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July 23, 2024

Hon. Susan Meaney, Chairperson  
and Members of the Planning Board  
Town of Washington  
Town Hall  
10 Reservoir Dr.  
Millbrook, NY 12545

Re: Subdivision application of Timothy A. Clear and Johna Lee Clear

Dear Chairperson Meaney and Members of the Board:

Submitted with this letter is an application for preliminary subdivision approval to create 5 residential lots on a 90.87-acre parcel within the RL-5 residential zoning district where the residential minimum lot size is 5 acres. Enclosed are the following documents:

- Executed Town of Washington application forms for preliminary subdivision approval<sup>1</sup>, with all required enclosures and applicable fees and escrow deposit.
- Project Narrative.
- Subdivision map set, prepared by Bambi Terrell Meunier L.S., including sheets showing Existing Conditions (EX-1) and proposed Preliminary Plat Plan (PL-1).
- Constraints Map (CS-1), prepared by LRC Group, showing natural features on the property including delineated wetlands and applicable adjacent areas, and proposed building envelopes for potential future construction of the three new homes on Lots 1, 2, and 5.
- Full Environmental Assessment Form, Part 1, with Appendix F, prepared by LRC Group.
- Land Inventory Report, [subdivision regulations section 42 (p)] prepared by LRC Group.
- Evaluation Report of the Natural Resources Inventory 2023 (“NRI”) adopted on February 15, 2024, pursuant to the provisions of [zoning law section 221], prepared by LRC Group.

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<sup>1</sup> Section 20.4 of the Subdivision Regulations permits an applicant to combine applications for sketch and preliminary approvals, as is done here.



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- Wetland Delineation Report and Habitat and Biodiversity Survey Report, prepared by Michael Fishman, CWB, FTWS, of Edgewood Environmental Consulting, LLC.
- Open Space Report [Zoning Law section 340.2 and Subdivision Regulations section 60.2, 61.2] prepared by Cuddy & Feder.

REQUEST TO BE CALENDARED FOR NEXT AVAILABLE PLANNING BOARD AGENDA:

We request that the application be placed on the Board's agenda for its next available meeting on August 6, 2024, for a presentation by the applicant, and such other and further action as the Planning Board may deem appropriate to commence its review.

If the Board or its consultants or staff have any questions regarding the application, please contact me at the above email, or by phone 914-582-5234.

We look forward to presenting our proposed subdivision to you at the August 6<sup>th</sup> meeting.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'JL Van Tuyl', is written in a cursive style.

Jennifer L. Van Tuyl

cc: Erin Fox, interim Planning Board Secretary  
Joseph Eriole, Esq. VandeWater & VandeWater  
Aaron Werner AICP, AKRF  
Jonathan Ialongo, Building Inspector  
Timothy & Johna Clear, Applicants  
Douglas Larson, Larson Architecture Works  
Jacob Hardin, Larson Architecture Works  
Ken Casamento, LRC Group  
Aime Patane, LRC Group  
Michael Fishman, Edgewood Environmental Consulting

## CLEAR SUBDIVISION: PROJECT NARRATIVE

### **Introduction:**

This is an application for the subdivision of a property on Woodstock Rd that would split a 90+ acre old estate into four relatively large parcels (average lot size over 20 acres) and one smaller parcel (5.349 acres) containing the property's original farmhouse, which is in need of sensitive restoration. To maintain the existing look and feel of the land, the proposed subdivision includes three key elements: First, it divides the lots following existing old stone walls, tree lines and natural breaks between the different fields and forests on the property. Second, it proposes to designate "building envelopes" on the vacant lots to control the placement of future homes. These building envelopes are quite small: 2 acres on Lot 1; 1.25 acres on Lot 2; and 1.05 acres on Lot 5 (see Constraints Map, which is part of application). The building envelopes are designed to respect privacy of lot owners and neighbors, and to respect natural site features. Third, the design protects the views of the main field (views south along Woodstock Road), since this view is outside the designated building envelopes.

### **Parcel location, size, and setting:**

Timothy and Johna Clear own a 90.87acre parcel, located in the northwest quadrant of the Town of Washington. The Parcel is within an RL-5 zoning district, where the minimum residential lot size is 5 acres.

The Parcel is located at the eastern end of Woodstock Road at its terminus at Stanford Road. Woodstock Road, a Town Road by user, runs through the Parcel in an east-west direction, effectively dividing the Parcel into a northern portion of approximately 39 acres ("Site 1" on Parcel Access) and a southern portion of approximately 52 acres ("Site 2" on Parcel Access). The eastern boundary of the Parcel has substantial frontage along Stanford Road

From its beginning at the intersection with Stanford Road, Woodstock Road extends west for 2.74 miles to its western terminus at NYS Route 82. Most of Woodstock Road has a gravel surface, with a roadbed width of approximately 18 feet with a 3 foot shoulder.<sup>1</sup> However, the portion of Woodstock Road that approaches Stanford Road is paved and becomes wider near the intersection.

Two single-family residences already exist on the Parcel, one north of Woodstock Road, and one south of Woodstock Road. The main farmhouse is located north of Woodstock Road, in the eastern portion of the Parcel. A ranch-style house built in 2005 is located south of Woodstock Road in the westerly portion of the Parcel.

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<sup>1</sup> Based on New York State Department of Transportation Local Roads Listing. DOT ID # 186438.

Please consult Drawing EX-1 Existing Conditions, Drawing PL-1 Proposed Preliminary Plat, and Drawing CS-1 Constraints Map, for further details about the Parcel and the proposed subdivision plan.

**Details of Proposed Subdivision:**

The Applicant proposes to divide the property north of Woodstock Road, into three lots:

<b>Lot #</b>	<b>Size</b>	<b>Dwelling (future/existing)</b>	<b>Access (future/existing)</b>	<b>Frontage Road</b>
Lot 1	23.490 acres	Future	Future	Woodstock Rd
Lot 2	10.092 acres	Future	Future	Stanford Rd
Lot 3	5.349 acres	Existing	Existing	Woodstock Rd

The applicant proposes to divide the property south of Woodstock Road into two lots:

<b>Lot #</b>	<b>Size</b>	<b>Dwelling (future/existing)</b>	<b>Access (future/existing)</b>	<b>Frontage Road</b>
Lot 4	23.516 acres	Existing	Existing	Woodstock
Lot 5	28.425 acres	Future	Future	Woodstock

Thus, the proposed subdivision will result in the creation of 5 residential lots, but two of the lots are occupied by existing dwellings and accessory structures. Only three of the lots will allow for additional future homes in the area. The average lot size of the subdivided lots is 18.17 acres.

**Driveways:**

The driveways along Woodstock Road which serve the existing residences will remain in their current locations. The farmhouse driveway is approximately 275 feet west of the intersection with Stanford Road. The ranch house driveway is approximately 860 feet west of the intersection. The only proposed changes along Woodstock Road are the placement of two additional driveways, one to serve Lot 1 (northern side of Woodstock, western portion of property), and the other to serve Lot 5 (southern side of Woodstock, eastern portion of property).

The proposed Lot 2 (10.092 acres) is the only lot that would derive access from Stanford Road.

**Well and septic:**

The 3 proposed new lots will be served by individual well and septic meeting applicable requirements of the Dutchess County Health Department, as are the existing homes. Each lot where a new septic system is proposed is substantially larger than 5 acres. Thus, the subdivision is considered a “non-reatly subdivision” by the Dutchess County Department of Health.

**Lot sizes in context of neighborhood setting:**

The lots sizes are also congruent with the lot sizes of existing lots that surround the Clear Parcel, as shown in the map on the following page, entitled “Proposed lot sizes: neighborhood context.”

*Lots north of Woodstock Road:*

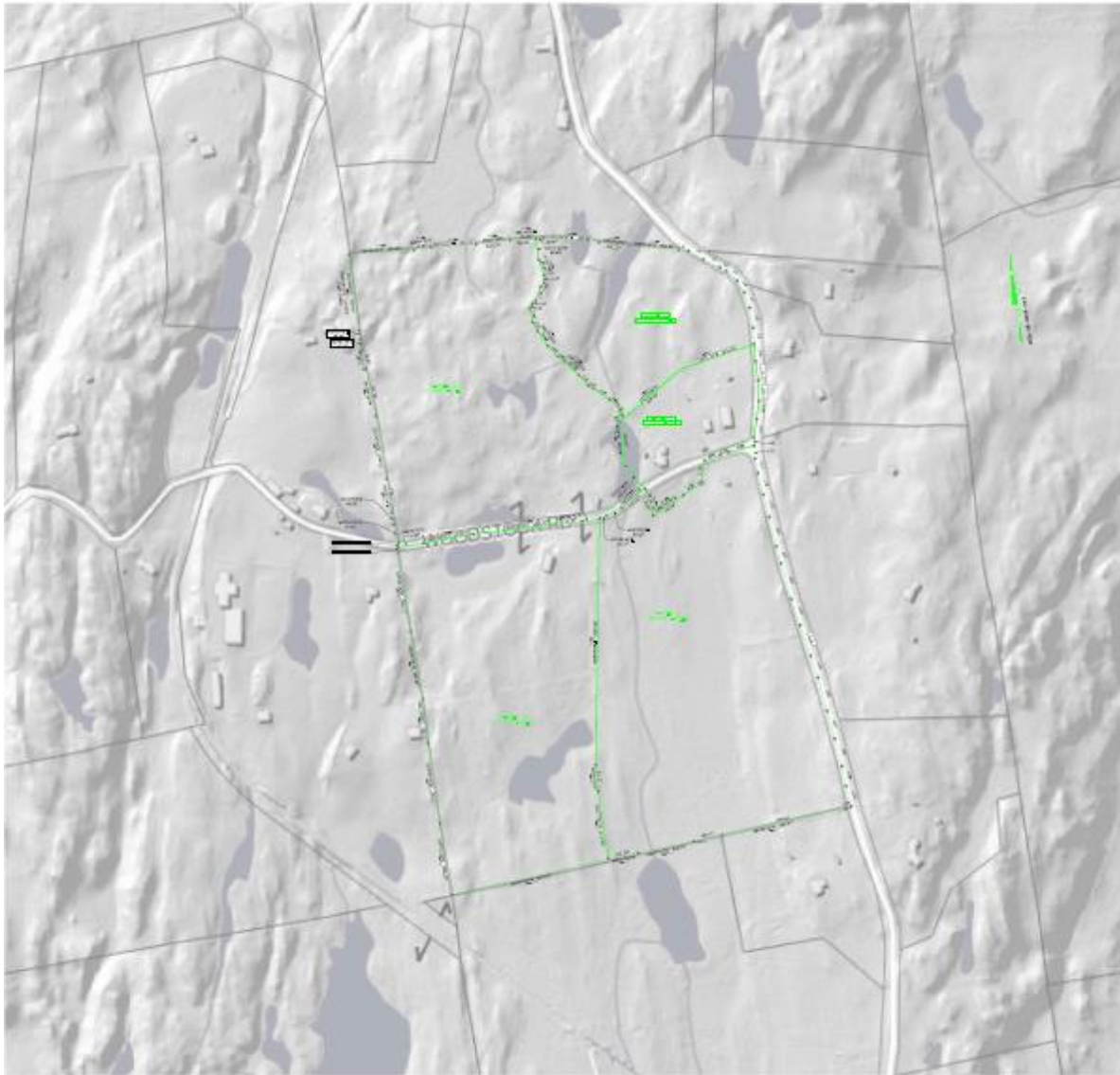
Proposed Lot 1 is 23.49 acres in size. The neighboring properties that abut it are 16.6 acres (to the north) and 15.03 acres (to the west).

Proposed Lots 2 and 3 are respectively 10.09 acres and 5.349 acres in size, both with orientation toward Stanford Road. The closest neighboring properties are those on the eastern side of Stanford Road. Those lots are (from north to south) respectively 12.1 acres, 5.0 acres, and 7.5 acres in size.

*Lots south of Woodstock Road:*

Proposed Lot 4 is 23.516 acres in size. The neighboring parcel to the west is 29.75 acres in size. This parcel is a farm operation within an agricultural district. No physical changes are proposed for Lot 4. The neighboring parcel to the south is a 61.37 acres, which is part of the much larger Orvis holdings.

Proposed Lot 5 is 28.425 acres in size. The neighboring parcel to the east (across Stanford Road), along the Lot 5’s 1,515 feet of frontage on Stanford Road, are (from north to south) 21.4 acres, and 10 acres in size. The neighboring parcels to the south of Lot 5 are, from east to west, a 7.0 acre single-family residential parcel and a portion of the Orvis parcel listed above.



**Proposed conventional subdivision: placement of homes and protection of privacy for neighbors with adjoining parcels:**

The Clears are proposing what is called a “conventional” subdivision layout of their property, as opposed to a “cluster” layout plan. All of the neighboring parcels that surround the Clear Parcel have been laid out as conventional subdivisions. None of the surrounding parcels have been subdivided in a “cluster” development. Cluster development mandates small lot sizes and generally places houses very close to each other.<sup>2</sup>

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<sup>2</sup> Subdivision Regulations section 62.4 requires that in a cluster within the APO overlay, the building lots “shall be grouped” and shall be smaller than other clusters: for the RL-5 District in the APO overlay one

The proposed conventional subdivision layout will place the 3 proposed new homes in a manner which is respectful of the desire of existing and new neighbors for both privacy and a natural and open space setting, congruent with the neighborhood, that respects natural resources. To assure that the restrictions remain in effect, the Applicant has designated a proposed “Building Envelope” for each lot that would allow a future home, within which the principal dwelling and any accessory buildings must be placed. This building envelopes are shown on the Constraints Map, and range in size between 1 and 2 acres.

See also Preliminary Plat Map and Constraints Map, and further discussion in the full EAF, the Land Inventory Report, the NRI Report, and the Open Space Report, which are all incorporated into this application.

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acre. These cluster lots require only 150 feet of frontage on an existing Town Road, with a minimum distance between houses of 60 feet. Wells and septic systems are allowed in the open space in cluster subdivisions.