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## MEMORANDUM

<i>To:</i>	Bruce M. Flower, Chairman And the Town of Wappinger Planning Board	<i>Date:</i>	6/29/2023
<i>From:</i>	Malcolm M. Simpson	<i>Project:</i>	Obercreek Farm Brewery
<i>cc:</i>	James Horan, Barbara Roberti, Bea Ogunti		
<i>Subject:</i>	Obercreek Farm Brewery & Tasting Room Site Plan & Special Permit Tax Lot 6057-02-847758		

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

### The Property

The properties are known as tax lot 6057-02-847758 on the Town of Wappinger tax assessment maps and is located at 81 New Hamburg Road. The subject property is located within the R-80 1-Family Residence District (the “Subject Property” or “Site”).

### The Proposal

The Applicant is seeking Special Permit and Site Development Plan Approval to renovate and expand two existing barns into a tasting room and brewery for the processing and sales of farm produce. The Applicant is also seeking minor modifications to the existing driveway, a new egress onto New Hamburg Road, sewage disposal system, connection to municipal water for public use, drilling of a well for brewery operations, and the expansion of the existing parking with associated lighting, landscaping, pedestrian walkways, and drainage improvements (the “Project” or “Proposed Action”).

### Submission

The Applicant has submitted an Application for Special Use Permit Approval dated 6/19/23; an Application for Site Plan Approval dated 6/6/23; a Short Environmental Assessment Form (EAF) dated 6/5/23; and a set of plans (15 sheets) generally entitled “Obercreek Brewery & Tasting Room,” prepared by LaBelle Engineering, P.C., dated 6/7/23:

## **VIEW COMMENTS**

1. Section 240-55. The Applicant has applied for Special Use Permit Approval under Section 240-55 for a brewery and tasting room to process and sell agricultural produce. 240-55.F authorizes the Planning Board to determine whether the proposed products for sale comply with the Special Permit.
2. Turning Templates. The turning templates for the largest emergency response equipment and the largest delivery equipment should be shown on the plans. Ultimately, we defer to the Fire Prevention Bureau regarding turning templates and access for fire safety equipment.
3. Wetlands. The Plans show several Town Wetlands on the Site.
  - a. We defer to the Zoning Administrator as to whether it will be required that boulders be placed in the field demarking the 100-foot wetland buffer boundary line.
  - b. It appears the Proposed Action will infringe upon the 100-foot wetland buffer boundary line. A Town Wetland Disturbance Permit will be required.
4. Dumpster Enclosure. Is a dumpster being proposed as part of the Application? If so, the location of the dumpster should be added to the plans and a dumpster enclosure detail should be added to the plans.
5. Sight Distance. Sight Distance should be shown for the proposed exit. We defer to the Town Superintendent of Highways and the Town Engineer with respect to sight distance measurements at the driveway.
6. Parking. The parking calculations should be clarified. The table shows a required 81 spaces and a proposed 87 spaces, including 15 spaces proposed to be land banked and 14 existing spaces. However, analysis of the Site Plan only shows 73 spaces, including the 15 land banked spaces, and it is unclear where the existing spaces are located.
7. Landscaping.
  - a. The following note should be provided on the landscaping plan:  
"All vegetation shown on this plan shall be maintained in a healthy and vigorous growing condition throughout the duration of the proposed use of the site. All vegetation not so maintained shall be replaced with new comparable vegetation at the beginning of the next growing season."

- b. The Landscaping Plan does not show proposed species or size at the time of planting. The Applicant should address this.
- 8. Lighting. The lighting plan is not in conformance with Local Law No. 5 of the year 2022 which amended Section 240-23 Exterior Lighting.
  - a. The lighting plan shows a few minor examples of lighting levels exceeding 5 footcandles in certain hotspots, reaching levels as high as 6.4.
  - b. The lighting plan should include the BUG ratings of the proposed light fixtures.
  - c. The lighting plan shows pole heights exceeding 15 feet in height which is the maximum permitted.
  - d. The lighting plan shows proposed luminaires to be 4000k in color temperature when 3000k is the maximum permitted.
- 9. SEQRA. The Applicant should provide a Full Environmental Assessment Form to the Board to better evaluate what type of SEQRA action is being proposed.