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By Bonnie Franks at 9:19 am, Sep 19, 2019

DOVER TOWN CLERK'S OFFICE

Town of Dover Planning Board

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



(845) 832-6111 ext. 100

RESOLUTION TO ADOPT A NEGATIVE DECLARATION, GRANT SPECIAL USE PERMIT APPROVAL TO THE MASTER DEVELOPMENT PLAN FOR A TYPE 1 CAMP AND APPROVE PHASE 1 SITE PLAN

World Olivet Assembly – 115 Dover Furnace Road

WHEREAS, the applicant, the World Olivet Assembly, has submitted an application for site plan, special permit, architectural review and erosion and sediment control permit approvals to establish a religious training center and camp (Camp, Type I) on the site of the former New York City Mission Society camp (the “Project”) located at 115 Dover Furnace Road on parcels identified as 7061-00-357420, 7061-00-356245, 7061-00-182280, 7061-00-062121, 7060-00-199931, 6961-00-686830, 6961-00-746846, and 6961-00-726850 in the RC and RU Zoning Districts (the “Project Site”); and

WHEREAS, pursuant to Zoning Law § 145-45, the Project is depicted on a master development plan entitled, “World Olivet Assembly, Chapel Green” and “World Olivet Assembly, Hayden Center” prepared by Bohler Engineer, dated November 1, 2017, last revised June 4, 2019, with supplemental materials provided in a binder prepared by Bohler Engineering dated November 6, 2017, last revised June 11, 2019 (the “Master Development Plan”) and a site plan for phase 1 of the Project, including the Chapel Green, which are depicted on a site plan entitled, “Site Improvement Plans for World Olivet Assembly,” sheets 1A - 23 of 24, prepared by Bohler Engineering, dated June 12, 2019, received on August 30, 2019 (the “Site Plan Set”); and

WHEREAS, Camp, Type 1, uses are permitted in the RU and RC Zoning Districts subject to site plan and special permit approval; and

WHEREAS, pursuant to Zoning Law § 145-45E, a Camp, Type 1, with more than five accessory facilities (as defined in Article XII) shall prepare a master development plan as part of its special permit approval; and

WHEREAS, the Project Site is located within 500 feet of Dutchess County Route 26, also known as Dover Furnace Road; and

WHEREAS, on December 18, 2018, the Dutchess County Department of Planning and Development replied that the Master Plan was a matter of local concern with no comments and on August 19, 2019 that proposed Phase 1 Site Plan Set was a matter of local concern; and

WHEREAS, the applicant has submitted a Full Environmental Assessment Form (“EAF”) dated November 2, 2017, revised June 6, 2019, pursuant to the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, on December 18, 2017, the Planning Board classified the Project as an unlisted action under SEQRA and declared its intent to serve as lead agency in a coordinated SEQRA review of the Project, to which no other agency objected; and

WHEREAS, by letter dated January 17, 2018, the J.H. Ketcham Hose Company submitted comments on the Master Development Plan and phase 1 Site Plan Set; and

WHEREAS, pursuant to § 37-3 of the Town of Dover Code, the Planning Board has full authority and power to approve architectural plans and elevations submitted by an applicant in the absence of a quorum of the Architectural Review Board; and

WHEREAS, the applicant has provided the Planning Board with photographs documenting the existing condition of each structure included in Phase 1; and

WHEREAS, the Planning Board has reviewed the criteria for a decision of the Architectural Review Board set forth in § 37-6 of the Town of Dover Code in consideration of the minimal changes proposed to the exterior of the buildings; and

WHEREAS, a duly noticed public hearing on the Master Development Plan and phase 1 Site Plan Set was opened on August 5, 2019 and closed on September 16, 2019, during which all those who wished to speak were heard.

NOW THEREFORE BE IT RESOLVED, that, for the reasons set forth in the attached Notice of Determination of Significance, the Planning Board hereby adopts a negative declaration, determining that the Project will not result in any potentially significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared.

BE IT FURTHER RESOLVED, that the Planning Board hereby makes the following findings pursuant to Section 145-63 (required findings for special permit uses) of the Town of Dover Zoning Law:

- 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 of the RU and RC Zoning Districts. A Type I camp is permitted subject to special permit in both districts.**
- 2. The Project will not result in excessive off-premises noise, dust, odors, solid waste, or glare or create any public or 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 Planning Board has reviewed projected increases to traffic and found that such increases are not significant based on information provided by the applicant regarding existing vs. proposed camp events, attendance, and overnight accommodations. The applicant proposes to improve existing circulation elements, including vehicular roads, parking lots and walking paths.

4. The Project will be accessible to fire, police, and other emergency vehicles. The applicant has consulted with the J. H. Ketcham Hose Company and has incorporated mitigation measures into the Project.
5. The Project will not overload any public water, drainage, or sewer system, or any other municipal facility.
6. The Project will not materially degrade any watercourse or other natural resource or ecosystem or endanger the water quality of an aquifer. The applicant will implement soil conservation and dust control best management practices to prevent erosion and sedimentation into surface waters.
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, if appropriate, its ability to be buffered or screened from neighboring properties 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.
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 is a camp, which is appropriately located away from the Town hamlets.
10. The Project will not adversely affect the availability of affordable housing in the town.
11. The Project has been designed to comply with applicable site plan criteria.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants master development plan and special permit approval to the Project, as depicted on the Master Development Plan and authorizes the Chair to sign the Master Development Plan after compliance with the following conditions, and subject to the general conditions set forth in this Resolution:

1. Payment of all fees and escrow.

2. Correction of the tax grid numbers on the Master Development Plan.

BE IT FURTHER RESOLVED, that the Master Development Plan and all phases of site plan development shall be subject to the following general conditions:

- 1. The following measures must be followed during construction regarding the Timber Rattlesnake:**
 - a. Disturbance of the roads or construction of the new residential building shall only occur between November 1st through March 31st of each year.**
 - b. A temporary construction barrier shall be erected prior to any site disturbance.**
 - c. All construction personnel shall be provided with a copy of a Timber Rattlesnake informational handout, and consultation with a Timber Rattlesnake biologist must occur in the event of an encounter.**
- 2. The proposed Sharparoon Pond beach improvements shall be reviewed by the ACOE, NYSDEC and DCDOH as part of the site plan review for the Phase 2 improvements.**
- 3. The applicant shall provide a Stormwater Pollution Prevention Plan (“SWPPP”), to be approved by the Town Engineer, for the Master Development Plan. The SWPPP shall be updated for each phase of the Project as needed.**

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Architectural Review Board approval and site plan approval to Phase 1 of the Master Development Plan, and authorizes the Chair to sign the Site Plan Set after compliance with the following conditions:

- 1. Payment of all fees and escrow.**
- 2. Correction of the tax grid numbers on the Site Plan Set.**
- 3. Revision of Site Plan C and all corresponding sheets to remove the handicap unloading zone and three spaces on the north and east sides of the parking lot and to restripe the space as a fire zone. The Site Plan Set shall be further revised to relocate the required handicap spaces and other parking spaces, and all erosion and sediment control calculations shall be updated accordingly. The revised parking layout and erosion and sediment control practices must be approved by the Planning Board Engineer.**

4. Issuance of a Highway Work Permit from the Dutchess County Department of Public Works for any work proposed within the right-of-way of Dover Furnace Road (aka County Route 26).
5. Approval from the Dutchess County Department of Health for methods of water supply and sewage disposal.

BE IT FURTHER RESOLVED, that the proposed daycare is not part of the phase 1 Site Plan Set.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants the applicant an erosion and sediment control permit for disturbance as shown on the phase 1 Site Plan Set, subject to the following conditions:

1. Submission of \$500.00 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 \$2000.00 in form, substance, and matter of execution satisfactory to the Town Board and 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.

Resolution Approved:

September 16, 2019

Moved by: Member Jay Murphy

Seconded by: Member Tamar Roman

Valerie LaRobardier - Aye
 Ryan Courtien - Absent
 Peter Muroski - Aye
 Jay Murphy - Aye
 Tamar Roman - Aye
 Bill Sedor - Aye
 Michael Villano - Aye



 Planning Board Chair Valerie LaRobardier