

March 16, 2026

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

**RE: Wappinger Subaru Building Expansion
Amended Site Plan and Special Use Permit
1162 Rt 9, Wappingers Falls, New York 12590**

Dear Chairman Flower,

We attended the Planning Board meeting on 1/21/2026 and received feedback from the Board members. One of their main concerns involved the proposed disturbances to the 100' wetland buffer at the rear of the site. Since this meeting, we have since removed any proposed disturbances inside this buffer area, including removing the parking spaces that were proposed in this area. To accommodate this removal of parking spaces, we have added parking spaces at the northeast of the site. Since the last meeting, we have also had some internal conversations with Subaru about their opportunities for implementing additional current prototypical architectural improvements. Subaru has come to an agreement with the Owner about the façade of the building, which is now depicted on the updated plans. This did lead to some minor changes of the parking and concrete walkway at the front of the building, as well as minor changes to the lighting as well. We have included the updated architectural elevations that show the new façade as a part of this submission. Exact signage details will be submitted for approval under a separate cover at a later date.

We are in receipt of comment letters from the Board's consultants in response to the submission made for the 1/21/2026 planning board meeting. The plan set has been revised in response to Planning Board feedback and consultant comments, a point-by-point response to each of the comments received is provided below:

TOWN OF WAPPINGER PLANNING DEPARTMENT COMMENTS FROM MALCOM SIMPSON, TOWN PLANNER – DATED 1/15/2026:

1. *Wetlands.*
 - a. *Additional information is needed on the proposed transplanting of wetland mitigation plantings from 2015. The plans include a plant schedule of what is proposed to be transplanted but not the existing or proposed location. Additional information on the history of the wetland mitigation plantings is also needed.*

Response: We have removed any proposed changes/disturbances inside the wetland buffer. No plantings in this area are proposed to be transplanted.

- b. *A wetland disturbance permit will be required for the proposed disturbance to the Town Wetland Buffer.*

Response: We have removed any proposed changes/disturbances inside the wetland buffer.



2. *Landscaped Plan. The landscape plan proposes the relocation of existing plantings, some as large as 6" in caliper. Survivability of new plantings can suffer the larger the tree at the time of planting, especially in the instance of a transplant. The plans include a note stating that relocated trees lost during construction shall be replaced in kind.*

Response: A note has been added to the Landscape Plan (C180) stating that relocated trees lost during and following construction shall be replaced in kind. See General Note 3 & Landscaping Note 9G.

3. *Loading Zone. The Applicant should clearly show the location of the loading zone on the plans.*

Response: Although there was not a proposed loading zone shown on the 2015 Approved Site Plan for Prestige Mini, Subaru intends to continue with parts drop off as currently occurs. This location is depicted on the site plan (C130).

4. *Lighting. The lighting plan includes 6 existing light poles to remain in location and 12 existing poles proposed to be relocated, all of which are 18.5' in height which exceeds the 15' limit pursuant to Section 240-23. A waiver for increased height of lighting poles would be required for the lighting plan as proposed.*

Response: This comment was discussed at the 1/21/26 planning board meeting, it was discussed that there are no new light poles being proposed, just relocated from other areas of the site. The plan incorrectly referred to the relocated poles as 18.5', and have been revised accordingly. The approved lighting plan in 2015 showed 15' poles on 3' concrete bases. The proposed plan will relocate the 15' poles onto equivalent 3' concrete bases, maintaining existing heights. This detail is shown on C531. A snippet of the 2015 light pole and light pole base is included in this submission. During the discussion at the planning board meeting, the board members insinuated that they do not have opposition to approving a waiver for the 15' poles on 3' concrete bases, and will grant us this waiver at a later meeting.

5. *SEQRA. The Application is considered to be an Unlisted Action with respect to SEQRA The Applicant has submitted a SEQRA Technical Comparison Report. The Town Planning Board should consider if they would like to pursue a coordinated or uncoordinated review of the Application.*

Response: Comment noted.

**ENGINEERING COMMENTS FROM PAGGI ENGINEERING, FROM CHRISTIAN PAGGI, TOWN ENGINEER
- DATED 1/20/2026:**

General Comments

1. *The project proposes to amend an approved site plan from 2021. As with prior applications for site plan amendment, the Board may wish to request that the Applicant provide the prior approved site plan so that a review of the approval requirements can be performed. Any pertinent information/requirements from the original approval that are not proposed to be modified should be carried over to the new plan.*

Response: A copy of the previously approved site plan is included in this submission for the



Boards review.

- 2. The proposed project includes multiple building additions to an existing car dealership and associated utility improvements, including an additional wash bay. The project proposes to add an additional “BioJac GreenEdge” water recycling system to the property to handle additional flows from the new wash bay, and it is noted that the 2,000-gallon grease trap which is currently onsite has sufficient capacity to manage the increased flows from the building expansions. We recommend that the application be circulated to the Town’s Water and Sewer Operator (CAMO Pollution Control) for review and comment regarding the proposed changes to the future municipal sewer connection.*

Response: The additional BioJac system was approved in 2021 and no changes to that system are now proposed. There are no proposed changes to the municipal sewer connection that was approved in 2015. However, the plan has been revised to not include a wash bay. This will not be a wash bay and will instead be a simple service bay. The utility memo has been revised accordingly. At the planning board meeting it was discussed that the Consultant Engineer would reach out to CAMO, given there is no proposition of the site connecting to municipal water/sewer.

- 3. The Applicant shall demonstrate confirmation from the Dutchess County Behavioral and Community Health Department (DCHD) that the proposed improvements do not require further review/approval from their department.*

Response: Comment noted. This office has coordinated with the DCDOH and responses are included herein.

- 4. We recommend that the application be circulated to the Town Highway Department and the local Fire Department for review and comment.*

Response: The Fire Prevention Bureau for the Town of Wappinger submitted a memo stating they had no comments. At the meeting, it was discussed that Highway Department review was not needed.

- 5. The proposed project includes 1.69 acres of ground disturbance and creation of an additional 0.28 acres of impervious. The action therefore appears to be classified as a “Construction Activity that Requires the Preparation of a SWPPP that includes post-construction Stormwater Management Practices (SMPs)” under New York State Department of Environmental Conservation Construction General Permit GP-0-25-001 Appendix B, Table 2. The applicant has provided a SEQR Comparative Analysis, which states that the impact to the property from the project is de minimis. The applicant should provide an amended stormwater report which factors in the proposed changes and provides an updated stormwater analysis.*

Response: The full SWPPP was submitted under separate cover for review.

- 6. The Applicant is proposing to relocate wetland mitigation plants that were required to be installed under prior approvals. We defer to the Planning Board’s Planning Consultant regarding required wetland permitting and associated mitigation. It appears that a Jurisdictional Determination is required under the 2025 NYSDEC Freshwater Wetlands Act to verify regulatory jurisdiction for the various wetlands located on and adjacent to the project site.*



Response: The referenced wetland mitigation is related to disturbances within the Town wetland permit as reviewed and approved in 2015. There are no new impacts, existing or proposed, to ACOE wetlands. The plan has been revised to avoid any impacts or necessity to relocate wetland mitigation plantings. A wetland JD has been submitted, although the project proposes no impacts within 100' of any existing wetland.

DCDOH COMMENTS, FROM DANIEL KEELER, SENIOR PUBLIC HEALTH ENGINEER – DATED 01/06/2026:

1. *This department has no objection to the Town Planning Board serving as the lead agent for SEQR.*

Response: Comment noted.

2. *If this project results in an increase in water or sewage usage or a change in use of the facility, detailed plans and specifications must be submitted to this Department by a New York State licensed professional for review and possible approval of the water and wastewater treatment systems. Reference is made to the Dutchess County Sanitary Code Articles 5 and 19.*

Response: Comment noted. At this time, we do not anticipate any of the proposed changes to result in an increase of water or sewage usage.

3. *Please see the attached letter regarding Dutchess County's new law: Regulating Hazardous Pollution Sources in Proximity to Public Water Sources, Aquifers, and Wetlands. This Department is currently reviewing the details of your project to determine compliance with this law and will reach out once a determination has been made.*

Response: The DCDOH has made a determination as noted in the comment from Tanya Clark of the DCDOH in an email dated 2/5/26 as noted below:

DCDOH COMMENTS, FROM TANYA CLARK, SUPERVISING PUBLIC HEALTH ENGINEER – DATED 02/05/2026 (VIA EMAIL):

1. *Based on our review of the site plan for the Subaru of Wappingers project, the Department has determined that the proposed project must comply with the requirements of the Aquifer Law.*

The project involves the construction of a new car wash bay. As such, it is subject to the provisions of the Aquifer Law. The new bay is not considered part of the old car wash and therefore is not covered by Section C of that Law.

Though I understand the frustration that the project also went through a SEQRA process years ago, and recently I believe, the Aquifer Law does not capture SEQRA determinations as a method of determination for a project. The law specifically notes approval from our department, which in terms of this project would rely on the Aquifer Law determination.

Response: A wash bay is no longer being proposed.



Respectfully submitted,

Kyle Bardwell, PE

Encl:

(1 original, 11 copies) Site Plan & Special Use Permit, with attached Special Use Narrative

(12) Oil Water Separator Memo, revised 03/16/26

(12) Full Environmental Assessment Form

(12) Approved 2021 Site Plan

(12) Architectural Elevations

(12) Site Plan Set, revised 03/16/26

(2) SWPPP, revised 03/2026