DAY | STOKOSA
ENGINEERING P.C.

3 Van Wyck Lane
Wappingers Falls, New York 12590
Phone: 845-223-3202

October 16, 2026

Town of Wappinger Planning Board
Chairman Flower and Planning Board Members
20 Middlebush Road
Wappingers Falls, NY 12590

Re: Conservation Corners
39 Lot Single Family Home Residential Subdivision
Grid #6257-03-247036
Day|Stokosa Job No. 2020.568

Chairman Flower and Planning Board Members,

The below comments in **bold** are in response to the H&H letter dated August 14, 2026:

REVIEW COMMENTS
1. SEQRA.
a. The Applicant has included in the submission materials a Stipulation of Settlement, Index No. 2025-513540020 from the Dutchess County New York State Supreme Court. The Stipulation of Settlement states "The Planning Board will act as, or coordinate designation of, SEQRA lead agency…" and "The Action shall be classified as a Type 1 Action, with coordinated review". The Planning Board should discuss their intention to serve as lead agency and circulate this intention.
b. The Stipulation of Settlement also states "A (SEQRA) review shall consider the cumulative impacts of pending or reasonably foreseeable proposed projects…" and goes on to mention the Acadia subdivision across Cedar Hill Road from the Site. We recommend the Planning Board review the two applications as a combined SEQRA action given their proximity to one another and their common Applicant. A combined SEQRA review would do better to consider cumulative impacts and could streamline the review process. **Acadia is now in the R5A zoning district. Based on the Town's Net Lot Area calculation, Acadia may, under the R5A zoning, subdivide to create no more than 14 single-family homes and shall be considered as such for the purposes of SEQRA.**

2. Subdivision Process.
Section 240-19.B of the Zoning Law states that "Pursuant to § 278 of the Town Law, at the written request of the applicant to the Town Board, the Planning Board may be authorized to modify the zoning regulations in one-family residence districts with respect to lot area and dimensions upon such conditions as the Town Board may impose…". Based on our reading of the Stipulation of Settlement, it is our understanding that the Application will be reviewed under the premise of Section 240-19.B and that after a SEQRA determination has been made by the Lead Agency, the Town Board will vote to authorize the Planning Board to approve a conservation subdivision under Section 240-19.B. The Stipulation of Settlement details two possible procedures for subdivision to follow the SEQRA review of

the action. One possible process is a bifurcated process in which, following the SEQRA review for the 39 lot subdivision, the 34 lots proposed to require Town Board approvals for municipal sewer, water, and 240.19.B would remain in one lot and the remaining 5 lots that meet their underlying zoning requirements could move forward with a standard subdivision review and approval. It is our understanding that the underlying zoning of the lot has changed since the Stipulation of Settlement was filed on June 2 and the new zoning does not appear on the submitted plans. We defer to the Planning Board and Town Board attorneys as to whether any lots intending to pursue standard subdivision on the project will be required to comply with the current zoning of the parcel.
The five lots, 35-39, are laid out in compliance with the existing zoning at the time this application was initially submitted; R40 and R80. Per the "STIPULATION OF SETTLEMENT, INDEX No. 2025-51354, Process -Alternative Two", number 7, the applicant would like "to bifurcate the project into two subdivision projects". Bifurcating will require two separate public hearings; one for the 5 lots (lots 35-39) and one for Lots 1 through 34 which will accelerate the approval of the 5 parcels, and one comprehensive SEQRA review.

3. Alternative Layout.
a. The submission materials shows a conceptual layout that arranges 34 lots along a 1,500 foot cul-de-sac connecting to Cedar Hill Road. The Planning Board should consider alternatives to this layout that avoids dead end streets.
The proposed layout minimizes disturbance and impervious. The 34 homes shall be equipped with automatic fire suppression sprinkler systems in accordance with the NYS Fire Code Access Requirements Section D107.

b. The Stipulation of Settlement states "Following the completion of the subdivision design, it is intended that the portions of the lots not intended for daily residential use…shall be preserved by conservation easement to be held by the Town". As it is shown, the 34 lots that connect to the cul-de-sac range from over 10 acres to under 1 acre in size. The Planning Board should consider alternatives to this layout that avoids inconsistencies in lot size.
The varying lot sizes are inevitable when the intent of the layout is to minimize disturbance and grading. A 100' wide perimeter adjacent to the outbounds of the parcels is proposed as a Non-Disturbance Restricted Area. The individual parcel owners will own this deed restricted area. The varying parcel sizes will provide varying parcel costs with the larger parcels having a higher value and the smaller parcels will be more affordable.

c. As the conceptual layout is shown, lots along the straight portions of the cul-de-sac have consistent front and side setbacks while lots on the cul-de-sac circle are set back much further from the road due to the arc of the circle. The Planning Board should consider alternatives to this layout that avoids inconsistencies in building setbacks.
The proposed house locations and footprints often change from the planning phase to the construction phase. This zoning district does not have a "maximum" front yard setback requirement. Individual homeowners may prefer to be set far from the road. Without maximum yard setback requirements, there will inevitably be inconsistencies in front yards.

d. The layout shows "non-disturbance easements" along many of the exterior boundaries of the proposed lots. Some of the proposed lots are heavily encumbered by these non-disturbance easements,

with the easements covering the entire back yard of Lot 23 and Lot 24 and the easements coming right up to the proposed building footprint of Lot 1 and Lot 34. The Planning Board should consider alternatives where the lots created have as few easements and encumbrances as practicable, and the conservation easements are hosted on a separate lot like Lot 39 which has the wetland area on it.
The proposed nondisturbance areas are to protect the existing vegetation and minimize the visual impact of the development from neighboring properties and public right of ways. The layout has been revised to provide more unencumbered area to each of the lots.

e. There appears to be a lot in the R-80 zoning district that is 2.21 acres in size that does not have a lot number and is not included in the lot table. The Applicant should address this.
Lot 39 fronts on Smithtown Road and includes the area in the R80 district. The digital spreadsheet is included in the digital submission. The lot includes the entire 182,178.03 sf wetland area. This parcel is not in a "flood prone area" therefore section 240-33 does not apply.

4. Endangered or Threatened Species. The EAF identifies the Blanding's Turtle and the Indiana Bat as an endangered species with potential habitat on the Project Site. The NYSDEC has stated in an email dated 8/29/23 that there is no anticipated Blanding's Turtle habitat on the Site but that a habitat impact analysis regarding the Indiana Bat is required for the Proposed Action as there is more than 10 acres of tree removal proposed. The Applicant has submitted a Threatened and Endangered Species Habitat Suitability Assessment Report dated 1/9/25.
The Assessment is included in this submission within the revised EAF.

5. Full Environmental Assessment Form Part 1
a. Section A
i. The description of proposed action does not include sufficient detail on the Proposed Action. The description also states that all lots created are proposed to be served by municipal water and sewer while other answers within the same document identify onsite wells and septic for lots 35-39.
The project description has been revised.

b. Section B
i. The list of approvals required appears to be missing agencies and specific approvals. The Town Board is not listed for their approval under 240.19.B. The Applicant should address if NYSDEC approvals will be required for tree clearing of Indiana Bat habitat larger than 10 acres.
B.i. has been updated.

c. Section D
i. The EAF identifies 30 acres to be physically disturbed which does not match the 25 acres to be physically disturbed.
The EAF and plan have updated disturbances.

ii. D.1.d.ii says that a cluster/conservation subdivision is not proposed, yet a conservation subdivision is proposed under 240.19.B.
Revised

iii. D.2.m.ii should be yes and describe the same vegetation proposed to be removed discussed in D.2.n.ii.
Revised

d. Section E
i. The land use or cover type total under current acreage adds up to 142.18, however, elsewhere in the EAF the total acreage is listed as 139 acres.
Revised

ii. The land use or cover type total under acreage after completion adds up to 147.18, however, elsewhere in the EAF the total acreage is listed as 139 acres.
Revised

iii. The land use or cover type total under change (acres +/-) adds up to -5 when it should be zero.
Revised

iv. E.2.h.iv asks for the approximate size of the wetlands on the site which has been left blank.
Revised

The below in **bold** are in response to Paggi Engineering's letter dated August 17, 2026.

Plan Review Comments
1. The preliminary subdivision plans provide a schematic-level of design detail and include basic profiles of the proposed road and infrastructure. However, a detailed design of the stormwater management area, phasing plans, erosion and sedimentation control plans and details, site construction details, etc., have not yet been submitted. Technical review of the proposed roads and driveways will occur once the proposed grading and stormwater management design are provided.
The layout is revised. Preliminary layouts of the stormwater treatment and drainage conveyance system, the sanitary sewer layout and proposed site grading are shown. The road and utility profile is included in the plan set.

2. As indicated above, the Plat shall clearly identify all lands, easements and infrastructure to be owned and/or maintained by the HOA and shall include appropriate notes identifying the associated ownership and maintenance responsibilities. The plans shall also clearly identify any lands to be reserved for conservation and/or dedication to the Town.
"EASEMENTS TO BE PROVIDED TO OFFER THE TOWN THE RIGHT, NOT THE RESPONSIBILITY, TO MAINTAIN THE DRAINAGE INFILTRATION AREA(S) AND THE INFRASTRUCTURE CONNECTING TO THE TOWN'S SYSTEMS (WATER AND SEWER). THE ROAD, SITE LIGHTING AND PLANTINGS WITHIN THE ROW WILL BE OWNED BY THE HOA.
NON-DISTURBANCE RESTRICTED AREAS TO BE OWNED BY THE INDIVIDUAL PARCEL OWNERS." Is added to SV100.

3. As indicated above, a connection to the Town sewer system is proposed. The plan shall locate and describe in detail the proposed sewer services, sewer main in the proposed road, and connection to the existing sewer manhole on Cedar Hill Road.
The proposed sewer layout is shown connecting to the existing manhole on Cedar Hill Road.

4. As indicated above, connection to the Town water system is proposed via extension of the UWWD. As part of any petition to extend the UWWD, Engineering plans detailing the proposed water main extension and connection shall be provided to the Town for review.
The onsite water main and proposed pump station are shown on the plan.

5. This project will result in the disturbance of more than 5-acres and will therefore require coverage under the NYS SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-25-001) along with the preparation of a Stormwater Pollution Prevention Plan (SWPPP) that includes post-construction stormwater practices. A SWPPP shall be provided for review, and the stormwater management area design and details shall be expanded upon to provide the following information, including but not limited to; soil testing results, catch basin rims and inverts, detailed infiltration basin design information including water elevations at various storm events, locations of discharge pipes and emergency spillways, maintenance information and so on. The Applicant shall provide ample notice to the Town of any planned soil testing for stormwater practices so that a representative of the Town has the opportunity to witness the testing at the Town's discretion.
This office will notify of soil testing with ample notice.

6. The plans indicate a large drainage easement on lots 4, 5, 6 and 7. Currently, lots 4 and 5 are additionally encumbered by the proposed access to the stormwater management area. We recommend that the Applicant evaluate alternative locations for the proposed stormwater management and access areas such that the easement areas are not concentrated within a small number of smaller lots within the subdivision.
The stormwater easement is now predominately on parcel 12.

Application and EAF Review Comments
It is noted that the EAF includes information that may still reflect prior iterations of the project and may not be applicable or require revision. It is also noted that as the project progresses and more detailed information is submitted, the EAF should be updated accordingly. We offer the following preliminary comments based on the information submitted to date:

1. The Application and EAF submitted as a part of this submission package are unclear in their representation of total acreage on the property (or properties) and total acreage to be disturbed. The applicant is requested to clarify these values on subsequent submissions.
The areas are revised.

2. Section D.2.m.i – The grading plan indicates that as many as 10-12 feet of cuts to the existing grade are being made to accommodate buildings and pavement in the project area. Please clarify if any blasting is proposed and address any mitigation that may be required for blasting or significant earth works.
Erosion and sediment controls and blasting notes, (if blasting is found to be required) shall be provided in future submissions.

Thank you for the consideration and opportunity to present the project. Please place this project on the next available Planning Board agenda for discussion, circulation of Lead Agent intent and setting a public hearing.

Very truly yours,



Amy Bombardieri
cc: Stenger, Glass, Hagstrom, Lindars & Iuele LLP, Applicant, file

Attachments:
Project Narrative
Lot area spreadsheet
Stipulation 2025.51354
FEAF
Habitat Assessment Report
Subdivision Application
September 21, 2026 Submitted TriMuni Application
Plan Set

DAY | STOKOSA
ENGINEERING P.C.

3 Van Wyck Lane
Wappingers Falls, New York 12590
Phone: 845-223-3202

October 16, 2026

Re: Conservation Corners
39 Lot Single Family Home Residential Subdivision
Grid #6257-03-247036
Day|Stokosa Job No. 2020.568

NARRATIVE

The parcel, number 6257-03-247036, has frontage on Cedar Hill and Smithtown Roads in the Town of Wappinger. The 139-acre parcel is currently zoned R40; 40,000 sf and R80; 80,000 sf, required per single family home. It is the applicant's intent to subdivide the property in accordance with the Town's **Conservation subdivisions-Zoning Code Section 240-19. Modification of Lot Requirements. B.**

The purpose and intent of 240-19.B is "to promote natural resource preservation and conservation and to minimize the construction and maintenance costs of community facilities and utilities, all directed towards the objective of fostering and obtaining land development of good quality and design at reasonable economic cost…"

In accordance with STIPULATION OF SETTLEMENT, INDEX No. 2025-51354, the proposed layout includes a total of 39 proposed single-family home parcels. Five of the parcels, lots 35-39 are proposed to have individual wells and septic systems and obtain access from either Cedar Hill or Smithtown Road. Lots 1-34 are proposed along the proposed 1,500' road and are to be connected to municipal water and sewer services. The proposed road connects to Cedar Hill at the northeast portion of the parcel.

Per the "STIPULATION OF SETTLEMENT, INDEX No. 2025-51354, Process -Alternative Two", number 7, the applicant would like "to bifurcate the project into two subdivision projects". Presumably, this will require two separate public hearings; one for the 5 lots (lots 35-39) and one for Lots 1 through 34 which will accelerate the approval of the 5 parcels, and one comprehensive SEQRA review.

CONSERVATION CORNERS

LOT No.	TOTAL AREA sf	TOTAL AREA ac
1	129,832.95	2.98
2	52,504.94	1.21
3	47,189.59	1.08
4	48,546.72	1.11
5	49,903.85	1.15
6	51,252.82	1.18
7	52,542.04	1.21
8	53,819.26	1.24
9	55,096.49	1.26
10	68,244.86	1.57
11	93,066.64	2.14
12	115,648.29	2.65
13	84,363.81	1.94
14	107,884.52	2.48
15	197,894.03	4.54
16	593,725.44	13.63
17	303,741.51	6.97
18	361,930.32	8.31
19	247,626.69	5.68
20	135,546.20	3.11
21	121,654.93	2.79
22	154,987.87	3.56
23	24,113.11	0.55
24	23,491.40	0.54
25	48,376.86	1.11
26	55,231.56	1.27
27	59,125.30	1.36
28	62,809.63	1.44
29	61,399.22	1.41
30	37,086.77	0.85
31	26,971.26	0.62
32	30,655.54	0.70
33	34,339.82	0.79
34	58,835.30	1.35
35	52,112.69	1.20
36	48,534.30	1.11
37	336,072.64	7.72
38	351,031.17	8.06
39	1,496,774.93	34.36
ROW area	121,857.16	2.80
TOTAL AREA	6,055,822.43	139.02

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS

----------X

Mid-Hudson Development Corp. and
Mid-Hudson Holdings, LLC,

Petitioners-Plaintiffs,

For a Judge Pursuant to Article 78 of the Civil Practice Law and Rules, and Declaratory Judgment,

-against-

The Town of Wappinger, the Town of Wappinger Town Board, and the Town of Wappinger Planning Board,

Respondents-Defendants.

----------X

"SO ORDERED"

STIPULATION OF SETTLEMENT

INDEX No. 2025-51354

Assigned Judge:
Hon. Michael G. Hayes, JSC

WHEREAS, Petitioners-Plaintiffs Mid-Hudson Holdings, LLC and Mid-Hudson Development Corp. ("Petitioners") own certain real property located on Cedar Hill Road in the Town of Wappinger, County of Dutchess, being Parcel Number 135689-6257-03-247036-0000 ("Premises"); and

WHEREAS, Petitioners made application to Respondents-Defendants the Town of Wappinger, the Town of Wappinger Town Board, and the Town of Wappinger Planning Board ("Respondents" or "Town") to subdivide the Premises pursuant to Wappinger Town Code § 240-19(b) using the regulations applicable to conservation density subdivisions; and

WHEREAS, in connection with said application, Petitioners obtained a unit count for the maximum development capability of the Premises and requested that the Town Board exercise its authority under § 240-19(b) to authorize the Planning Board to permit a conservation density subdivision; and

WHEREAS, in response, the Town Board adopted a Resolution acknowledging Petitioner's request and advising that (i) because the SEQRA was not yet complete, the grant of authorization was premature; (ii) it preferred a single family residential development as opposed to a townhouse style development; (iii) it had no intention of extending the municipal water district to the Project, even though that had yet to be requested; and

WHEREAS, following the adoption of the Town Board Resolution, Petitioners returned to the Planning Board with proposed subdivision plan that was revised from that presented to the Town Board and, based thereon, the processing of the application was discontinued until the question of whether the Town Board needed to take action on the revised plan was resolved;

WHEREAS, a further amended application was then submitted and following a period of time where there was no action on the application, the Petitioners brought a Summons and Complaint against the Respondents on March 19, 2025, requesting, among other things, (1) a writ of mandamus to compel the Respondent Planning Board to review its application; (2) a writ of mandamus to prevent the Respondent Town Board from further interference; (3) a declaratory judgment that the Respondent Town Board did not retain jurisdiction over the application; and (4) a declaratory judgment against the Respondent Town Board's improper predetermination of the application; and

WHEREAS, on or about April 30, 2025, the Respondents provided their answering papers to the Summons and Complaint, providing an analysis of the respective Boards' actions and rejecting each count in the Petitioners Complaint; and

WHEREAS, at this time, the matter is ripe for a determination by the Court on all claims, however, the parties have agreed to forgo a determination by the Court on the merits and to settle the matter in accordance with the following:

1. The Project shall consist of a subdivision of the Premises to create an up-to 39 lot residential subdivision containing single family residences proposed under Section 240-19 of the Zoning Code as generally depicted on the attached proposed subdivision plan for Conservation Corners (the "Subdivision Plans") prepared by Day Stokosa dated April 2, 2026, (attach 39 plot plan) which shall be served by municipal water based on an extension of the United Wappinger Water District; and

2. The Subdivision Plans have been prepared in connection with the settlement discussions and intend to capture the intent of the parties that the subdivision be designed to (i) create useable lots by avoiding steep slopes, (ii) avoid excessive cuts and fill; (iii) to preserve open space to the maximum extent practicable, and (iv) to cause as much natural vegetation to remain in place to buffer the Project from nearby residences. To that end, the Subdivision Plans show a proposed road location, proposed house locations, a development setback from Cedar Hill Road and certain other areas of the Property which shall not be disturbed by development, which shall be maintained throughout the approval process. Following the completion of the subdivision design, it is intended that the portions of the lots not intended for daily residential use (such as lawn, pools, sheds, or accessory structures, etc.) or for permanent stormwater drainage

measures shall be preserved by conservation easement to be held by the Town. A form of conservation easement, including legal descriptions, maps, permitted and prohibited uses, monitoring rights, and enforcement remedies, shall be submitted for Planning Board approval prior to final plat signing. Such easements shall be recorded concurrently with or prior to filing of the final plat, shall run with the land, and shall be enforceable by the Town and, at the Town's discretion, qualified land trust, or any lot owner of the subdivision.

3. Notwithstanding the foregoing, it is acknowledged that Subdivision Plan is a concept plan and has not been engineered for grading, drainage, septic (if municipal sewer is unavailable) etc., therefore the final design may change to accommodate the required engineering. Lot lines may be altered, lot count may be reduced, etc., but for purposes of settlement the Town Board, and the Petitioner-Plaintiffs, have agreed that no more than 39 single family residential lots may be approved under the terms of this Stipulation. Nothing in this Stipulation shall be construed to guarantee approval of any specific number of lots or to circumvent applicable discretionary standards; the foregoing cap of 39 lots is a ceiling, not a floor, and all approvals remain subject to applicable zoning, subdivision, and SEQRA standards.

Process – Alternative One Full Approval of 39 Lot Plan

4. The SEQRA review shall consider the cumulative impacts of pending or reasonably foreseeable proposed projects, it being acknowledged that a subdivision is also proposed for premises known as Parcel 430260- Acadia located directly across Cedar Hill Road from the Project's proposed entrance, based on the administrative record. The Planning Board will act as, or coordinate designation of, SEQRA lead agency in accordance with applicable procedures. The action shall be classified as a Type I action, with coordinated review. No final action shall be taken and no irreversible commitment of resources shall occur until SEQRA review is complete.

5. Following the completion of a SEQRA review resulting in either a negative declaration or the adoption of a final environmental statement, whichever is determined to apply based on the type of action applicable to the Project (and the implementation of the conditions herein), the Town Board will place on its agenda and consider, at a duly noticed public meeting, a resolution authorizing the Planning Board to apply § 240-19 as contemplated by this Stipulation, and, if adopted, such authorization shall be effective for this Project and no further approval shall be require by the Town Board. No final discretionary approval is granted until after SEQRA is complete; and

Following the completion of the SEQRA review and upon receipt of a Petition (together with a map, plan and report) to extend the United Wappinger Water District (together with the payment of all applicable fees under Chapter 236) the Town Board shall process the petition for extension of the UWWD in accordance with all applicable statutory procedures and SEQRA, and shall adopt a resolution extending the district.

Process – Alternative Two Approval of 6 Lot Plan

6. The Premises have frontage in three locations on Cedar Hill Road and one location on Smithtown Road. The up to 39 lot proposal shown on the Subdivision Plans contains five proposed single family residential parcels shown as lots 35, 36,37, 38 and 39, each of which, as proposed, meets the minimum standards for their respective districts; R-40 or R–80, including its own frontage on either Cedar Hill Road or Smithtown Road, with each lot to be served by its own driveway, well and septic system; and

7. Petitioner shall be permitted to bifurcate the Project into two subdivision projects as follows:

   A. The first project contains a 6-lot subdivision consisting of the five proposed lots referenced above with the sixth parcel being the parcel to be further subdivided into 34 lots. Petitioner shall be permitted to process a subdivision application for the 6 lots and the Respondents shall permit the SEQRA review to be segmented for that proposal, it being acknowledged that the 5 lots each meet the minimum zoning requirements, will have their own individual well and septic, its own frontage and individual driveway, and is not part of any common scheme or plan associated with the larger project except that the non-development areas shown on the Subdivision Plans shall be maintained, areas that can be conserved shall be considered for conservation (possibly on lots 42 and 43). Notably, the SEQRA review for the sixth lot will be performed as part of the second project and to the extent that bifurcating the project unintendedly lessens any SEQRA thresholds resulting in impermissible segmentation, the second project shall be reviewed for SEQRA purposes as if it contained all 39 lots. The Phase 1 SEQRA review will consider the cumulative impacts of the full contemplated buildout, alternatives, and mitigation. Any Type I thresholds triggered by the aggregate 39-lot project shall be treated as triggered in Phase 1 for SEQRA classification and review purposes. Mitigation and conditions imposed in Phase 1 may include measures necessary to avoid foreclosing reasonable alternatives for Phase 2. The six lot project will not require the application of Section 240-19(B) of the Zoning Code nor will it require an extension of the United Wappinger Sewer District, therefore, it will not require Town Board approval, however, that approval is subject to this Stipulation of Settlement for

purposes of compliance with the proposed non-disturbance areas and the conservation of open space. The lots so created shall be subject to restriction which shall prevent further subdivision of the same or any portion of the same to be used for a solar farm or cell tower; and

B. The second project shall contain the remaining proposed up to 34 lots shown on the Subdivision Plans to be served by an interior private road, by municipal water (by the extension of the water district previously referenced), by either septic or municipal sewer (depending on available capacity from the Tri-Municipal Sewer Commission) and by common drainage and any other common feature necessary to support the Project including a conservation easement for the areas of the lots to remain undeveloped and, with the exception common drainage and designated usable areas, to remain in their natural vegetated state and that the lots not be further subdivided or used for a solar farm.

8. Respondent's obligations under this Stipulation of Settlement shall be valid for sixty (60) months commencing on the date this Stipulation, following which if no subdivision approval is obtained through no fault of Respondent (either as the full 39 lot project or the 34 lot project), the obligations of Respondent shall expire and no longer be of any force or effect. For purposes of this paragraph, "no fault of Respondent" shall exclude delays caused by Petitioner's incomplete submissions, failure to prosecute, or third-party agency delays beyond the Town's control. The approval of either the 6-lot project (Phase 1) or the 34-lot project (Phase 2) shall independently satisfy the condition of obtaining subdivision approval for purposes of this paragraph. However, if any determination of Respondent is challenged by an Article 78 proceeding (whether it be related to determinations under SEQRA, preliminary subdivision or final subdivision approval or any other determinations adopted by the Respondent in connection with the project), the sixty (60) month limitation shall be tolled for the period of time equivalent to the time between the commencement of the proceeding and the entry of a final non-appealable Order, except if such Order is adverse to the Plaintiff-Petitioners. The sixty (60) month period shall also be tolled during any period in which a court order stays or enjoins the processing of applications or the granting of approvals under this Stipulation, or during any stipulated standstill agreed to by the parties in writing.

9. This Court shall retain jurisdiction of this matter for the purposes of enforcement of this Stipulation of Settlement. As used herein, "Enforcement Proceeding" means a motion or special proceeding to compel performance of, or enjoin breach of, this Stipulation, exclusive of administrative reviews or SEQRA proceedings themselves. The parties agree that the prevailing party in any Enforcement Proceeding shall be

entitled to recover reasonable attorneys' fees and costs, supported by affidavit and contemporaneous time records.

10. Upon full execution of this Stipulation of Settlement and entry of the so-ordered stipulation by the Court, the parties shall file a Stipulation of Discontinuance with prejudice, which may be filed by either party without further notice.

Dated: May 19, 2026
Wappingers Falls, New York

STENGER, GLASS, HAGSTROM,
LINDARS & IUELE, LLP
1136 Route 9, Suite 2
Wappingers Falls, New York 12590
Attorneys for Petitioners

By: _____
KENNETH M. STENGER, ESQ.

HOGAN, ROSSI & LIGUORI
3 Starr Ridge Road, Suite 200
Brewster, NY 10509
Attorneys for Respondents

By: Jamie Spillane
JAMIE SPILLANE, ESQ.

SO ORDERED:

Dated: May 26, 2026
Poughkeepsie, New York

_____
HON. MICHAEL G. HAYES, J.S.C.

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Conservation Corners		
Project Location (describe, and attach a general location map): Cedar Hill and Smithtown Roads, Wappinger, Dutchess County, NY		
Brief Description of Proposed Action (include purpose or need): The parcel, number 6257-03-247036, has frontage on Cedar Hill and Smithtown Roads in the Town of Wappinger. The 139-acre parcel is currently zoned R40; 40,000 sf and R80; 80,000 sf, required per single family home. It is the applicant's intent to subdivide the property in accordance with the Town's Conservation subdivisions-Zoning Code Section 240-19. Modification of Lot Requirements. B. In accordance with STIPULATION OF SETTLEMENT, INDEX No. 2025-51354, the proposed layout includes a total of 39 proposed single-family home parcels. Five of the parcels, lots 35-39 are proposed to have individual wells and septic systems and obtain access from either Cedar Hill or Smithtown Road. Lots 1-34 are proposed along the proposed 1,500' road and are to be connected to municipal water and sewer services. The proposed road connects to Cedar Hill at the northeast portion of the parcel. Per the "STIPULATION OF SETTLEMENT, INDEX No. 2025-51354, Process -Alternative Two", number 7, the applicant would like "to bifurcate the project into two subdivision projects". Presumably, this will require two separate public hearings; one for the 5 lots (lots 35-39) and one for Lots 1 through 34 which will accelerate the approval of the 5 parcels, and one comprehensive SEQRA review.		
Name of Applicant/Sponsor: Mid Hudson Development Corp	Telephone: (845) 223-6985 E-Mail: john@mhdcny.com	
Address: PO Box 636		
City/PO: Fishkill	State: NY	Zip Code: 12524
Project Contact (if not same as sponsor; give name and title/role): Amy Bombardieri	Telephone: 845.590.1402 E-Mail: Amy@DayStokosaEng.com	
Address: 3 Van Wyck Lane		
City/PO: Wappingers Falls	State: NY	Zip Code: 12590
Property Owner (if not same as sponsor): Same as applicant	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees ☑Yes ☐No	Wappinger Town Board	January 2027
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Wappinger Planning Board	June 2026
c. City, Town or Village Zoning Board of Appeals ☐Yes ☐No		
d. Other local agencies ☑Yes ☐No	TriMuni Sewer Commission 2026	September 2026
e. County agencies ☑Yes ☐No	Dutchess County Department of Health	November 2026
f. Regional agencies ☐Yes ☐No		
g. State agencies ☑Yes ☐No	NYSDEC (potentially Incidental Take permit)	November 2026
h. Federal agencies ☐Yes ☐No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes ☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes ☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes ☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes ☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes ☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐Yes ☑No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes ☑No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
The majority of the parcel is in R40. The smaller portion is R80.

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located? WCSD

b. What police or other public protection forces serve the project site?
Town of Wappinger Police, Dutchess County Sheriff, NY State Troopers

c. Which fire protection and emergency medical services serve the project site?
New Hackensack Fire, Ambulance Town Wide

d. What parks serve the project site?
Rockingham Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Residential

b. a. Total acreage of the site of the proposed action? 139.61 acres
b. Total acreage to be physically disturbed? 20.61 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 139.61 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☑ Yes ☐ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
Residential
ii. Is a cluster/conservation layout proposed? ☑ Yes ☐ No
iii. Number of lots proposed? 39
iv. Minimum and maximum proposed lot sizes? Minimum 0.53 ac Maximum 34.36 ac

e. Will the proposed action be constructed in multiple phases? ☑ Yes ☐ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated 3
- Anticipated commencement date of phase 1 (including demolition) 05 month 24 year
- Anticipated completion date of final phase 12 month 29 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

Lots 35-39 are proposed to be constructed first. The second phase will include the proposed road, infrastructure and lots 1-34.

f. Does the project include new residential uses? ☑ Yes ☐ No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	5			
At completion of all phases	39			

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☑ No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☑ No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify:

_____

iii. If other than water, identify the type of impounded/contained liquids and their source.

_____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

_____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐ Yes ☑ No

If Yes:

i .What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

_____

_____

iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No

If yes, describe. _____

_____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐ Yes ☐ No

ix. Summarize site reclamation goals and plan: _____

_____

_____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☑ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

_____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No
If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☐No
If Yes:

- acres of aquatic vegetation proposed to be removed:
- expected acreage of aquatic vegetation remaining after project completion:
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):
- proposed method of plant removal:
- if chemical/herbicide treatment will be used, specify product(s):

v. Describe any proposed reclamation/mitigation following disturbance:

c. Will the proposed action use, or create a new demand for water? ☑Yes ☐No
If Yes:

i. Total anticipated water usage/demand per day: 15,070 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☑Yes ☐No
If Yes:

- Name of district or service area: United Wappinger
- Does the existing public water supply have capacity to serve the proposal? ☑Yes ☐No
- Is the project site in the existing district? ☐Yes ☑No
- Is expansion of the district needed? ☑Yes ☐No
- Do existing lines serve the project site? ☑Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☑No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project:
- Source(s) of supply for the district:

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☑No
If, Yes:

- Applicant/sponsor for new district:
- Date application submitted or anticipated:
- Proposed source(s) of supply for new district:

v. If a public water supply will not be used, describe plans to provide water supply for the project:
Onsite wells shall provide the water supply for lots 35-39

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: 10 gallons/minute.

d. Will the proposed action generate liquid wastes? ☑Yes ☐No
If Yes:

i. Total anticipated liquid waste generation per day: 15,070 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):
Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? ☑Yes ☐No
If Yes:

- Name of wastewater treatment plant to be used: Wappinger
- Name of district: United Wappinger Sewer District
- Does the existing wastewater treatment plant have capacity to serve the project? ☑Yes ☐No
- Is the project site in the existing district? ☑Yes ☐No
- Is expansion of the district needed? ☐Yes ☑No

- Do existing sewer lines serve the project site? ☐Yes ☑No
- Will a line extension within an existing district be necessary to serve the project? ☑Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: Sewer main will require extension (less than 300') to the project site.

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☑No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑Yes ☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 2 acres (impervious surface)

_____ Square feet or 139 acres (parcel size)

ii. Describe types of new point sources. Culverts, swales, roof leaders

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

Onsite storm water treatment areas / infiltration

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes ☑No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☑Yes ☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

Construction equipment / delivery vehicles

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

Power generation

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes ☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☐No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☑Yes ☐No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☑ Morning ☑ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing 0 Proposed 78 Net increase/decrease +78

iv. Does the proposed action include any shared use parking? ☐Yes ☑No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

New roads are proposed

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☑Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☑Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☑No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☑No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7-5
- Saturday: 9-3
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

During construction M-F 7-5 Saturday 9-3

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☑ **Yes** ☐ **No**

Describe: Vegetation will be removed The perimeter of the parcel is to be buffered by a 100' deep non-disturbance area.

n. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Street lighting, 12'-15' poles, down cast, 100'+/- to nearest structure. Individual residence lighting

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☑ Yes ☐ No

Describe: Vegetation will be removed

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities:

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☑ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☑ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction:
- Operation:

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction:
- Operation:

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☑ Residential (suburban) ☐ Rural (non-farm)
☑ Forest ☑ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

Single family homes, agricultural land, shooting range

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	4.12	+4.12
• Forested	133.82	114.21	-19.61
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	4.18	4.18	0
• Non-vegetated (bare rock, earth or fill)	1.0	0	-1.0
• Other Describe: Lawn	0	16.49	+16.49

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☑ No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☑ No

If Yes,

i. Identify Facilities:

_____

_____

e. Does the project site contain an existing dam? ☐ Yes ☑ No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Has the facility been formally closed? ☐ Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

_____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☑ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No

☐ Yes – Spills Incidents database Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

_____

_____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☑ No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

The onsite ACOE wetland is 4.12 acres. It is and will remain undisturbed.

_____

_____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☑ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 4 feet

b. Are there bedrock outcroppings on the project site? ☑ Yes ☐ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? 10 %

c. Predominant soil type(s) present on project site:

Bernardston silt loam	63 %
Punsit silt loam	19 %
Pittstown silt loam	10 %

d. What is the average depth to the water table on the project site? Average: 6 feet

e. Drainage status of project site soils:
- ☑ Well Drained: 63 % of site
- ☑ Moderately Well Drained: 18 % of site
- ☑ Poorly Drained 19 % of site

f. Approximate proportion of proposed action site with slopes:
- ☐ 0-10%: 39 % of site
- ☐ 10-15%: 33 % of site
- ☐ 15% or greater: 28 % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☑ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑ Yes ☐ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 857-20 Classification C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size 4.18 ac
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☑ No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☑ No

j. Is the project site in the 100-year Floodplain? ☐ Yes ☑ No

k. Is the project site in the 500-year Floodplain? ☐ Yes ☑ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☑ No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site:
Deer, rabbit, birds
squirrel

n. Does the project site contain a designated significant natural community? ☐ Yes ☑ No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation):
ii. Source(s) of description or evaluation:
iii. Extent of community/habitat:
- Currently: acres
- Following completion of project as proposed: acres
- Gain or loss (indicate + or -): acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☑ Yes ☐ No
If Yes:
i. Species and listing (endangered or threatened):
Blanding's Turtle, Indiana Bat

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☑ No
If Yes:
i. Species and listing:

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☑ Yes ☐ No
If yes, give a brief description of how the proposed action may affect that use:
Shooting range located near project; will not be impacted by the development

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☑ Yes ☐ No
If Yes, provide county plus district name/number: DUTC022

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☑ No
i. If Yes: acreage(s) on project site?
ii. Source(s) of soil rating(s):

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☑ No
If Yes:
i. CEA name:
ii. Basis for designation:
iii. Designating agency and date:

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☑ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☑ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Revised 10.16.2026

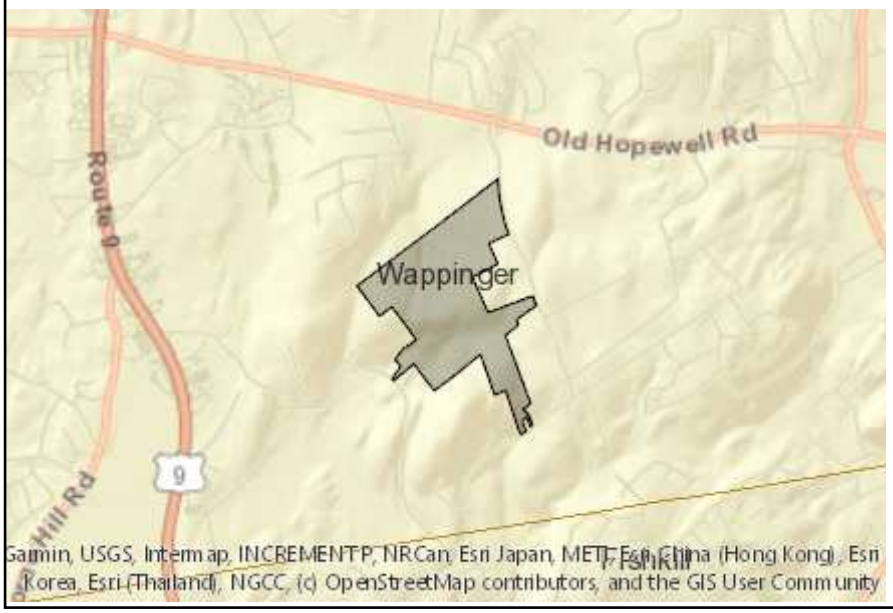
Applicant/Sponsor Name Amy Bombardieri Date 06/15/2026 Revised 08.28.2026

Signature _____ Title Applicant's representative

PRINT FORM

EAF Mapper Summary Report

Monday, April 10, 2023 4:21 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	857-20
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No

E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Blanding's Turtle, Indiana Bat
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	DUTC022
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

Threatened and Endangered Species
Habitat Suitability Assessment Report

Conservation Corners Subdivision
Cedar Hill Road
Town of Wappinger
Dutchess County, NY

January 9, 2025

Prepared by:

Michael Nowicki
Ecological Solutions, LLC
121 Leon Stocker Drive
Stratton, VT 05360
(203) 910-4716

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2.0 HABITAT SUITABILITY ASSESSMENT/CONCLUSION 3

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2.1.6 Effects from Increased Human Activity 5

FIGURE 1 7

FIGURE 2 7

1.0 INTRODUCTION

The Applicant is proposing a residential subdivision on a 139 acres site located on Cedar Hill Drive in the Town of Wappinger, Dutchess County, New York (*Figure 1*).

The New York State Department of Environmental Conservation (NYSDEC) in an email dated August 29, 2023 requested information be provided for the Indiana bat (*Myotis sodalis*) which is assumed to use the site as summer habitat.

2.0 HABITAT SUITABILITY ASSESSMENT/CONCLUSION

2.1 Indiana bat

The Indiana bat typically hibernates in caves/mines in the winter and roosts under bark or in tree crevices in the spring, summer, and fall. Suitable potential summer roosting habitat is characterized by trees (dead, dying, or alive) or snags with exfoliating or defoliating bark, or containing cracks or crevices that could potentially be used by Indiana bats as a roost. The minimum diameter of roost trees observed to date is 2.5 inches for males and 4.3 inches for females. However, maternity colonies generally use trees greater than or equal to 9 inches dbh. Overall, roost tree structure appears to be more important to Indiana bats than a particular tree species or habitat type. Females appear to be more habitat specific than males presumably because of the warmer temperature requirements associated with gestation and rearing of young. As a result, they are generally found at lower elevations than males may be found. Roosts are warmed by direct exposure to solar radiation, thus trees exposed to extended periods of direct sunlight are preferred over those in shaded areas. However, shaded roosts may be preferred in very hot conditions. As larger trees afford a greater thermal mass for heat retention, they appear to be preferred over smaller trees.

Streams associated with floodplain forests, and impounded water bodies (ponds, wetlands, reservoirs, etc.) where abundant supplies of flying insects are likely found provide preferred foraging habitat for Indiana bats, some of which may fly up to 2-5 miles from upland roosts on a regular basis. Indiana bats also forage within the canopy of upland forests, over clearings with early successional vegetation (*e.g.,* old fields), along the borders of croplands, along wooded fencerows, and over farm ponds in pastures. While Indiana bats appear to forage in a wide variety of habitats, they seem to tend to stay fairly close to tree cover.

2.1.1 Effects from Tree Clearing

The impacts of tree clearing on Indiana bats suggest that clearing activities could have an adverse impact on active roost trees. Such impacts will be avoided by conducting all clearing between October 1 and March 31 when Indiana bats will be in hibernation off site. While this minimization and avoidance measure avoids the direct effect on the bats of immediate mortality, it will have the indirect effect of decreasing the amount of potential foraging and roosting habitat within the summer range of the bats that may use the project site. Based on review of aerial mapping there is approximately 5,200 acres of forested habitat on and within a 2.5 mile radius of the site (*Figure*

2). There is 139 acres of available forested habitat within the site. Proposed clearing for the project will remove 25 acres of forested habitat, which represents 18% of forested habitat on the site, and 0.48% of potentially available forested habitat within 2.5 miles of the site.

This impact will minimally affect the bats when they return to the site in the spring by requiring them to search for new foraging and potential roosting areas at a time of year when they have many energetic demands on them, including recovering from hibernation, and gestating young. Expenditure of additional energy in searching for new foraging and roosting habitat could result in decreased reproductive success, since energy that could be dedicated to gestation will be used in searching for foraging and roosting habitat. It is reasonable to estimate that a reproductive female or females could be affected by decreased reproductive success. This effect could be expected for the first season following site work, but once they have identified new foraging and roosting sites, it is likely that reproductive success and foraging and roosting behavior patterns will stabilize.

The applicant is proposing to plant a minimum of 30 shagbark hickory (*Carya ovata*) trees along the proposed road which, when mature, may be used as roost trees by Indiana bats.

The potential for tree removal is considered likely to adversely affect Indiana bats on the site since it may cause a change in behavior of the bats as they search for new foraging and roosting habitat upon arrival from overwintering. Again, the removal of trees on the site will only occur when the Indiana bat is not on the site from October 1 through March 31.

2.1.2 Effects from Noise

Noise generated by construction equipment during the following activities could disturb roosting bats during the day. No construction operations are anticipated on the site at night. Noise and exhaust fumes from machinery could disturb roosting colonies of bats, but such disturbance would have to be very severe to cause roost abandonment. While noise during tree clearing may be more severe, this activity is scheduled to take place when the bats will not be on the site, so it will avoid exposure. As much as is practicable although not proposed all outdoor construction work should be scheduled to occur when the Indiana bat is in hibernation.

Since noise levels are not likely to significantly exceed ambient noise levels of a residential area during the summer months, the effects of noise from the ongoing operation of this project are not likely to adversely effect Indiana bats, because such effects are insignificant, discountable, and cannot be detected or measured.

2.1.3 Effects from Dust

Airborne dust from earth moving activities is a short-term temporary effect, occurring only during activities in the daytime, and abating at night when relative humidity increases, causing dust to settle. Suspended dust could interfere with roosting bats if it causes respiratory distress or coats their fur, causing them to relocate to roosts farther offsite. Contractors will be required to implement dust control best management practices (e.g.: watering disturbed soil areas) during the day, which will minimize this effect. As such, dust levels are not anticipated to reach a level of

harm or harassment (take), and any effect on Indiana bats could not be meaningfully measured and therefore, dust is not likely to adversely effect Indiana bats.

2.1.4 Effects from Runoff on Water Quality

Stormwater runoff from disturbed soil during construction, and from the subdivision could contaminate surface waters on the site, rendering it unfit for bats to drink, or interfering with breeding of aquatic insects on which bats may feed. These effects will be avoided by the implementation of soil conservation best management practices during construction to avoid siltation of surface waters. Prevention of soil erosion and sedimentation through soil conservation best management practices, and avoidance of surface water contamination from stormwater runoff through stormwater treatment will render this effect insignificant, discountable, extremely unlikely to occur, and undetectable. Therefore, effects from runoff on water quality are not likely to adversely affect Indiana bats.

2.1.5 Effects from Lighting

Lighting is not anticipated during construction, but site lights will be installed at the residences once constructed. While lighting may cause bats to forage elsewhere, it is not likely to alter their roosting behavior beyond the impact of tree clearing so this effect would be insignificant and discountable. Lighting may affect Indiana bats, but is not likely to adversely affect them. Any public street lighting will have site lights with tops that direct light downwards so as not to interfere with bat foraging.

2.1.6 Effects from Increased Human Activity

Construction activity and build out of the subdivision will increase short-term general human activity on the site during construction, and increase the proximity of human activity and presence to potential foraging and roosting habitat for Indiana bats long-term. Construction of the subdivision and therefore an increase in human activity on the site may adversely affect Indiana bats.

CONCLUSION - Activities during construction will include clearing trees, grading and earth-moving, building construction, addition of electric lights, increasing impervious surface area and altering site drainage. These actions may result in direct and indirect effects on Indiana bats by altering the quality and quantity of their summer habitat. Such alterations include generating noise, generating dust, decreasing water quality, and creating visual disturbances. All of the proposed tree clearing will take place between October 1 and March 31 the time that this species is in hibernation so no individuals of the species will be directly harmed by the site construction. The proposed conservation measures to be employed so that there is no adverse impact to this species include:

- Planting 30 shagbark hickory trees in public areas of the site - i.e. street trees;
- Preserving the regulated wetland on the site which can potentially be used by bats as foraging and travel corridor;

- Site lighting will use approved light fixtures that have tops that direct light down to minimize light pollution and which are designed to not interfere with potential bat foraging activities;

- Implementing soil conservation and dust control best management practices, such as watering dry disturbed soil areas to keep dust down, and using staked, recessed silt fence and anti-tracking pads to prevent erosion and sedimentation to surface waters;

- Prior to clearing, the limits of proposed clearing will be clearly demarcated on the site with orange construction fencing (or similar) to prevent inadvertent over clearing of the site, and;

- Stormwater pond/s if required will not be maintained with any chemicals that might adversely affect bats or insect populations on which they may feed.

FIGURE 1

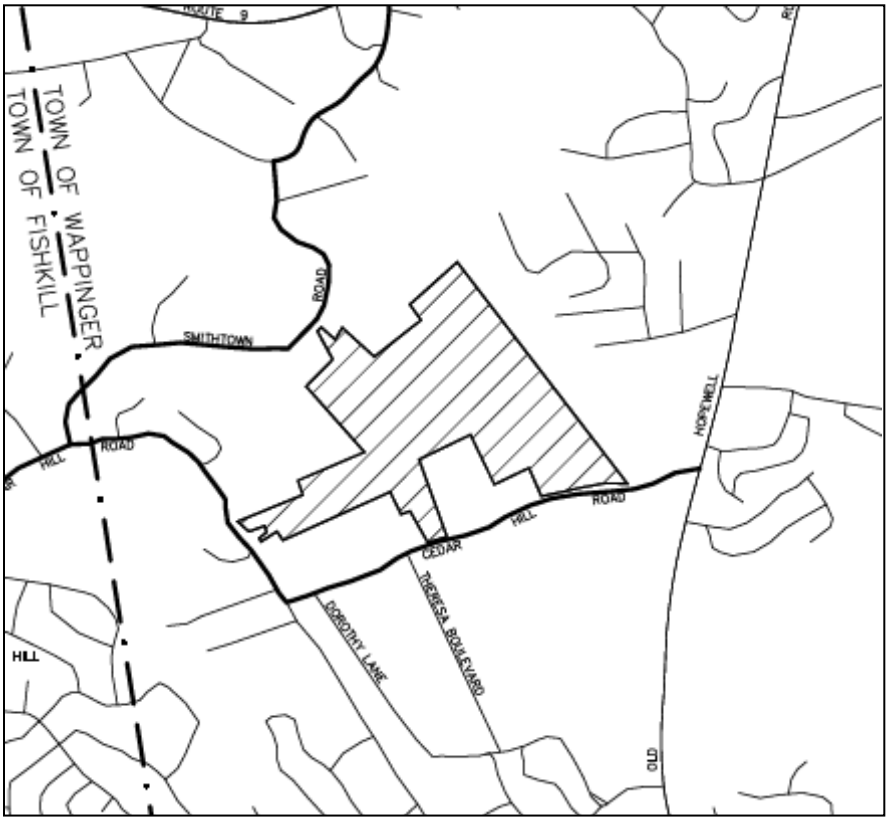

ROUTE 9
TOWN OF WAPPINGER
TOWN OF FISHKILL
SMITHTOWN
ROAD
HILL
ROAD
CEDAR
HILL
ROAD
HOPEWELL
THERESA BOULEVARD
DOROTHY LANE
HILL
OLD

FIGURE 2



LOCATION MAP
SCALE: 1" = 250'

IT IS A VIOLATION OF NEW YORK STATE EDUCATION LAW FOR ANY PERSONS TO ALTER THESE PLANS, SPECIFICATIONS, OR REPORTS IN ANY WAY, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR.

	Brian J. Stokosa, PE
12.18.2024	
04.06.2024	
02.15.2023	
As noted 11.28.2022	
Project No. 2020.568	License No. 083970

DAY | STOKOSA
ENGINEERING P.C.
3 Van Wyck Lane
Wappingers Falls, New York 12590
(845) 223-3202

PROJECT
CONSERVATION CORNERS
Town of Wappinger — Dutchess County, New York

DRAWING
FOREST COVER ANALYSIS MAP

SCALE	DRAWN BY	DRAWING NO.
AS NOTED	ALB	FC
DATE	CHECKED BY	
07.15.2022	BJS	

T:\2020 Active Projects\2020.568 • Conservation Corners\DWG\2.0SRA ARMRK C1.0 SITE PLAN & DETAILS.dwg

MHDC
Mid-Hudson Development, Corp.

August 24, 2021

Town of Wappinger
Planning Board & Zoning Board of Appeals
20 Middlebush Road
Wappingers Falls NY 12590

To Whom it May concern,

I, John Goetz, am the owner/operator of Mid-Hudson Holdings LLC. and do hereby have the authority to sign for the company.

If you have any questions or concerns, please feel free to reach out.

Thank you,

John Goetz

John Goetz
Owner/Operator
Mid Hudson Development Corp.
914-489-8518
john@mhdcny.com

21-NV-Du-77284

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S

ACTS (INDIVIDUAL OR CORPORATION)

STANDARD NYBTU FORM 8007

CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.

THIS INDENTURE, made the 16th day of June, 2021,

BETWEEN ,

Cedar Hill Development Corp, with an address of 121 Hudson Ave, Englewood, NJ 07631,

party of the first part, and

Mid-Hudson Holdings LLC, with an address of 5 Willard Court, Poughquag, NY 12570

party of the second part;

WITNESSETH, that the party of the first part, in consideration of TEN DOLLARS ($10.00), lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever;

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

As described on Schedule "A" annexed hereto and made a part of hereof,

And more commonly described as Cedar Hill Road, Wappingers Falls, New York 12590

And being and intended to be the same as conveyed to the party of the first part herein by 2 deeds from Elizabeth Donovan, dated 02/07/1987 and recorded 07/27/1989 at Liber 1759 cp 72 and By deed dated 10/31/1992 and recorded 09/08/1994 at Liber 1950 cp 21 in the Dutchess County Clerk's Office.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets, roads, or avenues abutting the above-described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.
IN PRESENCE OF:

Cedar Hill Development Corp

BY: Jeanette Fossati
Jeanette Fossati

ACKNOWLEDGMENT:

State of New York)
) **ss.:**
County of Dutchess)

On the 16th day of June in the year 2021 before me, the undersigned, personally appeared JEANETTE FOSSATI personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

(signature and office of individual taking acknowledgment)

Notary Public, my commission expires 2-27-25.
Alexander Sherwood Keenan, qualified in Dutchess County, New York

Section, Block and Lot: 6257-03-247036
Town: Wappinger
County: Dutchess

Record and Return to:
Stenger Diamond and Glass, LLP
Attn: Meghan Mossey, Esq.
1136 Route 9
Wappingers Falls, NY 12590

Schedule A Description

Title Number **21-NV-DU-77284**

ALL that certain plot, piece or parcel of land situate, lying and being in the Town of Wappinger, County of Dutchess and State of New York being designated as Parcel II on a map entitled "Subdivision of Lands of Elizabeth Donovan: filed in the Dutchess County Clerk's Office on 12/20/84 at Map #7102.

Town of Wappinger
SUBDIVISION CHECK LIST

THE FOLLOWING ITEMS MUST BE PRESENTED TO THE ZONING ADMINISTRATOR ON THE SUBMISSION DATE:

✓ Applications:	Subdivision - Preliminary and Final Must state if the applicant is the owner or contract vendee **Must include a copy of Deed showing ownership.** Applications must be typed. Name of Owner and Applicant must be accurate.
✓ Signatures:	Must be original signatures. **Name of Corporation or LLC, etc., must be typed above signature and name and authorization must be typed below signature.**
✓ Phone Numbers:	Include contact phone number and fax number.
✓ Letter of Consent:	If contract vendee, a letter of consent from the owner is required
✓ EAF:	Short Form - If 4 lots or less Long Form - If 5 lots or more **(Either short or long to be signed by preparer)**
____ Application Fee:	Application fee may be paid in cash, or if paying by check, it must be a certified check, bank check, or money order written out to the 'Town of Wappinger' (Separate checks are required for application fees and escrow)
____ Escrow:	Escrow may be paid in cash, or if paying by check, it must be a certified check, bank check, or money order written out to the 'Town of Wappinger' (*Separate checks are required for application fees and escrow)*
18 Plans:	Number of Plans to be determined by the Zoning Administrator / Secretary NOTE: ALL MAPS MUST BE FOLDED OR WILL NOT BE ACCEPTED. **Add 19th plan set if on a County or State Road.**

Subdivision plat must show the following:

X Shall be a scale of not less than 1" = 100 feet.

X Shall be drawn on sheet no smaller than 8 ½" x 11" and no larger than 24" x 36".

X Shall include a location map at a scale of 1" = 400 feet.

X Shall show the names of all adjoining property owners, wells and septics.

X Shall show topographic contours at not less than 2 foot intervals.

X Shall show all pertinent features: existing trees, railroads, water bodies, streams, regulated wetlands, etc., which may effect design of the subdivision.

Town of Wappinger
Subdivision Checklist
(Revised JANUARY 2011)

NA
_____ Shall show 100 year flood evaluation, if appropriate.

__X__ Shall show grade and elevations of all proposed streets.

__X__ Shall show dimensions and area of all proposed lots.

__X__ Shall show all locations, dimensions, and disposition of all recreation or park land.

__X__ Shall show the date when the plat was prepared or changed.

__X__ Shall show true North arrow and bear certification that the evaluations are based upon the U.S.G.S. Datum.

__X__ Must bear the name, address, and signature of property owner, subdivider and seal and signature of a licensed professional engineer or land surveyor.

All information listed below must be submitted, proposed provisions for water supply, fire protection, disposal of sanitary water, storm water drainage, street trees, street lighting fixtures, street signs and sidewalks. This data must be available before application is accepted.

The area map shall show all holdings of record owner in the immediate vicinity.

The following items must complete prior to preliminary plat approval:

1. Erosion Control Plan shall be presented for approval by Engineer to the Town, unless waived by the Planning Board.

2. Drainage plans and profiles, and road plans and profiles shall be presented for approval by the Engineer to the Town.

The following items must be completed prior to signing the final plat:

1. Approval of the drainage plans and profiles, and road plans and profiles, by the Engineer to the Town.

2. Payment of the Recreation Fee, if applicable.

   For 1 through 9 lots, $5,000.00 per lot;
   For 10 or more lots, the Planning Board shall determine whether to require the reservation of land, or payment of $5,000.00 per lot.

3. **Submit road name(s) to Fire Inspector to start approval process.**

4. There must be sufficient funds in the applicants' escrow account and new post subdivision escrow needs to be posted.

After final approval is granted, the applicants' resolution granting **CONDITIONAL** final approval will list any items that are outstanding to be completed before the Chairman will sign off.

NO BUILDING PERMITS WILL BE ACCEPTED UNTIL THE CHAIRMAN SIGNS THE MYLAR AND IT IS FILED AT THE COUNTY.

TOWN OF WAPPINGER

ZONING ADMINISTRATOR

Barbara Roberti
Ext. 128

PLANNING BOARD SECRETARY
Bea Ogunti
Ext. 122

PLANNING DEPARTMENT
20 MIDDLEBUSH ROAD
WAPPINGERS FALLS, NY 12590
(845) 297-6256 ext. 122
Fax (845) 297-0579
www.townofwappinger.us

TOWN SUPERVISOR
Richard Thurston

TOWN BOARD
William H. Beale
Angela Bettina
Robert Johnston
Michael Kuzmicz

PRELIMINARY LAYOUT APPLICATION FOR SUBDIVISION OF LAND

Application #_____ **DATE:** 10/15/2026
Application Fee: $**_____ **ESCROW FEE$_____

Note: This application shall conform in all respects to the Land Subdivision Regulations of the Planning Board of the TOWN OF WAPPINGER.

1. Proposed Name of Subdivision: Conservation Corners
2. Location of Property: Cedar Hill Road

   Tax Section: 135689-6257-03-247036
3. Name and Address of Applicant: Mid Hudson Development Corp. PO Box 636 Fishkill NY 12524

   John Goetz John@ mhdcny.com 914.489.8515

   Corporation, give name of agent: _____

   Phone No._____
4. Name and Address of Record Owner: Mid Hudson Holdings LLC (same address and contact)

   Phone No._____ Email.:_____
5. A statement of liens, mortgages, or other encumbrances are attached hereto -

   (If none, so state) _____
5. A statement of any easements relating to the property is attached hereto -

   (If none, so state) _____
6. Deed or deeds recorded in County Clerk's Office:

   Date: 06/2021 Liber: 22021 Page: 2897
7. I own or have an interest in abutting property as stated on the attached sheet.

   (If none, so state) _____
8. Name, address, and license number of Engineer or Land Surveyor: Day|Stokosa 3 Van Wyck Lane, Wappingers Falls NY 12590 845.223.3202

   According to the Dutchess County Soil Survey, the following soil types are found on the property:

   _____

9. According to the Dutchess County Soil Survey, the following soil types are found on the property:

Bernardston silt loam	63 %
Punsit silt loam	19 %
Pittstown silt loam	10 %

This Property is in the R-40&80 Zone.

Preliminary Layout covers 139 acres.

Approximate number of lots 39 single-family home parcels

Does owner propose to submit Final Subdivision Plat to cover entire Preliminary Layout, or file same in sections?
Sections: section 1 lots 35-39, section 2 lots 1-34

Does the Preliminary Layout cover the entire holding of the applicant? Yes

Does the applicant propose to dedicate to the public all streets, highways, and parks shown on the Preliminary Layout?
No

Give number of acres which applicant proposes to dedicate to public use for parks and/or playground purposes.
Zero

Does owner intend to request any waivers of the requirements of the Land Subdivision Regulations of this Board upon the submission of the Final Plat for approval? No

If any waivers of any requirements are to be requested, list them and give reasons why such requirements should be waived.

Mid Hudson Holdings LLC
Print name (Corporation, LLC, Individual, etc.)

08/06/2024
Date

John Goetz
Applicant / Owner or representative's signature

John Goetz, President
Type Name and Title *****

***If this is a Corporation or LLC please provide documentation of authority to sign.

TOWN OF WAPPINGER

PLANNING BOARD & ZONING BOARD OF APPEALS

20 MIDDLEBUSH ROAD
WAPPINGERS FALLS, NY 12590
PH: 845-297-6256
Fax: 845-297-0579

Owner Consent Form

Project No: _____ **Date:** 08/06/2024

Grid No.: 135689-6257-03-247036 **Zoning District:** R-40

Location of Project:

CEDAR HILL ROAD, TOWN OF WAPPINGER, NY

Name of Applicant:
MID HUDSON DEVELOPMENT, CORP, JOHN GOETZ 914-489-8518
Print name and phone number

Description of Project: SEE NARRATIVE

I JOHN GOETZ, owner of the above land/site/building hereby give permission for the Town of Wappinger to approve or deny the above application in accordance with local and state codes and ordinances.

08/06/2024
Date

John Goetz
Owner's Signature

914-489-8518
Owner's Telephone Number

JOHN GOETZ, OWNER
Print Name and Title ***

***** If this is a Corporation or LLC, please provide documentation of authority to sign.**

If this is a subdivision application, please provide a copy of the deed.

DAY | STOKOSA
ENGINEERING P.C.

3 Van Wyck Lane
Wappingers Falls, New York 12590
Phone: 845-223-3202

September 21, 2026

Previous will-serve submissions:
July 22, 2025
December 9, 2025

Christian Paggi, P.E.
Sent via email: cpaggi@paggiengineers.com

Re: Conservation Corners Residential Subdivision
Grid #6257-03-247036
Day|Stokosa Job No. 2020.568

Mr. Paggi,
The parcel, number 6257-03-247036, has frontage on Cedar Hill and Smithtown Roads in the Town of Wappinger. The 139-acre parcel is currently zoned R40; 40,000 sf and R80; 80,000 sf, required per single family home. It is the applicant's intent to subdivide the property in accordance with the Town's **Conservation subdivisions-Zoning Code Section 240-19. Modification of Lot Requirements. B.**

In accordance with STIPULATION OF SETTLEMENT, Dutchess County Clerk index number: 2025-51354 (included herein), the proposed layout includes a total of 39 proposed single-family home parcels. Five of the parcels, lots 35-39 are proposed to have individual wells and septic systems and obtain access from either Cedar Hill or Smithtown Road. Lots 1-34 are proposed along the proposed 1,500' road and are to be connected to municipal water and sewer services. The proposed road connects to Cedar Hill at the north east portion of the parcel.

Following the Tri-Muni Sewer Commission's "Notice of Procedure Requirements for "Will Serve Requests"" and your email dated October 14, 2025 regarding required documents for tri-muni applications, we provide the below attachments:

1. Preliminary approval pending: In accordance with the aforementioned stipulation of settlement, the project is an active application under review by the Town's Planning Board.

2. Project location map included.

3. The attached tax bill shows this parcel is within the sewer and sewer improvement district.

4. As mentioned above, the project is proposing 34 of the proposed homes will connect to the sewer system. The Dutchess County Department of Health design flow is 110 gallons per day per bedroom (gpd/bdrm). The projected discharge to the sewer system from the 34 homes is 14,960 gpd.

34 home * 4 bedrooms per home * 110 gpd/bdrm = 14,960 gpd

Per number 4 of "Notice of Procedure Requirements for "Will Serve Requests"", "flow confirmation calculation, reviewed and accepted by the municipality's Engineer" please provide confirmation of the 14,960 gpd flow.

5. Capacity: Per the report prepared by C.T. Male, "Tri-Municipal Sewer Commission Wastewater Treatment Plant and Collection System Capital Improvement Plan Town of Poughkeepsie Dutchess County, New York" dated June 7, 2024, the historical dry-weather average daily flow during the 2021-2023 time period was 1.36 MGD and peak hour flow of 2.25

MGD. The peak hour average flow during wet weather was 7.8 MGD. The plant peak design flow is 4.0 MGD. The addition of 0.01496 MGD (14,960 gpd / 1,000,000) is de minimis.

6. Per the April 3, 2023 letter from CPL to Tri-Muni, (letter included in the November 28, 2023 *Infiltration and Inflow Mitigation Plan,* prepared for Tri-Municipal Sewer System by C.T. Male Associates), the Town of Wappinger has no formal I and I mediation plan. The same letter notes "that the Town is considering involves (sic) requiring any new development that wishes to connect to a Town-owned collection system be required to either make certain repairs or improvements to existing infrastructure, or pay a "surcharge" above and beyond any required buy-in fees that the Town could set aside and use at their discretion to mitigate I&I related issues." Notwithstanding the foregoing, counsel to Conservation Corners advises that this application will not be subject to any such requirement if and when the same may be adopted by the Town.

The proposed Conservation Corners infrastructure; pipes and manholes, will be tested for air / water tightness in accordance with ASTM. In addition, each home foundation will be completed with a future sump connection draining to daylight or to a storm drain. A sump pit will be provided in the finished slab for a future sump location. This will assist in preventing future illicit sewer system connections.

Very truly yours,



Amy Bombardieri
Cc: Wappinger Town and Planning Boards, Client, Stenger, Glass, Hagstrom, Lindars & Iuele, LLP, DCDOH

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS

----------X

Mid-Hudson Development Corp. and
Mid-Hudson Holdings, LLC,

Petitioners-Plaintiffs,

For a Judge Pursuant to Article 78 of the Civil Practice Law and Rules, and Declaratory Judgment,

-against-

The Town of Wappinger, the Town of Wappinger Town Board, and the Town of Wappinger Planning Board,

Respondents-Defendants.

----------X

"SO ORDERED"

STIPULATION OF SETTLEMENT

INDEX No. 2025-51354

Assigned Judge:
Hon. Michael G. Hayes, JSC

WHEREAS, Petitioners-Plaintiffs Mid-Hudson Holdings, LLC and Mid-Hudson Development Corp. ("Petitioners") own certain real property located on Cedar Hill Road in the Town of Wappinger, County of Dutchess, being Parcel Number 135689-6257-03-247036-0000 ("Premises"); and

WHEREAS, Petitioners made application to Respondents-Defendants the Town of Wappinger, the Town of Wappinger Town Board, and the Town of Wappinger Planning Board ("Respondents" or "Town") to subdivide the Premises pursuant to Wappinger Town Code § 240-19(b) using the regulations applicable to conservation density subdivisions; and

WHEREAS, in connection with said application, Petitioners obtained a unit count for the maximum development capability of the Premises and requested that the Town Board exercise its authority under § 240-19(b) to authorize the Planning Board to permit a conservation density subdivision; and

WHEREAS, in response, the Town Board adopted a Resolution acknowledging Petitioner's request and advising that (i) because the SEQRA was not yet complete, the grant of authorization was premature; (ii) it preferred a single family residential development as opposed to a townhouse style development; (iii) it had no intention of extending the municipal water district to the Project, even though that had yet to be requested; and

WHEREAS, following the adoption of the Town Board Resolution, Petitioners returned to the Planning Board with proposed subdivision plan that was revised from that presented to the Town Board and, based thereon, the processing of the application was discontinued until the question of whether the Town Board needed to take action on the revised plan was resolved;

WHEREAS, a further amended application was then submitted and following a period of time where there was no action on the application, the Petitioners brought a Summons and Complaint against the Respondents on March 19, 2025, requesting, among other things, (1) a writ of mandamus to compel the Respondent Planning Board to review its application; (2) a writ of mandamus to prevent the Respondent Town Board from further interference; (3) a declaratory judgment that the Respondent Town Board did not retain jurisdiction over the application; and (4) a declaratory judgment against the Respondent Town Board's improper predetermination of the application; and

WHEREAS, on or about April 30, 2025, the Respondents provided their answering papers to the Summons and Complaint, providing an analysis of the respective Boards' actions and rejecting each count in the Petitioners Complaint; and

WHEREAS, at this time, the matter is ripe for a determination by the Court on all claims, however, the parties have agreed to forgo a determination by the Court on the merits and to settle the matter in accordance with the following:

1. The Project shall consist of a subdivision of the Premises to create an up-to 39 lot residential subdivision containing single family residences proposed under Section 240-19 of the Zoning Code as generally depicted on the attached proposed subdivision plan for Conservation Corners (the "Subdivision Plans") prepared by Day Stokosa dated April 2, 2026, (attach 39 plot plan) which shall be served by municipal water based on an extension of the United Wappinger Water District; and

2. The Subdivision Plans have been prepared in connection with the settlement discussions and intend to capture the intent of the parties that the subdivision be designed to (i) create useable lots by avoiding steep slopes, (ii) avoid excessive cuts and fill; (iii) to preserve open space to the maximum extent practicable, and (iv) to cause as much natural vegetation to remain in place to buffer the Project from nearby residences. To that end, the Subdivision Plans show a proposed road location, proposed house locations, a development setback from Cedar Hill Road and certain other areas of the Property which shall not be disturbed by development, which shall be maintained throughout the approval process. Following the completion of the subdivision design, it is intended that the portions of the lots not intended for daily residential use (such as lawn, pools, sheds, or accessory structures, etc.) or for permanent stormwater drainage

measures shall be preserved by conservation easement to be held by the Town. A form of conservation easement, including legal descriptions, maps, permitted and prohibited uses, monitoring rights, and enforcement remedies, shall be submitted for Planning Board approval prior to final plat signing. Such easements shall be recorded concurrently with or prior to filing of the final plat, shall run with the land, and shall be enforceable by the Town and, at the Town's discretion, qualified land trust, or any lot owner of the subdivision.

3. Notwithstanding the foregoing, it is acknowledged that Subdivision Plan is a concept plan and has not been engineered for grading, drainage, septic (if municipal sewer is unavailable) etc., therefore the final design may change to accommodate the required engineering. Lot lines may be altered, lot count may be reduced, etc., but for purposes of settlement the Town Board, and the Petitioner-Plaintiffs, have agreed that no more than 39 single family residential lots may be approved under the terms of this Stipulation. Nothing in this Stipulation shall be construed to guarantee approval of any specific number of lots or to circumvent applicable discretionary standards; the foregoing cap of 39 lots is a ceiling, not a floor, and all approvals remain subject to applicable zoning, subdivision, and SEQRA standards.

Process – Alternative One Full Approval of 39 Lot Plan

4. The SEQRA review shall consider the cumulative impacts of pending or reasonably foreseeable proposed projects, it being acknowledged that a subdivision is also proposed for premises known as Parcel 430260- Acadia located directly across Cedar Hill Road from the Project's proposed entrance, based on the administrative record. The Planning Board will act as, or coordinate designation of, SEQRA lead agency in accordance with applicable procedures. The action shall be classified as a Type I action, with coordinated review. No final action shall be taken and no irreversible commitment of resources shall occur until SEQRA review is complete.

5. Following the completion of a SEQRA review resulting in either a negative declaration or the adoption of a final environmental statement, whichever is determined to apply based on the type of action applicable to the Project (and the implementation of the conditions herein), the Town Board will place on its agenda and consider, at a duly noticed public meeting, a resolution authorizing the Planning Board to apply § 240-19 as contemplated by this Stipulation, and, if adopted, such authorization shall be effective for this Project and no further approval shall be require by the Town Board. No final discretionary approval is granted until after SEQRA is complete; and

Following the completion of the SEQRA review and upon receipt of a Petition (together with a map, plan and report) to extend the United Wappinger Water District (together with the payment of all applicable fees under Chapter 236) the Town Board shall process the petition for extension of the UWWD in accordance with all applicable statutory procedures and SEQRA, and shall adopt a resolution extending the district.

Process – Alternative Two Approval of 6 Lot Plan

6. The Premises have frontage in three locations on Cedar Hill Road and one location on Smithtown Road. The up to 39 lot proposal shown on the Subdivision Plans contains five proposed single family residential parcels shown as lots 35, 36,37, 38 and 39, each of which, as proposed, meets the minimum standards for their respective districts; R-40 or R–80, including its own frontage on either Cedar Hill Road or Smithtown Road, with each lot to be served by its own driveway, well and septic system; and

7. Petitioner shall be permitted to bifurcate the Project into two subdivision projects as follows:

   A. The first project contains a 6-lot subdivision consisting of the five proposed lots referenced above with the sixth parcel being the parcel to be further subdivided into 34 lots. Petitioner shall be permitted to process a subdivision application for the 6 lots and the Respondents shall permit the SEQRA review to be segmented for that proposal, it being acknowledged that the 5 lots each meet the minimum zoning requirements, will have their own individual well and septic, its own frontage and individual driveway, and is not part of any common scheme or plan associated with the larger project except that the non-development areas shown on the Subdivision Plans shall be maintained, areas that can be conserved shall be considered for conservation (possibly on lots 42 and 43). Notably, the SEQRA review for the sixth lot will be performed as part of the second project and to the extent that bifurcating the project unintendedly lessens any SEQRA thresholds resulting in impermissible segmentation, the second project shall be reviewed for SEQRA purposes as if it contained all 39 lots. The Phase 1 SEQRA review will consider the cumulative impacts of the full contemplated buildout, alternatives, and mitigation. Any Type I thresholds triggered by the aggregate 39-lot project shall be treated as triggered in Phase 1 for SEQRA classification and review purposes. Mitigation and conditions imposed in Phase 1 may include measures necessary to avoid foreclosing reasonable alternatives for Phase 2. The six lot project will not require the application of Section 240-19(B) of the Zoning Code nor will it require an extension of the United Wappinger Sewer District, therefore, it will not require Town Board approval, however, that approval is subject to this Stipulation of Settlement for

purposes of compliance with the proposed non-disturbance areas and the conservation of open space. The lots so created shall be subject to restriction which shall prevent further subdivision of the same or any portion of the same to be used for a solar farm or cell tower; and

B. The second project shall contain the remaining proposed up to 34 lots shown on the Subdivision Plans to be served by an interior private road, by municipal water (by the extension of the water district previously referenced), by either septic or municipal sewer (depending on available capacity from the Tri-Municipal Sewer Commission) and by common drainage and any other common feature necessary to support the Project including a conservation easement for the areas of the lots to remain undeveloped and, with the exception common drainage and designated usable areas, to remain in their natural vegetated state and that the lots not be further subdivided or used for a solar farm.

8. Respondent's obligations under this Stipulation of Settlement shall be valid for sixty (60) months commencing on the date this Stipulation, following which if no subdivision approval is obtained through no fault of Respondent (either as the full 39 lot project or the 34 lot project), the obligations of Respondent shall expire and no longer be of any force or effect. For purposes of this paragraph, "no fault of Respondent" shall exclude delays caused by Petitioner's incomplete submissions, failure to prosecute, or third-party agency delays beyond the Town's control. The approval of either the 6-lot project (Phase 1) or the 34-lot project (Phase 2) shall independently satisfy the condition of obtaining subdivision approval for purposes of this paragraph. However, if any determination of Respondent is challenged by an Article 78 proceeding (whether it be related to determinations under SEQRA, preliminary subdivision or final subdivision approval or any other determinations adopted by the Respondent in connection with the project), the sixty (60) month limitation shall be tolled for the period of time equivalent to the time between the commencement of the proceeding and the entry of a final non-appealable Order, except if such Order is adverse to the Plaintiff-Petitioners. The sixty (60) month period shall also be tolled during any period in which a court order stays or enjoins the processing of applications or the granting of approvals under this Stipulation, or during any stipulated standstill agreed to by the parties in writing.

9. This Court shall retain jurisdiction of this matter for the purposes of enforcement of this Stipulation of Settlement. As used herein, "Enforcement Proceeding" means a motion or special proceeding to compel performance of, or enjoin breach of, this Stipulation, exclusive of administrative reviews or SEQRA proceedings themselves. The parties agree that the prevailing party in any Enforcement Proceeding shall be

entitled to recover reasonable attorneys' fees and costs, supported by affidavit and contemporaneous time records.

10. Upon full execution of this Stipulation of Settlement and entry of the so-ordered stipulation by the Court, the parties shall file a Stipulation of Discontinuance with prejudice, which may be filed by either party without further notice.

Dated: May 19, 2026
Wappingers Falls, New York

STENGER, GLASS, HAGSTROM,
LINDARS & IUELE, LLP
1136 Route 9, Suite 2
Wappingers Falls, New York 12590
Attorneys for Petitioners

By: _____
KENNETH M. STENGER, ESQ.

HOGAN, ROSSI & LIGUORI
3 Starr Ridge Road, Suite 200
Brewster, NY 10509
Attorneys for Respondents

By: Jamie Spillane
JAMIE SPILLANE, ESQ.

SO ORDERED:

Dated: May 26, 2026
Poughkeepsie, New York

_____
HON. MICHAEL G. HAYES, J.S.C.

Tri-Municipal Sewer Commission
P.O. Box 859
345 Sheafe Road
Wappingers Falls, NY 12590
(845) 297-5750

Notice of Procedure Requirements for
"Will Serve Requests"

The following procedure requirements are established for "Will Serve Requests".

"Will Serve Request" letters are to be provided by the Engineer of the municipality in which the "Will Serve Request" originates. Each "Will Serve Request" letter must be received by the Tri-Municipal Sewer Commission (TMSC) and the TMSC Engineer a minimum of 7 days in advance of a Commission Meeting in order for the request to be placed on the agenda for consideration at that Commission Meeting.

Understanding the role and assignment of cost related to proposed private development projects, we anticipate that the respective municipality's Engineer will work with the Applicant's Consultants to gather the required information. Each "Will Serve Request" letter is to include the following minimum information:

1. Preliminary approval from the respective municipality
2. Project parcel location map and parcel number
3. Confirmation of whether the Parcel is in a Sewer District served by TMSC, including identification of the parcel on the TMSC District Map
4. Flow confirmation calculation, reviewed and accepted by the municipality's Engineer
5. Review of the respective municipality's downstream sewer capacity, reviewed and accepted by the municipality's Engineer to affirm that the existing downstream sewer collection system has adequate capacity to accept the proposed wastewater demand
6. Proposed plan for (the Town/Village and Applicant) addressing I&I for the proposed project

In reviewing the "Will Serve Request", the TMSC Engineer will then review TMSC Treatment Plant and Conveyance System's capacities to serve the specific request. The TMSC Engineer's "Will Serve Request" response letters will be addressed to TMSC and will confirm with TMSC who the "Will Serve Request" response letters should be emailed to.

The TMSC will decide on a case-by-case basis whether the additional flows expected from the applicant can be accepted in consideration of the TMSC Engineer's opinion and other factors that the TMSC may consider pertinent.

Tri-Municipal Sewer Commission
P.O. Box 859
345 Sheafe Road
Wappingers Falls, NY 12590
(845) 297-5750

Sewer Will Serve Application

Applicant Information:

Name: Mid Hudson Development Corp / John Goetz

Phone: (914) 489-8518 Email: john@mhdcny.com

Mailing Address: PO Box 636, Fishkill, New York 12524

Project Tax Parcel ID: 6257-03-247036 Project Type: Residential/Commercial

Project Engineer for Applicant:

Name: Day|Stokosa Engineering, PLLC / Amy Bombardieri

Phone: 845.590.1402 Email: Amy@DayStokosaEng.com

Mailing Address: 3 Van Wyck Lane, Wappingers Falls, NY 12590

Municipality Engineer:

Name: Paggi Engineering / Christian Paggi

Phone: 845-897-2375 ext. 102 Email: cpaggi@paggiengineers.com

Mailing Address: 43 Broad Street, Fishkill, NY 12524

Required Documents:

1. Project Parcel Location Map

2. Confirmation from municipality that Parcel is in Sewer District or not.

3. Flow confirmation Calculations, reviewed and accepted by the Municipality's Engineer and the Dutchess County Department of Health.

4. Review of downstream sewer capacity, reviewed and accepted by the Municipality's Engineer to affirm that the existing downstream sewer collection system has adequate capacity to accept the proposed wastewater demand from Applicant.

5. Proposed Plan for (the Municipality and Applicant) addressing inflow & infiltration for the proposed project.

6. Include the respective municipality's I&I Mitigation Improvements required for the project.

Completed Sewer "Will Serve Request" application is to be submitted to the Municipality's Engineer who will then email it to the Tri-Municipal Sewer Commission at willserve@trimuni.org.

***Applications shall be received a minimum of seven (7) days in advance of a Commission Meeting in order to be placed on the agenda for consideration at that Commission Meeting.**

Legend

- SEWER TREATMENT PLANTS
- PUMP STATIONS
- EXISTING SEWER MAIN (UNKOWN SIZE)
- 8 INCH PIPE
- 12 INCH PIPE
- 16 INCH PIPE
- 24 INCH PIPE
- 30 INCH PIPE
- 36 INCH PIPE
- WAPPINGER SEWER TRANSMISSION/TREATMENT IMPROVEMENT AREA
- MID POINT PARK SEWER IMPROVEMENT AREA
- WILDWOOD SEWER DISTRICT
- FLEETWOOD MANOR SEWER DISTRICT
- WATCH HILL SEWER IMPROVEMENT AREA
- UNITED WAPPINGER SEWER DISTRICT

Pipe location data acquired from multiple sources and may be incomplete. Confirm all locations in the field.

Tri Municipal Sewer Treatment Facility

HUDSON RIVER

Wappingers Falls

Tri-Municipal Pump Station

Wildwood Sewage Treatment Plant

Mid-Point Sewage Treatment Plant

Fleetwood Sewer Treatment Plant

Rockingham Pump Station

SITE

0 2,500 5,000 10,000 Feet

Document Path: S:\Projects\Wappinger_T_General\GIS Map\SewerMapping\DistrictMapInfra1220.mxd NStone

CPLteam.com
ARCHITECTURE. ENGINEERING. PLANNING.

9 Elks Lane
Poughkeepsie, NY 12601
(845) 454-3411

Date: 1/30/20
Revisions:
3/9/20
7/24/20
3/10/21

Drawn: MS

Checked: TH

Scale: 1 inch = 1,083 feet

Proj. #: 14846.01

SEWER DISTRICTS & INFRASTRUCTURE

Town of Wappinger, New York

Figure 1

IN PERSON PAYMENT	Town Hall Monday-Friday 8:30 a.m.- 4:00 p.m. online:townofwappingerny.gov

MAKE CHECKS PAYABLE TO:

Lee A. Freno, Receiver of Taxes
Wappinger Town Hall
20 Middlebush Road
Wappingers Falls, NY 12590
845-297-4342

STATEMENT OF COUNTY/TOWN TAXES
TOWN OF WAPPINGER

Page No.	Roll Sect.	SWIS Code	**Bill No.**	**Sequence No.**
1 of 1	1	135689	**6126**	**3765**
Fiscal Year		Warrant Dated	Bank Code	Account No.
1/1/2025 to 12/31/2025		12/18/2024		19247036
Estimated State Aid				
CNTY 112,605,652		TOWN 266,900		

Mid-Hudson Holdings LLC
PO Box 636
Fishkill, NY 12524

PAID
FEB 27 2025
RECEIVER OF TAXES

FOR YOUR INFORMATION

Last day to pay without penalty: February 28, 2025. After this date see Penalty Schedule.

SEE REVERSE SIDE FOR MORE INFORMATION

PROPERTY IDENTIFICATION

PARCEL ID	**135689-6257-03-247036-0000**
LOCATION	**Cedar Hill Rd**
ACREAGE	**139.61**
SCHOOL	**Wappingers CSD**
PROPERTY CLASS	**322 - Rural vac>10**

The assessor estimates the **Full Market Value** of this property as of July 1, 2023 was:	770,000
The **Total Assessed Value** of this property is:	770,000
The **Uniform Percentage of Value** used to establish assessments was:	100.00

For an explanation of the grievance process, please contact the local assessor and ask for the booklet entitled 'Contesting Your Assessment'. This booklet is also available from the Dutchess County Real Property Tax Service Agency or the NYS Office of Real Property Tax Services website at http://www.tax.ny.gov/pdf/publications/orpts/grievancebooklet.pdf. Please note that the period for filing complaints on the above assessment has passed.

Exemption	Value	Tax Purpose	Full Value Estimate	Exemption	Value	Tax Purpose	Full Value Estimate

PROPERTY TAXES

Taxing Purpose	Total Levy	% Change in Levy from Prior Year *	Taxable Assessed Value or Units	Rates per $1000 or per Units	Tax Amounts
NON-HOMESTEAD PARCEL					
County Tax	102,108,559	2.8	770,000.00	2.169137	**1,670.24**
Town Outside Tax	6,523,834	-2.5	770,000.00	2.946790	**2,269.03**
Ambulance Town Wide	234,476	23.5	770,000.00	.322536	**248.35**
Grinnell Public Lib	1,166,204	2.8	770,000.00	.354381	**272.87**
New Hackensack Fire	1,856,570	6.7	770,000.00	.752071	**579.09**
United Wapp Swr Dist			2,832.00	.421438	**1,193.51**
Cntr Wappngrs Swr Im			2,832.00	.085529	**242.22**

* This is the percent of increase or decrease of the current year's tax levy over the previous year's tax levy. This does not represent the total percent of your tax increase or decrease. The tax levy is the total amount to be raised by property taxes.

TOTAL TAX DUE 2/28/2025 $6,475.31

Taxes paid by _____ CA CH

RECEIVER'S STUB MUST BE RETURNED WITH PAYMENT. INCLUDE YOUR PHONE NUMBER ON YOUR CHECK.
FOR A RECEIPT OF PAYMENT, RETURN THE ENTIRE BILL WITH PAYMENT.