

Edmond G. Loedy, Architecture P.C.

PO Box 196, 24 Washington Ave Millbrook, N.Y. 12545 phone (845) 677-3535 fax (845) 677-3592

Letter of Transmittal

TO: Town of Washington Zoning Board of Appeals RE: Proposed Detached Garage WE ARE SENDING YOU VIA: HAND DELIVERY IST CLASS MAIL FAMALL PLANS LETTER	JOB #:	2211			DATE:	June 28, 2	2022	
RE: Proposed Detached Garage WE ARE SENDING YOU VIA:	TO:	Town of Wa	ashington		ATTN:	Kristen Di	Fiore Secretary to	ZBA
WE ARE SENDING YOU VIA: HAND DELIVERY		Zoning Boa	ard of Appeal	S	Email: 2	ZBA@wash	ningtonny.org	
LETTER	RE:	Proposed L	Detached Gar	rage				
COPIES DATE DWG. NO DESCRIPTION 6 6/21/20 Letter of Authorization 6 6/28/22 NYS Short Environmental Assessment Form 6 Legal proof of property ownership 6 Certificates of Occupancy 6 Survey dated 3/22/22, Floor plan, Front Elevation dated 6/24/22 1 6/25/22 Survey dated 3/22/22, Floor plan, Front Elevation dated 6/24/22 \$400 Check for Variance and \$750 Check for Escrow THESE ARE TRANSMITTED: FOR APPROVAL APPROVED AS APPROVED AS APPROVED AS RETURN OF RESUBMIT NOTED PLANS REMARKS: COPY TO: File SIGNED BY: David Holowiak	WE ARE	SENDING Y	OU VIA:	HAND DELIVERY	1ST CLAS	S MAIL	EMAIL	
COPIES DATE DWG. NO DESCRIPTION 6 6/21/20 Letter of Authorization 6 6/28/22 Area Variance Application Form NYS Short Environmental Assessment Form Legal proof of property ownership Certificates of Occupancy Survey dated 3/22/22, Floor plan, Front Elevation dated 6/24/22 1 6/25/22 Survey dated 3/22/22, Floor plan, Front Elevation dated 6/24/22 \$400 Check for Variance and \$750 Check for Escrow THESE ARE TRANSMITTED: FOR APPROVAL APPROVED AS SUBMITTED FOR YOUR USE APPROVED AS NOTED FOR REVIEW REMARKS: REMARKS: COPY TO: File SIGNED BY: David Holowiak		LETTER		MEMO	PRINTS		PLANS	
Letter of Authorization 6 6/28/22		OTHER:	SEE BELOW					
Area Variance Application Form 6 5/2/22	COPIES	DATE	DWG. NO	DESCRI	PTION			
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COPY TO: File SIGNED BY: David Holowiak						JF	RESUBMII	
				REMARKS:				
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	COPY TO:	: File		SIGNED BY:	David Holowiak			
			IS					

Kellie M. O'Brien 11 N. Mabbettsville Rd Town of Washington, NY 12545

July 21, 2020

Re: Proposed Detached Garage at 11 N. Mabbettsville Rd. Town of Washington, NY

Town of Washington Zoning Board of Appeals:

Please be advised that I, Kellie M. O'Brien, hereby authorize the firm of Edmond G. Loedy Architect PC to act on my behalf concerning any and all matters in connection with the proposed garage located on my property on N. Mabbettsville Road, Town of Washington, NY (*DC Parcel* # 331398).

Thank you.

Cordially,

Kellie M. O'Brien

Milbrun



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

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Submitted June 28th, 2022

CALITOI LITTINI ORMATI	914
Dutchess County Tax Map Number (1234-00-123456-0000)	135889-6865-03-331398-0000
Property Street Address	11 N Mabbettsville Rd Millbrook, NY 12545
Number of Acres	0.74 Ac
Zoning District from Zoning Map	HM: Hamlet Mixed Use
Describe the Current Use of the Property.	Residence 1 Family
Is this property located in or near a Wetland or Wetland Buffer?	YESXNO 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?	YES NO
Is this application being made for a violation that currently exists on the property?	YES X 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	Kellie M. O'Brien
Record Owner Mailing Address	11 N Mabbettsville Rd Millbrook, NY 12545
Record Owner Email Address	cimms1@aol.com
Record Owner Phone Number	845-475-7220

NOTE: In <u>addition to the above</u>, 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:	Edmond G. Loedy Architect P.C.
Business Name of Applicant	Edmond G. Loedy Architect P.C.
Applicant Mailing Address	24 Washington Ave Millbrook, P.O. Box 196, NY 12545
Applicant Email Address	ed@edloedyarchitect.com
Applicant Phone Number	845-677-3535

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

Applicant/Owner(s)

X Authorized Representative

S	UMMARY OF AREA VARIANCE REQUEST	
	We are proposing a new detached garage to be constructed on the existing property. The required	
	setbacks do not allow the space required for this new garage.	
- 1		

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 of a detriment to	
nearby properties if granted, because:	
The design of the garage will blend with the architecture of the existing house as well as the	_
architectural character of the neighborhood.	
	_
	_

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:

West Side - this is the rear yard. The sewage disposal system is located at the rear of the house.

Placing the garage beyond the sewage disposal system at the rear of the lot would require a new driveway of about 100 ft.

East Side - this side is the front yard. Placing the garage in the front yard is not in character with the neighborhood. It would block the view of the road; and vice versa. Further it would require the removal of one or two large trees.

North Side - this side abuts the property of Schuyler Woods. Placing the garage on this side would basically require the same setback variance we are requesting for the south side. In addition this location would necessitate a separate driveway to the garage.

Separately, any of the above locations would place the garage quite a distance from the entry doors to the house. Negotiating this distance for a young mother with two young children. groceries and such is difficult and undersirable.

3. The amount of relief requested is not substantial because: The amount of relief requested is substantial however; Ruge's commercial parking area abutts this
property to the south. Approximately 35 feet of this parking area is landscaped. This landscaped area
provides a visual side yard. As noted under item 2 above there is no practical alternate location for the
placement of this garage.
4. The variance will NOT have an adverse effect or impact on the physical or environmental
conditions in the neighborhood or district because:
From Mabbettsville Road the house and garage will appear to have an attactive side yard. Ruge's
commercial operation will not be negatively impacted by a residential garage in this neighborhood.
5. Has the alleged difficulty been self-created? Yes, orX_ No
Why:
The existing house was placed on this site before the current zoning was implemented. The
difficulty was created by the fact that the existing house has no space for a garage within the
required setbacks.
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: 26'-0" x 34'-0"
Dimensions of new second floor: N/A
Dimensions of floor above second level: N/A
Height (from finished ground to top of ridge): 19'-0"

s basement or lowest floor area being constructed	? If yes, please provide height (above ground)
measured from natural existing grade to first floor:	N/A
Submit manufacturer specifications for pools,	
Proposed Alterations or Structural Changes Co	notruction
Proposed Alterations of Structural Changes Co	instruction
Please describe building areas:N/A	
Number of Floors and General Characteristics BEF	FORE Alterations:
N/A	
Number of Floors and Changes WITH Alterations:	
N/A	
alculations of building areas and lot coverage:	
alculations of building areas and lot coverage.	
	property: 1918 Sq. Ft
xisting square footage of existing buildings on your	property: 1918 Sq. Ft.
roposed increase of building coverage: 884 Sq.	
xisting square footage of existing buildings on your	
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roposed increase of building coverage: 884 Sq. quare footage of your lot: 32234.4 Sq. Ft. ercentage of coverage of your lot by building area: urpose of New Construction Barage, there is currently no garage on the property	Ft. 8.6% Total Coverage by building area
roposed increase of building coverage: 884 Sq. quare footage of your lot: 32234.4 Sq. Ft. ercentage of coverage of your lot by building area: urpose of New Construction	Ft. 8.6% Total Coverage by building area y. heavily wooded, marsh area, etc.) on your
roposed increase of building coverage: 884 Sq. quare footage of your lot: 32234.4 Sq. Ft. ercentage of coverage of your lot by building area: urpose of New Construction Garage, there is currently no garage on the property	8.6% Total Coverage by building area y. heavily wooded, marsh area, etc.) on your g the code requirement (s):

ADDITIONAL REQUIRED INFORMATION

copies

Have any prior appeals been ma	ide with respect to	this property?
Such appeal(s) was (were) in the A requested interpretation X A request for a variance		
Name of Owner:	Date	Was appeal granted or denied?
Kellie M. O'Brien	July 24th, 2020	Denied
Please provide copies of previous	y granted appeals.	
Are there any Covenants or Res		
Are the subject premises listed	for sale on the real	estate market?
Are there any proposals to chanYes please e		ntours?
Are there any wetland areas or b	ouffers on the parc	el?
Yes NOX		
Are those wetland areas or buffe application?	ers shown on the s	survey submitted with this
Yes NO Not Ap	plicable	
If your property contains ponds Department for its determinatio Yes NO Not App	n of jurisdiction?	er areas, have you contacted the Building
Does your application require T	own, County, State If yes, provide whic	e, or Federal Permits? h agency and the type of application.
Building Permit		
Has an application been made t		y other entity, and by which agency? Provide

Not Applicable	
Are there any patios, structures, pools or fences that e shown on the survey that you are submitting? Yes NOX	exist on your property that are not
If yes, please provide a plot pian showing all improvements	3.
Do you have any construction taking place at this timeYesNO_X	
Please submit a copy of your building permit and survey as	s approved by the Building Department
Describe the construction:Not Applicable	
Do you or any co-owner also own other land adjoining Yes NO_X_ If yes, please label the pro	
Please list present use or operations conducted at this and the proposed use S	ame with garage
with garage, pool or other)	existing single family, proposed: same
NOTARIZED STA	ATEMENT
By submitting this application, I hereby swear/affirm that th necessary and adequate, and at the same time preserve a neighborhood and the health, safety and welfare of the cor	nd protect the character of the
I further swear/affirm that the information in this application the property for which this request is made.	is a truthful and honest representation of
I further swear/affirm that I will make an appointment with t 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	ST.M. David Holowick Printed Name
	Sworn to before me this 27 day of June , 20 23
LISA AUSTIN NOTARY PUBLIC STATE OF NEW YORK Registration No 01AU6176912 Qualified in Dutchess County Commission Expires Nov 05, 20 23	Place Notary Stamp here:
	Signature of Notary

ZBA AREA VARIANCE CHECKLIST TO BE COMPLETED BY APPLICANT.

Documents are required 21 days prior to a meeting. We suggest submitting earlier than 21 days to ensure the Town has a complete application. If information is missing the appearance before the ZBA will be delayed.

REAL PROPERTY INFORMATION

Dutchess County (1234-00-12345)	y Tax Map Number
Property Street	
. reporty extent	
Check or N/A	
*	A complete application form, neatly printed or typed, signed in ink and six copies.
*	Scaled site plan drawings of proposed project in an 11x17 or larger format, prepared by a NYS licensed engineer or surveyor. Drawings should be folded with the packet and include the name of the property owner and address on the drawings. These drawings can include, but are not limited to, the following: Site plan. Floor plan(s). Elevations.
	Any other details deemed necessary to explain this project. (Copies of pool plans, shed information, etc.)
*	Survey maps of the property with the name of the property owner on the map. The map should be folded to fit in a legal sized file folder. The map must have the grid number legibly written on the back of the map.
*	Legal proof of control of the property by ownership. (Deeds may be obtained from the Office of the Dutchess County Clerk or via the website: https://www.co.dutchess.ny.us/CountyClerkDocumentSearch/Search.aspx
	Certificates of occupancy for the subject premises. If any are lacking, please apply to the Building Department to either obtain them or to obtain an Amended Notice of Disapproval.
*	New York State Environmental Assessment Form. The type of environmental assessment form to be submitted will depend on the scope of work and proposed use described in the application. Please refer to the New York State Department of Environmental Conservation's website at www.dec.ny.gov/permits/357.html for further information as well as printing required forms
*	A set of at least four photographs labeled to show different angles of the yard areas after staking corners for new construction, and/or photos of building area to be altered.
*	Application fee: Four hundred dollars (\$400.00) for the first variance One hundred twenty-five dollars (\$125.00) for each additional area variance (For example, if you need a side yard variance and a rear yard variance the fee will be \$525.00) An escrow fee may be requested by the ZBA. Minimum fee \$750.00. Checks shall be made payable to "Town of Washington" Credit card payments are subject to an additional fee up to 2.95% charged by the credit card processing company.
*	A Flash Drive or PDF of all documents, except the application fee. A PDF may be emailed to ZBA@washingtonny.org referenced as "ZBA Application/Owner's Name"
	A plot plan of all improvements if not shown on the survey map. Owner's affidavit providing permission for someone to act as their agent. Approved Building Permit
*	Permits from other town, county, state or federal agencies. Owner's Endorsement

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:				
Proposed Garage				
Project Location (describe, and attach a location map):			***	10
11 N Mabbettsville Rd Town of Washington, New York 12545				
Brief Description of Proposed Action:				
We are proposing a new detached garage to the existing property. There is currently no garage	age on the property.			
Name of Applicant or Sponsor:	Telephone: 845-677-3535	5		
Edmond G. Loedy Architect P.C.	E-Mail: ed@edloedyarch	nitect.com		
Address:				
24 Washington Ave		77 to to		was allegated
City/PO: Millbrook P.O. Box 196	State: New York	Zip Coo 12545	de:	
1. Does the proposed action only involve the legislative adoption of a plan, loca administrative rule, or regulation?	l law, ordinance,		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the e may be affected in the municipality and proceed to Part 2. If no, continue to ques		at	✓	
2. Does the proposed action require a permit, approval or funding from any other	er government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: Zoning Board of Appeals, Build	ing Department			1
3. a. Total acreage of the site of the proposed action?	0.1 acres			
b. Total acreage to be physically disturbed?	0.2 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	.74 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:		98		
☐ Urban 🔽 Rural (non-agriculture) ☐ Industrial 📝 Commercia	al 🛮 Residential (subur	ban)		
Forest Agriculture Aquatic Other(Spec	cify):			
Parkland				

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?		V	
b. Consistent with the adopted comprehensive plan?		V	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES
			1
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:		V	
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?		V	H
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?			✓
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:			
		✓	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
If No, describe method for providing potable water:			
11 Ivo, describe method for providing potable water.		V	П
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
If No, describe method for providing wastewater treatment:			
		✓	Ш
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district	t	NO	YES
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		V	П
State Register of Historic Places?			
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for	The state of the s	√	
archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?			
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
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		✓	
		V	Ш
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:		
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional		
☐ Wetland ☐ Urban ☑ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or	NO	YES
Federal government as threatened or endangered?	√	
16. Is the project site located in the 100-year flood plan?	NO	YES
	✓	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,		1
a. Will storm water discharges flow to adjacent properties?	V	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:		V
Storm water if any will dissipate within the property (unpaved driveway).		
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)?	NO	YES
If Yes, explain the purpose and size of the impoundment:		
		L
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste	NO	YES
management facility? If Yes, describe:		
	1	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:		
	$ \checkmark $	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BE MY KNOWLEDGE	ST OF	
Applicant/sponsor/name: Edmond G. Loedy Architect P.C. Date: 5/2/22		
Signature: Tanin Helemin Title: President S.P.M.		

Ruge's Millbrook Properties 3692 Route 44 Millbrook, NY 12545

Zoning Board of Appeals Town of Washington 10 Reservoir Drive Millbrook, New York 12545

June 21, 2022

RE: Zoning Board of Appeals, Cimms Application, #2211

Chairman John Paris and fellow Board Members,

Ruge's Millbrook Properties is aware of an application for a variance, being made to the Zoning Board of Appeals by Greg Cimms, for a Garage that will encroach into the 30' required buffer bordering our property on Mabbettsville Road. We do not protest this application nor find any reason such an encroachment will negatively impact our property and recommend the board grant the requested variance.

Thanks for your time and consideration.

Scott Hutchins

Scott Hutchins

Managing Member

Ruge's Millbrook Properties



Town of Washington

CERTIFICATE OF OCCUPANCY

Zoning District: RL - 5		
Certificate No.: #580-9-99		
Location of Property: North Mabbettsville Road,	Millbrook , New York	12545
Deck I have examined the premises described in the "Appermit" No#580-9-99 and find the work performed described in the approved application; therefore, the premise for the purposes described in the "Application for Builde No violations on record. Signature BUILDING INSPECTOR TOWN OF WASHINGTON	is in compliance with the mises may be occupied and ing Permit" No.#580-9-99	work l used
Date Signed <u>September 29, 1999</u>		

Post this Certificate of Occupancy on the property for one month after receipt, so that it may be read by the public.



TOWN OF WASHINGTON BUILDING AND ZONING DEPARTMENT P.O. Box 667, 10 Reservoir Drive Millbrook, NY 12545 Phone (845) 677-3419 Fax (845) 677-1195 www.washingtonny.org

CERTIFICATE OF OCCUPANCY

Certificate No: 02594

Location of Property: 6865-03-331398, 11 North Mabbettsville Rd

Description of the Completed Project:

- Dormer addition to south side of house.
- Type VB Construction
- Assembly occupant load: N/A
- Automatic Sprinkler System Provided: No Required: No
- 470 Square foot dormer, wood framed, vinyl siding, asphalt shingles, wood floor, gypsum board interior finish. Full bathroom. Oil fired hydronic baseboard heat. Wall insulation fiberglass R-19, ceiling insulation fiberglass R-38. NOT TO BE USED AS ADDITIONAL BEDROOM WITHOUT BOARD OF HEALTH APPROVAL.

Signature	James	2	_ Date Signed_	9/27/2021	
	BUILDING INSPECTO	R, TOWN OF WASHINGTON	_		

POST THIS CERTIFICATE OF OCCUPANCY ON THE PROPERTY FOR ONE MONTH AFTER RECEIPT SO THAT IT MAY BE READ BY THE PUBLIC

fown of Washington

Type of Construction _

REPLACE EXISTING 75 FT2

COVERED

FRONT

स्टेड

Owner GREGG CIMMS / KELLIE O'BRIEN

Name of

Grid # 6865 - 03- 331 398

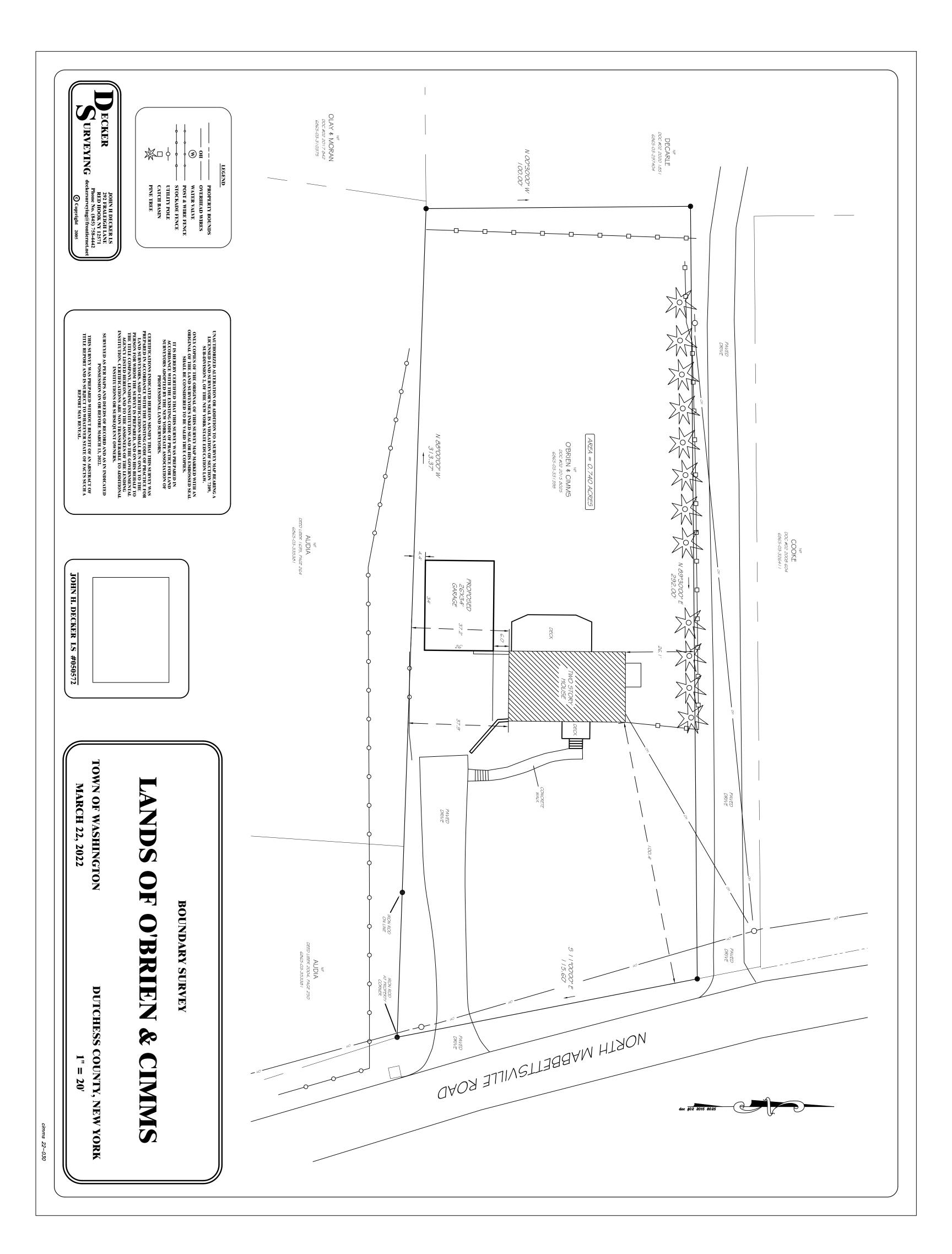
II N. MABETTSVILLE AD

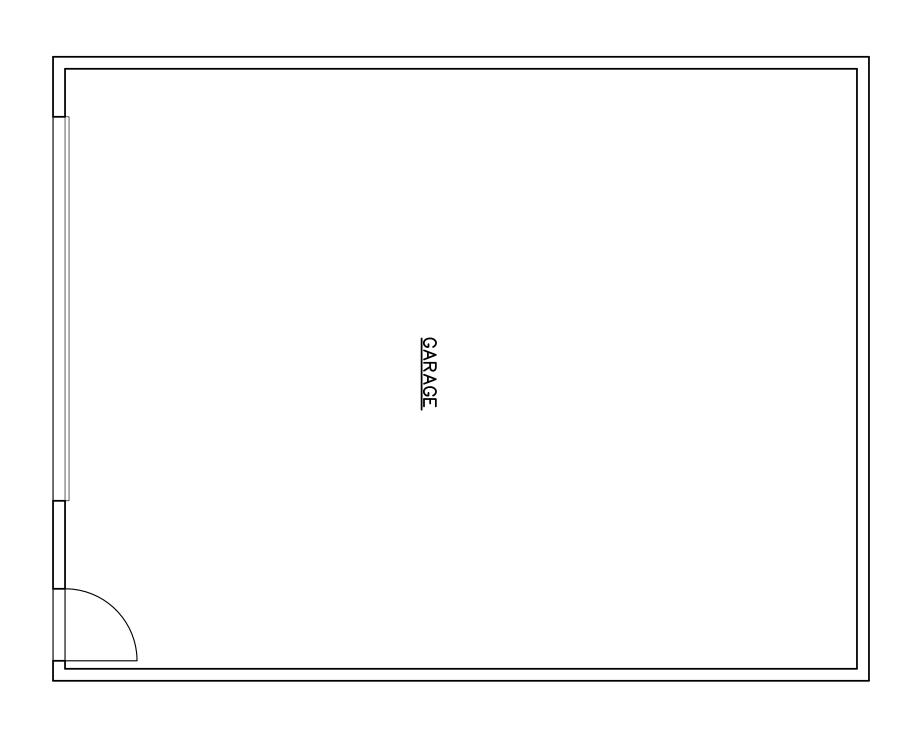
¿

3008

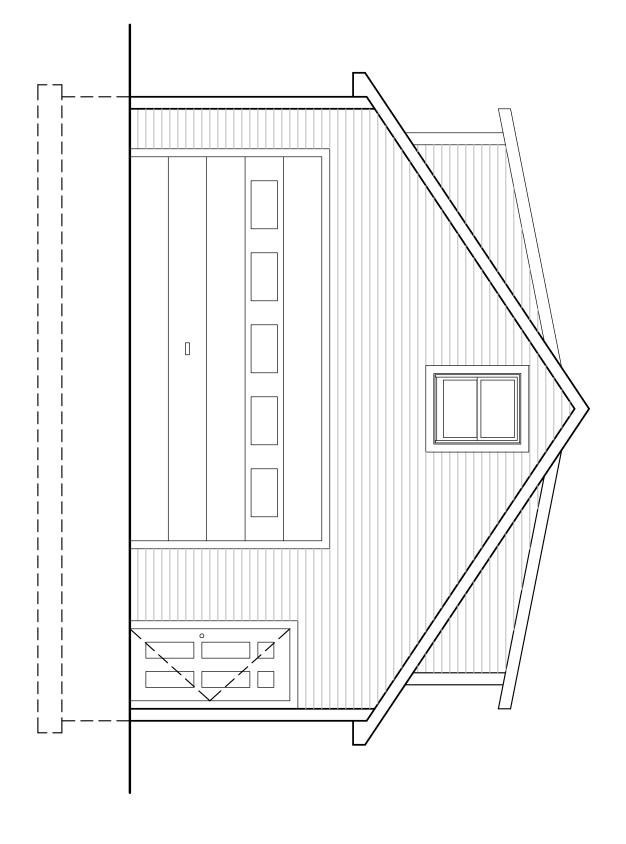
Date_

11/10/2021





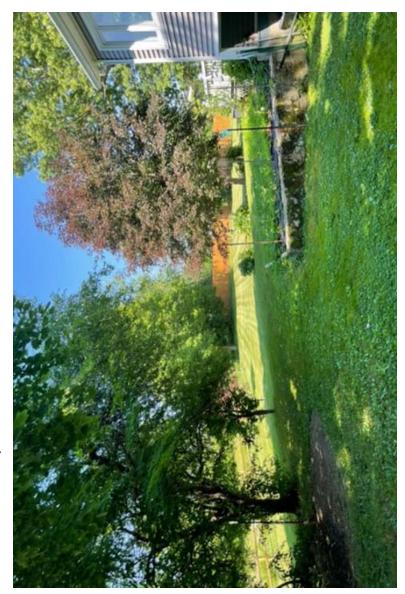
TLOOR PLANSCALE: 1/4"= 1'-0"



EAST ELEVATION SCALE: 1/4"= 1'-0"

	PROPOSED GARAGE	EDMOND G. LOEDY, ARCHITECT P.C.
		P.O. BOX 196, 24 WASHINGTON AVE TEL:677-3535
	11 N MABBETTSVILLE ROAD MILLBROOK, NY 12545	MILLBROOK, N.Y. 12545 FAX:677-3592 INFO@EDLOEDYARCHITECT.COM
·	FLOOR PLAN EAST ELEVATION	DATE: SCALE: 221 1 6/24/22 AS NOTED 21 1
		DRAWN BY: CKD: DH EGL

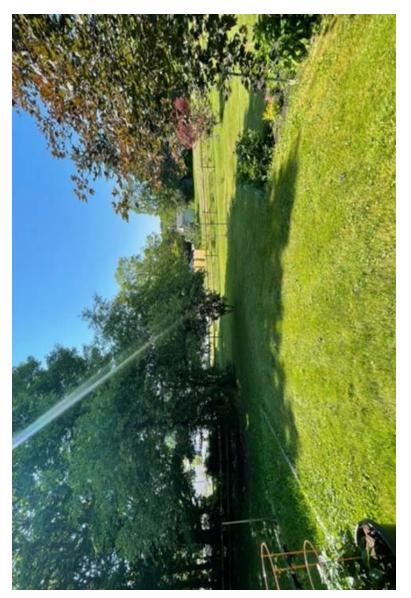
View from driveway.



View from backyard.



View from side yard looking toward Ruge's parking lot.



View from house.

