



Environmental and Planning Consultants

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Memorandum

To: Town of Dover Planning Board
From: Ashley Ley and James Nash
Date: January 15, 2014
Re: Quartararo

AKRF, Inc. has reviewed the Eastern Timber Rattlesnake Habitat Assessment Report for the Quartararo Property, prepared by Michael Nowicki, and dated 11/27/13.

1. The Timber Rattlesnake Habitat Assessment Report provides a thorough analysis of the potential for timber rattlesnakes to frequent the subdivision site. The Timber Rattlesnake is a NYS “threatened” species.
2. Due to the very close proximity of the project site to known den sites and basking habitat, NYSDEC is an involved agency in accordance with SEQRA and must review of the applicant’s Timber Rattlesnake report and its mitigation recommendations. This has already been initiated by the Town submitting its intent to declare lead agency under SEQRA. The NYSDEC response indicated that the Town should contact Lisa Masi of Region 3 due to the presence of Timber Rattlesnake. AKRF has reached out to Lisa Masi and submitted a copy of the Timber Rattlesnake report. Getting feedback from NYSDEC is critical for the Town to make a determination on this application, as this agency is in possession of the best technical and habitat data regarding the Timber Rattlesnake. The proposed arrangement of homes and driveways may constitute a taking with respect to this species. The NYSDEC may also provide comments for the Town’s consideration that would modify the proposed project to minimize timber rattlesnake impacts.
3. We note that the large size of the proposed single family lots and depth within which each building site is located maximizes habitat fragmentation and the potential disturbance to migrating/foraging snake (including roadkill). An arrangement that moves the proposed homes closer to the existing roads is far preferred and would substantially minimize potential timber rattlesnake impacts. This is especially true for the proposed 69 acre Lot 2, but applies to Lots 3 and 4 as well. Ideally, large portions of the lots that are furthest from Chestnut Ridge and Ridge Roads would be preserved in conservation easement to protect snake migratory movements. As such, the Applicant should consider pursuing a Flexible Subdivision (see §145-18 through 20 of the Town Code).
4. The responsible entities that will inspect the snake exclusion fencing proposed by the applicant must be named as a condition of subdivision approval. In addition to daily fence inspection during the construction period, an ecological consultant with timber rattlesnake experience should also be

designated and should visit the sites of construction on a weekly or bi-weekly basis during the period snakes are active (April-October). The procedure for contacting the appropriate ecological consultant in the event of encountering a rattlesnake during construction should be included in the approval documents.