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MEMORANDUM

To: Bruce M. Flower, Chairman, and
the Town of Wappinger Planning Board

Date: November 27, 2024

Subject: **Acadia Place Designed Residential Development Special Permit Review**
Tax Lots 6257-03-430260

As requested, we reviewed the application of Cedar Hill LLC, (the “Applicant” and “Owner”) for a Designed Residential Development following Section 240-50 of the Town Code.

The Property

The subject property is known as Tax Lot 6257-03-430260 on the Town of Wappinger Tax Assessment Maps and has frontage on Cedar Hill Road and Old Hopewell Road (CR 28). The subject property is 89.55 acres in size and is located in the Single Family Residential (R-40) zoning district (the “Subject Property” or “Site”).

The Proposal

The Applicant is proposing a Designed Residential Development (Section 240-50) of 78 dwelling units. Of the 78 dwelling units, 12 units are proposed to be single family detached dwellings and the remaining 66 units are proposed to be a mix of 2-, 3-, and 4-bedroom apartments in 33 multifamily buildings (the “Project” or “Proposed Action”).

Submission

The Applicant has submitted an Application for Site Plan Approval dated 12/29/23; an Application for Special Use Permit Approval dated 12/29/23; a Full Environmental assessment Form dated 12/29/23; a narrative dated 12/29/23 prepared by Amy Bombardieri; and a set of plans (5 pages) general titled Acadia Place dated 12/22/2023.

REVIEW COMMENTS

The Application, which consists of a preliminary application of a General Land Use and Development Plan and program, has been referred to the Planning Board by the Town Board by Resolution 2024-127 per Section 240-50.E of the Town Code. Per Section 240-50.E the Planning Board is tasked with reviewing the preliminary application and issuing a report to the Town Board on the appropriateness of the proposal in the context of the Town Development Plan (Comprehensive Plan)

and the Official Map (Zoning Map) of the Town. Our comments do not extend to issues of subdivision review, site plan review, or SEQRA review. Our comments pertain specifically to what additional information would be useful to assist the Planning Board in their preparation of a report on its appropriateness to the Town Board.

1. Special Permit Purpose and Intent. The appropriateness of the special permit can be evaluated by comparing the Application to the purpose and intent of the Designed Residential Development special permit (240-50.A). This is as follows:
 - a. The creative use of land so as to establish a more desirable living environment than would be possible through the strict application of other sections of this chapter.
 - b. The preservation of water bodies, wetlands, steep slopes, hilltops, ridge lines, major stands of trees, outstanding natural topography, significant geological features and other areas of scenic and ecological value and the prevention of soil erosion and minimization of flood hazard.
 - c. An efficient use of the land so as to facilitate the adequate and economical provision and maintenance of streets and drainage facilities and the establishment of central sewage treatment and water supply systems as an integral part of large-scale future residential developments on the major remaining undeveloped lands in the Town, so as to promote the public health, safety and welfare and minimize potential pollution hazards.
 - d. Innovation, flexibility and variety in the type, design and layout of residential housing so as to permit greater variety in the choice of housing type, living environment, occupancy tenure and housing cost.
 - e. The maximum provision of community, social, recreational, cultural and other service facilities as integral parts of newly constructed residential communities.
2. Comments.
 - a. The Applicant has proposed 12 single family homes and 66 multifamily units in 11 multifamily buildings. The Planning Board should discuss if an alternative layout of building style or location would influence their recommendation to the Town Board. Alternatives that could be considered are as follows:
 - i. Integration of the housing styles as opposed to the separate style proposed.
 - ii. An alternative that provides vehicle or emergency access to Cedar Hill Road.
 - iii. An alternative that features smaller or denser single/two family housing on small lots as opposed to multifamily development. Section 240-50.D.1.c states that not more than 25% of the permitted dwelling units within any such

development shall be composed of detached one-family dwellings. For the purposes of this Application, not more than 19 of the permitted 78 dwelling units can be composed of detached one-family dwellings.

- b. Future submissions should include a bulk table showing the dimensional elements of the proposed parcels. In future submissions, the plans should disclose as a percentage of overall lot how much of each parcel is encumbered by wetland, wetland buffers, and steep slopes. This should be included in the bulk table for consideration.
- c. The plans and narrative do not disclose a proposed bedroom breakdown for the proposal. Section 240-50.D.1.b states that, "The Planning Board shall be responsible for determining the number of bedrooms in each dwelling unit in connection with its review of site plans...". However, bedroom layout will be an important consideration in school aged children, traffic impact, and parking need calculations, all of which would contribute to discussions of appropriateness of the special permit and SEQRA review.
- d. The plans should include elements disclosing the existing conditions and proposed conditions in additional detail. A wetland report should be provided. A tree survey should be conducted to provide details on the condition of the forest. Areas of steep slopes should be shown on the plans. The limits of disturbance and proposed grading required should be shown on the plans. Without these elements, the Planning Board cannot accurately consider the appropriateness of the special permit regarding disturbance to ecological and environmental features.

If you have any questions with respect to the above, please let us know.

Malcolm Simpson,
Planner

cc:
Kyle Barnett, Esq.
Barbara Roberti
Lawrence Paggi, PE.