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MEMORANDUM

<i>To:</i>	Bruce M. Flower, Chairman And the Town of Wappinger Planning Board	<i>Date:</i>	9/27/2023
<i>From:</i>	Malcolm M. Simpson	<i>Project:</i>	33 Middlebush
<i>cc:</i>	James Horan, Barbara Roberti, Bea Ogunti		
<i>Subject:</i>	33 Middlebush Subdivision and Site Plan Tax Lot 6157-01-414840 & 396837		

As requested, we reviewed the application made by John Falvella, (the “Applicant”) for Subdivision and Site Plan Approval.

The Property

The properties are known as tax lots 6157-01-414840 and 396837 on the Town of Wappinger tax assessment maps and is located at 33 Middlebush Road. The subject properties are located within the R-20/40 1-Family Residence District. A use variance was granted by the Zoning Board of Appeals for the use of the existing building as a contractor storage building in 2017 (the “Subject Property” or “Site”).

The Proposal

The Applicant is seeking Subdivision and Site Development Plan Approval to consolidate the 2 lots into 1 lot and to demolish the existing building to replace it with a 6,890 SF building for contractor storage (the “Project” or “Proposed Action”).

Submission

The Applicant has submitted Applications for Preliminary and Final Subdivision Approval dated 3/28/19; an Application for Site Plan Approval dated 3/1/19; a Full Environmental Assessment Form (EAF) dated 5/17/23; a Project Narrative dated 9/12/19; a comment response memo dated 9/7/23; and a set of plans (12 sheets) generally entitled “Proposed Contractor Storage Building, 33 Middlebush LLC,” prepared by TW Engineering, P.C., dated 2/7/23, last revised 9/6/23:

REVIEW COMMENTS

1. Turning Templates. The turning templates should be revised.
 - a. The truck turning templates show two different labels. The SU-30 and the SU-40.
 - b. The templates show entering trucks using the internal exit lane and the exiting trucks using the internal entrance lane.
 - c. The turning template plan shows the proposed curb cut curb 11 and 12 feet away from the existing curb along Middlebush. This should be addressed.

2. Wetlands. The National Wetlands Inventory identifies a Town and Federally-regulated wetland on the property. The Applicant should contact the Army Corps of Engineers (ACOE) to verify if the project requires approvals from that agency or other regulating agencies. All correspondence between the Applicant and the ACOE should be sent to the Planning Board for review. The Application will also require a wetland disturbance permit from the Town as a substantial portion of the Proposed Action includes disturbance to the wetland and development within the Town regulated wetland buffer. The Applicant should quantify what square footage of the wetland and the wetland buffer is proposed to be disturbed. Additionally, the comment response memo submitted by the Applicant references a wetland memo from Ecological Solutions, but this wetlands memo was not received by our office. This should be included in future submissions.

3. Sight Distance. We defer to the Town Superintendent of Highways and the Town Engineer with respect to sight distance measurements at the driveway.

4. Signage. The Applicant has represented in their comment response memo that, "No free-standing tenant signs are proposed at this time. Only tenant directional signs are proposed on the entry doors to each of the four tenant spaces. Sign locations and details are shown on S-3.0." From the plans, the sign schedule shows 4 types of signs, including stop signs, handicap parking signs, no parking signs, and one that reads "All Vehicles Must Be Pull Beyond This Sign". It is not clear which signs on the sheet correspond to which signs identified on the schedule, or which of those signs, if any, are the directional signs proposed on the entry doors. The Applicant should address this.

5. Sidewalk. The Applicant has included a 5-foot-wide easement along the lot frontage for the future construction of a sidewalk along Middlebush Road. We defer to the Town Attorney as to the adequacy of the easement shown.

6. Parking.
 - a. The Applicant is requesting a parking waiver for 21 parking spaces where only 7 are required.

- b. The parking lot configuration shows a row of parking stalls an uncertain distance from the northern most bay doors. This distance should be shown as a call out and more information should be given on the largest vehicles that will be using the northern most bay.
- 7. SEQRA. The Application had concluded SEQRA, however, the Application has changed substantially and now includes the demolition of the existing building and the construction of a new 6,890 square foot building. The Planning Board should decide if they would like to pursue a coordinated or uncoordinated review of the new Application. If a coordinated review is preferred, the Planning Board should consider if they would like to serve as Lead Agency.