

Dover Knolls Scoping Session Held on Wednesday, May 7, 2008

Comments Submitted by Carolyn B. Handler, Wingdale, New York

As President of the Coalition for the Responsible Growth of Dover and a resident of Dover for close to 20 years, I approve and endorse the comments made on the Coalition's behalf by our attorney, Jeff Baker. The Coalition's stated goal and mission is to ensure that we have a plan for the development of the Harlem Valley Psychiatric Center which we can all be proud of, and to take whatever steps are necessary to ensure that the project proceeds in the most responsible manner possible. Our scoping comments represent the best of our collective efforts and abilities to achieve those ends. By restoring many of the mitigation measures and protections previously identified and specified in the original Final Scope, we can hopefully prevent our Town from being left with no alternative but to remediate problems which may occur with the site in the future. We believe it to be in our collective best interest to try if possible to address and hopefully avoid those problems at the outset by giving careful, thoughtful and rigorous scrutiny to this scoping process..

My specific comments are directed to phasing of the project:

There have been substantive changes made in the proposed amended scope with respect to phasing. For phases other than phase one, Dover Knolls now says it will provide only conceptual rather than detailed plans, heightening a concern that many of us have that later phases may never come to fruition. Each phase of the project should be detailed rather than detailed as to phase one and conceptual as to all later phases. Most importantly, Dover Knolls should restore to the scope a discussion of the steps to be taken in the event the project is not completed at any phase.

Similarly, more discussion needs to be given to assure that residential development is done in tandem with commercial development. Part of our concern stems from a change made by Dover Knolls in the proposed amended scope to delete any discussion of providing for ongoing or planned marketing for the commercial space and to reduce the overall retail space by 100,000 square feet (that is from 350,00 square feet to 245,000 square feet). We are concerned that if Dover Knolls is not called upon at the outset to provide sufficient detail on the commercial development we will not have adequate assurance that the project will be built as advertised. On that point, Dover Knolls should be called upon to post a bond large enough to mitigate the financial impacts on the Town and the school district if the project is not completed or if the demands for public services by 1,400 new families exceed the value of their property tax payments.

As a corollary to this sequencing discussion, I can not emphasize enough the importance of any residential development beginning on the site of the Harlem Valley Psychiatric Center, that is, on the site that many of us consider to be the eyesore. I am concerned that the Dykeman parcel not, under any circumstance, be allowed to be developed first, a parcel which any of us familiar with the site knows is as remote from the Psychiatric Center campus as is possible while still being contiguous. To permit the Dykeman parcel to be developed first is wholly inconsistent with the

original intent of the MC Overlay district law as initially drafted and in our view allows the developer to go for the low hanging fruit.

In the proposed scope, the developer has deleted a requirement to address the construction process and needs of each phase of the project. In particular, Dover Knolls should restore specificity to its discussion of the construction process at each Phase and be called upon to address construction for all project components with the expected year of completion for each project component. Given the scope of the project, there should be a more detailed discussion of the general construction process and needs including but not limited to hours of operation, plans for construction monitoring, particularly on local streets, dust suppression, housing for construction workers, schedule and map of construction, erosion and sediment control to be utilized during construction and construction equipment and staging areas. The description of the proposed construction sequencing needs to include a flowchart for the maximum anticipated duration, including start and completion for key milestone tasks such as site clearing and debris removal, grading and fill replacement, infrastructure and foundations. The developer needs to identify staging areas for material handling and storage, including access and egress during construction.

Finally, as to all residential development taking place, the scope should discuss the roles and relationship between the developer, homeowners, management of the development and how these roles may change over time. The scope should describe any plans for use of homeowner associations and their areas of responsibility in monitoring and mitigation, if any. The scope should discuss how the undertakings, agreements or representations of the developer will be binding upon successor owners or developers should the project site be sold or conveyed to others.