

CORBALLY GARTLAND AND RAPPLEYEA LLP

A HERITAGE OF LEGAL COUNSEL

SINCE 1876

BARDAVON BUILDING
35 MARKET STREET
POUGHKEEPSIE, NY 12601-3285

845-454-1110 TEL • 845-454-4857 FAX
E-MAIL: info@cgrlaw.com

WWW.CORLAW.COM

Administrator

CAROL ANN NEVILLE

Regional Offices

30 FRONT STREET
PO BOX 679

MILLBROOK, NY 12545

845-677-5539 TEL
845-677-6297 FAX

6369 MILL STREET
PO BOX 366

RHINEBECK, NY 12572

845-876-4091 TEL
845-876-7192 FAX

BY APPOINTMENT:
CLEARWATER, FL 34617

CHARLES J. CORBALLY (1966)
JOHN J. GARTLAND, JR. (2003)
ALLAN E. RAPPLEYEA
JON HOLDEN ADAMS
MICHAEL G. GARTLAND
VINCENT L. DEBIASE
PAUL O. SULLIVAN (*also FL*)
WILLIAM F. BOGLE, JR.
RENA MUCKENHOPT O'CONNOR
ALLAN B. RAPPLEYEA (*also CT*)
LEAH J. BALASSONE
KAREN E. HAGSTROM
WILLIAM W. FRAME
MARGARET M. WALKER

Of Counsel

RICHARD V. CORBALLY

April 16, 2010

Hon. David Wylock, Co-Chair
Hon. Valerie LaRobardier, Co-Chair
Town of Dover Planning Board
126 East Duncan Hill Road
Dover Plains, NY 12522

Re: RASCO Materials Site Plan (SEQR)

Dear Co-Chairs Wylock and LaRobardier,

In further reviewing the environmental setting of the project as referenced in my letter of April 14, 2010, I note two corrections to that letter are necessary.

One. The Great Swamp is within a CEA. My mistake was looking only at the Dover listings; the Great Swamp listing is under the Dutchess County listing. However, while a CEA, the action under review remains an unlisted action as it is neither within or contiguous to that CEA (see, e.g., *SEQR Handbook*, 2010, p. 51 at item 11).

Two. The distance from the corner of the nearest building to the Great Swamp is approximately \pm 350 feet; this distance, coupled with the substantial physical barrier created by the rail bed as well as the additional berm and vegetation recommended by the Board, avoids the potential of any interaction between the site and the Great Swamp or Swamp River, of which there should be none as all the activities of the action are confined to the site and buildings on the site.

CORBALLY GARTLAND AND RAPPLEYEA LLP

My letter of April 14 should be so corrected.

Very truly yours,

CORBALLY, GARTLAND AND RAPPLEYEA, LLP

By: JON HOLDEN ADAMS

JHA:jv

cc: Jack Nelson
Frank R. Peduto, P.E.