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MEMORANDUM

<i>To:</i>	Bruce M. Flower, Chairman And the Town of Wappinger Planning Board	<i>Date:</i>	8/29/2023
<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 per Section 240-55 Farm uses, including accessory farm produce stands, nurseries and greenhouses, 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 10 parking spaces to a proposed total of 83 parking spaces with associated lighting, landscaping, pedestrian walkways, and drainage improvements. The site currently contains three existing buildings, including two former dairy barns and a farm stand. The northern, 1-story with loft, dairy barn (6,029 SF) will be converted to a tasting room comprising 5,337 SF, with a catering kitchen and 187 seats. The southern, 1-story with loft, dairy barn (7,371 SF) will be converted to a brewery, with an 814 SF addition for a total of 8,185. There is no change proposed to the 1,250 SF farm stand. (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 Full Environmental Assessment Form (EAF) dated 8/14/23; a comment response memo dated 8/14/23; Architectural Elevations dated 8/7/23; a Wetland Disturbance Permit Application dated 8/14/23; and a set of plans (17 sheets) generally entitled "Obercreek Brewery & Tasting Room," prepared by LaBelle Engineering, P.C., dated 8/14/23:

REVIEW COMMENTS

1. Wetlands. The Proposed Action will infringe upon the 100-foot wetland buffer boundary line. A Town Wetland Disturbance Permit has been requested by the Applicant.
2. Lot Line Re-Alignment. The Project Site is currently in final lot line adjustment approval review as a part of another application and the submitted plans are designed with the assumption of that approval. Any approval of the Proposed Action must be conditioned on the approval of that lot line adjustment or the submitted plans to be revised.
3. Parking.
 - a. The parking calculations have been revised and show 9 parking spaces required for the existing farm stand and 72 parking spaces required for the proposed brewery and tasting room for a total of 81 parking spaces. The Applicant has proposed 83 parking spaces with 15 of those 83 parking spaces proposed as land banked parking. Any deviation from the required parking calculation requires a parking waiver from the Planning Board as per §240-97.A..
 - b. The Parking plan should label and demonstrate a consistent angle in the angled parking area. As currently shown, the angles vary from 55-62 degrees. With the assumption of 60-degree angled parking, the overall width of the parking area is appropriate at 52 feet. However, that width relies upon a drive aisle width of 14 feet. The drive aisle as proposed is 17.5 feet in width resulting in shorter parking stalls than recommended (17.3 feet instead of 19 feet). The drive aisle width should be adjusted, and the turning templates rerun, or the angled parking area should be widened.

4. Lighting. The plans show what are labeled as W1 or the 'Outdoor LED Vapor Tight Wall Mount'. These luminaires do not show their BUG rating and are listed as 4000k in color temperature. The color temperature should not exceed 3000k and a BUG rating should be provided.
5. SEQRA. The Application is considered to be a Type 1 Action with regard to SEQRA as it proposes the expansion of existing nonresidential facilities and includes the rehabilitation and reuse of two historic buildings in the Wheeler Hill Historic District.
 - a. Historic District and Building. The Applicant should reach out to the New York State Historic Preservation Office for their review of the proposed rehabilitation and reuse of historic structures. All communications with the New York State Historic Preservation Office should be forwarded to the Town for the record.
 - b. Endangered and Threatened Species. The NYSDEC Environmental Resource Mapper shows the known occurrence of endangered or threatened species on the Site, including the Bald Eagle, Northern Long-eared Bat, Indiana Bat, Atlantic Sturgeon, and Shortnose Sturgeon. The Applicant should reach out to the New York Department of Environmental Conservation for additional information on mitigation measure, should they be required, and forward all correspondence with the NYSDEC to the Town for the record.