



**TOWN OF WASHINGTON
BUILDING AND ZONING DEPARTMENT
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Millbrook, NY 12545
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6/28/2022

Dutchess Land Conservancy
P.O. Box 138
Millbrook, NY 12545

To whom it may concern;

This letter is in reference to the property located at 562 Route 343, tax grid number 6864-00-664610, which was the subject of your letter dated June 16th, 2022 requesting to file an application for site plan approval as an "Educational Institution."

After reviewing the relevant definition of an "Educational Institution" in the Town Zoning Code, as well as the supporting documentation provided in your letter, I have determined that the proposed use would appear to be consistent with the Town's definition, in that:

- 1) The 1985 Certificate of Incorporation, Section 3, Subsections B, C and D all support the purpose of the Dutchess Land Conservancy as an educational and research institute.
- 2) The mission statement, educational programs, supplied documentation and Dutchess Land Conservancy website all highlight and support the alleged educational and research functions.

As conversion of the existing structures on the property into a research institute providing research facilities to scholars or scientists would appear to be consistent with the Town's definition of an "Educational Institution", such a use would be permitted only by Special Permit, Subject to Site Plan Approval by the Planning Board.

However, as there is currently a Moratorium on development applications in the RS-10 zoning district in which this property is located, such an application would first need to appeal for a variance or waiver from the Moratorium through the Town Board, in accordance with the procedures described in Section 9 of the Moratorium, and would only be eligible to be considered by the Planning Board if a waiver or variance is granted by the Town Board.

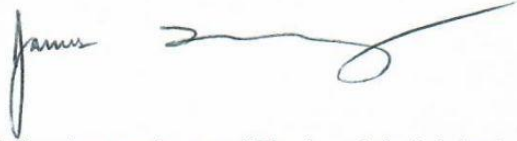
Finally; it should be noted that, as the Zoning Administrator, I do not have the authority to make an interpretation of the code, and can only make a determination based on the documentation supplied. Without a formal interpretation supporting the classification of this proposed application as an "Educational Institution", either the Town Board or Planning Board has the right to refer the application to the Zoning Board of Appeals for formal interpretation.

In order to ensure that any application is able to proceed as smoothly as possible, and to avoid any delays later in the process, I would recommend that an Appeal for Interpretation be sought with the Zoning Board of Appeals as to whether the specific proposed use of this

property would be interpreted as an "Educational Institution" before any appeal for a waiver or variance from the Moratorium is filed, and before an application for a permit and site plan approval is filed with the Planning Board.

Please let me know if you have any questions or concerns.

Sincerely;

A handwritten signature in black ink, appearing to read "James", followed by a long, horizontal flourish that ends in a loop.

Building Inspector and Zoning Administrator