

CONSERVATION ADVISORY BOARD
160 CHARLES COLMAN BLVD.
TOWN OF PAWLING
Pawling, New York 12564-1192

September 24, 2008

Mr. David Wylock, Chair
Planning Board
Town of Dover
Dover Plains, NY 12522

RE: Draft Scope for Wind Rose

Dear Mr. Wylock:

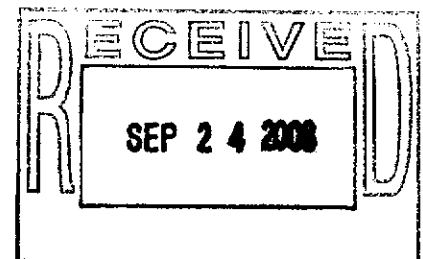
Enclosed please find the comments and questions that are being submitted on behalf of the Pawling Conservation Advisory Board relative to the Scoping Document for the Wind Rose Project.

The Pawling Conservation Board looks forward to working with the Dover Planning Board, the Pawling Planning Board, and with Wind Rose on this project.

Very truly yours,

Mike Purcell, Chair
Conservation Advisory Board
Town of Pawling

encl: one



Wind Rose Scope
Pawling Conservation Advisory Board, September 22, 2008

The Pawling Conservation Advisory Board (CAB) has reviewed the DEIS Scoping Document – 1, dated June 9, 2008, for the “Wind Rose Project” and we submit the following comments and questions for inclusion in the DEIS. We have tried to avoid duplications of questions raised by other agencies and parties of interest, and the issues that are already included in the Wind Rose Scope, for the sake of efficiency.

We find the Wind Rose Draft Scoping Document impressive and competently executed. As stated above, the CAB believes that the following issues are deserving of further examination or discussion.

For the sake of following the format outlined in the draft scoping document, we shall conform to that as much as possible in these comments:

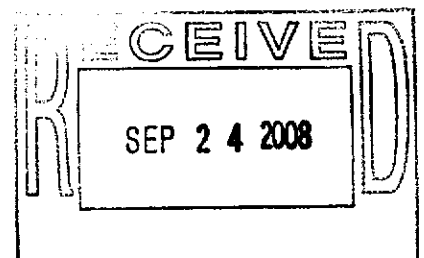
DESCRIPTION OF THE PROPOSED ACTION

Item #2 states that one of the objectives of the project sponsor includes “Sustainable and green development concepts”. The CAB looks forward to working with Wind Rose to help them achieve these objectives. As one of the oldest, most experienced conservation commissions in NYS, we are familiar with Pawling’s environment, and particularly with this area on West Dover Road and Corbin Hill.

ENVIRONMENTAL SETTING:

Most of the project is located on the western slope of Corbin Hill, a unique geological formation, (a copy of the CAB’s report on Corbin, is attached). The hill is also an important visual feature, as seen from Cat Rocks in the west and the AT, and from many viewsheds from RT. 22, Hurd’s Corners, and Quaker Hill. We shall discuss this in detail in the section following under “Visual Impacts”

When the CAB reviewed the former approved “Boniello Subdivision”, our concerns were focused on potential impacts to the crest of Corbin Hill, and to Wetland PL-16. The CAB accepted the Boniello proposal. However, the new Wind Rose proposal sites another row of houses beyond the eastern limit of the Boniello Plan. It intrudes into sensitive territory. The CAB’s preliminary evaluation of the new Wind Rose concept is that a reconfiguration could move the disturbances downhill, remove the upper road and combine more roadways to reduce impacts (and costs). The proposed trail location should also be reconsidered, and moved to a lower elevation. Tree removal, to establish views from the trail, should be carefully designed to protect our extraordinary unspoiled ridgeline, which the community and visitors on Rt. 22 currently enjoy.



WETLANDS

As stated above, the CAB is familiar with Wetland PL-16. In order to understand its values and functions fully, we need more information on the wetland on the adjacent property (the Appalachian Trail Corridor), and the adjoining Wind Rose Property to the north. Endangered species are present on the AT Property. At the time of the review of the Boniello Site, the vegetation present did not seem suitable for this species.

However, the history of this site, records that extensive disturbance took place more than 20 years ago at about the time that the NYS Wetlands Law was established, or just before that period. The CAB knows that a bulldozer worked in PL-16, attempting to drain it and reduce it in size. We know that beavers were at work in PL-16. The wetland cannot be used for construction anyway, would it not be possible to effect some restoration, and make the wetland a positive asset in the plan. Disturbances should be kept out of the buffer zone. Certainly, the conceptual proposal to construct an equestrian trail right across the wetland is not acceptable.

Would it not be possible to restore PL-16 on the "Boniello" side of the AT? This could be a model of restoration work; technical information is available, and financial support for the project may also be available. Wind Rose is a "Family Resort", which appeals to children and grandchildren. Children love turtles!

In general, the CAB supports the protection of wetland buffers. Buffer zones cannot provide their intended purpose if they are invaded by roads, water management disturbances, and the like. High value wetlands need all the protection they can get. Man made wetlands do not have a good track record of fulfilling those functions.

It should be observed that the policy of the Pawling Wetland Law is to protect Vernal Pools.

The Great Swamp, as you know is a critical area, and the Wind Rose site in the affected area is particularly sensitive; endangered species, and rare plants are in that interface zone. Any trails that could impact the area need careful consideration.

ECOLOGY

In addition to endangered flora and fauna, we know that there are many species of special concern, such as wood turtles other reptiles, and grassland birds that currently use the land. We believe that there should be ways of mitigating the impacts, with this proposal, which will have so much open space.

Hunting was permitted by the former landowners. For the health of the land and the forests, the deer herd must be controlled. Wild turkeys are also becoming problematical. Wind Rose will need to implement some controlled hunting plan. It would be as good thing to provide controlled access to our local sportsmen, who are finding greatly reduced opportunities at a time when the exploding deer population is truly becoming destructive of our natural resources.

WATER RESOURCES

A waste water treatment plant is proposed for Wind Rose. The CAB wishes to observe that there are current limits to the ability of the Swamp River to carry its existing load of treated wastewater. The Swamp River is a very slow moving stream, carrying a very high load of nutrients at the present time. An unprecedented load of additional wastewater is in the current planning stages destined for discharge. The CAB recommends consideration of a combination of a sewer treatment plant and on site disposal with individual or gallery septics in ground disposal systems. These could be used in the more remote areas, which would reduce infrastructure and disturbance, and most importantly, it would help to maintain the existing hydrology; maintaining wetlands and the ponds in the golf course.

TRANSPORTATION

In addition to traffic movement surveys at intersections, we observe that the intersection of River Road and Rt. 22 has been inadvertently omitted from the list. This intersection may very well be the most heavily used means of getting to the Wind Rose Site.

VISUAL QUALITY

We have discussed potential impacts to Corbin Hill, and its crest and ridgeline being of such importance to the community. The ridgeline of this prominent hill dominates the views from Rt. 22, Hurd's Corners and Quaker Hill. The Appalachian Trail Committee has expressed its concerns on maintaining the AT experience for the hikers using this world class trail (which is also an asset to Wind Rose).

West Dover Road has been nominated as a local Scenic Road in our Town's Master Plan. No doubt its charms have been one of the motivations by Wind Rose to invest in this area in Pawling/Dover. We shall hope that roadside development design will maintain this beloved community asset.

Outdoor Lighting fixtures should be designed to cast the light to the areas where it is needed, and not be excessive, and should produce no glare to the sky. We are confident that Wind Rose will do it right.

OTHER CONSIDERATIONS

CHEMICALS AND FERTILIZER USE: In addition to the chemicals and fertilizers used on the golf course, the other common areas, of which there are many, may be managed with materials and management practices that could be harmful to people, particularly young children, and to wildlife and to water resources. We hope that careful consideration is given to low impact alternatives, on the entire site, as well as the golf course.

Will the lawns and landscaping surrounding the residences be managed by Wind Rose, or will the residents have the option to manage their own lawns, etc.

EQUESTRIAN: How many horses are projected at the present time, based on full build-out? The soiled bedding could be composted on site, but must be managed in an acceptable way, at an acceptable location. On-site composting is preferable, and then the material could be re-cycled and applied for landscaping purposes.

CONNECTING BETWEEN THE SOUTHERN RESIDENTIAL AND THE FACILITIES TO THE NORTH will be a challenge. It should be possible to design this to protect the trail corridor and the exceptional burr oak, and possibly to address the current threat to the oak tree having cars parking on its root system.

CONSTRUCTION CONTRACTORS: Does Wind Rose have its own construction crews? To what extent will local contractors be utilized?

OPEN SPACE: There will be extensive open space according to this concept. A few of these areas are particularly significant: like the crest of Corbin Hill, the extensive West Mountain hillside, PL-16 and possibly other Town and ACOE wetlands, and the area adjacent to The Great Swamp. It should be observed that these are undevelopable areas, or exhibit severe constraints, but they have critical conservation values. Would Wind Rose consider placing these areas into conservation easements?

The involvement of a qualified conservation organization would provide for the monitoring and oversight and enforcement will probably be necessary at some time in the future. It would help to avoid future homeowner association/management disputes, and avoid enforcement problems by the Towns of Pawling and Dover, which could be problematical.

CORBIN HILL (SA-12)

This elongated ridge, elevation 861', rises from the valley floor abruptly, with rocky slopes averaging 42% on the eastern edge. It is a prominent feature of the landscape viewed from Route 22 and Hurd's Corners and Quaker Hill. On the western edge, Corbin Hill slopes down to the valley at West Dover Road more moderately. The southern face of the hill is also prominently defined with steep to very steep rocky slopes. The hill was first described by Robert Balk in 1936 in his pioneering studies of the area. Corbin Hill is a unique overthrust formation, similar to Stissing Mountain in northern Dutchess County, and the small rounded hills found in Patterson (north of the Ice Pond). Corbin Hill, like these other geological bedrock formations, is an ancient Precambrian gneiss, an exceptionally hard rock, that has been thrust over in an eastern incline, over the more recently formed limestone of the Harlem Valley.

According to reports on groundwater studies of Putnam County, the fault line (fracture zones) where these two formations meet are the best locations for very high yielding wells for municipal water supplies. (Report made to Putnam County EMC, by Dr. Doñald Groff, Pred Anders and Paul Jaenig, Geologists, Re: "Bedrock Geohydrology of Putnam County, 1986").

The Town of Pawling, which owns 225 acres from the top of the ridge of the hill to the eastern base, and to Route 22, has plans to use the flood plain area for future well fields for long term projections to provide for public groundwater supplies.

The upper levels of Corbin Hill and the southeast face have thin, droughty acidic soils with extensive exposed bedrock. Limited talus or scree is present. This unusual environment is likely to harbor rare plants, plant communities and animals, as discussed in Kiviat, 1988 Report, "Significant Habitats of the Town of Dover" in Section 4.2.5. The top of Corbin Hill and its upper slopes have had some investigation by scientists. A threatened species, the timber rattlesnake, is likely to be present. A mature rattlesnake was killed accidentally by heavy equipment operated by adjacent landowner, Mr. James Cassone, at his sand and gravel mine, several years ago. (Pawling News- Chronicle, August 1983, CAB file) There could be timber rattlesnake and copperhead winter dens on the ridge of Corbin Hill. A Klemens group on 9 October 1995 visited Corbin Hill and found wood turtle and four-toed salamander (the only known site in Pawling).

A threatened species, the Cooper's hawk, was observed in the Corbin Hill area in 1982, 1983 and in 1984 during the Atlas Breeding Bird Survey. The steep eastern slopes of the hill are adjacent to the outstanding wildlife habitat area of The Great Swamp. The juxtaposition of the steep slope on the wetland area is also a significant habitat type.

The eastern slope is forested with mixed hardwood and hemlock. Scattered white pine appear on the ridge. The northern end of the hill supports a large stand of white pine (estimated at least 20 acres), possibly the largest stand of natural pine in Pawling. This area has never been investigated: it could be habitat for nesting pine warblers and rare plants. The northern end of Corbin has rocky cliffs, and talus could be present. In the area near the Dover town line, rare orchids were observed by Dr. Klemens in 1995.

The most remarkable feature is the exposed bedrock at the top of the highest ridge. The rock shows limited foliation. This exposed bedrock has been strikingly carved and sculpted by action of the glaciers. Huge slabs of rock have split horizontally, with flat bottoms, and sculptured tops. In some places, faults have separated to form small canyons with sheer rock walls. These rocky areas have extensive small caves which probably shelter wildlife. The southeastern exposure of Corbin has numerous huge glacial boulders.

Vegetation is surprisingly diverse and unlike other high crests in Pawling. Hemlock, white pine, chestnut oak and extensive laurel thickets are present. Many species of fern were observed during a site visit led by Ron Byleckie, Director of Horticulture, Pawling Native Plant Garden on 28 October 1992. Ferns included common rock polypody and maidenhair fern. Small wetlands at the crest, in the bedrock, had black gum and blueberry. Lots of sugar maple and plants like hepatica indicate that the crest has a neutral soil acidity.

Special Recognition/Protection: None

However, the Appalachian Trail crosses Corbin Hill in the saddle area, and follows the contour of the slope down to the valley. The Town of Pawling owns land (226 acres) at the base of the hill easterly to Rt. 22, and to the top of the slope. The Great Swamp, adjacent to the hill at its eastern base, is regulated by New York State.

Perceived Problems:

Corbin Hill's southern and western areas are vulnerable to residential development. The sensitive areas of the hill should be protected by appropriate means from human disturbance to fragile habitats.

References:

W.W. Mather, "Natural History of N.Y.", Vol. I

D.Fisher, J.M. McLelland, Colgate University, "Stratigraphy and Structural Geology in the Amenia—Pawling Valley, Dutchess County, NY"

CAT ROCKS (SA—13)

The "Cat Rocks" form a rugged rocky escarpment area on the ridge of Pawling (West) Mountain. Near the base of its cliffs, are large loose rock accumulations called talus or sliderock. The area is probably the most notable of cliffs occurring in the Town of Pawling. (See discussion of Corbin Hill). The Appalachian Trail is located near the rocks and provides some protection.

This area needs investigation. There could be rattlesnake dens and other rare animals and plants. A hiker who had camped overnight in this area reported to the Conservation Board that he observed unusual, noisy, and very large, nocturnal millipedes near the rock area. This report should be investigated to determine if this is a rare species. Ravens built a nest on the cliffs in 1998, but abandoned it. Ravens nested successfully at the cliffs at Ice Pond in Patterson recently.

(RE: MAP #7)