

April 18, 2022
To: Town of Washington ZBA
George M Taylor & Son Inc.
23 Taylor Road and 24-32 Tinker Town Road
Tax Parcel Nos. 7063-06-397993 and 7063-06-371999

Re: Possibility of Wetlands Permit Requirement

Background

This application was discussed at prior CAC meetings as well as by the Town Board. There were concerns about noise pollution, air pollution and water pollution, which had been expressed by neighbors to the ZBA at the January 18, 2022 meeting. The ZBA has also received two letters of concern from the CAC on this application, dated March 3, 2022, and April 11, 2022. The issue is originally before the ZBA due to a Notice of Apparent Violation (NOAV) dated June 21, 2021 issued by the Town Code Enforcement Officer, alleging Taylor Oil and Propane (Taylor) was using their premises in part for "storage, maintenance and operation of concrete delivery trucks, related equipment and supplies without a special use permit or use variance, which is a substantial change of use from the existing legal nonconforming use."

The Town Board volunteered that several years ago they had requested Taylor move operations involving a cement business to another location, and it was their impression that Taylor had complied with that.

The Town Board also volunteered that in the past they had previously dealt with concerns about inappropriate uses on residentially zoned properties. The Taylor property is in a residentially zoned district, but it is being used as a commercial, nonconforming, grandfathered Oil and Propane business. The application before the ZBA stems from the above mentioned NOAV for a cement business operation which is not a preexisting grandfathered use on this property, unlike their oil and propane business, which is. It appears to be a relatively recent use started by Taylor, on this property, which is already zoned for a different preexisting non conforming use – an oil and propane business, not uses related to a cement business.

At issue in this CAC advisory document, (irrespective any other issues that may involve this application), is the possible need for a Wetlands Permit application, if this application goes forward.

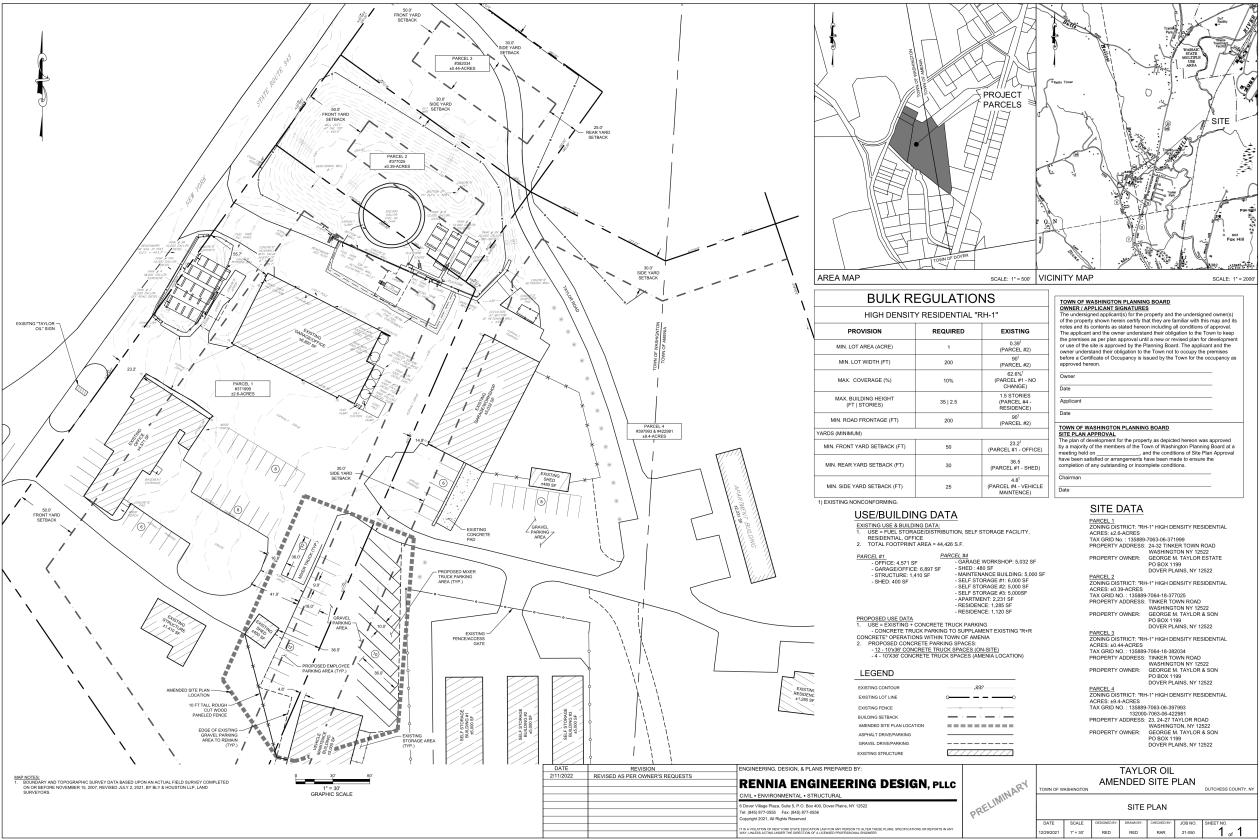
At the January 18, 2022, ZBA meeting Taylor Attorney Josh Mackey suggested coming back with a Site Plan showing a proposed location on this site for use by cement trucks from the Taylor's cement business, a separate, independent company, presently located elsewhere, outside the Town of Washington. See Page 2 - for said subsequently submitted proposed site plan from Attorney Mackey.

There are wetland features (NWI wetlands - streams, and a Primary Town Aquifer) located at the edge of the proposed new Cement Truck site. See Pages 3 and 4. It is difficult to tell from the Taylor site plan (Page 2) if their proposed project is with in the 100 foot wetlands buffer of these features or not. But based on the below maps they may be close enough for the CAC to recommend a field determination by a certified wetlands delineator. If so, a wetlands permit application would be required, if this project is going to be considered for review.

Recommendations

Determine if a Wetlands Permit is needed in this instance.

Howard Schuman, Member TOW CAC



4:39 PM Tue Apr 12
gis.dutchessny.gov

ParcelAccess
Filter Searches by Area of Interest
Town of Washington

Map Components
☒ Aerial
☐ Terrain
☐ Flood Areas
☐ Parcel Text
☐ Address #
☒ Wetlands

Identify

Measure

Address Lists

Buffer(ft): 100

Print Map

Wetlands Legend

NYS DEC [info](#)
Fed. NWI [info](#)

Parcel
Owner
Address

Last Name: Taylor
First Name:

This search is within:
Town of Washington
GO

OWNER SEARCH RESULTS
3 matches have been found for:
Taylor,

Owner Information:
Taylor, Giovanna Mugrace
58 Route 343
Washington
Zoom Select

Owner Information:
Taylor, Timothy
58 Route 343
Washington
Zoom Select

Owner Information:
Taylor, George
24-32 Tinker Town Rd
Washington
Zoom Select

According to the latest (prepared 2006) Town of Washington Aquifer Map, The Taylor Property contains a Primary (light gray) and a Secondary (darker gray) aquifer. The blue lines are nearby streams which may be in part fed by these aquifers. It is also possible that nearby wells may make use of these aquifers.

