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March 14, 2025

March 17, 2025 Meeting Date

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

Re: ***Mountainview Ranch – Lot Line Re-alignment***
341 Maloney Road, Smith Crossing Road, Ostuni Way
Tax Map: 6359-01-134683, 182562, 119522 & 050625

Dear Chairman Flower and Members of the Board:

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

- Various email correspondence between Applicant and Town, dated 12/5/2024 & 2/14/2025.
- Layout Application for Lot Line Realignment or Lot Consolidation, dated 11/21/2024.
- Plan entitled, “Lot Line Revision, Lands of Ostuni”, dated 6/20/2023, last revised 1/13/2025.

The above referenced plan was prepared by Decker Surveying, 292 Fraleigh Lane, Red Hook, New York 12571.

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

1. The properties in the application were previously subdivided in 1994, and that subdivision was approved and recorded in the Dutchess County Clerk’s office as “Julfran Farm Subdivision”, under Filed Map 9856. The proposed subdivision may be subject to notes or stipulations present on FM 9856 which pertain to the proposed action (including such items as reference to former maps, deed information, construction and grading preclusions, wetlands information, etc.).
2. The plans indicate the revision of three (3) existing lots owned by the applicant and his relatives, with a fourth lot to remain unchanged. Please clarify the ownership of the lots on the Layout Application. Deeds of ownership, certificates of title, executed easements or any other relevant property information should be provided.
3. The Layout Application for Lot Line Realignment must be revised to remove Lot 119522 from the application if it is no longer intended to be included in the proposed action.

4. Please clarify the location of the new lot line listed as “N71°21’17” E, 264.18” (located on Lot 050625) on the plans.
5. The existing parcels are currently accessed by a number of gravel and paved driveways or other pathways which traverse over existing and newly proposed parcel lines. It is requested that the Applicant clarify their intent with respect to the various existing gravel driveways and whether any easements are proposed.
6. The existing parcels also contain multiple existing structures, including single-family residences, garages, accessory dwellings and other accessory buildings such as barns and sheds (a total of 12 separate structures are shown on the plans). Some of these structures will change parcels as part of the proposed realignment. These buildings and their uses shall be clearly labeled on the plan (see below). The applicant should also demonstrate that all of the existing structures conform to the Zoning standards for the applicable zoning district (One-Family Residence District, R3-A). This should include, at a minimum, setback dimensions for all existing and proposed structures on the proposed lots.

The following is noted as relates to these structures:

- a. That the proposed revised Lot 182562 appears to contain two (2) primary residences, noted on the plans as “3 Bedroom House” and “1 Story House”. The applicant should clarify the number of bedrooms within each of the single-family residences.
 - b. That the proposed revised Lot 050625 appears to contain shed and barn structures and a “two-bedroom cottage”. The applicant should clarify if this is a primary residence.
 - c. That the proposed revised Lot 134683 appears to contain one primary residence “Two-Story House”, and several other accessory buildings. The applicant should clarify the number of bedrooms within primary and accessory dwellings and what the nature and purpose of these accessory buildings are.
 - d. That Lot 119522 (which, according to the latest revised plan, is no longer included in the realignment) does not appear to contain a primary residence structure.
7. The property appears to contain mapped federal wetlands. Reference to these wetlands is also made in the Filed Map. All existing wetlands shall be indicated on the subdivision plat along with any regulated adjacent areas. It is noted that as of January 1, 2025, the New York State Department of Environmental Conservation (NYSDEC) has implemented revised freshwater wetlands regulations that expand the scope of protected wetlands beyond those previously depicted on official maps. Under these new regulations, any individual or entity proposing a project on land that may contain wetland characteristics is required to obtain a jurisdictional determination (JD) from the NYSDEC. This process ascertains whether the area in question includes state-regulated freshwater wetlands or their regulated adjacent areas. Based on our understanding of the new regulations, it appears that this project would require a JD from the NYSDEC.

8. There is no information relative to existing or proposed sewage disposal systems (SDS) on the property. Any existing or proposed sewage disposal systems (i.e. septic tanks, absorption fields, piping, etc.) located on the proposed revised lots should be shown, along with any service connections to any existing or proposed structures to ensure that the proposed lotline realignment will not result in SDS components (or other utilities) being located on more than one property.
9. There are three (3) wells shown on the plan, two (2) of which are located on Lot 134683, and the third located along the property line on Lot 119522. The plan should show all existing water service connections to any of the existing structures on the lots. Wells that serve more than one property may require easements/agreements to be established. The Applicant is requested to address this in future submissions.

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

Sincerely,

Christian Ryan Paggi, P.E.
Principal

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