



February 7, 2022

Mr. Bruce Flower, Chairman  
And Planning Board Members  
Town of Wappinger  
20 Middlebush Road  
Wappingers Falls, NY 12590

Re: Myers Run  
Tax Parcel 135689-6258-04-976478 & 032492  
Myers Corners Road (cr 93)  
Town of Wappinger  
Dutchess County, New York

Mr. Flower and Board Members:

Update since our last submissions and presentations:

- In September 2021, the driveways for lots 11 and 12 were revised with two options for consideration by the Dutchess County Department of Public Works (DCDPW). The first option was to have two separate driveways shifted from the original plan locations. The second option was for common driveway access to Myers Corners Road (C.R. 93). The access would be directly to Lot 11 with the drive for Lot 12 splitting off and proceeding across the front of Lot 11 to Lot 12. The DCDPW finished their initial assessment of the revised driveway locations for Lots 11 and 12 and the proposed new road location on January 19, 2022 via an email. The email stated the proposed new road location was acceptable and the common driveway was preferable. A copy of the email is enclosed.
- NYSDEC Stream Disturbance Permit Application – the Stream Disturbance Application to extend the storm water discharge pipe to the stream was submitted to the NYSDEC in August 2021 by Michael Nowicki of Ecological Solutions. An NOIA was issued on September 15, 2021. All of the items of the NOIA have been addressed except for SEQRA. The NYSDEC has acknowledged the Town of Wappinger Planning Board as Lead Agency and for the Planning Board to make the SEQRA Determination.
- Archeological – Phase IA, IB and II studies have been performed by Hartgen Archeological Associates, Inc. They found R. Van Kleek farm foundations and detritus. The area of the house foundation is to be preserved in place by covering it with a

minimum of 12" of clean fill and protecting 30 feet around the foundation during construction.

In response to review letters from Hardesty & Hanover dated September 29, 2021:

1. Subdivision

- a. Proposed driveways to Lots 11 and 12 – conceptual grading for individual driveways

**Response:** The DCDPW has accepted the proposed driveway locations

- b. Wetland buffer disturbance

**Response:** The disturbance for the addition useable space for the lots has been eliminated.

The small area of wetland (0.01 acres) and wetland buffer (0.2 acres) is to be disturbed to extend the pipe from the bioretention to the stream and for the storm water treatment.

- c. Legal documents

**Response:** Any required documents, including the Petition for the Establishment of a Drainage District to be submitted to the Town Board will be prepared and submitted to the Town Attorney when the plans are advanced.

2. SEQRA

- a. SEQRA Determination

**Response:** The outstanding items of wetland buffer disturbance and the shared driveways of Lots 11 and 12 have been addressed. The proposed wetland disturbance for the storm pipe is necessary for the underdrain from the bioretention to gravity flow to discharge.

The DCDPW have accepted the location of the shared driveway for Lots 11 and 12.

The SEQRA Determination is required for the NYSDEC to deem the Stream Disturbance Permit Application complete.

- b. NYSDEC NOIA

**Response:** All of the outstanding items of the NOIA have been addressed except for the SEQRA Determination by the Planning Board.

CPL dated 07/29/21. No new comments have been received. Responses have been *updated* where appropriate:

Engineering related comments:

1. Water Service Lots 11 & 12

**Response:** The water services from the existing main directly across the road or from the new main will be discussed with the DCDPW.

2. House square footage

**Response:** There is not a maximum square footage of a house in the town code nor in the DCDBCH standards.

3. 5-acre disturbance

**Response:** A request for a 5-acre waiver will be submitted with final grading following DCDBCH review of OWTS.

4. 20 feet separation absorption field and houses

**Response:** To be reviewed with DCDBCH

5. DCDPW written approval of wet tap

**Response:** To be reviewed by DCDPW.

6. Proposed town road

**Response:** Joseph Berger, P.E, L.S. has met with the Highway Superintendent. The Highway Superintendent verbally said he did not have any concerns with the proposed town road and road side swales without culverts.

7. Driveway to Lots 11 and 12

**Response:** *Proposed locations accepted by DCDPW*

8. Site grading easements

**Response:** Grading easements will be submitted with other legal documents

9. Wetland buffer disturbance

**Response:** *The disturbance for the addition useable space for the lots has been eliminated.*

*The small area of wetland (0.01 acres) and wetland buffer (0.2 acres) is to be disturbed to extend the pipe from the bioretention to the stream and for the storm water treatment. Methods to demark the wetlands will be discussed with the Planning Board. Proposed wetland Markers are shown on 02/07/22 plans, sheet 4.*

*The Application for Wetland Disturbance Permit is a Building Department application and will be submitted with the Building Permit Application package. One of the information items required with the Disturbance Permit application is the Planning Board Permit/Resolution which will include their approval of the proposed wetland buffer and wetland disturbance.*

10. Mass grading

**Response:** Note, A mass grading plan will be coordinated with the Town engineer for approval and grading easements will be developed by the projects attorneys and coordinated with Town attorneys.

11. Street Trees

**Response:** Street trees – Red Maples and Pin Oaks are proposed.

12. Stormwater Drainage District

**Response:** Noted, a stormwater drainage district is being prepared by the project Attorneys and coordinated with the Town Attorneys.

13. Fire Department

**Response:** Plans will be submitted to the fire department.

14. Driveways lots 8, 9, 10

**Response:** We have provided a minimum 30 feet of backup area for all side entry garages and feel this is adequate. Backup area is the same or bigger than required by Town of Wappinger Planning Board Engineer on other subdivision. The adequate back up in parking garages and parking lots is only 24 feet to 26 feet respectively.

15. Bioretention access

**Response:** Bioretention areas require less maintenance with smaller equipment than storm water ponds. Access is available for construction equipment across pretreatment and along the road side of the bioretention to the stream.

16. Water system details

**Response:** The water system detail will be submitted separately to the Town's water system operator

17. Erosion Control Plans silt fence

**Response:** In some locations the silt fence follows the proposed grading for sediment control until the disturbed area is stabilized. Other areas have silt fence extended past contour to continue work limit demarcation.

Waivers requested from the Subdivision Plat and checklist requirements:

1. Subdivision Plat to be on 30" x 42" sheet.  
Justification: More than one 24"x36" sheet would be required e to meet not less than 1"=100ft. A single 30" x42" sheet can accommodate a subdivision plat with a scale of 1" = 50'
2. Showing wells and septs on adjoining properties.  
Justification: Distance to adjoining parcels from proposed disturbed areas
3. Showing trees.  
Justification: The entire site is wooded.

Included in this submission are:

- 19 copies of response letter dated 02-07-22
- 19 copies of email from DCDPW dated 01-19-22
- 19 copies of letter requesting tree felling with exhibits dated 02-03-22
- 19 copies subdivision plan of 10 sheets dated last revised 02-07-22

Storm water pollution prevention plan dated 05-03-21 and habitat and wetland reports Dated 01-26-21 were previously submitted.

We look forward to discussing this project with you.  
If you have any questions, please contact us.

Sincerely,

*Michele Zerfas*

Michele Zerfas, P.E.

cc: Myers Run LLC