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 18 2014
TOWN CLERKS OFFICE
TOWN OF DOVER

RESOLUTION GRANTING PRELIMINARY LAYOUT AND FINAL PLAT APPROVAL

WESTCHESTER MODULAR

June ~~2~~ 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

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.**
    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

Moved by: Valerie LaRobardier Seconded by: Wm Sedor

David Wylock Y

Valerie LaRobardier Y

Peter Muroski A

William Sedor Y

Michael Villano Y

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Planning Board Co-Chair David Wylock