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To Chairman Paul Schwartz and members of the Town of Washington Planning Board:

We would like to present the following facts to be considered in the matter of Ruges's Chevrolet application for site plan approval. Comments are also included to address the previous submissions to the application by the CAC and others.

The following are some FACTS that should be considered:

1. Fact- The 2 parcels in question are being used legally as an Auto Dealership Display lot. The proof was provided to the board by the Town's attorney at the last meeting.
2. Fact- The parking lot was improved 24 years ago and is an impervious surface. The proof will be provided in attachment (A) showing pictures of the work being performed and the invoice from a local contractor, confirming the fact that the plans presented are maintenance and improvements.
3. Fact- There has been a vehicle dealership in the hamlet for about 100 years. In the 1920's it was Johnson's Garage, in the 1930's it was Alex Doherty's Ford until the Audia's purchased it in 1947 and ultimately moved it to its present location just down the street from its original location in 1957. The first lot on the north side of Route 44 was purchased in 1968 (previous home to the Mabbettsville Hotel) and the other in 1986 (previously Phil Riesdorf's residence and tractor sales and repair shop). The zoning at the time of both lot purchases was Highway Business allowing Auto Dealership use. Lot #2 with the residential house was split between residential and highway business use.

The allowed dealer use section is 285 feet parallel to North Mabbettsville road to the west. Please refer to Jeff Batistoni's submissions from the last meeting. You will also see in attachment (B) the Highway Business zoning map for the Hamlet.

4. Fact- The current zoning is for Hamlet Mixed use and does not allow any further business use without 2X's more residential growth in this Hamlet. There are currently 20 or more businesses operating in the hamlet and only about 11 residential dwellings of which many are rentals. The Auto Dealership is the oldest business in the hamlet and has vehicles parked in the lots for over 50 years, sometimes numbering over 135 units. See attachment (C) .

6. Fact- All auto dealerships have display lots so customers can view the product in the same way as any retail business that sells a product to the public. To hide the vehicles behind trees or fences makes no business sense. It makes common sense to have a solid clean surface to walk and drive on by potential customers as is the same for most retail businesses. These vehicles will be parked on the surface in the future as in the past.

7. Fact- All lighting , water management and landscaping will be improved on by, A.) removing old outdated lighting, B.) creating a very costly engineered and approved water management system. C.) Paving, which will give the property a clean safe surface and not the mud, slop and ruts that exist multiple times throughout the year. D.) Improvement on the current landscape design..

8. Fact- The Auto Dealership operates on a major State Highway that dissects the hamlet which, by the way, has always been dominated by commercial use and or home occupation businesses for over the last 100 years. Even the historical shed behind the residential house on lot #2 was used for the storage and sale of Ice blocks to the hamlet in the 1800's and the main supplier for the hotel and the current corner store.

9. Fact- We are confused about the push back from a select group in our community against these improvements as there are some new, currently constructed, parking areas in and around the Town of Washington (in residential areas) that stay mostly unoccupied and very visible from major highways and over a major aquifer, yet this select group are vocal against this application and not about one that seems to be more of a fit to their concerns.

10. Fact- The dealership has vehicles parked in the lots and they will remain there and cover the surface in the future.

The following are our comments to the CAC submissions:

Page 4.

We feel that most of what has been submitted by the CAC is misleading information and we also believe it should not be considered in relation to this application.

1. Under "historical background" the CAC mentions the comprehensive plan visions for the Town of Washington. We believe in the same visions but to only have a business district in the Village of Millbrook is misleading. We believe the current comprehensive plan did not mean that all current and legal businesses in the town must cease and leave the community if not located in the village. We believe the statement was meant to refer to future business and not legally zoned businesses.

2. Under CAC "discussion" The CAC mentions development styles such as found on Route 9 would not be appropriate or allowed in our town and we also agree but does the CAC want all legal business to disappear in the hamlet of Mabbettsville? They do not seem to understand that the vehicles will stay legally and we believe that the surface they sit on cannot and will not affect the neighbors or the community's right to "enjoy their property".

3. Under CAC "determining permitted uses". This section is totally misleading, false and disturbing to us. The CAC is trying to alarm neighbors by insinuating that the current use is illegal. Please refer to the ruling of the Town's attorney that the use has been legal from day one when purchased by our family. The Lot was not "always and historically" a residential property and as far as becoming more non conforming by the number of vehicles parked, please understand that the dealership historically has had upwards of 150 vehicles on those lots in the 80's, 90's and 2000's, just a fact for those who do not remember.

4. Under CAC "Permitted requirements" . The CAC solicited Natalie Brown of NYSDEC and she admits that " I did not review any of the submissions" so she does not know the history of the properties as to use and improvements.

We urge the board to refer to Ruge's engineer for further comment on the disturbance and not a random statement from someone who did not review the history or the application and documents. The CAC also solicited comment from Brian Scorlick of the DC soil and water and he quotes some rules and regulations but no mention of his review of the project. He, in turn, does not know the history of the lot's surface nor does he mention reviewing the project with the engineer for the Ruge's application. We believe this is also an attempt to mislead without seeing the facts.

5. CAC "submission as to the percentage of the lot surface allowed to be covered under town zoning". Again the CAC characterizes the lot as a residential property without checking the facts. The zoning in effect at time of purchase and use as a commercial Auto dealer display lot was and is legal. Again totally non researched and misleading statements as to bulk area regulations.

6. CAC "submission for Lighting" . The Ruge's plan for lighting will conform to the zoning. Chazen Engineering and Mr. George Cronk have studied the lighting plan and have commented about the compliance, so we urge the Planning Board to review the findings of Mr. Cronk. We also believe there will be no effect on Noise, Smoke, fumes, dust, Odor, Glare and Storm Water runoff . Some of the above will be greatly improved and others simply do not apply at all.

7. CAC "submission of section 485" These two lots in question were purchased for auto display and used for that purpose from day one and not a customer parking lot .

8. CAC "submission on section 335 of Town Code" We would urge the planning board to ask and refer to the Ruge's engineer for questions regarding this section.

9. CAC "Environmental Concerns". We know the Village of Millbrook's water supply is monitored for any harmful carcinogens so if paving with asphalt is going to harm the neighbors and village water supply it seems improbable as the State of NY has recently paved about 15 miles of route 44 with thousands of tons of asphalt above streams , water courses and near local wells with no reports of any contamination.

10. CAC "case for porous paving or other alternative solutions" The CAC begins with the false statement that the lots are above a primary aquifer. They are not in the town's aquifer and it is common and obvious knowledge that Auto Dealers lots and most commercial parking lots use asphalt as the preferred surface.

In summation of our comments to the CAC submissions we will reinstate that the lots are pre-existing "highway business" lots when purchased and used conforming at this time within all current zoning rules as a grandfathered use. The CAC says we should be held to the "existing code" which would mean that the dealership needs to go away as it would not be allowed in the hamlet under current zoning. To make that statement should negate all of the CAC comments to the planning board.

The following are our comments to Mrs. Howlands submissions:

1. Mrs. Howland comments to section 107. We believe the paving of the display lot at the dealership does not pose a threat to people's "Privacy", does not create "Nuisance" and does not become an " Obtrusive Noisome land use". We cannot imagine covering the display lot with asphalt vs. mud, slop and ruts would create a privacy issue, create a nuisance and become a noisome land use, as the use will not change what it has been for many years.

2. Mrs. Howland references section 485, 7D. We believe this section of our code is making reference to public parking lots or newly created business lots for customer parking and does not refer to the dealership display lot that has been in constant use for many years.

3. Mrs. Howland references hamlet mixed use designation. The dealership and the display lots fall under the zoning in effect when purchased and used and does allow for AUTO DEALERSHIP use. The use will not change and therefore this is not a relevant submission.

4. Mrs. Howland states that there were 63 vehicles on the lot August 19. We have historically displayed upwards of 150 vehicles since the lots were purchased , numbers changing based on the availability from the manufacturer. This submission should not be considered in that it is common knowledge that due to the pandemic the assembly plants were not producing vehicles for many months. Many auto suppliers were also affected, thus sparse dealer inventories.

5. Map#3 of town zoning. The Lots are not over an aquifer .

6. There are no large impacts with this project and it is normal and customary to surface, with asphalt , of an auto dealer display lot and, in fact, considered " improvement and maintenance".

7. Mrs. Howland on "Water Quality". We have mentioned the Village "water quality testing" before and after 1000's of tons of asphalt used by NYState and other local entities were applied and in fact there was no change in water quality and no reported neighboring issues with wells.

8. The Ruge's will use a sustainable design.

9. The plan provides for landscape area improvements but not designed to hide the vehicles as the use for the lots are for VEHICLE DISPLAY as in the past.

10. The asphalt parking area for vehicle display will not harm the water quality or alter the character of the hamlet as it is composed of mostly commercial uses and the use will be the same as it has been for over 100 years in the hamlet of Mabbettsville.

The following are our comments to Mr. and Mrs. DeCarle.

We would like to welcome you to our Town. That said we would like to make it clear that the Auto Dealership and Vehicle display lot are not something added to the hamlet as of recent years. It has been in constant use for many years before you purchased your residence here. The paving of the lot will not affect "the wooded vistas", "sunsets", "star filled sky" "or the "wildlife".

If you think the Ruge's engineered water management plan is insufficient we are sure they would be glad to look at any study or engineering plan that you would like to put forth in its place, as the State of NY and the County of Dutchess has approved the current plan as submitted. We also believe that the new lighting and water management plan will greatly improve what is present now.

You also seem to think this is a further commercialization of the area. As we have mentioned before the Hamlet is composed of multiple business entities and an Auto Dealership and repair shops have existed for over 100 yrs. We would have hoped you would have observed this before your move to this neighborhood.

There will be no additional commercialization added to the hamlet with this project and we believe it will be an improvement to your concerns. We hope you enjoy your retirement here as it is a wonderful place to live.

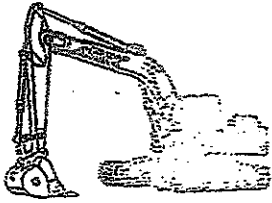
In summation of the previous facts and responses to the letters sent to the Town Planning board we would like to state that we know the Chairman and members of the planning board volunteer their time and expertise to be fair in the difficult task of upholding our zoning code, and to that end, we are thankful for your heroic efforts.

We were born and raised in the hamlet of Mabbettsville and still reside in this wonderful town and village. We both have strived to give back and contribute to the wellbeing of all that reside here and we would hope and believe that the planning board will take a hard look at all the facts presented and of the Audia's and Ruge's deep commitment to this community along with the long history of the Audia properties.

We are saddened that some feel the look of asphalt is displeasing but it will be mostly covered by vehicles and hardly visible . It should be more attractive than mud, slop and ruts that exit most of the yr.

It is our profound belief that this project has more benefits to the hamlet than negatives, if any. Based on the willingness of the Ruge's organization to present to the planning board a comprehensive plan for the lot improvement balanced by the dealers contributions to the continued economic welfare of the Town of Washington we feel this project should be granted approval by the planning board.

Respectfully submitted,
Robert Audia
Peter Audia
R&P Realty LLC.



MURPHY
Inc.
Excavating
Septic Pumping

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William F. Murphy

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7/25/96

Audie Motors,

Parking Lot (34,000 sq. ft. approx)

- Remove Chain Link Fence
- Strip Top Soil
- Truck Approx. 125 loads Broken Gravel 575 Yds.
- Graded - Treated - Rolled

Complete Excavation - Materials - Labor 9500.00

William F. Murphy

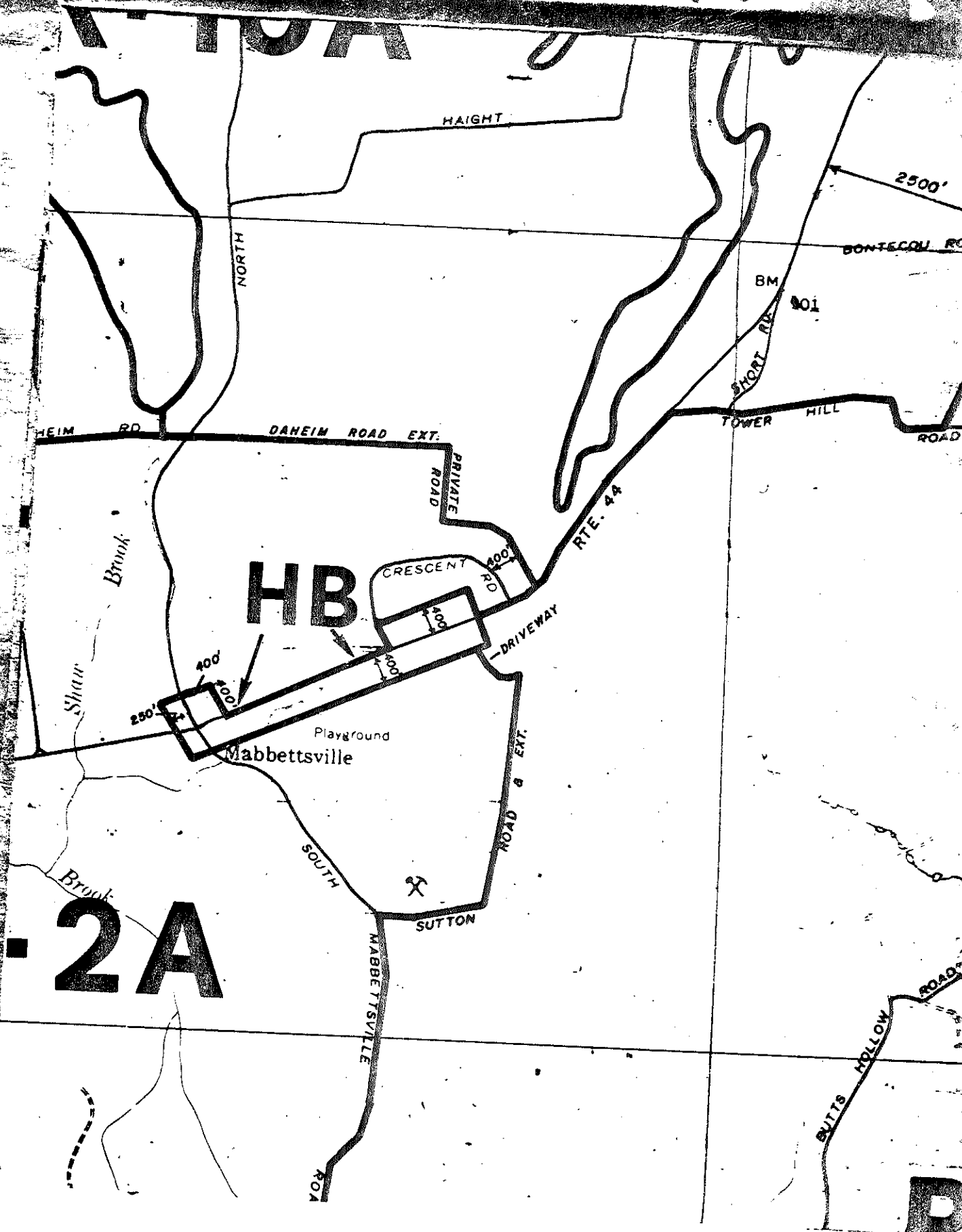
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\$9500.00

~~XXXXXXXX~~ ATTACHMENT A-2





TOWN OF WASHINGTON
Attachment "B" HWY. BUSINESS








~~2000 TC~~
YR-2000

Explore Time-Lapse Terminology

Explore Dutchess County

-  Explore the map on your own or select places of interest from the list on the right.
-  Compare imagery from different time periods using the slider bar.
-  Change imagery using the dropdown menus at the top of the map.

