

APPROVED

**Town of Dover
Architectural Review Board**



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

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TOWN CLERKS OFFICE
TOWN OF DOVER

(845) 832-6111 ext 100

**STATE ENVIRONMENTAL QUALITY REVIEW ACT FINDINGS
OF THE ARCHITECTURAL REVIEW BOARD OF THE TOWN OF DOVER
RESPECTING THE CRICKET VALLEY ENERGY CENTER**

Name of Action: Cricket Valley Energy Center

Name of Project Sponsor: Cricket Valley Energy Center, LLC

Name of Involved Agency: Architectural Review Board of the Town of Dover
126 East Duncan Hill Road
Dover Plains, New York 12522

**Contact Person for
Additional Information:** Hon. Ryan Courtien, Supervisor
(845) 832-6111 ext 110

SEQR Status: Type 1

Date Final FEIS Filed: July 25, 2012

The Architectural Review Board of the Town of Dover (the "ARB") is an Involved Agency in the review of the Proposed Action as defined by the New York State Environmental Quality Review Act (Article 8 of the New York State Environmental Conservation Law) and its implementing regulations, 6 NYCRR Part 617, (referenced herein as "SEQRA"). Pursuant to the requirements of SEQRA the ARB makes the findings contained herein for the Proposed Action identified below.

In preparing this Involved Agency SEQRA Findings, the ARB, as an Involved Agency, relies on the facts and analysis presented in the Draft Environmental Impact Statement (DEIS) (dated May 18, 2011) and the Final Environmental Impact Statement (FEIS) (dated July 25, 2012) prepared by the Project Sponsor under the supervision of the New York State Department of Environmental Conservation (NYSDEC), which served as Lead Agency for the review of the Proposed Action. The ARB also makes reference to the Lead Agency SEQRA Findings (dated September 26, 2012), which document summarizes the Lead Agency's findings as to the key facts and conclusions relating to permits granted by NYSDEC.

Description of the Action:

Cricket Valley Energy Center, LLC (hereinafter referred to as "CVEC" or the "Project Sponsor") proposes to construct the Cricket Valley Energy Center (hereinafter referred to as "CVE" or "the Project") – a combined cycle natural gas powered 1,000-megawatt (MW) electric generating facility and interconnection substation. The Project is proposed to be located on an approximately 193-acre assemblage of properties with an address at 2241 Route 22 (the "Project Site"). The "Project Development Area" within which the electric generating facility is proposed to be located, is an area of approximately 57 acres located west of Route 22 and is the site of the former Mica Products industrial facility. An additional 57 acres of industrial land to the south of the Project Development Area is the site formerly leased to Rasco Materials, LLC (the "Rasco Site"). Approximately 13 acres of the Rasco Site will be temporarily used during the construction of the Project. An additional 79 acres of land west of the Metro-North Railroad tracks comprises the balance of the property controlled by the Project Sponsor. This 79-acre area is located within the Great Swamp Critical Environmental Area. A 38.8-acre temporary construction parking and laydown area (the "Remote Laydown Site") is proposed to be located approximately 2.5 miles north of the Project Development Area on a parcel on the east side of Route 22 near the intersection of Old Post Road/Old Route 22.

Jurisdiction of ARB:

Town of Dover Town Code Chapter 37-5A-1 10567704

The review jurisdiction of the ARB shall be as follows:

"37-5.A(1) 10567705 Every application for a building permit for the construction, reconstruction or alteration of any building in excess of 1,000 square feet of gross floor area, other than an application for a single-family or two-family residence or residential accessory structure, and every application for a special permit or site plan approval for a building within the Town of Dover shall be referred to the ARB for review and approval, approval with conditions, or disapproval within seven days of the submission of the application. All applications to the Planning Board or Town Board which fall within the ARB's jurisdiction shall be deemed to be simultaneously referred to the ARB."

"37-5A(5) 10567709 The ARB shall review and approve, approve with conditions, or disapprove signs to be erected in connection with buildings subject to review under this chapter and in accordance with § 145-39D of the Town Code....."

Review Criteria:

Town of Dover Town Code Chapter 37-6A and B

The ARB shall base its decision on the following criteria:

- 1) 10567719 Compatibility of any proposed change to an existing building with the architectural character of the existing building and with neighboring buildings
- (2) Compatibility of any new building with neighboring buildings.
- (3) The compatibility of roof structures, chimneys, dividing walls, fences, and lighting equipment with the building and surrounding buildings.
- (4) Proper screening from view of mechanical equipment, loading docks, and waste storage facilities.

- (5) For purposes of this Subsection A, "compatibility" shall mean that the scale, massing, height, building materials, building proportions, window arrangement and proportions, roof designs, architectural style, and other architectural elements shall be harmonious with existing buildings on adjoining properties and in the surrounding neighborhood, and with buildings typically built in rural New York towns and villages before 1950. Architectural styles of more recent origin may be approved if the ARB finds that they are of outstanding design and do not detract from existing buildings in the vicinity.

SEQRA Findings:

The ARB hereby certifies that its obligations as an Involved Agency under 6 NYCRR Part 617 have been met.

Pursuant to Article 8 of the Environmental Conservation Law and its implementing regulations (6 NYCRR Part 617) and after due consideration of the relevant environmental impacts, facts and conclusions disclosed in the DEIS and FEIS, and after weighing and balancing the relevant environmental impacts with social, economic, and other considerations and the relevant provisions of the Town of Dover Town Code, the ARB of the Town of Dover certifies that the Proposed Project and its related signage, due to its design and the incorporation of the revisions requested by the ARB avoids, where possible, and minimizes adverse impacts to the extent practicable.

SEQRA Findings Approval;

Motioned by Lloyd Scharffenberg Seconded by Brigid Casson

Vote:

Chair Scott Daversa	: AYE	Member Brigid Casson	AYE
Member Lloyd Scharffenberg	: AYE	Member Jay Murphy	AYE
Member Glenn Nielsen	: AYE		

[Handwritten Signature] *Chair 12/17/12*

 ARB Chair Scott Daversa

