

Dutchess County Department of Planning and Development		Fax Info Only	To	Date	#pgs
			Co./Dept.	From	
			Fax #	Phone #	

239 Planning/Zoning Referral - Exemption Communities

Municipality: **Town of Wappinger**

Referring Agency: **Planning Board**

Tax Parcel Numbers(s): **4148400000**

Project Name: **33 Middlebush Road Amended Site Plan**

Applicant: **John Falvella**

Address of Property: **33 Middlebush Rd, Wappinger, NY 125900000**

**Exempt Actions:*
239 Review is NOT Required**

- Administrative Amendments (fees, procedures, penalties, etc.)
- Special Permits for residential uses (accessory apts, home occupations, etc.)
- Use Variances for residential uses
- Area Variances for residential uses
- Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals

No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

Actions Requiring 239 Review

- ☐ Comprehensive/Master Plans
- ☐ Zoning Amendments (standards, uses, definitions, district regulations, etc.)
- ☐ Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)
- ☐ Rezoning involving all map changes
- ☐ Architectural Review
- ☒ Site Plans (all)
- ☐ Special Permits for all non-residential uses
- ☐ Use Variances for all non-residential uses
- ☐ Area Variances for all non-residential uses
- ☐ Other (Describe):

Parcels within 500 feet of:

- ☐ State Road:
- ☒ County Road: **Middlebush Road**
- ☐ State Property (with recreation area or public building)
- ☐ County Property (with recreation area or public building)
- ☐ Municipal Boundary
- ☐ Farm operation in an Agricultural District

Date Response Requested:

Entered By: **Ogunti, Bea**

These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.

For County Office Use Only			
Response From Dutchess County Department of Planning and Development			
<p>No Comments:</p> <p><input type="checkbox"/> Matter of Local Concern</p> <p><input type="checkbox"/> No Jurisdiction</p> <p><input type="checkbox"/> No Authority</p> <p><input type="checkbox"/> Withdrawn</p> <p><input type="checkbox"/> Incomplete - municipality must resubmit to County</p> <p><input type="checkbox"/> Exempt from 239 Review</p> <p><input type="checkbox"/> None</p>		<p>Comments Attached:</p> <p><input checked="" type="checkbox"/> Local Concern with Comments</p> <p><input type="checkbox"/> Conditional</p> <p><input type="checkbox"/> Denial</p> <p><input type="checkbox"/> Incomplete with Comments- municipality must resubmit to County</p> <p><input type="checkbox"/> Informal Comments Only (Action Exempt from 239 Review)</p>	
Date Submitted:	Notes:	<input type="checkbox"/> Major Project	
Date Received: 2/9/2022		Referral #: ZR22-030	
Date Requested:			
Date Required: 3/11/2022	<input type="checkbox"/> Also mailed hard copy	Reviewer:	
Date Transmitted: 2/14/2022			



COUNTY OF DUTCHESS
DEPARTMENT OF PLANNING AND DEVELOPMENT

February 14, 2022

To: Planning Board, Town of Wappinger
Re: **ZR22-030, 33 Middlebush Rd (CR 93) site plan**
Lot: 414840, 33 Middlebush Rd (CR 93)

The Dutchess County Department of Planning and Development has reviewed the subject referral within the framework of General Municipal Law (Article 12B, §239-l/m).

ACTION

The applicant is seeking site plan approval for the reconstruction of a vacant warehouse building, with associated landscaping and parking, for use as a contractor storage facility.

COMMENTS

1. *Sidewalk*

We suggest that the applicant include a sidewalk along the parcel frontage. For many years our department has heard from the Town that sidewalks along CR 93 are desired. The road is home to several schools and the Town Hall, along with residences, and it connects to Route 9 commercial. A sidewalk along the north side of the road is a recommendation of the 2011 [CR 93 Corridor Management Plan](#) and the County's Walk-Bike Dutchess plan. We understand that the plans before us are an amendment to an already-approved site plan, and if a sidewalk is not feasible at this stage of this project, we suggest that the Town obtain a sidewalk easement from the applicant to facilitate future construction.

2. *Lighting*

The plans do not include a photometric map, but given the number of fixtures the parking lot is likely overlit. Parking lot average lighting levels should be between 0.1-1.0 footcandles, with no hot spots greater than 5.0. Fixtures should be full cut-off and Dark Sky compliant, with a color temperature no higher than 3,000K (the currently proposed pole lights are 4,000K and the proposed wall lights are 5,000K).

3. *Parking*

We understand that the planning board requested additional parking during the initial site plan approval process. To limit impermeable surface area, we suggest land-banking this parking instead, with the applicant agreeing to construct it only if it is determined to be necessary at an agreed-upon future date.

RECOMMENDATION

The Department recommends that the Board rely upon its own study of the facts in the case with due consideration of the above comments.

Eoin Wrafter, AICP, Commissioner

By

A handwritten signature in black ink, appearing to read "D. Tuttle", with a horizontal line extending to the right.

Dylan Tuttle, Planner