

May 7, 2008

Supervisor Courtien and Members of the Town Board:

I grew up in a “traditional neighborhood” and appreciate the design, benefits and amenities that such a neighborhood offers. At the March meeting here, the Dover Knolls representatives nicely presented their plans for a traditional neighborhood development with a description of all the benefits to those who will reside there. As one gentleman from the public commented, he felt like he was being given a sales pitch to buy one of the units.

In this development application process, the focus now has to switch **away** from the **benefits** for **future** residents, and specifically **to** the **impacts** of this development on me and all the other **current** residents.

Presented in this letter are my comments and questions regarding the Knolls of Dover Redevelopment Application, amended March 3, 2008, which includes application forms and proposed zoning amendments, a disclosure of interest form, master development plan report, environmental assessment form, amended DEIS scope and master development plan.

If you cannot answer all my questions tonight, I request that you provide me with answers prior to the Board’s approval of the DEIS scope, as revised subject to the Board’s and the public’s comments. Your responses may lead to additional comments. Also, I expect that you will include all my comments in your revised DEIS scope and the proposed zoning amendments.

**1. Proposed amendments to Section 145-16 of the current zoning law**

*1. Section C.*

- *Proposal to delete “Total allowable development of the district or any portion thereof under review shall not exceed 50% more than would be otherwise permitted in the underlying districts, except that in the portion of the MC Overlay District which is zoned SR a density bonus of 100% shall be allowed.”*
- *Also, proposal to delete the current Section E – Limitation on residential development.*
- *Proposal to replace this/add new **Section D. Limitations on development.***

What is the effect of changing the current zoning with the proposed Section D.? Has this been quantified? I believe this proposed change should be quantified so that the Board and the public can assess the impacts.

## *2. Proposed Section D.1.(b)*

This section sets the maximum square footage of non-residential development and refers to section C.2(a) for a definition of part of the calculation. There is no section C.2(a). Please demonstrate how the “floor area ratio” is calculated.

## **2. Disclosure of Interest Form**

- The list of interested parties is missing, as the form did not indicate that there are “none”.

## **3. Master Development Plan Report**

- Page 5 of the plan indicates that there will be 1376 dwellings. Just to try to visualize this, I compared the number of dwellings to the number of dwellings at the town’s currently largest development – Woodwinds, which has 210 dwellings. This plan has more than 6 ½ times the dwelling units as Woodwinds. See the attachment.
- Page 6 of the plan indicates there will be some age-restricted units. When calculating in the DEIS the fiscal impacts of new children who will be using the town’s resources, primarily recreational and school, be sure to include children in the age restricted units. Adults over 55 **do** have children. I was one of three children in my parents’ household. My brother, at age 55 had 3 children in elementary school K-8. Now, almost 61, he still has three children in school – 2 in high school and 1 still in elementary school. Also, my sister’s daughter was 10, thus in elementary school, when her father was 55. So for another 8 years she attended her local public school system. Furthermore, in some families, the grandparents over age 55 are raising their grandchildren.

Further on the age-restricted units, how will the restriction be enforced initially and then in the future, upon change of resident due to perhaps re-sale, sub-let, or rental? Who will bear the cost of enforcement, initially and in perpetuity? The fiscal impacts on Town and school system services of the answers to these questions need to be considered in the DEIS.

- Page 6 of the plan also indicates that there will be age-targeted units. Here again, the fiscal impacts of children in these units must also be included in the DEIS. Perhaps the units will initially be sold to buyers without children. However, subsequently, units will be resold and/or rented. The age-targeted marketing will no longer be in effect and thus children will probably occupy these units also. Furthermore, since a marketing plan is non-binding and may easily change, the DEIS needs to include the impacts of children in these units from day 1.

- Page 7 of the plan includes a table of Proposed Housing by Type. The unit types include single family, duplex, townhouse, flats, townhouse conversions, apartments (above retail/flex), and loft conversions. These unit “types” are not defined anywhere. To determine the fiscal and environmental impacts of these units, the “types” need to be defined and quantified. For example, what is a flat? A British apartment? What is the square footage range? How many bedrooms? What is a townhouse or loft conversion? What is an apartment (above retail/flex)? What is the difference between an apartment and a flat?

To calculate the fiscal impacts of these types of units, the definition of these units also needs to also include the relative price ranges of the units and their construction time table, by type. Although the future unit prices are currently not known, the fiscal analysis could perhaps be done in today’s dollars as a base. Or, perhaps the applicant’s economic consultants used sales price assumptions in their analysis, which I will also discuss below.

- The plan touts itself as being a “walkable” and “transit oriented” community. Page 7 of the plan indicates that only slightly over half, or 56%, of the units are within an approximate 10 minute walk of the Metro North Station. That also means that **almost half** of the residential units are **not** “walkable” – meaning within walking distance to the train station and the retail and commercial area.

Looking at the plan in a **physical** way, there are 6, I believe, residential neighborhoods. Of the 6, only 2, or 33%, significantly less than 56%, are “walkable” or “transit oriented”. The remaining 4 neighborhoods are located on the extreme western and northwestern ends of the site, on an eastern hilltop and in the north east area of the site, removed from the inner core. These neighborhoods, or **67%** of the plan, are **not** deemed to be “walkable” to the train nor the retail or commercial sites. Simply, they are stand-alone residential developments. The allure of a transit-oriented development is thus a minor portion of this application plan.

- The Master Development Plan Report also refers to open space, recreation components, running track, boat launch, 9 village greens and commons, recreation fields, bike paths, trails and a community center at Smith Hall. If these items are to be owned by the Town, the DEIS needs to address the fiscal impacts of all the taxpayers maintaining these facilities, including additional labor, equipment, utilities, insurance, liability, overhead, among others.
- Page 10 of the report justifies the proposed zoning amendments to the MC district based on an analysis prepared by the applicant’s consultants – ERA and Torti Gallas. Has the Town Board read or reviewed this analysis? If not, is the Board going to make decisions on significant zoning changes based on an analysis prepared by someone who was not working on behalf of and representing the town residents?

- Page 16 of the plan discusses the Dykeman property which apparently has already been rezoned as part of the MC district. How would the plan have differed if the Dykeman property had not been rezoned, but developed as part of the plan under the zoning law prior to January 2008? Less density?

#### **4. Environmental Assessment Form**

- Page 4, item 9 - *Number of jobs generated after project is complete* is stated to be +/- 650. To determine the impacts of these jobs, the types of jobs and wage ranges by number and type should be defined. Also, this indicates the number of jobs, not the number of employees. Jobs can be full time, part time, seasonal, etc. The number of “full time equivalents” (FTEs) should be disclosed so it can be used in the impacts analysis of the DEIS.
- Does the “number of jobs generated after project is complete” include the municipal jobs that will have to be paid for by us, the local taxpayers, that will be created to provide the additional services to the new residents?

#### **5. Final Written Scope for Draft Environmental Impact Statement**

- *Page 5 Section II A. 6.*
  - The applicant proposes deleting a full title report as part of the project location description. Does the Board concur? If so, why?
- *Pages 7-8 Item 2. Open Space, Recreation and Environmental Preservation Plans*
- *Page 10 Item 6a.(ii) Community Facilities*
  - All spaces and facilities that are intended to be ultimately owned by the Town or County should include the fiscal impacts of operating and maintaining these items.
- *Page 10 Item 5.c. Residential Development, Workforce/Affordable Housing*
  - To determine the impacts of workforce/affordable housing, the DEIS should include the definition, needs justification and quantity of proposed workforce/affordable housing. Existing affordable housing in the Town of Dover should be quantified to determine if there is an additional need.
- *Page 11 Section E. Phasing Plan*
  - The applicant proposes to include only “conceptual” instead of “detailed” plans for phases two, three and four. How can a “meaningful SEQR analysis be prepared” with concepts and not details?

- *Page 12 Section E. 3.*
  - The applicant proposes deleting “a discussion of steps to be taken in the event the project is not completed at any phase”. The DEIS scope should continue to include such discussion. For example, if the applicant does not complete the commercial/retail area, then the impacts and mitigations would be substantially different if the area was completed. The town residents should be protected.
  
- *Page 14. Section B. Visual Resources*
  - The visual resources and impacts should be presented in both a day and night scenario so that night lighting impacts can be studied and mitigated
  
- *Page 27. Section F. Traffic, Transportation and Parking*
  - Add to this section a fiscal analysis of the municipal costs of maintaining all the new roads, including at least labor, equipment, facilities to store highway equipment, utilities, overhead, repairs of roads , repairs of machinery, and snow plowing/sanding.
  
- *Page 31. Item 3. Schools*
  - Calculating the impact of the increase in costs to the school district from a proposed residential development is an exercise in estimates and projections which can be prepared in part based on statistics derived in national areas. Two, large (to date) residential developments have been built in Dover over the past 20 or so years and provide valuable local information. This data is based on the types/size of individuals and families who have indeed moved here and their actual impact on the school system. When the Woodwinds development was undergoing this process, the school superintendent at the time wrote that the development would have no impact on the school system. On the contrary, as a result, a large school expansion was imposed on the taxpayers.

Real projections of costs per student and the number of school children should be based on recent actual local experience. Thus the applicant’s proposal to delete the Dover school system’s twenty year cost per student trend and enrollment should not be accepted.

- School enrollment is cyclical. The cost analyses should include peak enrollment as the school system has to pay for and accommodate peak not average enrollment.
  
- Further, for reasons stated earlier, the cost analyses should include children in age targeted and age restricted housing. The applicant’s proposal to delete this requirement should not be accepted.
  
- *Page 32. Item 5. Socio-Economic Issues*
  - A residential development of almost 1400 units will require the expansion of many Town services, such as schools, library, roads, recreation, senior programs, public facilities and all the others listed in this section of the Scoping

document. The applicant proposes to delete the analysis of the cost of these services. The proposed deletion of these costs should be declined. Otherwise, it is requested that the Board explain why.

Thank you for your attention to these matters.

Sincerely,

Don Geramita  
Wingdale, New York