



411 Theodore Fremd Ave, Suite 206 South  
Rye, NY 10580  
T: 914.967.6540  
www.hardestyhanover.com

## **MEMORANDUM**

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

Date: May 18, 2026

Subject: **Subaru – Special Permit and Amended Site Plan**  
Tax Lots 6157-04-659168

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

### **The Property**

The subject property is known as Tax Lot 6157-04-659168 on the Town of Wappinger Tax Assessment Maps. The property is located at 1162 Route 9. The subject property is 6.314 acres in size. The property is in the Highway Business (HB) zoning district (the “Subject Property” or “Site”).

### **The Proposal**

The Applicant is proposing to construct a 714, a 1,382 sf and a 15,886 sf additions to an existing 23,008 sf motor vehicle sales, service, and parts storage facility. The Applicant is also proposing to reduce the parking areas from 442 spaces to 424 spaces and relocate existing landscaping and lighting to accommodate the additions and the new parking configuration (the “Project” or “Proposed Action”).

### **Submission**

The Applicant has submitted an Application for Site Plan Approval dated 3/16/26; an Application for Special Permit Approval dated 3/16/26; a FEAF form dated 3/16/26; a narrative dated 3/16/26 prepared by LaBella; a comment response memo dated 5/6/26; a Letter of Positive Jurisdiction from the NYSDEC dated 3/18/26; a letter to the Planning Board from Mid-Hudson Subaru dated 4/22/26; and a plan (16 pages) general titled Wappinger Subaru Building Expansion dated 3/16/26 last revised 5/06/26.

## **REVIEW COMMENTS**

1. Wetlands. Previously, the Proposal included impacts to the Town and NYSDEC wetland buffer and proposed the transplantation of wetland disturbance mitigation plantings. These elements of the Proposal have been removed and there is no wetland impacts proposed.

There are areas of the Site currently developed within the Town and NYSDEC wetland buffer, but no changes are proposed to these areas.

2. Landscaped Plan. The landscape plan proposes the relocation of existing plantings, some as large as 6" in caliper. Survivability of plantings diminishes the larger the tree at the time of planting, especially in the instance of a transplanting. The plans include a note stating that relocated trees lost during construction shall be replaced in kind. We recommend that any resolution of approval include this note as a condition. The Planning Board should consider a landscaping bond to ensure these conditions are met.
3. Loading Zone. The plans include a call out to the existing loading zone to be extended. To clarify, previous comments requesting a loading zone be shown on the plans referred to a loading zone for an auto-hauler truck and the loading zone shown does not appear to be able to accommodate a vehicle of this size. The Applicant should clarify where on the Site is the designated area for an auto-hauler to load and unload and confirm that the turning template provided for the Pumper Fire Turck would also accommodate the specifications of the largest auto hauler proposed to use the Site.
4. Lighting. The lighting plan includes 6 existing light poles to remain in location, 3 existing single fixture poles proposed to be relocated, and 3 existing double fixture poles 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 was granted by the Planning Board at the 4/20/26 Planning Board Meeting.
5. SEQRA. The Application is considered to be an Unlisted Action with respect to SEQRA. The Applicant has submitted a Full Environmental Assessment Form. Previously, the Town Planning Board indicated they would like to pursue a coordinated review of the Application and that they would circulate for Lead Agency under SEQRA once the Applicant submitted a FEAF. The Proposed Action has been revised and no longer proposes disturbance in the Town and NYSDEC freshwater wetland buffer. The Planning Board decided to pursue an uncoordinated review at the 4/20/26 Planning Board Meeting.

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.