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MEMORANDUM

<i>To:</i>	Bruce M. Flower, Chairman And the Town of Wappinger Planning Board	<i>Date:</i>	3/27/2024
<i>From:</i>	Malcolm M. Simpson	<i>Project:</i>	Suben, LLC Subdivision
<i>cc:</i>	Kyle Barnett, Barbara Roberti and Bea Ogunti		
<i>Subject:</i>	New Hackensack and Widmer Road Tax Lot 6158-04-632426		

As requested, we reviewed the application made by Suben, LLC, (the “Applicant”) for Preliminary and Final Subdivision Approval.

The Property

The property is approximately 3.42 acres in size and located on the northeast corner of New Hackensack and Widmer Road. It is designated as tax lot 6158-04-632426 on the Town of Wappinger tax maps and is within the R-20 zoning district (the “Subject Property” or “Site”).

The Proposal

The Applicant is proposing to subdivide the existing lot into two (2) residential building lots. Proposed Lot 1 is 1.53 acres in size and proposed Lot 2 is 1.89 acres in size (the “Project” or “Proposed Action”).

Submission

The Applicant has submitted an Application for Preliminary Subdivision Plat Approval dated 2/2/24; an Application for Final Subdivision Plat Approval dated 2/2/24; a Short Environmental Assessment Form (EAF) dated 1/31/24; a comment response memo dated 3/18/24; and a plan set (7 sheets) generally entitled “Suben LLC Subdivision,” prepared by Hudson Land Design, dated 2/5/24 last revised 3/18/24.

REVIEW COMMENTS

1. Wetlands Disturbance Permit.

- a. An application should be provided for the proposed disturbance within the wetland buffer area on Lot 1 and Lot 2.
- b. According to Dutchess County Parcel Access, the wetland located on the site is a Federally regulated wetland. The Applicant has reached out to the ACOE as to whether a permit is required for the proposed discharge to the wetland. All correspondence with the ACOE should be provided to the Planning Board.

2. Sight Distance. We defer to the Town Superintendent of Highways and the Town Engineer regarding the proposed sight distance plans.

3. SEQRA.

- a. The Proposed Action is an Unlisted Action with respect to SEQRA. The Planning Board has determined to pursue a coordinated review and has circulated their intent to serve as Lead Agency.
- b. The EAF notes that the site may contain habitat for the Indiana bat and the Pied-bill Grebe. The Applicant has added notes restricting tree clearing to the period between October 1 and March 31. The Applicant states they reached out to the NYSDEC regarding the department determination on potential impacts to the Pied-bill Grebe. All correspondence should be provided to the Planning Board.
- c. The site is located within an archaeological buffer area. The Applicant states they have opened a token within the CRIS website of the New York State Office of Parks, Recreation and Historic Preservation regarding potential archeological resources on the site. All correspondence should be provided to the Planning Board.