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## Memorandum

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**To:** Town of Dover Planning Board  
**From:** Ashley Ley and James Nash  
**Date:** February 28, 2014  
**Re:** Quartararo

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AKRF, Inc. has reviewed the revised Eastern Timber Rattlesnake Habitat Assessment Report for the Quartararo Property, prepared by Michael Nowicki, and dated 2/10/14:

1. Although the site appears to lack prime basking habitat (rock outcrops and talus with sun exposure), the photo documentation shows that the site does contain the general habitat preferred by the Timber Rattlesnake, notably bedrock and talus controlled landscapes in mixed deciduous forest with a variety of tree age classes and proximity to edge habitat (farm/road/field). In particular, see photos 11, 16, 18, 22, 28, 29, 47, and 48.
2. The photo location key shows several photos (30, 31, 32, 34, 36, and 37) taken from a distance but oriented (pointed) towards the uppermost ridge (highest topographic point where the Lot #2 home is proposed) – however, no photos are provided taken actually on the ridge itself. Furthermore, these photos are all labelled as “Lot 4”, not “Lot 2”. So there is a discrepancy between the individual photo labels and the photo location key figure. More definitive photos of the uppermost ridge on Lot 2 should be provided by the applicant.
3. NYSDEC has reviewed the applicant’s original report and should provide comments on the latest site photos now provided, ideally after more site-specific photos are provided of the high ground on Lot 2. The Town has initiated the request for NYSDEC Jurisdiction under ECL Article 11 Part 182.
4. We note that NYSDEC Biologist Lisa Masi commented, in an email to the Town dated 1/28/13, that the DEC requires a soils map and photos of “the knob/hill in Lot 2”. These have not been provided. We also note that DEC requested area of impact/limits of disturbance for the new lots. These are shown as the “LD” lines demarking the extent of grading on “Sheet 1 of 1: Proposed Subdivision Development Worksheet 2/17/14.”
5. No new/additional measures to avoid impacts to Timber Rattlesnakes and foraging habitat are proposed in the revised report and no changes to the layout of homes/driveways are proposed. Therefore, AKRF’s prior comments on this application still apply:
  - a. 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).

- b. 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.