

I. OAK HILL SUBDIVISION- 7061-00-608644

Applicant Steven Vincent Plans Prepared by John Decker
Property located at 62 Dover Furnace Road on 333 acres in the RU district
Application for Subdivision to 5 new large acreage parcels with no plan for development, construction or change of use

Steve Vincent

This action is part of his Father's estate planning; proposing to subdivide into lots between 49 and 65 acres. A total of 6 lots

Co-Chair Wylock- Lot 6 seems to be land locked

Mr. Vincent- There was an omission on the map, when Consolidated Edison came through, his Grandfather retained 2 easements on the Cricket Hill Road, these were not surveyed and put on the map. John Decker is currently working on that, it will be put on the map. Currently there is access, a driveway on Cricket Hill Road.

Planner Ley: The property is very close to the Great swamp, a portion of the Swamp River runs through it, because of the proximity, there are significant natural resources in that area. Although nothing is proposed on the land in that area right now, what has been the practice of the Board is to have a limited Habitat assessment done. This will identify potential significant habitat areas where there could be threatened or endangered special. Then a buffer is to be mapped around those areas, identifying where development will be limited to, should there be development in the future.

Mr. Vincent- We have no future plans of development, there has been through Domain Sand & Gravel, extensive studies done on the west side of RT 22. These are extremely large lots.

Attorney Polidoro- That is understood, the Board just needs to look at any possible future development, although its 6 new houses, that could possibly be built, the Board needs to look at this holistically. It's a requirement of the Board to look at all possible impacts.

Mr. Vincent- I realize that and would ask for a waiver of that, even if there were a 50 acre lot to build 1 house, the impact would be small.

Attorney Polidoro- We still ask for wetlands, so the boundaries are mapped.

Planner Ley- A portion of your property is very close to DEC wetland DP 29 so it is unclear if that buffer extends onto your property or not, we would need to know that as well.

Attorney Polidoro- We understand your frustration, but this will make it easier down the road to have everything down the road.

Co-Chair Wylock - Will this be necessary to do this on the East side of Rt 22?

Planner Ley- the east side is still on the rare plants and animals trigger for the DEC Mapper. It is not as likely as on the west.

Attorney Polidoro- Perhaps if you have some of these studies already done, you can just dig them out and submit them

Mr. Vincent- The Town has them on file with the Mining permit and Erosion Permit for Domain

Planner Ley- We will review them.

AKRF, Inc. has reviewed the following documents and plans for the above referenced application:

1. Subdivision Plat, prepared by John H Decker, dated 10/13/10
2. Final Subdivision Application Forms, dated 11/8/10

PROJECT DESCRIPTION

The Applicant proposes to subdivide an existing 333 acre parcel into 6 parcels ranging in size from 49 to 66 acres. The property is located on Dover Furnace Road and NYS Route 22, and is entirely within the RU Zoning District. Portions of the proposed Lots 1, 2, and 3 are located within the Soil Mining Overlay District. The Swamp River, a NYSDEC classified C(T) stream, which traverses the proposed Lots 1 and 2, is within the Town of Dover Stream Corridor Overlay District (SC) and Town of Dover Floodplain Overlay District (FP). No new structures, improvements, or uses are proposed as part of this application.

ZONING

It is noted that the proposed Lot 6 does not have any road frontage. Therefore, a 25 foot wide deeded easement or a access strip should be provided, since it has sufficient acreage to be a flag lot. Otherwise, as proposed, the new lots would comply with all applicable lot and bulk zoning regulations.

NATURAL RESOURCES

The NYSDEC Environmental Resources Mapper identifies the entire property as having the potential to support rare animals and plants. In addition, portions of proposed Lots 1 and 2 have the potential to hold significant natural communities, and portions of Lot 3 may be within the buffer of NYSDEC wetland DP-29. The limits of the NYSDEC wetland DP-29 and associated buffer should be field verified. In addition, the applicant should contact the New York State Natural Heritage program to determine whether any threatened or endangered species are known to be located in the vicinity of the project site. Once a response is received, it should be forwarded to the Planning Board.

Given the known sensitive areas on and in close proximity to the site, a habitat survey is recommended prior to the issuance of a SEQR determination. The habitat survey could be used to shift lot lines and establish buffers to ensure that the Planning Board does not create lots that are undevelopable due to the presence of threatened or endangered species, wetlands, or significant natural resources. Should potential habitat areas or wetlands be discovered, these areas and appropriate buffers should be identified on the Final Plat.

ARCHAEOLOGICAL RESOURCES

The majority of the project site is located within areas designated by the NYS Office of Parks Recreation and Historic Preservation (OPRHP) as being archaeologically sensitive areas. While no development is proposed at this time, it should be noted that future development of the property that meets the threshold for a NYSDEC SPDES permit will require coordination with OPRHP.

Attorney Polidoro- it might be better for lot 6 to get an actual strip of land so you're not getting access by easement, but by an actual piece of land. It's not required by the code

Mr. Vincent- We have been using this as a truck entrance for years, Con Edison and Iroquois has deeded it over the pipeline as a heavy driveway.

Attorney Polidoro- the concern is down the road there will be a huge lot , if someone wants to then subdivide it and put in houses, there is no actual strip of land for access. Iroquois or ConEd can say we don't want all of those people to use our easement.

Mr. Vincent- It is a deeded right of way, pretty much set in stone, they can't keep us off.

Co-Chair Wylock - the concern is that no one can predict what future generations will do, things do change. This will prevent any problems in the future, you could make it a flag lot- you would only need a 25' strip of land.

Engineer Berger- the easement is already granted by Con Edison, why can't that information be provided on the map.

Attorney Polidoro- an easement is an easement- we can review it, but sometimes there are limits on it. It's always better to have the land.

Mr. Vincent- The easement from Con Edison is forever
Attorney Polidoro- it's a 66 acre parcel that will only have access by easement. It's something for the Board to consider

Mr. Vincent- It's not 66 acres of totally buildable land, you have to look at the land constraints too.

Review Habitat study submitted with the Domain application
Easement to be submitted

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board of the Town of Dover hereby determines that in connection with the aforesaid Subdivision Application, the applicant shall deposit \$ 1,200.00 into an escrow account in advance of the review of the application.

Dated: December 6, 2010

Moved by Peter Muroski Seconded by Michael Villano

Resolution Approved/Disapproved:

David Wylock	<u>AYE</u>
Valerie LaRobardier	<u>AYE</u>
James Johnson	<u>absent</u>
Peter Muroski	<u>AYE</u>
Michael Villano	<u>AYE</u>

Planning Board Co-Chair

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RESOLUTION CLASSIFYING THE ACTION AND DECLARING INTENT TO SERVE AS LEAD AGENCY

OAK HILL SUBDIVISION

December 6, 2010

Dover Furnace Road, Dover Plains

WHEREAS, the applicant, C. Gerard Vincent, has submitted an application for approval of a conventional subdivision plat to create 6 lots from an existing 333 acre lot located on 62 Dover Furnace Road, Dover Plains, Tax Grid No. 7061-00-608644 (the “site”); and

WHEREAS, the parcels contain a mix of industrial, agricultural and mining uses and the applicant has indicated that he is not seeking a change in use at this time; and

WHEREAS, the application was accompanied by a short Environmental Assessment Form (“EAF”); and

WHEREAS, the Planning Board has performed a preliminary review of the EAF and other application materials; and

WHEREAS, in accordance with the New York State Environmental Quality Review Act (“SEQRA”), said Board is required to determine the classification of the proposed action.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby classifies the Oak Hill Subdivision application as an unlisted action under SEQRA and declares its intent to serve as lead agency in a coordinated SEQRA review and further directs the secretary to the Planning Board to send notice of its intent to all other involved and interested agencies, as indicated in the attached list.

Moved by Peter Muroski Seconded by: Valerie LaRobardier

David Wylock	<u>AYE</u>
Valerie LaRobardier	<u>AYE</u>
James Johnson	absent
Peter Muroski	<u>AYE</u>
Michael Villano	<u>AYE</u>

Planning Board Co-Chair David Wylock

Involved and Interested Agencies:

- | | |
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| 1. NYS Department of Environmental Conservation | 2. NYS Department of Transportation |
| 3. Friends of the Great Swamp | 4. Consolidated Edison |
| 5. Dover School District | 6. MTA |
| 7. Dutchess County EMC | [8. Dutchess County Department of Health] |

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