



via Hand Delivery

December 11, 2018

Town of Dover
126 East Duncan Hill Road
Dover Plains, New York 12522

Attn: Solita Moran-Frye, Secretary to the Planning Board

**Re: Proposed WOA Center
115 Dover Furnace Road**

Dear Ms. Moran-Frye:

Per the August 2, 2018 Memorandum from Aaron Werner of AKRF, we are providing an updated response to comments. Previously provided responses provided by AKRF are denoted in bold. Our responses are provided in italics.

COMMENTS

1. The Applicant has provided a Master Development Plan in accordance with 145-45(E). The Applicant has indicated that a site plan will be provided upon approval of the Master Development Plan.

This comment remains applicable. No response required at this time. The Applicant has provided an updated Master Development Plan dated July 2, 2018.

No response necessary.

2. The wetlands, and wetland buffers as regulated by the Stream Corridor Overlay District (§145-14) should be more clearly indicated on the Master Development Plan.

As stated in the July 3, 2018 letter to the Planning Board, delineated wetlands are beyond the limits of those areas of the site shown on the Master Development Plan. To better illustrate this condition, a Wetland Location Plan has been provided that illustrates the Master Development Plan at a smaller scale to show the proximity of delineated wetlands. The Wetland Location Plan illustrates that all nearby delineated wetland areas fall outside of the boundary of the Master Development Plan.

However, it is unclear at this time if the boundary of the delineated wetland has been reviewed and validated by NYSDEC, since there is no review date or NYSDEC signature included on the provided plans. Please provide an update on NYSDEC's review of the wetland delineation.

The Wetland Delineation Map was submitted to NYSDEC on 11/13/17. A validated copy of the plan is expected shortly.

3. Per 145-45.E(4), dimensional and density standards for a Master Development Plan "shall be as approved by the Planning Board in the master development plan, based upon the physical characteristics of the site, the character of the proposed development, § 145-19 of this Code as applicable, § 145-45G, and the requirements of the SEQRA process." As such, density calculations per § 145-19 should be provided.



As stated in the July 3, 2018 letter to the Planning Board, the Master Development Plan has been updated to provide a density calculation per §145-19 (Standards for flexible subdivisions). The project site is located on approximately 240 acres in the RU zone. The density calculation table provided in the updated Master Development Plan shows that 95 residential units would be permitted, and since 71 units are proposed, the project is consistent with the zoning code.

However, based on the appearance of the calculation table provided in the updated Master Development Plan, it is possible that the density calculation was done incorrectly with regard to slope deductions. The net acreage density calculation method required by §145-19(A) accounts for deductions related to slopes greater than 30%, and 50% of the acreage of slopes between 15 percent and 30 percent. The table provided in the updated Master Development plan includes a value of approximately 50 acres for "30% slopes" and approximately 25 acres for "15-30% slopes." It is not clear from the table if the approximately 50 acres noted accounts for slopes greater than 30%, nor is it clear if the approximately 25 acres noted accounts for 50% of the acreage of 15-30% slopes. Please revise the "Description" column of the density calculation table to accurately reflect the conditions listed in §145-19(A)(1)(a) and if necessary, update the "Acres" column to reflect these conditions.

Pursuant to §145-19(A)(1)(b), to determine the allowable residential density, the resulting net acreage (following all deductions specified in §145-19(A)(1)(a)) is multiplied by 0.9 and then divided by the allowable flexible subdivision density shown on the Dimensional Table (1 in the RU zone).

An updated density calculation is provided on the Master Development Plan. Total net acreage is 96 acres, which allows up to 96 units. The proposed 69 residential units are allowed under the code.

4. An Erosion and Sediment Control Plan and SWPPP should be prepared according to Chapter 65 of the Town Code, and reviewed by the Town Engineer. The Applicant has indicated that this will be provided with the site plan submission.

This comment remains applicable. No response is required at this time.

No response necessary.

5. Portions of the project site are located within the Great Swamp (NYSDEC wetland DP-22). The wetland boundary should be flagged and verified by NYSDEC. The proposed paving of the parking lot for the Proposed Daycare at Birch Lodge, the proposed renovations at Birch Lodge and Lakeview Lodge would be located within the NYSDEC and Town (§145-14) regulated buffer areas.

The Applicant has provided an updated wetland delineation which appears to show these improvements outside of the regulated areas. However, as stated in Comment #2 above, it is unclear at this time if the boundary of the delineated wetland has been reviewed and validated by NYSDEC, since there is no review date or NYSDEC signature included on the provided plans. Please provide an update on NYSDEC's review of the wetland delineation.

Refer to the response to Comment 2.

6. A habitat study has been provided. The study includes recommended measures to avoid potential impacts to threatened or endangered species. These measures should be a condition of any approvals.

The Applicant's latest submission includes a letter from NYSDEC that was provided to the Applicant on March 2, 2017 in response to an inquiry to the Natural Heritage Database. In the March 2, 2017 letter, NYSDEC identified potential habitat on the project site for bog turtles and timber rattlesnakes. In response to this letter, a Threatened and Endangered Species Habitat Suitability



Assessment Report dated April 18, 2018 was prepared by Ecological Solutions, LLC. The report includes recommended measures to be incorporated as part of the project to avoid potential impacts to timber rattlesnakes. These measures include construction of the new residential building and paving of the internal road during the acceptable work period of November 1st through March 31st, as well as a temporary construction barrier, distribution of a timber rattlesnake handout, and contacting a timber rattlesnake biologist if a snake is encountered during construction activities. These measures would be a condition of any approvals.

The report concluded no action should be necessary with regard to bog turtles, since a delineation completed for NYSDEC wetland DP-22, an area that contains suitable bog turtle habitat, shows these areas would not be impacted by the proposed project. However, as stated in Comments #2 and #5 above, it is unclear at this time if the boundary of the delineated wetland has been reviewed and a validated by NYSDEC, since there is no review date or NYSDEC signature included on the provided plans. Please provide an update on NYSDEC's review of the wetland delineation.

As stated in the Applicant's July 3, 2018 letter to the Planning Board, the recommended measures to avoid potential impacts to timber rattlesnakes can be incorporated into the special permit approval and SEQR determination.

No response in necessary.

7. The EAF Long Form answered "yes" to the question E.1.h regarding the presence of NYSDEC Spills with a note referring to an attached list, however the list was not provided.

As stated in the Applicant's July 3, 2018 letter to the Planning Board, the EAF has been updated with a list of spills in the vicinity of the site. All listed spills are currently closed and the closest spill is located along Route 22.

Please revise the EAF Long Form to indicate "No" for question E.1.h, but "Yes" for question E.1.h.i.

The FEAF has been revised.

8. The Applicant has provided a Phase 1A and Phase 1B Archaeological Assessment and initiated consultation with SHPO. The Town should be added as a contact in the CRIS system.

As part of the Applicant's July 3, 2018 resubmission, a No Impact letter from SHPO was included in response to the submitted Phase 1A and Phase 1B Archaeological Assessments. No additional review is required.

No response in necessary.

9. As a Camp Type I Use, a "Master Plan" is required and should include information on the open space system per §145-45-E(1)(a).

As stated in the Applicant's July 3, 2018 letter to the Planning Board, all areas of the site not being developed for buildings, parking, roads, driveways and activity areas are part of the open space system.

No response in necessary.

10. On the EAF Part 1, D.2.d should be "yes" instead of "no" as the proposed action will generate liquid wastes as shown on p. 14 of the EAF narrative.



This comment has been addressed.

No response in necessary.

11. The Applicant should confirm that the size of the existing buildings will not change (p.23 of the narrative).

This comment has been addressed. As stated in the Applicant's July 3, 2018 letter to the Planning Board, page 2 of the EAF Narrative and page 1 of the Special Use Permit Narrative both state that the "footprints and floor areas of all existing buildings will not be increased."

No response in necessary.

NEW COMMENTS

12. A site plan appears to be missing from the Large Event Management Plan. The site plan should accompany the narrative provided and identify the locations of parking areas, restrooms, emergency staging, and other facilities referenced in the Large Event Management Plan.

The Large Event Management Plan has been updated with a site plan.

13. At the December 18, 2018 meeting, the Planning Board adopted a resolution classifying the project as an Unlisted action under SEQRA. However, the circulation of application materials (including the EAF) to involved and interested agencies has been pending since that time, due to the Applicant needing to provide additional copies. The application materials and EAF were resubmitted on July 3, 2018. As indicated in the comments that follow, there are several areas of the EAF that need updates or revisions prior to circulation. Once these comments have been addressed, the Applicant should provide the required number of copies to the Planning Board secretary for circulation.

Required number of copies have been provided.

14. The project description included on page 1 of the EAF Long Form states that the proposed project will include 47 residential units (in six buildings), while also referencing the new construction that will provide eight units. Page 3 of the EAF Long Form and the attached narrative references 55 residential units. Please reconcile. In addition, the description on page 1 of the EAF Long Form (Section A) is also incomplete (the text is cut off). Please complete the description in this section or consider providing a reference to the attached narrative if there are space constraints.

The FEAF has been updated.

15. On page 3 of the EAF Long Form, question D.1.c asks if the proposed action is an expansion of an existing project or use. "No" is checked off, but answers are provided regarding the percentage of expansion and the 55 proposed units (over the existing 47). Please check "Yes" for this section of the form.

The FEAF has been updated.



16. Please revise the construction phasing timeline outlined in question D.1.e of Part 1 of the EAF Long Form to reflect the time that has elapsed between submissions of materials for this application. The dates shown are no longer realistic. In addition, the EAF Long Form indicates three phases, while the attached EAF narrative indicates two phases.

The FEAF has been updated.

17. On page 4 of the EAF Long Form, question D.1.g asks if the project would include new non-residential construction (including expansions). “Yes” is checked off, and “3” is listed for the number of buildings. This appears to contradict information provided elsewhere in the submission. The EAF narrative indicates the new construction of only one building (an eight-unit residential building in the Chapel Green area), and also states that none of the existing buildings will be expanded or enlarged as part of their proposed reuse.

The FEAF has been updated to check D.1.g. as “no”.

18. Please insert “Sharparoon Pond” in Section D.2.b.i of the EAF Long Form.

The FEAF has been updated.

19. Although the project includes the paving of Ore Bed Road (currently not paved), two existing parking lots and an access drive, question D.2.e of the EAF Long Form and the EAF narrative make reference to a net reduction in impervious surfaces. The EAF narrative states that there will be a net reduction in impervious surfaces because “unnecessary gravel parking and road area will be removed and replaced with lawn.” The EAF should elaborate on how this net reduction was determined, perhaps by comparing the total area (in acres) of impervious surfaces between the existing condition and the buildout of the proposed project.

The project will repave portions of Ore Bed Road (a private road); portions of Green Acres Road, an existing gravel/paved road; patch and repair parking lots adjacent to Buildings 1 and 2; and reconfigure parking and access adjacent to Building 18 to improve layout and efficiency. Several existing gravel parking areas, which total approximately 30,000 SF will be removed within Hayden Center resulting in net reduction of impervious surface of approximately 5,000 SF.

20. Since the project will generate new or additional demand for energy, please provide an estimate for the annual electricity demand during operation of the project per question D.2.k of the EAF Long Form. The estimate can rely on the current demand for the existing buildings, plus a conservative estimate of what can be expected from the proposed reuse and new construction.

The FEAF has been updated.

21. Please provide an answer to question D.2.r.iii of the EAF Long Form (proposed disposal methods/facilities for solid waste generated on-site).

The FEAF has been updated.



22. Please check "No" for question E.2.k of the EAF Long Form, since the project site is not located within the 500-year floodplain. In addition, while the 100-year floodplain encroaches on the property boundary, it does not appear to fall within the boundaries of the Master Development Plan. To verify, the 100-year floodplain should be depicted on the Master Development Plan as well as the Wetland Location Map, and the EAF narrative should clarify the location of the floodplain in relation to the area of development. If any portion of the Master Development Plan contains 100-year floodplain areas, a floodplain development permit from the Town of Dover would be required.

The FEAF has been updated.

Enclosed for review please find nineteen (19) bound copies of the following, which amends our previously submitted application:

- Attachment 1 - Revised Master Development Plan dated December 11, 2018
- Attachment 2 - Revised FEAF Narrative dated December 11, 2018
- Attachment 3 - Revised FEAF dated December 11, 2018
- Attachment 4 - OPRHP No Impact Letter Dated December 4, 2017
- Attachment 5 - Threatened and Endangered Species Habitat Suitability Assessment dated April 26, 2017
- Attachment 6 - Large Event Management Plan dated December 11, 2018
- Attachment 7 - Septic and Water Quality Report prepared by ProSeptic dated August 9, 2017
- Attachment 8 - Well Inspection Report prepared by Hanson Well Drilling dated October 2, 2017
- Attachment 9 - Special Permit Application dated November 2, 2017
- Attachment 10 - Special Permit Narrative dated November 7, 2017
- Attachment 11 - Wetland Delineation Maps dated April 2017
- Attachment 12 - Wetland Location Plan dated December 11, 2018

If you have any questions or require any additional information, please contact me at (518) 438-9900 or at steven.wilson@bohlereng.com.

Sincerely,

BOHLER ENGINEERING MA, LLC

Steven R. Wilson

CC: Mark Spisak, World Olivet Assembly
John Vivian, World Olivet Assembly