

## Town of Dover Planning Board

Town of Dover  
126 East Duncan Hill Road  
Dover Plains, NY 12522



(845) 832-6111 ext. 100

### **RESOLUTION TO GRANT CONDITIONAL SITE PLAN, SPECIAL PERMIT, EROSION AND SEDIMENT CONTROL PERMIT AND ARCHITECTURAL REVIEW BOARD APPROVAL**

#### **DOVER GREENS LLC – PHASE 1**

WHEREAS, the applicant, Dover Greens LLC, has submitted an application for site plan, special permit, erosion and sediment control permit and architectural review board approval for phase 1 of the redevelopment of property located at 207 Hutchinson Avenue, Wingdale, NY, formerly known as the Harlem Valley Psychiatric Center, into the Olivet University Campus (the “project”), as shown on the plan entitled, “Olivet Center, Phase 1,” prepared by VHB, Engineering, Surveying & Landscape Architecture, dated September 3, 2015, last revised September 3, 2016; and

WHEREAS, the parcels involved in this permit application are identified as tax parcel numbers 7159-00-162702, 7159-00-065920, 7059-00-555750 and 7059-00-814768(the “site”), and is located in the HR, HM, RU and CO Zoning Districts and AQ, FP, MC and SC Overlay Districts (the “site”); and

WHEREAS, pursuant to §145-10 of the Zoning Law, special permit and site plan review are required to establish use of the site and the structures thereon as an educational, office and service business use; and

WHEREAS, pursuant to Section 37-3 of the Town Code the Planning Board has full authority and power to approve architectural plans and elevations submitted by an applicant in the absence of a quorum on the Architectural Review Board; and

WHEREAS, the project is shown on the following plans (hereafter the “Site Plan Set”):

Preliminary Site Plan Review, prepared by VHB, White Plains, NY, dated September 3, 2015, last revised Sept. 3, 2016:

Sheet Number and Title		
C-1		Legend and General Notes
C-2		Abutter's List and Map
C-3.0 – C-3.2		Layout and Materials Plan
C-4.1 – C-4.2		Grading and Drainage Plan
C-5.1 – C-5.2		Utility Plan
C-6		Site Details 1
C-7		Site Details 2

C-8	Site Details 3
C-9	Site Details 4
C-10	Site Details 5
C-11	Site Details 6
C-12.1 – C-12.2	Lighting Plan
C-13	Lighting Details

Overall Water Distribution and Sewage Collection Systems, prepared by Rennia Engineering Design, PLLC, Dover Plains, NY, last revised September 8, 2016.

Utility Service and Distribution Plan, Phase 1, prepared by Fellenzer Engineering, LLP, dated July 19, 2015, last revised July 19, 2016:

Sheet Number and Title	1	Title Sheet
	2	Phasing Plan
	3	Legend and Notes
	4	Electrical Supply – Site Plan (Full Build)
	5	Fiber Optic Data – Site Plan (Full Build)
	6	Natural Gas Supply – Site Plan (Full Build)
	7	Phase 1 Utilities Supply Plan
	8	Phase 1 Partial Site Plan
	9	Phase 1 Partial Site Plan
	10	Phase 1 Partial Site Plan
	11	Phase 1 Partial Site Plan
	12	Phase 1 Partial Site Plan
	13	Phase 1 Partial Site Plan
	14	Phase 1 Partial Site Plan
	15	Phase 1 Partial Site Plan
	16	Phase 1 Switching Layout and Schedules
	17	Site Utility Details
	18	Site Utility Details
	19	Site Utility Details

Environmental Assessment dated September 3, 2015, last revised August 10, 2016, including:

Appendix I, Typical Signage and Main Gate Entrance Details, received on August 11, 2016  
Appendix J, Typical Building Elevations for Phase 1, plans prepared by Liscum McCormack VanVoorhis dated 7/27/2015, Dining Hall elevations, Security Guard Shack elevations, typical windows and ramp elevations.

WHEREAS, the Planning Board has reviewed typical sign elevations as part of site plan and architectural review and found that the number and size of proposed signs complies with applicable sign regulations, all actual signs constructed or installed must comply with the typical standards depicted in the materials provided to the Planning Board and all Town of Dover applicable sign regulations; and

WHEREAS, the application was accompanied by a Full Environmental Assessment Form ("EAF"), dated September 3, 2015, last revised August 9, 2016 and an Environmental



Assessment dated September 3, 2015, last revised August 10, 2016, that provides additional information to support or supplement the EAF; and

WHEREAS, on September 28, 2015, the Planning Board classified the action as a Type I action and declared its intent to serve as lead agency in a coordinated review of the project, to which no other agency objected; and

WHEREAS, on August 15, 2016, the Planning Board adopted a SEQRA Determination of Significance, finding that the project as proposed would not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement would not be prepared (also known as a "Negative Declaration"); and

WHEREAS, a duly noticed public hearing was opened on June 20, 2016 and continued to August 15, 2016, and further continued and closed on September 19, 2016, during which all those who wished to speak were heard.

**NOW, THEREFORE, BE IT RESOLVED, that the Planning Board makes the following findings pursuant to Section 145-63 of the Town Code:**

- 1. The project complies with all land use district, overlay district, and other specific requirements of the Zoning Law and other local laws and regulations and will be consistent with the purposes of the Zoning Law and the applicable zoning districts. The Town Zoning Enforcement Officer determined that compliance with the MC-Overlay District was not required for a project seeking to re-use the existing site and buildings for an educational campus.**
- 2. The project is consistent with the values in the Town's Comprehensive Plan Update ("CPU"). A goal of the CPU is to "protect and promote restoration of Dover's historic buildings . . ." The site contains twenty buildings which are listed on or eligible for listing on the state and national registers of historic places. The applicant is proposing to rehabilitate 16 of the buildings.**

**Another goal of the CPU is to encourage economic opportunities that provide a stronger employment base. The re-use of the site will result in positive economic impacts to the community. At full build-out the applicant anticipates employing approximately 750 professional staff plus additional in the areas of food service, maintenance and security. Phase 1 also includes the Tech Park, which will bring additional employment and investment to the area.**

**The CPU also encourages the preservation of the Town's natural resources and the promotion of appropriate area for economic opportunities. The re-use of the abandoned psychiatric center site meets this goal.**

- 3. The project will not result in excessive off-premises noise, dust, odors, solid waste, or glare or create any public or private nuisances.**

4. The project will not cause significant traffic congestion, impair pedestrian safety, or overload existing roads, considering their current width, surfacing, and condition, and any improvements proposed to be made to them by the applicant. The project was evaluated for the potential to generate traffic. No traffic impacts are anticipated for Phase 1. The applicant is prepared to install traffic mitigation devices as the need arises in accordance with the traffic management plan and traffic master plan.
5. The project will be accessible to fire, police, and other emergency vehicles. The site contains an existing road network which provides access to all buildings and uses.
6. The project will not overload any public water, drainage, or sewer system, or any other municipal facility. The applicant is proposing to upgrade existing sewer and water systems that previously serviced the site and has demonstrated that both systems have adequate capacity to serve the site.
7. The project will not materially degrade any watercourse or other natural resource or ecosystem or endanger the water quality of an aquifer.
8. The project will be suitable for the property on which it is proposed, considering the property's size, location, topography, vegetation, soils, natural habitat, and hydrology, and, its ability to be buffered or screened from neighboring properties and public roads. The applicant has provided for extensive landscaping to soften the view from Route 22.
9. The project will be subject to such conditions on operation, design and layout of structures, and provision of buffer areas as may be necessary to ensure compatibility with surrounding uses and to protect the natural, historic, and scenic resources of the town.
10. The project will be consistent with the goal of concentrating retail uses in hamlets, avoiding strip commercial development, and buffering nonresidential uses that are incompatible with residential use. The project involves the re-use of an institutional campus which has already been significantly disturbed.
11. The project will not adversely affect the availability of affordable housing in the town and will increase the diversity of housing options within the Town. The campus will provide housing for single and married students as well as staff.
12. The project has been designed to comply with applicable site plan criteria.

**BE IT FURTHER RESOLVED**, that a proper case does not exist for requiring that a park or parks be suitably located for playgrounds or other recreational purposes within the Phase 1 site plan as the property currently provides sufficient recreational areas and amenities to serve the Phase 1 population although recreation needs may be revisited during future phases.

**BE IT FURTHER RESOLVED**, that the Planning Board hereby grants special permit, site plan approval and architectural review approval to the project, as depicted on



the Site Plan Set, and authorizes the Chair to sign the site plan after compliance with the following conditions:

1. Payment of all fees and escrow.
2. Department of Health approval of methods of water supply and sewage disposal.
3. Approval of the final SWPPP by PB Engineer.
4. Submission of two copies of a complete Environmental Assessment with all appendices including the revised pages received on August 11, 2016.
5. Any tree clearing must be done in accordance with the Department of Environmental Conservation's guidance with respect to the Indiana Bat.

**BE IT FURTHER RESOLVED**, that the Planning Board grants the applicant an erosion and sediment control permit for disturbance as shown on the plan set, subject to the following conditions:

1. Submission of \$1,000.00 to be placed into escrow to cover the cost of site inspections by the Town Engineer.
2. Submission of a performance guaranty in the amount of \$22,000.00 in form, substance, and matter of execution satisfactory to the Town Attorney.

**BE IT FURTHER RESOLVED**, that before the authorized official may issue a Certificate of Compliance for work completed in accordance with the erosion and sediment control permit, the Planning Board Engineer shall provide the authorized official with a written statement indicating that all work authorized under the permit has been completed and is satisfactory.

**BE IT FURTHER RESOLVED**, that when the applicant applies for approval of any future phases of development the applicant shall provide an updated traffic management plan consistent with the overall traffic master plan and the Planning Board shall revisit on- and off-site transportation and circulation patterns of vehicles and pedestrians.

**BE IT FURTHER RESOLVED**, that the applicant shall provide the Town with evidence of dissolution of the Dover Knolls Water-works Corporation and Dover Knolls Sewer-works Corporation before a building permit may be obtained for any upgrades to the existing sewer system.

**Resolution Approved/Disapproved:**

**Date:** September 19, 2016

Moved by: Valerie LaRobardier

Seconded by: Wm Sedor

David Wylock  
Valerie LaRobardier  
Peter Muroski  
Jay Murphy  
Bill Sedor  
Michael Villano

Y  
Y  
Y  
Y  
Y  
Y

David Wylock  
Planning Board Chair David Wylock