

### **III. ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

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#### **A. Land Use and Community Character, Zoning and Public Policy**

This section considers the relationship and compatibility of the proposed redevelopment with surrounding land use patterns and compliance with relevant zoning requirements. The analysis also includes an evaluation of the Project's consistency with established public policy goals as outlined in the Town's Master Plan and other related land use planning documents.

##### **1. Existing Conditions**

###### **a. Land Use:**

As required by the scoping document, land use is addressed in two separate, but overlapping study areas:

- A general review of land use patterns within a two-mile radius of the Project Site. The area to the north and west of the Project Site lies entirely within the Town of Dover, New York, while land to the east stretches into the Town of Sherman in the State of Connecticut, and land to the south stretches into the Town of Pawling.
- A more detailed land use analysis by parcel within a quarter-mile radius of the Project Site.

The area is served by State Route 22 (or "Route 22"), which runs in a north/south direction through the center of the Project Site. State Route 55 (or "Route 55"), located approximately  $\frac{3}{4}$  of a mile north of the Project Site, runs in an east to west direction. The Harlem Line of the Metro-North Railroad runs in a north to south direction parallel to Route 22 with a station located within the Project Site.

There are currently limited active uses on the Project Site. There is a small company office in the Manor House, the nine-hole Harlem Valley Golf Course with its associated buildings, and the Metro-North station on the western portion of the property. The eastern side of the property has the temporary housing for New York State Department of Correction officers in three of the I-buildings in the southern portion of the site, Our Lady of Solace Chapel, and the water filter plant. The remaining property is vacant, comprised of dilapidated buildings, deteriorating parking lots, former agricultural uses, overgrown campus grounds, and open space areas. In addition, there is a state-operated community residence on Hutchinson Avenue (Haven House).

Generally, both the two-mile and the quarter-mile study areas have a mixed pattern of development, including residential, retail and heavy commercial, and industrial use, interspersed with vacant tracts and dedicated open space lands. The areas' development patterns exhibit a somewhat sprawling character that is typical of rural/suburban areas, with development having spread linearly along the road frontages throughout the area. There is a small cluster of hamlet scale development at the Route 22/Pleasant Ridge Road intersection in Wingdale, but the remainder of the area lacks defined centers of development. Commercial and industrial activity primarily occupies frontage along Route 22, Route 55 and Pleasant Ridge Road, while residential development is widely

scattered throughout the area. Single family residential consists of the bulk of the area's residential use, although there are substantial concentrations of units in mobile home parks.

The following section provides a general description of the land uses within a two-mile radius of the Project Site. These patterns are also identified on Exhibit III.A-1. For the purposes of analysis, individual land uses within the study areas are condensed into the following categories:

- Single-Family Residential
- Two, Three and Multi-Family Residential
- Mobile Home Parks
- Commercial
- Soil Extraction/Storage/Manufacturing
- Parks and Recreational
- Public/Quasi-Public
- Agricultural
- Vacant

*Single-Family Residential*

Single-family residential is one of the primary land uses in the two-mile study area. As indicated in Exhibit III.A-1, single-family residential use is found throughout the Study Area. Lot sizes range from approximately half an acre to greater than 10 acres. There are a few areas developed as conventional subdivisions (often identifiable by cul-de-sac pattern), but generally, most single-family residential development appears to have been developed individually and linearly along existing roads.

*Two, Three and Multi-Family Residential*

Multi-family residential use is relatively limited. An apartment complex, the Pleasant Ridge Apartments, is located just north of the Project Site at the southeast corner of the intersection of Route 22 and Pleasant Ridge Road. Two and three family homes are scattered within neighborhoods that are largely single-family residential.

*Mobile Home Parks*

There are several mobile home parks located in the area, including, but not limited to, Cannon's and Wingdale Village Park. Wingdale Village Park is a large facility, and abuts the Project Site to the south.

*Commercial*

Commercial uses are found primarily along the Route 22 corridor, with a few exceptions scattered through the study area. The Route 22 corridor commercial uses are generally automobile oriented, and include a small strip mall to the north of the Project Site, two gas stations, a car wash, used car dealers, and a delicatessen. A restaurant, automobile repair shop, and café are located to the

northeast of the Project Site on Route 55 and Old State Route 22. South of the site, the commercial uses continue along Rt. 22 and include a beverage center, a scrap yard, restaurants, and another small strip of commercial space.

*Soil Extraction/Storage/Manufacturing*

The study area is also home to several soil-mining operations that occupy large tracts of land. These operations are located primarily along Pleasant Ridge Road. The area also has a few industrial uses, including Westchester Modular Homes, located in close proximity to Old State Route 22, and a mill located on Route 55. A large self-storage facility is located along Route 22 south of the Project Site.

*Parks and Recreational*

This category consists of public and private active and passive recreational open space. Except for Boyce Park to the northeast, these lands are generally setback from the highway and oriented towards passive recreation/nature appreciation, such as the Appalachian Trail and the Pawling Nature Reserve, located to the south and the east of the Project Site.

*Public/Quasi-Public*

This category consists of schools, emergency services and religious uses. These uses are generally found on the north side of the area, in close proximity to Route 55. The Wingdale Elementary School, J.H. Ketcham firehouse, and two churches are located just north of the site on Route 55. Additional public/quasi-public uses include the American Legion Hall/Town Library, located at the corner of Pleasant Ridge Road and Route 22.

*Agricultural*

Agricultural lands within two miles of the Project Site are located north of the site on Pleasant Ridge Road and Old Route 22, west of the Project Site on West Dover Road, and one location east of the site adjacent to the New York/Connecticut state border though none of these properties are currently listed in an Agricultural District.

*Vacant*

Vacant lands are found scattered throughout the area and, along with single-family residential, constitutes one of the area's predominate land uses. These lands consist primarily of forestland and property that was previously used for agricultural use.

Land uses within a quarter-mile of the Project Site include (see Exhibit III.A-2):

*Single-Family Residential*

Single-family residential is the most prevalent use within a quarter-mile radius of the Project Site. The Wingdale hamlet directly north of the Project Site includes single-family homes on approximately half-acre lots. Generally, the residential

uses along the site's boundaries are on lots of less than one acre. Directly to the east of the site and further to the southwest, homes are situated on larger parcels.

*Two, Three and Multi-Family Residential*

Multi-family residential uses located within a quarter-mile radius of the Project Site include an apartment building, multiple residential structures on a single lot, and two- and three-family homes. North of the Project Site is the Pleasant Ridge Apartments complex, a former motel converted to rental apartments. Adjacent to the Project Site to the south is a single parcel containing multiple residential structures on a single lot. A small number of two- and three-family homes are located among the predominantly single-family neighborhoods to the north, south and west of the Project Site.

*Mobile Home Parks*

There are several mobile home parks within one-quarter mile of the Project Site, including Wingdale Village Park, which abuts the Project Site to the south. There are also a small number of single mobile homes located on separate lots in close proximity to the Project Site.

*Commercial*

The majority of the commercial uses within a quarter-mile radius of the Project Site are located along Route 22. Commercial uses in close proximity to the Project Site include a small strip mall with various retail shops and eateries, a discount beverage center and liquor store, a gas station, used car dealerships, take-out restaurants, a delicatessen, a hardware store and grocery store, among others.

*Soil Extraction/Storage/Manufacturing*

Particular uses within this category and in close proximity to the Project Site include a tractor trailer storage yard on the west side of Route 22 just north of the site, and a soil mining operation and a warehouse operation to the north and west, on Pleasant Ridge Road.

*Public/Quasi-Public*

The public/quasi-public uses within one quarter mile of the Project Site are located adjacent or in close proximity to Route 22. These include the Wingdale Elementary School, the J.H. Ketcham firehouse, the American Legion Hall/ Town library and the Metro North train station. There is also an active church on the Project Site.

*Parks and Recreation*

Parks and recreation uses within a quarter-mile of the Project Site include: Boyce Park, a Town park located on the east side of Route 55; the Swamp River which bisects the site and continues north and south; access to the Appalachian Trail to the east; and a few preserved open space parcels to the southeast.

*Agricultural*

There is some land currently being farmed to the north of the Project Site along Pleasant Ridge Road. However, there is no land listed in an Agricultural District within a quarter-mile of the Project Site.

*Vacant*

The quarter-mile radius study area also includes vacant lands, particularly to the south of the Project. Vacant parcels range in size from less than one acre to greater than 10 acres.

b. Future Without the Project

Without implementation of the Project, the site would remain essentially vacant. Many of the buildings suffer from significant deterioration and in the Applicant's opinion exert a blighting influence on the surroundings. Without redevelopment, the buildings would continue to deteriorate, compounding the negative perception and further exerting a blighting influence on surrounding uses.

Several other potentially locally significant development projects have been proposed in Dover and neighboring communities, including Wind Rose in Dover, Brady Brook Falls in Pawling, Castagna Commerce Park in Pawling, Silo Ridge in Amenia, and the Carvel property in Pine Plains. These projects would increase residential and commercial activity in the Harlem Valley, and expand resort and seasonal residential components in the area. The potential impacts from these projects, among others, are specifically addressed in the traffic study as part of the Future No-Build analysis.

c. Zoning

The Project Site contains land lying in five zoning districts and subject to three overlay zones. The underlying districts include SR-Suburban Residential, CO-Commercial/Industry/Office-Mixed Use, HM-Hamlet Mixed Use, HR-Hamlet Residential, and RU-Rural. The overlay districts are the MC-Mixed Use Institutional Conversion, FP-Floodplain, and SC-Stream Corridor. Excluding the 83-acre former Dykeman parcel zoned SR in the northwest corner, the remainder of the Project Site lies within the MC overlay district, which is intended to facilitate the redevelopment of the HVPC. The MC provisions allow for flexibility in potential uses and permit greater density than in the underlying zones. Essentially, the FP overlay restricts construction in the 100-year floodplain, and the SC overlay requires watercourse setbacks and additional review scrutiny within 150 feet of the Swamp River and other NYSDEC streams.

The overlay districts that affect the zoning of the site are as follows:

*Mixed-Use Institutional Conversion Overlay District (MC)*

This overlay currently encompasses the entire Project Site except for the portion known as the former Dykeman property.

The MC Overlay currently allows increased density and greater flexibility in permitted uses. A density incentive of 50 percent more development that would be otherwise permitted in the underlying district is provided, except that for land in the SR district, the density incentive is increased to 100 percent. The MC Overlay also stipulates that no more than 50 percent of the gross floor area of all development may consist of residential development, excluding age-restricted senior housing. In addition, no more than 30 percent of all floor area of the development may consist of residential units with three or more bedrooms. The development potential of the Project Site under the existing MC Overlay is provided in detail later in this section under “Potential Impacts”.

*Floodplain Overlay District (FP)*

The FP overlay boundaries are defined as the 100-year floodplain. This overlay district prohibits new structures for human occupation, septic tanks, leach fields, or other sanitary sewage system from being located within the district.

*Stream Corridor Overlay District (SC)*

The SC overlay provides setbacks to the Swamp River and other NYSDEC streams located within the Project Area. Development located within 150 feet of a NYSDEC watercourse is subject to additional review scrutiny.

The Project Site’s underlying zoning districts consist of Commercial/Industry/Office-Mixed Use (CO), which is located on both sides of Route 22 north of Wheeler Road; Hamlet Mixed Use (HM), located generally in the center of the Project Site; Hamlet Residential (HR), located in the northeastern section and southern section of the Project Site; Rural (RU), located in the eastern portion of the Project Site; and, Suburban Residential (SR), located in the western portion of the Project Site (see Exhibit III.A-3, Existing Zoning Map).

Most residential uses are generally permitted or allowed by special permit in all five of the underlying zoning districts; mobile homes are not permitted under the existing zoning districts present on the Project Site. Public utilities, agricultural uses and home occupation are the only business uses allowed universally in the underlying zoning districts, while retail uses, restaurants, and service industries are permitted in the HM district and allowed by special permit in the HR and CO districts. Soil mining and logging are permitted or allowed by special permit in the RU and CO districts, while light industrial uses are allowed by special permit in the HM and CO districts. All of the following uses are permitted in the MC Overlay by right (see Table III.A-1 for a complete list of Permitted Uses). Other uses, which are not specifically prohibited by the Code are permissible by special permit in the MC Overlay district.

**Table III.A-1  
Permitted Uses**

Use Category	District				
	RU	HM	HR	SR	CO
<b>Residential Uses</b>					
Single-family dwelling	P	P	P	P	S
Two-family dwelling	S	P	P	S	S
Multi-family dwelling (conversion/new)	S	P	S	-	S
Accessory apartment	S	S	S	S	S
Mobile home	-	-	-	-	-
Upper-floor apartment in mixed-use building	-	P*	P*	-	S
Residential care facility	S	S	-	-	-
<b>Business Uses</b>					
Agriculture	P	P	P	P	P
Camp	S	-	-	-	-
Commercial logging	P*	-	-	-	P
Communication tower	ST	-	-	-	-
Craft workshop	S	P*	S	-	P*
Home occupation	P*	P*	P*	P*	P*
Bed-and-breakfast	S	P	P*	-	S
Junkyard	-	-	-	-	-
Kennel	S	-	-	-	S
Light industrial	-	S	-	-	S
Lodging facility	-	S	-	-	S
Office	-	P*	S	-	P*
Public utility facility	S	S	S	S	S
Recreational business	-	S	S	-	S
Restaurant	-	P*	S	-	S
Retail	S	P*	S	-	S
Services	-	P*	S	-	S
Soil mining	ST	-	-	-	ST
Veterinary Hospital	S	S	-	-	S
Warehouse	-	-	-	-	P*
Wholesale business	-	-	-	-	P*
Boarding stable/riding academy	P*	-	-	-	-
Use Category	RU	HM	HR	SR	CO
<b>Community Uses</b>					
Cemetery	S	S	S	S	-
Educational/charitable/religious	S	S	S	S	S
Health care facility	S	P*	-	-	S
Membership club	S	S	S	-	S
Municipal	P	P	P	P	P

Source: Town of Dover Zoning Code

- P Permitted
- P\* Permitted (Planning Board review of site plan)
- S Special use permit (Planning Board issues)
- ST Special use permit (Town Board issues)
- Prohibited use

In the five underlying zoning districts, permitted densities range from one dwelling unit per acre to eight dwelling units per acre. Table III.A-2 details bulk controls and regulations in the five underlying zoning districts.

**Table III.A-2  
Bulk Controls and Regulations**

	District				
	RU	HM	HR	SR	CO
Min Lot Size (Conventional)	2.0 ac.	--	--	1.0 ac.	1.0 ac.
Min Lot Size (Flexible)	0.5 ac.	8,000 sf	8,000 sf	0.5 ac.	--
Maximum Density (Flexible)	1.0 du/ac	8.0 du/ac	8.0 du/ac	1.0 du/ac	--
Minimum Setbacks:					
Front Yard	40/60	25/30	25/40	50/75	50/150
Side Yard	30	10	15	30	30
Rear Yard	50	25	25	50	50

Source: Town of Dover Zoning Code

d. Public Policy

Town of Dover Master Plan (1993)

The Town of Dover Master Plan was prepared by the Dutchess County Department of Planning in collaboration with the Town of Dover Master Plan Committee, and adopted by the Town Planning Board on September 21, 1993.

The Master Plan was created in an effort to present existing conditions in the Town and identify future goals and objectives. The Plan included both a Town-wide land use plan, as well as policies related to eight specific policy areas including: Community Values, Historic Preservation, Natural Resources, Population and Economic Base, Housing, Community Facilities, Transportation and Land Use.

Recommendations from the Plan include focusing higher levels of density and uses in the hamlets of Dover Plains and Wingdale, while encouraging lower density residential uses in the remaining areas of the Town. The Land Use Plan, Hamlet Plans, and Open Space Plan are designed to reinforce the traditional settlement pattern in the Town, and preserve the Town’s natural features and scenic beauty.

Many of the goals identified by the Town are applicable to the Project. Goals regarding open space preservation, population growth and economic development, housing diversity, future land use and transportation growth would be encouraged and enhanced by the proposed development.

The following Master Plan goals are relevant to the Project:

*1. Community Values*

*Objective: To enhance the character of Dover, improve the sense of community among its residents, and encourage interaction between different age and interest groups in the decision making process.*

- Goal 1.4 – Major gateways to the Town and historic hamlet areas should be designed to create a distinct visual impression with enhanced landscaping, pavement changes, and thematic designs to define the entrances and help maintain a sense of community identity.

*2. Historic Preservation*

*Objective: To identify, protect and restore Dover’s historic buildings, sites and roadside cultural features, and ensure that new development respects historic traditions.*

- Goal 2.4 – The Town should encourage historically sensitive rehabilitation of historic properties that are being restored or adapted to new uses.

*3. Natural Resources*

*Objective: To protect and provide proper stewardship for the natural resource base on which the quality of life in Dover depends.*

- Goal 3.9 – A defined open space system should be part of every major site plan or subdivision proposal and, whenever possible, be linked to form continuous greenspace corridors.

*4. Population and Economic Base*

*Objective: To encourage economic opportunities that provide a stronger employment base, meet the needs of its residents and are consistent with the rural character of the Town.*

- Goal 4.1 – The Town should actively encourage businesses to locate and remain in Dover.
- Goal 4.2 – The Town should attempt to diversify its economic base by encouraging a variety of businesses and employment opportunities.
- Goal 4.6 – The Town should permit Home occupations, including professional uses, with standards that prevent disruption of neighborhood character.
- Goal 4.8 – The Town should implement the recommendations of the Harlem Valley Economic Development Study, including, but not limited to, the following:
  - A distinctive retail identity should be developed for the two hamlet centers with a concentrated mix of businesses that build on each others proximity.
  - The Town must recognize that its most important asset for attracting tourism and future economic development is its remaining scenic and pastoral settings.

- The Town should work with the state and county governments to plan for an orderly transition at the Harlem Valley Psychiatric Center and to actively market and find alternative uses for surplus property or structures before any state withdrawal.

### *5. Housing*

*Objective: To provide a broad range of housing options for all present and future town residents, including young people, families with children, the elderly, higher-income residents, and households who earn less than the median income.*

- Goal 5.2 – The Town should encourage local zoning strategies, private incentives, and government programs that promote the development of housing appropriate in size, location, accessibility and cost for many different types of households.
- Goal 5.4 – The Dover Plains and Wingdale areas should be the focus for higher density units and housing for seniors and commuters to alleviate dependency on the automobile and reinforce the traditional community center land use pattern.
- Goal 5.9 – The Town should encourage the traditional mixed land use pattern of apartments above commercial storefronts in the community center areas.
- Goal 5.11 – The Town should encourage cluster or average density development with preservation of usable open spaces, and consider density bonuses in exchange for a designated percentage of affordable units.

### *6. Community Facilities*

*Objective: To provide municipal facilities and services that will meet the residents' common needs and improve opportunities for community activities.*

- Goal 6.2 – The Town should actively promote volunteer staffing for the fire company and, if necessary, consider incentives or paid positions to ensure adequate coverage during all shifts.
- Goal 6.13 – The Town should work with state officials and potential private developers to use the excess capacity in the Harlem Valley Psychiatric Center's water and sewer systems to encourage industrial, commercial and residential development in the Wingdale hamlet center area.

### *7. Transportation*

*Objective: To provide safe and efficient transportation system, while preserving scenic and historic roadside features.*

- Goal 7.1 – Dover should recognize that its roads and rights-of-way are the Town's most prominent public spaces, the means by which residents visualize their community, and are areas where the Town can most directly control its future character.
- Goal 7.6 – The Town should encourage alternatives to the dependence on individual automobiles.

- Goal 7.8 – The Town should work with Metro-North Commuter Railroad to upgrade service on the Harlem Line, improve the aesthetics in the train station areas, and provide for all-day parking lots that do not conflict with short-term business parking needs.
- Goal 7.10 – Route 22 should be viewed as an asset for the economic development of the Town and plans should focus on how best to take advantage of it without losing its traffic carrying function or diminishing highway speeds between the hamlet centers.
- Goal 7.11 – New commercial and industrial development should be required, whenever feasible, to shield parking lots to the rear or side of the structure, share driveways, and provide for internally linked circulation or service roads between adjacent parcels.
- Goal 7.15 – The Town should support a more equitable balance between motor vehicles and other means of transportation by promoting the hamlet centers as pedestrian-oriented places, by repairing and extending the sidewalk system along primary connecting street, and by integrating bicycle/walkways with a town-wide trail system. Sidewalks connecting heavily populated areas with town recreation centers should be a high priority.

#### *8. Land Use*

*Objective: To create a pattern of land use that reinforces the Dover Plains and Wingdale hamlet centers, preserves the Town's natural resources and enhances the overall rural character, while promoting appropriate areas for the development of economic opportunities.*

- Goal 8.2 – The Town should encourage high quality design and construction, with the retention of existing trees and natural features whenever possible, and the sensitive use of landscaping and architecturally compatible elements to integrate new development with the surrounding area.
- Goal 8.4 – To reinforce Dover Plains and Wingdale as community centers, the Town's land use policies should encourage compatible commercial and higher density residential development in and adjacent to the existing hamlet areas and limit development in the traditionally more rural, open areas. Strip commercial or spot commercial uses outside the hamlet center or neighborhood center districts should be strictly avoided.
- Goal 8.5 – The Town should actively promote the development of high quality commercial uses within the Dover Plains and Wingdale hamlet centers. The plan also supports the following additional opportunities for commercial growth:
  - Commercial uses should be allowed in conjunction with large planned residential developments, if designed not as strip commercial plazas, but primarily to serve the new residential units as a central focus for the development;

- Land in commercial districts should be developed more intensively, in cluster rather than strip patterns, with multiple uses sharing access and parking facilities.
- Goal 8.9 – The Town should actively work with the state and county officials to promote a plan for the future of the Harlem Valley Psychiatric Center that is consistent with policies in this master plan.

Also included in the Master Plan is an Open Space Plan. The Open Space Plan identifies eight separate open space land categories, which include: Existing Public Recreation Lands, Quasi-Public Open Space, Water Resources, Institutional Lands Held by Tax Exempt Organizations, Public Lands Not Permanently Protected (Psychiatric Center), Conservation Areas, Specific Sites and Agricultural Resources. The Public Lands Not Permanently Protected refers entirely to the Project Site. The following are the policies identified for Public Lands Not Permanently Protected:

- Work with New York State to develop and implement a comprehensive strategy and plan for the disposition of the property. Considerations should include economic development, affordable housing, mix of uses, conservation and recreation uses. The Town should not allow the property to be sold off in an unplanned, piecemeal fashion.
- With respect to the golf course, use state law provision which allows the State to offer surplus lands to the municipality for one dollar upon their sale. Seek an organization, such as the Harlem Valley Golf Club, which would manage the club and allow it to remain open to the public.
- Develop protection mechanisms to insure that steep slopes, the reservoir and upland portions of the property are permanently protected from development.
- Work with Appalachian Trail Conference to establish open space trail connections with Psychiatric Center property and Boyce Park.
- Seek to maintain current agricultural uses on farmed portions of property.
- The Town should insist that the portion of the property that encompasses the Great Swamp be permanently protected.

The Master Plan also includes Hamlet Center Plans for the hamlets of Dover Plains and Wingdale. The Hamlet Center Plan for the hamlet of Wingdale lays out the possibilities for future reuse of the Project Site. The Plan acknowledges the site's importance and that the closure of both the State Hospital and Division for Youth (DFY) could lead to "enormous (economic) problems" in the region. To mitigate for the closure of the two facilities, the Plan proposes that an economic impact package should be designed to help the region diversify its economy.

The Plan states that the hamlet of Wingdale should be developed/redeveloped as a hamlet center, and that the existing commercial development to the north and south of the Project should be contained, not encouraging further commercial strip development. While the institutional buildings on site currently act as a gap between the commercial uses north and south of the site, the site could be desirable for private use:

“The concentration of adaptable buildings and existing infrastructure, including water and sewer systems with excess capacities, combined with substantial tracts of adjacent developable lands and good highway and train connections to the larger metropolitan region, make Wingdale a perfect place to develop a pedestrian village atmosphere.”

The adaptive reuse of several specific buildings is also recommended. Suggestions include a large grocery store in the Storehouse building, converting the Administration Building into a post office, converting the I-buildings and other structures in close proximity to the Administration Building to various forms of residential units, and converting Sullivan Tower into a nursing home or medical facility. Residential uses would include affordable and senior housing. The area in between the Administration Building on the east side of Route 22 to Wheeler Road should “be converted to the commercial core of the hamlet, centered around the traffic light and Train station.” The Plan also recommends:

“(retaining) the golf course as a recreational amenity for the nearby properties and the entire Town. To the west of the course flanking Wheeler Road and extending over to Pleasant Ridge Road (CR21), an area of hamlet density housing connected to the central utility systems is recommended. This location, surrounding the golf course and within walking distance of the train station and hamlet center would provide an attractive site for a mixture of closely placed single family and attached housing. As part of the development package for the adjacent higher density residential uses, a protective easement is proposed for the farm complex at the western end of Wheeler Road. Hamlet density housing connected to central utilities is also contemplated along Hutchinson Avenue on the more moderate slopes north of the existing DFY facility. The combined areas designated for higher density residential uses in Wingdale could meet a major portion of the entire Town, housing needed for the next two decades, thereby reducing the pressure for suburban style sprawl in the outlying rural areas.”

The Plan also proposes developing the area north of Wheeler Road off Hutchinson Avenue with light industrial and office uses, consistent with the existing zoning. The area north of the golf course, adjacent to the sewage treatment plant is also recommended for light industrial uses.

Also included in the Plan is the specific recommendation that traffic speeds must be reduced to at least 30 miles per hour, if not lower. Reducing the speed limit and implementing other traffic calming measures would increase the commercial exposure of the hamlet.

While the Plan proposes potential future uses of the Project Site, the document recognizes the long-term plans for the site need to remain flexible because of changing markets and the need for more detailed analysis of the site.

The Master Plan, Dutchess County Hamlet Design Guidelines, Route 22 Corridor Study, Harlem Valley Psychiatric Center Reuse Plan, the Greenway Compact Program, and the Town of Dover Historic Resources Survey are all summarized and discussed for consistency with the proposed development in the following section.

2. Potential Impacts

a. Land Use

The Project would create a positive land use impact by converting an unused and deteriorating facility that exerts a blighting influence on the community, into a new mixed-use center that promotes economic growth, provides expanded retail and office space, increases recreational opportunities and increases housing choices and diversity. The Project would result in the comprehensive redevelopment of the former Harlem Valley Psychiatric Center property and an adjacent parcel (former Dykeman property), with a mixed-use community that exhibits traditional neighborhood design principles. The development program includes 1,376 units of residential development, 245,500 square feet of commercial space and 77,000 square feet of community facilities and/or recreational space.

Consistent with traditional neighborhood design principles, the Project would create a well-defined mixed-use village center and compact neighborhoods, rather than continuing sprawling, strip development found elsewhere in the Town. Residential uses throughout the Project Site would include single-family homes, duplex units, townhouses, apartment flats, apartments above commercial space and loft conversions; providing greater density and unit diversity than currently available in the area. The majority of the single-family homes would be located in residential neighborhoods located in outlying areas of the site, acting as a buffer between the more intense village center at the center of the site and the less intense residential, agricultural and conservation spaces located in close proximity to the Project Site to the east and west.

By concentrating development around an existing Metro-North train station, the Project is intended to accommodate growth in a responsible manner, while limiting impacts on the road network and reducing pressure for development and conversion of greenfield sites throughout the rest of the Town, thereby helping to preserve the community's overall suburban rural character.

While the proposed new urbanist pattern of development would differ from the existing suburban/rural pattern of development in the area, the proposed land uses would be compatible. The proposed development would introduce a "centers" pattern of development in the area, while respecting neighboring properties and land uses with perimeter buffers. The new residential uses would expand the customer base and likely increase activity for surrounding commercial properties. The new commercial uses in the Village Center would provide expanded retail and recreational opportunities for surrounding residents and does not include the types of heavy or noxious uses that would adversely affect a residential environment. Except for a few single-family homes in the western portion of the site that abut existing single-family homes, landscaping and open space buffers would be present throughout the entire perimeter of the site. The buffer

sizes around the perimeter of the Project Site would range from approximately 50 feet on the southern edge of the Project Site, to approximately 1,000 feet in some of the southern and eastern portions of the proposed development. The Route 22 corridor would also feature landscaping throughout and preserved open space to the north, all of which would act as a scenic buffer. Significant amounts of land would be preserved as open space throughout the Project Site, especially in the eastern and southern portions of the site. The residential neighborhood clusters within the Project Site would also feature landscaping and open space buffers from each other. As a result, the Project uses would be expected to compliment and be compatible with surrounding land uses.

The existing residential uses in the immediately surrounding area are generally low to moderate density, exhibiting a typical suburban character. Commercial uses along the Route 22 corridor in proximity to the Project Site include several intense and some unsightly uses such as a soil mining operation, a junk/scrap yard, and a storage use. These uses may represent underutilization and contribute to the corridor's disorganized image.

The proposed development has the potential to increase the value of neighboring parcels by removing a blighting influence from the area, creating a new local and regional destination, and by supplying additional customers. Increases in property values could lead to the possible redevelopment of properties with new uses and/or repositioning of businesses to capture the new market created by the Project.

b. Zoning

*Potential Development Yield from the Existing Zoning*

As described above, the MC Overlay District is currently mapped across the former HVPC property. However, the Project also includes the neighboring former Dykeman property. This parcel essentially "fills in" and helps form a contiguous block of land between Pleasant Ridge Road and Hoag Corner Road/Old Pawling Road. In order to provide for a consistent design, take advantage of the water, sewer and road system for the Project, and address the logical and natural connection to the remainder of the land, the Project proposes amending the zoning text of the MC Overlay District and extending the district onto the former Dykeman parcel (see Exhibit III.A-4).

The MC Overlay currently allows a density incentive of 50 percent more development that would be otherwise permitted in the underlying district, except for the SR district, where the density incentive is 100 percent. Under the existing zoning, the MC Overlay could potentially yield 1,524 residential units and 1,338,000 square feet of commercial space on the Project Site. Table III.A-3 summarizes the maximum permitted development currently allowable. The table demonstrates the maximum density permitted by the MC Overlay on the entire site except for the Dykeman parcel, assuming that every district would yield residential units except for the CO, which would feature commercial development.

**Table III.A-3  
Maximum Permitted Residential and  
Commercial Development Currently Permitted  
by the Existing Zoning on Site**

Zone	Gross Acres	Deductions	Net Acreage	Base Allowable Density	Density w/ Existing MC Bonus
SR	217	83	134	121	242
HM	33	1.5	31.5	206	309
HR	87	14	73	477	716
RU	296	153	143	129	194
SR (Dykeman Parcel)	83	13	70	63	63 (no bonus)
CO	221	109.5	111.5	892,000 sf	1,338,000 sf
Totals	937	374	563	996 units & 892,000 sf	1,524 units & 1,338,000 sf

Assumptions:

1. Density calculation applying net acreage method of Sec. 145-19A of the Town Code for SR and RU districts. Residential densities for HM and HR using net acreage method, and applying allowable densities with common sewer and water.
2. CO density calculated based on dimensional limitations for a “maxed-out” building site with 200,000 sf footprint, 16 acres of parking and 60% open space. This would require approximately 50 acres of site per 400,000 sf of development.
3. Extension parcel not currently within MC Overlay. No credit for MC bonus taken.

*Proposed Revisions to the MC Overlay District*

In addition to mapping the former Dykeman parcel to MC, the Proposed Action includes certain text changes to the MC regulations. As demonstrated below, the proposed amendment to the MC Overlay is not a mechanism to increase overall permitted densities.

The proposed revisions to the zoning text largely relate to the elimination of some of the formulaic limitations on residential development, which do not correlate to market realities. For example, the requirement that no more than 50 percent of the gross floor area of all development should consist of residential development (age-restricted senior housing is not included in the 50 percent calculation) requires a development pattern that the Applicant’s market studies show is not sustainable. The existing zoning code also requires that no more than 30 percent of the floor area of all development may consist of residential units with three or more bedrooms. The existing formula requirements in the MC Overlay would prevent the site from supporting an integrated and balanced new urbanist community that is consistent with the Town’s stated desire for traditional neighborhood design.

The proposed zoning text has been prepared in consideration with the findings of a market study (included in Appendix V) prepared by an independent economic consulting firm, which indicates significant limitations on the amount of commercial activity and age-restricted housing that could be captured at the site. The revisions are also intended to provide for a framework that supports traditional neighborhood design. The proposed zoning text employs density requirements of 1.6 dwelling units per gross acre of land within the district, and a minimum of at least 200,000 square feet of non-residential

development. The proposed zoning text also allows flexibility for defining lot and bulk controls as part of the proposed Master Development Plan.

The proposed zoning text amendments are as follows, with strike through indicating deletions and double underline indicating insertions:

**§ 145-16. Mixed-Use Institutional Conversion Overlay District (MC).**

*A. Findings and purpose. The purpose of this overlay district is to facilitate the redevelopment of the former Harlem Valley Psychiatric Center as a mixed-use community that fulfills the goals of the Town of Dover Master Plan and the purposes of this chapter as expressed in Article I. The town wishes to attract development to this site because it contains certain serviceable buildings and water and sewer infrastructure, as well as ~~excellent~~ both highway and commuter rail transportation access. This overlay district is the most appropriate area of the town for intensive mixed-use development. The provisions of this overlay district are intended to streamline permitting and allow greater use flexibility. The regulations that follow require the preparation of a ~~conceptual site plan~~ Master Development Plan that shall be subject to review and approval by the Town Board with input from the Planning Board. Upon approval of the ~~conceptual site plan~~ Master Development Plan, an applicant shall be required to secure site plan approval for the various phases of the development from the Town Board in accordance with Article IX of this Ordinance, as applicable. As part of its review of the site plan, the Town Board shall refer the site plan to the Planning Board for its input and recommendation.*

*B. Boundaries. The boundaries of the MC Overlay District are shown on the Overlay District Map.*

*C. Effect of district. Within the MC District, all uses listed on the Use Table, Article III, Section 145-10B, as permitted or requiring a special permit shall be permitted by right subject to site plan approval only. Any use not listed on the Use Table and not prohibited by § 145-10C may be allowed by special permit. Dimensional and density regulations and requirements for buffers between uses may be modified by the Town Board in the course of site plan approval to fit the unique characteristics of the district. ~~Buffer requirements intended to protect residential uses adjoining the MC District shall not be modified. Total allowable development of the district or any portion thereof under review shall not exceed 50% more than would be otherwise permitted in the underlying districts, except that in the portion of the MC Overlay District which is zoned SR a density bonus of 100% shall be allowed.~~ In addition, land use district classifications may be changed in the following ways:*

*(1) The Town Board may, in its sole discretion, by zoning amendment granted at the request of an applicant, reclassify any portion of the overlay district to any other land use district, except for the M District. In so doing, the Town Board shall make a finding that the reclassification is consistent with the purposes of the Town of Dover Master Plan and this chapter. The reclassification shall entitle the applicant to*

*approval by right subject to site plan approval of all specially permitted uses in the district to which the use has been classified. The Town Board may attach such conditions as it finds necessary to ensure that the reclassification of land in the district will be in harmony with surrounding land uses and the purposes of the overlay district.*

*(2) The Town Board may, by zoning amendment in its sole discretion, rezone all or a portion of the MC District and rezone lands substantially contiguous to the MC District pursuant to a ~~comprehensive Master~~ Development Plan for a portion of the property that includes at least 40 acres. Such rezoning shall be in the form of a planned development district and shall be consistent with the Town of Dover Master Plan and any other master plan for the site adopted by the Town Board. ~~A conceptual site plan shall be approved by the Town Board as part of the comprehensive development plan rezoning application approved pursuant to Article X. The conceptual site plan shall show street layouts, an open space system, and density and general use classifications within the planned development district and shall indicate dimensional regulations that will apply within the district. The Master Development Plan shall include a narrative description of the overall plan, along with appropriate graphics, which show proposed street layouts, density and general use classifications, recreation and open spaces, principal and accessory buildings, off-street parking and major utility systems. The Master Development Plan shall also present dimensional regulations, which shall be applicable to the development and project-specific design guidelines illustrating proposed architectural and site plan details. Said regulations and guidelines shall include off-street parking and loading standards applicable to the proposed development in the MC District. Project-specific guidelines shall consider and refer to the Hamlet Design and Building Form Guidelines produced by the Dutchess County Department of Planning and Development to the extent applicable. A phasing plan shall also be provided in the Master Development Plan.~~ The Town Board may attach such conditions as it finds necessary to ensure that the planned development district will be in harmony with surrounding land uses and the purposes of the overlay district.*

*The Town Board shall refer any ~~comprehensive development plan and conceptual site plan~~ Master Development Plan submitted by an applicant to the Town Planning Board for review and comment as part of the environmental review process. The Planning Board shall provide written comments within sixty-two (62) days from its receipt of the ~~conceptual site plan~~ Master Development Plan and an accompanying Draft Environmental Impact Statement (“DEIS”) deemed complete pursuant to the requirements of the New York State Environmental Quality Review Act. ~~The conceptual site plan~~ Master Development Plan approved by the Town Board shall provide the development framework for subsequent site plan review by the Town Board, which shall be undertaken by the Town Board in accordance with Article IX of this Ordinance, as applicable. The Town Board shall refer the subsequent site plan to the Planning Board, which shall provide written comments to the Town Board within sixty-two (62) days from its receipt of the site plan. At its sole risk, an Applicant may submit a detailed site plan(s) to the Town Board for site plan approval*

for all or part of an MC development concurrently with the Town Board review of the Master Development Plan, provided, that approval of a site plan may not occur until the Town Board approves the Master Development Plan.

No site plan or site plan amendment shall be approved by the Town Board unless the Town Board determines that such site plan (or site plan amendment) complies in all material respects with the ~~conceptual site plan~~ Master Development Plan adopted by the Town Board. An amendment to the approved site plan hereunder shall be deemed to comply in all material respects with the conceptual site plan adopted by the Town Board, and shall not constitute a substantial change for the purposes of the Town Board's implementation of Section 145-68(D) ("Site Plan Amendments"), and presumptively shall not require supplemental review under SEORA and shall be granted without a hearing, if such site plan amendment meets the following criteria:

a) does not increase traffic volumes generated by the approved site plan as calculated pursuant to the most recent edition of the Institute of Transportation Engineer's Trip Generation manual by more than ten percent (10%);

b) does not increase the number of school children generated by the approved site plan by more than ten percent (10%);

c) does not alter the aggregate gross residential density or non-residential floor area in the approved site plan by more than ten percent (10%). It is specifically intended that, consistent with the goal of allowing greater use flexibility in the MC District, a change in product or use mix shall not in itself constitute a substantial change;

d) does not increase impervious surfaces in the approved site plan by more than ten percent (10%);

e) does not increase the amount of sewage effluent or water consumption (gpd) by more than ten percent (10%);

f) conforms or substantially conforms with any Design Guidelines or other conditions adopted in connection with the approved site plan; and

g) does not increase by more than ten percent (10%) any encroachment on: (i) wetlands under the jurisdiction of the New York State Department of Environmental Conservation or the United States Army Corps of Engineers; (ii) slopes exceeding fifteen percent (15%); or (iii) any Environmental Sensitive Area specifically designated by the Town Board in connection with its approval of the original conceptual site plan.

Based solely upon these objective criteria, the Town Board shall make a determination concerning any site plan amendment within thirty (30) days of the

submission of a request for such determination, containing the aforementioned information.

In an effort to facilitate the Planning Board's review and comment on any ~~comprehensive development plan and conceptual site plan~~ Master Development Plan submitted to the Town Board and in an effort to keep the Planning Board apprised of the various revisions to such plans prior to the referral provided for above, five (5) copies of any ~~comprehensive development plan and conceptual site plan~~ Master Development Plan and any revision thereto submitted to the Town Board shall also be simultaneously submitted to the Planning Board. The DEIS shall be submitted to the Planning Board in accordance with SEQRA and the referral provided for above.

Notwithstanding anything in Chapter 125 of the Town Code of the Town of Dover ("Subdivision of Land"), the Town Board has the sole power and authority to approve or disapprove plats for subdivisions related to projects proposed within the MC District. An applicant shall be required to secure subdivision for projects within the MC District in accordance with Chapter 125 of the Town Code, as applicable. Notwithstanding anything in Chapter 65 of the Town Code of the Town of Dover ("Erosion and Sediment Control"), the Town Board has the sole power and authority to approve or disapprove any application subject to said Chapter 65 within the MC District. An applicant for project within the MC District shall be required to secure approvals from the Town Board for matters subject to Chapter 65, in accordance with said Chapter, as applicable. D. Limitations on development.

1. Overall Density of Development

- (a) The maximum density of residential development shall not exceed 1.6 dwelling units per gross acre of land. The gross acres of land within the District shall be determined by calculating, without any qualifications or deductions, the total acreage within the District, including roads, parking and loading areas, land under buildings, waterbodies and other natural features.
- (b) The maximum square footage of non-residential development shall not exceed a floor area ratio of 0.015, with the floor area ratio defined as the total square footage of all non-residential uses divided by the gross acres of land within the District, as defined in C.2(a.) above.

2. Dimensional Regulations

Lot and bulk controls and off-street parking requirements shall be defined as part of the proposed Master Development Plan. Said controls and requirements shall be subject to review and approval by the Town Board as per Section C hereof.

E. Non-residential development. Non-residential development shall be designed within a mixed use hamlet center. It shall provide a variety of retail, restaurant, personal service, community facility, and other uses that support the proposed

development and provide a focus for the immediate area, consistent with market conditions as defined in the SEORA review process, provided however, that the total square footage of non-residential development in the District shall total a minimum of 200,000 square feet of floor area.

~~D. Applicability of design guidelines. In reviewing any site plan application in the MC Overlay District, the Town Board and the Architectural and Community Appearance Board of Review shall apply the Dutchess County Hamlet Design Guidelines, Rural Development Guidelines, and Building Form Guidelines as appropriate to ensure that development is compatible with the character of the town. Where the specific historic character of existing buildings on the site justifies divergence from the recommendations of the Guidelines, the Architectural and Community Appearance Board of Review may permit such divergence with a written explanation in its decision. Architectural compatibility with existing post 1950 architecture may not be the basis for such divergence. However, architectural excellence may provide the basis for divergence from the Guidelines.~~

~~E. Limitation on residential development. No more than 30% of the gross floor area of all development in the MC Overlay District may consist of residential dwelling units containing three or more bedrooms. No more than 50% of the gross floor area of all development in the MC Overlay District may consist of residential development, except that age restricted senior citizen housing shall be excluded from this calculation.~~

~~F. Protection of open space resources. All development in the MC District shall protect open space of conservation value by clustering development and utilizing traditional neighborhood design concepts, to the maximum extent practical. Particular open space ~~resources designated for protection of~~ conservation value includes the existing golf course, the Great Swamp River, New York State designated wetlands, and the area on the east side of the district that includes steep slopes in excess of 25%, the reservoir and the Appalachian Trail.~~

The purpose of the proposed zoning text amendments to the MC Overlay District is to facilitate mixed-use development and a wide range of housing choices, while also taking into account economic realities and sound planning principles.

Beginning in section A, the Town Zoning Code would require the preparation of a Master Development Plan instead of a conceptual site plan. A Master Development Plan acts as a comprehensive plan for an entire site, and is generally more appropriate for large scale development that involves phased construction over a drawn out period of time. This is appropriate for the proposed development because the Master Development Plan identifies larger planning issues that would be associated with the overall project, while leaving more specific, minute details to site plan review.

In section C, the stated requirement of buffers, amount of total allowable development and conceptual site plan approval would be removed. Added to this section would be the attributes of a Master Development Plan and project-specific guidelines. The remaining

text amendments that would be included in this section relate to thresholds for changes to the Master Development Plan that would be allowed without requiring a supplemental review under SEQRA and granted without a hearing, including: increased traffic volumes; increased school children; increased development density; increased impervious surfaces; increased sewage effluent or water consumption; conformity with design guidelines; increased encroachment sensitive environmental features.

Included in the amendment would be limitations on development. This text would place a maximum density of 1.6 dwelling units per gross acre of land and the maximum square footage of non-residential development would be restricted to a maximum floor area ratio of 0.015. The text would be amended to state that dimensional regulations would be established as part of a Master Development Plan.

The proposed zoning text would remove the existing limitation on residential development, including: limit of 30 percent of gross floor area that may consist of dwelling units of three or more bedrooms; and that no more than 50 percent of the gross floor area of all development may consist of residential development.

The applicability of general design guidelines section would be completely removed from the zoning text. Design guidelines would be addressed in previous sections of the zoning text. Specific guidelines for the HVPC site are proposed as part of the Project.

While the existing zoning encompassing the Project Site would permit 1,524 dwelling units and 1,338,000 square feet of commercial space, the proposed zoning amendments would permit approximately 1,496 dwelling units and 612,000 square feet of commercial space. The proposed development consists of 1,376 dwelling units and 245,000 square feet of commercial space; well below the development potential of the Project Site under both the existing and proposed zoning (see Table III.A-4). As noted previously, extending the MC Overlay to the Dykeman parcel and amending the text of the Town’s Zoning Ordinance would not increase the development potential beyond that already available with the existing zoning.

**Table III.A-4  
Existing and Proposed Maximum Permitted Residential  
and Commercial Development with MC Overlay District**

Maximum Permitted Density without Proposed Zoning Amendments		Maximum Permitted Density with Proposed Zoning Amendments		Proposed Development	
Residential (d.u.)	Commercial (s.f.)	Residential	Commercial	Residential	Commercial
1,524	1,338,000	1,496	612,000	1,376	245,500

The proposed zoning text amendment and zoning map revision would not affect other areas of the Town because the overlay district is related specifically to the Project Site. According to the Town’s existing zoning text, “the purpose of this overlay district is to facilitate the redevelopment of the former Harlem Valley Psychiatric Center as a mixed-

use community that fulfills the goals of the Town of Dover Master Plan and the purposes of this chapter ...”

c. Public Policy

*Compatibility with the Town Master Plan*

The Town of Dover Master Plan was reviewed previously in the existing conditions section. The following is a review of the compatibility of the Project with the Master Plan.

Community Values

Under this section, the Master Plan calls for the building of major gateways to historic hamlets, such as Wingdale, that would create a distinct visual impression. The proposed plan creates a major gateway at the intersection of Route 22 and Wheeler Road by completing the east side of the intersection with commercial buildings of distinctive entryway architecture across from the existing historic power plant and storehouse buildings, which would be adaptively reused for commercial and/or residential, or flexible live-work purposes. Placement of the new buildings on the east side would be close to Route 22 to provide a cohesive Town Center marker for the community core, particularly since the existing west side buildings are set back due to their separation from the Route 22 road frontage by the Metro-North Railroad tracks. Visitation would be encouraged by pedestrian scale design features would be introduced on the western intersection corners to shorten the visual distance between the existing and new proposed buildings. Traffic calming mechanisms or road modifications would also be explored with the NYS Department of Transportation to improve safety and ease pedestrian crossings and encourage drivers who might otherwise pass through the area to stop.

The plan also includes an active “Main Street,” with shopping and restaurants, and a variety of recreational facilities that would be open to the public, including scenic trails, a variety of village greens, ballfields, natural areas, and potentially Smith Hall. These components would encourage visitation and usage of the site by various age and interest groups and help to create a sense of community.

In addition, although the overlay zoning stresses the importance of age-restricted senior housing, the proposed plan also includes age-targeted and non-restricted housing types that would allow for a diversity of residents, essential in a transit-oriented community.

Historic Preservation

The proposed plan incorporates a significant number of existing HVPC buildings and intends to adaptively reuse these for commercial, residential, cultural, office, and mixed uses. Those buildings slated for demolition include a variety of building types whose preservation is infeasible.

The former Storehouse, for example, located on the west side of Wheeler Road close to the Wingdale Metro-North train station and Route 22, would be converted into

commercial and residential uses and unified into the new Town Center. The former Director's Residence, now restored and renamed the Manor House, would continue as office space next to the new golf clubhouse and community center.

On the east side of Route 22, the former Administration building would become an office building and the U-shaped building along Wheeler Road would be adaptively reused for mixed residential and commercial use. Smith Hall is also intended for restoration as a potential community use, and the plan integrates the existing church into the fabric of the new downtown, while also supplying it with additional parking resources. Two of the I-Buildings along Route 22 would be rehabilitated and reused for residential purposes.

In addition to building preservation and reuse, a large portion of the historic lawn along Route 22 would be maintained as a central community open space and recreation resource and would be framed by new buildings and the former Administration building. Redevelopment of the southeast corner of the Route 22/Wheeler Road intersection with new buildings would help tighten and focus this pre-existing open space. This public open space area is intended to serve not just the new community, but the Dover community at-large, and maintain the green buffer along Route 22. The property owner has dedicated a room in the restored Director's Residence for the exhibition of materials and research regarding the history of the local area and the Project Site.

The visual image of those landmark brick buildings with architectural character along Route 22 would be the focus of the historic preservation. Driving north, the I-buildings, great lawn, Administration building, Power Plant, Storehouse, and U-shaped building would all be restored and integrated into the overall development plan.

#### Natural Resources

The plan is sensitive to existing areas of important natural resources throughout the site, including the Great Swamp corridor, existing wetlands, significant wildlife habitat and breeding areas, and botanical communities, which were degraded during State use. Proper stewardship of these features would improve the natural setting and, in turn, enhance the value of the community. In order to protect these features and habitats, the Project provides buffer areas required by applicable regulations, as well as those recommended by the Town's consultant for environmentally sensitive habitat for turtles and salamanders.

At the same time, the plan encourages residents to enjoy the natural beauty of the site. Dover Knolls improves access to the Swamp River for fishing, canoeing and bird watching; preserves and enhances the nine-hole golf course; provides walking and bicycling trails; and provides for linkages to Boyce Park and the Appalachian Trail.

### Population and Economic Base

The Master Plan specifically calls for the diversification of the economic base by encouraging a variety of new businesses concentrated in the hamlet centers. The proposed development would create a new Town Center that significantly expands economic opportunities, provides construction and permanent jobs, expands the tax base and provides goods, services and cultural opportunities to serve existing and new residents, as well as attract tourists to the Town of Dover. The type and amount of proposed commercial development has been based on market studies that evaluated current and future demographics.

### Housing

The Master Plan calls for higher density housing in the Wingdale hamlet in order to provide housing for a greater number of people and to reduce dependency on automobiles. In addition, the Master Plan calls for the traditional mixed land use pattern of apartments above commercial stores in hamlet centers. Finally, the Master Plan calls for cluster housing that preserves open spaces.

Housing diversity is one of the hallmarks of traditional neighborhood design. As such, the Knolls of Dover meets the Master Plan goals by providing a range of housing that varies by style, size and affordability and also preserves open spaces. The proposed plan significantly expands the housing opportunities available in the Town, both by unit type and market. In addition to the units specifically restricted or targeted to attract empty-nesters and retired people, Dover Knolls would include apartments and lofts above the commercial areas in the Town Center, single family homes, and townhomes that cater to a range of households and families across the age-spectrum, from first-time buyers to seniors. Approximately 56 percent of the housing would be located within, or in close proximity to the new Town Center, offering the charm of small-town living, with pedestrian-friendly shopping, services and recreation just steps from home.

### Community Facilities

The proposed development would restore and preserve Smith Hall, which contains a gym, stage, and other common space. This hall was often the location for many important community events in the past, and once restored, may be used for various recreational and cultural activities for new generations of residents. Additional recreational opportunities for the larger Dover community are also provided throughout the site. The existing nine-hole golf course would be retained and improved with the addition of a new clubhouse and the realignment of several holes that currently encroach on protected wetlands. The long-term involvement of the Harlem Valley Golf Association in course maintenance is recognized and public play would continue to be permitted. Scenic trails, an improved boat launch for the Great Swamp and enhanced accessibility to Boyce Park and the Appalachian Trail would be available to the public as a result of the proposed development. The Project provides opportunities to showcase new or expanded municipal facilities, such as a future town hall, post office, library or county offices in some of the space available in restored landmark buildings, such as the former Administration Building. The proposed

development would also result in local population growth, an expansion in housing offerings, and expanded employment opportunities, which could potentially increase volunteer staffing for Town and community facilities such as the fire department.

#### Transportation

The Master Plan calls for an improvement in the aesthetics in the train station area and an increase in commuter parking areas that does not conflict with short-term parking. In addition, the Master Plan calls for a traffic calming and intersection improvement program that would result in a reduction in speeds along Route 22 and other roadways, such as Wheeler Road.

The new Town Center at the Knolls of Dover would improve the visual appearance of the area near the train station, and would incorporate the renovated and reused Power Plant and Storehouse. In addition, the parking areas adjacent to the train station would be improved. A possible historic-style train station building is envisioned for corner of Wheeler Road and Route 22.

The policies identified in the transportation section of the Master Plan all pre-dated the creation of the MC Overlay for the Harlem Valley Psychiatric Center, which was intended to create a third village node. The policies, therefore, have to be understood in this context. The Applicant has met with and discussed Metro-North Railroad's anticipated needs, and the plan includes the creation of additional parking around the station to satisfy their projections. As the Project moves forward, discussions would continue with Metro-North Railroad regarding improvements to the station and parking areas to accommodate anticipated new rail users. Route 22 is the critical north/south link through Dover, as well as a link between the New York metropolitan area and destinations in Connecticut, Massachusetts and Vermont. It also accommodates substantial truck traffic. Its overall improvement is vital to the success of the Project and the region.

Traffic issues would be addressed by concentrating development, emphasizing the transit-village aspects of the site's location, providing a walkable core, and minimizing the introduction of new access points onto Route 22. While the Master Plan emphasized reduction of speed in the two then existing hamlets along Route 22, this same principle could be applied and requested for this new hamlet center, particularly along the approach to the intersection of Wheeler Road and Route 22. Parking lots to be created to serve the commercial uses are proposed to the rear and sides of buildings so they do not create a negative visual image along roadway corridors. Traffic calming measures would be incorporated into road design for both residential and commercial areas.

#### Land Use and Hamlet Center Plans

The Master Plan calls for more intensive development of the hamlet areas and the preservation of the rural areas. The proposed plan for the Knolls of Dover would result in a defined downtown center for the hamlet, with the new Town Center serving as a hub of activity, providing goods and services within the comfortable

familiarity of a traditional Main Street. The extensive areas of open space to be preserved on the site would help preserve the town's overall rural character and natural quality. Land use concepts described in the Master Plan are incorporated into Knolls of Dover, especially with regard to the mixed-use nature of the proposal that provides a central commercial core for a surrounding mix of residential densities.

Nearly 65 percent of the site would remain as open space. This includes the upgraded golf course, wetlands, and other environmentally sensitive lands such as the steep slopes on the east side of Route 22. In addition, a number of pocket parks and landscaped areas would be located along Route 22, as well as within both the residential and commercial components of the community.

The planning principles expressed for the Wingdale hamlet are all addressed by the proposed plan, which would result in a defined downtown center for the new Wingdale hamlet. This Main Street is anchored by an intersection which centers the downtown and provides new commercial elements on the east side of Route 22, away from the heavier through-truck traffic on Route 22. It preserves and ties in the old rehabilitated elements on the west side of Route 22 and several rehabilitated structures on the east side, including the Administration building and the I buildings along Route 22.

The Hamlet Center Plans state that future development efforts should be focused on the hamlets of Dover Plains and Wingdale and that commercial strip development should not be encouraged any further in the Town. The Master Plan specifically recommends the redevelopment of the HVPC site. The proposed development would redevelop the Project Site into a new community center that promotes economic growth, provides expanded retail and office space, increases recreational opportunities and increases housing choices and diversity in the hamlet of Wingdale. The Project would result in a comprehensive redevelopment of the former Harlem Valley Psychiatric Center property and an adjacent parcel (former Dykeman property), with a mixed-use community that exhibits traditional neighborhood and transit-oriented design principles.

#### *Hamlet Design Guidelines*

The Hamlet Design Guidelines were prepared for the Dutchess County Department of Planning and Development in 1994. The document identifies the historic roots of rural hamlets and discusses that most zoning and subdivision codes have outlawed compact, mixed-use development. In order to encourage development that more closely mirrors historic patterns of development, the Hamlet Design Guidelines outline a number of desirable design features. The types of features discussed in the document relate to planning issues that are normally part of the site plan and subdivision approval process, such as street configuration, streetscape, building alignment and on/off-street parking.

The following are points from the Hamlet Design Guidelines that support the traditional neighborhood design of the proposed development:

- *Town Character*  
Boundaries between compact development and outlying open space should be clear and enforced.
- *Street Pattern*  
Streets should be interconnected and laid out in an understandable pattern.
- *Street Width*  
Streets should be as narrow as possible while allowing passage of service and emergency vehicles.
- *Building Alignment*  
Setbacks of buildings should be consistent and structures should be parallel to the street.
- *Street Trees*  
Streets should feature planted trees and shrubs for functional and aesthetic purposes.
- *Sidewalks*  
Sidewalks should be present on at least one side of the road on every street within a hamlet.

The Project would result in the creation of a pedestrian-friendly, downtown center-type development and outlying residential neighborhood clusters that preserve open space while creating a compact, walkable community. The proposed development would include the construction of landscaped sidewalks and streets that are safe and enjoyable for pedestrian travel.

The proposed amendment to the existing §145-16.D of the Town Code would remove the requirement that any site plan application in the MC Overlay District apply the Dutchess County Hamlet Design Guidelines, as well as the Rural Development Guidelines and Building Form Guidelines. This requirement would be removed because project specific Design Guidelines would be required as a result of the amendment to the MC Overlay District. The proposed Design Guidelines are summarized in Chapter II of this DEIS and are presented in full in the Appendix.

*Route 22 Corridor Study: Corridor Management Plan*

The Route 22 Corridor Study was prepared in 2002 by the Harlem Valley Partnership and the Poughkeepsie-Dutchess County Transportation Council. According to the plan, the purpose of the document is to “develop a regional corridor management plan to guide the affected municipalities and NYSDOT in making decisions about future land use, site access, and transportation proposals.”

The recommendations of the Plan are separated into three categories: short term, intermediate and long term. The recommendations are presented generally for the entire study area and then for each municipality.

General short-term recommendations include implementing mixed-use zoning, encouraging the designation of greenbelts through lease development rights, transfer development rights and land acquisition through land trusts, and encouraging cross

section guidelines for rural, highway commercial and village/hamlet areas. Intermediate recommendations include implementing cluster by-law/overlay districts for greenbelt designation, capacity and safety improvements to select roadways, design guidelines, and access management tools for private property onto public roadways. Long-term recommendations consist of defining growth areas, roadway connections, capacity improvements, safety improvements and creation of pedestrian/bicycle connections.

The Plan's short-term recommendations for the Town of Dover were to define the hamlets of Wingdale and Dover Plains as priority growth areas, designate greenbelts through the transfer of development rights and land acquisition through land trusts, and develop cross-section guidelines for rural, highway commercial and village/hamlet areas. Intermediate recommendations include capacity improvements to select roadways, design guidelines, managing roadway access, signage improvements, creation of sidewalks and installing traffic calming measures in the hamlets. Long term recommendations include infrastructure provisions to encourage growth in defined areas, roadway connections, safety improvements, and providing pedestrian/bicycle connections in select locations.

The Project would advance several of the key goals of the Plan, such as:

- Goal 1: Encourage growth in defined areas;
- Goal 3: Improve pedestrian safety, mobility, accessibility;
- Goal 4: Facilitate traffic flow;
- Goal 9: Enhance public transportation;
- Goal 10: Improve connections between transportation modes.

The plan specifically targets the hamlet of Wingdale as an area to encourage growth and encourages mixed-use development in target areas, both of which would be accomplished with the proposed development. The Project would add a mixed-use center focused around the existing train station with clustered residential development in close proximity to the hamlet. Through improvements to the Project Area such as sidewalks and streetscape amenities, pedestrian safety and accessibility would be greatly improved while not diminishing capacity to facilitate traffic flow through the proposed development. The proximity of the Project to Metro North service would likely increase the ridership from the Wingdale station, by providing a population attracted to transit-oriented design with ready pedestrian access to mass transit.

#### *Harlem Valley Psychiatric Center Reuse Plan*

The Harlem Valley Psychiatric Center Reuse Plan was prepared by the Harlem Valley Partnership and the Dutchess County Department of Planning and Development in 1996 and incorporated the work of several consultants from the previous three years and the state-mandated task force recommendations for the reuse of the HVPC. The document provides an overview of the site and existing conditions, market opportunities for future reuse of the site, alternative strategies and conceptual plans for future development, and implementation steps. While this plan does identify some useful opportunities and future uses for the Project Site, a few keys factors make the plan outdated.

The Plan reviews three potential alternatives for development/redevelopment of the site based on the perceived limitations of the site and the “extremely short list of market advantages” provided in the document.<sup>1</sup> These include:

- Alternative A: a redevelopment plan that primarily centers on a retirement oriented residential community;
- Alternative B: a redevelopment plan that focuses on industrial uses with the DFY (Division For Youth) prison facility in operation; and
- Alternative C: a redevelopment plan that focuses on industrial uses with the DFY facility closed.

Alternative A includes 1,738 age-restricted residential units, 229 non age-restricted units, 35,000 square feet of industrial space and 453,838 square feet of commercial/office square footage. In this scenario, the DFY would be closed and no demolition would be required.

Alternative B includes 142 residential units, none of which are age-restricted, 314,903 square feet of commercial/office space, 50,935 square feet of industrial space, demolition of 621,574 square feet of the existing buildings, and the DFY facility would remain open.

Alternative C includes 300 age-restricted units, 271 non age-restricted units, 314,903 square feet of commercial/office space and 50,935 square feet of industrial space. This scenario would require the demolition of 964,216 square feet of existing buildings and the closure of the DFY facility.

The Plan concludes that Alternative A would result in the greatest potential impacts on both the local and regional economy and quality of life.

At the time of the preparation of the report, a juvenile prison facility (DFY) on the eastern portion of the site was in operation. According to the report, a detrimental factor to future redevelopment/use was “the existence and also visibility of the DFY facility (the prison), generally perceived to be unattractive and threatening.”<sup>2</sup> While operation of the prison was a constraint on the site for many years, its closing has now added the prison buildings to the large inventory of vacant buildings on site.

The alternative uses presented in the HVPC Plan are primarily automobile oriented and reflective of conventional suburban development. Multiple uses were proposed but not in an integrated mixed-use configuration creating a town center around the Metro North Railroad station. Alternative A would also involve more of an intense development than the Project. Alternative A proposed 1,967 residential units, 35,000 square feet of industrial space and 453,838 of commercial//office space, while the proposed development would consist of 1,376 units of residential development, 245,500 square feet of commercial space and 77,000 square feet of community facilities and/or recreational space.

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<sup>1</sup> Harlem Valley Psychiatric Center Reuse Plan, 1996, IV-1.

<sup>2</sup> Harlem Valley Psychiatric Center Reuse Plan, 1996. Page III-23

The currently proposed development program has been developed in consultation with Town representatives and with the benefit of a market analysis and design team that analyzed the uses that could be supported on site given the local economy and population. This analysis determined an appropriate amount of residential and commercial space that could be supported on site, and concluded that a primarily age-restricted community would not be viable. The proposed development would be transit-oriented development, built to take advantage of the Metro North Rail Road and the close proximity to Route 22.

*The Greenway Compact Program*

In 1991, the New York State Legislature authorized the Hudson River Valley Greenway; a program organized by the Greenway Communities Council and the Greenway Conservancy for the Hudson River Valley to enhance the region's character and economy. The five primary goals of the Greenway Legislation are:

- Natural and cultural resource protection;
- Economic development, including tourism, agriculture and urban development;
- Public access;
- Regional planning; and
- Heritage and environmental education

The Town of Dover was one of the first communities in Dutchess County to join the Greenway and seek assistance from its programs. Every community within Dutchess County has agreed to initial participation in the Greenway.

While the Program encourages certain principles and recommendations in the region, the document also acts as an implementation manual dependant on what is needed within any municipality or area. Issues such as preservation of sensitive environmental features, implementation of design guidelines, streetscape modifications, site planning and growth management are some of the featured topics in the Program.

The Policy Framework of the Program is divided into Regional Cooperation, Environmental and Cultural Protection and Enhancement, Economic Development, Public Access, and Heritage and Environmental Education. Many of these policy pieces prove relevant to the Project, including, but not limited to:

- Promote regionally significant development projects and infrastructure improvements which are consistent with Greenway policies.
- Provide a more balanced transportation system with stronger emphasis on walkable communities, while supporting land use and site plan decisions that reduce traffic impacts.
- Focus development more efficiently in and around traditional centers and avoid overdevelopment of the rural surroundings.

- Preserve our heritage of historic structures and districts through designation of landmarks, rehabilitation and adaptive reuse of historic buildings, and compatible new construction.
- Enhance the economic climate of the county by providing central utility systems, a variety of housing options, and a wider diversity of businesses.<sup>3</sup>

The Compact Program also outlines future settlement patterns in the region. For areas such as the Project Site the program describes future development in “Centers”, identifying Wingdale as a Primary Center. The key principles for Centers are:

- Focus development within walking distance of a central core or neighborhood center to encourage alternatives to the car and efficient use of land;
- Encourage a mixture of uses with prominent central locations for civic structures, such as post offices and municipal buildings;
- Identify priority growth areas, both infill redevelopment sites and growth areas that will strengthen existing centers or establish new centers.<sup>4</sup>

Discussion of potential Greenway related projects outlines the enhancement of rail connections as a necessary future component for regional growth and economic improvement. This portion of the Program identifies the Project Site as an area in the region that could benefit from new infill development surrounding a train station.

The principles and policies outlined above are all supportive of the proposed development. A Metro North Rail Road station is located at the center of the Project Site and would be featured in the proposed town center. The proposed development would upgrade the Project Site with sidewalks and pedestrian amenities. The majority of the Project Site is within reasonable walking distance of the center of the Project Site, and each neighborhood would be walkable. The outlying residential neighborhoods would be developed in clusters, preserving valuable open space. Some of the existing buildings on site would be rehabilitated and integrated into the proposed development. Multiple types of residential development would be available in the proposed development, ranging from single-family homes to residential units above commercial storefronts.

#### *Town of Dover Historic Resources Survey*

The Town’s Historic Resources Survey consists of an effort made by Dutchess County to document the County’s historic resources (buildings, roads, stonewalls, bridges, etc...). A preliminary survey was taken for the Town of Dover, which entailed research involving maps, photographs and New York State Historic Preservation Office inventory forms. The preliminary survey was field checked in 1990. The effort ended as a survey, and is not a planning document that can be assessed for compatibility. However, in order to assess potential impacts on historic or cultural resources, a Cultural Resources Survey was undertaken for the Project Site. The findings are summarized in Section III.H, Cultural Resources.

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<sup>3</sup> Greenway Compact Program, P.19-20.

<sup>4</sup> Greenway Compact Plan, p. 24.

3. Mitigation Measures

The creation of a new mixed-use community development with compact clustered neighborhoods, and which provides substantial commercial activity and preserves valuable open space on site would be anticipated to have a positive land use impact on surrounding properties and the Town at large. The Proposed Action includes the demolition and rehabilitation of structures that are currently in varying states of disrepair, eliminating a blighting influence.

The proposed amendments to the Town Zoning Code would not result in the development of greater density than currently allowed. The zoning text change largely relates to the mixed-use nature of the development and the ratio of residential development compared to the amount of gross floor space. Since the MC Overlay was specifically created for the future development of the HVPC site, potential changes would have no impact to other areas of the Town.

In addition, intensive redevelopment of the Project Site and the creation of a mixed-use, town center type development are supported throughout the various planning and policy documents that relate to the Project Site. Therefore, no mitigation is proposed.