



LETTER OF POSITIVE JURISDICTION – FRESHWATER WETLANDS

March 18, 2026

Meredith Ellis
4 British American Blvd, Latham, NY, 12110
Sent via email to: mellis@labellapc.com

Re: DEC Freshwater Wetlands Parcel Jurisdictional Determination for Mid-Hudson Subaru, Parcel 6157-04-659168-0000, Town of Wappinger, Dutchess County

Dear Meredith Ellis,

Based on the parcel identified in your request, the New York State Department of Environmental Conservation (DEC) has determined that the parcel contains freshwater wetlands and/or freshwater wetlands adjacent areas (AA) regulated by DEC pursuant to Article 24 of the Environmental Conservation Law (ECL). The parcel contains freshwater wetlands and/or regulated adjacent area(s) that meet an Unusual Importance (UI) criterion. Specifically, the wetland is located within or adjacent to an urban area.

The table below identifies the jurisdictional wetlands and adjacent areas within the parcel, the wetland class, and the classification characteristic(s) identifying it as a Class 2 wetland.

Tax ID #:	Highest Wetland Class
6157-04-659168-0000	Class 2: it is located wholly within, or partially within, an urban area as defined and identified by the United States Census Bureau

This determination shall remain valid for five years from the date of this letter through March 16, 2031.

An Article 24 Freshwater Wetlands permit from DEC is required for any regulated activity undertaken within regulated wetlands or their regulated adjacent areas. Prior to engaging in any regulated activity, a freshwater wetland delineation is necessary to determine the precise boundary of jurisdictional wetlands and regulated adjacent areas, so they are avoided, or necessary DEC permitting is obtained. Application forms can be found at the DEC website here: <https://dec.ny.gov/regulatory/permits-licenses/waterways-coastlines-wetlands/freshwater-wetlands>

Pursuant to ECL section 24-0301(4), there is a rebuttable presumption that areas meeting the definition of Freshwater Wetland or regulated adjacent area are regulated and subject to permit requirements. If you believe this jurisdictional determination has been made in error, you may request an initial consultation with DEC by scheduling a meeting on the parcel or property with the appropriate regional office to review the jurisdictional determination, pursuant to 6 NYCRR 664.9.

Please note that this determination pertains only to state-regulated, freshwater wetlands and regulated adjacent areas. DEC also regulates protected streams, tidal wetlands, coastal erosion hazard areas, and other important environmental resources. Work affecting those areas may also require DEC permits. More information on other DEC permit programs is available online at <https://dec.ny.gov/regulatory/permits-licenses/environmental-permits>.

In addition, please note that this letter does not relieve you of the responsibility of obtaining any other necessary permits or approvals from other local, state, or federal agencies.

ecc: kbardwell@LaBellaPC.com