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Memorandum

To: Town of Dover Planning Board
From: Aaron Werner, AICP
Date: July 1, 2019
Re: World of Olivet Assembly: Redevelopment of 115 Dover Furnace Road and Ore Bed Road
cc: Victoria Polidoro, Planning Board Attorney
Joseph Berger, Town Engineer
Steven Wilson, Bohler Engineering

AKRF, Inc. has reviewed the following documents and conceptual plans for the above referenced application:

- Cover Letter / Response to Comments from Steven Wilson of Bohler Engineering to the Planning Board, dated June 11, 2019
- Updated Special Permit Application binder, prepared by Bohler Engineering, dated June 11, 2019 and containing the following materials:
 - Attachment 1 – Revised Master Development Plan dated June 2019
 - Attachment 2 – Revised FEAF Narrative dated June 6, 2019
 - Attachment 3 – Revised FEAF dated June 6, 2019
 - Attachment 4 – OPRHP No Impact Letter dated December 4, 2017
 - Attachment 5 – Threatened and Endangered Species Habitat Suitability Assessment dated April 26, 2018
 - Attachment 6 – Revised Large Event Management Plan dated December 11, 2018
 - Attachment 7 – Septic and Water Quality Report dated September 2017
 - Attachment 8 – Well Inspection Report dated October 2, 2017
 - Attachment 9 – Special Permit Application dated November 7, 2017
 - Attachment 10 – Special Permit Narrative, revised and dated June 6, 2019
 - Attachment 11 – Wetland Delineation Maps dated April 2017

- Attachment 12 – Wetland Location Plan dated December 11, 2018
- Attachment 13 – Existing Building Photographs
- Site Plan for First Phase of Proposed Improvements (Chapel Green), dated June 11, 2019

PROJECT DESCRIPTION

The World of Olivet Assembly (WOA or the “Applicant”) proposes to reoccupy and improve the former New York City Mission Society (NYCMS) Camp Sharparoon property at 115 Dover Furnace Road (the “project site”) for use as a religious training center (the “proposed project”). The project site is located within the RU and RC zoning districts. Portions of the project site are located in the Stream Overlay District due to its proximity to the Great Swamp. The approximately 283-acre property was most recently occupied by the Dover Furnace Shooting Grounds. Many of the existing buildings on the property are in poor condition. The Applicant proposes to renovate and reuse existing site buildings to the extent feasible, including upgrades to achieve ADA compliance, without changes to existing building footprints or floor area. However, one new residential lodging building of approximately 5,000 square feet (8 units) would be constructed. The total floor area of all buildings (existing and proposed) would be approximately 70,000 square feet.

The proposed project has two main components referred to as “Chapel Green” and “Hayden Center.” The Chapel Green area, which is located directly south of where Dover Furnace Road meets Ore Bed Road, includes the main office/chapel building, several lodges (one including a day care facility), temporary residences, a small pond, and maintenance and equipment buildings. Most of the proposed residential uses, which would consist of temporary lodging, will be located in the Chapel Green area within existing buildings to be renovated, with the exception of a proposed new construction building consisting of eight temporary residential units. The Hayden Center, located further south along Ore Bed Road, would include a conference center, dining halls, offices, temporary lodging, and accessory recreational uses including a tennis court, basketball court, and a restored beach on Sharparoon Pond. Most of the proposed offices and conference areas will be located in the Hayden Center area. No new construction is proposed in the Hayden Center area, as all proposed uses would occur within existing buildings to be renovated. Ore Bed Road will be paved to improve access throughout the site.

The Applicant anticipates that approximately 70 staff and 120 adult attendees will be on the property at any one time, and would have one major event annually serving approximately 500 of its religious members. The proposed project is similar to other religious affiliated and secular camp uses in the Town, and should be considered a Camp Type I use. The proposed project requires Special Permit and Site Plan approval from the Planning Board.

COMMENTS

Comments shown in *italics* are recited from AKRF’s January 24, 2019 memorandum to the Planning Board. Applicant responses provided to the Planning Board on June 11, 2019, as well as any new or follow-up comments, are presented in **bold**. Selected comments from AKRF’s January 24, 2019 memo that have been fully addressed and are no longer applicable have been removed from this memorandum.

1. *The Applicant has provided an updated Master Development Plan dated December 12, 2018. In addition, at the January 7, 2019 Planning Board meeting, the Applicant indicated that a site plan for the phase 1 of the project (Chapel Green) is being prepared to be reviewed simultaneously with the Master Development Plan and SEQRA EAF.*

The Applicant has provided an updated Master Development plan dated June 2019. In addition, the initial submission of the site plan for phase 1 of the project site’s improvements (Chapel Green) has been provided in the Applicant’s June 11, 2019 submission to the Planning Board.

It should be noted that as a result of the site walk which took place on February 23, 2019, the existing Dining Hall building (to remain) previously identified for phase 2 of the project (Hayden Center) has been added to the phase 1 site plan instead. This change was necessary since during

the site walk, and as discussed at the March 4, 2019 Planning Board meeting, the Applicant noted that they do not have a permanent certificate of occupancy for the Dining Hall building from the Dutchess County Department of Health. Rather, the Applicant has been issued numerous temporary certificates of occupancy (TCOs). As recommended by the Planning Board's consultants, including the Dining Hall in the phase 1 site plan would result in the TCO issue being cured upon approval of the site plan by the Planning Board. This is preferred since the Dining Hall is currently an active use that will further support the occupants of the phase 1 buildings as they are renovated.

2. *AKRF has no further comments on NYSDEC's review of the wetlands delineation. However, as indicated further below, future review of a site plan for phase 2 of the project (Hayden Center) may involve review and approval by the United States Army Corps of Engineers (USACE) due to improvements proposed at the beach for Sharparoon Pond.*

The phase 2 (Hayden Center) site plan portion of this comment remains applicable.

3. *As stated in the Applicant's December 12, 2018 letter to the Planning Board, an updated density calculation has been provided on the Master Development Plan. Utilizing the net acreage method outlined in the Town Code, the total net acreage of the project site is 96 acres, which permits up to 96 residential units. The 69 residential units proposed (through both rehabilitation and new construction) are in compliance with density requirements.*

AKRF has no further comments on the density calculation utilized for the Master Development Plan.

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 Chapel Green site plan submission.*

This comment remains applicable (at a preliminary level) for the Master Development Plan, and as discussed further below, should also be addressed in connection with the recently submitted phase 1 (Chapel Green) site plan.

5. *As noted above, the boundary of the delineated wetland has been reviewed and validated by NYSDEC. Therefore, AKRF has no further comments with regard to bog turtles.*

However, as stated in the Applicant's July 3, 2018 letter to the Planning Board and AKRF's August 8, 2018 memorandum, the recommended measures identified in the EAF narrative to avoid potential impacts to timber rattlesnakes should be incorporated as conditions on the Master Development Plan special permit. 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.

This comment has been noted by the Applicant and remains applicable.

6. *As part of the Applicant's December 12, 2018 resubmission, the Large Event Management Plan was updated to include a site plan (as Attachment 2). However, Attachment 2 appears to identify the parking, restrooms, and other facilities only for the Hayden Center portion of the project, and identical copies of the same Hayden Center site plan appear twice within the attachment. The Large Event Management Plan should be revised to identify the locations of parking areas, restrooms, emergency staging, and other facilities for the Chapel Green portion, in addition to what is planned for the Hayden Center portion.*

This comment has been addressed through the Applicant's June 11, 2019 resubmission which included a revised Large Event Management Plan. AKRF has no further comments on the Large Event Management Plan.

7. *At the January 7, 2019 Planning Board meeting, the Applicant stated that they intend to submit a site plan and ESC plan for phase 1 of the project (Chapel Green) to run concurrently with the Planning Board's review of the Special Permit, Master Development Plan, and EAF. If the Applicant is seeking site plan approval for one or more phases of the proposed project as part of this current application, the requirements of §145-65 of the Town Code would apply, including review of architectural plans and elevations of all structures (both existing and new) by the Planning Board, serving as the Architectural Review Board. Pursuant to Chapter 65 of the Town Code, an ESC Plan and SWPPP would also be required.*

This comment has been partially addressed, since the Applicant's June 11, 2019 resubmission to the Planning Board did not appear to include an ESC Plan or SWPPP to review. However, the initial submission of the proposed site plan for phase 1 of the project (Chapel Green) has been provided in the Applicant's June 11, 2019 submission. In addition, photographs of all the existing buildings included in phase 1 were included as Attachment 13 of the Applicant's resubmission. According to the Applicant, it is their intent to complete general repair and address deferred maintenance on these buildings. This would include door and window replacement, repair of existing exterior details, and painting. The footprints of the existing buildings would not be changed or nor would there be a substantive change to the existing architecture.

8. *As of January 1, 2019, NYSDEC has issued new versions of the Short and Full EAF. Since this application is an active SEQRA review with a Determination of Significance still pending from the Town of Dover Planning Board (acting as lead agency), it is recommended that the EAF be updated to include the new (2019) version of the form, which is available for download from NYSDEC's website. As part of this update, any new comments pertaining to the EAF within this memorandum should be addressed.*

This comment has been addressed. The EAF has been updated to reflect the new 2019 version of the form.

9. *The Dutchess County Department of Planning and Community Development (DPCD) has reviewed the referral made by the Town of Dover Planning Board for countywide and inter-municipal impacts in accordance with General Municipal Law §239. In a letter dated January 11, 2019, DPCD requested additional information as follows:*

"It is unclear from the application materials presented how many of the residential units are intended for long-term non-seasonal use and how many are to be used for short-term camp uses. This distinction will be important in determining the impacts of the project on the community and the surrounding site."

The FEAF and Special Use Permit Narratives have been updated to confirm all uses are intended to operate on a year-round basis. In addition, as part of the June 11, 2019 letter to the Planning Board, the Applicant notes that WOA's use of the property is not a camp, but a conversion of a camp into a year-round religious training center with on-site accommodations.

10. *In a letter dated December 31, 2018, the Dutchess County Department of Behavioral and Community Health provided several comments in response to the Town of Dover Planning Board's circulation of SEQRA materials. These comments are related to the water supply and wastewater disposal sections of the EAF, as well as applicable approvals required from the County for these systems and the beach improvements proposed for phase 2 of the project. These comments should be addressed by the Applicant in a future submission.*

As noted in the June 11, 2019 letter to the Planning Board, the Applicant is in the process of preparing an application to the Dutchess County Department of Health for the wastewater and water supply systems. The applicable approvals for the beach improvements proposed for phase 2 have been noted by the Applicant.

11. In a letter dated January 2, 2019 (attached), the Dutchess County Department of Public Works provided no comments in response to the Town of Dover Planning Board's circulation of SEQRA materials. However, it was noted in the letter that work within the Dutchess County highway right-of-way for County Route 26 (aka Dover Furnace Road) cannot commence until a Highway Work Permit has been issued.

This comment has been noted by the Applicant and remains applicable.

12. *In a letter dated January 15, 2019 (attached), the Town of Dover Fire Department (J.H. Ketcham Hose Company, Inc.) provided several comments in response to the Town of Dover Planning Board's circulation of SEQRA materials, referencing provisions of the 2010 New York State Fire Code, among other requirements. It is recommended that the Applicant meet with the Fire Department as soon as possible to address these comments, and copy the Town of Dover Planning Board and consultants on any written response. The Applicant should be prepared to address how they intend to satisfy these requests at a future Planning Board meeting.*

This comment remains applicable. It is unclear if the Applicant has met with the Fire Department to discuss the project and their comments since the comment letter was issued. The Applicant's June 11, 2019 letter to the Planning Board provides responses to a number of the Fire Department's comments which appear acceptable based on the submitted site improvement plans. However, the Applicant has noted that they are still reviewing comments related to adequate water supply to meet code requirements on fire flow, and the Fire Department's request for the Applicant to allocate \$25,000 towards the purchase of turnout gear.

NEW COMMENTS

13. **The Applicant should submit a SWPPP and Erosion and Sediment Control Plan for review by the Town Engineer as required by Chapter 65 of the Town Code.**
14. **As directed following the February 23, 2019 site walk and the discussion which took place at the March 4, 2019 Planning Board meeting, the Applicant has noted the location of a cemetery on the Master Development Plan. As noted in the Use Table of the Town Code, cemeteries are permitted through approval of a special permit by the Planning Board. By including the cemetery as part of the Master Development Plan required by the Camp Type I special permit, this use can be reviewed by the Planning Board in connection with existing special permit application. The area of the planned cemetery corresponds to the general location of an existing grave for a young child who passed away on the property several years ago, and appears from the Master Development Plan map to be located on a portion of parcel number 132600-7061-00-062121-0000, southwest of the Dining Hall building. The cemetery would be considered a privately owned and operated use on the WOA property, and would provide a planned location on the project site for future burials as desired.**
15. **Based on review of the Town of Dover GIS maps (2010) including a map of the aquifer overlay zones, the area of the cemetery referenced above appears to fall either fully or partially within the Principal Aquifer Zone. Town Code Section 145-15 (E)(2)(j), which outlines the regulations for uses within the Principal Aquifer and Upland Aquifer zones, states the following related to cemetery uses: "cemeteries, veterinary hospitals and offices and funeral parlors shall be operated to prevent contamination of the public water supply per the New York State Environmental Conservation and Public Health Laws."**
16. **The phase 1 site plan submitted includes references to a "General Notes" section which does not appear included. In addition, there are also several items from the Town Code required for site plan submissions (Section 145-65-B) that do not appear included in the drawing, and it is unclear if waivers from these provisions, due to the nature of the project, have been sought by the Applicant and deemed appropriate by the Planning Board. The specific deficiencies are identified through the underlined text as follows. It should be noted that most of these underlined**

items can be found in the Master Development Plan drawing and should be easily transferrable to the phase 1 site plan. The Planning Board may waive some of the information required in Subsection B, as it deems appropriate:

- a. **The location and use of all existing and proposed structures within the property, including all dimensions of height and floor area, all exterior entrances, and all anticipated future additions and alterations.**
- b. **The location, height, intensity, and bulb type (sodium, incandescent, etc.) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties must also be shown.**
- c. **Erosion and sedimentation control plan required by Chapter 65 of the Dover Town Code to prevent the pollution of surface or ground water, erosion of soil both during and after construction, excessive runoff, excessive raising or lowering of the water table, and flooding of other properties, as applicable.**
- d. **Existing and proposed topography at two-foot contour intervals**
- e. **For new construction or alterations to any structure, a table containing the following information shall be included:**
 - i. **Estimated area of structure intended to be used for particular uses such as retail operation, office, storage, etc.;**
 - ii. **Estimated maximum number of employees;**
 - iii. **Maximum seating capacity, where applicable; and**
 - iv. **Number of parking spaces existing and required for the intended use**

RECOMMENDATIONS

At the July 1, 2019 meeting, AKRF recommends that the Planning Board discuss the Applicant's June 11, 2019 response to previous comments, including comments received from interested and involved agencies since the January 7, 2019 meeting, the newly submitted phase 1 site plan (Chapel Green), the status of responses to the Fire Department's comments, and the next steps required to advance application towards a public hearing and a Determination of Significance under SEQRA.

The Planning Board Secretary should be directed to refer the submitted phase 1 site plan to Dutchess County Planning and Community Development for review pursuant to General Municipal Law 239-m. The Planning Board should also consider setting a public hearing on the Master Development Plan and phase 1 site plan for the August 5, 2019 meeting.