



Coalition for the Responsible Growth of Dover

April 29, 2009

Town Supervisor Ryan Courtien
Town Councilman Catherine Frame
Town Councilman Christopher Galyada
Town Councilman Richard Hawthorne
Town Councilman Kathryn Palmer House

The Coalition for the Responsible Growth of Dover (CRGD) submits the following comments in connection with the Town's proposal to apply for approximately \$2.5 million in "Restore NY"¹ public funding for the purpose of demolishing Building Number 4 (Male Continued Treatment Building "F") and Building Number 5 (Kitchen and Dining Room Building "G"), owned by the Benjamin Companies and located within the boundaries of the Dover Knolls Project currently under SEQRA review.

Without agreeing that demolishing the two buildings is a permissible segmentation under SEQRA, CRGD nevertheless has serious concerns regarding the control and expenditure of any Restore NY funds ultimately obtained by the Town. For the reasons stated below, CRGD adamantly believes the Town should maintain control and supervision over the expenditure of all Restore NY funds obtained in connection with the demolition of the buildings, recognizing that the Town does not own the buildings but has sought funding on the developer's behalf and at its request.

Table 3 of the Phase I Environmental Site Assessment (Appendix XI to the Dover Knolls DEIS resubmitted to the Town on March 30, 2009) specifies each building by # and describes by lettered legend what each building contains that is of environmental concern (asbestos, various hazardous materials, lead paint, mold, etc.). As set forth in Table 3, a copy of which is attached, both of the subject buildings have serious environmental issues associated with them. Building Number 4 contains asbestos (in the floor tiles, pipe insulation and roofing) and moderate to severe levels of interior lead paint and mold. Building Number 5 contains

¹ CRGD understands that the Restore New York's Communities Initiative ("Restore NY") was established in the 2006-2007 New York State Budget to provide eligible municipalities with financial assistance to encourage economic development and neighborhood revitalization. A total of \$300 million was dedicated to this program in the New York State Budget with \$50 million appropriated for State Fiscal Year (SFY) 2006-2007, \$100 million appropriated for SFY 2007-2008 and \$150 million proposed for SFY 2008-2009. The program goals of Restore NY, which is overseen and implemented by the Empire State Development Corporation (ESDC), are to improve housing stock, encourage commercial investment and revitalize urban centers. Eligible municipalities have submitted proposals for funding for the demolition, deconstruction, rehabilitation or reconstruction of vacant or obsolete buildings.




asbestos (in the pipe insulation and roofing), moderate to severe levels of interior lead paint and other hazardous materials including paints, automotive fluids, drums and cleaners.

In light of the foregoing environmental concerns and because public funds are at issue, CRGD believes it is of critical importance for the Town to maintain control and oversight over how Restore NY funds are spent in the demolition process, recognizing that the Benjamin Companies would not have been able to obtain these funds on its own. Accordingly, since the Town appears to be willing to undertake this application and to otherwise expedite and segment its review of this aspect of the overall project, it is appropriate for it to insist on using as much of the Restore NY funding received as is necessary to ensure that the most protective, prudent and responsible measures are taken in conducting and overseeing the demolition and removal of debris. CRGD is concerned that dangerous and/or environmentally suspect debris might not be adequately characterized and disposed of and, more specifically, could end up as back-fill in the HVPC tunnels or otherwise contaminate the site and its water supply.

CRGD maintains that the Town Board can and should insist that any Restore NY funds obtained be spent to ensure that all demolition project materials be taken off-site and that nothing be left on-site or back-filled in the tunnels. While CRGD generally advocates the reuse and recycling of materials² (such as concrete and bricks) where possible, it also recognizes that the characterization of debris on the Dover Knolls site, including concrete, is likely to be far from clear cut. Interior concrete in each of the subject buildings, listed in Table 3 as having been contaminated with lead paint, is particularly problematic, since, as we have pointed out in the past, all the grinding in the world would not necessarily make such debris safe to reuse, including, for example, as a base layer for any of the site's parking lots.

The Town's control and supervision over the expenditure of all Restore NY funds ultimately obtained is absolutely critical and warranted since such oversight is a natural consequence of having actively pursued the request for public funds on behalf of the Benjamin Companies in the first place.

Thank you for your consideration of these comments.


Carolyn B. Handler
President

² The Guidelines for Restore NY funding similarly provide that while re-use and recycling of debris should be encouraged where possible, it will not be required as a condition of funding. "ESDC encourages the environmentally sustainable practice of recycling construction/demolition (C&D) debris rather than disposition in a landfill. As this is an emerging practice that may not yet be available or commercially feasible in every region of the state, ESDC's Environmental Division will survey municipalities receiving Restore NY awards and their deconstruction/demolition contractors to learn what options they had for C&D debris disposition and whether any of the material was recycled. As a condition of award, the municipality and its contractors must provide the information requested in this survey. NOTE: While C&D recycling is encouraged, it is not required."

KNOLLS OF DOVER
 FORMER NEW YORK STATE HARLEM VALLEY PSYCHIATRIC CENTER
 NEW YORK STATE ROUTE 22
 WINGDALE, NEW YORK

TABLE 3
 SUMMARY OF ENVIRONMENTAL CONCERNS

Building No.	Original Description	Hazardous Materials		Petroleum/Chemical Storage Tanks		Asbestos	Lead-Based Paint		Mold	Water Damage
		Aboveground	Underground	Aboveground	Underground		Interior	Exterior		
1	Patient's Reception Building					FT, PI			M/S	M/S
2	Kitchen and Dining Room Building "C"	P, S, C, D				PI, R			M/S	M/S
3	Patient's Building "B"					FT, PI, R			S	S
4	Male Continued Treatment Building "F"					FT, PI, R			M/S	M/S
5	Kitchen and Dining Room Building "G"	P, A, D, C				PI, R			M/S	M
6	Female Continued Treatment Building "H"					FT, PI, R			M/S	M/S
7	Staff Home			1 R		PI			M/S	Basement Flooded
8	Staff Home			1 R		PI			M/S	M/S
9	Old Powerhouse Building	D, S, A		3 T		PI			M/S	Basement Flooded
10	Patient Housing	P, C				PI			F	F
11	Married Employee's Building "R"					CT, PI			M	M
12	5 Family Staff House					M			M/S	M/S
13	Married Employee's Building "P"					PI			F	F
14	Baseball Grandstand					PI			M	M
15	Patient's Building "A"					FT, PI			S	S
16	Non-Medical Staff Residence					PI				Basement Flooded
17	Married Employee's Building	P, C		1 T		PI, R			F	F
18	Married Employee's Building			1 T		R			M	M
19	Industrial Building					R			M/S	Basement Flooded
20	Storehouse, Bakery, and Laundry Building	D, CG, B, S				FT, PI, R and Bag			M/S	Basement Flooded
21	Administrative Building					FT, PI, R			M/S	M/S
22	Kitchen and Dining Room Building					FT, PI, R			M/S	M/S
23	Continued Treatment Building (Female)					FT, PI, R			M/S	M/S
24	Continued Treatment Building (Male)					FT, PI, R			M/S	M/S
25	Continued Treatment Building (Male)					FT, PI, R			M/S	M/S
26	Continued Treatment Building (Female)					FT, PI, R			M/S	M/S
27	Parole Patients Building					PI, R			M/S	M/S
28	Single Employee's Building (Male)	P, C		1 A		PI, R			M/S	M/S
29	Ten-Family Staff House	P, C		1 A		PI, R			M/S	M/S
30	Single Employee's Building (Female)	P, C, A		1 A		PI, R			M/S	M/S
31	Powerhouse, Maintenance, and Garage Building	D, L, A, S		1 R, 3 T		FT, PI, F			M/S	M/S
32	Assembly Hall (Smith Hall)					PI			M/S	M/S
33	Staff Home								M/S	M/S
34	Staff Home								M/S	M/S
35	Staff Home								M/S	M/S
36	Director's House								M/S	M/S
37	Director's Office								M/S	M/S
38	Refinement Stand								M/S	M/S
39	Staff Home								M/S	M/S
40	Staff Home								M/S	M/S
41	Staff Home								M/S	M/S
42	Staff Home								M/S	M/S
43	Staff Home								M/S	M/S
44	Staff Home								M/S	M/S
45	Staff Home								M/S	M/S
46	Staff Home								M/S	M/S
47	Staff Home								M/S	M/S
48	Staff Home								M/S	M/S
49	Staff Home								M/S	M/S
50	Staff Home								M/S	M/S
51	Staff Home								M/S	M/S
52	Staff Home								M/S	M/S

Notes:

Underground/Aboveground Tanks - R-Removed, A-Active, U-Unknowns and T-Temporarily out-of-service.
 Hazardous Materials - A-Autonomous Fluids, P-Paints, C-Cleaners, B-Batteries, CG-Compressed Gas, D-Dumps, S-Bags of Materials/Chemicals, MD-Medical Waste Bags and lab chemicals
 Asbestos - PI-Pipe Insulation, FT-Floor Tile, F-Fire Proofing, CT-Ceiling Tile, R-Roofing, T-Transite, and DI-Duct Insulation
 Lead Paint/Mold/Water Damage - S-Severe, M-Moderate, F-Fair