fees, including the recreation fee for one new lot, and all escrow.**
- 2. Revision of the plat to contain the following notes:**
 - a. There shall be no parking of motor vehicles on any grass or lawn areas.**
 - b. There shall be no outdoor clothes lines visible from any public road.**

**TOWN OF DOVER PLANNING BOARD REGULAR MEETING
MONDAY, JUNE 16, 2014**

- c. Garbage and recycling containers shall be stored at rear of buildings or in garage areas.
 - d. Burning garbage or trash on the property is prohibited.
 - e. There shall be no athletic equipment, e.g., soccer nets, basketball backboards, etc., erected in front yards.
 - f. No commercial vehicles shall park in front of the building line.
 - g. No vehicles shall be parked in a manner that obstructs ingress or egress to the lot.
 - h. No repair of automobiles, boats, trailers, off-track vehicles, campers, buses, trucks, snowmobiles, or other commercial or recreational vehicles shall be made on the site.
 - i. A site plan for the development of the lots shown herein was approved by the Planning Board on June 16, 2014.
 - j. All landscaping, as depicted on Sheets L1 and L2 of the site plan set, shall be installed in a healthy and vigorous state and shall be inspected at the beginning and end of the growing season within the first year of installation. Individual species that do not survive beyond the first year shall be replaced at the beginning of the next growing season. Landscaping shall be maintained for the life of the facility.
3. Approval by the Planning Board Attorney of the 10' wide water line easement.
4. Approval by the Planning Board Attorney of the 10' wide sewer line easement.
5. Approval of the final SWPPP by PB Engineer.
6. Submission of a performance guaranty in form, substance of manner of execution acceptable to the Town Attorney, in the amount of \$130,275.00 to cover the cost of installation of all site infrastructure.
7. Department of Health permission to file.

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

RESULT: ADOPTED [UNANIMOUS]

MOVER: Valerie LaRobardier, Board Member

SECONDER: William Sedor, Board Member

AYES: David Wylock, Valerie LaRobardier, William Sedor, Michael Villano

ABSENT: Peter Muroski

**RESOLUTION GRANTING SITE PLAN, SPECIAL USE PERMIT AND EROSION AND
SEDIMENT CONTROL PERMIT**

WESTCHESTER MODULAR

June 16, 2014

Property Address: 30 Reagans Mill Road, Wingdale, NY

**TOWN OF DOVER PLANNING BOARD REGULAR MEETING
MONDAY, JUNE 16, 2014**

WHEREAS, the applicant, Westchester Modular, has submitted an application for a conventional subdivision, special permit, site plan and erosion and sediment control permit reapproval to create four lots of 1.041, 1.003, 1.001 and 1.000 acres, respectively, for improvement with one multi-family dwelling per lot (the "project"), located on Reagans Mill Road, Wingdale, Tax Grid Nos. 7160-00-227678, 7160-00167667, 7060-00-196673 (the "site"); and

WHEREAS, the subdivision, special permit, site plan and erosion and sediment control permit were conditionally approved on April 1, 2013, but which have expired for failure to timely meet the conditions of approval and submit final plans for signature; and

WHEREAS, the site is located within the Commercial/Industry/Office Mixed-Use (CO) Zoning District which requires a minimum lot size of one acre; and

WHEREAS, the CO District may include, where compatible, residential housing intended to support the permitted primary uses, such as manufacturing; and

WHEREAS, the proposed project will provide housing opportunities for employees of the adjacent factory; and

WHEREAS, a site plan for a daycare facility had previously been approved on the site but has expired; and

WHEREAS, the proposal is depicted on a subdivision is depicted on a plat entitled, "Final Subdivision Plat, prepared for Westchester Modular Homes, Inc.," prepared by Terry Bergendorff Collins, dated March 7, 2013, last revised July 26, 2013, Site Plan entitled, "Proposed Factory Housing" last revised 4/22/2013 and Phasing Plans 1-5 prepared by Anthony S. Pisarri, last revised 3/5/2013, landscape plans entitled, "Westchester Modular Homes, Reagan's Mill Road" prepared by KALA, dated 11/13/12, last revised 12/30/12, and ES & C Plan, prepared by Arden Consulting Engineers, last revised 2/07/2013 (collectively, the "site plan set"); and

WHEREAS, on October 1, 2012, the Planning Board, serving as lead agency in a coordinated review of the project, 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, the Planning Board reaffirmed its SEQRA determination of non-significance on June 2, 2014; and

WHEREAS, by decision dated February 25, 2013, the Architectural Review Board approved the elevations; and

WHEREAS, the project was referred to the Dutchess County Department of Planning and Development, which responded on April 10, 2012 that the project was a matter of local concern with comments; and

WHEREAS, the application was again 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, water supply and wastewater disposal will be provided by Reagan's Mill Water Company and Reagan's Mill Sewer Company ; and

WHEREAS, by letter dated December 11, 2012, the J.H. Ketcham Hose Company submitted comments on the proposed site plan; and

WHEREAS, in response to the J.H. Ketcham Hose Company Letter, the Planning Board's Engineer has advised the Board that Reagan's Mill Road can serve as a Fire Access Road, obviating the need to increase the proposed width of the driveways; and

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

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

**TOWN OF DOVER PLANNING BOARD REGULAR MEETING
MONDAY, JUNE 16, 2014**

NOW THEREFORE BE IT RESOLVED, that the Planning Board makes the following findings pursuant to Section 145-63 of the Town Code:

- 1. The project complies with all land use district, overlay district, and other specific requirements of the zoning law and other local laws and regulations and will be consistent with the purposes of the Zoning Law and the CO District. The project is consistent with the Town's goals of increasing the diversity of housing, decreasing automobile dependence, and supporting existing light industrial uses.**

The Town's Master Plan contains a clearly stated goal on page 98 of providing a broad range of housing options for all present and future Town residents. The Master Plan cites local zoning strategies and private incentives as two methods of providing housing developments of varying size, location, cost and accessibility. The Master Plan also notes Dover Plains and Wingdale should be targeted for higher density housing units as part of an aim to reinforce the "traditional community center land use pattern." The Westchester Modular application contributes to the variety of available housing.

The Master Plan states that the market and developers will respond accordingly to the Town's goals for housing needs of all types and in varying price ranges. The Master Plan continues on page 64 to state that without strategies to provide diversity, Dover will lose the current mix of income groups. The Westchester Modular application will increase diversity in the housing inventory.

The Master Plan encourages on page 82 the need to develop and encourage systems to less the dependence on automobiles. The Westchester Modular application includes employer-sponsored housing and will permit employees to walk to work, decreasing automobile usage.

- 2. The project will not result in excessive off-premises noise, dust, odors, solid waste, or glare or create any public or private nuisances. The applicant has included extensive landscaping along the front of each lot to soften, and in some cases, block the view from the road. The applicant will also include restrictions on the use of each property to mitigate the potential for private nuisances.**
- 3. The project will not cause significant traffic congestion, impair pedestrian safety, or overload existing roads, considering their current width, surfacing, and condition, and any improvements proposed to be made to them by the applicant. The project was evaluated for the potential to generate traffic. The project will result in 8 additional vehicle trips during peak hours, which was determined not to be a substantial impact.**
- 4. The project will be accessible to fire, police, and other emergency vehicles. The applicant has agreed to install fire sprinkler systems in each unit as an additional safety measure.**
- 5. The project will not overload any public water, drainage, or sewer system, or any other municipal facility. Water and wastewater disposal service will be provided by Reagan's Mill Water Company and Reagan's Mill Sewer Company, which have sufficient capacity to serve the project.**
- 6. The project will not materially degrade any watercourse or other natural resource or ecosystem or endanger the water quality of an aquifer. The project has been designed to keep development out of the floodplain and to treat all stormwater on site. Best Management Practices will be followed to mitigate erosion and decay. The site currently consists of a lawn. The existing large cedar trees will be maintained. No other significant natural resources or habitat will be removed by project development.**

**TOWN OF DOVER PLANNING BOARD REGULAR MEETING
MONDAY, JUNE 16, 2014**

7. The project will be suitable for the property on which it is proposed, considering the property's size, location, topography, vegetation, soils, natural habitat, and hydrology, and, its ability to be buffered or screened from neighboring properties and public roads. The applicant has provided for extensive landscaping to screen the property from neighbors and public roads.
8. The project will be subject to such conditions on operation, design and layout of structures, and provision of buffer areas as may be necessary to ensure compatibility with surrounding uses and to protect the natural, historic, and scenic resources of the town. The applicant will place restrictions on the use of the site to ensure compatibility with nearby residential uses. The dwellings have been designed to resemble single-family homes and will be consistent with the character of the area.
9. The project will be consistent with the goal of concentrating retail uses in hamlets, avoiding strip commercial development, and buffering nonresidential uses that are incompatible with residential use. The project, which consists of four multi-family dwellings, will serve as a buffer between the existing factory and nearby residential uses.
10. The project will not adversely affect the availability of affordable housing in the town and will increase the diversity of housing options within the Town.
11. The project has been designed to comply with applicable site plan criteria.
12. The project is located in the CO District.

BE IT FURTHER 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 site plan set and in lieu thereof requires that payment to the Town of Dover Recreation Trust Fund for 12 new dwelling units (16 new units, less three existing lots, less the recreation fee for one newly created lot) be made prior to the signing of the site plan by the Planning Board Chair.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants special permit and site plan approval to the project, as depicted on the plan set, and authorizes the Chair to sign the site plan after compliance with the following conditions:

1. Payment of all fees, including the recreation fee for 12 new units (16 new units, less three existing lots, less the recreation fee for one newly created lot), and all escrow.
2. Revision of sheet 2011-31-03 of the site plan set to contain the following notes:
 - a. There shall be no parking of motor vehicles on any grass or lawn areas.
 - b. There shall be no outdoor clothes lines visible from any public road.
 - c. Garbage and recycling containers shall be stored at rear of buildings or in garage areas.
 - d. Burning garbage or trash on the property is prohibited.
 - e. There shall be no athletic equipment, e.g., soccer nets, basketball backboards, etc., erected in front yards.
 - f. No commercial vehicles shall park in front of the building line.
 - g. No vehicles shall be parked in a manner that obstructs ingress or egress to the lot.
 - h. No repair of automobiles, boats, trailers, off-track vehicles, campers, buses, trucks, snowmobiles, or other commercial or recreational vehicles shall be made on the site.

**TOWN OF DOVER PLANNING BOARD REGULAR MEETING
MONDAY, JUNE 16, 2014**

- i. **Automatic fire sprinkler systems to be installed in each of the four buildings**

3. **Revision of sheet L1 of the plan set to contain the following note: All landscaping shall be installed in a healthy and vigorous state and shall be inspected at the beginning and end of the growing season within the first year of installation. Individual species that do not survive beyond the first year shall be replaced at the beginning of the next growing season. Landscaping shall be maintained for the life of the facility.**

4. **Approval by the Planning Board Attorney of the 10' wide water line easement.**

5. **Approval by the Planning Board Attorney of the 10' wide sewer line easement.**

6. **Approval of the final SWPPP by PB Engineer.**

7. **Submission of a performance guaranty in the amount of \$130,275.00 in form, substance, and manner of execution satisfactory to the Town Attorney, to cover the cost of installation of the water and sewer infrastructure.**

8. **Approval by the Department of Health of the methods of water supply and wastewater disposal.**

9. **Proof of filing of the approved subdivision plat.**

10. **Revision of Phasing Sheets 1-5 to include a plant schedule on each phasing plan, including the quantity and type of each plant material for the individual phase.**

11. **Submission of \$1000.00 to be placed into escrow for Town Engineer and Town Planner to cover the cost of site inspections, to be replenished for each phase of development.**

BE IT FURTHER RESOLVED, that the Planning Board grants the applicant an erosion and sediment control permit for disturbance as shown on the plan set, subject to the following conditions:

1. **Submission of \$1,000.00 to be placed into escrow to cover the cost of site inspections by the Town Engineer.**
2. **Submission of a performance guaranty in the amount of \$17,097.00 in form, substance, and matter of execution satisfactory to the Town Attorney.**

BE IT FURTHER RESOLVED, that before the authorized official may issue a Certificate of Compliance for work completed in accordance with the erosion and sediment control permit, the Planning Board Engineer shall provide the authorized official with a written statement indicating that all work authorized under the permit has been completed and is satisfactory.

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.

**TOWN OF DOVER PLANNING BOARD REGULAR MEETING
MONDAY, JUNE 16, 2014**

RESULT: ADOPTED [UNANIMOUS]

MOVER: William Sedor, Board Member

SECONDER: Michael Villano, Board Member

AYES: David Wylock, Valerie LaRobardier, William Sedor, Michael Villano

ABSENT: Peter Muroski

IV. New Business

a. 29 Lake Ellis- Home Occupation- 7160-00-906995

Steven Frattini for Property Owner Nancy Swanson- There is a small 1 acre parcel 2 bedroom home with a pole barn in the rear, it will be renovated to serve as an office and an aquatic disease diagnostic laboratory. The property will remain the same. He plans to live in the home and conduct his business in the barn with no more than 2 employees.

Q: What kind of mammals or fish

A: the diagnostic work will be primarily diseases of fin fish, shrimp and mollusks. No animals will be housed on the property they are usually shipped in by Fed ex or UPS in coolers.

Q: What happens with the remains or carcasses?

A: mostly they will go in the trash, just as kitchen waste. This is not regulated medical waste.

Q: where will the specimens come from?

A: Hopefully, all over the world, shell fish farmers from Suffolk county, fin fish from small local producers, mollusks can come from Washington State, shrimp come from Thailand and Vietnam, it's really a global market

Q: if you are not allowed to move plants across borders, why would you be allowed to move diseased fish?

A: the regulations regarding moving these around, are varied, there was once a federal order which stopped moving these things around, that has since been lifted. For diagnostic purposes, this is not usually an issue. The majority of the samples which come in are not diseased, and this is the method to prove it.

Q: if it's not diseased, they carry seeds and things on them.

A: As far as transport, they are packaged at the source and wrapped with their own water source, they are not open to the rest of the environment.

Q: How many employees will you have?

A: In the first year 2 full time and 1 part time. The second and third year, I would project no more than 3 full time and 2 part time.

There will be a limit for the home occupation.

Planner- how will you be disposing the remains, will the garbage be picked up, will you keep it inside?

A: Most of it will be kept in the freezer or refrigerator until there is enough for the trash. Typically the whole animal is not moved, we work with tissue samples

Engineer- The house and Barn where is the sewer?

**TOWN OF DOVER PLANNING BOARD REGULAR MEETING
MONDAY, JUNE 16, 2014**

A: there are 2 and they were pointed out on the map - only 1 well. If there are more than 5 employees there will need a separate well.

Q: Are there any changes proposed to the site?

A: No, just some update in the sheathing on the pole barn

Q: what uses are in the barn now, since it has its own septic?

A: there's a bar, bathroom, pool table and general recreation room, with some kind of mechanic set up downstairs.

Our water consumption will be very low.

Q: will there be a sign?

A: No

Motion to set escrow for 29 Lake Ellis Home Occupation

Escrow set for \$1,800.00

RESULT: ADOPTED [UNANIMOUS]

MOVER: William Sedor, Board Member

SECONDER: Michael Villano, Board Member

AYES: David Wylock, Valerie LaRobardier, William Sedor, Michael Villano

ABSENT: Peter Muroski

Motion to set a Public Hearing for July 21, 2014

RESULT: ADOPTED [UNANIMOUS]

MOVER: Michael Villano, Board Member

SECONDER: William Sedor, Board Member

AYES: David Wylock, Valerie LaRobardier, William Sedor, Michael Villano

ABSENT: Peter Muroski

Motion to accept the Short EAF

The Short Environmental Assessment form was reviewed and adopted resulting the approval of the negative declaration resolution

RESULT: ADOPTED [UNANIMOUS]

MOVER: Valerie LaRobardier, Board Member

SECONDER: Michael Villano, Board Member

AYES: David Wylock, Valerie LaRobardier, William Sedor, Michael Villano

ABSENT: Peter Muroski

**RESOLUTION ADOPTING DETERMINATION OF NON-SIGNIFICANCE
HOME OCCUPATION**

June 16, 2014

29 Lake Ellis Road, Wingdale

WHEREAS, the applicant, Stephen A. Frattini, DVM, has submitted an application for approval of a special permit and site plan to establish a home occupation, an aquatic animal diagnostic center, on a one acre lot located at 29 Lake Ellis Road, Wingdale, Tax Grid No. 7160-00-906995 in the RU Zoning District (the "site"); and

**TOWN OF DOVER PLANNING BOARD REGULAR MEETING
MONDAY, JUNE 16, 2014**

WHEREAS, the proposal is shown on a plan entitled, "Survey of Property Prepared for Swanson," by Zarecki & Associates, LLC, dated March 5, 2013; and

WHEREAS, the application was accompanied by a Short Environmental Assessment Form ("EAF"), dated June 1, 2014; and

WHEREAS, the proposed action is an unlisted action; 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 RESOLVED, that the Planning Board hereby determines that the establishment of the proposed home occupation at the site will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared.

RESULT: ADOPTED [UNANIMOUS]

MOVER: William Sedor, Board Member

SECONDER: Valerie LaRobardier, Board Member

AYES: David Wylock, Valerie LaRobardier, William Sedor, Michael Villano

ABSENT: Peter Muroski

V. Old Business:

a. Dover Estates 6 lot Subdivision- 7060-00-788552 & 7060-16-779491

Peter Rusciano property owner

The surveyor is preparing the mylars and all other conditions have been met.

Before preparing your mylar, send a copy to the office to assure the notes are on the plat prior to the DOH signing the mylar.

Submit the Easement and maintenance agreement for the roadway

**RESOLUTION GRANTING AMENDED FINAL SUBDIVISION PLAT APPROVAL
DOVER ESTATES SUBDIVISION**

June 16, 2014

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

WHEREAS, on August 1, 2011, the Planning Board granted conditional final subdivision plat approval to the applicant, Peter Rusciano, to subdivide 16.64 acres into 6 residential lots, as depicted on the plat entitled, "Dover Estates, Town of Dover", dated 10/21/04, last revised 6/11, prepared by Northern Westchester Civil Engineering, PC, and an a corresponding erosion and sediment control permit for related disturbance; and

WHEREAS, the Dutchess County Department of Health has requested that the applicant remove lot 6 from the conditionally approved plat; and

**TOWN OF DOVER PLANNING BOARD REGULAR MEETING
MONDAY, JUNE 16, 2014**

WHEREAS, the applicant has submitted a revised plat entitled, "Dover Estates, Town of Dover" prepared by Robert Roselli, PE, dated 10/21/04, last revised 5/14, which depicts five lots, with Lot 5 absorbing the area of former Lot 6; and

WHEREAS, the proposed subdivision is located at Route 22 and Rural Avenue in the RU District and will be served by a private road; and

WHEREAS, on September 21, 2009, the Planning Board determined that the action would not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement would not be prepared and approved the preliminary layout; and

WHEREAS, pursuant to Section 277 of Town Law and Section 125-13 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, on September 21, 2009, the Planning Board found 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 in the amount of \$ 15,000.00 be made prior to the signing of the Final Plat by the Planning Board Chair; and

WHEREAS, on June 2, 2014, the Planning Board granted the applicant a fifth extension of the time in which to complete the work contemplated under the erosion and sediment control permit to February 1, 2015; and

WHEREAS, apart from the elimination of Lot 6, there have been no significant changes to the amended plat.

NOW, THEREFORE BE IT RESOLVED, that the Planning Board hereby reaffirms its prior SEQRA determination of non-significance.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants final plat approval to the subdivision plat entitled "Dover Estates, Town of Dover", Sheets 1-14, dated 10/21/04, last revised 5/14, prepared by Robert Roselli, PE and John Meyer Consulting, PC, and authorizes the Chair or other authorized official to affix his signature to the plat after compliance with the following conditions:

- 1. Revision of the plat to indicate that it is the final plat.**
- 2. Submission of a survey stamped by a licensed surveyor.**
- 2. Approval by Planning Board Attorney of method of ownership and maintenance of private road, including review of easement and maintenance agreement or HOA documents and declarations.**

**TOWN OF DOVER PLANNING BOARD REGULAR MEETING
MONDAY, JUNE 16, 2014**

4. Department of Health Approval for methods of water and sewage disposal.

5. Revision of the Planning Board signature block on Sheet 1 to contain the correct public hearing date.

6. Payment of all fees and escrow.

BE IT FURTHER RESOLVED, that before a building permit may be issued for erection of a structure on any lot in the subdivision, the applicant shall provide the Land Use Coordinator with proof of filing of the private road easement and maintenance agreement or HOA documents and declarations.

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.

<p>RESULT: ADOPTED [UNANIMOUS] MOVER: Michael Villano, Board Member SECONDER: Valerie LaRobardier, Board Member AYES: David Wylock, Valerie LaRobardier, William Sedor, Michael Villano ABSENT: Peter Muroski</p>
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VI. Extensions: none

VII. Circulations: none

VIII. Minutes:

a. **Minutes of June 2, 2014**

<p>RESULT: ADOPTED [UNANIMOUS] MOVER: Valerie LaRobardier, Board Member SECONDER: William Sedor, Board Member AYES: David Wylock, Valerie LaRobardier, William Sedor, Michael Villano ABSENT: Peter Muroski</p>
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IX. Adjournment

The meeting was closed at 8:16 PM

**TOWN OF DOVER PLANNING BOARD REGULAR MEETING
MONDAY, JUNE 16, 2014**

1. Motion to Adjourn

RESULT: ADOPTED [UNANIMOUS]

MOVER: Valerie LaRobardier, Board Member

SECONDER: William Sedor, Board Member

AYES: David Wylock, Valerie LaRobardier, William Sedor, Michael Villano

ABSENT: Peter Muroski

Betty-Ann Sherer, Recorder