

PA. Description of the Proposed Action

Comment 1

With respect to phasing, the Town Board understands the need for flexibility within the build-out process to reflect changing market conditions and demand for different retail spaces and residential products. In that regard, it would be beneficial to engage in a dialogue with the Applicant to understand how the Town's needs and concerns can be reconciled with the Applicant's expectations in the form of a revised Master Development Plan and phasing schedule. It should be noted that the Town Board and residents of the Town of Dover have come to expect achievement of certain goals through the project:

- a. Remove the blighted appearance of Route 22 that detracts from the Town's scenic beauty and community character;
- b. Provide at least "basic" commercial offerings (i.e., grocery store, some professional services, and other retail offerings that are currently located 30 or more miles from town);
- c. Create a community with a sense of "Dover" place where current and future residents will have opportunities to interact and enjoy activities that promote citizenship, volunteerism and community pride.

(Graham Trelstad, AKRF, Memorandum to the Town Board, 7/30/09, Pg. 2)

Response 1

The Applicant shares these goals and needs to partner with the Town as a successful mixed-use project will depend on creating a special place. The Town residents should understand and appreciate the realities of development of a site like the former HVPC property with its extraordinary demolition and remediation costs, and the limitations of the real estate market in the Harlem Valley. The Applicant is committed to achieving the Town's goals and to making significant progress in the initial phases of the development, particularly in Phase 1A and Phase 1B, with the demolition of several deteriorated buildings, the adaptive reuse of the storehouse, power plant and U building, and with the development of both housing and commercial uses, including the Main Street envisioned for the Town Center. Commitment is also demonstrated with upfront infrastructure improvements to support Phase 1A and 1B development and future phases of development will also occur.

Comment 2

Additionally, the Town Board has expectations that the project will benefit the Town in the following ways:

- a. Enhance and/or expand Town facilities to provide efficient, improved and increased Town services as well as recreational, cultural, educational and other "quality of life" opportunities for residents;
- b. Address some areas of current Town services (firematic, emergency services, law enforcement, recreation) that are functioning at peak capacity and anticipate/prepare for future demand for services based on the project's needs (and other development);
- c. The project will proceed within the context of protecting the unique environmental features of the site, follow the Town Code and state and regulatory requirements, and incorporate best practices for low-impact and energy-efficient site development.

(Graham Trelstad, AKRF, Memorandum to the Town Board, 7/30/09, Pg. 2-3)

Response 2

These and other project benefits are fully described in the DEIS and FEIS. The plan has been modified in this FEIS to provide additional protection for the site's environmental features. Mitigation is provided for impacts to community facilities and services, where appropriate, and to supplement the tax revenues that will be available to help offset impacts. Certain on-site recreation facilities including golf and trails, will also be available to the general public as the project gets built out. The Main Street component of the Town Center will be a major attraction for community and town-wide residents, with shops, restaurants and outdoor cafe's provided in a pedestrian oriented setting.

Comment 3

In reviewing the potential environmental impacts of the proposed project, and in light of comments from NYSDEC, Dutchess County, The Dover Planning Board, and the public, it would be appropriate for the Applicant to make certain modifications to the Master Development Plan to further avoid environmentally sensitive areas. These modifications may result in modifications or removal of the Meadow Hamlet, Pond Hamlet, Reservoir Hamlet, and Road F in the Valley Neighborhood.

(Graham Trelstad, AKRF, Memorandum to the Town Board, 7/30/09, Pg. 2)

Response 3

The modified Proposed Action Plan presented in this FEIS presents a series of plan changes designed to further address each of these areas. Please refer to Exhibit II-1 and pages I-1 to I-7 of this FEIS.

Comment 4

The construction or expansion of parking lots and proposed parking areas should be located outside of wetlands and respective adjacent areas. Use of pervious paving materials should be considered. No fill or grading should be proposed within regulated areas of NYS wetlands for parking lot construction.

(Scott Ballard, Environmental Analyst, NYSDEC, Letter, 6/30/09, Pg. 4)

Response 4

Locating parking areas behind existing building and avoiding fronting along Route 22 has been a priority expressed by the Town and the Dutchess County Planning Department. The parking lot behind the Storehouse had previously been designed to fill in a portion of the DEC wetland since this wetland area was used as a parking lot during state operations and therefore considered to be a degraded area. In the modified FEIS plan, that portion of the parking lot behind the Storehouse has been removed, and there is no filling of the DEC wetland. This wetland will be restored as part of the wetland mitigation plan. However, in order to meet the parking number requirements for Metro-North and the proposed retail on the west side of Route 22, there is some non-DEC wetland disturbance proposed for the parking area to the south of the Power Plant, where the proposed lot calls for filling an ACOE

drainage ditch. The parking in this area, and also behind the storehouse, is in a DEC wetland setback area but no parking in the modified plan is within a DEC wetland.

The Applicant is proposing the use of porous pavement in portions of the parking lot to be located between the Power Plant and the Swamp River. This has several potential benefits including groundwater recharge augmentation through a decrease in surface water runoff and water quality treatment benefits providing reductions of solids, metals, nutrients (including Phosphorous and Nitrogen) and hydrocarbons to the surface waters.

Comment 5

We recommend that parking areas be removed from the floodplain to the greatest extent practicable to avoid cars being damaged during severe storm events and the potential for contaminants to seep into the Great Swamp.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 3)

Response 5

See Response 4 above and the modified Proposed Action Plan presented in the FEIS. However, parking behind the Storehouse and Power Plan is necessary for successful adaptive reuse of these buildings.

Comment 6

The protection of wetlands should not be limited to NYSDEC regulated wetlands. Federal wetlands, vernal pools, and local wetlands (should a local wetland law be established) should also be protected.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 2)

Response 6

The total area of wetlands (DEC and ACOE) and the total area of wetland impacts is shown on Table II-1. As indicated most of the on-site wetland and all of the vernal pools have been protected.

**Table II. PA-1
Wetland Impacts**

Total Wetlands	DEC Wetlands	DEC Wetland Impact	DEC Wetland Buffer Area	Buffer Area Impacts	ACOE Wetlands	ACOE Wetland Impacts
184.5 ac.	165.5 ac.	0.33 ac.	105.9 ac.	7.03 ac.	177.0 ac.	2.68 ac.

Comment 7

Roadway footprints must be reduced to the smallest widths possible (usually 24 feet for Town roads). Designs should incorporate retaining walls in order to limit required grading.

(Scott Ballard, Environmental Analyst, NYSDEC, Letter, 6/30/09, Pg. 4)

Response 7

Comment noted. Please refer to Exhibits II-14 to II-19 in the DEIS. Retaining walls are utilized to limit grading.

Comment 8

Plans must be developed which show the actual limits of disturbance for all proposed disturbances.

(Scott Ballard, Environmental Analyst, NYSDEC, Letter, 6/30/09, Pg. 4)

Response 8

The limits of disturbance are shown on II.PA-1.

Comment 9

The use of the phrase “disturbed area” does not provide a true idea of the actual amount of new disturbance which is proposed. It appears that agricultural lands are included in that area noted as “disturbed. The discussion of proposed disturbance versus existing disturbance (including agricultural areas), should be clarified and expanded. We believe that the change from “agriculturally disturbed” to new disturbance (i.e., new development) is more drastic than that from converting existing structures to new development.

(Scott Ballard, Environmental Analyst, NYSDEC, Letter, 6/30/09, Pg. 12)

Response 9

The state ended its farming operations in the 1960’s. Former agricultural fields currently are overgrown with invasive species. Of the “agricultural” lands on the west side of the site, land that with previous agricultural operations will be preserved as part of the modified FEIS plan. On the far west end, former agricultural lands would be disturbed by development. In the northwestern corner of the Project Site, land that was formerly used for pumpkin plantings every other year will be partially disturbed by the proposed development. See Response 12 for a complete description of agricultural soils on the west side of the Project Site.

Comment 10

The western portion of the project contains an area of agricultural soils. The applicant was requested to leave that area as open space to protect the soils and provide the opportunity for agricultural use if ever needed. This green request is renewed.

(Donna Hearn, Letter, 6/3/09, Pg. 1; Donna Hearn, Public Hearing Transcript, 6/3/09, Pg. 58-59)

Response 10

See Response 9.

Comment 11

All components of residential structures must be designed to be outside of wetlands and wetland adjacent areas. This includes the homes, garages, lawns, driveways, utilities and grading.

(Scott Ballard, Environmental Analyst, NYSDEC, Letter, 6/30/09, Pg. 4)

Response 11

The Applicant has minimized or avoided wetlands and wetland buffers to the maximum extent practical, consistent with applicable laws and regulations. Wetland mitigation has been provided, including 4.32 acres of new wetland and 2.44 acres of wetland enhancement. See response Table II-1 for a tabulation of wetland and wetland buffer impacts.

Comment 12

Additional historical land use patterns of the site and of adjacent property owners should also be considered as a hard look. Worthy of note are the agricultural lands that are slated for development on the western portion of the site. Converting productive farmland to detached residential housing would eliminate the possibility of locally produced food for a smart growth community. Dutchess County Soil and Water District has information on farmland conservation that might serve the project well in fitting into the rural character of Dover.

(Michael Purcell, Letter, 6/30/09, Pg. 5)

Response 12

Historically, much of the land within the Dykeman parcel was not farmed intensively; the land that was farmed was used primarily for pumpkin plantings every other year. The United States Department of Agriculture (USDA) characterizes “Prime Farmland” as “soils that are best suited for producing food, feed, forage, fiber and oilseed crops.” Within the Project Site, three soil types are considered Prime Farmland on the west side of the site; the CuA (Copake), CuB (Copake) and Pg (Pawling). While some Prime Farmland would be disturbed by development in the southwest portion of the site, the modified FEIS Plan removes development from the Pg in the southwestern portion of the site, and the CuA and CuB located north of Wheeler Road are currently, and will remain disturbed by the golf course.

The USDA also identifies “Farmland of Statewide Importance”; these soils are not considered prime, but are capable of growing crops. While some of these soils are in existence in the west side of the site, a significant portion are currently disturbed by the golf course. Much of the land in the western and northwestern portion of the site considered Statewide significant would remain undisturbed, as would the majority of soils considered significant south of Wheeler Road.

Notwithstanding the above, the Applicant would be willing to set aside previously farmed land in the southwestern portion of the site for a community garden.

Comment 13

The hamlet must be vibrant enough to encourage commercial and retail businesses to thrive and support a walkable community. The hamlet’s success will obviate the need for building around the reservoir and risking degradation of the uplands forest. To this end, Phase 1a should include the northeast section now proposed for Phase 1b in order to increase the residential density and number of retail shops across from the supermarket. No apartments should be permitted on first

floor in commercial/retail neighborhood as this design would decrease the amount of commercial/retail space, detracting from a true shopping-oriented village.

(Constance I. DuHamel, Deuel Hollow Conservation Association, Letter, 6/30/09, Pg. 3)

Response 13

The phasing plan has been revised in this FEIS to include the northern side of Main Street in Phase 1B. The realization of commercial uses on the site depends on the Applicant's ability to secure tenants. If there are no commercial tenants for that space, the Applicant may need to fill that space with residential uses until the commercial market matures.

By utilizing an existing interior road to the reservoir and building in an area formerly cleared and used by the State, there will be limited impacts on the forest.

Comment 14

Greater density around the train station helps pay for the open space and watershed protection as it would result in a higher probability of generating a positive tax benefit for the town: greater percentage of multifamily and townhouses contribute to a fiscally positive housing mix; encouraging 3-4 story buildings to accommodate elevators might ensure a more heterogeneous demographic mix, appealing more to singles, younger couples, families without children and older people on fixed income; in other words a demographic mix both the developer and we agree would have a positive fiscal outcome for the Town.

(Constance I. DuHamel, Deuel Hollow Conservation Association, Letter, 6/30/09, Pg. 4; Constance I. DuHamel, Deuel Hollow Conservation Association, Public Hearing Transcript, 6/3/09, Pg. 163-164)

Response 14

The modified plan included in this FEIS increases density in the Town Center and vicinity as suggested by this and other comments.

Comment 15

We recommend the elimination of the proposed residential development on steep slopes on the east side of the site. If this section of the property is put into permanent conservation with a qualified land trust, certain financial benefits will be available to the developer.

(Christopher Wood, Chair, Oblong Land Conservancy, Letter, 6/30/09, Pg. 2)

Response 15

Comment noted. The impacts on steep slopes have been minimized to the maximum extent practicable. Please see Exhibit II.PA-1 and II.PA-2.

Comment 16

FEMA recently issued new floodplain maps for the Town of Dover. These new maps indicate that a significant portion of the project falls within the floodplain. The Planning Board

recommends that the site plan should be adjusted to relocate residences outside of the newly mapped floodplain.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 3)

Response 16

The modified Proposed Action Plan presented in this FEIS removes development from the floodplain.

Comment 17

The former Dykeman Farm was an agricultural use and a significant proportion will now be given over to housing development. This represents a loss of valuable food production land. We recommend that the development in this area be reconfigured to maintain and protect as much of the fertile land as possible. New Urbanism thinking now embraces community gardens and it would be appropriate to allocate some land to this important use.

(Christopher Wood, Chair, Oblong Land Conservancy, Letter, 6/30/09, Pg. 6)

Response 17

Please refer to Responses 9, 10 and 12. With regard to a community garden, the Applicant would be willing to set aside a suitable land area for such a use in the southwestern portion of the site (former Meadow Hamlet), which is now proposed as open space in this FEIS. Note that this area has historically been utilized for agricultural purposes.

Comment 18

We object to the disproportionate emphasis on residential development proposed beyond the central high density development area located closer to the train station. The point of transit-oriented development, especially in as presented in the context of a pedestrian-friendly, mixed use, town center, should be to locate a higher proportion of residential development in or near the transportation and commercial/civic center, rather than the currently proposed ratio of outlying single family homes to higher density residential development in the new center.

(Noela Hooper, Senior Planner, Dutchess County Department of Planning and Development, Letter, 6/10/09, Pg. 1)

Response 18

The modified Proposed Action Plan presented in this FEIS reduces density in the outlying portions of the site and increases density in and around the Town Center.

Comment 19

The best option would be to avoid building on the upslope just below the reservoir.

(James Haggett, Chair, Dutchess/Putnam Appalachian Trail Management Committee, Letter, 6/26/09, Pg. 3)

Response 19

The modified Proposed Action Plan reduces density in the reservoir area from 49 lots to 19 lots.

Comment 20

We strongly urge the Town to require the applicant to submit a new Site/Subdivision Plan with no construction or associated activities located within wetlands or wetland buffers.

We recommend that Road S and the new development associated with it be eliminated from the project. Avoidance of wetlands should always be the preferred alternative. We are particularly concerned that no buffers were drawn around any of the site plan maps in the DEIS, and that roads, stormwater structures, utilities and buildings are located very close to wetland boundaries.

(Elaine LaBella, Director of Land Protection, Housatonic Valley Association, Letter, 6/3/09, Pg. 3, 5)

Response 20

The impacts to wetlands and wetland buffers have been minimized to the extent practicable, with appropriate mitigation provided. See Exhibit II.PA-2. Road S follows an existing trail that leads to the reservoir. Development around the reservoir has been reduced from 49 to 19 units. Please refer to Table II.E-1 for wetland and wetland buffer impacts.

Comment 21

Also of concern is the continued placement of isolated housing clusters well beyond the reasonable ½ mile walking distance to the train station and main street center. Only 68 percent of the total housing units are within central walking range (page II-14), making the project less transit-oriented than desirable and more likely to create excess traffic and parking demands. We recommend against the long dead-end road in the southwest corner of the site, which is separated from the rest of the project, is not ideal from an emergency access perspective, and directly infringes on the environmentally sensitive area ES-1 shown in Exhibits II-4 and II-9.

Instead of isolated residential clusters in sensitive areas, which are too small to be labeled as separate hamlets, the required Alternative should consider a stronger mix of attached units in the town center area. Only 137 units, 10 percent of the total for the entire development, will be flats or apartments that are not age-restricted (page II-9). More such units should be available for singles from the community and young couples or professionals that will be attracted to a true transit-oriented development with direct connections to White Plains and NYC.

(Noela Hooper, Senior Planner, Dutchess County Department of Planning and Development, Letter, 6/30/09, Pg. 3)

Response 21

The Modified plan in the FEIS removes lots from the outlying areas and increases density in and around the Town Center (see Exhibit I-3). The modified plan increases the apartment flats from 137 to 250 units and maintains the percent of units within walking distance from the railroad station. While the major focus is on transit-oriented development, which does

attract younger people and professionals looking for access to the train, another expressed goal for the redevelopment of HVPC is to attract seniors. Many of the retired people who have shown interest in living on the site are drawn to units away from the train and highway and have a specific preference for the areas around the golf course.

Comment 22

East side reservoir area: the disturbance necessary for roads, utilities, and construction would pose too great of an environmental threat to the reservoir, which is the back-up water supply for the entire hamlet. Long-term road sanding and salting, fertilizers, pesticides, and stormwater runoff would also pose a threat to the reservoir. The houses and the stormwater basin in the reservoir watershed should be removed, and the development in this area revised so the loop road is outside of the reservoir watershed. The remaining houses on this hillside should be changed to single family homes on 5- acre lots to reflect the RC zoning that is typical of environmentally sensitive areas in the Town of Dover.

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

Response 22

The modified plan reduces density and increases lot sizes in the reservoir area. The number of units has been reduced from 49 units to 19 units ranging in size from approximately 1 to 2 acres. The reservoir will be protected through the implementation of a Stormwater Pollution Prevention Plan which will help prevent pollutants from migrating from areas disturbed by construction activity to the reservoir. This will be achieved through the use of best management practices designed to avoid erosion, prevent construction materials from mixing with stormwater, and trap sediment laden runoff or other pollutant material prior to its discharge to the reservoir.

Comment 23

Areas with soil with severe erosion potential (SkD and HoF soils) should be limited to 5-acre lots with single family homes to reduce the potential environmental impacts from severe soil erosion.

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

Response 23

Most of the land in SkD or HoF soils is the extremely steep slope terrain to the east of the existing prison buildings and near the former HVPC hospital. The vast majority of this area is proposed as open space.

Comment 24

West side: homes within the 100-year floodplain should be removed.

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

Response 24

The modified plan presented in this FEIS removes all proposed homes from the floodplain.

Comment 25

Houses should be removed from the areas designated as potential habitat areas ES-1 and ES-5 to eliminate impacts on amphibian habitat.

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

Response 25

The modified plan has reduced development in these areas, consistent with their habitat requirements and other factors described in Chapter I of this FEIS.

Comment 26

More detail on how the proposed flex commercial/residential spaces would transition to commercial over time should be provided. The Planning Board is concerned that once a unit is utilized as residential space it will not revert to commercial space. The FEIS should clarify whether the flex commercial space has been included as commercial space or residential space in the socioeconomic and community services analyses contained in the DEIS.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 5)

Response 26

Ground floor apartments on Main Street may be a necessary use of that space until commercial tenants are secured. Such a use is not ideal, but may be necessary given the market for retail space and the proposal that virtually all of the commercial development be included in Phase 1A and 1B. This space is included in the total amount of commercial development for purposes of impact analysis since the use is anticipated to be temporary and, in accordance with the proposed zoning, any modifications to the project would not be used to allow for increases in the overall unit count (i.e., the maximum number of dwelling units at full build-out would not exceed 1,376 for the entire project.)

Comment 27

The majority of the Planning Board finds the proposed overall commercial, light industrial and retail space much too small to serve the needs of the Town of Dover and the proposed community.

In addition, the proposed supermarket should be 65,000 to 80,000 square feet. However, some Planning Board members recommended setting a cap on the total square footage of any one store to discourage big box retail.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 4-5)

Response 27

Comment noted; however, it is suggested that the Planning Board refer to the ERA market study included in the DEIS Appendix and the comments on the retail market offered by the Town's consultant (AKRF) which indicate that even the 238,500 square feet of commercial and office space, as currently proposed, may be difficult to achieve given the trade area's

demographics. Notwithstanding these studies, the Applicant is committed to finding retail and office users, including a 40,000 s.f. (or larger) supermarket.

Comment 28

The Planning Board would like to ensure that an appropriate and viable mix of commercial and residential uses is constructed on the site. The majority of the Planning Board is concerned that, as proposed, there would be insufficient retail on the site. As discussed more fully below, the majority of the Planning Board is concerned that the proposed 40,000 sq ft supermarket is insufficient space to attract a contemporary grocery store. However, some members of the Planning Board also expressed concern that a larger footprint has the potential to attract an undesirable big box retail store, and suggested that the proposed 40,000 sq ft store is appropriate for the anticipated population of the Town of Dover. The FEIS should amend the tables on pages III.G-19 and 20 to include the square footages of the commercial buildings to provide a reference point for what is proposed.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 2)

Response 28

Please refer to response 27 above. A big box retail store or wholesale club store was studied as part of Alternative E in the DEIS. The Applicant is not pursuing that type of store. Table I-4 details the commercial uses proposed in the FEIS by location. Included in Appendix Vb. in the DEIS is a list of retail locations in the region with their respective square feet.

Comment 29

We are concerned particularly with the new structures on the south side of Road A in the central and western part of the site and new structures on Road B south of the treatment plant.

(Elaine LaBella, Director of Land Protection, Housatonic Valley Association, Public Hearing Transcript, 6/3/09, Pg. 92-93)

Response 29

The modified plan presented in this FEIS calls for relocation of residences near roads A and B.

Comment 30

While the transit-oriented development is a great idea, there could be improvements to better balance the growth with open space preservation. Based on our overall assessment, it appears that it will be relatively difficult to truly mitigate the impacts to the environment based on the existing proposal. We have provided a constraints for development summary map to the Town that clearly shows that while it looks like there is a lot of green space, almost all of the developable land is being used for development and/or the golf course, while a majority of the land left opened is already unbuildable, steeply sloping 25 percent land and above the wetlands.

(Rebecca E. C. Thornton, President, Dutchess Land Conservancy, Public Hearing Transcript, 6/3/09, Pg. 155-156)

Response 30

Comment noted. Please refer to the modified plan presented in this FEIS (Exhibit I-1) and the Conservation Alternative (Exhibit II.ALT-1).

Comment 31

The Planning Board recommends that all landscaping comprise native plant species indigenous to the area. These native plant species should be tolerant of the onsite native soils, particularly the limestone based soils of the Harlem Valley region.

The requirement for use of native plants should be integrated into the Master Development Plan and Design Guidelines. The Master Development Plan should include a list of plant species appropriate for each onsite microclimate.

Native plants should be utilized for wetland mitigation and low-impact development landscape features.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 4)

Response 31

The use of native plants will be added to the Design Guidelines. These issues will be more specifically addressed as part of the site plan approval process when a site specific landscape plan is provided.

Comment 32

We would like the plans for the site to require the use of native vegetation for all landscaping and use the most advanced, low impact lighting to minimize light pollution and light effects on nocturnal species.

(Mark King, Director of Protection Programs, The Nature Conservancy, Letter, 6/26/09, Pg. 2)

Response 32

See Response 31 above. Low impact lighting will be utilized, as well as native vegetation. This will be specified in the site plans that are developed subsequent to completion of the SEQRA process.

Comment 33

Any building on steep slopes should be kept to a minimum and should comply with section 145-36, "Steep Slope Regulations" of the Town of Dover.

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

Response 33

Steep slope disturbance has been minimized. It will comply with all applicable regulations, including Section 145-36

Comment 34

To prevent unauthorized access to the Appalachian Trail easement it is requested that the developers install substantial and effective barricades at potential entry points into lands under federal easement. Once such point is what remains of Askins Road, which in past years has been used by ATV riders.

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

Response 34

The Applicant is sensitive to the concern for ATV riders on the Appalachian Trail (AT) and is aware of the abuse to the HVPC site after the site's closing in 1994. Since taking ownership of the property, the site has been posted and patrolled, and as a result the number of ATV's on site has been reduced. The goals of the project include creating a special place where residents from the new and surrounding community are encourage to utilize the region's natural beauty, with trails being a large component. Along with the creation of new trails, the Applicant intends to seek approval for an on-site trail connection to the Appalachian Trail, a specific goal of the Town of Dover Master Plan in relation to the redevelopment of HVPC. Including homes in the area around the reservoir will help deter those that might attempt to abuse the area with illegal ATV activities.

Comment 35

We also suggest that the historic farmhouse at the west end of Wheeler Road be retained and perhaps a portion of the barn-silo complex as a reminder of the past farming uses on the property.

(Noela Hooper, Dutchess County Department of Planning and Development, Letter, 6/30/09, Pg. 2)

Response 35

Comment noted; however, this barn complex is planned for demolition as part of the development of the Wheeler Neighborhood. Its physical condition and location were factors considered as part of the land planning for this area of the site.

Comment 36

To accommodate higher density in the central neighborhoods, the Town should consider allowing 4-story mixed use structures within the center on both sides of Route 22, especially along the Wheeler Road frontage. This would allow greater flexibility in the configuration for apartments and encourage greater density within walkable range of the commercial, community, and transportation facilities.

(Noela Hooper, Dutchess County Department of Planning and Development, Letter, 6/30/09, Pg. 3)

Response 36

Additional density, including some four story buildings, are included in the Town Center in the modified Proposed Action Plan included in this FEIS

Comment 37

The Route 22 and Main Street sections shown in Exhibits II-14 and II-15 are too wide to help naturally slow traffic down through the town center. We suggest 11-foot travel and turning lanes with no median off-sets for Route 22 and 10-foot lanes with 7 or 8-foot parking on the main street. The Greenway Guides recommend street tree spacing at 20-30 feet on average in centers, not the proposed 40 feet (page II-20).

(Noela Hooper, Dutchess County Department of Planning and Development, Letter, 6/30/09, Pg. 3)

Response 37

A detailed plan for this intersection is presented as part of Exhibit I-3 within the FEIS. The projects proposed road cross sections are presented on DEIS Exhibits II-14 to II-19. The spacing of street trees will be 40 feet as currently proposed.

Comment 38

The multi-family homes, single family homes and other structures proposed to be in the 100-year floodplain west of the Powerhouse on Wheeler Road should be removed. Filling and encroachment of the floodplain will increase flooding potential upstream and downstream. Storm events have become unpredictable, with 150 and 200 year floods occurring in the Town of Dover over the last 5 years. Therefore, it is critical that all floodplain areas be protected, especially when so much adjacent residential development is proposed. There are enough opportunities for residential development outside of the floodplain.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 8)

Response 38

The modified Proposed Action Plan presented in this FEIS removes new development from the floodplain.

Comment 39

The proposed project should use the existing Town of Dover Sign Regulations to provide visual continuity between the proposed development and the rest of the Town of Dover. The existing sign regulations could be amended, if needed, to reflect the anticipated signage needs of the Knolls of Dover hamlet area if these types of signs are not already present in other areas of town.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 5)

Response 39

The Town's sign regulations have been reviewed in relation to the Knolls of Dover Design Guidelines. While the Knolls of Dover Design Guidelines includes a section detailing retail signage, the Project signage will be required to be compliant with Town Code.

Comment 40

The developer's plan relocates the existing station commuter parking to a new parking lot just south of the station platform as part of the proposed action. The timing, cost and funding of this action are not addressed, which potentially puts the station and its access at risk. MNR cannot allow the loss of a New York State asset that is critical to transportation in the region. The proposed action seems to assume that MNR would make a significant capital outlay to replace its own parking and even relocate the station. This is not an option. MNR does not intend to expend capital funds to relocate stations and parking in order to facilitate a private development. If we approved such an action, we would expect this cost to be borne by the developer.

(Linda Corcoran, Deputy Director, Business Development, Facilities and Marketing Department for Metro-North Railroad, Letter, 6/30/09, Pg. 1)

Response 40

Comment noted. The plans have been revised to eliminate the relocation of the platform. The railroad's requirement for 275 parking spaces is still indicated. Funding for expansion of commuter parking will be determined in the future.

Comment 41

The plan proposes to build a new train station building and relocate the existing platform to the west side of the tracks and it is apparently expected that MNR would pay for the capital cost of these improvements as well. These improvements are not needed or required for Railroad operations. Given the severe economic constraints presently confronting the MTA and the Railroad, MNR is not in the position to make any commitments to these projects.

(Linda Corcoran, Deputy Director, Business Development, Facilities and Marketing Department for Metro-North Railroad, Letter, 6/30/09, Pg. 1)

Response 41

Comments noted.

Comment 42

MNR could potentially support the project if the Railroad is kept whole and our operations are not negatively impacted. This could be accomplished by a commitment from the developer to assume all of the costs in implementing their proposed plans.

(Linda Corcoran, Deputy Director, Business Development, Facilities and Marketing Department for Metro-North Railroad, Letter, 6/30/09, Pg. 2)

Response 42

The Applicant is not in a position to fund construction of Metro-North's commuter parking facilities, the need for which is not a result of the Project.

Comment 43

The ownership of the existing train station and parking lot should be clarified. In addition, the Planning Board recommends that MTA be added as an Involved or Interested Agency.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 3)

Response 43

Metro-North has been added as an Involved Agency. The railroad owns the platform and currently has 173 parking spaces on land leased from the Applicant west of Route 22.

Comment 44

Since a single track serves the Harlem Valley – Wingdale Station, the Planning Board recommends that the existing train platform be retained when the new platform is constructed on the opposite side of the track. This way, a passenger can enter the train from both sides of the track, and the potential safety issue of a person attempting to cross the track to catch a train can be avoided.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 3)

Response 44

The revised plan responds to Metro North's desire to keep the platform in its existing location. The railroad indicated that two platforms raise additional cost, accessibility and operational issues.

Comment 45

The DEIS refers to landscaping, parking, lighting and overall aesthetics that would be changed at the train station. How will this be coordinated with Metro-North?

(John Casson, Public Hearing Transcript, 5/30/09, Pg. 113-114)

Response 45

Several meetings have been held with Metro-North, the Town Supervisor and the Applicant. Preliminary plans show parking lot layout, not detailed designs. Additional detail will be provided on site plan drawings, which will be discussed with Metro-North and the Town at a later date.

Comment 46

As part of its review of the DEIS and Master Development Plan, the Town Board should consider how certain of the proposed open space/community facility amenities should be owned and maintained and should enter into discussions with the Applicant regarding these proposed amenities. Specifically, the discussion should include resolution of Smith Hall and the Administration Building, when these would be completed in the project phasing, and how completion of these buildings should be funded.

(Graham Trelstad, AKRF, Memorandum to the Town Board, 7/30/09, Pg. 2)

Response 46

The Town Board and the Applicant have initiated discussions on Smith Hall and the Administration Building. Ownership and maintenance of other community facilities and amenities are indicated in Section II.F of the Comment and Response Chapter.

Comment 47

The reservoir area should be utilized for passive recreation only. It should be regulated in a similar manner to a New York State Park Preserve. No camping, camp fires, picnic areas, or motor vehicles should be permitted.

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

Response 47

Comment noted. The plan presented in this FEIS calls for limited residential development around the reservoir and limited use of the reservoir itself for fishing, non-motorized boating and passive recreation for community residents.

Comment 48

As the Town has envisioned this site becoming a new Town center, the use of the Administrative Building as a new Town Hall and court room could be considered. This would place the Town's primary services within the center of the new development and help establish a daytime population to support the new businesses. The current Town Hall could be set aside for senior citizens and the recreation department. While a number of the Planning Board members were supportive of this concept, some members preferred retaining Dover Town Hall at its present location in the center of the Town of Dover. In considering the use of the Administration building, Smith Hall, or any other site buildings for Town purposes, the cost of converting the building, and long-term operation and maintenance of the building should be assessed.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 2-3)

Response 48

Comment noted. The Town Board is carefully considering various options for these buildings given costs and other factors.

Comment 49

Most of the maps in the DEIS show Askins Road being continuous from Duell Hollow Road, across the federal Appalachian Trail easement land, on into the Dover Knolls property. This is incorrect and its delineation should be removed. Most of the road, and all of it on federal easement, was abandoned after a 1955 flood. What remains is not passable or even distinguishable.

(James Haggett, Chair, Dutchess/Putnam Appalachian Trail Management Committee, Letter, 6/26/09, Pg. 2; James Haggett, Chair, Dutchess/Putnam AT Management Committee, Public Hearing Transcript, 6/3/09, Pg. 87)

Response 49

Comment noted. This is old data that was carried over on the maps of the property. There never was and is no intention of restoring Askins Road as a through road. The revised graphics have removed the connection.

Comment 50

Where are the views of the historic buildings after “Adaptive Reuse”?

(Donna Hearn, Town Historian, Letter, 6/3/09, Pg. 1)

Response 50

Views of the Storehouse and Administration Building are provided as Exhibits II.PA-4 through II.PA-6. Additional renderings will be provided as the project moves forward into site plan approval.

Comment 51

A consistent and recurring problem in both the DEIS and the Master Development Plan is a lack of detail on what exactly will be built where and in what phases. While the DEIS and Master Plan talk about a mix of residential housing, it is not clear that the mix is intended to be a binding commitment. Nor is there specific information as to where the specific uses will be. None of the conceptual plans are definitive as to what types of housing will be present in which areas.

(Jeffrey Baker, Young Sommer Ward Ritzenberg Baker & Moore LLC, Letter, 6/30/09, Pg. 4)

Response 51

The Master Development Plan and the phasing plan show sufficient detail for an understanding of the Applicant’s plans. More definitive plans will be submitted as part of the site plan approval process.

Comment 52

The percentage of affordable housing units in the overall development, and for each phase of the development, should be clearly defined. The types of units and their distribution should also be more fully described.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 4, 6)

Response 52

The amount of affordable housing for each phase of development will be approximately 46 workforce units in Phase 1 and approximately 92 workforce units in Phase 2 each representing 10% of the total for that phase. The types of units and their distribution will be determined as part of the site plan approval process.

Comment 53

The DEIS lacks commitment to the size and number of bedrooms of the types or mixes of housing. While some presumptions are used for the number of bedrooms in the respective units in the fiscal impact analysis, that is limited to the analysis and does not appear in the overall

project description. Nor is it manifested in the Master Development Plan or the Design Guidelines. This is very important as it becomes the basis for consideration of many of the impacts of the project. The analysis of traffic impacts, water supply and fiscal impacts are based upon an estimated population. However, if there is no certainty about the size of the residential units or the numbers of bedrooms, that analysis could be baseless. The Master Development Plan must be amended to provide specificity of the actual size and location of the various types of housing.

(Jeffrey Baker, Young Sommer Ward Ritzenberg Baker & Moore LLC, Letter, 6/30/09, Pg. 4-5)

Response 53

The project has been designed with flexibility so that development can occur in response to market conditions that will change over time. The impact analyses in the DEIS and FEIS deal with the currently contemplated program.

Comment 54

The DEIS is devoid of any comparison of the net developable land area as composed to the gross land area. Since the applicant seeks to abandon the long-standing practice of determining density based on net land characteristics, it must do a comparison of changing from net to gross.

(Jeffrey Baker, Young Sommer Ward Ritzenberg Baker & Moore LLC, Letter, 6/30/09, Pg. 3-4)

Response 54

Although the MC Overlay zoning is based on the gross site area, the Master Development Plan addresses environmental features and locates buildings and roads in the most buildable areas that would generally be considered to be the net site area.

Comment 55

It is repeatedly claimed that the addition of the Dykeman parcel will not result in any increased density for the project. However, the DEIS is silent as to how many dwelling units will be located on Dykeman or whether incorporation of Dykeman provides additional acreage that permits increased density elsewhere on the project site. Nor can it easily be assumed that on its own Dykeman could be developed to the magnitude of 60 lots without considering how it would provide for centralized water and sewer service. It would appear that density is only available by incorporating into the HVPC project, thus promoting the sprawl of intense development not otherwise contemplated in the SR district.

(Jeffrey Baker, Young Sommer Ward Ritzenberg Baker & Moore LLC, Letter, 6/30/09, Pg. 5)

Response 55

The subdivision plans shown as Exhibit V-2 in the DEIS illustrates a conventional plan on the Dykeman site with 60 lots that are one acre in size or larger. The lots and roadways respect that site's wetland and steep slope areas. One acre lots are generally of an adequate size to support on-site wells and septic. The revised Proposed Action Plan presented in this FEIS has 116 dwelling units on the Dykeman site.

Comment 56

Local laws will need to be adopted to enforce speed limits on public streets within the development. Private streets within the development will present an enforcement problem.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 8)

Response 56

The only streets being offered for dedication are Wheeler Road and Hutchinson Avenue as they have traditionally/historically served the community at-large and are through roads. The Applicant would welcome speed restrictions on these roadways and on the project's private roadways which may complement traffic calming measures designed to slow traffic and increase pedestrian safety.

Comment 57

The FEIS should clarify which streets would be public and which would be private. In particular, how will fire lanes and no parking zones be enforced? Will there be metered parking? If the Town will have to hire a parking enforcement officer this should be noted and the costs should be factored into the community service analysis.

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

Response 57

Hutchinson Avenue and Wheeler Road, including the Main Street portion of Wheeler Road east of Route 22, is proposed to be offered for dedication. Parking meters are not contemplated. Given the abundance of off-street parking, it is highly unlikely that a parking enforcement officer would be required.

Comment 58

The FEIS should include an analysis of the cost to the Town of the roads are public versus private. In recent years, the Town has declined accepting new roads, the FEIS should identify whether this policy is anticipated to continue with regards to this project.

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

Response 58

The only streets being offered for dedication are Wheeler Road and Hutchinson Avenue as they have traditionally/historically served the community at-large and are through roads. The combined distance of Wheeler Road and Hutchinson Avenue is approximately two miles; of the approximately 89 miles of roadway within the Town, approximately 52 miles are within the Town's jurisdiction. If Wheeler Road and Hutchinson Avenue are accepted for dedication, the length of Town road and associated maintenance would increase by approximately four percent.

Comment 59

The Planning Board recommends that more information on the parking be provided. In particular, how will fire lanes and no parking zones be enforced? Will there be metered parking?

If the Town will have to hire a parking enforcement officer, this should be noted and the costs should be factored into the community service analysis.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 4)

Response 59

Please see Table I-6 in the Introduction. Sufficient parking is provided. Metered parking is not proposed. A parking enforcement officer will not be needed. Fire lanes and no parking zones will be indicated on site plans that must be approved by the Town Board.

Comment 60

The existing dam should be repaired to New York State standards.

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

Response 60

The Applicant is aware that the dam is in need of repairs. However, before any repairs can be made to the dam, plans and specifications must be prepared and presented to DEC for review and permitting. All work will be designed in accordance with NYS Dam Safety standards and approved by DEC.

Comment 61

The applicant should clarify the difference between these two terms (age targeted vs. age restricted) especially as they relate to the potential for generating school-aged children.

The methodology for ensuring that age-targeted housing will not generate school children should be provided.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 2, 6)

Response 61

Age-restricted housing is controlled through deed restrictions. Age-targeted housing does not have restrictions. Generally, the type and design of the units, including the number of bedrooms, along with marketing, will result in a limited number of children as these units are built to appeal to empty nesters and young families without school age children. Apartments above stores are an example of age-targeted housing.

Comment 62

The proposed project should make more of a commitment to implementing green building technologies. While LEED status cannot be assured, the project sponsor should commit to meeting a specific number of environmental performance standards during each phase of the Master Development Plan.

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

Response 62

The Applicant's proposal for environmental performance measures are presented in the Appendix of this FEIS

Comment 63

The Planning Board recommends that a special tax district be formed to ensure the long-term maintenance of site roadways, water and sewer systems, and stormwater management features. The Planning Board is concerned that the Homeowners Association will lack the oversight necessary to ensure the proper maintenance of the features and does not want these items to become a burden on the Town.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 4)

Response 63

Response noted. See Comment F.5 located in Chapter II.F, Community Services. The Town has indicated previously that it has no interest in managing project facilities such as drainage and stormwater.

Comment 64

Workforce housing and affordable housing appear to be used interchangeably in the documents. More clarity should be provided as how each is defined relative to the area median income.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 2)

Response 64

For purposes of this project the terms have been used interchangeably. The Applicant has agreed to the provision of 10% of the proposed units (138 units) being sold or rented to households with incomes between 80% and 120% of the County median income. Specific program guidelines will be determined prior to site plan approval.

Comment 65

Will the commercial space be pre-leased or are they spec? If the commercial space is spec, that means that they have the potential to be open storefronts without any activity. This would not lend to the overall picture of the new development in terms of lively activity.

(John Casson, Public Hearing Transcript, 5/30/09, Pg. 112-113)

Response 65

Most of the major commercial spaces, such as the grocery store, drug store and other large uses would be pre-leased. Some limited space may be built on a speculative basis, and if tenants are not secured, some of that space may be used for housing until the commercial market arrives.

Comment 66

Metro-North Railroad recognizes that Transit-Oriented Development in the vicinity of our Railroad stations, as embodied in the proposed Conceptual Development Plan for the Knolls of

Dover, may have great benefits if planned appropriately. The proposed action to redevelop the site with residential and commercial development can stimulate ridership at MNR's Harlem Valley Wingdale Station, increasing ridership and reducing vehicle miles travelled. These are objectives that MNR supports.

(Linda Corcoran, Deputy Director, Business Development, Facilities and Marketing Department for Metro-North Railroad, Letter, 6/30/09, Pg. 1)

Response 66

Comment noted.

Comment 67

The DEC supports many of the proposal's stated goals, such as the "transit oriented" aspects of the redevelopment of the site, clustering of homes, "walkability" of the central commercial area and outlying "hamlet" areas, the redevelopment and reuse of an existing site with many deteriorated facilities, and the proposed utilization of energy and water conservation measures.

(Scott Ballard, Environmental Analyst, NYSDEC, Letter, 6/30/09, Pg. 1)

Response 67

Comment noted.

Comment 68

The project may result in environmental impacts and therefore additional analysis is necessary pursuant to the State Environmental Quality Review Act. The DEC's comments provide suggestions that can help advance the stated goals of the proposed project and that can avoid, and if necessary minimize and mitigate, these environmental impacts.

The development of the proposed potable water supply and its potential associated impacts, are of concern. The potential generation of heat-trapping greenhouse gas emissions, energy use and transportation related impacts are all issues which must be examined closely when weight the proposal and alternatives to the proposal in its current configuration. Recognition of the site's previous functions and impacts also factors into the proposal review.

(Scott Ballard, Environmental Analyst, NYSDEC, Letter, 6/30/09, Pg. 1)

Response 68

This and other DEC comments are responded to throughout this FEIS. Water supply issues are addressed in Section II.O; greenhouse gas and air quality issues are addressed in Section II.K. DEC comments on the proposed plan are addressed in the modifications to the proposed plan presented in Chapter I of this FEIS.

Comment 69

A true transit-oriented development is better for the Town and the environment, and better protects the Duell Hollow CEA and watershed.

Transit-oriented design better preserves wildlife corridors, conforms to the Greenway Compact planning concepts presented to Supervisor Courtien and referenced during the Public Comment session, takes better advantage of existing site and limits further wetlands degradation/stormwater management fallout from hillside, steep slope construction and roads.

(Constance I. DuHamel, Deuel Hollow Conservation Association, Letter, 6/30/09, Pg. 3)

Response 69

Comment noted; the project is transit oriented.

Comment 70

We support the use of “smart design” and New Urbanism, but question the commitment to these principles in this landscape. Rather than cluster new development near existing disturbed and developed areas, the project appears to locate new development on areas with minimal environmental constraints and maximizes development in those locations. While this approach reduces impacts on steep slopes and wetlands, it results in a highly fragmented landscape and sets aside only those areas that probably could not be otherwise utilized for development.

(Mark King, Director of Protection Programs, The Nature Conservancy, Letter, 6/26/09, Pg. 1-2)

Response 70

The modified plan presented in this FEIS further responds to issues raised regarding development proposed for outlying portions of the site.

Comment 71

The Dover Knolls project could help the economic situation in Dover. If the Developer is permitted to “cut corners” on key physical plant details, the result will be potentially huge future costs to all Dover taxpayers.

(Alan Surman, Letter, 6/30/09, Pg. 4)

Response 71

Comment noted. There has been no intention of cutting corners by the Applicant.

Comment 72

The water purveyor has not been identified in the DEIS above, a public water system as complex as the one described will require expert maintenance and upgrade. Will Dutchess County Water and Wastewater Authority be the purveyor and at what costs? Will a homeowners association be assigned the task? Conservation of water and watershed protection is mentioned as effective means in maintaining water quality and quantity.

(Michael Purcell, Letter, 6/30/09, Pg. 4)

Response 72

See Response F.36. The Applicant anticipates the creation of a Water Works and Sewage Works Corporation for the purpose of supplying water and providing for the disposal of

sewage associated within the Project pursuant to Articles 1, 4 and 10 of the New York State Transportation Corporations Law.

Comment 73

The important resource areas of the property: prime agricultural soils, drinking water supply, aquifers, forest support areas, steep slopes, and ridgeline viewsheds, should all be permanently protected in the development which the Town of Dover ultimately approves. Permanent easements with appropriate rights and restrictions will ensure that future land owners of any individual house sites and the overall development will care for such important aspects of the property.

Permanent designation is especially key in a long term development such as this one. It may take many years and several owners to see a full buildout of a planned development such as this one. The Town of Dover needs to ensure that its Master Plan goals are incorporated in clear and enforceable language.

(Margery Josephson, President, Naromi Land Trust, Letter, 6/30/09, Pg. 2)

Response 73

Comment noted. Whether designed as conservation easements or simply approved as open space by the Town Board, the important environmental features will be protected from development.

Comment 74

We are concerned about the size of the project and its effect on our schools, road traffic, recreation, water resources, fire protection and police protection, especially since our population is projected to increase by 49 percent.

I was encouraged to hear a speaker mention that the site should have its own self-contained fire and emergency services. This is a good idea.

(Evelyn and Joseph Chiarito, Letter, 6/30/09, Pg. 1; Evelyn Chiarito, Public Hearing Transcript, 6/3/09, Pg. 135)

Response 74

At full buildout, the plan would result in a 40 percent increase in town population. There is no proposal for self contained fire and emergency services; however, on-site security will continue through the construction process.

Comment 75

At buildout, the project will increase the population of Dover by 40 percent. This is a very large increase by any standard. This requires a degree of scrutiny that would not normally apply to a small subdivision.

(Christopher Wood, Chair, Oblong Land Conservancy, Public Hearing Transcript, 6/3/09, Pg. 142)

Response 75

Comment noted. The Town Board issued a positive declaration and required an extensive DEIS and FEIS in order to address impact issues. The Town of Dover Master Plan identifies the former HVPC site as a growth center in a desire to avoid strip development along Route 22. This long-term project will allow the Town to grow in an area that once sustained a large population and allow other areas in Town to remain rural.

Comment 76

I support the findings of the Coalition's fiscal and water experts as well as the research submitted by Alan Surman. I believe there are serious water constraints and negative fiscal impacts as proposed.

(Evelyn and Joseph Chiarito, Letter, 6/30/09, Pg. 2)

Response 76

Comment noted. See Responses in Sections II.G and II.O.

Comment 77

There are a number of significant environmental impacts that have not been satisfactorily addressed in the DEIS. These include impacts on wetlands, water courses, groundwater resources, farmland soils, scenic views and slopes.

(Rebecca E. C. Thornton, President, Dutchess Land Conservancy, Public Hearing Transcript, 6/3/09, Pg. 153)

Response 77

All pertinent issues have been addressed in the DEIS and FEIS.

Comment 78

We continue to support the evolution of this Plan from its original "suburban-style development" toward a community based on transit-oriented development principles and traditional neighborhood design guidelines. We see the incorporation of more compact hamlet-scale development forms with neighborhood parks as focal points, the mixed-use main street, 10 percent workforce housing, Swamp River boat launch, coordination with Metro-North parking needs, new station building, and detailed design guidelines as positive aspects of the proposal.

(Noela Hooper, Dutchess County Department of Planning and Development, Letter, 6/30/09, Pg 1)

Response 78

Comment noted. Also refer to the modified Proposed Action Plan, which further addresses issues raised by the County.

Comment 79

I encourage the Board to seriously consider the development as expeditiously as possible for the future economic development of the area, and for the prosperity of the young generations that are coming out of high school from Dover, and for those generations that will come to the area from elsewhere in the Harlem Valley.

This area cannot be only a bedroom community. There needs to be development. We do not want this campus to deteriorate like Bennett College. The area was able to support 6,500 persons during the operation of HVPC, and had a freshwater reservoir and state of the art filtration and sewage disposal plants.

This is a very well thought out plan and does not represent cookie cutter development. The developer could have left a long time ago but they are still here.

(Henry Wallis Walters, Public Hearing Transcript, 5/30/09, Pg. 26-31; John Conrad, Public Hearing Transcript, 6/3/09, Pg. 35-37; Fortune Aurora, Public Hearing Transcript, 6/3/09, Pg. 38-39)

Response 79

Comment noted.

Comment 80

We have to plan for the future. We have to look at green things. We need to be using renewable energy and development that does not require the use of petroleum,

(Henry Wallis Walters, Public Hearing Transcript, 6/3/09, Pg. 123)

Response 80

Comment noted.

Comment 81

While the possibility of redeveloping the former Harlem Valley Psychiatric Center property and the adjacent former Dykeman property into a mixed-use business and residential community should be thoroughly considered, it is also important that the project meet all applicable criteria.

(Rich Winters, Representative of Congressman John Hall, Public Hearing Transcript, 5/30/09, Pg. 78-79)

Response 81

Comment noted. The Project will meet all applicable criteria.

Comment 82

I think that the Applicant has done a great job laying out the plan, the traffic flow, the different kinds of buildings, and maintaining and preserving the power plant and the brick stack.

(Constance I. DuHamel, Deuel Hollow Conservation Association, Public Hearing Transcript, 5/30/09, Pg. 100)

Response 82

Comment noted.

Comment 83

Considering the 27 year absorption rate for the units, many of us will not be around upon completion of the project. Given the impact this project will have on the Town's future, it is important to not sacrifice for expeditiousness.

(George Nichols, Public Hearing Transcript, 5/30/09, Pg. 111)

Response 83

Comment noted. There has been no sacrifice for expeditiousness; the Project has been, and continues to be, subject to a thorough review.

Comment 84

In my review of the DEIS, I came away with the following items: the psychiatric center was open for 70 years and had thousands of more people on the site than the Dover Knolls Project will have at full buildout; the State used one million gallons of water per day, while this project will use approximately half of that at full buildout; HVPC and the DFY were open 24 hours per day and the site was lit up every night, all night, while the project would have much less lighting; the State built on wetlands, this project would restore wetlands; the State burned coal for decades on site and dumped the ash, while this project would not; the State abandoned millions of square feet of space and dumped all over the grounds, while this project would clean this up; the State did not pay taxes, while this project would.

(Linda French, Citizens for a Better Dover, Public Hearing Transcript, 6/3/09, Pg. 75-76)

Response 84

Comment noted.

Comment 85

The Project would generate over 3,000 construction jobs over the build-out period and over 1,000 permanent jobs post-construction. Approximately 250,000 square feet of retail and office space with a new main street setting would be constructed, along with varied housing types and price points. The Project would generate twelve million dollars yearly in new tax revenues for the Town, County and school district. The Route 22/Wheeler Road intersection would be improved. The dumping and remediation required for the buildings onsite would be performed. Many new green construction and green living advancements are part of the proposed development.

(Edie Flood, Citizens for a Better Dover, Public Hearing Transcript, 6/3/09, Pg. 83-84)

Response 85

Comment noted.

Comment 86

According to the applicant, Dover Knolls partnership has had a binder on this property or owned this property since October of 1993 (DK DEIS, ESA, p4/1394); over 15 years. In the beginning, impacts on water, surrounding wells, the Harlem Valley Aquifer, the Swamp River and Great Swamp CEA, onsite Construction and Demolition disposal, visual resources, steep slopes and town economic impacts are still concerns.

In all fairness to the applicant, these are never easy issues to answer. However, the applicant did not have a mere six months, or even a few years to work on the questions, but over 15 years; that is over 780 weeks, over 4,500 days to work on the very same questions, issues and potential solutions that SEQRA mandates.

In an era when the rest of the county and much of the world is focused on saving places and going green, it would seem that preservation of Dover's most valuable environmental resources should be our highest priority.

(Donna Hearn, Letter, 6/3/09, Pg. 1)

Response 86

Contrary to this comment, the New York State Office of Mental Health ended its operation on the HVPC site on February 1, 1994. The site was marketed by the Harlem Valley Partnership in the years that followed. Dover Knolls Development Company II, LLC closed on the property on October 27, 2003. The Applicant has been actively engaged in the planning process for the redevelopment of the site since that date.

Comment 87

The Planning Board discussed the Knolls of Dover Master Development Plan's consistency with the Town of Dover Master Plan. The Planning Board has determined that the Knolls of Dover Master Development Plan generally reflects the Town's vision for the site as presented in the Town of Dover Master Plan as detailed in Chapter III.A of the DEIS. However, the Planning Board has noted that the proposed project is not wholly consistent with certain details of the Town of Dover Master Plan. The Town of Dover Master Plan was adopted in 1993, prior to the full closure and sale of the Harlem Valley Psychiatric Center (HVPC). At the time this document was written, the future of the HVPC, in terms of whether it would be sold, re-purposed, or retained by the State was unknown. Therefore, as part of the master planning process a Town-wide survey was conducted that presented a variety of alternatives for the HVPC. Page 13 of the Town of Dover Master Plan presents the results of this survey, and as noted by some members of the Planning Board, the proposed project is not wholly consistent with the results of this survey.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 2)

Response 87

Comment noted. The project's consistency with the Master Plan is described in the DEIS on pages III.A-8 through A-14 and III.A-23 through A-32.

Comment 88

What is the actual percentage of impervious surfaces after final development of the site? If this amount is over 10 percent, will efforts be made to reduce the total quantity?

(Stephen P. Dolce, President, Mid-Hudson Trout Unlimited, Letter, 6/24/09, Pg. 2)

Response 88

The amount of impervious surface has been reduced in the plan presented in this FEIS, since development in several outlying portions of the site has been eliminated or reduced. The impervious surface proposed in the modified FEIS plan is approximately 11.8 percent of the site, compared to approximately 12.9 percent of the site in the DEIS plan.

Comment 89

The FEIS should analyze the formation of a sewer district. In this analysis, the FEIS should identify whether or not the sewer district could be expanded to include the hamlet of Wingdale and the Route 22 corridor.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 8)

Response 89

A Transportation Corporation will be formed to manage the sewage district. At this time, the plant's proposed capacity only accounts for the demand of the Project Site and does not consider the hamlet of Wingdale or Route 22 corridor.

Comment 90

The Planning Board favors the Architectural Review Board retaining review of the proposed project, and that the ARB's role in the process be consistent with their current role with regards to other projects in the Town.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 5)

Response 90

Comment noted; this matter will be determined by the Town Board prior to the adoption of Environmental Findings.

Comment 91

A comparative analysis of the proposed design guidelines versus the Dutchess County Design guidelines should be included. Any deviation from these guidelines should be more restrictive of the Proposed Development. The ARB should be consulted in the development of these guidelines.

(Town of Dover Planning Board, Letter, 7/20/09, Pg. 5)

Response 91

Please refer to the matrix in the Appendix of this FEIS.

Comment 92

The Dover Knolls DEIS should take into account the long history of conversation that has been in the area for well over 90 years. The rural character of our area is able to survive through the cooperation of adjacent landowners, local municipal home rule, and an informal public, all with support from our regional and state experts. Utilizing land use decisions based on sustainable development practice and science will make sure Dover maintains its rightful title as a place of scenic and natural beauty with a resilient local economy.

(Michael Purcell, Letter, 6/30/09, Pg. 6)

Response 92

Comment noted.