APPROVED

Town of Dover Planning Board

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

(845) 832-6111 ext. 100

RECEIVED
JUL 29 2014
TOWN CLERKS OFFICE
TOWN OF DOVER

RESOLUTION GRANTING SITE PLAN APPROVAL

HOME OCCUPATION

July 28, 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

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

WHEREAS, the home occupation would occur within an existing accessory structure located at the rear of the lot; and

WHEREAS, by letter dated June 11, 2014, the Code Enforcement Officer interpreted § 145-41B(2)(a) as permitting a home occupation in an accessory structure up to 2,000 sq. ft., without consideration of the size of the primary dwelling unit; and

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

WHEREAS, on June 16, 2014, the Planning Board adopted a determination of non-significance for the project, 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 project site is not located within 500 feet of a municipal boundary or state or county road and is not subject to the requirements of § 239-m of the General Municipal Law; and

WHEREAS, a duly noticed public hearing was held on July 28, 2014 during which all those who wished to speak were heard.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Planning Board hereby finds that the proposed project complies with the standards for a minor special use permit in § 145-63A of the Zoning Law and the standards for a Home Occupation in § 145-41B of the Zoning Law and grants a special use permit for a Home Occupation, subject to the following conditions:

1. **Aquatic animal remains shall be stored indoors in refrigeration until 24 hours before a scheduled garbage pickup.**

2. **Pursuant to Section 145-41B(2)(b), an annual operating permit must be obtained from the Code Enforcement Officer.**

BE IT FURTHER RESOLVED, that the Planning Board hereby grants approval to the site plan, subject to compliance with the following conditions:

1. **Revision of the site plan to include the following note: Aquatic animal remains shall be stored indoors in refrigeration until 24 hours before a scheduled garbage pickup.**
2. **Payment of all fees and escrow.**

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: Peter Muroski Seconded by: Bill Sedor

David Wylock	Y
Valerie LaRobardier	Y
Peter Muroski	Y
Bill Sedor	Y
Michael Villano	A

Planning Board Chair David Wylock