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March 3, 2022

Mr. Bruce Flower, Chairman and Members of the  
Town of Wappinger Planning Board  
Town Hall  
20 Middlebush Road  
Wappingers Falls, New York 12590

Re: CarMax Application for Site Plan Approval and Special  
Use Permit; Grid # 6156-02-664986

Dear Chairman Flower and Members of the Planning Board:

My firm is pleased to represent CarMax, the nation's largest retailer of pre-owned cars in the United States. The applications being submitted are for the issuance of the required Conditional Permit and Site Plan Approval for an automobile dealership, associated access, parking, signage, lighting utilities, landscaping and non-public car wash. The applications are the culmination of listening and learning from comments received during the past year in an effort to incorporate to the maximum extent practicable the elements urged, including significant landscaping and other design elements, while considering the objectives and capabilities of CarMax.

Having had several meetings with Town staff and others, we have developed an application which we believe is responsive to the comments and concerns that have been raised. Among the adjustments made to the project are the following:

- We moved the building closer to Route 9 and farther away from Osborne Hill Road and the residential neighbors (approximately 120');
- Rotated the building 90 degrees so the service bay door spaces face away from public view;
- Reduced the amount of sales displayed parking area between the building and Route 9;
- Moved a portion of sales display parking area to side/rear of site and screened area with landscaping;
- Added a median and end cap landscaping to sales display area;

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- Added trees and shrubbery to landscape buffer along Route 9 and Smithtown Road;
- Added evergreen trees along Osborne Road to supplement existing mature trees;

All of these adjustments to the site plan have resulted in a plan which is sensitive to the surrounding environment and is in keeping with the guidelines as set forth in the Code of the Town of Wappinger.

We are mindful of the concern articulated to us in connection with water and sewage services in the area. The application before the Planning Board is one where there is very limited need of septic, requiring service for only 900 gallons per day which can be accomplished on-site in a very efficient manner. Nevertheless, we understand the need for cooperation on a community wide basis in connection with solving issues not caused by our presence, but that pre-exist this application. In a spirit of cooperation, CarMax is prepared to provide for a 20 foot wide easement along Osborne Road for any future public sewer extensions necessary to service those communities and areas in need of municipal sewer.

It is our intention to work collaboratively with the Town of Wappinger so as to provide for a quality tax ratable that will inure to the benefit not only to the residents of the Town of Wappinger but also to the residents of the County of Dutchess. We look forward to partnering with the Town of Wappinger in constructing and operating a successful new store.

Thank you for your consideration and we look forward to advancing this application efficiently and expeditiously.

Very truly yours,



Richard L. O'Rourke  
Senior Counsel

RLO/sb

cc: James Horan, Esq.  
Malcolm Simpson  
Barbara Roberti