

MEMORANDUM

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

Date: November 16, 2022

Subject: **Children's Enrichment Project, LLC – Amended Site Plan and Special Permit**
Tax Lot 6057-02-987580

As requested, we reviewed the application of the Children's Enrichment Project, LLC (the "Applicant" and "Owner") for Amended Site Plan Approval and Special Permit Approval.

The Property

The subject property is a 1.4-acre lot located at 2321-2325 Route 9D, is designated as tax lot 6057-02-987580 on the Town of Wappinger tax maps and is located within the HM Hamlet Mixed Use Zoning District (the "Subject Property" or "Site").

The Proposal

The Applicant is making improvements to an existing site that include the creation of a shed and 5 chicken coops with a total square footage of 275 square feet. Additionally, the Applicant is proposing fencing and landscaping improvements, a sandbox to be installed, and an existing commercial sign to be removed (the "Project" or "Proposed Action").

Submission

The Applicant has submitted for review an Application for Amended Site Plan Approval dated 9/22/22; an Application for Special Use Permit Approval dated 9/22/22 Short EAF form signed by Andrew Myers dated 9/22/22;; and a site plan (2 sheets) generally entitled "Amended Site Plan – Children's Enrichment Project" prepared by Day and Stokosa Engineering and dated 9/23/22.

Review Comments

1. SEQRA. The Proposed Action is considered a Type II Action pursuant to SEQRA and requires no additional SEQRA action.
2. Lighting. The Lighting plan shows appropriate lighting levels and color temperature but should include the BUG ratings of the proposed fixtures.

3. Zoning. The Application is requesting a special permit for 240-62 Private, Community, or Fraternal Recreation Clubs. While the existing buildings are exempt from the setback requirements of 240-62, the Property does not meet the minimum lot area requirement of 2 acres under 240-62.A and the Application would require a variance for minimum lot area. Ultimately, we defer to the Zoning Administrator in regard to the need for the variance.
4. Parking. The Applicant is still requesting relief from §240-96 Location, Use, Design, Construction, and Maintenance of Off-Street Parking and Loading and 240-97 Schedule of Off-Street Parking Requirements.
 - a. The Applicant has listed 11 required parking spaces and 15 provided parking spaces. Provided parking spaces in excess of the required number would require a waiver from the Planning Board. However, it is unclear how the Applicant has calculated their parking requirements and these should be shown clearly on the plans.
 - b. In previous applications for the Private, Community, or Fraternal Recreation Clubs special permit, the Planning Board has used the Place of Assembly use in the 240-97 Schedule of Off-Street Parking Requirements which allots 1 parking space for each 100 square feet of gross floor area used for public assembly. If the Applicant is using this parking calculation, they should identify what square footage is intended to be used for public assembly and include this in the parking calculations on the plans. It may be that the Applicant believes Public Assembly is not an appropriate use for their parking calculations, and if so, the Applicant should make clear what parking calculation should be used and why.
 - c. The parking calculations should also account for the caretakers residence which is allotted 2 parking spaces by 240-97 Schedule of Off-Street Parking Requirements. The caretaker's residence parking should not conflict or be impeded by the parking used for the Private, Community, or Fraternal Recreation Clubs special permit.
 - d. The Applicant is requesting relief from 240-96 Location, Use, Design, Construction, and Maintenance of Off-Street Parking and Loading. The Applicant is proposing a stacked parking plan, with two lines of 7 parking spaces. The first row of 7 spaces would have the front half of the spaces on a gravel extension of the existing paved area. The operations of the stacked, valet style, parking area is described as being self-served by the members of the organization. Ultimately, we defer to the Planning Board as to the suitability of this requested relief from 240-96, however, there is no precedent for a valet parking scheme in the Town and no mention of valet parking in the Town code.

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

Malcolm Simpson
Planner

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