

B. Visual Resources

1. Additional Technical Studies

The DEIS provided extensive visualizations, including cross sections, photo simulations, and a fly-over, as tools for understanding the comprehensive nature of the proposed development, its visual character, and relationship to major roadways and open spaces. Three additional figures have been prepared for the FEIS in order to respond to public comments: one illustrating the relationship between the heights of proposed buildings and the existing 10-story hospital building; one illustrating the relationship of the project's western hamlet to neighbors along West Dover Road/Old Pawling Road; and one illustrating a typical neighborhood streetscape with younger trees. As illustrated in Exhibit II.B-1, the most visible part of the eastern half of the site is the 10-story HVPC hospital. This would be replaced by four story buildings, which would have a much lower profile and visibility. As illustrated on Exhibit II.B-2, views from the western edge of the site would include several single-family homes, which are consistent with the with the existing pattern of uses on Hoags Corners Road and Old Pawling Road, as well as a neighborhood green. An additional graphic has also been prepared to illustrate the potential visual impact and context of the new four-story apartment building type introduced as part of the FEIS revisions.

2. Plan Change and Impact Summary

The modified FEIS plan would not impact visual resources any further than the conceptual plan presented in the DEIS, since the modifications primarily resulted in the removal of units from outlying areas and do not include any changes in the anticipated design character of the proposed structures. Most of the comments expressed general concerns about the potential impacts on the area's visual character related to development, particularly on sloped areas. Existing views in the area will necessarily change to some extent as a result of the proposed project. However, as illustrated and described in the DEIS, no significant adverse impacts on identified scenic points would be anticipated. Several comments specifically noted the importance of the eastern hillside and area near the reservoir to the site's scenic quality. As illustrated in the DEIS and FEIS exhibits, development around the reservoir area would not be visible from Route 22. In addition, the proposed development avoids the steeply sloped portion of the eastern hillside referenced by several commenters. Given the topography in the area, the units at the foot of the eastern hillside would not be visible from Route 22. The most visible part of the eastern half of the site is the former HVPC hospital, a 10-story structure, which will be replaced by four story buildings.

3. Comments and Responses

Comment B.1

I would like to note that visual resources and viewsheds are associated with the steep slopes in the area. Specifically, the Harlem Valley has been noted for years as having beautiful hillsides and viewsheds. As Town Historian I have presented documents to the Applicant on this at least twice. Please let me know if the Applicant needs another copy. What will the eastern slope look like with all of the trees gone as a result of construction?

(Donna Hearn, Public Hearing Transcript, 6/3/09, Pg. 60; Donna Hearn, Letter, 6/3/09, Pg. 2)

Response B.1

Please refer to Exhibit B-28 in the DEIS which presents the hillside cross section. As indicated, the trees on the portion of the hillside visible from Route 22 would be protected, preserving the existing views of the steeply sloping forested area. The existing forested wetlands that are visible near the valley floor would also be protected. In addition, trees will also be preserved in the areas between the Road R loops. With or without the trees shown in this Exhibit, the topography in the area is such that the units would not be visible from Route 22. The areas of tree loss required to establish the road network and development sites in the northeastern corner of the site would similarly not be visible from Route 22. The most visible part of the eastern half of the site is the former HVPC hospital, a 10 story structure, which will be replaced by four story buildings as shown on the Proposed Action Plan presented in the FEIS. Exhibit, II.B-1 shows the 10 story hospital and the height of the four story buildings that will replace it.

Comment B.2

The renderings of the proposed development, especially the buildings and streetscape, are beautiful. However, I think that people need to know that the renderings illustrate mature trees. The Applicant will not plant mature trees – they take years to grow. The early views of the site will be drastically different from the view seen decades later.

(Donna Hearn, Public Hearing Transcript, 6/3/09, Pg. 60-61; Donna Hearn, Letter, 6/3/09, Pg. 3)

Response B.2

Comment noted. See Exhibit II.B-4 which provides a rendering of a neighborhood streetscape with younger trees.

Comment B.3

The Scoping Document asked for nearby area that has substantial views into the site. “Provide color perspective renderings and line-of-sight drawings showing the proposed buildings in the context of the site from any location from which substantial views of the site are possible.”

Show what the stacked townhouses and the proposed development looks like from: Hoag’s Corners Road, Old Pawling Road near Wheeler Road and County Route 21 near the base of Wingdale Mountain.

(Donna Hearn, Letter, 6/3/09, Pg. 3)

Response B.3

The view from Wingdale Mountain primarily includes the Power Plant (to remain), and HVPC Hospital, a 10 story structure that will be replaced with a four story apartment buildings.

Other views from the west looking east will be of six proposed single family on the western edge of the site, the same use that exists on Hoag’s Corners Road and Old Pawling Road. A 1.5 acre open space area is also located in this area. This open space, shown in

section as Exhibit II.B-2, will be available for active recreation purposes. Beyond the open space, the plan calls for a mixture of housing types in the Wheeler neighborhood.

It should also be noted that the visual simulation material provided by the Applicant included a fly-over of the entire development, which was not specifically required in the DEIS Scope, but provided a comprehensive visualization of the project as proposed.

Comment B.4

The visual impact of the development as it affects the AT should be considered. Along the height of land in Pawling the AT passes a point known as Cat Rocks which provides the trail's premier vista in all of Dutchess County. From this point the beauty of the Harlem Valley shines. The Dover Knolls project site is clearly visible to the north. To mitigate the project's affects to this scenic asset it is requested that one, the construction process preserve as many mature trees as possible and not bulldoze a clear swatch as is done so often by builders, and two, employ architecture and exterior colors that will enable the structures to blend in with the environment. For example, use earth tone paint schemes.

(James Haggett, Chair, Dutchess/Putnam Appalachian Trail Management Committee, Letter, 6/26/09, Pg. 2)

Response B.4

Comment noted. These suggestions will be considered as part of the Environmental Findings Statement.

Comment B.5

Scenic views of the property are important from the Appalachian Trail (which runs along the western border of the property along the Duell Hollow CEA), New York State Route 22 (the southern gateway to the Town of Dover), and Dutchess County Route 21, as well as other surrounding areas. Construction on or near hill crests and steeply sloping hillsides will have a direct impact on these scenic views.

(Rebecca E. C. Thornton, President, Dutchess Land Conservancy, Letter, 6/3/09, Pg. 5)

Response B.5

Comment noted. The modified FEIS plan further reduces development on topographic areas cited. See also Responses B.1, B.2 and B.3

Comment B.6

The DEIS is lacking in visual impacts, most particularly the viewsheds required to show the site in winter, with the trees (those that are left) without foliage. The views the DEIS does show "from a distance" are bird's eye views and not line of sight views. The Town Board must be able to assess the permanent and considerable changes to the valley that this project will leave in its wake.

(Constance I. DuHamel, Deuel Hollow Conservation Association, Letter, 6/30/09, Pg. 4)

Response B.6

The modified plan presented in the FEIS provides additional attention to visual resources. However, the Town Board understands that the views will change as a result of the proposed development. The changes include the removal of blighted buildings that are the most visible portions of the HVPC.

Comment B.7

The DEIS assessed visual resources using a two-mile radius; the visual analysis and this section should be revised to be consistent with the DEC guidance document entitled *Assessing and Mitigating Visual Impacts*, which specifies a five-mile radius for use in such analysis. See Section III.B at page III.B-5.

(Scott Ballard, Environmental Analyst, NYSDEC, Letter, 6/30/09, Pg. 13; Graham Trelstad, AKRF, Letter to Town Board, 7/30/09, Pg. 3)

Response B.7

The Town's consultant noted the following: "NYSDEC in its comment letter suggests that a 5-mile radius for the viewshed analysis is required per NYSDEC Program Policy DEP-00-2, "Assessing and Mitigating Visual Impacts." AKRF feels that the 5-mile radius included in this Program Policy is a guidance value and that the scale of the proposed structures in the proposed project and the nature of the topography within the immediate area surrounding the site would not provide for direct line-of-sight views that would extend to five miles. Thus, we do not agree that a full 5-mile radius analysis is necessary. We suggest that the applicant prepare a viewshed analysis (similar to Exhibit III.B-17) for a 5-mile radius that would indicate the scarcity of views from within the 5-mile radius. It should also be noted that the scale of proposed structures would not be clearly discernible from distances greater than 1-mile."

Comment B.8

In general, the Planning Board found that the photographs contained in the DEIS were too small to accurately evaluate the impacts of the proposed project. In addition, the Planning Board found some of the photographs to be misleading as they took too narrow a view and thus dismissed potential views of the project site.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 6)

Response B.8

The photographs show existing conditions surrounding the site. They are not meant to be misleading. The viewshed inventory photographs were sized to permit a number of photos from each resource to be shown along with a USGS key map in order to enhance reader usability and understanding of the landscape. The photographs show that the project site does not have visibility from Lake Ellis, the Schaghticoke Mountain lookout or the adjacent Appalachian Trail right-of-way (i.e., there is no potential visibility or impact to evaluate). Potential visibility from the Hammersly Ridge area (Pawling Nature Preserve is limited to only one vantage point (an opening in the canopy on the orange trail), which provides a view of a limited portion of the west side of the project. The photograph pages also often show views

aiming out at several different directions to expressly indicate that narrow views specifically designed to exclude the project were not selected. In photographs where the landscape distances are relatively greater, the photo captions have also provided notes for reference points to help the reader understand and place the components shown in landscape. The accompanying narrative also includes additional explanation of the views illustrated in the photographs.

Comment B.9

The DEIS insufficiently evaluates the views from Schaghticoke Mountain. It is currently possible to see the project site from this location; therefore views of the proposed residential development in this area may be visible as well. Photo –simulations of the proposed development from this location should be provided.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 6)

Response B.9

Please refer to page III.B.7 of the DEIS and the views from the Appalachian Trail in Exhibit III.B.25 which presents seven views from the ridge, with no significant views of the project site available.

Comment B.10

The DEIS insufficiently evaluates the views of the project site from Route 22. In particular, views of the neighborhood near the reservoir, and any other roads or houses that would be located on the hill should be evaluated. The Planning Board recommends that several representative cross sections from points along Route 22 be provided as part of the FEIS.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 6)

Response B.10

Please see Exhibits III.B.28 in the DEIS and Exhibit II.B-1 in this FEIS which show the HVPC hospital. The 19 large lot homes near the reservoir would not be visible from Route 22.

Comment B.11

The Planning Board discussed whether the 3D Visual Simulation of the Proposed Project should include views of the project at the time of planting. The images included in the DEIS utilize mature trees. The Planning Board believes that the FEIS should show what the project will look like as it is built. The purpose of this analysis is to determine whether or not the proposed project would result in a significant adverse visual impact to sensitive locations, and whether additional landscaping would be required as part of the mitigation.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 6)

Response B.11

The fly-over is a visual simulation that provided an excellent tool for understanding the comprehensive nature of the proposed development and its relationship to major roadways and open spaces. Other graphics provided in the DEIS and FEIS support the fly-over. The

Town Board will evaluate the need for landscape treatment in various areas of the site as part of its site plan review and approval process.

Comment B.12

The FEIS should explain the methodology used to create the 3D Visual Simulation. This explanation should clarify whether the 3D model used existing and proposed topography, took into account the site grading, and whether the housing units shown in the simulation were drawn in accordance with the proposed Design Guidelines. It is noted that the 3D model has a disclaimer, which among other things, states that it is an artist's rendering of the Proposed Project. The term "artist's rendering", the remainder of the disclaimer, and the purpose of the 3D model should be more fully explained.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 7)

Response B.12

As described above, the fly-over uses computer technology to create a three-dimensional visual simulation intended as a tool for understanding the comprehensive nature of the proposed development and its relationship to major roadways and open spaces. The simulation is created by using topographical maps, photographs from various angles and information from the architect, planners and the proposed Design Guidelines. The resulting images and the ability to rotate the view help portray how the project fits into the landscape and provide a sense of neighborhood character that is sometimes more difficult to capture in static images.

All simulations are to some extent an artist's rendering as the artist takes liberty with decisions on colors, textures, including people, vehicles, etc. The disclaimer acknowledges this fact. In addition, the 3-D Visual Simulation represents the project in the conceptual development plan stage which continues to be modified throughout the review. The remainder of the disclaimer is simply noting that the simulation is not intended to provide an exact representation of every house as constructed. The note clarifies that building elements such as walls, windows, driveways, etc. for individual houses may vary and the floor plans and elevations are approximate and subject to variation. However, the building types, design components, general dimensions, and setbacks are in accord with the Design Guidelines.

Comment B.13

The FEIS should include an analysis of potential lighting impacts and photo-simulations of night views during the leafless season.

(Graham Trelstad, AKRF, Letter to Town Board, 7/30/09, Pg. 3)

Response B.13

The project will revitalize and create a new center of development on Route 22 and will result in typical village-scale lighting. This includes the use of streetlights, and commercial and home lighting.

DEIS Exhibit III.B-16A presents a night time simulation at the intersection of Wheeler Road and Route 22 in order to provide an assessment of typical night time visual character. This

location would be the most intensely developed and lit area of the site. Detailed photometric plans will be provided, as is typical, during site plan review and will ensure that there is no light trespass on neighboring properties. However, the site is very large and includes perimeter buffers. In addition, the downtown is located in the core of the site. Therefore, no significant spillage or trespass impacts would be expected.

The leaf-on/leaf-off distinction is of minimal importance. As seen in the simulation, the landscaping and street trees are not shielding visibility of the lights. The leaf-off condition is relevant during the process of assessing site visibility from significant public viewpoints. As detailed in the DEIS, the site does not offer clear visibility from the inventoried sites. In addition, even if there were visibility, the inventoried resources are primarily recreation/hiking overlooks that would not likely experience night-time visitation.

Full cut-off and International Dark-Sky Association compliant fixtures will be employed in order to minimize the potential for “sky glow.”