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March 18, 2024

Town of Wappinger Planning Board
20 Middlebush Road
Wappingers Falls, NY 12590

Re: SUBEN, LLC Subdivision – Preliminary Plat Application
New Hackensack Road (County Route 104) & Widmer Road
Tax parcel 6158-04-632426 (±3.42 acres)
Town of Wappinger, New York

Dear Chairman Flower & Members of the Planning Board:

On behalf of the applicant for the project, Hudson Land Design (HLD) has revised the plans and has prepared additional materials and reports in response to Clark Patterson Lee's (CPL) February 28, 2024 comment letter and Hardesty Hanover's (H&H) February 28, 2024 comment memorandum. Below is a point-by-point response to the comments received.

CPL February 28, 2024 Comment Letter

1. *Show boulders at wetland buffer line.*

Response: Boulders are shown along the wetland buffer line.

2. *Provide a note indicating that the driveways will be paved for the entire length.*

Response: Driveway Notes indicating that the driveways shall be paved for their entire length has been added to sheet SP1 of the plan set.

3. *Provide calculations showing that the existing wetland has the capacity to retain the runoff from the added impervious area. The capacity of the pipe from the wetland across New Hackensack Road should also be checked.*

Response: A SWPPP report for erosion control only is required for this project, and has been prepared. The basic SWPPP includes hydrologic and hydraulic calculations related to the wetland watershed for pre-development and post-development conditions. The calculations demonstrate that the wetland and outlet pipe have the capacity to handle the increased flows from the development.

4. *Erosion control fabric should be shown at the driveway side slopes.*

Response: Erosion control fabric has been provided along the Lot 1 side slopes and within the graded drainage swale. Lot 2 driveway side slopes are flatter than 3H:1V slopes. Therefore, erosion control fabric is not required.

5. *Show soil stockpile areas on the plan.*

Response: Soil stockpile locations are shown on sheet 4 of the plan set.

6. *Add concrete wash out detail and show the locations on the plan.*

Response: Concrete washout locations are shown on sheet 4 of the plan set.

7. *Show roof leader and footing drain discharge locations.*

Response: Roof leader and footing drain locations are shown on sheet 3 of the plan set.

8. *Provide correspondence and approval from DCDBCH.*

Response: Comment noted. An application will be made to the DCDBCH once preliminary approval has been granted. Correspondence will be provided to the Town.

9. *Provide ACOE correspondence and approval if applicable.*

Response: We have reached out to the ACOE for their determination if a permit is required. It is not expected that the ACOE will respond to our request as they are short-staffed and do not have the capacity to respond to general inquiries. Any correspondence received will be provided to the Town. It is the professional opinion of this office that a federal wetland permit is not required because there is no proposed disturbance to the wetland, and the plan maintains current drainage patterns to the wetland.

10. *Provide Town of Wappinger Wetland Disturbance Application.*

Response: A Town of Wappinger Wetland Disturbance Application will be provided once Preliminary Subdivision Approval is granted.

H&H February 28, 2024 Comment Memorandum

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.*

Response: A Town of Wappinger Wetland Disturbance Application will be provided once Preliminary Subdivision Approval is granted.

b. *According to Dutchess County Parcel Access, the wetland located on the site is a Federally regulated wetland. The Applicant should provide a wetland delineation and coordinate with the Army Corps of Engineers as to whether a permit is required for the proposed discharge to the wetland.*

Response: A wetland delineation has already been provided on the plans. We have reached out to the ACOE for their determination if a permit is required. It is not expected that the ACOE will respond to our request as they are short-staffed and do not have the capacity to respond to general inquiries. Any

correspondence received will be provided to the Town. It is the professional opinion of this office that a federal wetland permit is not required because there is no proposed disturbance to the wetland, and the plan maintains current drainage patterns to the wetland.

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

Response: Comment noted. Sight distance plans and profiles are provided within the plan set.

3. SEORA.

- a. *The Proposed Action is an Unlisted Action with respect to SEORA. The Planning Board should determine if they would like to pursue a coordinated or uncoordinated review, and if they choose to pursue a coordinated review, the Planning Board should discuss if they intend to serve as Lead Agency.*

Response: Comment noted. The Planning Board determined that they would like to pursue a coordinated review.

- b. *The EAF notes that the site may contain habitat for the Indiana bat. The Applicant should coordinate with NYSDEC regarding any tree clearing that will take place on the site. All correspondence should be provided to the Planning Board.*

Response: restrictive tree clearing notes have been added to sheet 3 of the plan set that restricts tree clearing to only during the Indiana Bat hibernation period. We have also reached out to the NYSDEC regarding their determination on potential impacts to the Pied-bill Grebe. Correspondence will be provided to the Town for their review.

- c. *The site is located within an archaeological buffer area. The Applicant should coordinate with 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.*

Response: A Token has been opened within the CRIS website for the subject parcel. Any correspondence will be provided to the Town.

Based on the submitted materials and public hearing notification, we respectfully request that this item be placed on your April 1, 2024 meeting agenda for review and discussion.

Please find enclosed for your consideration:

- Revised preliminary Subdivision Plan Set – 16 copies, and
- Updated Stormwater Pollution Prevention Plan – 3 copies.

Should you have any questions or require additional information, please feel free to call my direct line at 845-765-8956.

Sincerely,

A handwritten signature in black ink, appearing to read "Mr. Bodendorf", written in a cursive style.

Michael A. Bodendorf, P.E.
Principal

cc: SUBEN, LLC Applicant (via email)
Daniel G. Koehler, P.E. (HLD file)