



10 Reservoir Dr, PO Box 667, Millbrook, NY 12545
845-677-3419

www.washingtonny.org

AREA VARIANCE APPLICATION FORM

APPLICATION TO THE TOWN OF WASHINGTON
ZONING BOARD OF APPEALS
FOR AN AREA VARIANCE

REAL PROPERTY INFORMATION

Dutchess County Tax Map Number (1234-00-123456-0000)	135889-6766-00-042590
Property Street Address	610 Stanford Rd., Town of Washington
Number of Acres	1.74
Zoning District from Zoning Map	RR-10
Describe the Current Use of the Property.	Residential
Is this property located in or near a Wetland or Wetland Buffer?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO May Require a Town Wetlands Permit or be ruled by the Aquifer Protection Requirements
Is this property within 500 feet of the boundary of the Village of Millbrook?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Is this application being made for a violation that currently exists on the property?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If YES, the application fee is double.

OWNER INFORMATION

Name of Record Owner(s): If a corporation, LLC, Trustee, so state and submit form	Daniel Yadgard
Record Owner Mailing Address	610 Stanford Rd Town of Washington
Record Owner Email Address	daniel@the5ndtn.com
Record Owner Phone Number	917-734-3301

NOTE: In addition to the above, please complete the following information if the application is submitted and signed by a representative of the owner. (ie: LLC, Corporation, Trustee or applicant's attorney, agent, architect, builder, contract vendee, etc.)

Name of Authorized Representative if different from owner:	
Business Name of Applicant	Raymond P. Raucher, Esq.
Applicant Mailing Address	355 Main Street Beacon, NY 12508
Applicant Email Address	ray@raichelawfirm.com
Applicant Phone Number	(845) 379-0220

Please check to specify who you wish correspondence to be e-mailed to, from the above names:

Applicant/Owner(s)
 Authorized Representative

SUMMARY OF AREA VARIANCE REQUEST

Installation of custom in ground gunite swimming pool within backyard. There are 3 variances requested. The first variance is to allow the back of the pool to be 35' from the back property line requiring the variance from the 75' setbacks. The second variance is to allow the front edge of the pool to be 97.8' away from the side property line requiring a variance for the 100' side setbacks and the third variance would be the pool equipment to be located 51.5' from the side property line requiring a variance from the 100' side setback.

DESCRIPTION OF HARDSHIP

A Variance to the Zoning Ordinance is requested for the following five (5) reasons:

1. An undesirable change will not be produced in the CHARACTER of the neighbor or a detriment to nearby properties if granted, because:

The swimming pool will not be visible from or disrupt the neighboring properties

2. The benefit sought by the applicant CANNOT be achieved by some method feasible for the applicant to pursue, other than an area variance, because:

There is no alternate location to place a swimming pool in the backyard

3. The amount of relief requested is not substantial because:

The entire pool will sit well within the lines of the parcel. It just does not meet the 75' setback requirement from the back property line (which is a large parcel of wooded vacant land), nor does it need the 100' side setback to the neighbor's property

4. The variance will NOT have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district because:

There will be no adverse environmental impact as no substantial changes will be made to the parcel.

5. Has the alleged difficulty been self-created? _____ Yes, or No

Why:

DESCRIPTION OF PROJECT

Please write N/A in any section which does not apply to your application.

For Demolition of Existing Building Areas

Please describe area being removed:

N/A

New Construction Areas (New Dwelling, New Additions, Pool)

Dimensions of first floor extension:

Dimensions of new second floor:

N/A

Dimensions of floor above second level:

N/A

Height (from finished ground to top of ridge):

Is basement or lowest floor area being constructed? If yes, please provide height (above ground) measured from natural existing grade to first floor:

Submit manufacturer specifications for pools, sheds, etc.

Proposed Alterations or Structural Changes Construction

Please describe building areas:

Number of Floors and General Characteristics **BEFORE** Alterations:

1 floor with no swimming pool

Number of Floors and Changes **WITH** Alterations:

1 floor with inground swimming pool

Calculations of building areas and lot coverage:

Existing square footage of existing buildings on your property:

2782

Proposed increase of building coverage:

Square footage of your lot:

Percentage of coverage of your lot by building area:

Purpose of New Construction

Installation of inground granite swimming pool

Please describe the land contours (flat, slope %, heavily wooded, marsh area, etc.) on your land and how it relates to the difficulty in meeting the code requirement (s):

Flat but there is no alternate location to construct a swimming pool on the parcel within the backyard.

ADDITIONAL REQUIRED INFORMATION

Have any prior appeals been made with respect to this property?

____ Yes ____ NO X

Such appeal(s) was (were) in the form of

____ A requested interpretation

____ A request for a variance

Name of Owner:

Date

Was appeal granted or denied?

Please provide copies of previously granted appeals.

Are there any Covenants or Restrictions concerning this land?

____ Yes ____ NO X If yes, please furnish a copy

Are the subject premises listed for sale on the real estate market?

____ Yes ____ X No

Are there any proposals to change or alter land contours?

X No ____ Yes please explain.

Are there any wetland areas or buffers on the parcel?

____ Yes ____ NO X

Are those wetland areas or buffers shown on the survey submitted with this application?

____ Yes N/A NO ____

If your property contains ponds, wetlands or buffer areas, have you contacted the Building Department for its determination of jurisdiction?

____ Yes N/A NO ____

Does your application require Town, County, State, or Federal Permits?

____ Yes ____ NO ____ If yes, provide which agency and the type of application.

Has an application been made to or granted by any other entity, and by which agency? Provide copies

Are there any patios, structures, pools or fences that exist on your property that are not shown on the survey that you are submitting?

Yes _____ NO X

If yes, please provide a plot plan showing all improvements.

Do you have any construction taking place at this time concerning your premises?

Yes _____ NO X

Please submit a copy of your building permit and survey as approved by the Building Department

Describe the construction: _____

Do you or any co-owner also own other land adjoining or close to this parcel?

Yes _____ NO X If yes, please label the proximity of your lands on your survey.

Please list present use or operations conducted at this parcel Single Family and the proposed use single family with swimming pool. (i.e.: existing single family, proposed: same with garage, pool or other)

NOTARIZED STATEMENT

By submitting this application, I hereby swear/affirm that this variance is the MINIMUM that is necessary and adequate, and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

I further swear/affirm that the information in this application is a truthful and honest representation of the property for which this request is made.

I further swear/affirm that I will make an appointment with the Zoning Administrator within five business days of this application to allow for an inspection of said property.

Signature of Applicant or Authorized Agent
Agent must submit Owner Authorization Form

Daniel Yadgard
Printed Name

Sworn to before me this 17th day of January, 2023.

Place Notary Stamp here:

Signature of Notary

NOTARY PUBLIC STATE OF NEW YORK
County of Dutchess
Reg. #02RA6039418
Raymond Peter Raiche
Commission Expires March 27, 2026



- Fence
- Existing Well Line
- Moved Well Line
- Filter Pad
- Burried Propane Tank
- Bluestone Patio Extension



Town of Washington

TOWN OF WASHINGTON
BUILDING, PLANNING & ZONING
10 Reservoir Dr, PO Box 667
Millbrook, NY 12545
845-677-3419

Consent to Inspection

The undersigned, does hereby state:

Daniel Yadgard and _____
Owner Name Owner Name

That the undersigned is/are the owner(s) of the premises in Town of Washington, located at
610 Stanford Rd, Town of Washington
which is shown and designated on the Dutchess County Tax Map as:

135889 -6766- 00 - 042590

That the undersigned (has) (have) filed, or cause to be filed, an application with the Town of Washington for the following:

- Assessment Review
- Building Permit
- Municipal Search
- Planning Board Application
- Zoning Board of Appeals Application

That the undersigned do(es) hereby give consent to representatives of the Town of Washington, including but not limited to the Building Inspector, Zoning Administrator, or Assessor of the Town of Washington to enter upon the above described property, including any and all buildings located thereon, to conduct such inspections as they may deem necessary with respect to the aforesaid application, including inspections to determine that said premises comply with all of the laws, ordinances, rules, and regulations of the Town of Washington. The time and date of the inspection will be scheduled in advance with the property owner or their representative. **Failure to schedule an inspection will delay your project.**

That the undersigned, in consenting to such inspections, does so with the knowledge and understanding that any information obtained will be used in conjunction with the application, and may delay your application if violations of the laws, ordinances, rules or regulations of the Town of Washington have been identified, and that your assessment may be increased based upon information found in the site inspection.

Contact person for inspection: Daniel Yadgard
Phone Number to schedule inspection: 917-734-3301

Signature
Daniel Yadgard

Print Name
Dated: 1/17/23

Signature

Print Name
Dated: _____



Town of Washington

TOWN OF WASHINGTON
BUILDING DEPARTMENT
10 Reservoir Dr, PO Box 667
Millbrook, NY 12545
845-677-3419

PLEASE NOTE: If ownership is held by a corporation, LLC, jointly or in partnership, each owner and/or partner must sign a separate owner's endorsement. If the owner or owners are making the application, this endorsement is not required.

OWNER'S ENDORSEMENT

STATE OF NEW YORK)
COUNTY OF Dutchess) ss:

Daniel Yadgard, being duly sworn, deposes and says:

- I am: (check one) 1. the sole owner in fee (One individual on the tax roll)
- 2. a part owner in fee (Two or more individuals on the tax roll)
- 3. an officer of the corporation which is the owner in fee of the premises described in the foregoing application.
- 4. designated party authorized to act pursuant to a trust or legal document. (Trustees listed on tax roll)
- 5. member/owner(s) of Limited Liability Corporation (LLC).

(If you checked #3, #4 or #5, please provide proof of legatee (ie: Corporate Resolution, Surrogate Letter, Executor of the Will, Certified Letter of Testamentary, Letter of Administration, Attorney-Opinion Letter, Letter or Probate, Power of Attorney, etc.)

I reside at 610 Stanford Road

City Millbrook State NY Zip 12545

I have authorized (name) Raymond P. Raiche, Esq.

(Company) The Raiche Law Firm

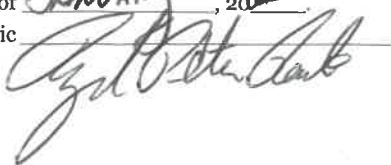
to make the foregoing application to the Town of Washington for approval as described herein for the property located at 610 Stanford Road, Millbrook, NY 12545

property ID # 135889 - 6766-00 - 042390

Signature 

If owner is a corporation, please indicate name of corporation and title of the corporate officer whose signature appears above. Sworn to before me this

17th day of January, 2023
Notary Public



Notary Stamp:

NOTARY PUBLIC STATE OF NEW YORK
County of Dutchess
Reg. #02RA6039418
Raymond Peter Raiche
Commission Expires March 27, 2026

AFFIDAVIT TO BE COMPLETED BY APPLICANT/OWNER

State of New York }
County of Dutchess } ss:

Daniel Yadgard being duly sworn, deposes and says:

1. That he/she resides at 610 Stanford Road in the County of Dutchess and the State of New York. That he/she is the Owner / Agent of the Owner of the within property as described in the foregoing application for Subdivision / Site Plan / Special Use Permit approval(s) and that the statements contained therein are true to the best of his/her knowledge and belief.
2. That we hereby authorize Raymond P. Raiche of The Raiche Law Firm, to act as our representative in all matters regarding the application that may come before the Town of Washington Planning Board.
3. That he/she has the legal right to make or authorize the making of said application.
4. That he/she understands that the Town of Washington 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 he/she declares that he/she has examined this affidavit and that it is true and correct.

Applicant/Owner

Applicant/Owner

Notary Public

[Signature]
Sworn before me on the
17th of January, 2023.

NOTARY PUBLIC STATE OF NEW YORK
County of Dutchess
Reg. #02RA6039418
Raymond Peter Raiche
Commission Expires March 27, 2026

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 I. 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: <i>Daniel Yadgard - swimming pool</i>							
Project Location (describe, and attach a location map): <i>Inground swimming pool</i>							
Project Location (describe, and attach a location map): <i>610 Stanford Rd, Town of Washington</i>							
Brief Description of Proposed Action: <i>Inground swimming pool</i>							
Name of Applicant or Sponsor: <i>Daniel Yadgard</i>		Telephone: <i>917-734-3301</i>					
Address: <i>610 Stanford Rd</i>		E-Mail: <i>daniel@the-fndtn.com</i>					
City/PO: <i>Town of Washington</i>		State: <i>NY</i>	Zip Code: <i>12545</i>				
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.			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: <i>ZBA</i>			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		<i>1.74</i> acres					
b. Total acreage to be physically disturbed?		<i>1</i> acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>1.74</i> acres					
4. Check all land uses that occur on, adjoining and 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, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<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	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? If Yes, identify: _____	NO	YES	
	<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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) 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 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? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?			
	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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: _____			
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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 checked="" 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 plain?	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, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<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"/> NO <input type="checkbox"/> YES		

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
_____	<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 AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Daniel Yadgard</u>	Date: <u>1/17/2023</u>	
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?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	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?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

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.
_____	_____
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)

PRINT