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MEMORANDUM

<i>To:</i>	Bruce M. Flower, Chairman And the Town of Wappinger Planning Board	<i>Date:</i>	3/13/2024
<i>From:</i>	Malcolm M. Simpson	<i>Project:</i>	DC Sports
<i>cc:</i>	Kyle Barnett, Barbara Roberti, Bea Ogunti, Lawrence Paggi		
<i>Subject:</i>	1630 Route 9 Tax Lot 6158-04-632426		

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

The Property

The property is approximately 2.95 acres in size and located 1630 Route 9. It is designated as tax lot 6158-04-551329 on the Town of Wappinger tax maps and is within the HD zoning district (the “Subject Property” or “Site”).

The Proposal

The Applicant is proposing to an outdoor recreation facility (ropes & aerials course) in an existing concrete pool (the “Project” or “Proposed Action”).

Submission

The Applicant has submitted an Application for Site Plan Approval dated 1/3/24; an Application for Special Use Permit dated 1/3/24; a Short Environmental Assessment Form (EAF) dated 12/27/23; and a plan sheet (12 sheets) generally entitled “DC Sports,” prepared by Liscum, McCormack VanVooris, dated 2/29/24, last revised 3/5/24.

REVIEW COMMENTS

1. Site Plan.
 - a. A bulk regulations table provided on the plans is not complete. Typically, we ask to see a line in the bulk table showing existing and proposed conditions for purposes of

comparison. Given the nature of the Proposed Action, a proposed line only could be appropriate but it needs to be filled out completely.

- b. The proposed ropes course will be constructed inside the existing pool. For the purposes of the bulk table and setback requirements, this would constitute the construction of a new structure within the footprint of a previously non-conforming structure. The bulk table and the plans do not show the setback of the proposed ropes course from the property line. If it is closer than the required 75 foot setback, it would require a variance for front setback.
- c. It is not clear from the plans how the patrons will access the ropes course from other portions of the Site and how patrons will be kept away from the pool deck, as the Applicant has stated will be the operating policy.
- d. The Applicant has added a detail to describe the proposed astroturf and padding. We have concerns regarding the safety this astroturf and padding would provide and how it will weather. We defer to the Planning Board in this regard.

2. Lighting.

- a. The lighting plan only shows the illumination levels of two lighting poles in the proximity of the proposed ropes course despite the site plan showing at least four lighting poles in the proximity of the proposed ropes course. The Applicant should address this.
- b. The Applicant has added notes to the plans that the existing fixtures will be angled towards the ground to reduce the potential for glare from the light to drivers along Route 9, but there have been no changes to the lighting plan reflecting changes in the illumination pattern.
- c. The lighting plan shows lighting levels that exceed the foot candle limits of the Town lighting code. This would require a lighting waiver from the Planning Board. The Applicant has also stated that the ropes course is not proposed to be operated after dusk and that these lights would not be required for the safe operation of the proposed ropes course. The Applicant has stated that patrons will not have access the pool deck. It is not clear from the plans how patrons will be kept from accessing the pool deck and if they will not have access to the pool deck and the ropes course will not be operated after dark, what the purpose of the lights will be in the continued operation of the Site.