



555 Theodore Fremd Ave, Suite C-301
Rye, NY 10580
T: 914.967.6540
www.hardestyhanover.com

MEMORANDUM

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

Date: July 17, 2025

Subject: **Hudson Valley Volkswagen – Special Permit and Amended Site Plan**
Tax Lots 6157-04-690127

As requested, we reviewed the application of HVA Realty, LLC, (the “Applicant”) for Special Permit and Amended Site Plan Approvals.

The Property

The subject property is known as Tax Lot 6157-04-690127 on the Town of Wappinger Tax Assessment Maps. The property is located at 1148 Route 9. The subject property is 4.57 acres in size. The property is in the Highway Business (HB) zoning district (the “Subject Property” or “Site”).

The Proposal

The Applicant is proposing the construction of a 3,401 sf. service build out, a 520 sf showroom build out, 1,328 sf. enclosed service drive in addition to the reapproval received in 2013 for the conversion of an existing stormwater retention pond into a parking area for vehicle storage (the “Project” or “Proposed Action”).

Submission

The Applicant has submitted an Application for Site Plan Approval dated 6/6/25; an Application for Special Permit Approval dated 6/6/25; a Short Environmental assessment Form dated 6/6/25; a narrative dated 6/16/25 prepared by Mark Day; and a plan (7 pages) general titled Hudson Valley Volkswagen dated 6/4/2025.

REVIEW COMMENTS

1. **Landscape and Lighting.** The Applicant should confirm if there are any changes proposed to the existing landscaping and lighting as part of the Proposed Action. The plan does not show any additional or changed lighting associated with the proposed changes to the square footage of the building or the proposed parking inventory lot.

2. Parking Table.

- a. The parking table does not show any change to the number of employee parking spaces. The parking table also states that there will be no change to the number of employees. The Applicant should confirm that the number of employees will not increase with the increase in building square footage. The Applicant should also address where the service parking spaces proposed to be removed with the proposed service build out will be relocated to.
- b. Section 240-67.D establishes a maximum of 70 parking spaces per gross acre. For the Site, which is 4.57 acres, this means the total number of cars including display, inventory, and customer/service/employee parking is 319 vehicles. The bulk table on the plans states that the Proposed Action would have a total of 305 vehicles on Site. Aerial imagery from various sources shows numerous examples of vehicles stored on landscaped islands, neighboring property, and in drive aisles. The Applicant should consider curbing, tire stops, movable planters, or other physical barriers to diminish code enforcement issues with respect to Section 240-67.D.

3. Wetlands.

- a. Dutchess County Parcel Access shows a ACOE regulated wetland on the adjacent property to the south. This wetland is also a Town wetland and has a Town regulated 100' buffer that should be shown on the plans. It appears that this buffer will conflict with the proposed gravel overflow parking lot. Any development or disturbance in the Town regulated buffer would require the Applicant to submit for a wetland disturbance permit to be approved by the Planning Board pursuant to Section 137 of the Town code.
- b. The Applicant should contact the New York State Department of Environmental Conservation for a jurisdictional determination for surrounding wetlands.

4. Impervious Surface and Landscaped Area.

- a. According to the Table of Dimensional Requirements, the lot is required to have 25% landscaped space and no more than 75% impervious cover. The plans present that the Site is proposed to be at these levels. The Applicant should identify what areas of the Site are being considered to Landscaped Areas and demonstrate how they will maintain a minimum of 25% landscaped areas while increasing the intensity of the use of the Site. The Applicant should address issues raised in comment 1.b and how the landscaped areas can be designed and maintained so as not to be used as vehicle storage areas.

5. SEQRA. The Application is considered to be an Unlisted Action with respect to SEQRA. The Applicant should submit a full EAF form with the EA Mapper attachment. The Town Planning

Board should consider if they would like to pursue a coordinated or uncoordinated review of the Application.

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

Malcolm Simpson, AICP
Planner

cc:

Kyle Barnett, Esq.

Barbara Roberti

Christian Paggi, PE.