

Town of Washington Planning Board

The monthly meeting and public hearing of the Town of Washington Planning Board was held on October 1, 2019 at 7:30 P.M. , the Town Hall, 10 Reservoir Drive, Millbrook, New York.

Members Present: Chairman, Paul Schwartz, Jim Cornell, Bob Kulpa, Susan Meaney, town attorney, Jeff Battistoni, ZBA Chairman, John Parisi, Howard Schuman, Conservation Advisory Commission Representative.

Chairman Schwartz opened the meeting with the Pledge of Allegiance at 7:30 P.M. announced the first agenda item.

The Santos Special Permit (Kleber Santos) 578 Tyrrel Road, application request is for an in-home dog care service where 1-6 dogs are offered boarding services in their home with the luxury of living with family instead of a kennel. The property is zoned RL 5.

Dutchess County Tax Map Grid No. 6564-00-963633

Kleber Santos, applicant and Laura Evans, owner appeared before the board.

Chairman Schwartz referred to the last meeting conversation about the ability of the applicant to file for a special permit for a kennel. Questioned if there is clarification of this situation? How does the applicant wish to proceed? Mr. Santos said he has applied for a kennel permit for one to six dogs, has provided a site plan of the property.

Attorney Battistoni related that the application reads, an in-home daycare service for one to six dogs are offered boarding services in their home with the luxury of living with their family instead of a kennel. Said, in the Short Form EAF identified a small kennel, are representing that they are seeking a kennel is fine.

Mr. Santos questioned if only the adjoining property owners are to be contacted? Secretary Caul said, the adjoining property owners five hundred feet from their property line will be noticed, these are selected out/listed by Dutchess County Parcel Access. Mr. Santos said he wasn't sure of the names of the adjoining property owners. Chairman Schwartz stated that secretary Caul is responsible for this notification, he is not. Mr. Santos said he is considering holding an open house to meet the neighbors, get to know them before the public hearing. Secretary Caul gave instructions how to input the information to get the listing of the neighbors five hundred feet from the property line. Mr. Santos mentioned that the site plan had the adjoining neighbors shown.

Chairman Schwartz referred to the public hearing, applicant is to summarize his plan so anyone from the public who is interested can question him, put their comments on the record. Said, Mr. Santos can do whatever he wants to support his application.

Chairman Schwartz called for a motion to classify this application a Type II Action.

A motion to classify this application a Type II action was made by board member Meaney, seconded by board member Kulpa. 4 ayes.

A public hearing is scheduled for November 5, 2019.

The application of Metzger lot line change (Samuel Metzger) 264Stanford Road is to add land from the vacant parcel and merge it with his existing house lot located at 264 Stanford Road in order to get the proper side yard setback to his house. **Dutchess County Tax Map Parcel Nol 6765-00-121773 (Samuel & Caroline Metzger) is zoned RR 10, Tax Map Parcel No. 6765-00-144658 (Samuel Metzger & Thomas Brett Metzger) is zoned RM**

Brian Houston, L.S. and Michael Sloan AIA, Sloan Architects appeared before the board.

A motion to classify this application a Type II Action was made by board member Meaney, seconded by board member Cornell. 4 ayes

Brian gave a summary of the proposal, said, Samuel and Caroline Metzger own the property that is outlined in the color blue which is 0.53 acres in the RR 10 zone. They presented an application to the Zoning Board of Appeals for a variance for the addition on the back that didn't meet the side yard setback. Sam Metzger and his son own the adjoining property, were asked if they would consider merging some property onto his existing lot to give a proper side yard setback. The property shown in blue is the 0.53 acres. Sam and his son, Thomas own parcel to the south which is a little more than thirty eight acres. They are proposing to add on 0.57 acres giving it the proper side yard setback for the zone. Said, the property to the south is in the RM 2 district. Brian pointed out the property line which is the zoning district line.

Board member Cornell questioned if this is a conveyance? Yes. Brian explained that he will draw up a meets and bounds description and provide it to the applicants attorney, it will describe what this triangle is, they will convey from Sam and Thomas to Sam and Caroline that acreage which will become part and parcel. It is an actual deed conveying that one small piece of property.

Chairman Schwartz questioned about the septic and well. Michael Sloan said the septic predates, there are no records of the septic field. All they know is that the pipe points in this direction, the septic is located on the 5.03 acres. Brian said if there was a septic on the other lot he would have shown it. Because it is vacant the Board of Health is always

concerned about taking land from this 5.03 the septic would go with the other property, In this case the septic is on this property, are taking up land from the other parcel. Chairman Schwartz called for a motion to waive the public hearing and was made by board member Meaney, seconded by board member Cornell. 4 ayes.

Chairman Schwartz called for a motion to grant approval to the Samuel and Caroline Metzger Lot Line Revision. **A motion to grant approval to the Samuel and Caroline Metzger Lot Line Revision was made by board member Cornell, seconded by board member Meaney. 4 ayes.**

Attorney Battistoni reviewed the document Westlock New York Codes Rules and Regulations he distributed to the board containing a list of the Type II Actions. When the board gets an application it is supposed to classify the application if it's a Type II Action there is no environmental review, if it's a Type I Action it is more serious, if its Unclassified the board still has to do an environmental review but is not as serious as a Type I Action. Said, he wants to create a form for that motion where you simply classify any given action as a Type I or Type II or Unclassified.

Attorney Battistoni said he copied some of the rules and regulations of 617.5 that says as early as possible in the review of an application the board must classify the action. He wanted the board to realize that when they get an application, as early and it can, it is supposed to classify it for SEQRA purposes. Depending upon the nature of the application the board might have to circulate an application to other agencies that may have approval authority, say that the board wants to be lead agency in the environmental review. Said, the board doesn't need to do this for either of these applications but wanted the board to have that background. He included 617.5 which is the list of Type II Actions and 617.4 which is the list of Type I Actions. Said, he wanted the board to have that information.

There being no further discussion, comments, business, a motion to adjourn the meeting was made by board member Meaney, seconded by board member Cornell. The meeting was adjourned at 7:55 P.M.

Respectfully submitted,

Nikki Caul, secretary

