



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>	6/14/2023
<i>From:</i>	Malcolm M. Simpson	<i>Project:</i>	Bertero Subdivision
<i>cc:</i>	James Horan, Barbara Roberti, Bea Ogunti		
<i>Subject:</i>	Bertero Subdivision Review Tax Lot 6056-02-835650		

As requested, we reviewed the application of Gillespie & Associates, (the “Applicant”) for Subdivision Approval.

The Property

The subject property is known as Tax Lots 6056-02-835650 on the Town of Wappinger Tax Assessment Maps and would be subdivided to create 1 additional lot to be served by a shared and existing driveway off Stonykill Road in both the Single Family Residential (R-40) and the Single Family Residential (R-80) zoning district (the “Subject Property” or “Site”).

The Proposal

The Applicant is proposing to subdivide one existing lot with a total of 6.21 acres into 2 building lots. Lot 1 would be located in the R-40 Single Family Residential district and Lot 2 would be located in the R-40 and R-80 Single Family Residential districts with the building located in R-80 and therefor complying with R-80 bulk standards as per §240-10. The two lots will share an existing driveway that would connect to Stonykill Road. The Subdivision would feature on-site wastewater management facilities on each lot in the form of in ground septic fields and well water. The proposal also includes an approximate limit of 1.39 acres of disturbance (the “Project” or “Proposed Action”).

Submission

The Applicant has submitted for review an Application for Preliminary Subdivision Approval dated 10/8/19; a Short Environmental Assessment Form dated 10/8/19; a comment response memo dated 6/5/23; and a 3 sheet subdivision plat entitled "Bertero" prepared by M. Gillespie and Associates, dated 10/3/19 last revised 6/5/23:

REVIEW COMMENTS

1. Shared Driveway. The existing driveway proposed to be a shared driveway will require maintenance and access easements. We defer to the Town Attorney and Town Engineer regarding this matter.
2. Area of Disturbance. The Applicant should confirm that the area of disturbance now that the scope of work has changed. Additionally, the area of disturbance should be updated on the EAF and be resubmitted.
3. Sight Distance. We understand that a scope of work has been devised to address sight distance concerns at the proposed driveway. These changes should be articulated in the project narrative. We defer to the Town Engineer and the Town Superintendent of Highways with respect to sight distance measurements at the proposed driveways.
4. Wetlands. One of the wetlands on the plat shows disturbance within the 100' buffer associated with the shared driveway. This will require a wetland disturbance permit from the Town and, depending on the jurisdiction of the wetland, could require permits from the NYSDEC. Additionally, a note should be added to the plans explaining that boulders will be placed every 40' along the wetland buffer boundary.

5. SEQRA. The Proposed Action is an Unlisted Action with respect to SEQRA. The Planning Board should determine if they would like to pursue a coordinated or uncoordinated review, and if they choose to pursue a coordinated review, the Planning Board should discuss if they would like to serve as Lead Agency.

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 Gillespie, PE (mgillespie@mgaengrs.com)