

MEMORANDUM

To: Bruce M. Flower, Chairman,
and the Town of Wappinger Planning Board

Date: April 13, 2022

Subject: **CarMax Auto Superstore– Amended Site Plan and Special Permit**
Tax Lot 6156-02-664986

As requested, we reviewed the application of Caryn Mlodzianowski (the “Applicant”) on behalf of John Arons (the “Owner”) for Amended Site Plan Approval and Special Permit Approval.

The Property

The subject property is a 7.5-acre lot located at 1105-1115 Route 9, is designated as tax lot 6156-02-664986 on the Town of Wappinger tax maps and is located within the HB Highway Business District (the “Subject Property” or “Site”).

The Proposal

The Applicant seeks redevelop an existing 10,200 SF retail space and an existing 1,400 SF interior greenhouse into a an auto sales establishment with a 9,040 retail component and associated car storage lots (the “Project” or “Proposed Action”).

Submission

The Applicant has submitted for review an Application for Site Plan Approval form dated 3/1/22; an Application for Special Permit Approval form dated 3/1/22; a narrative prepared by John Thatcher dated 3/3/22; a comment response memo prepared by Richard O’Rourke dated 3/3/22; A Full EAF form signed by K. Doulass Moyers dated 3/3/22; a single sheet lighting plan with no date; a conceptual floor plan prepared by Charles J O’Brian dated 3/1/22; and a site plan (14 sheets) generally entitled “Proposed Site Plan Documents for CarMax Auto Superstores, Inc. ” prepared by Bohler and dated 9/24/21 last updated 3/1/22:

1. Sheet C-101, “Cover Sheet”
2. Sheet C-102, “General Notes Sheet”
3. Sheet C-201, “Demolition Plan”
4. Sheet C-301, “Site Layout Plan”
5. Sheet C-401, “Grading and Drainage Plan”
6. Sheet C-501, “Utility Plan”
7. Sheet C-601, “Erosion and Sediment Control Plan”

8. Sheet C-602, "Erosion and Sediment Control Notes and Details"
9. Sheet C-701, "Landscape Plan"
10. Sheet C-702, "Landscape Notes and Details"
11. Sheet C-901, "Detail Sheet"
12. Sheet C-902, "Detail Sheet"
13. Sheet C-903, "Detail Sheet"
14. Sheet C-904, "Detail Sheet"

We offer the following comments for your consideration.

REVIEW COMMENTS

1. SEQRA. The Proposed Action is considered an Unlisted Action pursuant to SEQRA. The Planning Board should discuss if they would like to pursue a coordinated or uncoordinated review.
2. Site Layout. The current site layout features three curb cuts on Smithtown Road. One for the inventory area and two full movement entrances to the employee and customer parking area. The Applicant should clarify why two entrances to the employee parking and customer parking area is required. Additionally, a sheet should be added to the plans showing mobility and turning radii for the delivery trucks in and out of the loading area and a separate mobility plan showing emergency vehicle access.
3. Parking. The bulk table identifies the applicant requires 51 parking spaces and that they are proposing 77. The use category identified is 'Retail or Service Business', however the Applicant should be using the parking requirements for motor vehicle sales establishments identified in §240-67.B. In either case, the Applicant is proposing more parking than is prescribed by the Code and will require a waiver from the Planning Board as per §240-97.A. Additionally, the Applicant is proposing modified dimensions for parking geometry in the employee controlled inventory and service lots which would also require a waiver from the Planning Board.
4. Lighting. The Applicant should revise the lighting plan for future submissions. We recommend that the lighting plan include the color temperature and BUG rating of proposed fixtures. We also recommend that the color temperature not exceed 3000K and that the proposed lighting plan avoid hotspots in excess of 5 footcandles. Most areas should feature an average of 1 footcandle. The current lighting plan far exceeds the maximum advised lighting level with maximums of nearly 40 footcandles. The lighting plan also proposes light poles of 30' which would conflict with the current lighting code revisions being entertained by the Town Board which would cap light pole heights at 15'.

5. Landscaping. In agreement with the 4/1/22 comment memo from the Dutchess County Department of Planning and Development, the landscaping along Osborne Hill Road and the southern property line should be enhanced.
6. Environmental. The EAF notes the presence of the endangered Indiana Bat which would require calendar restrictions on tree clearing as mitigation. The Applicant should add a note to this effect and confirm if there is any tree clearing proposed. The EAF also notes the potential presence of the Blanding's Turtle. Given the current condition of the Site, it is unlikely the Site contains potential habitat for the Blanding's Turtle. The Applicant should reach out the New York Department of Conservation and confirm the above. Any correspondence between the Applicant and the NYSDEC should be forwarded to the Town for the record.

We look forward to discussing our comments with you. If you have any questions with respect to the above, please let us know.

Sarah Brown, AICP
Senior Planner

Malcolm Simpson
Planner

cc: James Horan, Esq.
Barbara Roberti
Jon Bodendorf, PE
Michael Sheehan
Richard O'Rourke