

# Dutchess County Department of Planning and Development

Fax Info Only	To	Date	#pgs
	Co./Dept.	From	
	Fax #	Phone #	

## 239 Planning/Zoning Referral - Exemption Communities

Municipality: **Town of Washington**

Referring Agency: **Municipal Board**

Tax Parcel Number(s):

Project Name: **2023 Town of Washington Comprehensive Plan Update**

Applicant: **Town Board**

Address of Property: **10 Reservoir Dr, Millbrook, NY 12545**

Please Fill in this section

### Exempt Actions:\* 239 Review is NOT Required

- Administrative Amendments (fees, procedures, penalties, etc.)
- Special Permits for residential uses (accessory apts, home occupations, etc.)
- Use Variances for residential uses
- Area Variances for residential uses
- Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals

### No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

Exempt Action submitted for informal review

### Actions Requiring 239 Review

- Comprehensive/Master Plans
- Zoning Amendments (standards, uses, definitions, district regulations, etc.)
- Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)
- Rezoning involving all map changes
- Architectural Review
- Site Plans (all)
- Special Permits for all non-residential uses
- Use Variances for all non-residential uses
- Area Variances for all non-residential uses
- Other (Describe):

### Parcels within 500 feet of:

- State Road:
- County Road:
- State Property (with recreation area or public building)
- County Property (with recreation area or public building)
- Municipal Boundary
- Farm operation in an Agricultural District

Date Response Requested: **3/9/2023**

Entered By: **Gurnett, Clayton**

\*These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.\*

For County Office Use Only

## Response From Dutchess County Department of Planning and Development

### No Comments:

- Matter of Local Concern
- No Jurisdiction
- No Authority
- Withdrawn
- Incomplete - municipality must resubmit to County
- Exempt from 239 Review
- None

### Comments Attached:

- Local Concern with Comments
- Conditional
- Denial
- Incomplete with Comments- municipality must resubmit to County
- Informal Comments Only (Action Exempt from 239 Review)

Date Submitted: **2/10/2023**

Date Received: **2/10/2023**

Date Requested: **3/9/2023**

Date Required: **3/17/2023**

Date Transmitted: **3/17/2023**

Notes:

Major Project

Referral #: **ZR23-045**

Also mailed hard copy

Reviewer: 



## COUNTY OF DUTCHESS

DEPARTMENT OF PLANNING AND DEVELOPMENT

March 17, 2023

To: Town Board, Town of Washington  
Re: **ZR23-045, 2023 Draft Comprehensive Plan Update**

The Dutchess County Department of Planning and Development has reviewed the subject referral within the framework of General Municipal Law (Article 12B, §239-l/m).

### ACTION

The Town seeks to update its Comprehensive Plan by incorporating a new *Appendix C: Hospitality Evaluation Report*, which evaluates the role of hospitality uses within the community in order to form land-use policies to best address these types of uses in a way that is consistent with the stated goals and objectives of both the Town and its residents.

### COMMENTS

- The zoning maps for both the Town and the Village within the 2015 portion of the plan should be replaced with the updated zoning maps that were included in the hospitality report to avoid any confusion as to which maps are currently in use; otherwise include a footnote on the outdated maps pointing to their most recent versions. Any new maps included in the update should be providing sources and dates for the various data layers being utilized.
- The plan points to the appendices for more information regarding the actual notes/findings of the focus group, open house, and town-wide survey that were collected while conducting the hospitality report, which only provides the URL for the Town's website. If these findings are not to be included in the document, consider providing further detail directing the public to where these resources can be accessed on the Town's website (or include a direct link that would be maintained by the Town).
- We support the Town in its consideration for developing Short-Term Rental (STR) regulations. When defining "Short-Term Rental" in the code, the definition should be as clear and concise as possible to avoid potential misinterpretation. For example, "typically less than 30 consecutive days" should instead be "not more than thirty (30) consecutive days". Our department would be happy to assist the Town in this effort and looks forward to reviewing any related amendments to the zoning code once proposed.
- The fact that no significant changes have been made to the zoning code since the comprehensive plan was last updated in 2015 raises questions relating to plan implementation. As this update largely reaffirms the Town's vision laid out in the 2015 plan, emphasis should be placed on how implementation measures may be carried out after adoption. We suggest including additional columns in Figure 7 – Summary Report of Recommendations, that clearly identify priority levels, suggested/projected timelines, and the entities responsible for implementing these recommendations.

- There are several instances throughout the document where collaboration between and Town and the Village is mentioned, but it remains unclear what this would look like in practice. Consider entering into some form of intermunicipal agreement or creating a committee that may formalize and facilitate these efforts, to avoid potential conflicts in land-use policy decisions between the Town and the Village.
- The Town is considering the possibility of creating up to three new overlay districts; two which would be specifically for hospitality uses, and an environmental protection overlay district. We support this in principle and would like to offer the Town our Departments GIS resources and expertise to assist in creating these overlay districts, following completion of the NRI.

#### Specific Comments:

Please note that page numbers reference the page numbers of the PDF file, not the page numbers of the report itself.

- The third sentence of the introduction appears to be missing a word. (Page 4)
- The loop bus system is now referred to as the Dutchess County Public Transit system - Route D runs through Millbrook. The Scenic Bike Trails mentioned here no longer exist as routes have been updated - see <https://gis.dutchessny.gov/bike-dutchess/> - Dutchess Tourism's routes are shown as 'local bike routes'. The Dutchess County Airport is now the Hudson Valley Regional Airport. (Page 40)
- The topic of "agri-tourism" and related uses, such as farm-stays, are only mentioned but not addressed in any specific detail. (Page 73)
- Figure 1 – Zoning Map. The colors used on the map and in the legend are mismatched for the RS-5 & RL-5 districts as well as the RR-10 and RS-10 districts. Sources should be included here for the parcel data being used. (Page 74)
- Citations for the data sources used to create the map shown in Figure 2 should be provided. (Page 77)
- Figures 3 and 5 should include definitions of buildable and non-buildable land, as is done in the maps included in the appendices. (Pages 80, 82)
- It is currently unclear if hotels/motels would be allowed within the proposed hospitality overlay districts as the plan provides contradictory statements regarding this. In some places it is stated that these uses would be prohibited within the overlay, where in others it says that they would be allowed, see pages 87 & 95, while page 85 recommends that the town consider removing these terms entirely.
- The text here references data from 2021, while Figures 1-4 have a timeline which ends in 2020. Data that is now available for 2021 should be included to show that employment had begun to rebound in 2021. Clearly defined data sources should also be included for these figures. (Pages 102-104)
- Table 4 can be updated, as the Department's 2021 Major Projects report has been released since this document was originally drafted. (Page 107)

#### RECOMMENDATION

The Department recommends that the Board rely upon its own study of the facts in the case with due consideration of the above comments.

Eoin Wrafter, AICP, Commissioner

By



Clayton Gurnett, Junior Planner