



555 Theodore Fremd Ave, Suite C-301
Rye, NY 10580
T: 914.967.6540
www.hardestyhanover.com

MEMORANDUM

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| <i>To:</i> | Bruce M. Flower, Chairman And the Town of Wappinger Planning Board | <i>Date:</i> | 3/1/2023 |
| <i>From:</i> | Malcolm M. Simpson | <i>Project:</i> | Torregrossa Subdivision |
| <i>cc:</i> | James Horan, Barbara Roberti, Bea Ogunti, Jon Bodendorf, Edward Torregrossa | | |
| <i>Subject:</i> | Torregrossa Subdivision Plan Review Tax Lot 6257-02-986805 | | |

As requested, we reviewed the application made by Edward Torregrossa, (the “Applicant”) for Subdivision Approval.

The Property

The subject property is an existing 5.67 acre lot, known as Tax Lot 6257-02-986805 on the Town of Wappinger Tax Assessment Maps, and would be subdivided as to create 2 additional lots for a total of 3 lots accessed at 271 All Angels Hill 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 5.67 acres into 3 lots, one with the existing residence and 2 building lots in the Single Family Residential (R-40) zoning district. The two building lots will share a driveway that would connect to All Angels Hill Road. The Subdivision would feature on-site wastewater management facilities on each lot in the form of in ground septic fields and connect to Town water (the “Project” or “Proposed Action”).

Submission

The Applicant has submitted for review an Application for Preliminary Subdivision Approval dated 12/19/22; a Short Environmental Assessment Form dated 11/30/22; and a subdivision plat (7 pages) prepared by Day and Stokosa dated 11/22/22 last revised 2/9/23:

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." If the proposed dry pond conflicts with the ability to demonstrate independent access, a variance may be required.
2. Sight Distance. We defer to the Town Superintendent of Highways and the Town Engineer in regards to the proposed sight distance plans.
3. Dry Pond. The Applicant is proposing a dry pond as part of their stormwater drainage easement. We defer to the Town Engineer in regards to the adequacy and design of the proposed dry pond and we defer to the Town Attorney in regards to the legal description of the easement.
4. Environmental.
 - a. The EAF identifies the potential habitat of the Indiana Bat and the Blanding's Turtle. 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 Blanding's Turtle.
 - c. All correspondence with the NYSDEC should be forwarded to the Town for the record.
5. SEQRA. The Proposed Action is an Unlisted Action with respect to SEQRA. The Planning Board circulated their intent to serve as Lead Agency on January 24, 2023. As 30 days have passed with no objection received from the involved agencies, the Planning Board has assumed the role of Lead Agency. The next steps in the SEQRA process would be for the Planning Board to consider a determination of significance.