



Environmental and Planning Consultants

34 South Broadway
Suite 314
White Plains, NY 10601
tel: 914 949-7336
fax: 914 949-7559
www.akrf.com

Memorandum

To: Town of Dover Planning Board
From: Ashley Ley, AICP
Date: April 1, 2010
Re: Rasco Materials LLC

AKRF, Inc. has reviewed the following documents and plans for the above referenced application:

- Letter from Frank Peduto, PE to Ashley Ley, AICP dated 3/29/10
- Contingency Plan, prepared by Spectra Engineering, last revised 3/22/10
- Figure 3, Rasco Materials Site Plan, prepared by Spectra Engineering, last revised 1/28/10
- Figure 3A, Road Grading Plan, prepared by Spectra Engineering, last revised 3/28/10

The Applicant has substantially addressed the comments of AKRF's 3/1/2010 memorandum. The comments of the 3/1/10 memorandum are recited below in normal typeface, and follow-up comments are identified in **bold typeface**.

SITE PLAN

The Site Plan should be revised to contain the following information:

- The location of the proposed construction trailer.
This comment has been satisfactorily addressed.
- Additional detail should be provided on the proposed berm, including plantings and grading.
The applicant has provided grading details for the proposed berm. However, as discussed at the 3/15/10 Planning Board meeting, a swale may be more appropriate and provide greater natural resources benefits.
- Additional detail should be provided on the road widening, including any grading.
This comment has been satisfactorily addressed.
- The bulk table should be shown on the site plan.
This comment has been satisfactorily addressed.

CONTINGENCY PLAN

- The spills section should identify NYSDEC notification requirements for petroleum and hazardous spills specifically describing what types of spills need to be reported, the time frame within which spills must be reported, and who has the responsibility for reporting a spill.

This comment has been satisfactorily addressed.

NOISE ANALYSIS

- The analysis procedure contained in the Spectra Report does not specifically address the Town of Dover Noise Code or the Town of Dover Environmental Performance Standards.

This comment has been satisfactorily addressed.

- The analysis procedure combines the predicted levels associated with the proposed facility and an estimation of background noise levels then compares them to 6 NYCRR Part 360-1.14(p). Our review assumes that the Dover Environmental Performance Standards and 6 NYCRR Part 360-1.14(p) limits apply to the source only and not the cumulative of the "source plus background."

This comment has been satisfactorily addressed.

- For several receptors, the requirements of 6 NYCRR Part 360-1.14(p) are satisfied because "15 dBA of foliage attenuation" is assumed. The NYSDEC permit limits the operation of the site from March 1 through December 1, provided that the ambient temperature is 45 degrees Fahrenheit or warmer. As such, the site is permitted to operate for 4-5 months in the leaf-off season. Therefore, the Applicant should verify that the assumed foliage is evergreen. It is noted that a worst case scenario noise analysis is typically in the winter months when most trees/foliage lose their leaves and the ground is frozen so there is minimal ground absorption.

This comment has been satisfactorily addressed.

- The analysis only examines compliance to the daytime limits. Since the NYSDEC permit limits the hours of operation to 7 AM to 8 PM, and these hours correspond to Dover's Environmental Performance Standards, this is acceptable.

This comment has been satisfactorily addressed.

- The Applicant should confirm whether or not the Receptors utilized in the analysis were located at property lines or if they were located at specific noise sensitive uses/buildings. Both the Dover Environmental Performance Standards and 6 NYCRR Part 360-1.14(p) state that their limits should be met at the property line.

This comment has been satisfactorily addressed.

- The Noise Analysis did not address the vibration limits specified in Town of Dover Environmental Performance Standards.

AKRF recommends that the final resolution include the following condition:

The operation of the facility shall comply with the requirements of §145-40.D, "Vibration." Within three (3) months of the issuance of a Certificate of Occupancy by the Town of Dover Building Inspector and commencement of operations, the Applicant shall prepare a vibration analysis to demonstrate compliance with this provision. The vibration analysis shall be submitted to the Town of Dover Building Inspector, or his or her designee, for review and approval. A copy of the vibration analysis shall be transmitted to the Planning Board. Should the operation of the facility not comply with

§145-40.D, the Applicant shall propose and implement vibration mitigation measures under the direction of the Town of Dover Building Inspector, or his or her designee.

Notwithstanding the above, AKRF understands that the updated structural engineering report will include an analysis of the building's capacity to withstand the anticipated vibrations of the operation.