

MEMORANDUM

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

Date: September 29, 2022

Subject: **Aguado Subdivision**
Tax Lots 6157-03-070275

As requested, we reviewed the application of Povall Engineering, (the “Applicant”) for Subdivision Approval.

The Property

The subject property is known as Tax Lot 6157-03-070275 on the Town of Wappinger Tax Assessment Maps and would be subdivided an existing 35.26 acre lot to create 1 additional lot to be served by a shared driveway off Ketchamtown Road in the Single Family Residential (R-40) zoning district (the “Subject Property” or “Site”).

The Proposal

The Applicant is proposing to subdivide one existing lot with a total of 35.26 acres into 2 building lots in the Single Family Residential (R-40) zoning district. The two lots will share a driveway that would connect to Ketchamtown Road. The Subdivision would feature on-site wastewater management facilities on each lot in the form of in ground septic fields and well water. The Proposed Action would include approximately 3.18 acres of disturbance (the “Project” or “Proposed Action”).

Submission

The Applicant has submitted for review an Application for Preliminary Subdivision Approval dated 9/19/22; a Short Environmental Assessment Form dated 9/12/22; and a 6 sheet subdivision plat entitled “Subdivision Plat for Ketchamtown Land Development, LLC” prepared by Povall Engineering, dated 9/12/22:

We offer the following comments for your consideration.

REVIEW COMMENTS

1. Shared Driveway.
 - a. The proposed shared driveway will require a maintenance and an access easement. We defer to the Town Attorney and Town Engineer regarding this matter.
 - b. A separate callout should be added showing a conceptual plan for separate driveways. As per §240-20.A, "It shall be demonstrated that each single-family residential lot is capable of independent access over its own frontage."
2. Wetlands.
 - a. There are substantial areas of the Property encumbered by NYSDEC wetlands which are shown on the plat. Dutchess County Parcel Access also identifies large areas of Federal wetlands which should also be shown on the plat as they are also classified as Town wetlands.
 - b. Both Federal and State wetlands will need to show a 100' buffer and a note should be added to the plans explaining that these 100' buffers will be demarcated with boulders.
 - c. The proposed shared driveway is shown to cross a wetland area that would be considered Town, State, and Federal wetlands and will require disturbance permits from all three responsible agencies.
3. Environmental.
 - a. The EAF identifies the potential habitat of the Indiana Bat and the Bald Eagle. Notes will need to be added to the plan identifying the NYSDEC mitigation measures.
 - b. The Applicant should contact the NYSDEC to inquire if any additional mitigation measures will be required for the potential impact to the Bald Eagle.
 - c. All correspondence with the NYSDEC should be forwarded to the Town for the record.
4. Sight Distance. We defer to the Town Superintendent of Highways in regards to the proposed sight distance plans.
5. SEQRA. The Proposed Action is an Unlisted Action with respect to SEQRA. The Planning

Board should determine if they would like to pursue a coordinated or uncoordinated review, and if they choose to pursue a coordinated review, the Planning Board should discuss if they intend to serve as Lead Agency.

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

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Principle Planner

Malcolm Simpson
Planner

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