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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>	U-Haul Stage Door
<i>cc:</i>	James Horan, Barbara Roberti, Bea Ogunti, Lawrence Paggi		
<i>Subject:</i>	U-Haul Stage Door Road Lot Consolidation, Site Plan, & Special Permit Review Tax Lot 6156-02-777824, 771855, 794847, & 820883		

As requested, we reviewed the application made by William Rodriguez (the “Applicant”) for Lot Consolidation, Site Plan, and Special Permit Approval.

### The Property

The subject property is four lots that combined make up 7.4 acres located at Route 9 and Stage Door Road. The four lots are designated as tax lots 6156-02-777824, 771855, 794847, & 820883 on the Town of Wappinger tax maps and is located within the HB Highway Business District (the “Subject Property” or “Site”).

### The Proposal

The Applicant is proposing to consolidate the four lots into a single 7.4 acre lot and to develop that lot with a U-Haul facility comprised of retail, self-storage, and warehouse uses. Building 1 is proposed to be 38,661 sf. and Building 2 was previously proposed to be 28,352 sf. and has been reduced to be 21,500 sf.. The Project is proposed to have 52 parking spaces including 33 rental parking spaces, and an additional 14 shunting vehicle lanes (Proposal or Proposed Action).

### Submission

The Applicant has submitted for review an Application for Lot Consolidation Approval dated 7/12/23; Application for Special Use Permit form dated 7/12/23; an Application for Site Plan Approval form dated 7/12/23; a project narrative prepared by Povall Engineering dated 2/26/24; correspondence from Sarah Pawliczak of the NYSDEC dated 11/3/23; a Full Environmental Statement form with multiple attachments dated 7/17/23; a 6 sheet sign plan dated 2/15/24; a 8 sheet elevations plan dated 2/15/24; a 3 sheet truck turning template plan last revised 2/26/24; a 1 sheet subdivision plat

prepared by Povall Engineering dated 7/17/23; a 1 sheet layout plan prepared by Povall Engineering last revised 2/26/24:

## **REVIEW COMMENTS**

1. **Variances.** The revised Application as proposed would still require a number of variances.
  - a. The Application is still seeking a variance for building height to increase the allowed height from 2.5 stories to 3 stories.
  - b. The Applicant has revised elements of the proposal and is seeking a variance for front yard setback (Route 9) from 75 feet to 10 feet. This variance was requested with the previous proposed layout, and was proposed to be 25.9 feet.
  - c. Building 1 has been moved south from its originally proposed location and will require a variance for front lot line (Stage Door Road) from 50 feet to 21.1 feet.
  - d. A variance for floor area ratio from 0.4 to 0.43 is requested. The previously proposed floor area ratio had been 0.5.
  - e. The Application is requesting 12 sign waivers. The previous proposal had requested 15 sign waivers.
2. **Environmental.** The EAF identifies two endangered or threatened species as having potential habitat on this Site, the Blanding's Turtle and the Indiana Bat. The Applicant has included an Endangered and Threatened Species Habitat Suitability Assessment Report in their submission which represents that there was not habitat for the Blanding's Turtle or the Indiana Bat found on the Site, but that standard Indiana Bat mitigation measures will be followed. The Applicant has included correspondence from the NYSDEC which states that the Site is within the screening distance of Indiana bat and Blanding's turtle and also that the project may require Section 401 Water Quality Certification if a Section 404 permit is required from the ACOE. The Applicant should address these concerns and if they have had the submitted Endangered and Threatened Species Habitat Suitability Assessment Report reviewed by the NYSDEC and if they have contacted the ACOE regarding the need for a Section 404 permit.
3. **Wetlands.** The Application has been revised following discussions with the Planning Board regarding the previously proposed disturbance to the Town Regulated Wetland and Wetland Buffer. The revised layout has moved both buildings and reduced the size of Building 2 to reduce the proposed disturbance to the wetland. The wetland disturbance has been removed from the proposal and the disturbance to the wetland buffer has been reduced from the previously proposed 2.34 acres to 1.69 acres of wetland buffer disturbance. The wetland is currently only regulated by the Town but the correspondence from the NYSDEC provided by the Applicant states that the wetland may be reclassified as regulated by the NYSDEC when the recently adopted changes to Article 24 become effective in 2025. It should also be noted

that the wetland drains into the property located to the west across Route 9 via two culverts that connect to a vast Town owned and State and Federally regulated wetland.

4. **Parking.** The Applicant is requesting a parking waiver and only providing 20 parking spaces (11 regular spaces, 6 loading spaces and 3 employee spaces) where 25 parking spaces are required based on our ITE calculations. The parking calculation table provide on the plan does not account for the retail space. The Applicant is 5 spaces short of ITE estimates.
5. **Truck Turning Radii.** The Applicant needs to illustrate the centerline on Stage Door Road to confirm the exiting vehicles do not cross the centerline and into opposing traffic. Also, the Applicant should confirm that an SU-30 is the largest vehicle to be used on site. The loading docks on the east side of building 2 appear big enough to accommodate a tractor trailer truck. If so, then the turning template for a WB-67 should be provided for the movements into the site to the loading dock and then exiting the loading dock to the site exit driveway.
6. **Site Plan.** We question the need for the internal connection in front of Building 1. It appears to be a remnant from the previous layout plan and could it be eliminated or restricted to one direction.
7. **Sight Distance.** We defer to the Town Superintendent of Highways with regards to the sight distances of the proposed driveway entrances.