

OPEN SPACE PLAN

One of Dover's most important assets is its beautiful natural setting. Much of what is scenic about Dover can be attributed to the undeveloped nature of the Town, its woodlands, meadows, and wetlands. But a comprehensive definition of open space would include most land not dominated by structures or parking lots, certainly farmland, parks, recreation areas such as, golf courses, as well as major landscaped portions of private estates or government properties.

Critical in Dover's appearance and character are not just the individual parcels that may be defined as open space, but the natural systems that link these areas. Stream corridors, wetlands, steep slopes and ridgelines are usually interconnected. These continuous systems help provide the feeling that open land flows through the Town. By permitting wildlife to travel more freely, limiting streambank erosion and siltation, maintaining a variety of vegetation in woodlands and open fields, leaving room for floodwaters to be harmlessly stored and buffering surface and groundwaters from polluted runoff, they help to maintain the natural environment on which all land uses and communities depend.

In developing an open space plan it is important to emphasize both the individual areas that are important to the community and the systems that form links between those areas and provide open space themselves. With diligence and using a variety of techniques including incentives, cooperation with government and landowners, cluster development, subdivision and site plan review, easements and acquisition, among others, Dover will be able to preserve much of its important open space while accommodating future growth.

Open space planning requires that a strategy be developed to insure preservation of those critical areas and systems that are not afforded any formal protection under existing federal, state, or local laws. However, for open space planning to work, it must allow for development. The open space plan attempts to balance areas available for growth with areas maintained as a natural landscape, so that residents and visitors can enjoy the existing rural atmosphere and coexist with nature.

Open space preservation should also be viewed as economic development in itself. Parks, trails, historic sites and recreational areas attract tourists and farms and agricultural operations provide jobs. It has been well documented that land conservation and farmland in particular pay more in taxes than they require in town services, while most suburban residential development results in a net loss to local taxes. Preserving open space, therefore, not only generates significant economic opportunities, it also offers long-term stability to the tax base.

The open space plan is derived from several sources. The open space inventory developed by the Dover Conservation Advisory Commission (CAC) in conjunction with the Dutchess County Planning Department provided

critical background information. The previously mapped natural resource systems, especially 100-year floodplains, stream corridors, wetlands and networks of steep slopes were also important. Wilderness areas and spots where open space uses have traditionally taken place were integrated, along with the Town's most significant agricultural areas and deposits of prime farm soils. The plan and accompanying map identify these resources. A set of specific policy recommendations follows the resource identification section.

Open Space Categories

The Open Space Plan Map identifies eight different open space land categories. The first two categories include lands which are already subject to some form of permanent protection. These lands are owned either by a governmental entity or a conservation organization whose stated purpose is to preserve such properties in their natural state in perpetuity.

1. Existing Public Recreation Lands. These include the federally owned Appalachian Trail lands, the Harlem Valley Psychiatric Center golf course, and Dover's 99-acre Boyce Park. Also included are the J.H. Ketcham Park in Dover Plains and two smaller town parcels that provide access to the Ten Mile River near Dover Plains;
2. Quasi-Public Open Space. These include two Nature Conservancy properties: Nellie Hill, 144 acres south of Dover Plains, and the 262 acre Pawling Nature Preserve at the southern town border.

The following six categories include lands which are presently protected because of their ownership status, but which could be developed for non-open space purposes. This category also includes other lands which have worthwhile open space features, but which currently have no protection.

3. Water Resources. These include stream corridors, federally designated 100-year floodplains and major wetland systems. Most minor streams and minor wetlands (state-regulated or not) have been excluded from the open space plan. However, this is not meant to belittle their importance. The distinction has been made to simplify mapping and so as not to unnecessarily burden landowners.
4. Institutional Lands Held by Tax Exempt Organizations. These include Camp Sharparoon, Camp Rahma, Camp Siwanoy and several holdings of religious organizations. The traditional open space uses of these properties, in combination with their long-term tax exempt status and philanthropic philosophy of the organizations, create a special opportunity to insure proper protection through more detailed parcel by parcel open space plans.
5. Public Lands Not Permanently Protected. The only property within this category is the Harlem Valley Psychiatric Center. This was considered for inclusion under the permanently protected lands category; however, the uncertain disposition of this property in

the future makes its protected status questionable. In fact, New York State has begun the environmental review process necessary to sell portions of the property to the highest bidder. The golf course, which is one of parcels identified for possible sale, is a key open space feature on the Harlem Valley Psychiatric Center property.

6. Conservation Areas. These areas principally include East and West Mountains. The mountains are important for many reasons: they contain rare and important species, are natural scenic areas, are home to wildlife communities and provide rare wilderness areas. These areas have been singled out to emphasize their importance. They are too large to reasonably expect the permanent preservation of the areas in their entirety. However, many techniques can be used to insure that the most important overall features remain while property owners are insured a reasonable return on investment.
7. Specific Sites. These include Stone Church, Seven Wells, Sharparoon and White's furnaces, the Tamarack and Fen wetlands and the existing informal access to the Ten Mile River along Route 55. These specific sites are all presently in private ownership; however, they are important resources that should be afforded more formal protection. Site specific implementation steps will be needed to be developed to take account of the differing circumstances and landowner needs.
8. Agricultural Resources. These areas include operational farms, agricultural operations within designated agricultural districts and especially areas where prime agricultural soils exist (see Farms and Agricultural Soils Map). They are designated in order to focus Town and other governmental and non-governmental efforts on the long-term viability of farming and protection of the best farm soils. The generalized boundaries shown should not be interpreted as conclusive, but should be supplemented by more site specific analysis during any development review process.

Policies

The following policies are organized according to the categories laid out above. The categories correspond to those found on the Open Space Plan Map.

1. Existing Public Recreation Lands.
 - a. Seek funds and work with other interested agencies to implement the Boyce Park master plan.
 - b. Diversify the range of recreational opportunities available on public lands.
 - c. Develop a specific trail proposal to connect Boyce Park and the upland areas of the Harlem Valley Psychiatric Center with the Appalachian Trail.

- d. Expand existing holdings and develop ballfields in the Dover Plains hamlet area.
 - e. Use recreation fees collected through the subdivision process specifically for land acquisition and capital improvements.
 - f. Work with property owners to obtain recreational easements and additional public access points along the Ten Mile and Swamp rivers.
 - g. Work with the Appalachian Trail Conference to develop alternate routes for the trail where it currently uses Dog Tail Corners and Aldrich roads.
2. Quasi-Public Open Space.
- a. Establish open space and trail links between Nellie Hill and the hamlet of Dover Plains. In cooperation with the Nature Conservancy, develop picnic areas on the site.
 - b. Work with the Nature Conservancy to develop a plan to increase public use and appreciation of Nellie Hill and Pawling Nature Preserve.
3. Water Resources.
- a. Develop tiered regulations based on stream classification. Minimum proposed setbacks are 100 feet from the edge of a designated stream where existing vegetation should remain.
 - b. Enforce floodplain regulations to strictly limit the placement of structures within the 100-year floodplain.
 - c. Planning for natural resource or open space corridors should be an integral part of any development review. Natural or open space corridors that are part of water resource systems should be protected.
 - d. Public access to water resources, where appropriate, should be required during development review. Public access should include trails or trail links, canoe and boat launches and fishing access.
 - e. The Town should consult organizations concerned with water resources to insure appropriate protection and access. Specific organizations include Trout Unlimited, the Dutchess County Soil and Water Conservation District, and the Dutchess County Water and Wastewater Authority.
 - f. Recreational access and the tourism potential of the Ten Mile and Swamp Rivers should be developed and promoted.

4. Institutional Lands Held by Tax Exempt Organizations.
 - a. Work with the landowners to obtain controlled public access to privately owned sites for recreational purposes (such as public trail easements across private lands as part of a town trail system).
 - b. Establish agreements with owners of tax exempt parcels labeled in Master Plan to give right of first refusal to the Town on future land sales.
 - c. Establish agreements with owners of tax exempt parcels to give primary consideration to traditional open space uses of parcels when properties come up for development
 - d. Establish a committee to deal with requests for assistance from such landowners before properties come up for development. Specific resources within subject parcels should be identified and a site specific development plan should be created which would preserve those resources and allow owners a fair return on investment.
 - e. Develop relationships with outside organizations who have expertise in land preservation so that if parcels come up for development maximum preservation can be insured. Such organizations include the Nature Conservancy, the Dutchess Land Conservancy, Dutchess County Planning Department, Oblong Land Conservancy, and Scenic Hudson.

5. Public Lands Not Permanently Protected (Psychiatric Center).
 - a. Work with New York State to develop and implement a comprehensive strategy and plan for the disposition of the property. Considerations should include economic development, affordable housing, mix of uses, conservation and recreation uses. The Town should not allow the property to be sold off in an unplanned, piecemeal fashion.
 - b. Lobby appropriate New York State agencies for local control of surplus portions of the property.
 - c. With respect to the golf course, use state law provision which allows the State to offer surplus lands to the municipality for one dollar upon their sale. Seek an organization, such as the Harlem Valley Golf Club, which would manage the club and allow it to remain open to the public.
 - d. Develop protection mechanisms to insure that steep slopes, the reservoir and upland portions of the property are permanently protected from development.
 - e. Work with Appalachian Trail Conference to establish open space trail connections with Psychiatric Center property and Boyce Park.

- f. Seek to maintain current agricultural uses on farmed portions of property.
- g. The Town should insist that the portion of the property that encompasses the Great Swamp be permanently protected.

6. Conservation Areas.

- a. Develop and implement appropriate low density zoning techniques to insure the proper development of the West Mountain pine barrens and the wilderness areas of East Mountain as Critical Environmental Areas. Such techniques could include mandatory clustering of units and sliding scale or other flexible zoning techniques.
- b. Consider a transfer of development rights and/or purchase of development rights program to be applied within these areas.
- c. Establish incentive zoning techniques to encourage the preservation of these areas. Such techniques should include reduced road standards and bulk requirements.
- d. Negotiate with landowners to establish open space greenway easements in these areas. Greenways could be limited so that public access is prohibited where owners do not wish such access.
- e. Consider conservation density zoning to encourage the preservation of open land.
- f. Continue to adopt steep slope, wetland protection and other environmental protection ordinances to insure that inappropriate development does not take place.

7. Specific Sites.

- a. Complete the work to nominate White's and Sharparoon Furnaces to the National Historic Register. Work with landowners to develop buffer areas around the sites and hire professional archeologists to study the sites and their surroundings. Designate the sites as local historic landmarks and implement accompanying regulations for their long-term protection.
- b. Work with landowners to obtain easements and limited public access for the Seven Wells and Stone Church sites.
- c. Develop specific regulations which would protect the Tamarack and Fen wetlands. Seek New York State DEC designation of these wetlands as regulated class I wetlands.

- d. Work with New York State and other appropriate organizations, included Trout Unlimited, to secure formal, permanent easements to current access along the Ten Mile River.

8. Agricultural Resources.

- a. Work with existing farmers and farming operations to develop long-term conservation plans for their properties.
- b. Actively promote agricultural activities including agricultural-based businesses.
- c. Implement tax incentives and tax reductions for active farm uses.
- d. Work with the Department of Environmental Conservation to strictly regulate the mining of prime agricultural soils.
- e. Consider adopting regulations which would limit development on prime agricultural soils. The use of mandatory cluster regulations to permanently protect important agricultural soils should be considered.
- f. Work with other Harlem Valley towns on regional strategies for promoting agricultural activities and products.

HAMLET CENTER PLANS

The traditional land use pattern in Dover, and the Harlem Valley as a whole, is essentially rural. It is characterized by natural open space, farming activities and low density, primarily residential uses that surround well-defined centralized settlements. Concentrated, mixed-use village or hamlet settings make sense from both an economic and social perspective. They promote community feelings, help conserve resources, make shopping a personal and enjoyable experience, foster the spontaneous and unchauffered movement of children, and build individual identity by offering a historic sense of place. Businesses also benefit through shared parking and access, the collective attraction of many nearby services or products, and the surrounding strong residential base of support. Since one of the primary goals of this plan is to encourage growth in and around the traditional community centers of Dover Plains and Wingdale, rather than allowing suburban sprawl throughout the valley, a closer analysis of the hamlet centers is appropriate.

Dover Plains

The limits of the historical hamlet of Dover Plains have been well contained by the Ten Mile River to the north and east, Nellie Hill to the south and the steep slopes of West Mountain beyond Route 22. The river's extensive 100-year floodplain literally wraps around the existing residential neighborhoods, making internal expansion difficult. As a result, residential development in the last 25 years has displaced farmland east of the Ten Mile River, while larger scale commercial development has shifted south of Stone Church Brook out of convenient hamlet walking range. The master plan recommends a continuation of the traditional concentrated growth pattern that will reinforce the hamlet as a community center, define clear expansion boundaries, and allow for circulation alternatives not completely dependent on the automobile. These recommendations were coordinated with the "Regional Economic Development Study for the Harlem Valley" (REDS), prepared by private consultants for the Harlem Valley Partnership, which included a Dover Plains Town Center Action Plan. The Action Plan contains detailed economic development strategies for Dover Plains that are consistent with the recommendations of this master plan.

Dover Plains contains three somewhat separate areas of commercial development: the historic late-nineteenth century center around the railroad station (most commonly referred to as Railroad Square), the long retail district along Route 22 primarily from Mill Street to Route 343, and the newer shopping plazas south of Stone Church Brook. The challenge is to relate these three areas into the hamlet center concept, while developing their distinct commercial potentials.

The Railroad Square area has lost much of its retail activity because of the distance from Route 22, the dead-end circulation of Market Street, and the congestion caused by train commuter parking. Growth in this area should build on the station as an attractor and the historic value of the buildings surrounding the central square. A facade restoration program, either through voluntary peer example or better yet, through a low interest, revolving loan initiative by local banks, is needed to

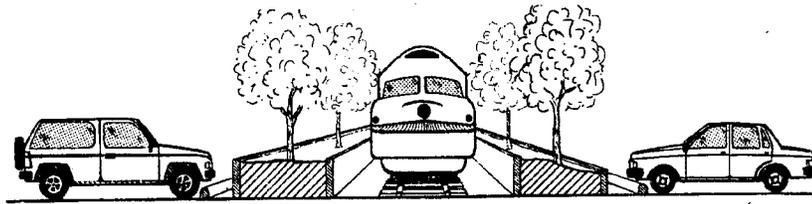
emphasize the historic qualities and unique pedestrian scale of the square. A community sponsored restoration of the depot for an active public or commercial use should be the initial centerpiece project, perhaps followed by the larger freight house building.

A key to improving circulation and parking is provided by the large funnel-shaped parcel north of the depot owned by the Metro-North Commuter Railroad. This area could furnish ample all-day commuter parking so that the spaces south of the station would be available for short-term parking for adjacent businesses. Under existing conditions, commuters from outlying areas, Connecticut and even Massachusetts park free all day lining the tracks north from the Mill Street crossing and wherever else they can squeeze in around the station. This traditional central square for the Dover Plains community has become strictly a parking lot with virtually no landscaping or greenspace and no adequate controls for pedestrians crossing the tracks.

The funnel-shaped Metro-North parcel also offers a logical right-of-way connection to Route 22 along the southern edge of an existing industrial property. A new northern connecting road would provide several advantages, including:

- convenient access to the railroad station from the main highway for commuters who use this final stop on the Harlem Line;
- improved traffic circulation through Railroad Square with a second crossing at the commuter lot encouraging new commercial development along the east side of the tracks up to the freight house building;
- better access for the existing industrially zoned parcel and an expanded industrial district to the north; and
- the new intersection with Route 22 could continue straight across to improve the alignment of Route 343, and would serve as a clear northern boundary to help slow traffic entering the hamlet.

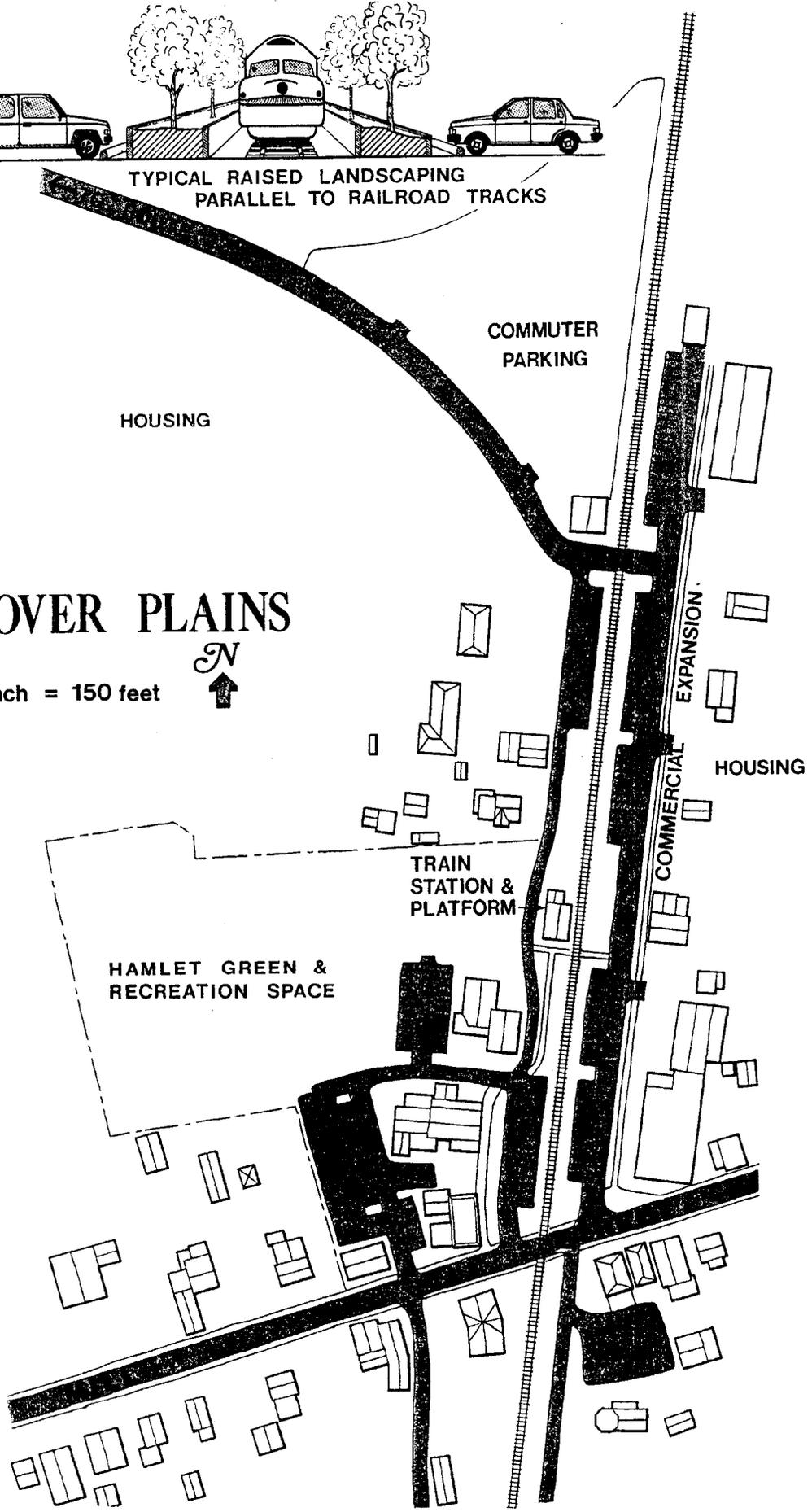
With improved access and parking, the square could become a focus of public activity centered around the all-important Post Office. The REDS report recommends public buildings, small-scale offices, and retail activities that can service railroad commuter needs for this area. Additional parking can be constructed to the rear of the buildings facing the square so that a good portion of the central area can be reserved for greenspace and expanded sidewalks with pedestrian scale lighting fixtures. A tree-lined, landscaped buffer along the rail line, either a raised planter as currently exists in one section or a berm to a two-foot high retaining wall, would diminish the effects of the tracks through the center of the square, keep the cars a safe distance away without the need for unsightly guardrails, and direct pedestrians to controlled crosswalks rather than being able to wander across the tracks at will.



TYPICAL RAISED LANDSCAPING
PARALLEL TO RAILROAD TRACKS

DOVER PLAINS

1 inch = 150 feet



Surrounding the square on the large vacant parcels to the east and west should be high density housing targeted at elderly persons who prefer services and shopping within easy walking distance or residents who use the train regularly. The final essential component of a reinvigorated Railroad Square is the central green and recreation space known as Palmer Field. Purchase of this property by the Town would provide a necessary playing field for the hamlet, area for additional parking behind the Post Office, and a wonderful elevated green facing the train station with scenic views of the mountain ridgeline to the west.

The Route 22 retail corridor also requires design changes to attract new businesses and be effective in the context of a hamlet setting. The existing conditions have an overly wide, high speed feel that does not encourage traffic to slow down, let alone stop at the commercial establishments. Walking along the street between businesses is uncomfortable. The commercial architecture, signs, and access points are, with a few notable exceptions, disorganized and visually confusing.

The first order of business is to slow traffic down to 30 miles per hour or less from the police substation to the plazas on the southern edge of the hamlet. However, speed limit signs and police enforcement are only part of the solution. The boundaries of the hamlet area must be clearly defined with transitional speed limit reductions outside the hamlet and attractive, landscaped entrance signs at the beginning of the low-speed zone. The sense of road enclosure must also be narrowed to psychologically slow drivers down. Street trees planted close to the road will reinforce lower speed limits while adding greenery along the sidewalk and giving the streetscape a unified look.

Building setbacks should be relatively short with parking shielded to the rear or side of the buildings. Short setbacks produce an appearance consistent with a hamlet scale, in contrast to wider highway zones. They also allow a stronger emphasis on architectural elements, quality landscaping, and wall signs rather than the typical commercial strip frontage of parking lots and free-standing signs. Only ground based and wall signs should be permitted. Architecture, streetscape, and sign strategies are discussed in more detail in the REDS Dover Plains Action Plan, as well as an earlier, somewhat outdated report entitled "Dover Visual Design." Updated design standards should be officially adopted in conjunction with zoning revisions. With a stronger emphasis on multiple establishments on a single parcel, development to the rear of the larger properties, shared access and internal driveway connections, the Route 22 business corridor has ample room to grow and make the transformation from a scattered retail strip to an attractive central commercial district.

The northern boundary of this commercial district should be defined by the intersection with the proposed connecting road to Railroad Square. The large open field to the north of this intersection should be protected by conservation easement in exchange for industrial rezoning of the portion of the property to the east behind the tree line. This parcel, the Nellie Hill area, and the farmland to the east, are crucial as a greenbelt buffer that encircle the hamlet, define its boundaries and maintain a central identity.

The newer shopping plazas on the southern edge of the hamlet provide an appropriate location for larger scale structures and more highway business uses. This area is designated a Planned Business district to encourage a unified design approach on larger parcels with larger setbacks, common access, and a strong emphasis on landscaping and internal pedestrian features. Town officials should work with the property owners to ensure a mixed-use approach that supplements the other hamlet commercial areas rather than competing with them. Walkway connections between the plazas and to the hamlet center and a roadside appearance suitable for this major gateway entrance should be top priorities. Finally, this district and Nellie Hill should form the firm southern limits of hamlet density development.

Between these three commercial districts are two transitional areas. Along Route 22, the Town Library, elementary school, and fire station define a district suitable for offices and public buildings. The large houses just to the north on the west side of the highway are more appropriate for continued residential occupancy or office conversions rather than retail adaptation. Mill Street, on the other hand, is an important commercial connector between Route 22 and the Railroad Square area. However, because of the historic qualities of the houses and other buildings along the street, restoration and adaptive reuse of existing structures should be required with off-street parking to the rear. On-street parking on the south side, improved sidewalks and street trees would also serve as enhancements for small-scale commercial and office uses on Mill Street.

Higher density residential development is the final essential component of the Dover Plains hamlet plan. The large parcels above the floodplain to the east and west of Railroad Square have already been mentioned as prime housing sites. Also considered for this category were the large parcels of farmland east of the Ten Mile River along Benson Hill Road. In order to retain the farming use of these prime agricultural soil properties, yet still allow room for expansion close to the hamlet, a smaller section of farm property south of Fox Hill has been identified for higher density cluster housing. Any rezoning of this section or cluster proposal should be considered in exchange for permanent easements on the remaining riverfront and farmland to preserve its agricultural potential and important open space characteristics at the edge of the hamlet.

The other major development parcel with some higher density housing potential is the mining site west of Route 22 and north of Stone Church Brook. An application for additional mining on this property is pending at this time. What further complicates the future use of this land is its close proximity to the well field of the Dover Plains Water Company. A recent report for the Dutchess County Water and Wastewater Authority identified this specific property as a "window of vertically continuous sand and gravel between the lower aquifer and the surface fan deposits," and "the main source of water recharge to the artesian aquifer." Intensive development on this unique parcel could, therefore, be a likely pollution threat to the well supply and the larger prime aquifer. Until further test borings in the area are available and the extent of long-term mining into the sand and gravel aquifer is determined, the

plan recommendation is for lower density conservation residential uses only. If the scientific case can be made that the aquifer will be fully protected by a central sewer, storm drainage system, and other requirements, rezoning can be considered at a later date. Certainly, land adjacent to the wellfield and Stone Church Brook should be subject to a conservation easement under any development scenario.

It is assumed that all higher density housing developments will need to install central sewage collection systems. The Town should ensure that central utilities are coordinated into a hamlet-wide utility plan that is designed to handle future capacity and potential connections for the denser portions of the existing hamlet.

Wingdale

The area identified with the hamlet of Wingdale stretches from the southern town border to north of the traffic light at the American Legion Hall and east along Route 55 to beyond Boyce Park. This creates a hamlet that is linear in character, associated not only with the cluster of houses near the post office but also with the Harlem Valley Psychiatric Center (HVPC) and the commercial establishments along Route 22. Bounded by the Swamp River wetlands and flood plains on the west and the steep slopes just to the east of Route 22, Wingdale is extremely susceptible to a highway strip configuration. The challenge then is to create recognizable boundaries north and south and a stronger central focus so that Wingdale functions as a hamlet center, not an ever expanding highway commercial strip.

The major complicating factor in planning for Wingdale is the unknown status of the hamlet's major component and employment base, the HVPC. The state has announced the closure of the facility by April of 1993. The Division For Youth (DFY) detention facility is currently scheduled to remain active at the site. This master plan had to acknowledge the likelihood of the HVPC closing and consider land use options for the property in its local context. However, state actions may preclude local planning objectives, so the recommendations presented below will need to be pressed forcefully by local officials. The state should also be convinced to provide certain capital improvements and housing rehabilitation funds to help market the surplus property. Given the enormous problems to be generated by closure on this one geographic area and the substantial state savings in long-term operating costs, the task force should design an economic impact package to smooth the transition to a more diversified economy in the Harlem Valley.

From a land use perspective, the availability of much of the HVPC property for alternative uses is an opportunity to pull together the hamlet into a coherent whole. The institutional setting currently acts as a gap between the commercial concentrations to the north and south. The NYS Office of General Services has already begun the environmental review process to sell 361 acres of the HVPC property, including the golf course and most of the land to the west of the power plant. Returning a large percentage of the land to private use would also make a significant contribution to the tax base. The concentration of adaptable buildings and existing infrastructure, including water and

sewer systems with excess capacities, combined with substantial tracts of adjacent developable lands and good highway and train connections to the larger metropolitan region, make Wingdale a perfect place to develop a pedestrian village atmosphere. The main purpose of any alternative use should be to secure jobs for local residents.

The plan recommends that the HVPC frontage along Route 22 from the Administration Building to across the railroad tracks be converted to the commercial core of the hamlet, centered around the traffic light and train station. The Administration building with its formal setting would make an excellent public focal point for a relocated post office, for example. The expansive lawn along the frontage could be filled with businesses organized around a common access drive and exit onto Wheeler Road. The Maintenance Building near the station offers over 110,000 square feet of space for a large food store or retail outlet with room for expansion and parking to the rear. Even the power house could be adapted for some unique private purpose. The high quality of construction in the existing buildings would set the standard for new development in a tightly organized pedestrian commercial district to rival any in the area. Such a unique commercial center could be a regional attraction and a stopping point for weekend tourist business coming up Route 22 towards upstate New York and the Berkshires.

The large patient buildings surrounding the Administration Building could be converted with state housing assistance to a mixture of residential units serving seniors, commuters who could take advantage of the train station's easy access to White Plains and New York City, and a certain percentage of affordable units for Dover residents. This strong residential presence in a concentrated area would create a pedestrian scale heart for Wingdale and would contribute to the viability of the adjacent commercial businesses.

The buildings to the rear off Hutchinson Avenue are still designated for office, public, or institutional uses, anticipating a certain level of continued governmental activities at this site. The large structure on the hill (Sullivan Tower) seems particularly suitable for a nursing home or continued medical function, either public or private. Conversion of Sullivan Tower and adjacent buildings to alternative medical or institutional uses should be the highest priority as a way of providing immediate job opportunities for HVPC employees.

The property north of Wheeler Road off Hutchinson Avenue has been proposed for office and light industrial uses consistent with existing zoning. However, this parcel was the subject of a market study sponsored by the Urban Development Corporation in 1985 which concluded that "its advantages (state ownership, infrastructure in place) could not overcome the very poor image created by its proximity to HVPC and, more particularly, the DFY facility, which houses dangerous juvenile criminals behind visible flood-lit barbed-wire fencing." The DFY facility is clearly a physical detriment to the entire community center. The structures should be either physically buffered from the rest of the property with dense landscaping and a brick wall, or DFY should be relocated as soon as an alternative use can be found for the buildings that would provide an equal level of employment opportunities.

A second area appropriate for light industrial uses is located to the north of the golf course adjacent to the sewage treatment plant. Taking advantage of the considerable excess capacity of both the existing central water and sewer systems at the HVPC is an essential factor in the development potential of the Wingdale hamlet center. The additional industrial acreage would provide a healthier mix of uses and provide local employment opportunities for residents.

The plan retains the golf course as a recreational amenity for the nearby properties and the entire Town. To the west of the course, flanking Wheeler Road and extending over to Pleasant Ridge Road (CR 21), an area of hamlet density housing connected to the central utility systems is recommended. This location, surrounding the golf course and within walking distance of the train station and hamlet center, would provide an attractive site for a mixture of closely spaced single family and attached housing. As part of the development package for the adjacent higher density residential uses, a protective easement is proposed for the farm complex at the western end of Wheeler Road. Hamlet density housing connected to central utilities is also contemplated along Hutchinson Avenue on the more moderate slopes north of the existing DFY facility. The combined areas designated for higher density residential uses in Wingdale could meet a major portion of the entire Town's housing needs for the next two decades, thereby reducing the pressure for suburban style sprawl in the outlying rural areas.

This long term plan for development of the HVPC property, which mixes substantial private investment with a proportion of continued institutional presence, needs to remain flexible as more detailed studies of alternative uses go forward. Also, state agencies may be interested in major portions of the property for alternative medical uses or perhaps a medium security prison. All such uses should first be presented to Dover and Harlem Valley residents and achieve a general consensus of local approval before the state proceeds.

The two commercial districts to the north and south of the HVPC incorporate most of the existing active businesses in the area, but the intention is to contain further linear expansion beyond the designated limits of the hamlet center. Expansion in these commercial areas should be through infill and more intensive uses of existing commercial properties. Continued stretching of the retail district will only dilute business from the existing establishments and the proposed commercial core, lead to additional traffic congestion at each new access point, and contribute to an overall strip identity that will detract from Wingdale's potential as a unique place to stop. To maximize the commercial exposure in the hamlet, traffic must be slowed to 30 miles per hour or less by transitional speed zones, entry signs, shorter setbacks, and close to the road plantings, as well as by police enforcement. Improved site planning, signs, shared access, and landscaping standards, similar to those mentioned in the Route 22 segment of the Dover Plains analysis, should also be incorporated into design guidelines for Wingdale's commercial districts.

As in Dover Plains, a planned business district is proposed at the southern entrance to the hamlet. Several parcels suitable for offices and larger scale commercial uses are located between Route 22 and the railroad tracks. The size of the parcels allows for a coordinated access and circulation system, greater setbacks, and an extra level of landscaping treatment to act as a buffer for the bulkier structures and uses not always appropriate for the center of the hamlet. For all the entrance locations a gateway effect should be created that emphasizes the contrast between the rural outlying areas and the more actively developed commercial districts to come. The community center concept is thereby reinforced by the surrounding open space properties that so effectively frame the hamlet--Boyce Park, the school grounds, and the Swamp River floodplains to the north and west and the Pawling Nature Preserve, Appalachian Trail, and upland portions of the HVPC property to the east.

IMPLEMENTATION

To be effective, the Town's master plan must be a working document, continually consulted by various municipal boards and especially the Planning Board in the exercise of assigned duties. It is not a static document; rather it should reflect changing conditions. The policies contained in the plan should be reviewed at least every five years by the Planning Board, and the entire plan should be revised every seven to ten years depending on the changing character of the Town.

The necessary first step in putting the plan to work is for the Planning Board to adopt its recommendations for the future growth and improvement of the Town. While not required by law, the endorsement of the plan by the Town Board is useful in reinforcing its legitimacy as official town policy. Once adopted, there are many strategies which the Town and its citizens can use to implement the plan. Some of the major techniques are described below.

Zoning Law

Zoning may be defined as the division of a municipality's land area into districts, and the establishment of regulations controlling the use, bulk, and intensity of what may be placed on the land within each district. The division of land into districts constitutes the zoning map; the establishment of regulations for each district is the text of the zoning law itself.

Zoning in New York State is established under New York State Town Law as an exercise of a municipality's legal authority. It is designed to protect the health, safety and general welfare of the public. Zoning is the most commonly used means of carrying out a community's master plan. The Town of Dover Zoning Code was last comprehensively revised in 1978. The Town should review and update its law as soon as possible to be consistent with the recommendations of the master plan and various changes in state and federal laws.

Subdivision Regulations

When a tract of land is divided into smaller lots, the process is known as subdividing. The power and authority to control subdivisions has been delegated under state law to municipal governments. The purpose of such controls is to ensure that the conversion of land into building lots is done in an orderly manner, and that the necessary public facilities, such as streets, water and sewage facilities, are provided in accordance with municipal standards.

The Town adopted subdivision regulations in 1986, with review authority assigned to the Planning Board. Careful subdivision review is especially important to ensure the responsible development of the large vacant lots in the more undeveloped areas of the Town so that these parcels, when developed, maintain the character of the Town as a whole. Subdivision regulations will also help ensure the proper subdivision of any of the large lots within the community centers. The existing subdivision regulations should be reviewed for consistency with the recommendations of this plan and any subsequent revisions in the zoning law.

Site Plan Approval

Site plan review is used to carefully assess certain types of building proposals. Site plans are a set of detailed drawings showing the location of principal and accessory structures, parking areas, access points, screening, drainage, utilities, landscaping and other design features of a proposed building or development. The zoning law specifies the types of uses subject to site plan review. Planning Board approval then becomes a necessary prerequisite for the issuance of a building permit.

The site plan review process provides the opportunity to assure that the zoning provisions have been properly interpreted and applied. In many instances, it is the only means by which the Planning Board can ensure that major development proposals are well planned, with suitably landscaped grounds and parking areas, safe access points, and designs which are compatible with the existing character of the community centers and the Town as a whole. Many of the plan's policy recommendations, especially when integrated into a revised zoning law, can be specifically cited during the Planning Board's discretionary design decisions in the site plan review process.

Capital Program

The Town's program for allocating its financial resources is a powerful tool for implementing the plan. The capital program is a summary of the community's public improvement needs (usually projected over five or six years), the estimated costs of the improvements, and an ordering of priorities for the provision of improvements. The long-term equipment requirements of the Public Works Department, for example, must be balanced against the space constraints at the Town Hall, necessary park improvements, and other identified public projects. The capital program

should be based on policies contained in this master plan, anticipated land use and population trends and should be reviewed annually by the Town Board.

Official Map

Communities may use an official map to indicate sites that will be needed in the future for public improvement. Most communities in Dutchess County do not have official maps, but they are authorized by state enabling legislation to adopt such maps. The map would show the location and width of both existing and proposed roads, drainage systems or parks. Adoption of the official map is the responsibility of the Town Board, but the map is usually prepared and amended according to the Planning Board's recommendations. The right-of-way for the proposed connecting road between the train station in Dover Plains and Route 22 should be reserved on an official map.

Private-Public Partnership

Shrinking federal and state monies for municipal projects require local governments to find creative solutions to fulfill community needs. As proposals for development are received, the Town has the opportunity to work with applicants to provide for those needs. A large housing development near an existing community center provides the opportunity to find mutually beneficial solutions to water and sewer problems. A commercial project along Route 22 could serve as impetus to consolidate curb cuts and speed traffic flow. The Town can supply resources and negotiate with the development community to find innovative methods for solving problems it might not be able to solve on its own.

The support the taxpayers have given to the Harlem Valley Psychiatric Center over the years means that New York State has an obligation to work with the local government to see that the community gets a fair return on its investment. The Town should look for opportunities to work with the State and private development interests to influence the disposition of the Psychiatric Center property to benefit the Town. A semi-permanent committee or group should be set up to monitor the property and influence the future direction of the facility.

Community Development Block Grants

The Federal Government makes money available to local municipalities each year through the Community Development Block Grant program, which is administered by the Community Development Section of the Dutchess County Planning Department. Funds are available for projects that benefit a community's low and moderate income residents and neighborhoods. Eligible projects can range from sidewalk improvements to rehabilitation of housing units to construction of totally new apartments. Many sections of the Town and individual homeowners qualify for this assistance. The Town should use this money to provide better quality housing and municipal amenities consistent with the recommendations of the master plan.

Clustering

Clustering allows the number of dwelling units normally allowed for a parcel to be grouped into one portion of a site, while leaving the remainder of the property open. The overall density on the property does not exceed what would be allowed under a conventional subdivision layout. New York State enabling legislation authorizes local legislative bodies to permit the Planning Board to approve cluster developments. Under a more recent legislative change, local boards can now be authorized to mandate clustering. Municipalities may cluster any type of development that is permitted in their zoning law.

The advantages of this concept lie in the preservation of open space and the flexibility given in site design for areas with sensitive natural or historic features. In addition, affordability in housing may be realized through reductions in both the amount and cost of infrastructure, such as roadways, utilities, and other site improvements. Density bonuses, which would allow a developer to build a higher density development in conjunction with clustering, may also be used as an incentive for affordable housing or open space preservation. Cluster developments are a good way of helping to provide open space systems in the town and giving definition to community centers.

Since the essential feature of clustering is allowing the Planning Board to waive the normal setbacks and area regulations to achieve a tighter configuration, this technique can be especially useful in areas such as the community centers where central utilities exist or may be more cost-effective to provide. Cluster development can involve single-family homes on smaller than average lots or a variety of attached units. Site plan review of cluster proposals is critical to guarantee that the layout and design will be compatible with the existing neighborhoods.

Other Open Space Techniques

A variety of innovative techniques could be used to help Dover retain its crucial rural character through selective open space protection. Outright public acquisition, the purchase of development rights, or the negotiation of conservation easements on key parcels are among the most direct ways to protect important properties. Conservation easements are generally voluntary agreements filed with the deed for permanent protection that still maintain private ownership of the land. Deductions on state and federal taxes for any charitable donation or reduced property taxes are sometimes available as incentives to landowners, depending on the particulars of the property. Such easements are often proposed in conjunction with cluster or limited development projects.

Another conservation option that could be considered is a transfer of development rights (TDR) program. New York State law was amended in 1989 to authorize this process. A TDR system allows future development potential, usually expressed in dwelling units per acre, to be relocated from a sending property with subsequent development restrictions, to a receiving property with good access to roads and utilities, as well as

sufficient development demand to make increased density attractive. A limited program involving the outlying areas of the Town and the existing community centers could transfer development rights from more rural areas to more developed areas. Cooperation between municipal officials and property owners, a simple streamlined transfer process, and adequate staff to provide promotion and implementation are usually critical for success of a TDR program.

Historic Districts and Landmarks

Under New York State's General Municipal Law, communities are empowered to enact special controls in areas of historic significance. Once historic districts or local landmarks are designated in the zoning law, municipalities can control development in or adjacent to these properties by regulating architectural design, facade changes, and demolition requests. Protective measures can be administered by the Planning Board or an appointed historic review commission and should be supplemented by the adoption of guidelines to visually define design compatibility. In addition to a required local review, any development proposal on or adjacent to a site which is on or eligible for the State or National Register of Historic Places is subject to an extra level of review during the State Environmental Quality Review process.

Park Development

Under Town Law, the Town may require either land or money-in-lieu of land be delivered to the Town for developing parks before the Planning Board approves a subdivision plat. This power can be beneficial in helping the Town acquire much needed additional park and recreation space and for capital improvements. Since money-in-lieu of land must be used for acquisition or capital improvements, not operating or maintenance costs, the recreation fund should be targeted at specific park projects, such as those identified in the Boyce Park Master Plan.

Environmental Protection Regulations

Specific regulations incorporated into the zoning law governing the use of floodplains, steep slopes, mature stands of trees or specimen trees, stream corridors, certain soils, aquifers, scenic open spaces, sensitive wildlife habitat, or other special natural features allow the Town to set standards to protect its physical environment.

Aquifer Protection

Much of the the Harlem Valley is underlaid by a high quality sand and gravel aquifer. Even more significant, these sand and gravel deposits frequently overlay carbonate bedrock making for an important source of drinking water. The Dover Plains Water District currently uses such an aquifer for its supply. As discussed in this plan, Dover is fortunate to have an abundance of such aquifers. Their importance requires careful protection measures. Measures the Town can implement include overlay zoning protection techniques for wellhead, primary recharge or secondary recharge areas.

Aquifer overlay zones generally supplement rather than replace existing land use controls. Overlay zones are mapped and specific guidelines are attached to development in mapped areas. Guidelines could include stormwater management practices and water impact analyses. Wellhead protection overlays are mapped according to a specified distance from a public well. Primary recharge areas cover that portion of the aquifer that contributes to a public well. Secondary recharge areas cover that portion of the aquifer that contributes to the primary recharge area.

Other aquifer protection techniques include use prohibitions and performance standards. Certain potentially polluting uses such as landfills, and hazardous and toxic waste generating and storage facilities can be prohibited near wellheads or primary recharge areas. Performance standards give the Town the authority to specify that uses meet certain pollution criteria, like stormwater management and erosion control, before those uses are permitted to locate in or near a wellhead or primary recharge area.

This information is covered in more detail in the report, "Town of Dover, Special Land Resource Study," prepared for the Town by David Church in December of 1991. The study also contains other protection techniques not discussed here.

State Environmental Quality Review Act

Since 1978, local governments have been responsible for implementing the New York State Environmental Quality Review Act (SEQRA). This legislation ensures that environmental factors will be granted the same weight as social and economic factors in the decision-making process. It also provides for communication between governmental agencies and the private sector, public participation, and a means to consider project alternatives and mitigation measures.

The provisions of SEQRA can apply to rezonings, subdivisions, redevelopment projects, land use plans, zoning regulations, or comprehensive resource management plans. Most development actions are subject to SEQRA; however, the regulations as published by the New York State Department of Environmental Conservation, 6 NYCRR Part 617, provide a specific explanation of applicable actions. Most importantly, the procedures of SEQRA allow for a comprehensive review of the significant impacts of development proposals and public comments on possible changes to the project.

These fundamental and widely used mechanisms for guiding community change are only a few of the numerous avenues available to the Town. If, as many people mistakenly believe, the only purpose of a master plan is to provide the rationale for zoning revisions, then the plan would become outdated as soon as the zoning law is updated. A master plan should not only catalogue the Town's important resources and recommend regulatory approaches. A creative plan must also identify immediate problems and opportunities and provide an overall vision that inspires ongoing action on many fronts. And since the most essential purpose of a master plan is to help build a cohesive community, the process of

townspeople working together to implement the planning principles and recommendations of this document is as important as the specific tasks accomplished.