

August 7, 2024

Mr. Bruce Flowers, Planning Board Chairman & Planning Board Members
Town of Wappingers Planning Board
20 Middlebush Road
Wappingers Falls, NY 12590

**Re: MLC Smithtown Properties LLC Subdivision
2 Lot Subdivision Plan
All Angels Hill Rd
Tax Map No. 135689-6256-01-210678**

Mr. Chairman and Planning Board Members:

With this cover letter I am submitting revised documents and plans for MLC Smithtown Properties LLC Subdivision.

I offer the following responses to the review comments from Malcolm Simpson, Planner, from Hardesty & Hanover dated July 31, 2024:

REVIEW COMMENTS

1. Tax Lot Number. The submission materials show inconsistent tax lot numbers. This should be corrected.
Response: The Tax Lot Number in the narrative and Subdivision application have been revised.
2. Environmental. The EAF identifies the potential habitat of the Indiana Bat. Notes will need to be added to the plan identifying the NYSDEC mitigation measures.
Response: The appropriate Indiana Bat notes have been added to the first sheet of the plan.
3. Sight Distance. We defer to the Town Superintendent of Highways in regards to the sight distance of the proposed driveway.
Response: Comment acknowledged.
4. SEQRA. The Proposed Action is an Unlisted Action with respect to SEQRA. 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 acknowledged.

I offer the following responses to the review comments from Lawrence J. Paggi, P.E., PC dated August 5, 2024:

1. Please ensure that separation distances to existing wells are maintained as per the “Dutchess County Design and Construction Standards Plan Submission Guide for Residential and Commercial Onsite Wastewater Treatment Systems and Sewer Mains for Less Than 1,000 Gallons per Day”. The well to the north of the proposed Lot #2 and the existing well on proposed Lot #1 both appear to be less than 200 feet away from the proposed clay barrier for the sewage disposal system (SDS); however, it is noted that approval of the proposed SDS is at the discretion of the DCHD.
Response: Comment noted. The existing well is upgrade from the original grade at the location of the SDs as well as out of the general path. Any changes will be coordinated with the DCHD.

2. The Applicant shall demonstrate approval from the DCHD for the proposed well and SDS prior to the Chairman signing the Plat. We recommend that a conceptual approval from the DCHD be demonstrated prior to the Board considering Conditional Final Approval.
Response: Comment acknowledged.

3. Please provide the location of the existing OWTS which serves the 2-story dwelling on Lot #2.
Response: The approximate location as provided by the applicant has been added to the plan set.

4. Town Code Section § 240-100.B(1) indicates that “The maximum grade for any new driveway for a one-family dwelling shall be 12% except that where it can be demonstrated to the satisfaction of the approving authority that, because of practical difficulty or unreasonable hardship affecting a particular property, the construction of a driveway shall be permitted, provided the increase in driveway grade is the minimum increase required and further provided that in no case shall such driveway grade be permitted to exceed 15%.” The proposed driveway profile indicates a proposed grade of 14.56% over approximately 150-ft of the driveway. It appears that there is opportunity to reduce the driveway grade, however, if the Applicant wishes to maintain slopes in excess of 12%, practical difficulties and/or reasonable hardships shall be demonstrated to the satisfaction of the

Planning Board and Highway Superintendent.

Response: The driveway slope and profile has been revised to depict a driveway that meets the slope requirements. The profile has been update to include the location of the Town ROW for reference

5. Town Code Section § 214-66.B indicates that any driveway with grade 6% or greater shall be paved. A note shall be added to the plan indicating that the proposed driveway shall be paved in its entirety.

Response: The driveway has been hatched and a call out added to sheet 2. The Town of Wappinger driveway requirements have been added to sheet 1.

6. Runoff generated by the proposed driveway will discharge freely to Smithtown Road as currently proposed, as will discharge from the proposed roof leader and footing drains which are shown to discharge immediately uphill of the driveway. The plans shall be revised to indicate provisions to adequately control the flow of stormwater.

Response: A small infiltration system has been added at the base of the driveway acting as a drywell.

7. An Erosion and Sediment Control Plan shall be provided.

Response: An Erosion and Sediment Control Plan has been provided on sheet three with additional details.

8. Please indicate on the site plan the location of the proposed rain garden shown in the Typical Tile Field Detail on sheet CU501; if none is proposed, please remove the rain garden from the detail.

Response: The rain garden has been removed from the Typical Tile Field Detail on sheet CU501 as it was an artifact from a previous detail.

9. Please provide the proposed separation distance between the non-perforated rigid conduit sleeve on the septic tank effluent line, and the perforated drainage pipe at the proposed crossing location.

Response: The anticipated distance is approximately 34". This separation will be coordinated with the DCBOH as may be required.

Please feel free to contact me if you require any further information or have questions about the information provided herein.

Sincerely,

A handwritten signature in black ink that reads "Brian J. Stokosa". The signature is written in a cursive, slightly slanted style.

Brian J. Stokosa, P.E.

Cc:file