

APPROVED

Town of Dover Planning Board

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



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(845) 832-6111 ext. 100

RESOLUTION TO GRANT SITE PLAN AND SPECIAL USE PERMIT APPROVAL

WINGDALE SERVICE STATION

November 17, 2014

Property Address: 1827 Route 22, Wingdale, New York

WHEREAS, the applicant, Fair Oaks Realty, Inc., is seeking site plan and special permit approval to redevelop an existing fueling facility and convenience store located at 1827 Route 22, Wingdale, NY tax parcel number 7160-00-001179, in the HR District (the "site") into a service station (the "project"); and

WHEREAS, service businesses are permitted in the HR District subject to site plan and special use permit approval; and

WHEREAS, the site contains an abandoned one-bedroom residential dwelling unit consisting of approximately 455 sq. ft.; and

WHEREAS, the applicant is not seeking to reestablish the dwelling unit on the site as part of the project; and

WHEREAS, the applicant has not proposed a sign as part of the project and will need to return for approval of future signage; and

WHEREAS, on September 21, 2009, the Planning Board adopted a determination of non-significance for a proposed site plan amendment to upgrade the fueling facility and car wash, which was never implemented; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law the project was referred to the Dutchess County Department of Planning and Development, which responded on October 7, 2014 that it was a matter of local concern; and

WHEREAS, the applicant has submitted a short Environmental Assessment Form ("EAF") dated August 8, 2014; and

WHEREAS, on October 27, 2014, the Planning Board, serving as lead agency in a coordinated review, 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, a duly noticed public hearing was held on October 27, 2014, during which all those who wished to speak were heard.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board, sitting as the Architectural Review Board, hereby approves the proposed exterior alterations, as shown on the elevation entitled, "New Façade For 1827 Route 22", prepared by Rennia Engineering Design, PLLC, dated 10/16/14, subject to the following condition:

1. Amendment of the plan to provide for four decorative windows on the southeastern wall of the building (the former car wash bays) to avoid a long, plain wall section. The windows shall be scaled to match the dimensions of the existing second floor windows above the former convenience store on the east façade. The window may be made of glass block or other opaque materials, as approved by the Planning Board Planning Consultant.

BE IT FURTHER RESOLVED, that the Planning Board finds that none of the criteria in Section 145-65B of the Zoning Law will be violated by the project, which will redevelop an existing derelict site located on a state highway; and

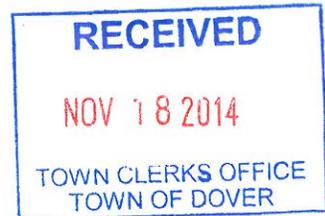
BE IT FURTHER RESOLVED, that the Planning Board hereby grants site plan and special use permit approval to the applicant to redevelop the site into a service station, as shown on plans entitled, "Fair Oaks Realty, Inc, Existing Conditions, Demolition & Site Plan" prepared by Rennia Engineering Design, PLLC, dated August 7, 2014, last revised October 9, 2014, S-1 and S-2, and authorizes the Chair to sign the site plan after compliance with the following conditions:

1. Payment of all fees and escrow.
2. Revision of the site plan to eliminate the word "apartment" and replace it with "office."
3. Revision of the site plan to contain the following note: The upstairs space shall not be occupied as a dwelling unit unless a variance, site plan and any other required approvals are obtained from the Town.
4. Revision of the plan to show existing remaining pavement on property of Merchant Square Assoc. to make clear that no improvements are proposed outside of the property boundary.
5. Removal of the donation clothing box.
6. Revision of the site plan to contain the following note: The proposed perimeter fence along the western edge of the parking lot shall be maintained for the life of the facility to prevent clearing or other encroachment into the NYSDEC wetland buffer.
7. Revision of the site plan to include the removal of the Johnson sign.

Moved by: Valerie LaRobardier

Seconded by: Michael Villano

David Wylock	<u>Y</u>
Valerie LaRobardier	<u>Y</u>
Peter Muroski	<u>Y</u>
Jay Murphy	<u>A</u>
Bill Sedor	<u>Y</u>
Michael Villano	<u>Y</u>



David Wylock
 Planning Board Chair David Wylock