

August 29, 2024

September 4, 2024 Meeting

Town of Wappinger Planning Board
Attn: Bruce Flower, Chairman
20 Middlebush Road
Wappingers Falls, New York 12590

Re: ***Conservation Corners (formerly known as Joey Estates)***
Cedar Hill Road
Tax Map: 6257-03-247036

Dear Chairman Flower and Members of the Board:

We have received the following information prepared for the above referenced project:

- Cover letter, dated August 7, 2024.
- Planning Board Applications Including Subdivision Checklist, Preliminary Layout Application for Subdivision of Land and Owners Consent Form, dated 8/6/2024.
- Part 1 & Part 2 Full Environmental Assessment Form, dated 8/6/2024.
- Project narrative, dated August 6, 2024.
- Email Correspondence with NYSDEC, dated 8/29/2023 and supportive mapping.
- Wetland Delineation letter, prepared by Ecological Solutions, LLC, dated 12/5/2023, last revised 1/11/2024.
- Preliminary drainage report, printed 8/6/2024.
- Plan Set (16 Sheets) Including the following:
 - Existing Conditions (SV100), dated 7/15/2022, last revised 7/11/2024.
 - Existing Conditions (SV101), dated 7/15/2022, last revised 7/11/2024.
 - Existing Conditions (SV102), dated 7/15/2022, last revised 7/11/2024.
 - Existing Plat (SV200), dated 7/15/2022, last revised 7/11/2024.
 - Multi-Family Dwelling Unit (C130), dated 7/15/2022, last revised 7/11/2024.
 - Single Family Dwelling Unit (C131), dated 7/15/2022, last revised 7/11/2024.
 - Overall Layout (C133), dated 7/15/2022, last revised 7/11/2024.
 - Grading & Drainage Plan (C140), dated 7/15/2022, last revised 7/11/2024.
 - Grading Plan (C141), dated 7/15/2022, last revised 7/11/2024.
 - Erosion & Sediment Control Plan (C150), dated 7/15/2022, last revised 7/11/2024.
 - Road Profiles (C161), dated 7/15/2022, last revised 7/11/2024.
 - Landscaping & Lighting Plan (C180), dated 7/15/2022, last revised 7/11/2024.
 - Utility Plan (C160), dated 7/15/2022, last revised 7/11/2024.
 - Site Details (C500), dated 7/15/2022, last revised 7/11/2024.
 - Site Details (C501), dated 7/15/2022, last revised 7/11/2024.
 - Site Details (C501), dated 7/15/2022, last revised 7/11/2024.

The above outlined documents were prepared by Day and Stokosa Engineering P.C., 3 Van Wyck Lane, Wappingers Falls, New York, 12590.

Based upon our review of the information above we offer the following comments.

General Comments

1. The submitted materials are part of a Conservation Subdivision application to the Planning Board, which seeks approval under the provisions of the Town of Wappingers Zoning Code Section 240-19.B.(2), which stipulates that “at the written request of the applicant to the Town Board, the Planning Board may be authorized to modify the zoning regulations in one-family residence districts with respect to lot area and dimensions upon such conditions as the Town Board may impose,” and provided that all conditions of 240-19.B.(2) are met. The total number of dwellings previously determined to be permitted on the subject property is sixty-six (66), confirmed in a memorandum from the Planning Board to the Town Board dated March 4, 2024. This item was then discussed at the Town Board Meeting on May 13, 2024, during which the applicant presented a proposal for 66 residential dwelling units consisting of 22 single family dwelling units on individual parcels and 44 dwelling units in 11 townhouse-style buildings on a single parcel, all proposed to be supplied by private water and sewer services. The Town Board then voted to adopt Resolution 2024-128, which authorized referral of the Conservation Subdivision application to the Planning Board for review and completion of SEQRA, and further resolving:
 - a. That the referral to the Planning Board does not imply that the Town Board will authorize the Planning Board to modify the zoning regulations in one-family residence districts with respect to lot area and dimensions as they relate to the lots containing multi-family units; and
 - b. That the Town Board has no present intention to permit a connection to a Town water district and recommends that the Applicant causes the Application to be processed without any proposal for a connection to the Town’s water district; and
 - c. per 240-19B, that the Town Board’s authorization of the Planning Board to modify the zoning regulations in one-family residence districts with respect to lot area and dimensions shall be upon such conditions as the Town Board may impose and that the referral does not imply that the Town Board will authorize the use of 240-19B as they relate to the lots containing detached units; and be processed without any proposal for a connection to the Town’s water district; and
 - d. That because other residential development projects similar in size and scope to the Application have been submitted to the Town for review in the vicinity of the Application, the SEQRA review of the Application should also include the impacts from those other certain projects and vice versa.

The application and plan set received by this office on August 7th is materially different from the plan referred by the Town Board via the above mentioned resolution, in that it proposes 66 residential dwelling units consisting of 3 single family dwelling units on individual parcels and 63 dwelling units in 16 townhouse-style buildings on a single parcel, with the single-family dwelling units proposed to be supplied by private water and sewer

services, and the multi-family dwelling units proposed to be supplied by municipal water and sewer services. Given the language in Resolution 2024-128 above and considering the material changes to the plan, it may be prudent for the Planning Board to request that the Applicant return to the Town Board to obtain a referral for the current layout prior to commencing the SEQR.

2. We recommend that the Planning Board entertain a broader discussion regarding process and procedures as they relate to this application, including but not necessarily limited to required SEQR review elements, required outside agency approvals and the timing of such, any conditions specific to this application, etc.

Plan Review Comments

1. The preliminary subdivision plans provide a schematic-level of design detail. Detailed plans shall be submitted for review.
2. Any easements, conservation areas, dedication areas or creation of special districts shall be detailed clearly on the Subdivision Plat. The creation of such agreements and/or improvements, including any offers of cession, performance bonds, etc. shall comply with the Town's Subdivision Code.
3. The proposed roadway and driveway designs shall conform to the standards and specifications of the Town of Wappinger Highway Department and Department of Public Works. The applicant is encouraged, in particular, to investigate the proposed slopes of the driveways for the single-family lots and to propose stormwater runoff mitigation prior to discharge to the Town road.
4. The stormwater management area design and details shall be expanded upon to provide the following information, including but not limited to; soil testing results, catch basin rims and inverts, detailed infiltration basin design information including water elevations at various storm events, locations of discharge pipes and emergency spillways, maintenance information and so on. It appears that more than 5-acres will be disturbed with the construction of the road and build-out of the individual lots. If this is the case, the project will require coverage under the NYS SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001) along with the preparation of a Stormwater Pollution Prevention Plan (SWPPP) that includes post-construction stormwater practices. The Applicant shall provide ample notice to the Town of any planned soil testing for stormwater practices so that a representative of the Town has the opportunity to witness the testing at the Town's discretion.
5. Approvals from the Dutchess County Department of Health for the proposed sewer connection and any on-site sewage disposal systems shall be provided. The plan shall locate and describe in detail the proposed sewer services, sewer main in the proposed road, and connection to the existing sewer manhole on Cedar Hill Road.
6. Approvals from the Dutchess County Department of Health for the proposed water connection and any on-site wells shall be provided. Any connection to the Town water

system shall also require demonstration that authorization to connect has been obtained by the Town Board.

7. Conceptual building, grading and utility locations for the proposed lots and buildings shall be detailed in full in subsequent submissions.

Application and EAF Review Comments

1. The Application and EAF submitted as a part of this submission package are unclear in their representation of total acreage on the property (or properties) and total acreage to be disturbed. The applicant is requested to clarify these values on subsequent submissions.
2. The applicant shall provide an analysis of change in percentage of forest cover and indirect impacts to the Indiana Bat species as noted in the provided NYSDEC correspondence from August 2023. The EAF shall be revised to denote the impact on bat habitat.
3. The applicant shall provide an updated EAF following discussions with relevant boards and agencies regarding stormwater, water and utility services, consistency with community plans and character, and environmental mapping including existing wetlands and habitat of endangered species.

Our office will continue our review upon submission of detailed responses to the above comments. As additional information is provided, additional comments may be generated.

Please do not hesitate to contact our office with any questions or concerns relative to the above.

Sincerely,

Christian R. Paggi

Christian R. Paggi, P.E.
Principal

cc (via email): Barbara Roberti, Director of Strategic Planning & Municipal Codes
Malcolm Simpson, Planner
Kyle Barnett, Esq.