

TOWN OF WASHINGTON PLANNING BOARD

10 Reservoir Drive ● P.O Box 667 Millbrook, NY 12545 ● (845) 677-3419 EXT 112 ● planningboard@washingtonny.org

COMBINED PLANNING BOARD APPLICATION

Submit Application and four copies, together with all required additional documentation and fees, to:

Planning Board Secretary Town of Washington 10 Reservoir Drive Millbrook, NY 12545 T: (845) 677-3419, Ext. 112 F: (845) 677-2085

With electronic copy (including all maps and forms) to:

Planning Board Secretary planningboard@washingtonny.org

The digital copy shall be in a pdf, jpeg or other suitable write-protected image format capable of being opened and viewed using standard Windows-based software.

Name of Applicant(s):	
Business Name:	
Address:	
Telephone:	_Email Address:
Name of Record Owner(s) of Property: _	
Address:	
Telephone:	_ Email Address:

Before completing the next page, review the Town Zoning Map found at <u>https://www.dutchessny.gov/Departments/Planning/Docs/washington.pdf</u> to determine your Zoning District, which will be one of the following:

RR-10 Rural Residential	RL-5 Low Density Residential	RH-1 High Density Residential	HM Hamlet Mixed-Use
RS-10 Rural Residential	RS-5 Low Density Residential	RM-2 Medium Density Resident	ial

REAL PROPERTY INFORMATION: Complete a box for each lot which is involved. Copy and attach more sheets if more than 3 parcels.

Dutchess County Tax Map Number	
(1234-00-123456-0000)	
Name of Property Owner	
Property Street Address	
Number of Acres	
Zoning District from Zoning Map	
Describe the Current Use of the Property	
Is this property located near or in a buffer area	YESNO
next to a wetland, waterbody or watercourse?	May require a Town Wetlands Permit or be ruled by the
	Aquifer Protection Requirements
Is this property within 500 feet of the	
boundary of the Village of Millbrook?	YESNO

Dutchess County Tax Map Number	
(1234-00-123456-0000)	
Name of Property Owner	
Property Street Address	
Number of Acres	
Zoning District from Zoning Map	
Describe the Current Use of the Property	
Is this property located near or in a buffer area	YESNO
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boundary of the Village of Millbrook?	YESNO

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(1234-00-123456-0000)	
Name of Property Owner	
Property Street Address	
Number of Acres	
Zoning District from Zoning Map	
Describe the Current Use of the Property	
Is this property located near or in a buffer area	YESNO
next to a wetland, waterbody or watercourse?	May require a Town Wetlands Permit or be ruled by the
	Aquifer Protection Requirements
Is this property within 500 feet of the	
boundary of the Village of Millbrook?	YESNO

- I. The following must be answered for **ALL APPLICATIONS**:
 - A. APPROVAL REQUESTED FOR (check all that apply):

Special Use Permit		Preliminary Subdivision Plan	
Sketch Plan		Lot Line Revision	
Site Plan	X	Final Subdivision Plan	

- B. All applications must include all of the following documents. (Please mark with a check to indicate that each is enclosed)
 - _____ A copy of the current deed of each property.
 - _____ Any easements affecting all parcels involved in the proposed activity.
 - _____ A recent survey.
 - If the project involves any construction, locate all water or wetlands [streams, creeks, ponds, or marshes] on the property on the survey.
 - A recent aerial photo at a scale of 1:200 or less with the relevant tax parcels delineated. (This can usually be found using Dutchess Parcel Access as long as all current structures are shown).
 - _____ Owner's Endorsement <u>file.html (washingtonny.org)</u> note ALL owners must sign, including both spouses.
 - _____ Consent to Inspection file.html (washingtonny.org)
 - _____ Section 809 Ethics Statement
 - _____ Environmental Assessment Form (EAF) for SEQRA review.
 - Complete Short Form EAF under SEQRA, which can be found at

https://www.dec.ny.gov/docs/permits_ej_operations_pdf/seafpartone.pdf.

This Short Form EAF may also be filled out using the EAF Mapper Tool which creates the form as you go. <u>See https://gisservices.dec.ny.gov/eafmapper</u>. After initial review, the Planning Board may require a long form EAF.

- C. The following documents may be required, if applicable. (Please mark with a check to indicate which, if any, are enclosed)
 - Agricultural Data Statement (found at <u>https://washingtonny.org/document-</u> <u>center/planning-board-minutes/planning-board-forms-general-information/1688-</u> <u>agricultural-data-statement-pdf/file.html</u>) This document is required if any portion of the project is located on property within an agricultural district containing a farm operation, or on property with boundaries within five hundred (500) feet of a farm operation located within an agricultural district. If this is applicable, what Agricultural District is the property in? ______ Wetland Permit Application (found at <u>https://www.washingtonny.org/document-</u> conter/planning_board_minutes/planning_board_forms_general_information/planning_

<u>center/planning-board-minutes/planning-board-forms-general-information/planning-board-application-forms-general-information/33-wetland-permit-form-1/file.html</u>
 Please review Zoning Code Section 396 to determine if a permit is required in your specific instance.

A Wetlands Application <u>may</u> be required if the proposed activity is:

- within 50 feet of the boundary of a wetland that is at least ¼ acre in size but less than 1 acre; or
- within 100 feet of a boundary of a wetland that is at least 1 acre in size; or
- Within 100 feet from the high water mark of a perennial watercourse or waterbody; or
- within 50 feet from the high water mark of the identified channel for an intermittent watercourse.
- D. Detailed description of proposed activity: Continued use of preexisting non-conforming single family residence with new front porch.
- E. Are there agricultural and /or forestry exemptions affecting the property? Yes _____ No $\frac{X}{2}$ If yes, please list in detail:
- F. Total acreage involved in the application. 5.2
- G. Total contiguous acreage controlled by the applicant/owner. 18.1 (This includes lands owned by family members of the applicant and any corporations, partnerships, limited liability companies, or other entities in which the applicant has an interest.)

List each contiguous property:

Dutchess County Tax Map Number (1234-00-123456-0000)	135889-6765-00-381645-0000
Name of Property Owner	"Apple Farm LLC"
Property Street Address	Valley Farm Road
Number of Acres	8.3
Dutchess County Tax Map Number (1234-00-123456-0000)	135889-6765-00-421598-0000
Name of Property Owner	"Apple Farm LLC"
Property Street Address	Valley Farm Road
Number of Acres	0.34
Dutchess County Tax Map Number (1234-00-123456-0000)	
Name of Property Owner	
Property Street Address	
Number of Acres	
Dutchess County Tax Map Number (1234-00-123456-0000)	
Name of Property Owner	
Property Street Address	
Number of Acres	
Dutchess County Tax Map Number (1234-00-123456-0000)	
Name of Property Owner	
Property Street Address	
Number of Acres	

Daniel Contelmo

- H. Total number of existing structures (including houses, detached garages, sheds, barns or any other building structure). 2
- I. Types of existing structures (list): single family residence, barn

J. Total square footage of all new construction.

K. Estimated value of new construction or addition.

L. Type of construction or activity proposed (check all that apply):

New construction:	Expansion:	
Residential	 Residential	X
Commercial	 Commercial	
Institutional	 Institutional	
Home occupation	 Change in use	
	Other:	

M. If any of the following professionals are involved in the proposed project or activity, please identify and provide contact information:

Professional Engineer	Licensed Land Surveyer
Name: Address:	Name: Address:
Email Address: Telephone Number:	Email Address: Telephone Number:
Attorney	Other Type of
Name:	Professional:
Address:	Name:
	Address:
Email Address:	
Telephone Number:	Email Address:
	Telephone Number:

N. Does this application require approvals from any other organization or entity (for example, i.e: NYS DOT, Dutchess County Board of Health, Dutchess County Department of Transportation, the Village of Millbrook)?

Yes _____ No \underline{X} If yes, please identify the organization and whether an application has been made to them.

For **SUBDIVISION AND LOT LINE ADJUSTMENT** applications, please also answer the following:

A. LOTS

Number of lots proposed: _____ Size of the smallest lot proposed: ______ Size of the largest lot proposed: ______

B. **DRIVEWAYS**

Number of private driveways proposed: ______ Number of common driveways proposed: _____ Maximum number of lots served by a common driveway: ______

- C. Preliminary Plat includes ______ acres and tentatively includes ______ future lots. The amount of area shown on this Preliminary Plat proposed to be dedicated for future public use (exclusive of roads) is ______ (define your measure in acres or square feet).
- D. Does subdivider intend to request any waivers or variances from the Subdivision Regulations upon submission of Final Plat for approval? No_____ Yes ____
- E. Does subdivider intend to submit a single subdivision plat for filing with the County Clerk for all property in the Preliminary Plat? Yes _____ No _____ If no, state the number of sections to be filed. ______

III. FEES AND ESCROW

A. Application Fee and Escrow Deposit

An Application Fee and an initial Escrow Deposit for the amounts listed in the chart on the next page for your type of application must be included with this application.

Fees are payable to the "Town of Washington" and are due at the time the application is submitted.

	Fee Type	Amount	Amount Due	Date Paid
ES	CROW FEE (DUE FOR ALL APPLICATIONS)			
Ini	tial Escrow Deposit:	\$1,500.00		
	Plus the below amount:			
	Projects under \$10,000.00 in development costs	\$2,000.00		
	Projects with \$10,001.00 - \$50,000.00 in development costs	\$5,000.00		
	Projects over \$50,001.00 in development costs	\$10,000.00		
LO	T LINE CHANGE APPLICATION FEE			
	Up to 5.99 acres	\$600.00		
	6.0 - 15.99 acres	\$900.00		
	16.00 acres or greater	\$1,200.00		
SI	TE PLAN APPLICATION FEE	\$600.00		
SP	ECIAL USE PERMIT FEE	\$600.00		
W	ETLANDS PERMIT FEE	\$600.00		
SU	IBDIVISION:			
Pre	eliminary Approval - Minor: Up to 4 Lots			
	Application Fee:	\$750.00		
	Fee Per New Lot	\$250.00 per lot		
	Final Approval	\$750.00*		
	Final Approval Up to 4 lots	\$200.00 per lot*		
	Recreation Fee Per New Lot	\$4,000.00 per lot		
Pro	eliminary Approval - Major: 5 or more lots			
	Application Fee	\$850.00		
	Fee Per New Lot	\$250.00		
	Final Approval	\$850.00*		
	Fee Per New Lot	\$200.00 per lot*		
	Recreation Fee Per Lot	\$4,000.00		

* To be paid whether or not the Planning Board waives the requirements for Final Approval.

The applicant will periodically be advised as to the need to replenish the escrow account. Any unexpended escrow deposit will be returned to the applicant at the completion of review of the application.

Please note here the total amount of the check you are including for the Application Fee and Escrow Deposit.

_{\$}2,100.00

Dated: 6/10 rill

Signature of Applicant

Signature of Owner (if different)



TOWN OF WASHINGTON BUILDING, PLANNING & ZONING 10 Reservoir Dr, PO Box 667 Millbrook, NY 12545 845-677-3419

Building Permit

Planning Board Application

Consent to Inspection

The undersigned, does hereby state:

Appie Farm, LLC	and
Owner Name	Owner Name
That the undersigned is/are th	e owner(s) of the premises in Town of Washington, located at
97 Valley Farm Road, Town of W	ashington, NY which

is shown and designated on the Dutchess County Tax Map as:

$135889\hbox{-}6765\hbox{-}00\hbox{-}414655\hbox{-}0000$

That the undersigned (has) (have) filed, or cause to be filed, an application with the Town of Washington for the following:

Assessment Review

Municipal Search

X Zoning Board of Appeals Application

That the undersigned do(es) hereby give consent to representatives of the Town of Washington, including but not limited to the Building Inspector, Zoning Administrator, or Assessor of the Town of Washington to enter upon the above described property, including any and all buildings located thereon, to conduct such inspections as they may deem necessary with respect to the aforesaid application, including inspections to determine that said premises comply with all of the laws, ordinances, rules, and regulations of the Town of Washington. The time and date of the inspection will be scheduled in advance with the property owner or their representative. **Failure to schedule an inspection will delay your project.** Call the Building Department: 845-677-3419, ext. 112

X

That the undersigned, in consenting to such inspections, does so with the knowledge and understanding that any information obtained will be used in conjunction with the application, and may delay your application if violations of the laws, ordinances, rules or regulations of the Town of Washington have been identified, and that your assessment may be increased based upon information found in the site inspection. Andres Bernal

Contact person for inspection:		
Phone Number for Contact Person:84	45-392-3484	
ho pm	migh	
Signature	Signature	
Hillel Praser Mar	· · · · · · · · · · · · · · · · · · ·	
Print Name	Print Name	
Date:	Date:	
Inspection Date:	Time:	

TON	Washington	TOWN OF WASHINGTON PLANNING BOARD 10 Reservoir Drive • P.O Box 667 Millbrook, NY 12545 • (845) 677-3419 EXT 112 • planningboard@washingtonny.org	
	AFFIDAVIT TO BE COMPLETED BY AGE	ENT OF OWNER	
	ate of <u>New York</u> } unty of <u>Dutchess</u> }		
	aniel Contelmo	lly sworn, deposes and says:	
1.			
	to make such application and that the foregoing statements of his/her knowledge and belief.	·	
2.	in the county of		
3.		n property as described in the	
	foregoing application for Planning Board approval and that th true to the best of his/her knowledge and belief.		
4.	That he/she understands that the Town of Washington Planni	ing Board intends to rely on the	
	foregoing representations in making a determination to issue the requested applications and		
A	approvals and that under penalty of perjury he/she declares t and that it is true and correct. Agent/Owner Daniel Contelmo	hat he/she has examined this affidavit	
Not	Kaitlynn Vazquez		

Comm; HH 362185 Expires: February 14, 2027 Notary Public - State of Florida



TOWN OF WASHINGTON PLANNING BOARD PlanningBoard@Washingtonny.org

> 10 Reservoir Dr, PO Box 667 Millbrook, NY 12545 845-677-3419

> > 27

THIS DOCUMENT MUST BE SIGNED BEFORE A NOTARY PUBLIC

PLEASE NOTE: If ownership is held by a corporation, LLC, jointly or in partnership, each owner and/or partner must sign a separate owner's endorsement.

OWNER'S ENDORSEMENT

STATE OF NEW YORK)				
COUNTY OFDutchess) ss: Hillel Presse	er Many M	ng duly sworn, deposes and says:		
l am: (check one)1.		he sole owner in fee (One individual on the tax roll)		
	_2. a	a part owner in fee (Two or more individuals on the tax roll)		
		an officer of the corporation which is the owner in fee of the premises described in the foregoing application.		
	4. 0	designated party authorized to act pursuant to a trust or legal document. (Trustees listed on tax roll)		
	5. r	nember/owner(s) of Limited Liability Corporation (LLC).		
	estamentary, l	a proof of authority (i.e.: Corporate Resolution, Surrogate Letter, Executor Letter of Administration, Attorney-Opinion Letter, Letter or Probate, Power		
City Boca Raton		State FL Zip 33496		
Daniel Contelmo				
Daniel Contelmo Architects of (Company)				
Town of Washington for approval as described herein for the property located at 97 Valley Farm Road				
Property ID #135889-6	765-00-414655	5-0000.		
Kaitlynn Vazquez Comm.: HH 362185 Expires: February 14, 2027 Notary Public - State of Florida				
Kaittepurayay	1 Beach Nota	ry Stamp: commission expires:		
Proof of Authorit	y is attached	. Type of Authority:		

MEMORANDUM OF ORGANIZATION OF LIMITED LIABILITY COMPANY

The persons signing this Memorandum below (the "Members") are the Members of Apple Farm, LLC, a New York limited liability company (the "Company"), which was organized on July 24, 2023. Each Member has made a capital contribution to the Company and owns the percentage interest in the Company indicated next to the Member's signature below. The Members currently have no operating agreement, and agree for the time being to be governed by the default provisions of the New York Statutes. The Manager of the Company is Hillel L. Presser. The Manager has the authority to sign for and on behalf of the Company all contracts and agreements, including all loan documents to secure necessary funding from a bank and to open company bank accounts.

Dated: July 24, 2023.

Member Name and Signature

Percentage Interest

Harmonious Melody Group, LP By: Watchman Group, LLC, it's General Partner

100%

Hillel L. Presser, Manager

By: Hillel L. Presser, Manager

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS (INDIVIDUAL OR CORPORATION)

THIS INDENTURE, made the 30 day of Used, 2023,

BETWEEN TIMOTHY A. CLEAR and JOHNA LEE CLEAR, residing at 36 Etheridge Road, White Plains, NY 10605,

party of the first part, and

APPLE FARM, LLC, a New York Limited Liability Company, with an address for the transaction of business at 6830 N. Federal Hwy., Boca Raton, FL 33487,

party of the second part;

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and No Cents (\$10.00), lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever;

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Washington and partly in the Village of Millbrook, County of Dutchess, State of New York, more particularly described in schedule A attached hereto;

BEING AND INTENDED TO BE the same premises conveyed by Deed dated February 1, 2012 from Linda M. Fallon as Administratrix of the Estate of Laura Sciessere, Deceased, to Timothy A. Clear and Johna Lee Clear and recorded in the office of the Dutchess County Clerk on February 16, 2012 as Document Number 02-2012-694.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above-described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

 Dutchess County Parcel Grid #'s 135889-6765-00-414655, 135889-6765-00-381645, 135889-6765-00-421598,

 135889-6765-00-395588, 135801-6765-00-425587, and 135801-6765-00-407580
 NYSBA's Residential Real Estate Forms (9/00)
 © 2020 Matthew Bender & Co., a member of the LexisNexis Group.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

TIMOTHY A. CLEAR

HNA LEE CLEAR

STATE OF NEW YORK

COUNTY OF Dutchess

On the 22 day of <u>August</u> in the year 2023, before me, the undersigned, personally appeared Timothy A. Clear and Johna Lee Clear, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity(ies), and that by his/her signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

) ss.:

(signature and office of individual taking acknowledgment)

Colleen G. Howland Notary Public, State of New York Qualified in Dutchess County Reg No.: orHO6416673 Commission Expires April 19, 20 0 5

Record and Return By Mail To:

Kelly L. Traver, Esq. WALLACE & WALLACE, LLP 85 Civic Center Plaza, Suite LL3 Poughkeepsie, NY 12601

Dutchess County Parcel Grid #'s 135889-6765-00-414655, 135889-6765-00-381645, 135889-6765-00-421598, 135889-6765-00-395588, 135801-6765-00-425587, and 135801-6765-00-407580 NYSBA's Residential Real Estate Forms (9/00) © 2020 Matthew Bender & Co., a member of the LexisNexis Group. 1. For Site Plan Approval, place the following owner endorsement signature block on the plan:

TOWN OF WASHINGTON PLANNING BOARD OWNER / APPLICANT SIGNATURES

The undersigned applicant(s) for the property and the undersigned owner(s) of the property shown herein certify that they are familiar with this map and its notes and its contents as stated hereon including all conditions of approval. The applicant and the owner understand their obligations to the Town to keep the premises as per plan approval by the planning board until a new or revised plan for development or use of the site is approved by the Planning Board. The applicant and the owner understand their obligation to the Town not to occupy the premises before a Certificate of Occupancy is issued by the Town for the occupancy as approved herein. Dutchess county clerk.

mayer Owner

Date

Daniel Contelmo

Applicant

6/10/2024

Date

2. For Site Plan, place the following signature block on the proposed plan:

TOWN OF WASHINGTON PLANNING BOARD PLAN APPROVAL

The plan of development for the property as depicted hereon was approved by a majority of the members of the Town of Washington Planning Board at a meeting held on ______

and the conditions of Site Plan Approval have been satisfied or arrangements have been made to ensure the completion of any outstanding or incomplete conditions.

Chair

Date