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*By Marilyn Van Millon at 10:04 am, May 19, 2025*

## Memorandum

**To:** Town of Dover Planning Board  
**From:** AKRF, Inc.  
**Date:** May 16, 2025  
**Re:** Fila Accessory Apartment Special Permit / Site Plan – 72 Ramah Road  
Rennia Engineering Design, PLLC (Applicant's Engineer)  
**cc:** Victoria Polidoro, Esq. (Planning Board Attorney)  
Joseph Berger (Planning Board Engineer)

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

- Cover letter to the Planning Board prepared by Rennia Engineering Design, PLLC, dated April 29, 2025.
- Site Plan Application, signed and dated April 29, 2025.
- Disclosure of Interest, signed and dated April 29, 2025.
- Letter of Agent, signed and dated April 29, 2025.
- Short Environmental Assessment Form, signed and dated April 29, 2025.
- Town of Dover Planning Board Site Plan and Special Use Permit Approval Resolution dated August 21, 2023.
- Notification of Approval Letter from the Dutchess County Health Department dated March 24, 2025.
- Lands of Fila – Accessory Apartment Sewage Disposal System plans (2 sheets) prepared by Rennia Engineering Design, PLLC, dated March 2025 and signed by the Dutchess County Health Department.
- Lands of Fila – Accessory Apartment Site Plan (1 sheet) prepared by Rennia Engineering Design, PLLC; revised April 29, 2025.

The Applicant and subject property owner, John Fila, was granted special permit and site plan approval from the Planning Board in August 2023 for the legalization of an existing 2-bedroom apartment that is accessory to the principal residence at 72 Ramah Road (132600-7161-00-507209). The subject property is approximately 3.32 acres in size and is zoned RU. The accessory apartment is approximately 725 square feet in area, located on the 2nd floor of an existing detached garage structure which was renovated in 2021. As part of the renovations, the two bedrooms were added to the 2nd floor of the garage structure, and connected to the garage's existing subsurface sewage disposal system (SSDS).

Prior to satisfaction of the conditions listed in the Planning Board's August 21, 2023 approval resolution, the Applicant's site plan approval expired. However, the special use permit remains valid. The Applicant has submitted documentation to satisfy the conditions of the prior site plan approval and is requesting the Planning Board re-approve the site plan.

### COMMENTS

1. Pursuant to Zoning Code Section 145-10, accessory apartments are permitted as special permit uses in the RU district. The Planning Board granted special use permit and site plan approval for the accessory apartment on August 21, 2023. The special permit remains valid, but the site plan expired prior to the Applicant satisfying the following conditions listed in the August 21, 2023 approval resolution:

- a. Payment of all fees and escrow.

*As noted in the Applicant's April 29, 2025 cover letter, the escrow account contains sufficient balance for this project. An additional site plan application fee of \$525 has been provided for the requested review and re-approval of the previously approved plans that have not changed.*

- b. Department of Health approval for the methods of water supply and sewage disposal.

*As noted in the Applicant's April 29, 2025 cover letter, the Dutchess County Department of Health has approved the proposed water supply and sewage disposal system. A "notification of approval" letter from the County Health Department dated March 24, 2025 has been provided as part of the submission. The Applicant has also provided a copy of the site plan signed by the Department of Health on March 21, 2025.*

- c. Revision of the Site Plan to amend the bulk table to include a new row labeled "Maximum Floor Area – Accessory Apartment." In the "Required" column, indicate "1,000 square feet maximum." In the "Existing" and "Proposed" columns, indicate "725 square feet."

*As noted in the Applicant's April 29, 2025 cover letter, the site plan has been amended to include the additional notations. AKRF has no further comments on the site plan.*

2. Since the application is for re-approval of an expired site plan and not an amendment to a site plan that has not expired, this application will require a public hearing.
3. The location of the subject property does not trigger any requirements for referral of the site plan to the Dutchess County Department of Planning pursuant to General Municipal Law 239-m.
4. Similar to the prior application, this application can be considered a Type II Action under the State Environmental Quality Review Act (SEQRA), which requires no environmental review. The applicable Type II citation is as follows:

*"6 CRR-NY 617.5(c)(11) - Construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system or both, and conveyances of land in connection therewith."*

## RECOMMENDATIONS

At the May 19, 2025 meeting, AKRF recommends the Planning Board classify the application as a Type II action under SEQRA and set a public hearing.