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March 24, 2023

Town of Wappinger  
Planning Board  
20 Middlebush Road  
Wappingers Falls, NY 12590

Attention: Bruce Flower, Chairman

**Re: Response to Comments Summary  
Proposed CarMax Auto Superstore  
Tax Parcel 6157-04-659168**

Dear Chairman Flower,

On behalf of CarMax Auto Superstores, Inc., we are pleased to submit this response to comments summary to the Town of Wappinger Planning Board for the above referenced project. This summary is in response to the various comments received in the March 1, 2023 letter from Hardesty & Hanover, as noted below with our responses in italics:

1. SEQRA. The Proposed Action is considered an Unlisted Action pursuant to SEQRA. The Planning Board circulated its intent to serve as Lead Agency in a letter dated 5/12/22. The next step in regard to SEQRA is for the Planning Board, as Lead Agency, to consider making a determination of significance.

*Comment acknowledged.*

2. Site Layout.

- a. Previously, the site layout had featured three curb cuts on Smithtown Road. One for the inventory area and two full movement entrances to the employee and customer parking area. Both the Dutchess County Department of Planning and the Wappinger Planning Board had questioned the need for three full movement entrances. The Applicant has revised the entrances to retain the two full movement entrances into the employee/customer parking area but have eliminated the curb cut into the inventory lot which is now proposed to be accessible through the employee/customer parking area.

*Comment acknowledged.*

- b. The fire truck turning templates have been revised following comments regarding conflicts with auto hauler parking spaces, and a lack of clarity in access routes through the service area. We defer to the Fire Prevention Bureau regarding the adequacy of the revised turning templates.

*Comment acknowledged.*

- c. The auto hauler turning templates provided shows two conflicts in their exiting movements.
  - i. The exiting auto hauler conflicts with the entering lane and if the conflict with entering traffic is maintained, a gate could be considered restricting access at the west side entrance to auto hauler and emergency traffic only.

*The access drive has been modified to allow the auto hauler to exit the site without conflicting with the entrance lane.*

- ii. The exiting auto hauler conflicts with the west bound lane of Smithtown Road as an auto hauler makes a right turn exiting the Site. The turning radius should be revised to eliminate conflict with west bound traffic on Smithtown Road.

*The driveway radius has been adjusted to avoid any conflicts with the west bound lane of Smithtown Road for auto haulers exiting the site via right turn.*

### 3. Parking.

- a. The Applicant is proposing 77 parking spaces, which is greater than the 30 parking spaces required by code, however, they are no longer requesting a waiver from the Planning Board as per §240-97.A. Instead, the Applicant has stated that 30 of the proposed 77 spaces are for employee and customer parking and that the remainder are for other purposes including, but not limited, to the temporary storage of cars being unloaded from an auto hauler.

*Comment acknowledged.*

- b. The Applicant is proposing modified dimensions for parking geometry in the employee-controlled inventory and service lots that would reduce the drive aisle width and remove the need for vegetated islands as per § 240.96. This would require a waiver from the Planning Board.

*Comment acknowledged.*

- 4. Lighting. The Applicant has revised their lighting plan to make the proposed color temperature and lighting levels code compliant but are still requesting a waiver from the lighting code for the height of the proposed lighting poles.

*Comment acknowledged.*

- a. The Applicant has proposed pole heights of 19', with 17' poles atop 2' pedestals. This would require a waiver from the Planning Board. However, based upon our review the combination of increased pole heights and the high glare ratings of the proposed luminaires has the potential to cause glare issues. The BUG (Backlight, Uplight, Glare) ratings evaluate a light fixture's backlight, up-light, and glare with a rating system of 0-5 with 0 being the lowest. Many of the light fixtures being proposed have a glare or "G" rating of 4 which conflicts with the narrative of the Applicant that numerous efforts have been taken to reduce the glare of the proposed lighting plan. The Applicant should address how they intend to mitigate the glare of the proposed lighting fixtures.

*The Luminaire Classification System for Outdoor Luminaires (IES TM-15), which is the technical document that establishes the classification system upon which "BUG ratings" rely, states the following in the document foreword:*

*"Light pollution and obtrusive light result not only from the optical characteristics of the luminaires, but also from the application of those luminaires within an outdoor site or roadway."*

*As discussed in the Planning Board meeting of March 06, 2023, the proposed luminaire selections and arrangements are congruent with the lighting design narrative to reduce the glare experienced by neighbors; in other words, the reduction of the glare experience from view of the site lighting from those off site. Further, it was noted that the Town lighting ordinance does not indicate suggested, or required, ratings of BUG for luminaires.*

*The "Glare Ratings" (the G in BUG) established by IES TM-15 are for high secondary ("FH or BH") and very high secondary ("FVH" and "BVH") solid angle departures from the luminaire in the forward light and back light orientations from nadir. Specific to pole height, high secondary solid angle indicates light emitted between 1.7 and 5.7 mounting heights and very high secondary solid angle indicates light emitted beyond 5.7 mounting heights away from the luminaire in question; specific to this site from approximately 30 feet and 110 feet away from the pole.*

*Because G ratings directly impact energy efficiency on the site, ratings are optimized for each luminaire based on proximity to the property line; those close to the property line have lower relative G ratings compared to those centrally located within the site. The luminaires in proximity to the property line have an integral louver and, as diagrammed by the product manufacturer on the drawing submitted, this louver limits the backlight to within 7 feet of the pole. This distance indicates that the luminaire emits its light directly below the luminaire and there is no light in the secondary solid angle zones associated with glare - therefore, G rating of 0. The proposed luminaires with G ratings of 4 are located several hundred feet within the property line.*

5. Landscaping. The landscaping plan was not included in the most recent submission. The Applicant should provide a complete set of plans in their next submission.

*The Landscaping Plan and Details Sheets have been included within this submission.*

Should you have any questions or any additional needs please do not hesitate to contact us at (518) 438-9900.

Sincerely,

**BOHLER ENGINEERING AND LANDSCAPE ARCHITECTURE NY, PLLC**



Caryn Mlodzianowski