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March 14, 2022

Mackey Butts & Whalen, LLP
Attention: Joshua E. Mackey, Esq.
3208 Franklin Avenue
Millbrook, New York 12545

RE: *Chattilon – Use Variance Application*
133 Woodstock Road, Washington, New York
Parcel Grid No. 135889-6666-00-110182-0000

Dear Mr. Mackey:

I am writing with regard to the Use Variance application submitted by your client that is currently before the Town of Washington Zoning Board of Appeals (ZBA). The matter is next scheduled before the ZBA on **April 19, 2022**.

As you are aware, the requirements for an applicant to satisfy the “necessary hardship” standard to obtain a Use Variance are strictly applied. In order for the matter to proceed expeditiously through the review process, we ask that you provide the ZBA with documentary proof of the following on or before **April 5, 2022**:

1. Demonstrate, by competent financial evidence, that the applicant cannot realize a reasonable financial return for the initial investment on their property for any of the currently permitted uses in the Zoning District. The financial statement should relate only to the subject property and not to the applicant’s personal finances.
2. Explain how the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood. Explain how the subject property has unique constraints or characteristics not found in other properties in the district or neighborhood. Unique circumstances may include physical features, historical or architectural features, or adjacent uses.
3. Will the requested use variance(s) alter the essential character of the neighborhood? If it will not alter the character, please explain why.
4. Explain how applicant’s need for the use variance(s) was not the result of a self-created hardship.

We draw particular importance to number one (1) above and the required financial evidence that must be provided to meet that requirement. Please contact me should you have any additional questions.

Thank you,

VAN DE WATER & VAN DE WATER, LLP
Attorneys for the Town of Washington
Zoning Board of Appeals

By: Sarah Wilson
Sarah Wilson, Esq.

CC: Zoning Board of Appeals
Town of Washington
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