

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

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**AGENDA OF THE PLANNING BOARD**

December 2, 2021

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**\*\*THIS MEETING WILL BE HELD ONLINE AND TELEPHONICALLY ONLY\*\***

**THERE WILL BE NO IN-PERSON PARTICIPATION  
BY THE BOARD OR THE PUBLIC.**

Until further notice, in accordance with Chapter 417 of the Laws of 2021, all Planning Board 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.

**PLEASE TAKE NOTICE** that the Planning Board of the Village of Wappingers Falls will hold a public meeting on December 2, 2021, beginning at 7 p.m. via Webex. No public hearings are scheduled for this meeting.

The Webex participation information is as follows:

Meeting number (access code): 2632 278 0759  
Meeting password: 93Su4TeaxrE

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**

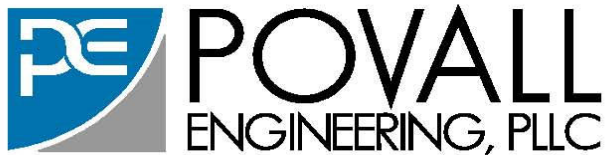
**STATEMENT OF COMPLIANCE BY THE CHAIR**

**APPROVAL OF OCTOBER 7, 2021 AND NOVEMBER 4, 2021 MINUTES**

**NEW APPLICATIONS**

**2746 W MAIN STREET WITH SHARED PARKING AT 20 WEST STREET**

**2746 W Main Street (Grid #6158-14-252469) and 20 West Street (Grid #6158-13-240412) – Viserba Breglia Holdings, LLC (Owner and Applicant) – Site Plan Review.** 2746 W Main Street is located in the Village Mixed (VM) zoning district and 20 West Street is located in the Residential (R) zoning district. The applicant is proposing approval for a basement apartment located at 2746 W Main Street, and approval to share the required parking with the parcel located at 20 West Street.



p: (845) 897-8205  
f: (845) 897-0042  
www.PovallEngineering.com

3 Nancy Court, Suite 4  
Wappingers Falls, NY 12590

William H. Povall III, P.E.  
Professional Engineer: NY, CT, PA, VT

November 8, 2021

Chairman Tom Morris and Planning Board Members  
Village of Wappingers Falls Planning Board  
2582 South Avenue  
Wappingers Falls, NY 12590

RE: Site Plan for 2746 W Main Street with Shared Parking at 20 West Street  
Tax Grid Nos. 134601-6158-14-252469 (2746 W. Main Street)  
134601-6158-13-240412 (20 West Street)  
Village of Wappingers Falls

Dear Chairman Morris and Planning Board Members:

On behalf of the owner/applicant, Viserba Breglia Holdings, LLC, we are submitting a Site Plan for the above referenced parcels. The owner is seeking to gain approval for an existing basement apartment located at 2746 W. Main Street. There are no means for parking at this parcel. Therefore, the owner is seeking approval to share the required parking with their nearby parcel located at 20 West Street.

In support of this application, please find enclosed the following:

- Five (5) copies of the Application for Planning Board Review
- Five (5) copies of the Owner's Consent Forms
- Five (5) copies of the Project Narrative dated November 8, 2021
- Five (5) copies of the Site Plans dated November 8, 2021
- Five (5) copies of the Short EAF
- Five (5) copies of the Bargain and Sale Deed
- One (1) check in the amount of \$100.00 (\$0.10 per sq. ft. x 700 sq. ft. = \$70.00 with a minimum of \$100.00) for the application fee
- One (1) check in the amount of \$750.00 for escrow

We respectfully request to be placed on the December 2, 2021 Planning Board agenda. Please contact this office, should you have any questions or require any additional information. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. H. Povall III', with a long horizontal flourish extending to the right.

William H. Povall, III, P.E.

cc: Giacomo Breglia, *Viserba Breglia Holdings, LLC*  
Karen Hagstrom, Esq., *Stenger, Diamond & Glass*



## VILLAGE OF WAPPINGERS FALLS

BUILDING DEPARTMENT  
OFFICE OF CODE ENFORCEMENT  
OFFICE OF THE FIRE INSPECTOR  
2582 SOUTH AVENUE  
WAPPINGERS FALLS, NY 12590  
PHONE: (845) 297-5277 FAX: (845) 296-0379  
E-mail: [bmurphy@wappingersfallsny.gov](mailto:bmurphy@wappingersfallsny.gov)  
[www.wappingersfallsny.gov](http://www.wappingersfallsny.gov)

### APPLICATION FOR PLANNING BOARD REVIEW

Submission Date: \_\_\_\_\_

Date of Meeting: \_\_\_\_\_

Meetings are held at the American Legion Hall, 7 Spring Street on the first Thursday of the month at 7:00 p.m. All information must be completely filled out and returned no later than 15 business days before meeting date. For the complete list of Planning Meeting Dates and Deadlines go to the Building, Planning and Zoning page on the village website [www.wappingersfallsny.gov](http://www.wappingersfallsny.gov).

A filing fee is required in connection with any application to the Planning Board for approval.

**The Planning Board is responsible for the review and approval of all applications concerning:**

- Opening a new business in the Village
- Installing a new sign
- Building a new structure in a commercial zone
- Subdivision  Site Review  Lot Line Adjustment

**Items to be submitted for review:** (Only items pertaining to project)

- PDF Emailed to Building Dept. and Ten (10) hard copy sets of construction/site/elevation/plans - Engineer drawings showing all areas to be affected. Or a sketch of the proposed floor plan layout (*All sets of plans must be folded*)
- Legal Documents (Right of Ways/Easements/Lease/Contracts of Sale, etc.)
- Consent Form (*The applicant must provide consent form, from homeowner authorizing him/her to file for Planning Review*)
- Application fee
- Application for proposed sign - Including Renderings/sketch of proposed sign/ Elevation/size/ exact color samples.

*(Separate Application)*



# VILLAGE OF WAPPINGERS FALLS

BUILDING DEPARTMENT  
2582 SOUTH AVENUE  
WAPPINGERS FALLS, NY 12590  
PHONE: (845) 297-5277 FAX: (845) 296-0379  
E-mail: [bmurphy@wappingersfallsny.gov](mailto:bmurphy@wappingersfallsny.gov)  
[www.wappingersfallsny.gov](http://www.wappingersfallsny.gov)

## APPLICATION FOR PLANNING BOARD REVIEW

*All information must be completely filled out and returned no later than the stated submission date.*

Date Submitted: \_\_\_\_\_ Date of Meeting : \_\_\_\_\_

### Property Identification:

Address: 2746 W Main Street (Tax Lot 252469) & 20 West Street (Tax Lot 240412)  
Lot 252469 = VM District Lot 252469 = (0.07 Ac.)  
Zoning District: Lot 240412 = R District Existing site area: Lot 240412 = (0.09 Ac.)

### Owner Information:

Name : Viserba Breglia Holdings, LLC  
Address : 34 Kingwood Park  
City: Poughkeepsie State: NY Zip: 12601  
Contact Numbers: (H) 845-235-7231 (C) \_\_\_\_\_  
(E-mail) bregliar@yahoo.com

### Applicant Information:

*(Please provide if someone other than the property owner is the applicant)*

Name : same as owner  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Contact Numbers: (H) \_\_\_\_\_ (C) \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

### Lead Design Professional: (If applicable)

*(Indicate the primary design professional associated with this application)*

Name: William H. Povall III, P.E.  
Title: President  
 Architect  Engineer  
Company: Povall Engineering, PLLC  
Address: 3 Nancy Court, Suite 4 Wappingers Falls, NY 12590  
Telephone # : 845-897-8205  
E-mail Address: whp@povallengineering.com



**VILLAGE OF WAPPINGERS FALLS**  
**APPLICATION FOR PLANNING BOARD REVIEW**  
 (Continued)

**Proposed Site:**

*(Property where improvements are proposed)*

Lot 252469 = 2 unit apartment building

**Existing Use(s):** Lot 240412 = 2 unit apartment building

**Proposed square footage:** No change to existing

**Project Description :** *(Please print or type)*

*(Describe the project in detail indicating all areas of work, type(s) of improvement and materials to be used as a part of the proposed improvements. Use additional sheets if necessary.)*

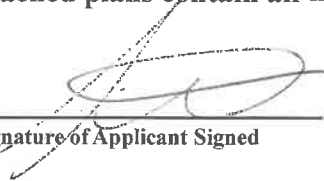
The owner is seeking to gain approval for an existing basement apartment located at 2746 W. Main Street.

There are no means for parking at this parcel. Therefore, the owner is seeking approval to share the required parking for 2746 W Main Street with their nearby parcel located at 20 West Street.

**Items to be submitted for review: (Only items pertaining to project)**

- ~~Five (5)~~ <sup>Five (5)</sup> sets of plans.
- Legal Documents (Right of Ways/Easements/Lease/Contracts of Sale, etc.)
- Consent Form
- Application for proposed sign
- Application Fee
- Proof that the taxes, utility bills and fines for the property are paid in full.

**With the completion of this application, I hereby state that the information provided and all Accompanying documentation is accurate to the best of my knowledge, and that the attached plans contain all information required by the appropriate checklist.**

  
 \_\_\_\_\_  
 Signature of Applicant Signed

11/8/21  
 \_\_\_\_\_  
 Date

**Office use only:**

[ ] FEE : \_\_\_\_\_ Receipt No. : \_\_\_\_\_ Cash / Check # \_\_\_\_\_ Date: \_\_\_\_\_

Revised by : \_\_\_\_\_ Revision date : \_\_\_\_\_  
 Zoning Administrator/Code Enforcement Officer



## 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](mailto:bmurphy@wappingersfallsny.gov)  
[www.wappingersfallsny.gov](http://www.wappingersfallsny.gov)

### CONSENT FORM

Name of property owner: Viserba Breglia Holdings, LLC

Address of property owner: 34 Kingwood Park

City: Poughkeepsie State: NY Zip: 12601

Phone number of property owner: (Include home, work, mobile number and e-mail address):  
(H) 845-235-7231 (C) \_\_\_\_\_  
(W) \_\_\_\_\_ (Email) bregliar@yahoo.com

Address of site where work is being conducted: 2746 W. Main Street, Village of Wappingers Falls,  
(basement apartment) & 20 West Street, Village of Wappingers Falls (shared parking)

Description of work: 2746 W. Main Street, Village of Wappingers Falls (basement apartment)  
and 20 West Street, Village of Wappingers Falls (shared parking)

\_\_\_\_\_

\_\_\_\_\_

Name of person doing work: Povall Engineering, PLLC (Project representative/consultant)

Address of person doing work: 3 Nancy Court, Suite 4

City: Wappingers Falls State: NY Zip: 12590

Phone number of person doing work (Include home, work, mobile numbers and e-mail address):  
(H) \_\_\_\_\_ (C) \_\_\_\_\_  
(W) 845-897-8205 (Email) whp@povallengineering.com

I, as property owner for the above mentioned property, am aware of all work described above and give my consent to the aforementioned person to do the work.

  
\_\_\_\_\_  
Signature of Property Owner

11/8/21  
\_\_\_\_\_  
Date Signed



## VILLAGE OF WAPPINGERS FALLS

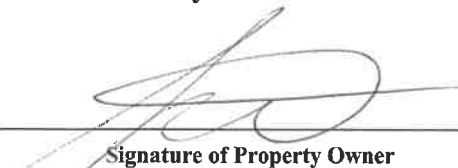
Office of Building, Planning & Zoning  
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### CONSENT FORM

Name of property owner: Viserba Breglia Holdings, LLC  
Address of property owner: 34 Kingwood Park  
City: Poughkeepsie State: NY Zip: 12601  
Phone number of property owner: (Include home, work, mobile number and e-mail address):  
(H) 845-235-7231 (C) \_\_\_\_\_  
(W) \_\_\_\_\_ (Email) bregliar@yahoo.com  
Address of site where work is being conducted: 2746 W. Main Street, Village of Wappingers Falls  
(basement apartment) & 20 West Street, Village of Wappingers Falls (shared parking)  
Description of work: 2746 W. Main Street, Village of Wappingers Falls (basement apartment)  
and 20 West Street, Village of Wappingers Falls (shared parking)

Name of person doing work: Stenger, Diamond & Glass, LLP  
Address of person doing work: 1136 Route 9  
City: Wappingers Falls State: NY Zip: 12590  
Phone number of person doing work (Include home, work, mobile numbers and e-mail address):  
(H) \_\_\_\_\_ (C) \_\_\_\_\_  
(W) 845-298-2000 (Email) \_\_\_\_\_

I, as property owner for the above mentioned property, am aware of all work described above and give my consent to the aforementioned person to do the work.

  
\_\_\_\_\_  
Signature of Property Owner

11/8/21  
\_\_\_\_\_  
Date Signed



PART "A"  
OWNER AFFIDAVIT

State of NEW YORK }  
County of Dutchess } ss:

Giacomo Breglia being duly sworn, deposes and says:

1. That I/we are the Owner(s) of the within property as described in the foregoing application for Subdivision / Lot Line Change / Site Plan / Land Contour / Aquatic Resource approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That I/we hereby authorize Povall Engineering, PLLC, to act as my/our representative in all matters regarding said application(s), and that I/we have the legal right to make or authorize the making of said application.
3. That I/we understand that by submitting this application for Planning Board approval that I/we expressly grant permission to the Planning Board and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Planning Board action.
4. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Village related to this application.
5. That I/we understand that I/we, and any of our contractors and representatives shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from non-compliance with the approved application, and with non-compliance with any provision of the Village Code. I/we acknowledge that approval of the plan and commencement of any work related to the approved application shall constitute express permission to the Planning Board, the Building Inspector, the Planning Department, the Zoning Administrator, and any duly authorized representative of the Village of Wappingers Falls, to enter the property for the purposes of inspection for compliance with the approved application and any provision of the Town Code, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that by submitting this application, and by approval of said application, including the commencement of any work related to the approved plan is an express waiver of any objection to authorized Village official(s) entering the property for the purpose of conducting inspections.
6. That I/we understand that the Village of Wappingers Falls Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we have examined this affidavit and that it is true and correct.

Applicant/Owner

Applicant/Owner

Sworn to before me this 8 day of

November, 2021.

Wendy Przetakiewicz  
Notary Public

**WENDY PRZETAKIEWICZ**  
**NOTARY PUBLIC-STATE OF NEW YORK**  
**No. 01PR6295033**  
**Qualified in Dutchess County**  
**My Commission Expires December 23, 20\_\_**

PART "A"  
OWNER AFFIDAVIT

State of NEW YORK }  
County of Dutchess } ss:

Giacomo Bregua being duly sworn, deposes and says:

1. That I/we are the Owner(s) of the within property as described in the foregoing application for Subdivision / Lot Line Change / Site Plan / Land Contour / Aquatic Resource approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That I/we hereby authorize Stenger, Diamond & Glass, LLP, to act as my/our representative in all matters regarding said application(s), and that I/we have the legal right to make or authorize the making of said application.
3. That I/we understand that by submitting this application for Planning Board approval that I/we expressly grant permission to the Planning Board and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Planning Board action.
4. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Village related to this application.
5. That I/we understand that I/we, and any of our contractors and representatives shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from non-compliance with the approved application, and with non-compliance with any provision of the Village Code. I/we acknowledge that approval of the plan and commencement of any work related to the approved application shall constitute express permission to the Planning Board, the Building Inspector, the Planning Department, the Zoning Administrator, and any duly authorized representative of the Village of Wappingers Falls, to enter the property for the purposes of inspection for compliance with the approved application and any provision of the Town Code, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that by submitting this application, and by approval of said application, including the commencement of any work related to the approved plan is an express waiver of any objection to authorized Village official(s) entering the property for the purpose of conducting inspections.
6. That I/we understand that the Village of Wappingers Falls Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we have examined this affidavit and that it is true and correct.

\_\_\_\_\_  
Applicant/Owner

  
\_\_\_\_\_  
Applicant/Owner

Sworn to before me this 8 day of  
November, 2021.

Wendy Przetakiewicz  
Notary Public

**WENDY PRZETAKIEWICZ**  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01PR6295033  
Qualified in Dutchess County  
My Commission Expires December 23, 20

PART "B"  
APPLICANT / AGENT AFFIDAVIT

State of New York }  
County of Dutchess } ss:

Giacomo Breglia being duly sworn, deposes and says:

1. That I/we are the \_\_\_\_\_ owner/applicant \_\_\_\_\_ named in the foregoing application for Planning Board for Subdivision / Lot Line Change / Site Plan / Land Contour / Aquatic Resource approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That he/she resides at or conducts business at 34 Kingswood Park, Poughkeepsie in the County of Dutchess and the State of New York.
3. That I/we understand that by submitting this application for Planning Board approval that I/we expressly grant permission to the Planning Board and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Planning Board action. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Village related to this application.
4. That I/we understand that I/we, and any of our contractors and representatives shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from non-compliance with the approved application, and with non-compliance with any provision of the Village Code. I/we acknowledge that approval of the plan and commencement of any work related to the approved application shall constitute express permission to the Planning Board, the Building Inspector, the Planning Department, the Zoning Administrator, and any duly authorized representative of the Village of Wappingers Falls, to enter the property for the purposes of inspection for compliance with the approved application and any provision of the Village Code, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that by submitting this application, and by approval of said application, including the commencement of any work related to the approved plan is an express waiver of any objection to authorized Village official(s) entering the property for the purpose of conducting inspections.
5. That I/we understand that the Village of Wappingers Falls Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we has examined this affidavit and that it is true and correct.

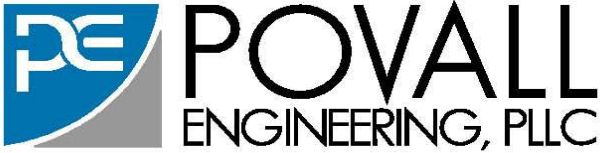
Applicant/Agent [Signature]

Applicant/Agent \_\_\_\_\_

Sworn to before me this 8 day of November, 2021.

Wendy Przetakiewicz  
Notary Public

**WENDY PRZETAKIEWICZ**  
**NOTARY PUBLIC-STATE OF NEW YORK**  
**No. 01PR6295033**  
**Qualified in Dutchess County**  
**My Commission Expires December 23, 20\_\_**



p: (845) 897-8205  
f: (845) 897-0042

3 Nancy Court, Suite 4  
Wappingers Falls, NY 12590

www.PovallEngineering.com

William H. Povall III, P.E.

Professional Engineer: NY, CT, PA, VT

## **PROJECT NARRATIVE**

**Dated: November 8, 2021**

Site Plan for 2746 W. Main Street with Shared Parking at 20 West Street

2746 W. Main Street - Tax Grid No. 134601-6158-14-252469

20 West Street - Tax Grid No. 134601-6158-13-240412

Village of Wappingers Falls, Dutchess County, NY

### **Proposed Action:**

The owner and applicant, Viserba Breglia Holdings, LLC, is seeking to gain approval for an existing basement apartment located at 2746 W. Main Street in the Village of Wappingers Falls. The property lies in the Village Mixed (VM) zone which permits multifamily dwellings. The basement apartment is a second residential apartment unit within the building.

Based on the current buildout with the structure located along the parcel frontage and occupying nearly the entire width of the parcel, there are no means to access areas on the parcel to provide the required parking. The Village Wappingers Falls code, Chapter 151 - Zoning, Section 151-24.F. permits shared parking on nearby parcels. Therefore, it is proposed to share the parking at the owner's nearby parcel at 20 West Street (in common ownership with the 2746 W. main St. parcel). The necessary covenants as required under section 151-24.F.(1) will be prepared to share parking as proposed.

Based on the parking requirements listed in the Village of Wappingers Falls code, Chapter 151 - Zoning, Table 5: Parking Table, a. Residential, Dwelling, Two-Family or Multi-Family, 1 space per unit is required. One (1) space per unit is required in the VM District, for the property located at 2746 W. Main Street. Presently, 20 West Street is improved by a two-family dwelling in the Residential (R) zone. The Parking Table lists the required spaces per unit as "N/A" under Residential (R) because it is a non-conforming use. The clear intent of the Code is to require 1 space per unit for a two-family dwelling, because that is the requirement in all other zoning districts. Therefore, four (4) shared parking spaces are required to serve the two (2) existing on-site residential units at 20 West St. and the two (2) existing on-site residential units, one (1) unit being the basement apartment as applied for in the site plan application) at 2746 W. Main St.

**617.20**  
**Appendix B**  
**Short Environmental Assessment Form**

**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.

<b>Part 1 - Project and Sponsor Information</b>			
<b>Site Plan for 2746 W. Main Street with Shared Parking at 20 West Street</b>			
Project Location (describe, and attach a location map):			
<b>2746 W Main Street &amp; 20 West Street (see Site Plan for location map)</b>			
Brief Description of Proposed Action:			
<p>The owner is seeking to gain approval for an existing basement apartment located at 2746 W. Main Street. There are no means for parking at this parcel. Therefore, the owner is seeking approval to share the required parking with their nearby parcel located at 20 West Street.</p>			
Name of Applicant or Sponsor:		Telephone: <b>845-235-7231</b>	
<b>Viserba Breglia Holdings, LLC</b>		E-Mail: <b>bregliar@yahoo.com</b>	
Address:			
<b>34 Kingwood Park</b>			
City/PO:		State:	Zip Code:
<b>Poughkeepsie</b>		<b>NY</b>	<b>12590</b>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		<b>NO</b>	<b>YES</b>
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		<b>NO</b>	<b>YES</b>
If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.09 _____ acres	
b. Total acreage to be physically disturbed?		0.00 _____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.09 _____ acres (Lot 240412)	
		0.07 _____ acres ( Lot 252469)	
4 . Check all land uses that occur on, adjoining and near the proposed action.			
Urban	Rural (non-agriculture)	Industrial	Commercial <input checked="" type="checkbox"/> Residential (suburban)
Forest Agriculture Parkland		Aquatic	Other (specify): _____

5. Is the proposed action, a. A permitted use under the zoning regulations?  b. Consistent with the adopted comprehensive plan?	<b>NO</b>	<b>YES</b>	<b>N/A</b>
		✓	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<b>NO</b>	<b>YES</b>	
			✓
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: <u>Wappinger Lake, Reason: Protection of natural resource, Agency: Village of Wappinger Falls, Date: 6-29-98</u>	<b>NO</b>	<b>YES</b>	
			✓
8. a. Will the proposed action result in a substantial increase in traffic above present levels?  b. Are public transportation service(s) available at or near the site of the proposed action?  c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<b>NO</b>	<b>YES</b>	
	✓		
			✓
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: _____	<b>NO</b>	<b>YES</b>	
			✓
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	<b>NO</b>	<b>YES</b>	
			✓
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	<b>NO</b>	<b>YES</b>	
			✓
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?  b. Is the proposed action located in an archeological sensitive area?	<b>NO</b>	<b>YES</b>	
	✓		✓
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?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:	<b>NO</b>	<b>YES</b>	
			✓
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: Shoreline    Forest    Agricultural/grassland    Early mid-successional    Wetland			
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? <u>Bald Eagle, Pied-bill Grebe, Indiana Bat</u>	<b>NO</b>	<b>YES</b>	
			✓
16. Is the project site located in the 100 year flood plain?	<b>NO</b>	<b>YES</b>	
	✓		
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties?  b. Will storm water discharges be directed to established conveyance systems off and storm drains)? If Yes, briefly describe: _____	<b>NO</b>	<b>YES</b>	
	✓		

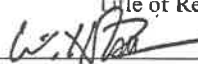
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	✓	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	✓	
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: Per NYSDEC EAF Mapper, Lot 240412 or an adjoining property has been the subject of remediation. However, a search of the NYSDEC Environmental Site Remediation Database shows no results.	NO	YES
_____	✓	✓
	Lot 252469	Lot 240412
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: _____	Date: 11/8/21	
Signature: _____		

**Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2.** Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

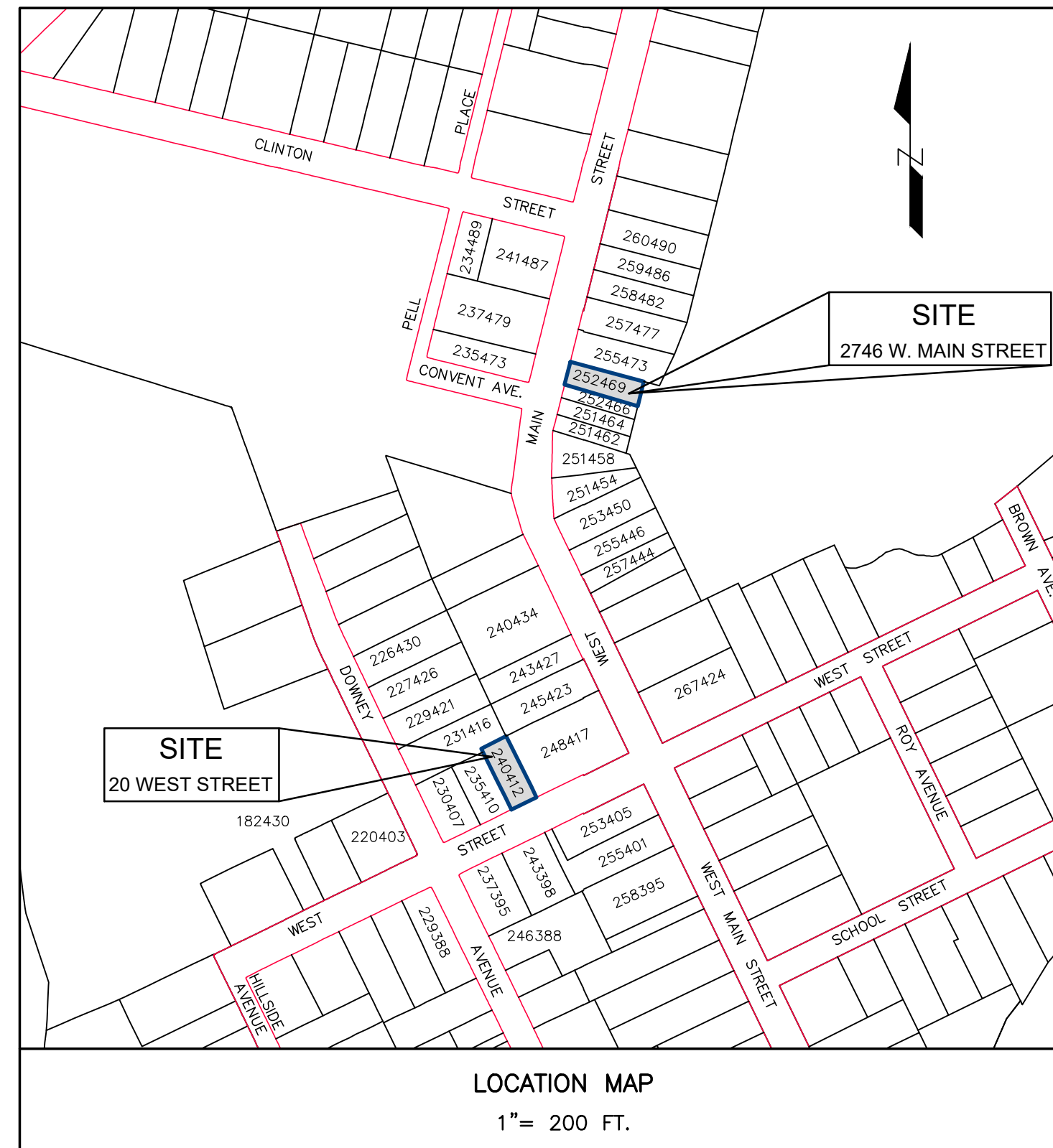
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	✓	
2. Will the proposed action result in a change in the use or intensity of use of land?	✓	
3. Will the proposed action impair the character or quality of the existing community?	✓	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	✓	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	✓	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	✓	
7. Will the proposed action impact existing: a. public / private water supplies?	✓	
b. public / private wastewater treatment utilities?	✓	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	✓	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	✓	

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	✓	
11. Will the proposed action create a hazard to environmental resources or human health?	✓	

**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

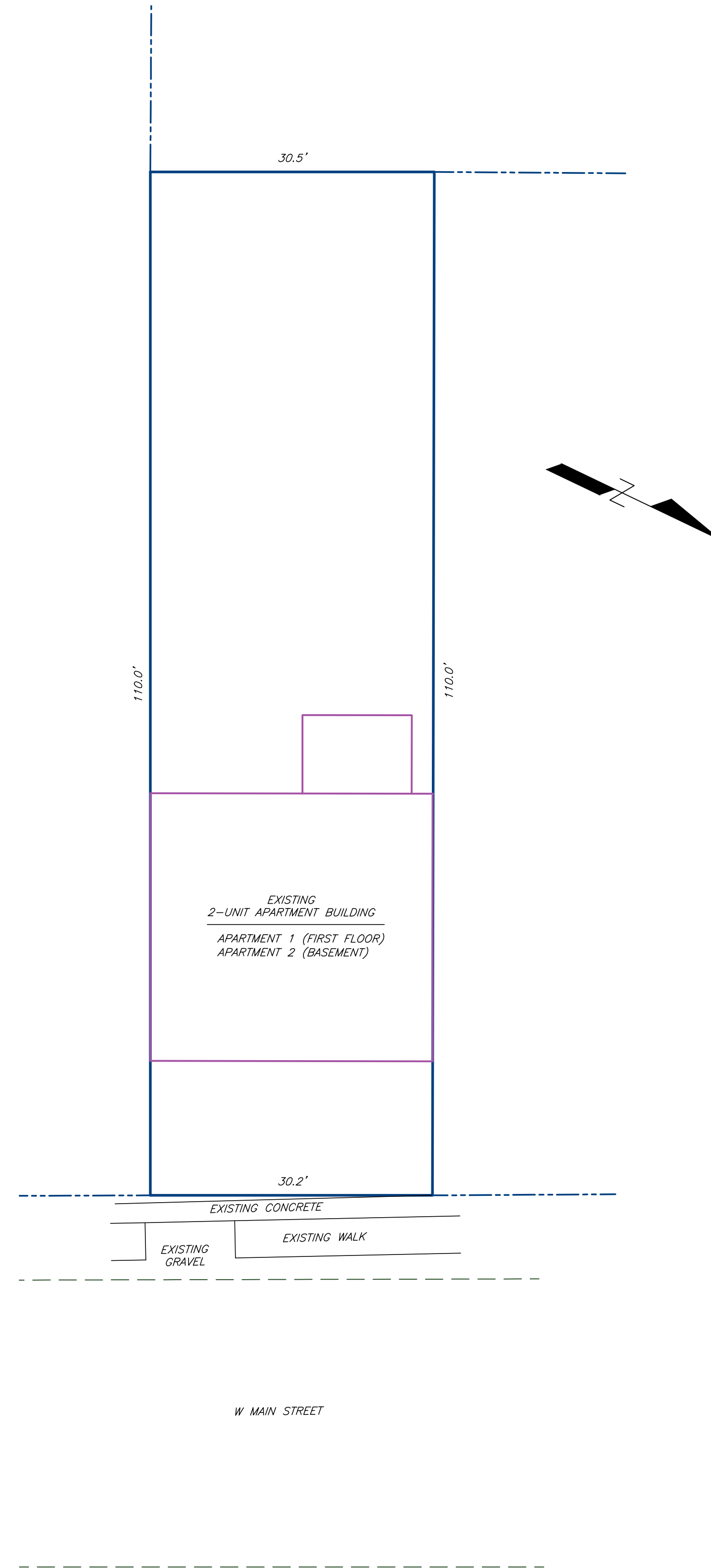
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
<b>Village of Wappingers Falls</b>	
Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)





**GENERAL NOTES**

1. ALTERATION OF THIS PLAN BY ANY PERSON OTHER THAN A NEW YORK STATE LICENSED PROFESSIONAL ENGINEER IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAWS. ANY ALTERATIONS OF THIS PLAN BY A NYS LICENSED PROFESSIONAL ENGINEER SHALL BE SO NOTED AND DATED AND BE ACCOMPANIED BY THE SEAL AND SIGNATURE OF SUCH PROFESSIONAL ENGINEER.



PARKING SCHEDULE	
<b>REQUIRED PARKING:</b>	
1 SPACE PER UNIT X 2 UNITS	= 2 SPACES
<b>PROVIDED PARKING:</b>	
2 SPACES PROVIDED ON NEARBY PARCEL LOCATED AT 20 WEST STREET (TAX GRID No. 134601-6158-13-240412) SEE SITE PLAN ENTITLED "SHARED PARKING PLAN-20 WEST STREET" ON SHEET SP-2	

**OWNER/APPLICANT:**  
VISERBA BREGLIA HOLDINGS, LLC  
34 KINGWOOD PARK  
POUGHKEEPSIE, NY 12601

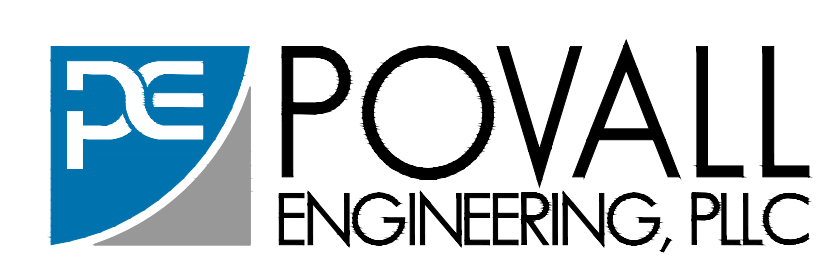
**PROPERTY INFORMATION:**  
2746 WEST MAIN STREET  
TAX MAP NO.: 134601-6158-14-252469  
DOC. No. 22020 2168

**ZONING DESIGNATION:**  
VM - VILLAGE MIXED DISTRICT

**PROPERTY ACREAGE:**  
TOTAL AREA = 0.07± ACRES

SCHEDULE OF BULK REGULATIONS			
VM DISTRICT	REQUIRED	EXISTING	PROPOSED
PRINCIPAL BUILDING HEIGHT	3 STORIES MAX/2 STORIES MIN.	2 stories	2 stories
ACCESSORY BUILDING HEIGHT	2 STORIES MAX.	N/A	N/A
MINIMUM LOT WIDTH	25 FT.	30.2 ft.	30.2 ft.
MAXIMUM LOT COVERAGE	75% MAX.	29% ±	29% ±
MINIMUM GREENSPACE	10% MIN.	71% ±	71% ±
FRONT SETBACK (PRINCIPAL)	10 FT. MIN.	14 ft.±	14 ft.±
FRONT SETBACK (SECONDARY)	10 FT. MIN.	N/A	N/A
SIDE SETBACK	0 FT. MIN.	0 ft.	0 ft.
REAR SETBACK	10 FT. min.	58 ft. ±	58 ft. ±
<b>ACCESSORY BUILDING</b>			
PRINCIPAL FRONTAGE	30 FT.	N/A	N/A
SECONDARY FRONTAGE	5 FT. MIN. OR 3 FT. AT CORNER	N/A	N/A
SIDE SETBACK	5 FT. MIN.	N/A	N/A

REVISIONS	
DATE:	DESCRIPTION:



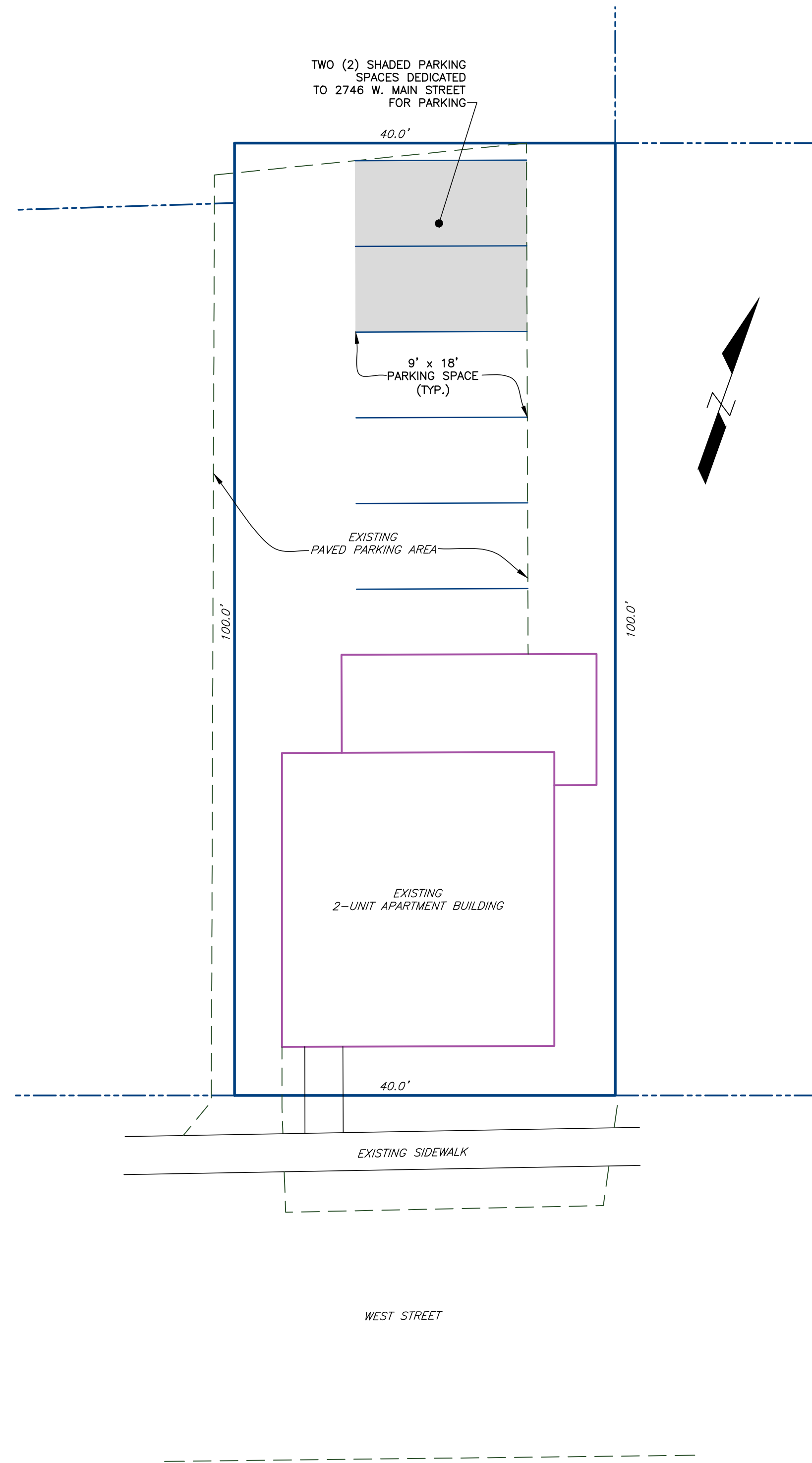
**WILLIAM H. POVALL III, P.E.**  
N.Y.S.P.E. LICENSE #075020  
3 NANCY COURT, SUITE 4  
WAPPINGERS FALLS, NY 12590  
TEL.: (845) 897-8205  
FAX: (845) 897-0042

**SITE PLAN FOR**  
**2746 WEST MAIN STREET**  
VILLAGE OF WAPPINGERS FALLS  
DUTCHESS COUNTY, NEW YORK

**JOB #:** 2127  
**DATE:** 11-08-21  
**SCALE:** 1"=10'  
**SP-1**  
**SHEET 1 OF 2**

**GENERAL NOTES**

1. ALTERATION OF THIS PLAN BY ANY PERSON OTHER THAN A NEW YORK STATE LICENSED PROFESSIONAL ENGINEER IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAWS. ANY ALTERATIONS OF THIS PLAN BY A NYS LICENSED PROFESSIONAL ENGINEER SHALL BE SO NOTED AND DATED AND BE ACCOMPANIED BY THE SEAL AND SIGNATURE OF SUCH PROFESSIONAL ENGINEER.

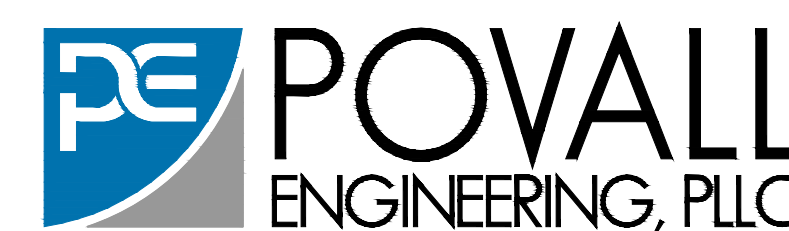


PARKING SCHEDULE	
<b>REQUIRED PARKING:</b>	
1 SPACE PER UNIT X 2 UNITS (20 WEST STREET)	= 2 SPACES
1 SPACE PER UNIT X 2 UNITS (2746 W. MAIN STREET)*	= 2 SPACES
<b>TOTAL SPACES REQUIRED</b>	<b>= 4 SPACES</b>
<b>PROVIDED PARKING:</b>	
20 WEST STREET	= 3 SPACES
2746 W. MAIN STREET*	= 2 SPACES
<b>TOTAL SPACES PROVIDED</b>	<b>= 5 SPACES</b>
*SEE SITE PLAN FOR 2746 W MAIN STREET ON SHEET SP-1	

<b>OWNER/APPLICANT:</b> VISERBA BREGLIA HOLDINGS, LLC 34 KINGWOOD PARK POUGHKEEPSIE, NY 12601
<b>PROPERTY INFORMATION:</b> 20 WEST STREET TAX MAP NO.: 134601-6158-13-240412 DOC. No. 22005 7238
<b>ZONING DESIGNATION:</b> R - RESIDENTIAL DISTRICT
<b>PROPERTY ACREAGE:</b> TOTAL AREA = 0.09± ACRES

SCHEDULE OF BULK REGULATIONS			
R DISTRICT	REQUIRED	EXISTING	PROPOSED
PRINCIPAL BUILDING HEIGHT	2 STORIES MIN/5 STORIES MAX.	2 stories	2 stories
ACCESSORY BUILDING HEIGHT	1 STORY MAX.	N/A	N/A
MINIMUM LOT WIDTH	50 ft.	*40 ft.	*40 ft.
MAXIMUM LOT COVERAGE	35% MAX.	*77% ±	*77% ±
MINIMUM GREENSPACE	30% MIN.	*23% ±	*23% ±
FRONT SETBACK (PRINCIPAL)	15 FT. MIN.	*5 ft.±	*5 ft.±
FRONT SETBACK (SECONDARY)	12 FT. MIN.	N/A	N/A
SIDE SETBACK	8 FT. MIN.	*2 ft. ±	*2 ft. ±
REAR SETBACK	5 FT. MIN.	53 ft. ±	53 ft. ±
<b>ACCESSORY BUILDING</b>			
PRINCIPAL FRONTAGE	35 FT.	N/A	N/A
SECONDARY FRONTAGE	5 FT. MIN.	N/A	N/A
SIDE SETBACK	5 FT. MIN.	N/A	N/A
REAR SETBACK	5 FT. MIN.	N/A	N/A
* PRE-EXISTING, NON-CONFORMING			

REVISIONS	
DATE:	DESCRIPTION:



WILLIAM H. POVALL III, P.E.  
N.Y.S.P.E. LICENSE #075020  
3 NANCY COURT, SUITE 4  
WAPPINGERS FALLS, NY 12590  
TEL.: (845) 897-8205  
FAX: (845) 897-0042

**SHARED PARKING PLAN**  
**20 WEST STREET**  
VILLAGE OF WAPPINGERS FALLS DUTCHESS COUNTY, NEW YORK

JOB #: 2127  
DATE: 11-08-21  
SCALE: 1"=10'  
**SP-2**  
SHEET 2 OF 2

2-NV-DU-78243

**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS  
(INDIVIDUAL OR CORPORATION)**

STANDARD NYBTU FORM 8007

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

**THIS INDENTURE**, made this 29<sup>th</sup> day of October, 2021

between

Raymond Van Vlack, III  
52 Brothers Road  
Wappingers Falls, New York 12590

party of the first part, and

Viserba Breglia Holdings, LLC  
34 Kingwood Park  
Poughkeepsie, New York 12601

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of Ten Dollars and No Cents (\$10.00), lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

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

Village of Wappingers Falls, County of Dutchess, State of New York, more particularly described in schedule A attached hereto.

Being and intended to be the same premises as conveyed to grantor herein by deed dated 08/12/2005 and recorded on 08/15/2005 in Document Number 02-2005-7238 in the Dutchess County Clerk's Office.

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

## Schedule A Description

Title Number 21-NV-DU-78243

Page 1

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

BEGINNING at a point on the northerly line of West Street, said point being distant South  $71^{\circ} 30' 00''$  East 110.00 feet from the intersection of the northerly line of said West Street with the easterly line of Downy Street, said point also being the intersection of the northerly line of said West Street with the easterly line of lands of Robert D. Morris, Liber 1475 page 590 and running thence along the easterly line of lands of said Robert D. Morris, North  $18^{\circ} 30' 00''$  East 100.00 feet to a point, thence along the southerly line of lands of Joseph Italiano, Liber 1200 page 593, South  $71^{\circ} 30' 00''$  East 40.00 feet to a point, thence along the westerly line of lands of John Bracone, South  $18^{\circ} 30' 00''$  West 100.00 feet to a point on the northerly line of aforesaid West Street, thence along the northerly line of said West Street, North  $71^{\circ} 30' 00''$  West 40.00 feet to the point of beginning.

*deed*

**Title No.**

Raymond Van Vlack, III

**To**

Viserba Breglia Holdings, LLC

**Grid #:** 134601-6158-13-240412-0000

**Village:** Wappingers Falls

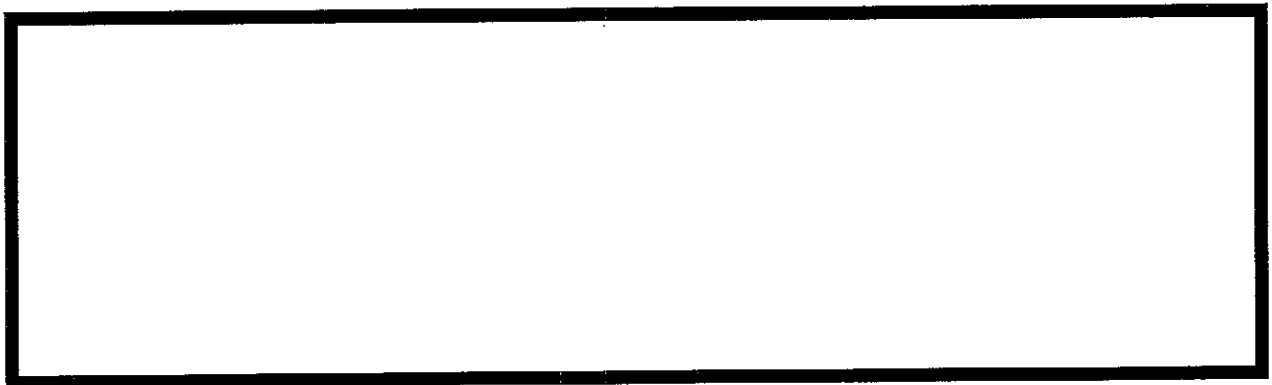
**County:** Dutchess

**Street Address:** 20 West Street, Wappingers Falls, New York 12590

**Return By Mail To:**

Jessica J. Glass, Esq.  
Stenger, Diamond & Glass, LLP  
1136 Route 9  
Wappingers Falls, New York 12590

**Reserve This Space For Use Of Recording Office**

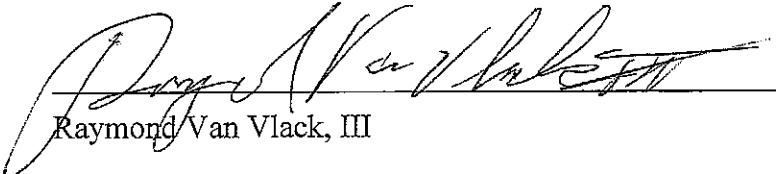


cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

*AND* Grantee herein is prohibited from conveying captioned property for sales price for a period of 30 days from 10/31/2021. After this 30 day period, Grantee is further prohibited from conveying the property for a sales price greater than \$322,800.00 until 90 days from 10/31/2021. These restrictions shall run with the land and are not personal to the Grantee.

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.

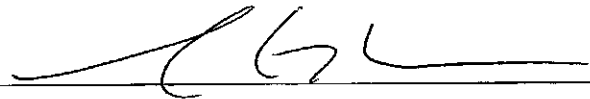
  
Raymond Van Vlack, III

***IN PRESENCE OF:***

\_\_\_\_\_

STATE OF NEW YORK )  
COUNTY OF DUTCHESS ) ss.:  
)

On the 29 day of October in the year 2021, before me, the undersigned, personally appeared Raymond Van Vlack, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity(ies), and that by his/her signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
\_\_\_\_\_  
(signature and office of individual taking acknowledgment)

JESSICA JANETTE GLASS  
Notary Public, State of New York  
No. 02GL6244340  
Qualified in Dutchess County  
Commission Expires July 18, 2023