

Fila (August 21, 2023)

**RECEIVED** DOVER TOWN CLERK'S OFFICE  
By Bonnie Franks at 10:20 am, Aug 22, 2023

**Town of Dover Planning Board**

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



(845) 832-6111 ext. 100

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**RESOLUTION TO GRANT SPECIAL USE PERMIT AND SITE PLAN APPROVAL**

**FILA ACCESSORY APARTMENT**

WHEREAS, the applicant, John C. Fila, has submitted an application for a minor special use permit with site plan approval to allow the conversion of the second floor of an existing detached garage structure into a 725 sq. ft. two-bedroom accessory apartment (the "Project") on property located at 72 Ramah Road, Wingdale, identified as tax parcel no. 7161-00-507209, in the RU Zoning District (the "Project Site"); and

WHEREAS, the Project is shown on a site plan entitled, "Lands of Fila, Proposed Accessory Apartment," prepared by Rennia Engineering Design, PLLC, dated March 23, 2023, last revised July 19, 2023 (the "Site Plan"); and

WHEREAS, pursuant to Section 145-12C of the Town of Dover Zoning Law, one accessory apartment per single-family dwelling may be located in an accessory structure or principal building and the accessory apartment shall not be counted as a residential unit for purposes of determining density; and

WHEREAS, pursuant to Section 145-12C of the Town of Dover Zoning Law, no special permit shall be granted for an accessory apartment without approval or certification from the Dutchess County Department of Health on the adequacy of the septic system; and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form ("EAF") dated March 23, 2023, pursuant to the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, on April 17, 2023, the Planning Board classified the Project as a Type II SEQRA action; and

WHEREAS, on April 17, 2023, the Planning Board referred the application to the Dutchess County Department of Behavioral and Community Health and the applicant has modified the Site Plan pursuant to comments received; and

WHEREAS, a duly noticed public hearing was opened on June 5, 2023, and closed on August 7, 2023, during which all those who wished to speak were heard.

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**NOW THEREFORE BE IT 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.

**BE IT FURTHER RESOLVED**, that the Planning Board hereby grants special use permit and plan approval to permit the Project, as shown on the Site Plan, and authorizes the Chair or his authorized designee to sign the Site Plan after compliance with the following conditions:

1. Payment of all fees and escrow.
2. Department of Health Approval for the methods of water supply and sewage disposal.
3. Revision of Site Plan to amend the bulk table to include a new row labeled “Maximum Floor Area – Accessory Apartment”. In the “Required” column, indicate “1000 square feet maximum”. In the “Existing” and “Proposed” columns, indicate “725 square feet”.

**Resolution Approved:**

**Date:** August 21, 2023

**Moved by:** Member Roman

**Seconded by:** Member LaRobardier

<b>Ryan Courtien</b>	<b>aye</b>
<b>R. Thomas Holmes</b>	<b>absent</b>
<b>Valerie LaRobardier</b>	<b>aye</b>
<b>Tamar Roman</b>	<b>aye</b>
<b>William Sedor</b>	<b>absent</b>
<b>Michael Villano</b>	<b>aye</b>
<b>Henry Williams</b>	<b>aye</b>

  
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**Planning Board Chair, Ryan Courtien**