

VILLAGE OF WAPPINGERS FALLS
Offices of Planning/Zoning
2582 South Avenue Wappingers Falls, NY 12590
(845) 297-5277 Fax: (845) 296-0379

AGENDA OF THE ZONING BOARD OF APPEALS

August 11, 2020

****THIS MEETING WILL BE HELD ONLINE AND TELEPHONICALLY ONLY
PROVIDED THAT THE GOVERNOR'S EXECUTIVE ORDER 202.1 IS EXTENDED
THROUGH THIS DATE – PLEASE CHECK THE WEBSITE FOR CONFIRMATION ****

**IF THIS MEETING IS HELD ONLINE AND TELEPHONICALLY
THERE WILL BE NO IN-PERSON PARTICIPATION
BY THE BOARD OR THE PUBLIC.**

Until further notice, in accordance with Governor Cuomo's Executive Order 202.1, all Zoning Board of Appeals meetings will be held via videoconference utilizing the WebEx platform. Each Board member will be participating remotely. There will not be an opportunity for the public to participate from the same location as a Board member. However, the public is welcome to view the videoconference contemporaneously by logging in to the WebEx platform using the information below. There is also an option to participate by telephone for audio participation only. The meeting will be recorded and the recording will be posted on the Village website. A written transcript of the meeting also will be made available at a later date.

In the event that the Governor's Executive Order 202.1 is not extended through the date of this meeting, the meeting will be held in person at 7 Spring Street, Wappingers Falls, NY. Due to social distancing requirements, space will be limited.

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village of Wappingers Falls will hold a public meeting on August 11, 2020, beginning at 7:30 p.m. via WebEx.

The WebEx participation information is as follows:

Meeting number (access code): 132 675 9236
Meeting password: yhJ6Epsdd24

You may also use this link: [Join meeting](#)

To join by phone please call: 1-408-418-9388

The agenda is as follows:

ROLL CALL

STATEMENT OF COMPLIANCE BY THE CHAIR

APPROVAL OF MINUTES

PUBLIC HEARINGS

GAS LAND - 1663 Route 9

1663 Route 9 (Grid #6158-14-498418) – Gas Land Holdings Corp. (Zeidan Nesheiwat) (Owner and Applicant); Chazen Companies (Consultant) – Site Plan.

This property is located Commercial Mixed Use (CMU) zoning district. The applicant is seeking to construct an addition and related site improvements to an existing gas station. The required variances include the following:

1. §151 Table 2F – required minimum building height is 2 stories – existing structure and proposed addition are only 1 story. Therefore, a one-story variance is required.
2. §151 Table 2F – required front setback – the maximum permitted setback for a principal building from a principal and secondary frontage is 12 feet. The building addition is set back 76 ft. ± from Route 9 (the principal frontage) and will require a 64 ft. ± variance. The building addition is set back 70 ft. ± from the secondary frontage on North Mesier Avenue and will require a 58 ft. ± variance.
3. §151 Table 2F requires a minimum frontage buildout at setback for the principal building of 80%. The total frontage of the lot is 149 feet ±, 80% of which is 119 ft. ±. The structure, inclusive of the proposed addition, is 64 ft. ± wide, requiring a variance of 55 feet ±.
4. §151-25(C)(7) prohibits signs with flashing, blinking, intermittent, or moving lights, or any artificial light which does not maintain stationery and constant intensity and color at all times, except signs displaying time and/or temperature. The proposed sign with digital pricing violates this section of the Code.

12 SPRING STREET

12 Spring Street (Grid #6158-14-366293) – Patrick T. O’Neill (Owner and Applicant) – Area Variance Application.

This property is located in the Residential (R) zoning district. The applicant is seeking to construct a 12 ft. x 18 ft. deck and erect a pavilion on an 11 ft. x 16 ft. concrete slab. The required variance includes the following:

1. §151 Table 2A – allowed maximum lot coverage of 35%. The addition of the deck, pavilion and concrete slab would exceed the allowed maximum lot coverage.

13 HILLSIDE AVENUE

13 Hillside Avenue (Grid #6158-13-207344) – Adam T. Lauricella and Keely Sheehan (Owners and Applicants); Alfred A. Cappelli, Jr. (Architect) – Area Variance Application.

This property is located in the Residential (R) zoning district. The applicant is seeking to install a 15 ft. diameter above ground swimming pool in the yard. The required variance includes the following:

1. §151 Table 2A – allowed maximum lot coverage of 35%. The installation of a 15 ft. diameter above ground swimming pool would exceed the allowed maximum lot coverage.



VILLAGE OF WAPPINGERS FALLS

APPLICATION FOR AREA VARIANCE

OFFICE OF BUILDING,
PLANNING AND ZONING
2582 SOUTH AVENUE
WAPPINGERS FALLS, NY 12590
PHONE: (845) 297-5277
FAX: (845) 296-0379
E-mail: bmurphy@wappingersfallsny.gov
www.wappingersfallsny.gov

SUBMISSION REQUIREMENTS

1. All sections of the application form must be complete and accurate.
2. Application fee (non-refundable): cash or checks payable to "Village of Wappingers Falls"
3. The application must be filed with ten (10) copies of your appeal, together with ten (10) copies of all supporting documentation including:

"Letter of Denial" *The Applicant was directed by the Planning Board to begin an application with the ZBA.
 Affidavit of ownership
 N/A Contract of Sale or Lease, if applicable
 Photographs of affected area if applicable
 Plot Plan :

* A scale drawing not less than 8 1/2 by 11 inches in size.

*Suggested examples to include are: boundaries and dimensions of lot, dimensions and locations of existing structures (include porches, fences, walls, pools, sheds, signs, etc.). Dimensions of building set backs from property lines, location of driveways and parking layout, adjacent property lines, location of driveways, and parking layouts, adjacent property lines within 100 feet of the site, right of ways and easements, adjacent street(s), north point, building elevation (not required in most cases) may be helpful in rendering a decision.

APPLICATION DEADLINE:

In order to be in the following month's agenda you should submit a properly completed application fourteen (14) business days before the Zoning Board of Appeals meeting date. For the complete list of deadlines, go to "ZBA MEETING DATES" on the village web site (www.wappingersfallsny.gov), and look under the Departments > Zoning link for meeting dates for the Zoning Board of Appeals.

ZBA meetings begin at 7:30 p.m. and are usually held on the second Tuesday of each month; however, holidays, weather could necessitate the cancellation or rescheduling of a meeting. You are encourage to call the Planning and Zoning office the day of the meeting to confirm the meeting.



VILLAGE OF WAPPINGERS FALLS
OFFICE OF BUILDING, PLANNING & ZONING
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APPLICATION FOR AN AREA VARIANCE

APPEAL NUMBER: _____ **MEETING DATE:** July 7, 2020

APPLICANT:

Name: Gas Land Holdings Corp, (Zeidan Nesheiwat)

Address: 3 Ohioville Rd
New Paltz, NY 12561

Phone Numbers: (H) _____ (C) (845)-331-7545

(E-mail) gasland.zeidan@gmail.com -

(If the applicant is not the owner, a Consent form signed by the owner must be filed with this application.)

PROPERTY OWNER:

Name: Same as Applicant

Address: _____

Contact Phone Numbers. : (H) _____ (C) _____

(E-mail) _____

PROPERTY INFORMATION

Property Address (subject of appeal): 1663 Route 9

Tax Parcel #: 135601-6158-14-498418-0000

Date property acquired: 06/03/15

Present use of property: Gasoline/Convenience Station/Auto Body Repair Shop

Zoning District: Commercial Mixed Use (CMU)

Dimensions: Lot Area 19,950 (sq. ft. Width 157 ft. Depth 123 ft.

Setback: Front 68.8/68.2 ft. Rear 17.5 ft.

Sides 27.3 ft. and -- ft.

REQUEST FOR AREA VARIANCE

Deed Restrictions: None

Section(s) of ordinance from which variance is requested:

Refer to attached Addendum to Application for list of requested variances.

SECTION	REQUIRING	REQUESTED VARIANCE
See Addendum.		



VILLAGE OF WAPPINGERS FALLS
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APPLICATION FOR AN AREA VARIANCE (Continued)

Description of appeal Requested: Applicant proposes an extension to the existing building,
revisions to the parking area, and remodeling of the canopy, which would require area variances.

Dates and Descriptions of prior appeals, variances or special permit for property: None known.

Planning Board review date(s): April 2, 2020 and June 4, 2020 meetings

Environmental review: A Short Environmental Assessment Form and Report has been prepared. The Planning Board declared itself lead agency on 6/4/2020.

PLEASE ANSWER THE FOLLOWING QUESTIONS: (Use attachments if necessary)

1. How will this variance affect nearby properties?

See attached Addendum to Application.

2. How will granting this variance benefit the property owner?

See attached Addendum to Application.

3. What is the minimum relief needed? See attached Addendum to Application.

4. Why are alternative methods for compliance NOT FEASIBLE?

See attached Addendum to Application.

5. Did you do something to your property to cause the need for the variance? (i.e., previous activities such as grading, excavations, additions, improvements) ? No. See attached Addendum to Application.



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APPLICATION FOR AN AREA VARIANCE (Continued)

6. How will this variance affect the general character of the community with respect to noise, vibration, odors, vehicular and pedestrian traffic, visual aesthetics, public services (such as schools, police, fire, water, sewer, and roads)? See attached Addendum to Application.

7. How will the proposed variance affect the health, safety, security morals or general welfare of residents, visitors or workers in the area? See attached Addendum to Application.

REQUIRED SUBMITTALS:

- "Letter of Denial" *The Applicant was directed by the Planning Board to begin an application with the ZBA.
- Affidavit of ownership
- N/A Contract of Sale or Lease, if applicable
- Photographs of affected area if applicable
- Plot Plan
- Application Fee

SIGNATURE AND VERIFICATION

Please be advise that no application can be deemed complete unless signed below.

The applicant hereby states that all information given is accurate as of the date of application. If not the owner of the property, I hereby swears that this application is made with the informed knowledge and consent of the owner.

SIGNATURE OF APPLICANT

Zeidan Nesheiwat
Gas Land Holdings Corp.

DATE

**ADDENDUM TO ZBA APPLICATION FOR AREA VARIANCE
REASONS FOR APPEAL
Modification and Expansion of Convenience Store
1663 Route 9, Village of Wappinger Falls, NY**

The Applicant and Owner, Gas Land Holdings Corp is seeking site plan approval for a modification and expansion of an existing auto body repair shop/convenience store and gasoline fueling facility located at 1663 Route 9 in the Village of Wappingers Falls. The 0.46-acre parcel is identified as parcel 135601-6158-14-498418 on the Village of Wappingers Falls Tax Map and is located at the corner of US Route 9 southbound and North Mesier Ave. The tax parcel is currently developed with an approximately 1,200-square-foot, one-story building containing approximately 400 square feet of convenience store area and 800 square feet of autobody repair shop area, with eight fuel pumps (8 fueling stations) and 6 parking spaces. The project includes the removal of the auto body repair shop use and conversion of the entire building to convenience store use. In addition, a 900-square-foot building expansion is proposed to the west and south sides of the existing building for a total proposed convenience store floor area of 2,100 square feet. A small deli area will be incorporated into the inside of the convenience store. This will include a deli case, griddle, fryer, refrigerator, freezer and prep table. Per Chapter 151 of the Village of Wappingers Falls Zoning Code, a convenience store is defined as a structure or portion thereof used for retail sale for a variety of goods which may include fresh or prepared foods such as sandwiches and coffee. Additional modification will be undertaken to the site including the installation of a refuse container (previously there was none), increase in parking spaces (3 parking spaces), and landscaping improvements. The number of fueling stations will remain the same and no changes in access to the facility are proposed as part of the project. The existing building is legal non-conforming and proposed modifications to the building may require area variances.

Required Area Variances

The project requires the following variances from the Zoning Board of Appeals:

- 1) Building height: A minimum of two stories is required in the CMU District per Table 2F and a one-story building addition is proposed;
- 2) Front yard setbacks: The maximum permitted front setback for a principal building from a principal and secondary frontage is 12 feet per Table 2F. The building addition front yard setbacks from Route 9 and Mesier Avenue exceed this maximum;
- 3) Side yard setback: The maximum permitted side setback for a principal building is 24 feet per Table 2F. The building addition side yard setback exceeds this maximum;
- 4) Minimum frontage buildout at setback: The minimum frontage buildout at setback for the principal building is 80% per Table 2F. The minimum frontage buildout at setback for the principal building does not meet the minimum;
- 5) Internally illuminated signs with digital pricing: Internally illuminated signs are allowed in the CMU District; however, digital pricing is not permitted per Zoning Section 151-25(C)(7). Internally illuminated signs (showing digital pricing along Route 9) are being requested as part of the proposed project.

Table 1 presents the requested variances.

**Table 1: Commercial Mixed Use (CMU) Zoning District
 Requested Variances**

Zoning Requirement	Required	Existing	Proposed	Requested Variance
Principal Building Height	72 feet, 6 stories maximum, 2 stories minimum	1 story ¹	1 story	1 story
Front Setback to Principal Building from Principal or Secondary Road	Principal 2 feet minimum, 12 feet maximum	68.8 feet (Route 9) ¹	68.8 feet	56.8 feet
	Secondary 2 feet minimum, 12 feet maximum	68.2 feet (N. Mesier Avenue) ¹	68.2 feet	56.2 feet
Side Setback to Principal Building	0 feet minimum, 24 feet maximum	47.2 feet ¹	27.3 feet	3.3 feet (Reduced nonconformance from existing conditions by 19.9 feet)
Minimum Frontage Buildout at Setback	80%	0% ¹	0%	N/A
Internally Illuminated Signs with Digital Pricing	Not allowed	None	1 sign with digital pricing	N/A

¹ Existing Nonconformance.

Area Variance Criteria

Per Zoning Section 151-52, in making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the Applicant if the variance is granted, as weighed against any detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the Board shall also consider:

- (1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;

The project site located off Route 9 has been developed with a gas station in its current building configuration since at least 1990 and is surrounded by commercial uses on all sides. The proposed project involves an expansion to the convenience store. The number of fueling stations existing at the site will not change. The new building addition will extend to the south and west. The site was rezoned in 2015 to CMU at which time several aspects of the site design became existing non-conformances.

The requested variance to allow a one-story building where a minimum two-story building is required would not produce an undesirable change in character or detriment to the neighborhood because the building is currently one-story (existing non-conforming) so that there will be no substantive change to the overall building height as a result of the variance. The commercial plazas to the south and north of the property are one-story buildings.

The requested variances would provide relief from the maximum allowed front and side setbacks. The front setbacks to the building are currently existing non-conforming and will not be increased, but due to the modification of an existing non-conformance a variance is required. The side setback is also an existing non-conformance which will be improved from its existing condition by lessening of the non-conformance by 19.9 feet. Therefore, the variances would not produce an undesirable change or detriment to the neighborhood.

The requested variance to allow relief from the Minimum Frontage Buildout at the Setback is similar to the requested variances discussed above in that the site is currently non-conforming for this requirement as a result of being rezoned from General Business (GB) to CMU in 2015. The proposed project will not increase the non-conformance but due to the modification of the building a variance is required.

The proposed project includes a request to allow internally illuminated signs including digital pricing on the site. The proposed sign would internally illuminate the digital pricing, which will not flash, scroll, animate, or change color, but will change to reflect a new price. Thus, the sign will not serve as a distraction to passersby or nearby residents. Gas prices fluctuate constantly, often multiple times a day, and the price display must be updated constantly. Without internal illumination, the prices would need to be updated by an employee on a ladder. With LED lighting, the prices can be updated using programming software. Additionally, the power consumption of a digital LED sign is significantly less than other types of illumination. The proposed sign meets the remaining sign requirements and will be located in a commercial corridor. For these reasons, the

proposed illuminated sign would not produce an undesirable change or detriment to the neighborhood.

In addition, modifications to the site will include the installation of a refuse container (previously there was none), increase in parking spaces (3 parking spaces), and landscaping improvements. The number of fueling stations will remain the same and no changes in access to the facility are proposed as part of the project.

(2) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;

As a result of the adoption of the Wappingers Falls Smart Code, the site was rezoned to CMU in 2015. The CMU Zoning District is described as follows: “Commercial Mixed Use Zone consists of the highest density and height, with the greatest variety of uses of regional importance. It may have larger blocks; streets have steady street tree planting and buildings are set close to wide sidewalks.” As described above, the project site is comprised of an existing gasoline fueling station which preceded the rezoning resulting in a building that does not conform with current zoning. The proposed modification of the building will result in removal of the auto-repair use and conversion and expansion of the convenience store use. The fueling station component of the station will remain the same. Due to the existing design of the fueling stations and storage tanks, it is not viable to expand the building to the east or north which would bring it closer to Route 9 and N. Mesier Avenue as is the objective of the CMU bulk dimensions, including those regulations for which relief is being sought (e.g. setbacks, frontage buildout). The proposed building addition is meant to provide additional customer space and a small deli area. As such a vertical expansion to a second story would not be well-suited to the use.

The Applicant desires to use digital pricing as a convenient means to provide pricing information to consumers. Digital pricing information is typically provided as part of the service station signage and the property is located within a commercial corridor. There is no other feasible way to display digital pricing except as requested.

The proposed project will improve an existing conforming use by improving the aesthetics of the building and site and increasing parking.

(3) Whether the requested area variance is substantial;

The height, setbacks and building frontage variances being sought are directly related to the existing non-conforming status of the existing development. As noted above, the site was rezoned by the Village to CMU in 2015, which modified bulk and dimensional requirements.

The requested variance to allow a one-story building represents a one-story decrease in the required minimum two-story height for buildings in the CMU District. As noted, the existing building is currently one-story (existing, non-conforming) and the proposed addition will allow for customer and deli service space which is not well-suited to a second floor. The proposed variance will not increase the non-conformance, but due to the modification of an existing non-conformance a variance is required. For these reasons,

the variance is not considered to be substantial. As previously noted, the commercial plazas to the south and north of the property are one-story buildings.

The requested variance to allow front setbacks of 68.8 feet on Route 9 and 68.2 feet on North Mesier Avenue where a 12-foot maximum setback is permitted should not be considered substantial as the setbacks are not being increased from the existing non-conforming status and because a building addition to the north and east is not possible due to the existing underground fuel tanks and fueling stations. For these reasons, the variance is not considered to be substantial.

The requested variance to allow a side setback of 27.3 feet from the west property line where a 24-foot maximum setback is permitted should not be considered substantial as the proposed setback will improve the existing non-conformance by reducing it from 19.9 feet to a variance of 3.3 feet or a 14% increase above what is permitted. For these reasons, the variance is not considered to be substantial.

The requested variance to allow a frontage buildout of 0% where a minimum of 80% is required should not be considered substantial as the 0% condition is existing non-conforming and a building addition to the north and east is not possible due to the existing underground fuel tanks and fueling stations. For these reasons, the variance is not considered to be substantial.

The requested variance to allow digital pricing on an internal illuminated sign is not considered to be substantial as the addition of digital pricing to a sign that is already internally illuminated within a commercial area would not noticeably increase the visibility of the sign.

(4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

The project includes the removal of the auto body repair shop use and conversion of the entire building to convenience store use. In addition, a 900-square-foot building expansion is proposed to the west and south sides of the existing building for a total proposed convenience store floor area of 2,100 square feet. A small deli area will be incorporated into the inside of the convenience store. Additional modification will be undertaken to the site including the installation of a refuse container (previously there was none), increase in parking spaces (3 parking spaces), and landscaping improvements. The number of fueling stations will remain the same and no changes in access to the facility are proposed as part of the project.

A Short Environmental Assessment Form (SEAF) Part 1 and Report are enclosed in this submittal. The SEQR analysis discloses information about relevant environmental resources and site conditions and potential impacts from the proposed project, including:

- Land use, zoning, and public policy pertinent to the site;
- Soil, surface water, and groundwater resources existing on site;
- Vegetation and wildlife, including endangered, threatened and rare species on or near the site;
- Available and proposed utility infrastructure, including stormwater;

- Historic and cultural resources on or near the site;
- Traffic conditions existing and proposed; and
- Other related information.

As demonstrated in the report, the proposed project will not result in significant adverse effects on environmental resources.

(5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of the area variance.

The difficulties for which the Applicant is seeking area variances are not self-created. The building height, setbacks and frontage buildout conditions are existing non-conforming as a result of the 2015 rezoning of the site to CMU. The existing facility is outmoded and due to the small lot size and fueling equipment it is nearly impossible to update the facility without the issuance of an area variance under the new zoning. The proposed project will modernize the existing gas station, remove the auto-repair use, and improve the vehicular safety and landscaping on site.

The request for a variance to allow digital pricing as part of an internal illuminated sign is not a self-created hardship but instead a desire by the Applicant to minimize strain on the gas station attendant, provide up-to-date information to customers and add to the updated aesthetic that is being proposed as part of the overall project.

Responses to the questions in the ZBA area variance application as they relate to each requested variance are provided below:

(A) How will this variance affect nearby properties?

See the answer to Number 1 above.

(B) How will granting this variance benefit the property owner?

The requested variances (building height, setback, buildout frontage) will allow for expansion of a convenience store to allow for additional customer area and deli service space where presently the “Snack Shop” presents very little. The requested digital pricing variance will assist in further modernizing the facility and allow for employees to remain inside the store where they are most needed.

(C) What is the minimum relief needed?

The Applicant is seeking the minimum relief, see the right-most column in Table 1.

(D) Why are alternative methods for compliance NOT FEASIBLE?

See the answer to Number 2 above.

(E) Did you do something to your property to cause the need for the variance? (i.e., previous activities such as grading, excavations, additions, improvements)?

See the answer to Number 5 above.

(F) How will this variance affect the general character of the community with respect to noise, vibration, odors, vehicular and pedestrian traffic, visual aesthetics, public services (such as schools, police, fire, water, sewer, and roads)?

The existing facility currently features gasoline filling, auto repair and a convenience store. The auto repair will be discontinued and the entire building plus an addition will be converted to convenience store use totaling 2,100 SF. Accordingly, noise, vibration, and odors related to the auto-repair shop activities will cease. The primary function of the facility is gasoline filling and no additional fueling stations are proposed as part of the project; therefore, no substantive change to traffic is anticipated. The proposed project includes enhancements to the site design to allow for more parking and better circulation for vehicles and pedestrians. Visual aesthetics of the site will be improved by the updated façade and improved landscaping. No negative impacts on public services are anticipated given the commercial service facility use with no change in the number of fueling stations.

See also answer to Number 4 above.

(G) How will the proposed variance affect the health, safety, security morals or general welfare of residents, visitors or workers in the area?

The requested variances (building height, setback, buildout frontage) will allow for modernization and expansion of a convenience store to allow for additional customer area and deli service space. The requested digital pricing variance will assist in further modernizing the facility, which is located within a commercial corridor, and allow for employees to remain inside the store where they are most needed.

The existing facility currently features gasoline filling, auto repair and a convenience store. The auto repair will be discontinued and the entire building plus an addition will be converted to convenience store use totaling 2,100 SF.

The site has operated as a gas station since at least 1990. The improved facility will enhance its surroundings and provide a safer and improved environment for customers and workers through additional parking, improved vehicular circulation and landscaping. No adverse effects on safety, security morals or general welfare of residents, visitors or workers in the area are anticipated to occur as a result of the proposed project, see also the answer to Number 4 above.



Photo 1: View looking west.



Photo 2: View looking southwest.



Photo 3: View Looking south.



Photo 4: View Looking southeast towards Route 9.



Photo 6: View looking north.



Dutchess County Clerk Recording Page

Record & Return To:

Date Recorded: 6/5/2015
Time Recorded: 4:33 PM

CORBALLY GARTLAND & RAPPLEYEA
35 MARKET ST
POUGHKEEPSIE, NY 12601

Document #: 02 2015 3284

Received From: CORBALLY GARTLAND & RAPPLEYEA

Grantor: CRIMSWAL REALTY CO LLC
Grantee: GAS LAND HOLDINGS CORP

Recorded In: Deed
Instrument Type:

Tax District: Town of Poughkeepsie

Examined and Charged As Follows :

Recording Charge: \$315.00
Transfer Tax Amount: \$2,000.00
Includes Mansion Tax: \$0.00
Transfer Tax Number: 5616

Number of Pages: 4

*** Do Not Detach This Page
*** This is Not A Bill

Red Hook Transfer Tax:

RP5217: Y
TP-584: Y

County Clerk By: cni
Receipt #: 89853
Batch Record: 1933

Bradford Kendall
County Clerk



0220153284



TP 4P
60-
255
2000
2315

DEED

THIS INDENTURE, made effective the 3rd day of June , 2015 between CRIMSWAL REALTY CO.. LLC, 5858 Westheimer Road, Houston Texas 77057 party of the first part, and GAS LAND HOLDINGS CORP. , a New York corporation. with an address of 785 Broadway, Kingston, New York, 12540, party of the second part, ✓

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other good and valuable consideration, 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 Village of Wappingers Falls County of Dutchess, and State of New York, and more particularly described on the attached Schedule "A" being commonly known as 1663 Route 9, tax parcel no. 135601-6158-14-498418 and being the same premises some as lot 1 on filed map 9903.

The premises are not in an agricultural district and the parcel is entirely owned by the transferor.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads 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

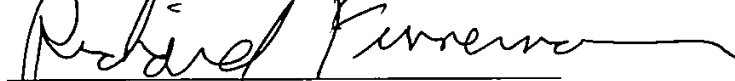
consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payments of the cost of the improvement before using any part of the total of the same for any other purpose.

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:

CRIMSWAL REALTY COLLE

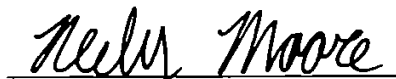


RICHARD FINNERMAN, SOLE MEMBER

STATE OF TEXAS)
COUNTY OF HARRIS)SS.:



On the 4th day of JUNE, 2015 before me, the undersigned, a Notary Public in and for said State, personally appeared RICHARD FINNERMAN personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument the City of Houston, County of Harris and State of Texas.

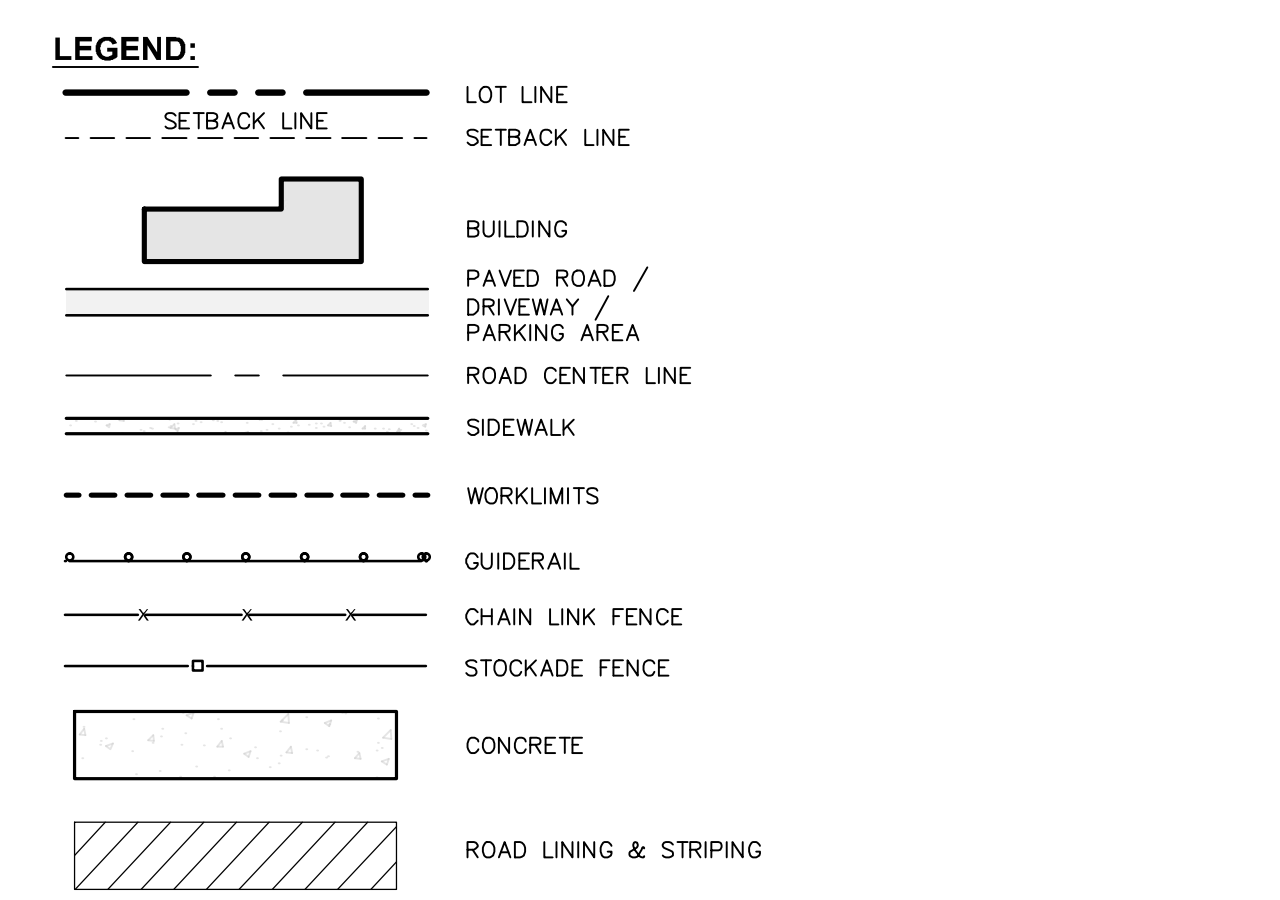
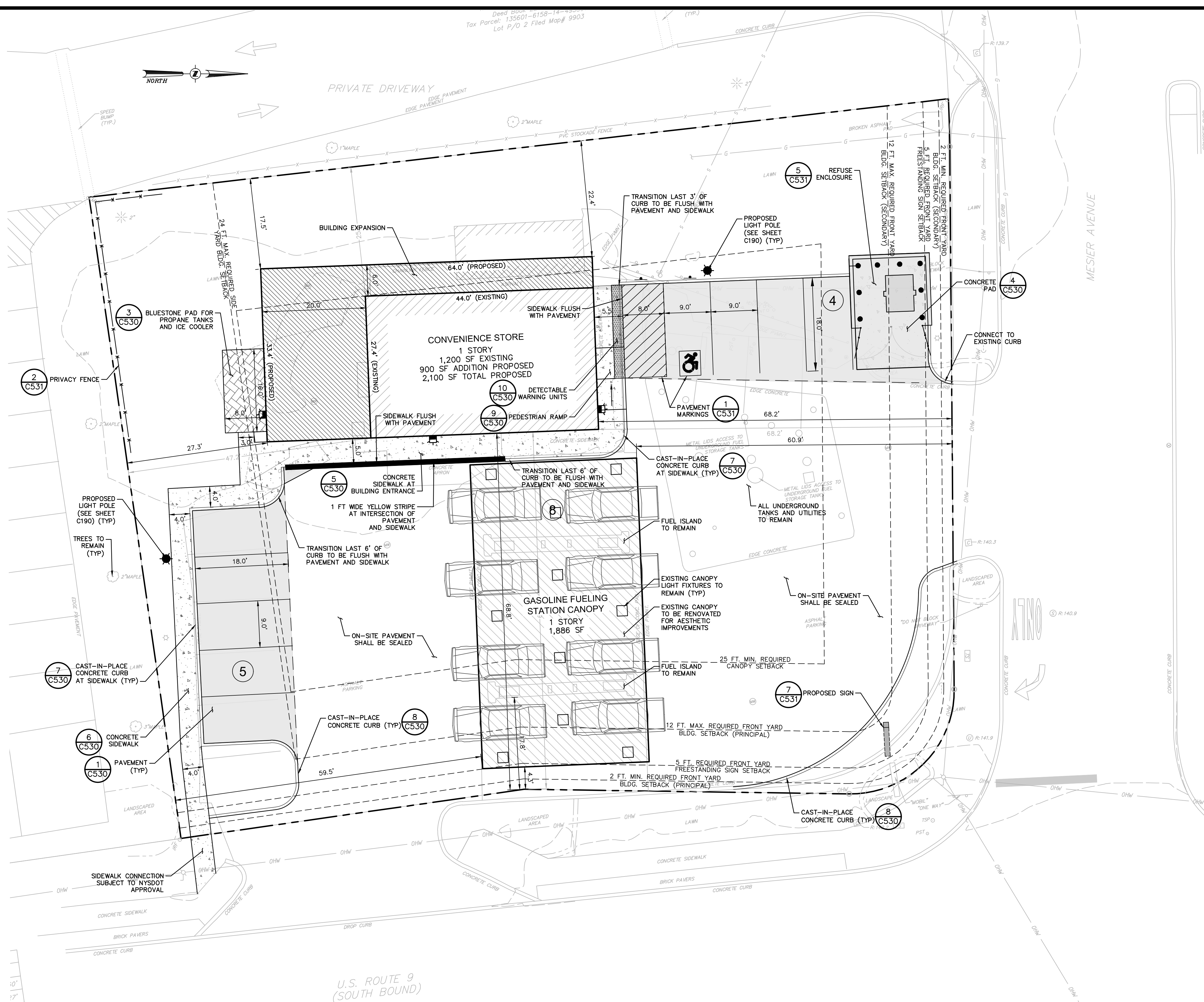

Notary Public

RECORD & RETURN:

Jon Holden Adams
Corbally, Gartland and Rappleyea, LLP
35 Market Street
Poughkeepsie, New York 12601

SCHEDULE A

All that lot or area of land in the Village of Wappingers Falls and Town of ✓
Poughkeepsie, County of Dutchess, State of New York shown as lot 1 on filed map
9903, being the same premises conveyed to grantor by deed dated July 7, 2007
and recorded as deed document 2007/4685



- GENERAL CONSTRUCTION NOTES:**
- THE CONTRACTOR SHALL PROTECT EXISTING PROPERTY LINE MONUMENTATION. ANY MONUMENTATION DISTURBED OR DESTROYED, AS JUDGED BY THE ENGINEER OR OWNER, SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE AND UNDER THE SUPERVISION OF A NEW YORK STATE LICENSED LAND SURVEYOR.
 - ALL PAVEMENT RESTORATION SHALL MEET AND MATCH EXISTING GRADES.
 - ALL SAWCUT LINES SHALL BE PARALLEL AND CURVILINEAR TO EXISTING OR PROPOSED CURBING AND SHALL BE A CONSTANT DISTANCE OF 18" MIN AWAY.
 - ALL ARCHITECTURE IS SUBJECT TO PLANNING BOARD REVIEW.
 - NOTIFY ENGINEER 48 HOURS PRIOR TO INITIALIZATION OF ANY WORK ON SITE.
 - THE ENGINEER SHALL BE NOTIFIED IN WRITING OF ANY CONDITIONS THAT VARY FROM THOSE SHOWN ON THE PLANS. THE CONTRACTOR'S WORK SHALL NOT VARY FROM THE PLANS WITHOUT PRIOR REVIEW FROM THE ENGINEER.
 - CONTRACTOR IS RESPONSIBLE FOR EMPLOYING AND MAINTAINING ALL TRAFFIC CONTROL AND SAFETY MEASURES DURING CONSTRUCTION.
 - CONTRACTOR IS RESPONSIBLE FOR PROPERLY & SAFELY MAINTAINING AREA BETWEEN ALL ADJOINING PROPERTIES.
 - NO WORK, STORAGE OR TRESPASS SHALL BE PERMITTED BEYOND THE SITE PROPERTY LINES OR PUBLIC RIGHT-OF-WAY.
 - ALL EXISTING LAWN AREA, CURBING, PAVING, SIDEWALKS, CULVERTS OR OTHER PUBLIC OR PRIVATE PROPERTY DAMAGED BY TRENCHING OR EXCAVATION OPERATIONS SHALL BE REPLACED OR REPAIRED TO A CONDITION EQUAL TO EXISTING, AS DESCRIBED IN CONTRACT DOCUMENTS OR AS ORDERED BY ENGINEER (AOBE). MAILBOXES, SIGN POSTS, ETC SHALL BE PROTECTED OR REMOVED AND REPLACED EXACTLY AS THEY WERE BEFORE BEING DISTURBED. REMOVE AND REPLACE AFFECTED CURBING AND SIDEWALK TO NEAREST JOINT. REMOVE PAVEMENT AND REPLACE TO SAW CUT LINE. SAW CUT IN STRAIGHT LINE TO POINT NEEDED TO BLEND GRADE. REMOVE LAWN AND REPLACE TO MINIMUM LIMIT OF EXCAVATION.

- LAYOUT NOTES:**
- BUILDING DIMENSIONS TO BE TAKEN FROM ARCHITECTURAL BUILDING PLANS. NOTIFY THE ENGINEER OF ANY DEVIATION FROM CONDITIONS SHOWN ON THIS PLAN.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL FIELD LAYOUT. THE CONTRACTOR SHALL TAKE TIES TO ALL UTILITY CONNECTIONS AND PROVIDE MARKED-UP AS BUILT PLANS FOR ALL UTILITIES SHOWING TIES TO CONNECTIONS, BENDS, VALVES, LENGTHS OF LINES AND INVERTS. AS-BUILT PLANS SHALL BE REVIEWED BY THE OWNER AND THE ENGINEER AND THE CONTRACTOR SHALL PROVIDE ANY CORRECTION OR ADDITIONS TO THE SATISFACTION OF THE OWNER AND THE ENGINEER BEFORE UTILITIES WILL BE ACCEPTED.

- PAVING NOTES:**
- NO VEHICULAR TRAFFIC OF ANY SORT SHALL BE PERMITTED ON THE SURFACE OF SUBBASE COURSE MATERIAL ONCE IT HAS BEEN FINE GRADED, COMPACTED, AND IS READY FOR PAVING. SUBBASE MATERIAL SO PREPARED FOR PAVING SHALL BE PAVED WITHIN THREE DAYS OF PREPARATION.
 - SUBBASE MATERIAL AND THE VARIOUS ASPHALT CONCRETE MATERIALS CALLED FOR IN THESE DRAWINGS SHALL CONFORM WITH THE REFERENCED SECTION OF THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION MATERIALS, DATED "LATEST EDITIONS". CONSTRUCTION SHALL BE AS FURTHER SET FORTH IN THOSE SPECIFICATIONS AND AS OTHERWISE PROVIDED FOR IN THESE DRAWINGS.
 - PLACE ASPHALT CONCRETE MIXTURE ON PREPARED SURFACE, SPREAD AND STRIKE-OFF USING A SELF-PROPELLED PAVING MACHINE, WITH VIBRATING SCREED. PLACEMENT IN INACCESSIBLE AND SMALL AREAS MAY BE BY HAND.
 - PROVIDE JOINTS BETWEEN OLD AND NEW PAVEMENTS OR BETWEEN SUCCESSIVE DAY'S WORK.
 - TACK COAT WHEN SPECIFIED OR CALLED OUT ON THE DRAWINGS OR REQUIRED BY THE REFERENCED SPECIFICATION SHALL CONFORM WITH THE FOLLOWING:
 - TACK COAT SHALL MEET THE MATERIAL REQUIREMENTS OF 702-90 ASPHALT EMULSION FOR TACK COAT OF THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION MATERIALS, DATED "LATEST EDITION", SHALL BE APPLIED IN ACCORDANCE WITH SECTION 407 - TACK COAT SHALL BE IN ACCORDANCE WITH THOSE SPECIFICATIONS AND AS OTHERWISE PROVIDED FOR IN THESE DRAWINGS.
 - REMOVE LOOSE AND FOREIGN MATERIAL FROM ASPHALT SURFACE BEFORE PAVING NEXT COURSE. USE POWER BROOMS, BLOWERS OR HAND BROOM.
 - APPLY TACK COAT TO ASPHALT PAVEMENT SURFACES & AND SURFACES OF CURBS, GUTTERS, MANHOLES, AND OTHER STRUCTURES PROJECTING INTO OR ABUTTING PAVEMENT. DRY TO A "TACKY" CONSISTENCY BEFORE PAVING.
 - TACK COAT ENTIRE VERTICAL SURFACE OF ABUTTING EXISTING PAVEMENT.
 - AFTER COMPLETION OF PAVING AND SURFACING OPERATIONS, CLEAN SURFACES OF EXCESS OR SPILLED ASPHALT, GRAVEL OR STONE MATERIALS TO THE SATISFACTION OF THE ENGINEER.

1 SITE PLAN
C130 SCALE: 1"=10'

ISSUED FOR CONCEPT REVIEW - NOT FOR CONSTRUCTION

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CHAZEN ENGINEERING, LAND SURVEYING & LANDSCAPE ARCHITECTURE, CO., D.P.C.

The Chazen Companies
Civil Engineers, Land Surveyors, Planners, Environmental & Safety Professionals, Landscape Architects, Transportation Planners & Engineers.

Office Locations:

- Hudson Valley Office: 21 Fox Street, Troy, New York 12601, Phone: (845) 454-3980
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- Westchester NY Office: 1 North Broadway, Suite 803, White Plains, New York 10601, Phone: (914) 997-8510
- Chattanooga Tennessee Office: 1426 Willoms Street (Suite 12), Chattanooga, Tennessee 37408, Phone: (423) 241-6575

rev.	date	description
1	05/14/20	REVISED PER VILLAGE COMMENTS.

1663 ROUTE 9 - GAS LAND - MESIER MOBIL

SITE PLAN

VILLAGE OF WAPPINGERS FALLS, DUTCHESS COUNTY, NEW YORK

designed	checked
SPL	CPL
date	scale
03/12/20	1"=10'
project no.	
82010.00	
sheet no.	
	C130

Short Environmental Assessment Form Part 1
for
1663 Route 9 – Gas Land Holdings
1663 Route 9
Village of Wappingers Falls
Dutchess County, New York

Issued: March 12, 2020

Revised: June 11, 2020



Prepared for:

*Gas Land Holdings Corp
3 South Ohioville Road
New Paltz, NY 12561*

Prepared by:

*Chazen Engineering, Land Surveying &
Landscape Architecture Co., D.P.C.
21 Fox Street Suite 201
Poughkeepsie, NY 12601
845-454-3980*

Chazen Project No. 82010.00

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SHORT ENVIRONMENTAL ASSESSMENT FORM PART 1 FORM

FIGURES

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- Figure 2: Orthophoto Tax Map
- Figure 3: Land Use Map
- Figure 4: NYSOPRHP Cultural Resource Information System (CRIS) Map
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ATTACHMENT

- Attachment A: Suffolk County Loading Rates
- Attachment B: US Fish & Wildlife Service (USFWS) IPaC Resource List
- Attachment C: NYSOPRHP Correspondence

Note: Site Plan submitted separately.

PROJECT NARRATIVE

1.0 PROJECT DESCRIPTION

The Applicant and Owner, Gas Land Holdings Corp is seeking site plan approval for a modification and expansion of an existing auto body repair shop/convenience store and gasoline fueling facility located at 1663 Route 9 in the Village of Wappingers Falls. The 0.46-acre parcel is identified as parcel 135601-6158-14-498418 on the Village of Wappingers Falls Tax Map and is located at the corner of US Route 9 southbound and North Mesier Ave (see Figures 1 and 2). The tax parcel is currently developed with an approximately 1,200-square-foot, one-story building containing approximately 400 square feet of convenience store area and 800 square feet of autobody repair shop area, with eight fuel pumps (8 fueling stations) and 6 parking spaces. The project includes the removal of the auto body repair shop use and conversion of the entire building to convenience store use. In addition, a 900-square-foot building expansion is proposed to the west and south sides of the existing building for a total proposed convenience store floor area of 2,100 square feet. A small deli area will be incorporated into the inside of the convenience store. This will include a deli case, griddle, fryer, refrigerator, freezer and prep table. Per Chapter 151 of the Village of Wappingers Falls Zoning Code, a convenience store is defined as a structure of portion thereof used for retail sale for a variety of goods which may include fresh or prepared foods such as sandwiches and coffee. Additional modification will be undertaken to the site including the installation of a refuse container (previously there was none), increase in parking spaces (3 parking spaces), and landscaping improvements. The number of fueling stations will remain the same and no changes in access to the facility are proposed as part of the project. The existing building is legal non-conforming and proposed modifications to the building may require area variances.

Table 1 provides a list of the approvals/permits that are anticipated for the project.

Table 1: Anticipated Approvals/Permits

AGENCY	APPROVAL/PERMIT
Village of Wappingers Falls Planning Board	Site plan approval
Village of Wappingers Falls Zoning Board of Appeals	Area Variance(s)
Village of Wappingers Falls Board of Trustees	Landscaping in the Village Right-of-Way
Dutchess County Department of Behavioral and Community Health	Water/Wastewater
New York State Department of Transportation	Sidewalk Connection to Route 9
Dutchess County Department of Planning and Development	GML 239m referral

2.0 LAND USE AND ZONING

2.1 Land Use

The project site is located within a developed area of the Village of Wappingers Falls that provides regional commercial uses along Route 9. Nearby land uses include one-family residential dwellings, vacant lots, Veteran Memorial Park, and commercial facilities including restaurants and retail. The project site is surrounded on all sides by commercial zoned uses that are developed with commercial uses (see Figure 3).

Accordingly, the proposed project to expand and modify an existing convenience store/gasoline filling station facility is consistent with nearby land uses.

2.2 Zoning

The project parcel is situated in the Commercial Mixed Use (CMU) Zoning District as designated by the Village of Wappingers Falls Zoning Map. A “Gasoline/Convenience Station” and an “automobile service” use is permitted with site plan approval in this zoning district and pursuant to Zoning Section 151-20. The existing building is legal non-conforming.

A. The storage of vehicles, equipment, fuel pumps, or vehicle charging stations shall not be permitted within 20 feet of a zoning district boundary or in any required setback.

The existing fuel pumps are located outside of all required setbacks. The proposed project will not affect the location of the fuel pumps.

B. All major repair and service work shall be accomplished indoors or screened from view.

Currently, the facility is partially comprised of an automobile service use. As part of the proposed action, the automobile service use will be discontinued and will be converted to a convenience store. Therefore, no repair or service work will occur on site.

C. All automobile parts, dismantled vehicles including unregistered/inoperable vehicles, and similar articles shall be stored within a building or screened from view.

See Response to B.

D. Automotive use structures shall be set back a minimum of 25 feet from all property lines. The preceding setbacks shall supersede the setbacks specified in Tables 2A – 2F.

The gasoline fueling station canopy currently encroaches into the 25-foot setback off the property line abutting Route 9. The encroachment is an existing, legal, non-conforming condition that will not be affected by the proposed action. No changes to the fueling station canopy are proposed as part of the project.

E. Each vehicle for sale is permitted one sign per vehicle with a maximum area of one square foot; this sign shall be displayed from inside the vehicle. Such vehicles shall use no other advertising or devices to attract attention.

Auto sales do not currently occur at the project site and the proposed project does not include an auto sales use.

F. No more than one unregistered and/or inoperative vehicle shall be stored on the premises for more than 60 days except for auto sales.

See Responses to B and E.

G. Island canopy lighting fixtures shall be recessed into the canopy ceiling so that the bottom of the fixture is flush with the ceiling.

No changes to lighting fixtures within the existing fueling station canopy are proposed as part of the proposed project.

H. Vehicle charging stations are permitted as accessory uses only and not as principal uses in VR, VM, and VC Districts.

There are no existing vehicle charging stations at the site and none are proposed as part of the proposed project.

I. Car washes:

(1) Car wash structures shall not be closer than 200 feet from a zoning district boundary.

There is no existing car wash structure at the site, and no such structure is proposed as part of the proposed project.

(2) Four stacking spaces per bay shall be provided on the lot.

See response to 1.

(3) As part of site plan review for car washes, evidence of an adequate long-term source of public or private water shall be submitted to show that water usage will not affect surrounding properties.

See response to 1.

The existing building is legal non-conforming and proposed modifications to the building may require area variances from the Village of Wappingers Falls Zoning Board of Appeals, as shown in the Zoning Table on the site plan.

Since the existing building is legal non-conforming and the proposed project is generally consistent with the Village's Zoning regulations, no significant adverse impacts related to land use or zoning are anticipated to result from the proposed project.

2.3 Public Policy

The Village's Comprehensive Plan was written in 2001. The Route 9 corridor is identified in the Plan as featuring a predominance of highway commercial uses. The Plan acknowledges that the existing highway commercial uses are at odds with the intentions of the CB zoning and that this corridor should be rezoned to General Business (GB). This change was implemented and an older zoning map from 2007 shows the site within the General Business Zoning District.

Following the Comprehensive Plan, several policies were written to garner the revitalization of the Village center, including: Wappingers Falls Vision Plan, Wappingers Falls Action Plan, Wappingers Falls Smart Code, West Main Street Revitalization Plan, and the Village of Wappingers Falls Downtown and Waterfront Revitalization Strategy.

As a result of the adoption of the Wappingers Falls Smart Code, the site was rezoned to CMU in 2015. The CMU Zoning District is described as follows: "Commercial Mixed Use Zone consists of the highest density and height, with the greatest variety of uses of regional importance. It may have larger blocks; streets have steady street tree planting and buildings are set close to wide sidewalks." As described above, the

project site is comprised of an existing gasoline fueling station which preceded the rezoning resulting in a building that does not conform with current zoning. The proposed modification of the building will result in removal of the auto-repair use and conversion and expansion of the convenience store use. The fueling station component of the station will remain the same. Due to the existing design of the fueling stations, it is not viable to expand the building to the east which would bring it closer to Route 9 as is the objective of the CMU bulk dimensions. Nevertheless, the proposed project will improve an existing conforming use by improving the aesthetics of the building and site and increasing parking and is anticipated to be consistent with the objectives of Village public policy.

3.0 UTILITIES

3.1 Water and Wastewater

The proposed project includes the expansion and modification of an existing convenience store/auto body repair used building to a one that will be used as a convenience store only. The store will have prepared foods placed in a grab-and-go display case.

The water usage and wastewater generation are calculated in accordance with the Dutchess County Design and Construction Standards, 2016; New York State Department of Environmental Conservation (NYSDEC) “Design Standards for Wastewater Treatment Works” for Intermediate Sized Sewage Facilities, 2014; and Table 1 – Project Density Loading Rates & Design Sewage Flow Rates from the Suffolk County Department of Health Services Division of Environmental Quality Standard for Approval for Plans and Construction for Sewage Disposal Systems for Other than Single-Family Residences (utilized for deli use).

The NYSDEC Design Standard for Wastewater Treatment Works, 2014, does not provide anticipated hydraulic loading rates for a convenience store with minor food preparation. Therefore, our office has researched surrounding counties for theoretical sewage flows associated with this particular use. Attachment A is Table 1 – Project Density Loading Rates & Design Sewage Flow Rates, from the Suffolk County Department of Health Services. This table provides a hydraulic load for a “wet store w/food (deli/take-out with max 16 seats single service¹),” of 0.15 gallons per day (gpd) for each gross square feet of floor space. The proposed convenience store will not have seating. Based on this loading, the expected flow would be 315 gpd (2,100 square feet x 0.15).

The project site is currently connected to municipal water and sewer service and presently contains a toilet. Based on the New York State Department of Environmental Conservation Water and Wastewater Systems Design and Construction Standards, the design flow for a facility with a public toilet is 400 gpd. Therefore, the total increased anticipated water demand and wastewater generation is anticipated to be 315 gpd.

The modified and expanded convenience store will remain connected to the Village’s municipal water and sewer service and the additional water demand and wastewater generation is anticipated to be accommodated without negative impact to the water or sewer district.

¹ Single service is defined as disposable plates, silverware and cups.

3.2 Stormwater

The project site is connected to the municipal stormwater system. The proposed project will result in less than one acre of physical ground disturbance at the site. Therefore, no stormwater pollution prevention plan (SWPPP) is required. Erosion and sediment controls will be in place during construction.

4.0 HISTORIC AND ARCHEOLOGICAL RESOURCES

According to the NYS Office of Parks, Recreation, and Historic Preservation (NYSOPRHP) Cultural Resource Information System (CRIS) mapping (Figure 4), the project site does not contain nor is it located substantially contiguous to a listed or eligible resource on the National or State Registers of Historic Places. The project site is located within an area known to be sensitive for archeological resources. However, the project site is in a developed area and is completely disturbed, consisting of mostly building and parking area. Physical disturbance associated with the proposed project will include areas that have been previously disturbed. Therefore, no impacts to archeological resources are anticipated. Project information, including plans and elevations, will be uploaded to the NYSOPRHP CRIS for review and determination. In an April 1, 2020 letter (Attachment C), “the NYSOPRHP stated that based on the information provided, OPHRP has no concerns regarding the proposed project under SEQRA.”

5.0 WATER RESOURCES AND FLOODPLAIN

According to available GIS data and New York State Department of Environmental Conservation (NYSDEC) Environmental Resource Map (Figures 5 and 6), there are no floodplains, mapped streams, National Wetland Inventory (NWI) wetlands, or NYSDEC regulated wetlands or adjacent areas on or adjacent to the project site. There are no floodplain areas in the vicinity of the project site. Therefore, no adverse impacts to water resources are anticipated, and no impacts related to floodplains will occur.

The project site does not directly adjoin the Wappinger Lake Critical Environmental Area (CEA), which is located approximately 650 feet west of the site. The site is connected to municipal utilities and erosion and sediment controls will be implemented during construction. Therefore, no adverse impact to the CEA will occur as a result of the project.

6.0 ENDANGERED, THREATENED & RARE SPECIES AND SIGNIFICANT HABITAT

According to the NYSDEC Environmental Resource Mapper (ERM) (Figure 6), there are known occurrences of the Pied-billed Grebe and the Indiana Bat on or in the vicinity of the project site. The NYSDEC ERM indicates that the site is just outside the area that NYSDEC considers “near” to the tidal river of the Hudson River Estuary, a Significant Natural Community.

According to the NYSDEC New York Natural Heritage Program, the Pied-billed Grebe is a State-listed Threatened species whose habitat is “quiet marshes, marshy shorelines of ponds, shallow lakes, or marshy bays and slow-moving streams with sedgy banks or adjacent marshes; rarely in brackish marshes with limited tidal fluctuation.” The project site contains no aquatic resources that could potentially provide habitat for this species; therefore, no adverse impacts to this species are anticipated to occur.

According to the NYSDEC New York Natural Heritage Program, the Indiana Bat is a State-listed Endangered species that, “hibernate in caves and mines during the winter. These bats show a strong preference for woodland and wooded riparian habitat over cropland. Predominately female Indiana bats radio-tracked

from hibernacula in Jefferson, Essex, and Ulster Counties were found to move between approximately 12 and 40 miles to roost location on their foraging grounds. The roosts consisted of living, dying, and dead trees in both rural and suburban landscapes.” The project site contains no trees; therefore, no adverse impacts to this species are anticipated to occur.

The US Fish & Wildlife Service IPaC Resource List (Attachment B) indicates the potential for the Indiana Bat (endangered) and the Northern Long-Eared Bat (threatened) in the vicinity of the project site. As noted above, there are no trees located on the project site; therefore, no adverse impacts to bats are anticipated to occur as part of the proposed project.

SHORT ENVIRONMENTAL ASSESSMENT FORM (SEAF)

Short Environmental Assessment Form

Part 1 - Project Information


Instructions for Completing

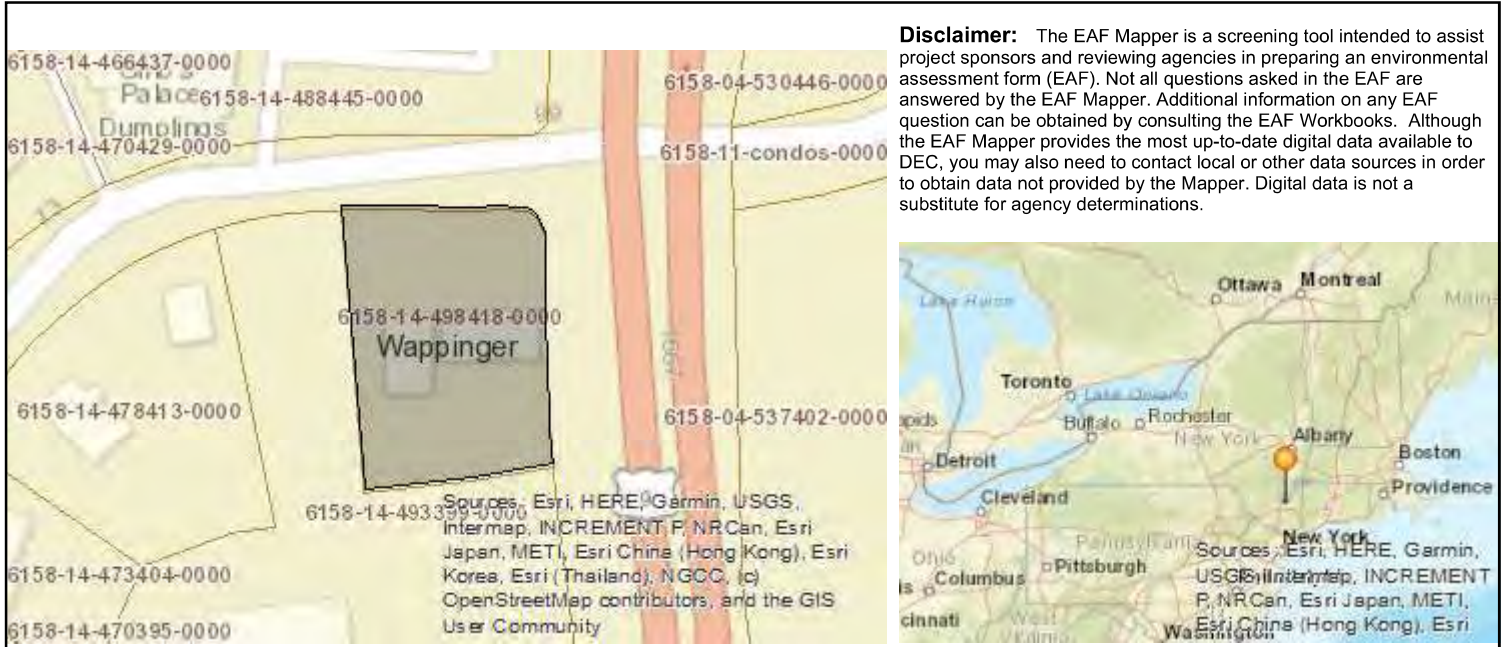
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 1663 Route 9 - Gas Land Holdings			
Project Location (describe, and attach a location map): 1663 Route 9, Village of Wappingers Falls, Dutchess County, NY; Tax Parcel 135601-6158-14-498418-; refer to Figures 1 and 2			
Brief Description of Proposed Action: The Applicant and Owner, Gas Land Holdings Corp is seeking site plan approval for a modification and expansion of an existing auto body repair shop/convenience store and gasoline fueling facility located at 1663 Route 9 in the Village of Wappingers Falls. The parcel is currently developed with an approximately 1,200-square-foot, one-story building containing approximately 400 square feet of convenience store area and 800 square feet of auto body repair shop area, with eight fuel pumps (8 fueling stations) and 6 parking spaces. The project includes the removal of the auto body repair shop use and conversion of the entire building to convenience store use. In addition, a 900-square-foot building expansion is proposed to the west and south sides of the existing building for a total proposed convenience store floor area of 2,100 square feet. Additional modification will be undertaken to the site including the installation of a refuse container (previously there was none), increase in parking spaces (3 parking spaces), and aesthetic improvements to landscaping. The number of fueling stations will remain the same and no changes in access to the facility are proposed as part of the project. The existing building is legal non-conforming and proposed modifications to the building may require area variances.			
Name of Applicant or Sponsor: Gas Land Holdings Corp (Zeidan Nesheiwat)		Telephone: 845-331-7545 E-Mail: gasland.zeidan@gmail.com	
Address: 3 South Ohioville Road			
City/PO: New Paltz		State: NY	Zip Code: 12561-4012
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Village of Wappingers Falls Zoning Board of Appeals, Village of Wappingers Falls Board of Trustees (for landscaping in the Village right-of-way), the Dutchess County Department of Behavioral and Community Health, and the NYS Department of Transportation (for the sidewalk connection to Route 9).			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.46 acres	
b. Total acreage to be physically disturbed?		0.46 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.46 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): Recreational and vacant			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? Name:Wappinger Lake, Reason:Protection of natural resource, Agency:Wappinger Falls, Village of, Date:6-29-98 If Yes, identify: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
The project site does not directly adjoin the Wappinger Lake CEA. The site is connected to municipal utilities and erosion and sediment controls will be implemented during construction. Therefore no adverse impact to the CEA will occur as a result of the project.			
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ The existing facility is connected to municipal water supply. The expanded convenience store will result in an incremental change and the water district is anticipated to have adequate capacity to serve the larger convenience store.	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ The existing facility is connected to municipal water supply. The expanded convenience store will result in an incremental change and the sewer district is anticipated to have adequate capacity to serve the larger convenience store.	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. 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?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			
_____ _____			

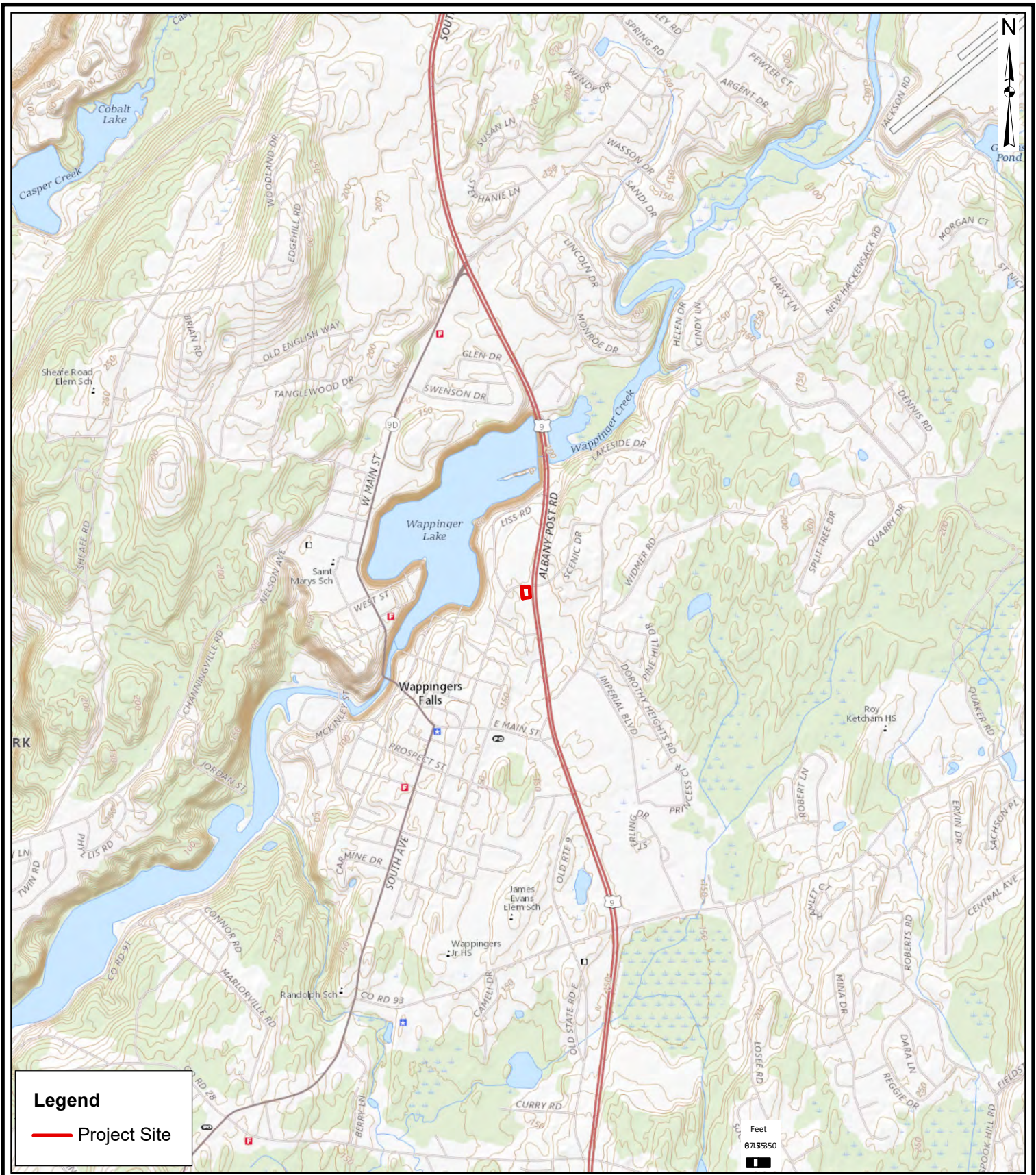
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Pied-billed Grebe, Indiana Bat	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
_____ The project site is connected to the municipal stormwater system. The proposed project will result in less than one acre of physical ground disturbance at the site. Therefore, no stormwater pollution prevention plan (SWPPP) is required. Erosion and sediment controls will be in place during construction.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: Gas Land Holdings _____ Date: 6/11/2020 Signature:  _____ Agent for Applicant, Caren LoBrutto Title: Senior Planner		



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.

Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name:Wappinger Lake, Reason:Protection of natural resource, Agency:Wappinger Falls, Village of, Date:6-29-98
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Pied-billed Grebe, Indiana Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

FIGURES



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 PLANNERS
 ENVIRONMENTAL & SAFETY PROFESSIONALS
 LANDSCAPE ARCHITECTS

Dutchess County Office:
 21 Fox Street, Poughkeepsie, NY 12601
 Phone: (845) 454-3980

Capital District Office:
 547 River Street, Troy, NY 12180
 Phone: (518) 273-0055

North Country Office:
 375 Bay Road, Queensbury, NY 12804
 Phone: (518) 812-0513

1663 Route 9 - GasLand

USGS Location Map

Village of Wappinger, Dutchess County, New York

Drawn:	SPL
Date:	03/12/2020
Scale:	1 inch = 2,000 feet
Project:	82010.00
Figure:	1



Dutchess County Office:
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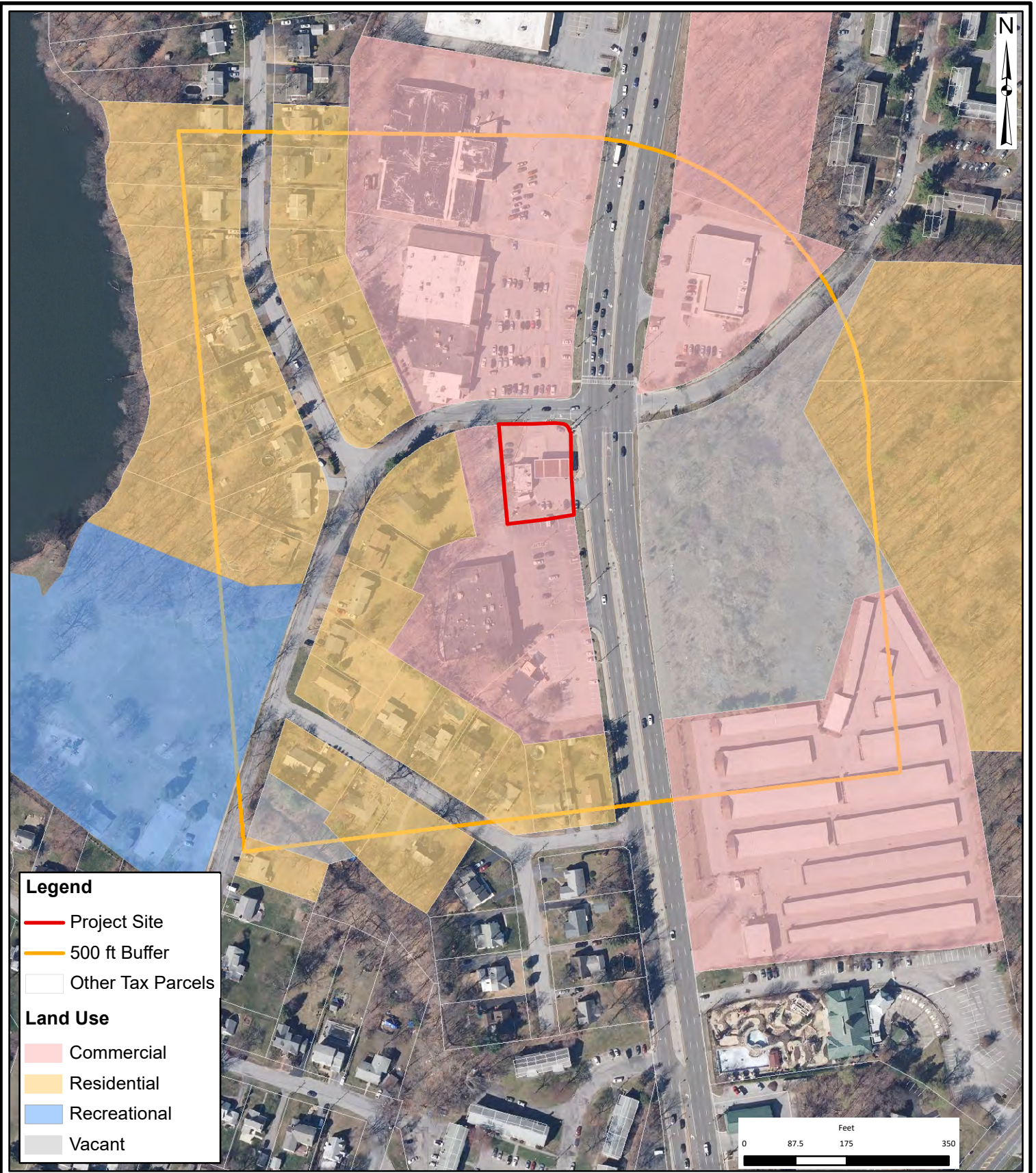
North Country Office:
 375 Bay Road, Queensbury, NY 12804
 Phone: (518) 812-0513

1663 Route 9 - GasLand

Orthophoto Tax Map

Village of Wappinger, Dutchess County, New York

Drawn:	SPL
Date:	03/12/2020
Scale:	1 inch = 100 feet
Project:	82010.00
Figure:	2



Legend

- Project Site
- 500 ft Buffer
- Other Tax Parcels

Land Use

- Commercial
- Residential
- Recreational
- Vacant

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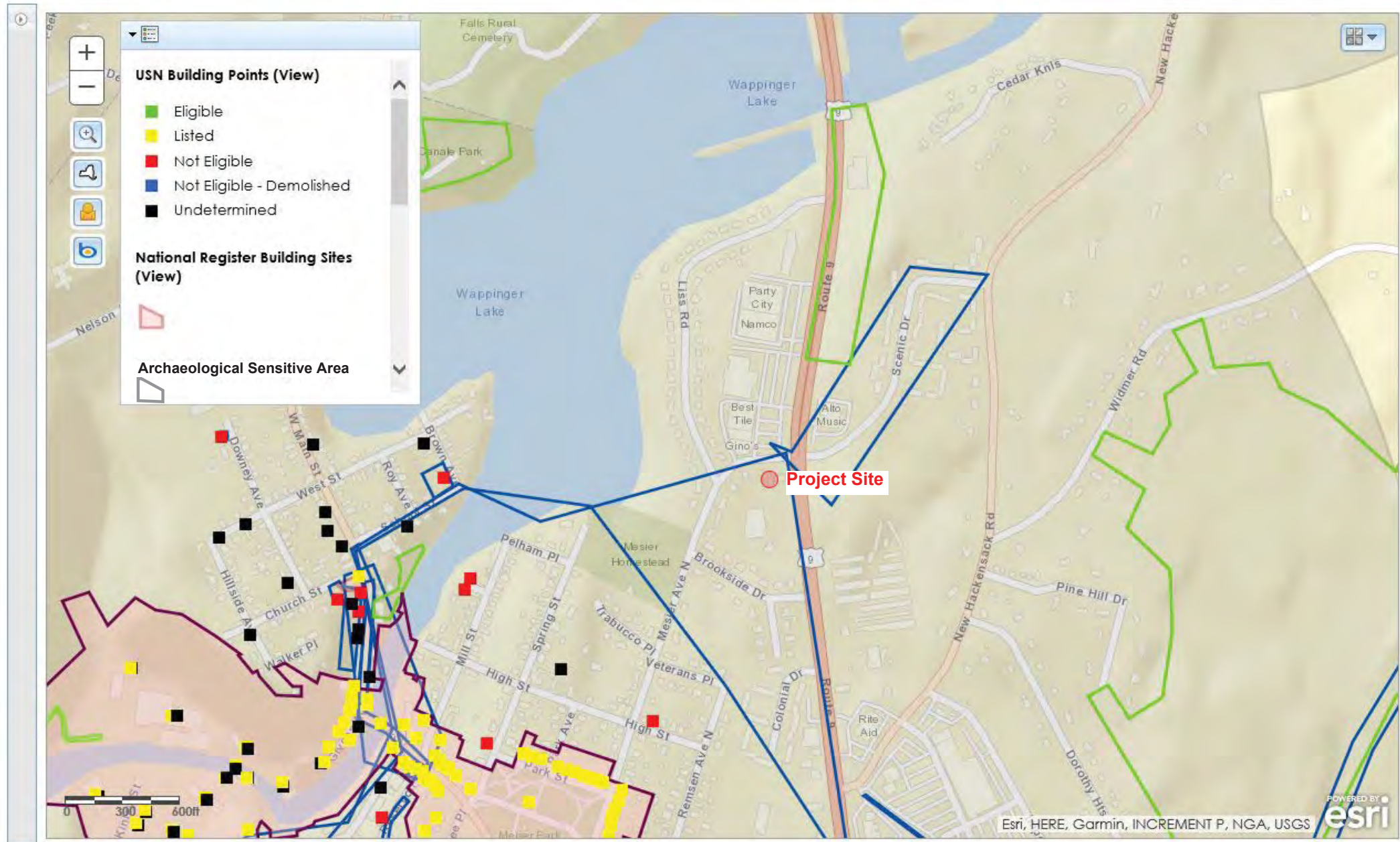
North Country Office:
 375 Bay Road, Queensbury, NY 12804
 Phone: (518) 812-0513

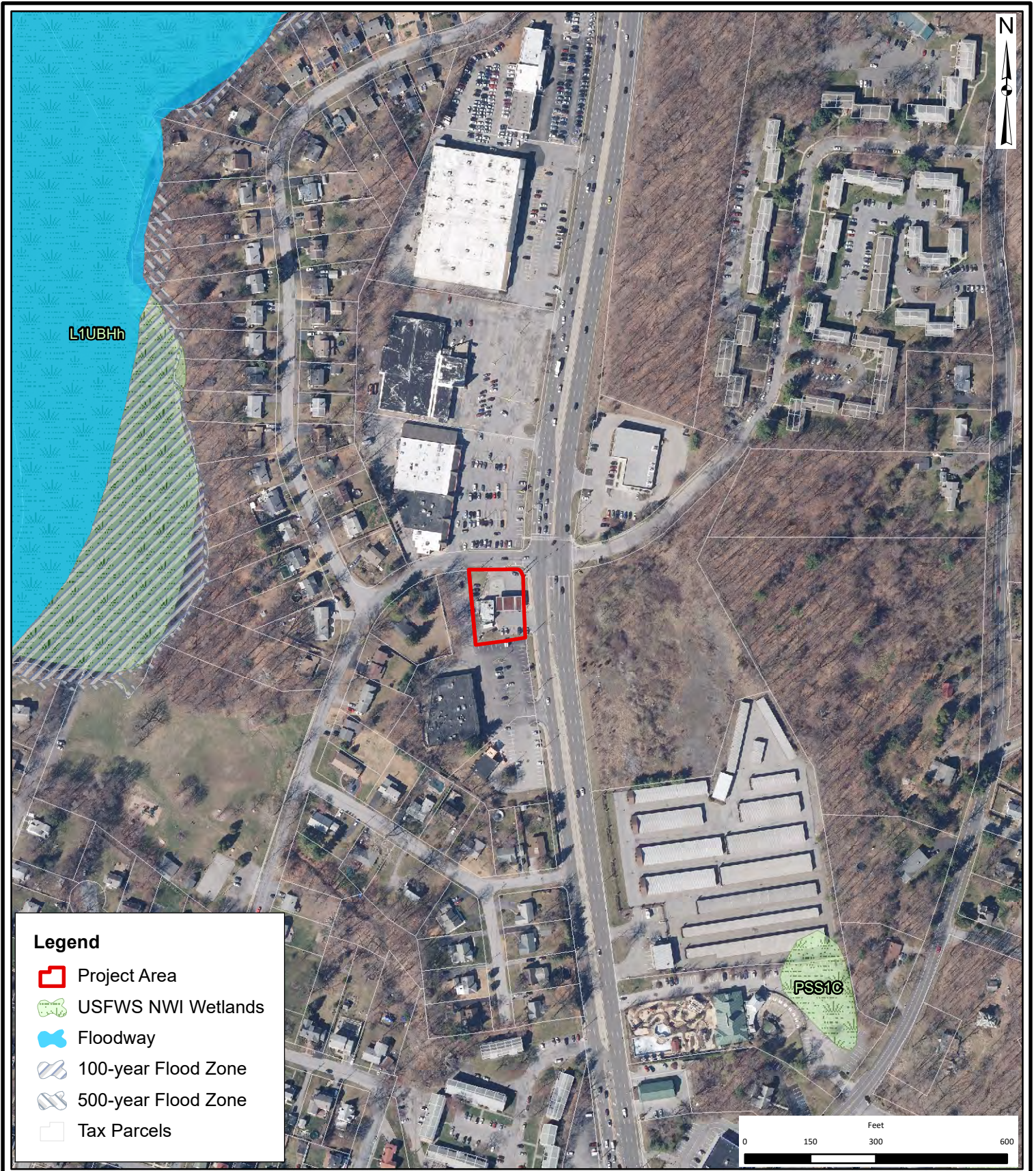
1663 Route 9 - GasLand

Land Use Map







Village of Wappinger, Dutchess County, New York

Drawn:	SPL
Date:	03/12/2020
Scale:	1 inch = 225 feet
Project:	82010.00
Figure:	3





Legend

-  Project Area
-  USFWS NWI Wetlands
-  Floodway
-  100-year Flood Zone
-  500-year Flood Zone
-  Tax Parcels



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 Phone: (518) 273-0055

North Country Office:
 375 Bay Road, Queensbury, NY 12804
 Phone: (518) 812-0513

1663 Route 9 - GasLand

Wetland, Streams and Floodplain Map

Village of Wappinger, Dutchess County, New York

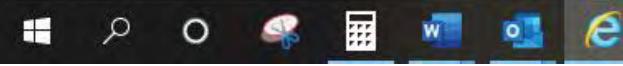
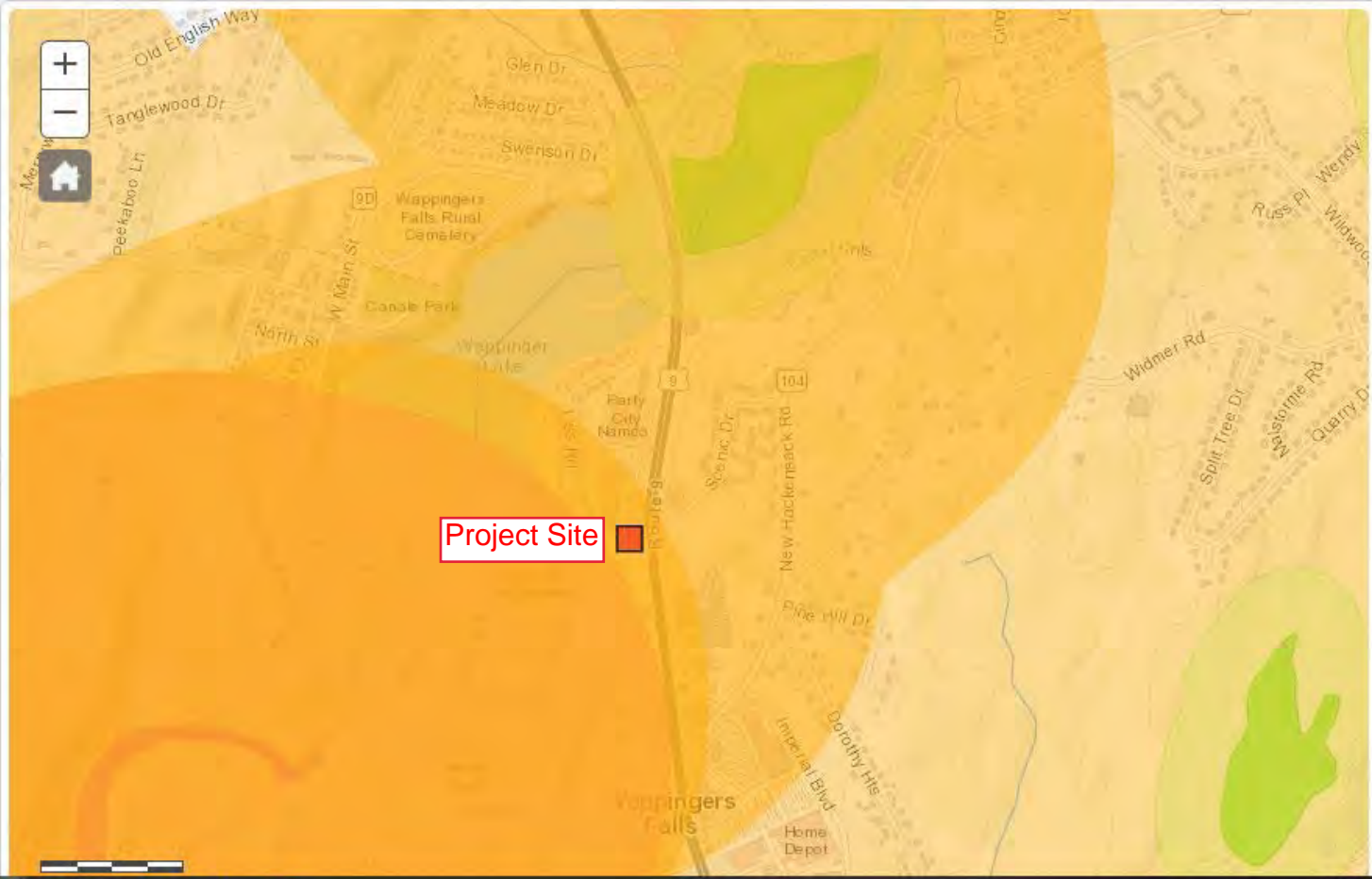
Drawn:	SPL
Date:	03/12/2020
Scale:	1 inch = 300 feet
Project:	82010.00
Figure:	5



Environmental Resource Mapper

Base Map: Topographical Using this map

- Search
- Tools
- Layers and Legend**
- Unique Geological Features
 - Waterbody Classifications for Rivers/Streams
 - Waterbody Classifications for Lakes
 - State Regulated Freshwater Wetlands (Outside of the Adirondack Park)
 - State Regulated Wetland Checkzone
 - Significant Natural Communities
 - Natural Communities Near This Location
 - Rare Plants or Animals
- Other Wetland Layers
- Reference Layers
- Tell Me More...
- Need A Permit?



ATTACHMENT A
Suffolk County Loading Rates

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

SUFFOLK COUNTY
DEPARTMENT OF HEALTH SERVICES
DIVISION OF ENVIRONMENTAL QUALITY

**STANDARDS FOR APPROVAL OF PLANS
AND CONSTRUCTION FOR
SEWAGE DISPOSAL SYSTEMS FOR
OTHER THAN SINGLE-FAMILY RESIDENCES**

Originally Issued on July 15, 2008

James L. Tomarken, MD, MPH, MBA, MSW
Commissioner of Health Services

Walter Dawydiak, PE, JD
Acting Director of Environmental Quality

TABLE 1 - PROJECT DENSITY LOADING RATES & DESIGN SEWAGE FLOW RATES
(Based upon gross floor area in square feet (sf) unless otherwise noted)

Structure Use	Density Load	Kitchen/Gray Load	Hydraulic Load
FOOD SERVICE			
Bar (in restaurant)	10 gpd/seat	5 gpd/seat	15 gpd/seat
Bar, Tavern, Disco (no fixed seating)	10 gpd/occupant ¹	5 gpd/occupant ¹	15 gpd/occupant ¹
Bar (outdoor/seasonal)	5 gpd/seat	2.5 gpd/seat	7.5 gpd/seat
Cafeteria (open to public)	See Primary use + 5 gpd/seat	2.5 gpd/seat	Primary use + 7.5 gpd/seat
Cafeteria/Continental Breakfast (not open to public)	See Primary Use	2.5 gpd/seat	Primary use + 2.5 gpd/seat
Snack Bar	See Primary Use	0.12 gpd/sf	Primary use + 0.12 gpd/sf
Juice Bar	See Primary Use	2.5 gpd/seat	Primary use + 2.5 gpd/seat
Catering Hall	5 gpd/seat	2.5 gpd/seat	7.5 gpd/seat
Outside Patio Dining	5 gpd/seat	10 gpd/seat	15 gpd/seat
Restaurant (full service or single services > 16 seats ²)	10 gpd/seat	20 gpd/seat	30 gpd/seat
Wet store w/ food (Deli/take-out with max 16 seats single service ²)	0.03 gpd/sf	0.12 gpd/sf	0.15 gpd/sf
Convenience store/Market/Farm Stand	0.03 gpd/sf	0.02 gpd/sf	0.05 gpd/sf
Commercial Bakery	0.04 gpd/sf	0.02 gpd/sf	0.06 gpd/sf
Wine/Beer Tasting (in a winery/brewery only)	5 gpd/occ	2.5 gpd/occ	7.5 gpd/occ
GENERAL INDUSTRIAL			
General Industrial ³	0.04 gpd/sf	Industrial process water ⁴	0.04 gpd/sf
Greenhouse	0.03 gpd/sf	N/A	0.03 gpd/sf
MEDICAL			
Drug Rehabilitation	75 gpd/bed	See note ⁵	75 gpd/bed
Mental Health Residence	75 gpd/bed	See note ⁵	75 gpd/bed
Hospital	300 gpd/bed	See note ⁵	300 gpd/bed
Nursing Home	150 gpd/bed	See note ⁵	150 gpd/bed
Assisted Living	110 gpd/bed	See note ⁵	110 gpd/bed
Medical office space	0.10 gpd/sf	N/A	0.10 gpd/sf
Dialysis Center	0.10 gpd/sf	Dialysis process water ⁴	0.10 gpd/sf
Veterinary ⁶	0.10 gpd/sf + 10 gpd/animal boarding	N/A	0.10 gpd/sf + 10 gpd/animal boarding

MUNICIPAL SERVICES			
Library, firehouse, precinct, museum, art gallery (w/ meeting rooms)	0.03 gpd/sf + 5 gpd/occupant ¹ for meeting rooms	2.5 gpd/occupant ¹	0.03 gpd/sf + 5 gpd/occupant ¹ + 2.5 gpd/occupant ¹
Library, firehouse, precinct, museum, art gallery (w/o meeting rooms)	0.03 gpd/sf	2.5 gpd/occupant ¹	0.03 gpd/sf + 2.5 gpd/occupant ¹
OFFICE			
Non-medical office space	0.06 gpd/sf		0.06 gpd/sf
RECREATION			
Bath house/comfort station	5 gpd/occupant ¹	5 gpd/shower/occupant ¹ + Food service ⁷	5 gpd/occupant ¹ + 5 gpd/shower/occupant + Food service ⁷
Bowling alley/tennis court/racquetball	100 gpd/court or alley	Food service ⁷	100 gpd/court or alley + Food service ⁷
Miniature golf	15 gpd/parking space	Food service ⁷	15 gpd/parking space + Food service ⁷
Ice/roller Skating Rink	15 gpd/skater ¹ + 5 gpd/specator ¹	Food service ⁷	15 gpd/skater ¹ + 5 gpd/specator ¹ + Food service ⁷
Recreation	15 gpd/parking space	Food service ⁷	15 gpd/parking space + Food service ⁷
Spa/Fitness Center/ Karate/Dance/etc. (w/ showers & amenities)	0.1 gpd/sf	0.2 gpd/sf + Food service ⁷	0.3 gpd/sf + Food service ⁷
Spa/Fitness Center/ Karate/Dance/etc. (w/o showers & amenities)	0.1 gpd/sf	Food service ⁷	0.1 gpd/sf + Food service ⁷
Marina	10 gpd/boat slip	Food service ⁷	10 gpd/boat slip + Food service ⁷
OTB	5 gpd/person	Food service ⁷	5 gpd/person + Food service ⁷
Theater	3 gpd/seat	Food service ⁷	3 gpd/seat + Food service ⁷
Horse Farm ⁶	0.04 gpd/sf + 10 gpd/stall		0.04 gpd/sf + 10 gpd/stall
Camp Ground	10 gpd/camper	5 gpd/shower/camper	10 gpd/camper + 5 gpd/shower/camper
Billiard Hall	5 gpd/occ	2.5 gpd/occ	7.5 gpd/occ
RESIDENTIAL			
Single Family Residence	300 gpd		300 gpd
Two Family Residence	600 gpd		600 gpd
Rooming house	75 gpd/bed		75 gpd/bed

Motel/Hotel unit up to 400 sq.ft. gross floor area w/o kitchenette (w/kitchenette see Housing Unit)	100 gpd/unit		100 gpd/unit
Motel/Hotel unit > 400 sq.ft. gross floor area w/o kitchenette (w/kitchenette see Housing Unit)	150 gpd/unit		150 gpd/unit
Housing Unit ⁸ up to 600 sq.ft. gross floor area	150 gpd/unit		150 gpd/unit
Housing Unit ⁸ between 601-1200 sq.ft. gross floor area	225 gpd/unit		225 gpd/unit
Housing Unit ⁸ > 1200 sq.ft. gross floor area	300 gpd/unit		300 gpd/unit
PRC unit up to 600 sq.ft. gross floor area	100 gpd/unit		100 gpd/unit
PRC unit between 600-1600 sq.ft. gross floor area	150 gpd/unit		150 gpd/unit
PRC unit between 1600-2000 sq.ft. gross floor area	225 gpd/unit		225 gpd/unit
PRC unit > 2000 sq.ft. gross floor area	300 gpd/unit		300 gpd/unit
RETAIL			
Dry store	0.03 gpd/sf		0.03 gpd/sf
Wet store w/o Food (Hair salon, nail salon, pet shop w/o animal boarding etc.)	0.03 gpd/sf	0.07 gpd/sf	0.1 gpd/sf
Car Dealership	0.03 gpd/sf for showroom/offices + 0.04 gpd/sf for maintenance/storage areas		0.03 gpd/sf for showroom/offices + 0.04 gpd/sf for maintenance/storage areas
Massage/Tanning	0.03 gpd/sf		0.03 gpd/sf
Tattoo Parlor	0.03 gpd/sf		0.03 gpd/sf
SCHOOL			
Boarding school/Dormitory	75 gpd/capita ¹	2.5 gpd/capita ¹	77.5 gpd/capita ¹
Day School	5 gpd/capita ¹	2.5 gpd/capita ¹	7.5 gpd/capita ¹
MISCELLANEOUS			
Car Wash	0.04 gpd/sf	Car wash process water ⁴	0.04 gpd/sf
Laundromat	0.03 gpd/sf	Laundromat process water ⁴	0.03 gpd/sf

Funeral Home	0.05 gpd/sf	Funeral Home process water ⁴	0.05 gpd/sf
House of Worship (w/ meeting rooms)	1.5 gpd/seat + 5 gpd/occupant ¹ for meeting rooms	2.5 gpd/occupant ¹	1.5 gpd/seat + 5 gpd/occupant ¹ + 2.5 gpd/occupant ¹
House of Worship (w/o meeting rooms)	1.5 gpd/seat	2.5 gpd/occupant ¹	1.5 gpd/seat + 2.5 gpd/occupant ¹
Public Storage ⁹	0.04 gpd/sf		0.04 gpd/sf
Animal boarding ⁶	0.03 gpd/sf + 10 gpd/animal		0.03 gpd/sf + 10 gpd/animal
Winery/Brewery	0.04 gpd/sf	Winery/Brewery process water ⁴	0.04 gpd/sf

¹ Occupancy ratings can be determined using New York State Uniform Fire Prevention and Building Code as a guide.

² Single Service means disposable plates, silverware & cups. Takeout seating is for waiting patrons and is not convertible to full seating or for density credit at full service restaurants.

³ General industrial buildings may contain up to 15% related office space without applying a proportionate office density loading or flow rating to the space. If office space exceeds 15% of gross floor area, then a proportionate office density loading or flow rating must be applied to the entire office space.

⁴ Process waters require a separate permit and disposal facilities – Consult Department.

⁵ A grease trap shall be provided for this installation which is sized at 20 gpd/bed.

⁶ A separate sewage disposal system shall be provided for wastewater generated from animal boarding, horse stalls, or kennel areas.

⁷ Food (kitchen) flow is added according to the type of food service in the establishment.

⁸ Motel/Hotel with Kitchenettes, Cottages, Apartments, Condominiums, Mobile Homes, Trailers, or Co-Ops.

⁹ Public storage density and/or design flow may be reduced if restrictive covenants are recorded on the parcel.

Note: The above table is subject to amendment from time to time as data becomes available to the Department. The table will be republished as an addendum to these standards if and when revised.

ATTACHMENT B
USFWS IPaC Resource List

IPaC Information for Planning and Consultation **U.S. Fish & Wildlife Service**

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Dutchess County, New York



Local office

New York Ecological Services Field Office

☎ (607) 753-9334

📠 (607) 753-9699

3817 Luker Road

Cortland, NY 13045-9385

<http://www.fws.gov/northeast/nyfo/es/section7.htm>

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species

¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information.
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/5949	Endangered

Northern Long-eared Bat *Myotis septentrionalis*
No critical habitat has been designated for this species.
<https://ecos.fws.gov/ecp/species/9045>

Threatened

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act

¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

Bald Eagle *Haliaeetus leucocephalus*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

Breeds Dec 1 to Aug 31

Snowy Owl *Bubo scandiacus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds elsewhere

Wood Thrush *Hylocichla mustelina*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 10 to Aug 31

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted

Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.

- The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

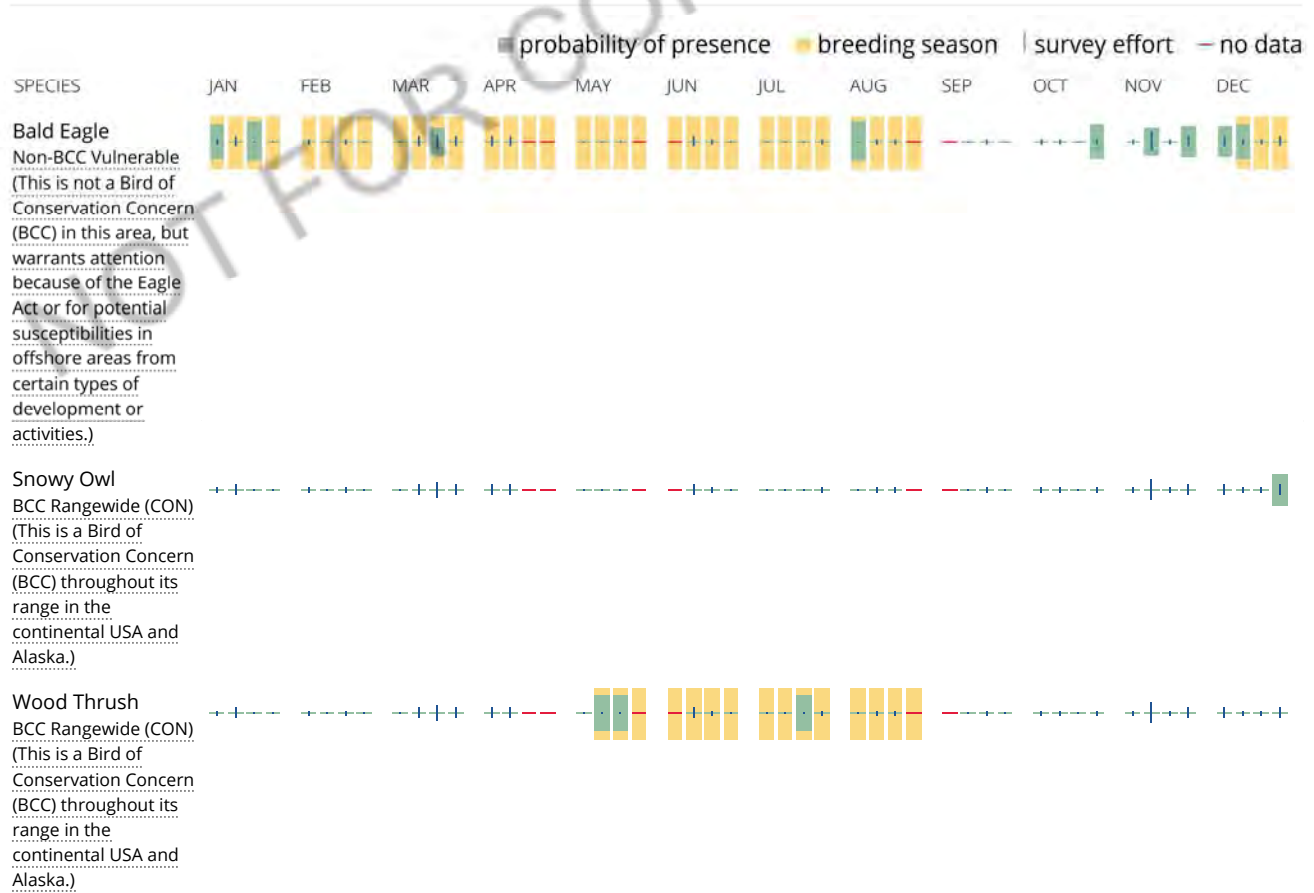
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (-)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

THERE ARE NO KNOWN WETLANDS AT THIS LOCATION.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of *high altitude imagery*. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

ATTACHMENT C
NYSOPRHP Correspondence



**Parks, Recreation,
and Historic Preservation**

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

April 01, 2020

Caren LoBrutto
Senior Planner
Chazen Companies
21 Fox Street
Poughkeepsie, NY 12601

Re: SEQRA
Gas Land Holdings - 1663 Route 9
1663 Route 9, Wappingers Falls, NY 12590
20PR02027

Dear Caren LoBrutto:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP) as part of your SEQRA process. These comments are those of OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

If this project will involve state or federal permitting, funding or licensing, it may require additional review for potential impacts to architectural and archaeological resources, in accordance with Section 106 of the National Historic Preservation Act or Section 14.09 of NYS Parks Recreation and Historic Preservation Law.

Based on the information provided, OPHRP has no concerns regarding the proposed project under SEQRA. Should the project design be changed, we recommend further consultation with this office.

If you have any questions, please don't hesitate to contact me.

Sincerely,

Philip A. Perazio, Historic Preservation Program Analyst - Archaeology Unit
Phone: 518-268-2175
e-mail: philip.perazio@parks.ny.gov

via email only

cc: Tom Morris, Village of Wappingers

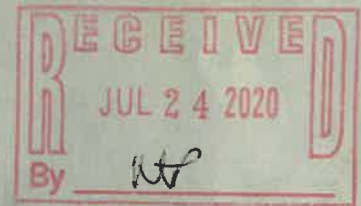
Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • parks.ny.gov



VILLAGE OF WAPPINGERS FALLS

Office of Building, Planning & Zoning
2582 South Avenue
Wappingers Falls, NY 12590
Phone: (845) 297-5277 Fax: (845) 296-0379
E-mail: bmurphy@wappingersfallsny.gov
www.wappingersfallsny.gov



July 15, 2020

Patrick T. O'Neill
12 Spring St
Wappingers Falls, NY 12590

Re: Building Permit Application for Deck, Pavilion and Concrete Slab

Dear Mr. O'Neill,


Reference is made to your submission to my office for the construction of a 12 x 18 deck and erection of a 10 x 10 pavilion on a 11 x 16 concrete slab located at 12 Spring Street, Wappingers Falls, NY 12590 (SBL #6158-14-366293)

At this time our office must deny your application. Please be advised that your property is located in the Residential Zoning district. Per §151 Table 2A you are allowed a maximum lot coverage of 35%. Your lot is 5,000 sq. ft. and 35% is 1,750 sq. ft. It appears that with the deck, pavilion and concrete slab you would be over your allowable lot coverage.

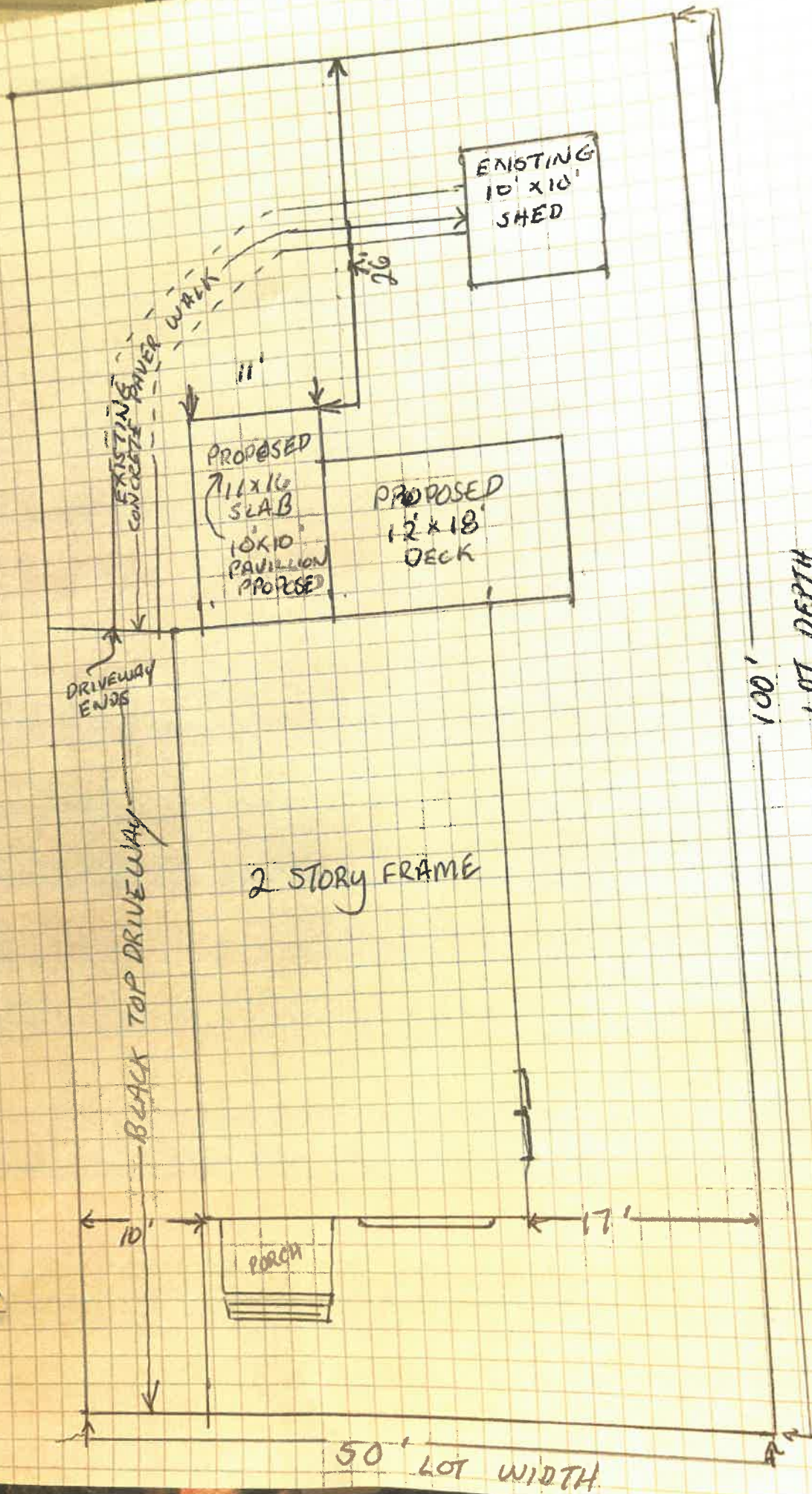
Enclosed is an application for an Area Variance for your convenience. If you have any questions, please contact our office.

Our office is also returning your building permit application.

Thank you.


Bryan Murphy
Building Inspector/Zoning Administrator
Village of Wappingers Falls

BM/mp
Enclosures





VILLAGE OF WAPPINGERS FALLS
OFFICE OF PLANNING AND ZONING
(845) 297-5277 Fax: (845) 296-0379

APPLICATION FOR AN AREA VARIANCE

APPEAL NUMBER: _____ MEETING DATE: _____

APPLICANT:

Name: PATRICK T. O'NEILL

Address: 12 SPRING ST., WAPPINGERS FALLS, NY 12590

Phone Numbers: (H) N/A (C) 914-475-8451

(E-mail) PATRICK.ONEILL3@VERIZON.NET

(If the applicant is not the owner, a Consent form signed by the owner must be filed with this application.)

PROPERTY OWNER:

Name: PATRICK T. O'NEILL

Address: 12 SPRING ST, WAPPINGERS FALLS, NY 12590

Contact Phone Numbers: (H) N/A (C) 914-475-8451

(E-mail) PATRICK.ONEILL3@VERIZON.NET

PROPERTY INFORMATION

Property Address (subject of appeal): 12 SPRING ST., WAPPINGERS FALLS, NY 12590

Tax Parcel #: 6158-14-366293

Date property acquired: 3/1984

Present use of property: RESIDENTIAL

Zoning District: R

Dimensions: Lot Area 5000 (sq. ft. Width 50 ft. Depth 100 ft.

Setback: Front 15.8 ft. Rear 321 ft. 43.4 ft.

Sides 17.8 ft. and 9.9 ft.

OF PROPOSED
DECK & CONCRETE SLAB

REQUEST FOR AREA VARIANCE

Deed Restrictions: NO RESTRICTIONS

Section(s) of ordinance from which variance is requested:

SECTION	REQUIRING	REQUESTED VARIANCE
<u>151 TABLE 2A</u>	<u>35% LOT COVERAGE</u>	<u>EXCEED LOT COVERAGE</u>



VILLAGE OF WAPPINGERS FALLS
 OFFICE OF PLANNING AND ZONING
 (845) 297-5277 Fax: (845) 296-0379
 APPLICATION FOR AN AREA VARIANCE (Continued)

Description of appeal Requested: ERECT 12X18 DECK & 11X10 CONCRETE
SLAB W/ 10'X10' PAVILLION ERECTED ON SLAB.

Dates and Descriptions of prior appeals, variances or special permit for property: NONE

Planning Board review date(s): NONE

Environmental review: NONE OR NOT APPLICABLE

PLEASE ANSWER THE FOLLOWING QUESTIONS: (Use attachments if necessary)

1. How will this variance affect nearby properties?
- NO IMPACT OR VIOLATION OF SETBACK REGULATIONS
- PROPOSED AREA VARIANCE HAS NO IMPACT ON NEARBY
PROPERTIES. SIDE SETBACK OF PROPOSED SLAB/PAVILLION
IS 11'; DECK SIDE SETBACK IS 9'; REAR SETBACK WOULD BE 21'.

2. How will granting this variance benefit the property owner?
PROVIDES AN AREA FOR FAMILY GATHERINGS; MORE USE OF THE
BACKYARD

3. What is the minimum relief needed? REQUESTING 47% LOT COVERAGE

4. Why are alternative methods for compliance NOT FEASIBLE?
ALTERNATIVE METHODS WOULD NOT DELIVER THE DESIRED
BENEFIT BE DESCRIBED ABOVE #2. SMALL LOT SIZE WOULD NOT
FEASIBLE TO IMPLEMENT ALTERNATE METHODS.

5. Did you do something to your property to cause the need for the variance? (i.e., previous activities such as grading, excavations, additions, improvements)? NO.

PROPERTY OF
EDITH A. TEMPLE
AND
JANET T. SPRINGER

TO BE CONVEYED TO
PATRICK T. AND KATHRYN T. O'NEILL

LOCATED AT
12 SPRING ST.
VILLAGE OF WAPPINGERS FALLS
TOWN OF WAPPINGER
COUNTY OF DUTCHESS
STATE OF NEW YORK

TAX MAP DESIGNATION:
6158-14 366293

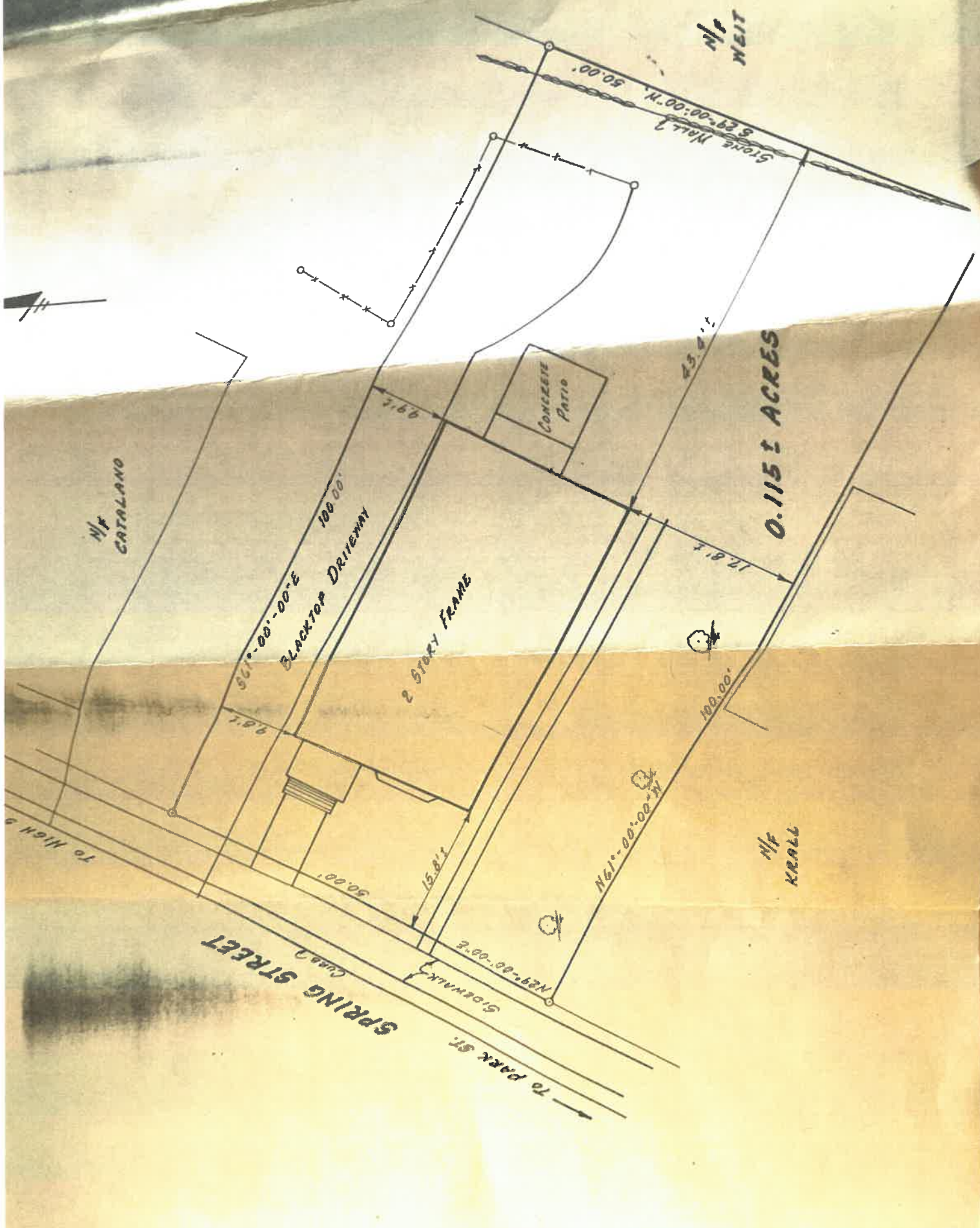
CERTIFIED TO:

PATRICK T. AND KATHRYN T. O'NEILL
COMMONWEALTH LAND TITLE COMPANY AND
I. B. M. DOUGHKEEPSIE EMPLOYEES CREDIT UNION

SURVEY BY: JOHN D. MAC AVERY, L.S.
BEACON, N.Y.

SCALE: 1" = 10'
MARCH 16, 1984





N/4
CATALANO

SPRING STREET
COURT

TO PARK ST.
TO HIGH ST.

N/4
KRALL

561'-00"-00" E
100' 00"
BLACKTOP DRIVEWAY

2 STORY FRAME

CONCRETE
PATIO

0.115 ± ACRES

N/4
WEIT

STONE WALL

50' 00"

STONE WALL

N 61°-00'-00" W

100' 00"

43' 0" E

12' 8" E

7' 6" E

7' 6" E

50' 00"

829'-00"-00" N
50' 00"



Deed

Covenant Against Grantor with Lien Covenant

EDITH A. TEMPLE &
JANET T., SPRINGER

TO

PATRICK T. & KATHRYN
T. O'NEILL

Dated. April 19 84

✓
R & R:

LYONS & SUPPLE
COUNSELORS AT LAW
92 EAST MAIN STREET
P. O. BOX 46
WAPPINGERS FALLS, N.Y. 12590-0046

Village of Wappingers Falls
2582 South Avenue, New York
845-297-5277
Building Department

Certificate of Compliance

Date: 11/22/2019

Location: 12 Spring St
SBL: 6158-14-366293-0000

THIS CERTIFIES that the building or structure at the premises indicated above, has been inspected and has revealed no uncorrected deficiency or material violation of the **NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE** with respect to work performed under Building Permit # 19-0033. Such construction or work is found to be in substantial conformance with plans and/or other information on file with the Village of Wappingers Falls as more particularly described below.

BUILDING PERMIT NUMBER: 19-0033

Permitting: Renov. Residential/ install new window thats larger than the smaller one being removed, main girder reinforced

This Certificate issued to: Patrick T O'Neill


BRYAN MURPHY

Zoning Administrator/Building Inspector
NYS Certification # 0312-0024

This Indenture

TOTELANDS

April
8th 1884

1884
Nineteen Hundred and Eighty-four

day of

EDITH A. TEMPLE, of and residing at 12 Spring Street, Wappingers Falls, New York, and JANET T. SPRINGER, of and residing at 8 Spring Street, Wappingers Falls, New York

parties of the first part, and

PATRICK T. and KATHRYN T. O'NEILL, husband and wife, both of and residing at 2 Park Street, Wappingers Falls, New York

parties of the second part.

Witnesseth that the parties of the first part, in consideration of ONE HUNDRED Dollars (\$100.00) lawful money of the United States, and other good and valuable consideration paid by the parties of the second part, do hereby grant and release unto the parties of the second part, their heirs and assigns forever, all

that tract or parcel of land situate in the Village of Wappingers Falls, Town of Wappinger, County of Dutchess and State of New York, commencing at a point on Spring Street about 100 ft. from corner of High Street and runs from thence along land formerly owned by Abram S. Mesler and others S 61° E 100 ft.; thence along land S 29° W 50 ft.; thence along aforesaid land N 61° W 100 ft. to easterly line of Spring Street; thence along said Street N 61° W 50 ft. to the place of beginning.

The aforesaid lot is known as Lot C on map made by S. Scofield, surveyor, April 1872.

BEING the same premises conveyed by Edith A. Temple, to Edith A. Temple and Janet T. Springer, by deed dated the 19th day of August, 1976, and recorded in the Dutchess County Clerk's Office on August 20, 1976 in liber 1437 of deeds at page 438.

The above premises are also described as follows:

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of Wappingers Falls, Town of Wappinger, County of Dutchess and State of New York, bounded and described as follows:

BEGINNING at a point on the easterly side of Spring Street, said point marking the northwest corner of the herein described parcel and the southwest corner of now or formerly Catalano; thence running along lands of said Catalano S 61° 00' 00" E 100.00 ft. to a point; thence running along lands now or formerly of Weit South 29° 00' 00" W 50.00 ft. to a point; thence running along lands now or formerly of Krall N 61° 00' 00" W 100.00 ft. to a point on the easterly side of Spring Street; thence running along the said easterly side of Spring Street, N 29° 00' 00" E 50.00 ft. to the point or place of beginning.

DUTCHESS COUNTY CLERK'S OFFICE
RECEIVED ON THE 12th DAY OF Apr. 1884
AT 11:22 P.M. RECORDED IN
BOOK NO. 11630 OF DEEDS
PAGE 01 AND EXAMINED
Helen K. ... CLERK
Affidavit Filed 57

3290

RECEIVED
\$ 100.-
APR 12 1884
DUTCHESS COUNTY

DUTCHESS COUNTY
CLERK'S OFFICE
RECEIVED
MON APR 12 1884 1:22

001

LIB 1630 PAGE 01

Together with the appurtenances and all the estate and rights of the parties of the first part in and to said premises,

To have and to hold the premises herein granted unto the parties of the second part, their heirs and assigns forever.

And the parties of the first part covenant that they have not done or suffered anything whereby the said premises have been incumbered in any way whatever.

And That, in Compliance with Sec. 13 of the Lien Law, the grantors 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.

In Witness Whereof, the parties of the first part have hereunto set their hands and seals the day and year first above written.

In Presence of

Edith A. Temple

EDITH A. TEMPLE

Janet T. Springer

JANET T. SPRINGER

State of New York
County of DUTCHESS

} ss.

On this 6th day of April
Nineteen Hundred and Eighty-four

before me, the subscriber, personally appeared

EDITH A. TEMPLE & JANET T. SPRINGER

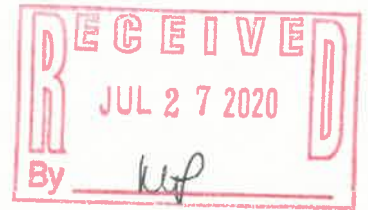
to me personally known and known to me to be the same persons described in and who executed the within Instrument, and they duly acknowledged to me that they executed the same.

James J. Lyons

JAMES J. LYONS
NOTARY PUBLIC, STATE OF NEW YORK
RESIDING IN DUTCHESS COUNTY
COMMISSION EXPIRES MARCH 30, 1916

ALFRED A. CAPPELLI, JR.
ARCHITECT
1136 ROUTE 9
WAPPINGERS FALLS, NY 12590

Telephone: 845-632-6500
Fax: 845-632-6499
Email: acappe2102@aol.com



July 27, 2020

Village of Wappingers Falls
Zoning Board of Appeals
2582 South Ave.
Wappingers Falls, NY 12590

Re: Lauricella Residence, 13 Hillside Ave.
Area Variance, TM # 6158-13-207344

To All Board Members,

Attached please find an application for an area variance for lot coverage as a result of a notice sent to the owner of the property regarding the installation of a 15 ft. dia. above ground swimming pool in his yard.

We have attached a site plan and other accompanying documentation to complete application.

We would very much like to be placed on the next available ZBA agenda to discuss this matter with your Board.

Thank you for your consideration.

Very truly yours,

A handwritten signature in blue ink, appearing to be "Alfred A. Cappelli, Jr.", written in a cursive style.

Alfred A. Cappelli, Jr.
Architect

AAC/dc
Enc.



VILLAGE OF WAPPINGERS FALLS
OFFICE OF PLANNING AND ZONING
 (845) 297-5277 Fax: (845) 296-0379

APPLICATION FOR AN AREA VARIANCE

APPEAL NUMBER: _____ MEETING DATE: _____

APPLICANT:

Name: Adam Lauricella, Keely Sheehan
 Address: 13 Hillside Ave
Wappingers Falls, N.Y.
 Phone Numbers: (H) _____ (C) 914 474-8544
 (E-mail) folkart93@gmail.com

(If the applicant is not the owner, a Consent form signed by the owner must be filed with this application.)

PROPERTY OWNER:

Name: Adam Lauricella, Keely Sheehan
 Address: 13 Hillside Ave.
Wappingers Falls N.Y.
 Contact Phone Numbers: (H) _____ (C) 914 474-8544
 (E-mail) folkart93@gmail.com

PROPERTY INFORMATION

Property Address (subject of appeal): 13 Hillside Ave
 Tax Parcel #: 6158-13.207344
 Date property acquired: April 2019
 Present use of property: single family dwelling
 Zoning District: Residential
 Dimensions: Lot Area 7,500 (sq. ft. Width 50 ft. Depth 150 ft.
 Setback: Front 15.6 ft. Rear 37.3 ft.
 Sides 9.1 ft. and 17.0 ft.

REQUEST FOR AREA VARIANCE

Deed Restrictions: —

Section(s) of ordinance from which variance is requested:

SECTION	REQUIRING	REQUESTED VARIANCE
151 TABLE 2A	MAX LOT COVER 35%	ACTUAL LOT COVER - 46.9 - Requiring 11.9% variance



VILLAGE OF WAPPINGERS FALLS
OFFICE OF PLANNING AND ZONING
(845) 297-5277 Fax: (845) 296-0379
APPLICATION FOR AN AREA VARIANCE (Continued)

Description of appeal Requested: Requesting a variance for impervious area of 46.9% when only 35% is allowed (11.9% variance) due to patio, driveway walks & swimming pool

Dates and Descriptions of prior appeals, variances or special permit for property: NONE

Planning Board review date(s): N/A

Environmental review: _____

PLEASE ANSWER THE FOLLOWING QUESTIONS: (Use attachments if necessary)

1. How will this variance affect nearby properties?

Will not affect nearby properties

2. How will granting this variance benefit the property owner?

All of the driveway, patio & site improvements are in place. Would be a hardship to ask owner to remove & meet 35% impervious

3. What is the minimum relief needed? Relief of entire request,

46.9%

4. Why are alternative methods for compliance NOT FEASIBLE?

It would be an economical hardship to remove any of the hardscape elements (driveway, patio, stairs to rear yard, etc)

5. Did you do something to your property to cause the need for the variance? (i.e., previous activities such as grading, excavations, additions, improvements) ? The variance request comes

after the site improvements were installed without knowing the implications of the max, 35% coverage



VILLAGE OF WAPPINGERS FALLS
OFFICE OF PLANNING AND ZONING
(845) 297-5277 Fax: (845) 296-0379
APPLICATION FOR AN AREA VARIANCE (Continued)

6. How will this variance affect the general character of the community with respect to noise, vibration, odors, vehicular and pedestrian traffic, visual aesthetics, public services (such as schools, police, fire, water, sewer, and roads)?

It will not impact the character of the community re: noise, odor, traffic, etc.

The patio, driveway & landscaping is attractively installed & is an asset to the community

7. How will the proposed variance affect the health, safety, security morals or general welfare of residents, visitors or workers in the area?

The adjacent properties will not be affected by the improvements, the character of the neighborhood only being enhanced by the improvements

REQUIRED SUBMITTALS:

- "Letter of Denial"
- Affidavit of ownership
- Contract of Sale or Lease, if applicable
- Photographs of affected area if applicable
- Plot Plan
- Application Fee

SIGNATURE AND VERIFICATION

Please be advise that no application can be deemed complete unless signed below.

The applicant hereby states that all information given is accurate as of the date of application. If not the owner of the property, I hereby swears that this application is made with the informed knowledge and consent of the owner.

[Handwritten Signature]

SIGNATURE OF APPLICANT

July 27, 2020

DATE



VILLAGE OF WAPPINGERS FALLS

Office of Building, Planning & Zoning
2582 South Avenue
Wappingers Falls, NY 12590
Phone: (845) 297-5277 Fax: (845) 296-0379
E-mail: bmurphy@wappingersfallsny.gov
www.wappingersfallsny.gov

June 23, 2020

Adam Lauricella
13 Hillside Avenue
Wappingers Falls, NY 12590

Re: Above Ground/In Ground Pool Permit Application

Dear Mr. Lauricella,

Reference is made to your submission to my office for the construction of an above ground pool located at 13 Hillside Avenue, Wappingers Falls, NY 12590 (SBL #6158-13-207344).

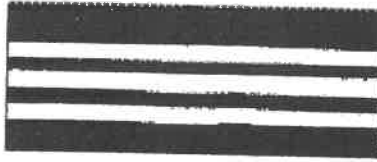
At this time our office must deny your application. Please be advised that your property is located in the Residential Zoning district. Per §151 Table 2A you are allowed a maximum lot coverage of 35%. It appears you will be over your allowable lot coverage per Site Plan dated September 21, 2018, which states you are at 34.88% coverage.

Enclosed is an application for an Area Variance for your convenience. If you have any questions, please contact our office.

Thank you.

Bryan Murphy
Building Inspector/Zoning Administrator
Village of Wappingers Falls

BM/mp
Enclosure



Dutchess County Clerk Recording Page

Record & Return To:

MICHAEL A MARTIN ESQ
2644 EAST MAIN ST
WAPPINGERS FALLS, NY 12590

Date Recorded: 4/29/2019
Time Recorded: 9:39 AM

Document #: 02 2019 2750

Received From: INTEGRITY LAND SERVS LLC

Grantor: AMERITECH LAND DEVELOPMENT INC
Grantee: LAURICELLA ADAM T

Recorded In: Deed
Instrument Type:

Tax District: Town of Poughkeepsie

Examined and Charged As Follows :

Recording Charge: \$190.00
Transfer Tax Amount: \$1,738.00
Includes Mansion Tax: \$0.00
Transfer Tax Number: 6120

Number of Pages: 4

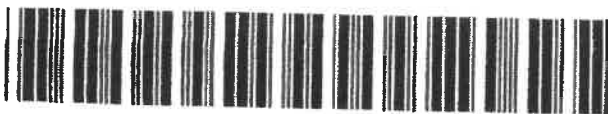
***** Do Not Detach This Page
*** This is Not A Bill**

Red Hook Transfer Tax:

RP5217: Y
TP-584: Y

County Clerk By: jmo
Receipt #: 12446
Batch Record: 88

Bradford Kendall
County Clerk



0220192750

— Bargain and Sale Deed, with Covenant against Grantor's Acts — Individual or Corporation (Single Sheet)

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 22 day of April, in the year 2019

BETWEEN

AMERITECH LAND DEVELOPMENT, INC., with offices at 1136 Route 9, Wappingers Falls, New York 12590 ✓

party of the first part, and

ADAM T. LAURICELLA AND KEELY L. SHEEHAN, husband and wife, with an address of 284 Red Cardinal Court, Poughkeepsie, New York 12603 ✓

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten (\$10.00) and 00/100 -----dollars 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 VILLAGE OF WAPPINGERS FALLS, TOWN OF POUGHKEEPSIE, County of Dutchess and State of New York, more particularly described in Schedule "A" attached hereto.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads 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:

AMERITECH LAND DEVELOPMENT, INC.

By:

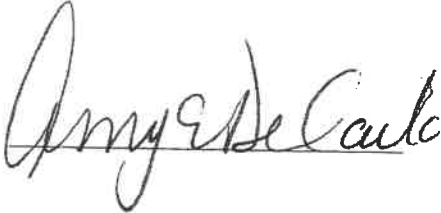

Joseph A. Pettinella, President

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of Dutchess, ss:

On the 22 day of April in the year 2019, before me, the undersigned, personally appeared ✓
Joseph A. Pettinella

, personally known to me or proved to me on the basis of satisfactory evidence to be the ✓
individual whose name is subscribed to the within instrument and acknowledged to me that he executed the ✓
same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of ✓
which the individual acted, executed the instrument.



AMY E. DECARLO ✓
Notary Public, State of New York
No. 01DE4903123
Qualified in Dutchess County
Commission Expires Aug. 31, 2021

R&R:

Michael Martin, Esq.

2644 East Main Street

Wappingers Falls, New York 12590

**Integrity Land Services LLC
as Agent for
Stewart Title Insurance Company**

SCHEDULE A - LEGAL DESCRIPTION

Title No.: ILS-D-18657

ALL that certain plot, piece or parcel of land with the buildings and improvements thereon erected, situate, lying and being in the Village of Wappinger Falls, Town of Poughkeepsie, County of Dutchess and State of New York, known as and by Lot A as shown on a certain Map entitled, "Map of Subdivision Plat of 2 Lot Subdivision for Sheafe Woods Realty" prepared by Alfred A. Cappelli, jr. and filed in the Office of the Clerk of the County of Dutchess 3/24/2014 as Map No. 12474 and being bounded and described as follows:

BEGINNING at a point on the westerly side of Hillside Avenue at the division line between Lots A and B as shown on the aforesaid map

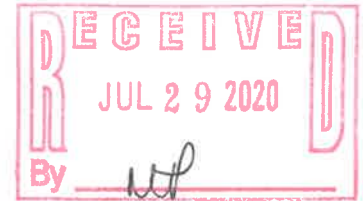
RUNNING THENCE along said division line, South 76 degrees 13 minutes 30 seconds West, 150.00 feet;

THENCE South 13 degrees 25 minutes 00 seconds East. 50.00 feet;

THENCE North 76 degrees 13 minutes 30 seconds East, 150.00 feet to the westerly side of Hillside Avenue;

THENCE along the westerly side of Hillside Avenue, North 13 degrees 25 minutes 00 seconds West, 50.00 feet to the point or place of **BEGINNING**.

Short Environmental Assessment Form
Part 1 - Project Information




Instructions for Completing

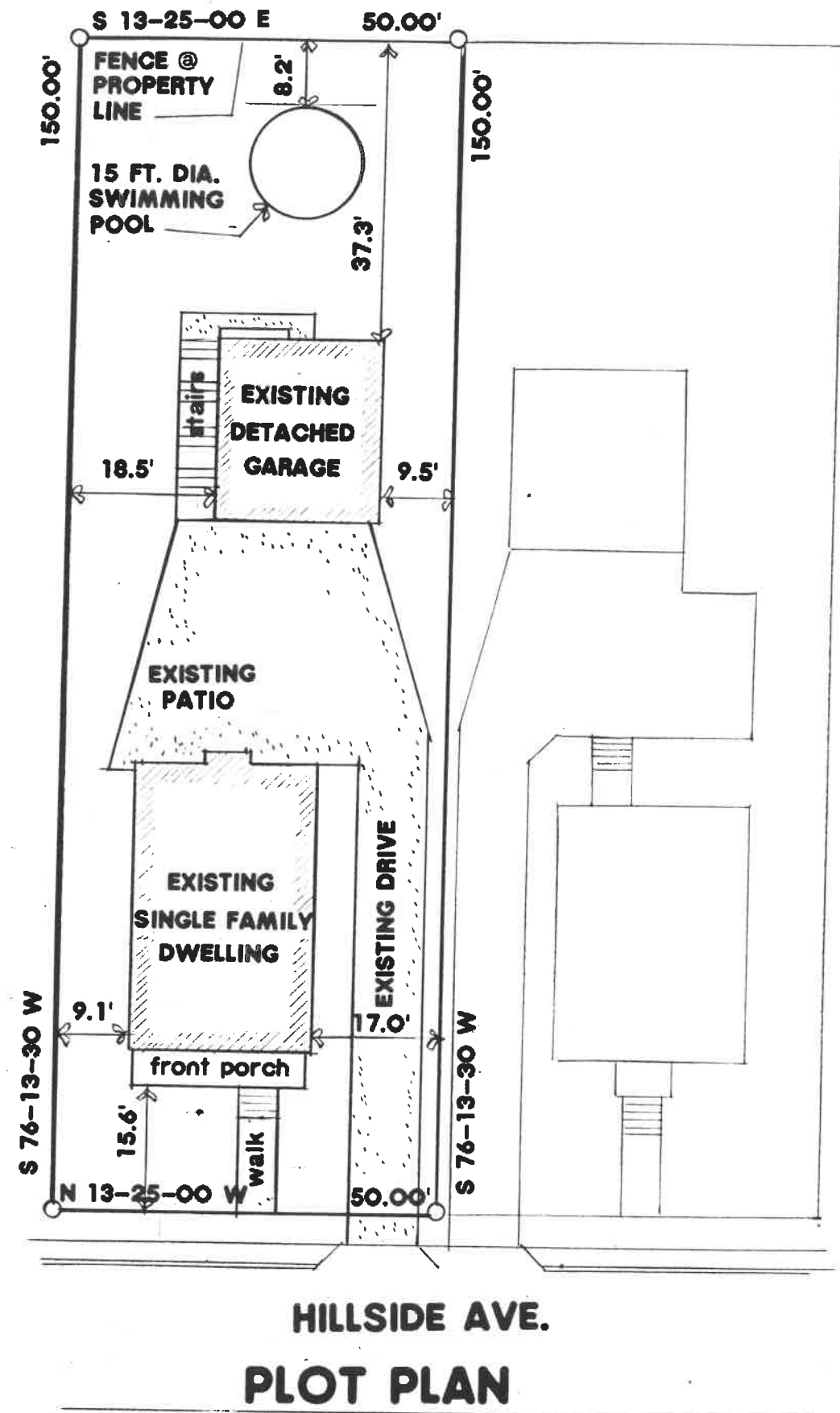
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: ADAM LAURICELLA RESIDENCE			
Project Location (describe, and attach a location map): 13 HILLSIDE AVENUE, VILLAGE OF WAPPINGERS FALLS			
Brief Description of Proposed Action: ZBA APPLICATION TO ALLOW IMPERVIOUS AREA (BUILDINGS AND PAVING) GREATER THAN WHAT IS ALLOWED IN THE VILLAGE CODE			
Name of Applicant or Sponsor: ALFRED CAPPELLI, JR., ARCHITECT		Telephone: 845 632-6500 E-Mail: ACAPPE2102@AOL.COM	
Address: 1136 ROUTE 9			
City/PO: WAPPINGERS FALLS		State: NY	Zip Code: 12590
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: ZBA FOR VARIANCE AND BUILDING DEPT. FOR SWIMMING POOL PERMIT		NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.17 acres	
b. Total acreage to be physically disturbed?		0.0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.17 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES
	<input type="checkbox"/>		<input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES
If Yes, identify: _____	<input checked="" type="checkbox"/>		<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>		<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>		<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>		<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
If No, describe method for providing potable water: _____ _____	<input checked="" type="checkbox"/>		<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>		<input checked="" type="checkbox"/>
12. a. 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?	<input checked="" type="checkbox"/>	NO	YES
	<input checked="" type="checkbox"/>		<input type="checkbox"/>
b. 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?	<input checked="" type="checkbox"/>		<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input checked="" type="checkbox"/>	NO	YES
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>		<input type="checkbox"/>
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
STORM WATER WILL RUN DOWN THE DRIVEWAY ON TO THE STREET AND BE COLLECTED IN THE VILLAGE STORM WATER COLLECTION SYSTEM		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>ALFRED CAPPELLI, JR.,</u> Date: <u>JULY 28, 2020</u> Signature:  Title: <u>PROJECT ARCHITECT</u>		



**HILLSIDE AVE.
PLOT PLAN**

LAURICELLA & SHEEHAN RESIDENCE

PROJECT DATA

Project Location:	13 Hillside Ave. Village of Wappingers Falls, NY	
TM #:	6158-13-207344	
Owner:	Adam Lauricella & Keeley Sheehan	
Lot Size:	50' x 150', 7,500 sf	
Zone:	Residential	
Scope of Existing Conditions:	Single family dwelling, detached garage, deck driveway, patio, above ground pool	
Setbacks:	Min.	Actual
Front:	15'	15.6'
Rear:	25'	79' (to deck)
Sides:	8'	9.1' & 17'
Detached garage 9.5' from side yard & 38' from rear yard.		
Pool is 8.2' from rear property line		
Area of House:	912 sf	
Area of Garage:	528 sf	
Total Bldg. Cover:	1,440 sf (19.2%)	
Paved Driveway, Porches, Steps & Walkway, Above Ground Pool:	2,081 sf (27.7%)	
Total Impervious:	3,521 sf (46.9%)	
Open Space:	3,999 sf (53.1%)	