



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

## MEMORANDUM

<i>To:</i>	Bruce M. Flower, Chairman And the Town of Wappinger Planning Board	<i>Date:</i>	6/1/2023
<i>From:</i>	Malcolm M. Simpson	<i>Project:</i>	BAC Properties, LLC
<i>cc:</i>	James Horan, Barbara Roberti, Bea Ogunti		
<i>Subject:</i>	BAC Properties LLC Amended Site Plan Review Tax Lot 6259-04-578332		

As requested, we reviewed the application made by BAC Properties, LLC, (the “Applicant”) for Site Plan and Special Permit Approval.

### The Property

The subject property is a 10-acre lot located at 30 Airport Drive, is designated as tax lot 6259-04-578332 on the Town of Wappinger tax maps and is located within the AI Airport Industrial District (the “Subject Property” or “Site”). The existing Site is developed with a 14,160 square foot warehouse building. The required parking of the existing uses is 19.6 parking spaces. The Existing site is developed with 25 parking spaces.

### The Proposal

The Applicant is proposing to expand on existing development on a 10 acre parcel.. The Applicant proposes a second building of 19,440 square feet. The proposed uses would have a parking demand of an additional 29 parking spaces, and the Applicant has proposed 44 parking spaces (Proposal or Proposed Action).

### Submission

The Applicant has submitted for review an Application for Site Plan Approval form dated 4/7/23; a project narrative prepared by Povall Engineering dated 5/1/23; an Full Environmental Statement form dated 5/1/23; an elevation drawing last revised 5/1/23; and the following site plan (6 sheets) generally

entitled "BAC Properties, LLC Full Build Out" prepared by Povall Engineering dated 10/5/09 last revised 5/1/23;

## **REVIEW COMMENTS**

1. **SEQRA.** The Application is an Unlisted Action with regard to SEQRA. The Planning Board should determine if they would like to engage in a coordinated review or pursue an uncoordinated review. If the Planning Board would like to engage in a coordinated review, they should discuss if they would like to serve as Lead Agency.
  - a. The Full EAF form identifies the Indiana Bat as an endangered species with potential habitat on the Site. A note should be added to the plans stating that any tree clearly will comply with the NYSDEC Indiana Bat tree clearing window.
2. **Wetlands.** It appears that the Site hosts a Federal and Town regulated stream, pond, and associated wetlands. Portions of the proposed parking areas and stormwater management areas are located in the 100 foot Town wetland buffer. It should be noted that portions of the existing development on Site cross the aforementioned stream and that portions of the existing development are located in the aforementioned 100 foot Town wetland buffer.
3. **Parking.** The Applicant is proposing 69 parking spaces (25 existing parking spaces and 44 proposed parking spaces) while the total parking requirement for the proposed and existing uses is 48.6 parking spaces as per §240-97.
  - a. Parking spaces in excess of what is prescribed by code would require a waiver from the Planning Board.
  - b. It should be clarified what the proposed 6 parking spaces in the loading area are for as they do not seem to be included in the parking calculations.
4. **Off-street loading - 240-99.** The plans show off-street loading requirements to be 6 spaces for the existing and proposed uses. The plans propose 6 loading bay spaces in addition to 6 existing loading bays for a total of 12 loading bays.