

MEMORANDUM

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

Date: July 28, 2022

Subject: **Hammond, O'Leary & Witkowski - Lot Line Realignment**
Tax Lots 6035-03-427460, 6056-03-445462, and 6056-03-454462

As requested, we reviewed the application submitted by William Povall on behalf of Sean Witkowski (the "Applicant" and "Owner") for Subdivision Plat Approval.

The Property

The subject property is known as Tax Lots 6035-03-427460, 6056-03-445462, and 6056-03-454462 on the Town of Wappinger Tax Assessment Maps and they are located at 122, 126, and 128 Chelsea Road within the 1 Family Residence (R-20) zoning district (the "Subject Property" or "Site").

The Proposal

The Applicant is proposing to transfer 0.12 acres from tax lot 427460 to tax lot 445462 and 0.15 acres from tax lot 427460 to tax lot 454462 (the "Project" or "Proposed Action").

Submission

The Applicant has submitted for review an Application for Lot Line Realignment Approval dated 7/18/22; an Owner Consent forms dated 7/18/22 prepared by Nicole Hammon, Mary O'Leary, and Sean Witkowski; and a 1 sheet subdivision plat entitled "Lot Line Realignment for the Lands of Hammon, O'Leary, and Witkowski" prepared by Povall Engineering, dated 7/18/22.

We have reviewed the application and have only one comment which is that lot 445462 (Lot 2) is currently below its minimum lot requirement of 20,000 square feet at 12,000 square feet and that the Proposed Action would bring it more in compliance up to 17,540 sf but the lot would still be under its minimum size. In the past, the Planning Board has encouraged the increase of conformity in lot size even when the result is still short of the minimum requirements. In the past, the Zoning Administrator has not required existing non-conforming lots increasing their compliance to obtain a variance. We defer to the Zoning Administrator as to the need for variances for existing non-conformities in the bulk table that are not proposed to change. The plans identify a required variances, but the conditions are not changing from existing conditions.

Regarding SEQRA, the Proposed Action is considered a Type II Action pursuant to SEQRA and requires no additional SEQRA action.

If you have any questions with respect to the above, please let us know.

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Principle Planner

Malcolm Simpson
Planner

cc: James Horan, Esq.
Barbara Roberti
Jon Bodendorf, PE
Michael Sheehan
William Povall