

MEMORANDUM

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

Date: March 15, 2023

Subject: **Tassone Court Addition of Commercial Use – Amended Site Plan**
Tax Lot 6156-02-777882

As requested, we reviewed the application of Tassone Court Addition of Commercial Use made by Burns Engineering Services, P.C. (the “Applicant”) on behalf of NY Orange County Properties, LLC (the “Owner”) for Amended Site Plan Approval.

The Property

The subject property is a 2.57-acre lot located at 3-17 Tassone Court, on the east side of Route 9, and is designated as tax lot 6156-02-777882 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 amended site plan approval to formalize the existing buildings and uses on the site that has stood derelict for a period of time. The narrative describes the existing uses on site as follows.

Building 1 – Two Family Dwelling requiring 4 Parking Spaces
Building 2 – Garage requiring 3 Parking Spaces
Building 3 – Commercial Service, Office, or Retail requiring a maximum of 14 Parking Spaces
Building 4 – 3 One Bedroom Apartments requiring 4 Parking Spaces
Building 5 – Two Family Dwelling requiring 4 Parking Spaces

While there are no proposed changes to the buildings, the parking area is proposed to be repainted to attain the maximum intensity of use parking requirement of 26 spaces. This maximum intensity assumes that what the narrative identifies as Building 3 will be used as retail space and personal service as opposed to office space which would have a lower parking requirement (the “Project” or “Proposed Action”).

Submission

The Applicant has submitted for review an Application for Site Plan Approval dated 5/19/21; a Short Environmental Assessment Form (SEAF) dated 3/31/21; a project narrative dated 3/19/21; a

comment response memo prepared by Burns Engineering dated 12/6/22; and a two sheet plan entitled "Mixed Used Site Plan for 3-17 Tassone Court" dated 03/31/21 revised 12/7/22.

We offer the following comments for your consideration.

REVIEW COMMENTS

1. SEQRA.

- a. The Proposed Action is considered a Type II action pursuant to SEQRA. No further SEQRA action is required.

2. Site Plan.

- a. The Applicant should add distance callouts around the parking area and drive aisles to assist in the review of their viability. Specifically;
 - i. The width of the area south of building 2, between the row of 8 spaces and the 1 space.
 - ii. The width of the area behind the row of 4 parking spaces south of building 1 and the edge of pavement.
 - iii. The width of the drive aisle connecting building 1 and the rest of the Site.
 - iv. The width of the drive aisle between building 3 and building 4, measured at its most narrow point from the row of 2 parking spaces to the edge of pavement.
 - v. The width of the drive aisle shown connecting to the land banked parking proposed.
 - vi. The width of the two entrances into the Site.
- b. The existing lighting is not proposed to be changed and the site plan shows a note that the locations of existing lights have been field located and that the illumination levels have been modeled using contemporary equivalents of the existing light fixtures. A key or some kind of identification should be added to signify what lighting levels the footcandle contours are showing. It should also be noted that the color temperature shown on the plans is an existing non conformity with the current lighting code.
- c. The parking calculation for building 4 is incorrect and should be listed as 5. Section 240-97 identifies the parking calculation for a multifamily dwelling as 1.5 parking spaces per dwelling unit. That equates to a demand for 4.5 parking spaces for a 3-

unit multifamily building. In this instance the calculation would be raised up to the nearest whole number.

- d. The Applicant has proposed to landbank 5 of the required parking spaces which would require a waiver from the Planning Board. It should be noted that if the full 26 parking spaces were to be build out in the future, an additional ADA complaint parking space would be required.

We look forward to discussing our comments with you. 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
Michael Fakhourly (Applicant)