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## MEMORANDUM

<i>To:</i>	Bruce M. Flower, Chairman And the Town of Wappinger Planning Board	<i>Date:</i>	5/2/2024
<i>From:</i>	Malcolm M. Simpson	<i>Project:</i>	Heinemann Caretakers Cottage
<i>cc:</i>	Kyle Barnett, Barbara Roberti, and Bea Ogunti		
<i>Subject:</i>	1109-111 Routh 376 Tax Lots 6358-01-205670		

As requested, we reviewed the application made by Sarah Ryan (the “Applicant”) on behalf of Michelle Heinemann (the “Owner”) for Site Plan and Special Use Permit Approval.

### The Property

The property is approximately 21.28 acres in size and located at 1109-1111 Route 376. It is designated as tax lot 6358-01-205670 on the Town of Wappinger tax maps and is within the R-80 zoning district (the “Subject Property” or “Site”).

### The Proposal

The Applicant is proposing the legalization and conversion of an existing accessory structure to a caretaker’s residence (the “Project” or “Proposed Action”).

### Submission

The Applicant has submitted an Application for Site Plan Approval dated 2/5/24; an Application for Special Use Permit dated 2/5/24, a Short Environmental Assessment Form (EAF) dated 2/2/24; a comment response memo dated 4/15/24; architectural plans dated 4/10/23; a subdivision viability plan dated 3/4/24; and a plan set (4 sheets) generally entitled “Amended Site Plan and Special Use Permit for Heinemann,” prepared by Day Stokosa Engineering, dated 1/31/24, last revised 4/15/24.

## REVIEW COMMENTS

1. Special Use Permit. In accordance with Section 240-61.C of the Zoning Law, each structure shall be placed in a manner that will allow a future subdivision based upon compliance with

current zoning regulations. Viability plans have been submitted by the Applicant. These plans should be revised to show the garage on Lot B to be compliant with the setback requirements or demonstrated that the garage on Lot B is smaller than 144 sf.. Our review suggests that the structure is approximately 15' x 20' and would need to meet the side yard setback requirement of 40'.

2. Existing Driveway. At this Application's last appearance before the Board there was discussion regarding the history of the existing driveway to Route 376 and the existence of an access easement allowing that driveway to cross the neighboring lot. The Applicant has stated that these investigations are underway and that a FOIL request has been submitted to NYSDOT and the Town of Wappinger. Additionally, the Applicant has stated that an easement is being drafted and will be forwarded to the Town once completed.
3. SEQRA. The Application is considered a Type II action with regard to SEQRA and no further SEQRA action is required.