

## **MEMORANDUM**

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

Date: January 27, 2021

Subject: **Hudson Valley Lighting – Amended Site Plan and Wetland Permit Review**  
Tax Lot 6259-02-841673

As requested, we reviewed the application of Jaleli LLC/Hudson Valley Lighting (the “Applicant” and the “Owner”) for Amended Site Plan Approval.

### **The Property**

The subject property is a 67-acre lot located at 151 Airport Drive, is designated as tax lot 6259-02-841673 on the Town of Wappinger tax maps and is located within the AI Airport Industry District (the “Subject Property” or “Site”).

### **The Proposal**

The Applicant seeks to expand the existing warehouse on the Subject Property with an additional 142,500 square feet of floor area, bringing the total warehouse size to 386,893 square feet (the “Project” or “Proposed Action”).

### **Submission**

The Applicant has submitted for review an Application for Amended Site Plan Approval dated 6/9/20; a Full Environmental Assessment Form (Full EAF) dated 6/9/20; a Wetlands Assessment Report dated 1/13/21; and the following plans generally entitled, “Hudson Valley Lighting,” prepared by Day Stokosa Engineering P.C., dated 3/9/20 most recently revised 1/15/21:

1. Sheet TB-1, “Cover Sheet,”
2. Sheet EC-1, “Existing Conditions,”
3. Sheet SP.1, “Site Plan,”
4. Sheet SP.2, “Overall Site Plan,”
5. Sheet GD.1, “Grading, Drainage, and Erosion & Sediment Control Plan,”
6. Sheet UP.1, “Utility Plan,”
7. Sheet LSP.1 “Landscaping Plan,”
8. Sheet LP.1, “Lighting Plan,”
9. Sheet VM.1, “Vehicle Maneuvering Plan,”
10. Sheet TCP, “Tree Clearing Plan,”

11. Sheet D.1, "Detail Sheet,"
12. Sheet D.2, "Detail Sheet,"
13. Sheet DT.3, "Detail Sheet."

We offer the following comments for your consideration.

## **REVIEW COMMENTS**

1. SEQRA.
  - a. The Proposed Action is considered a Type I action pursuant to SEQRA because it involves a facility with more than 100,000 square feet of floor area. A letter of intent to serve as Lead Agency was drafted by our office for the Planning Board of the Town of Wappinger in July of 2020. However, the response letter from the New York State Department of Conservation (NYSDEC) indicates that the letter was not circulated to their office. The letter of intent to serve as Lead Agency was then circulated again on 1/27/20 to correct the error.
  - b. The Full EAF notes that the Site may contain the Indiana Bat, a species that is considered threatened or endangered. The site plan proposes the removal of 0.16 acres of forested land. The Applicant will need contact the New York State Department of Environmental Conservation (NYSDEC) for review and comment. All correspondence to and from this agency should be submitted to the Planning Board.
2. Tree Clearing. The applicant is seeking approval for tree clearing to ensure that the clearing can be done within the seasonal timeframe stipulated by the New York Department of Environmental Conservation (NYSDEC) to mitigate disturbances to Indiana Bats that are potentially located on the site. Our office has no objection to the tree clearing, however, for this to be permitted the SEQRA determination must be made by the Lead Agency and the stormwater SPDES permit should be procured before the clearing is conducted. We defer to the Town Engineer regarding the size of the necessary restoration bond. Should the Planning Board approve of the tree clearing, the Applicant
3. Parking. The number of parking spaces the Applicant is proposing to "landbank" is within the 50% allowance. The Applicant currently employs 80 full-time employees and the expansion will accommodate a total of 30 additional full-time employees. Over the next 5 years, the Applicant's plan is to have a total of 166 employees. The Applicant is proposing 200 of the required 387 parking spaces given the anticipated maximum of 166 employees to be generated by the existing and proposed increase in use. The Applicant is requesting that the remaining required 187 parking spaces be provided as "landbanked" parking. In accordance with Section 240-96.F of the Zoning Law, up to 50% of the required parking can be provided as "landbanked" parking.

4. Lighting. There are two poles proposed at the north east corner of the parking area. These two poles are a different fixture than the other poles lining the periphery of the parking area. These two poles are proposed at a lower height than the other lights on the property ( 15' compared to 25' poles along the parking area and 20' wall mounted lights lining the building) and at significantly higher level of illumination than the other lights (12 footcandles compared to 3-4 footcandles on the other poles and 1-1.5 along the building). We question if this is done with intention and if the proposed lighting can be reduced without disruption to proposed activities. Additionally, the applicant should confirm the color temperature of the proposed lighting. In general, we do not recommend color temperatures exceed 3000K. In instances where wildlife, particularly the endangered Indiana Bat, is at risk of impact, a lower color temperature may be desirable.
5. Wetlands. According to the plans and Full EAF, there are Federal and State regulated wetlands on and adjacent to the property. A wetland functional analysis report concerning the on-site wetlands was submitted by the applicant to the New York State Department of Environmental Conservation (NYSDEC). It appears from the NYSDEC response letter that they deem the application submitted to be incomplete. The applicant should address this.
6. Floodplain. A portion of the property is located within the 100-year floodplain. It appears that the Project does not include development within the 100-year floodplain and may not require a Floodplain Development Permit pursuant to Section 240-33 of the Zoning Law and Chapter 133 of the Town Code. We defer to the Zoning Administrator and Town Engineer with regard to this matter.

We look forward to discussing our comments with you. If you have any questions with respect to the above, please let us know.

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President

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Junior Planner

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