



July 18, 2024

Erin Fox
Town Of Washington Planning Administrator
10 Reservoir Drive
Millbrook, NY 12545

Re: Florack Residence – 677 Deep Hollow Rd.- Planning Bd application

Dear Ms Fox,

Attached is a planning board application for a Special Permit/Site Plan application at Jim & Tracy Florack's pre-certificate of occupancy/non-conforming house at 677 Deep Hollow Road. I am acting as agent for the application. We are hoping to be put on the docket/workshop for the August 6th planning meeting.

Attached is as follows (5 sets of everything except the checks):

- 1) Check for \$1,500.00 for escrow & \$1,200 check for Special Permit & Site Plan application
- 2) Planning Board Application
- 3) Proof of Ownership/Deed
- 4) Dutchess Land Conservancy- Conservation Easement
- 5) Dutchess Land Conservancy- Approval letter
- 6) Aerial Photo of Site(1"=200")
- 7) Owner's Endorsements (2)
- 8) Agent's Affidavit
- 9) Consent to Inspection
- 10) Disclosure of Business Interest
- 11) Short Environmental Assessment Form
- 12) TOW Consultant Letter from ZBA review(Alicia Moore, 7.15.24)
- 13) Agricultural Data Statement & related back-up
- 14) Turino Kalberer Architectural Drawings A1-A9, outlining proposed work and including recent survey . (A1 dated 7.17.24, and A2-A9dated 5/22/24)

I have also sent a pdf of all documents to you.

Please let me know if you need any further information from me.

Best,

A handwritten signature in red ink, appearing to read 'Julie Kalberer', written over the printed name below.

Julie Kalberer, aia
Turino Kalberer architects
julie@tkanyc.com



Town of
Washington

**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): <u>Julie Kalberer, AIA</u>	
Business Name: <u>Turino Kalberer Architects</u>	
Address: <u>757 Third Ave, Flr. 20</u>	
<u>New York, NY 10017</u>	
Telephone: <u>917-359-0120</u>	Email Address: <u>julie@tkanyc.com</u>
Name of Record Owner(s) of Property: <u>James A. Florack & Tracy Kimmel</u>	
Address: <u>677 Deep Hollow Road</u>	
<u>Millbrook, NY 12545</u>	
Telephone: <u>917-741-0124</u>	Email Address: <u>james.florack@davispolk.com</u> <u>kimmeltracy@gmail.com</u>

Before completing the next page, review the Town Zoning Map found at <https://www.dutchessny.gov/Departments/Planning/Docs/washington.pdf> 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 Residential	

Applicant Name: Julie Kalberer

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)	135889-6966-00-493540-0000
Name of Property Owner	James Florack & Tracy Kimmel
Property Street Address	677 Deep Hollow Road, Town of Washington
Number of Acres	23.45
Zoning District from Zoning Map	RR-10
Describe the Current Use of the Property	Single Family Residential w/ farming area
Is this property located near or in a buffer area next to a wetland, waterbody or watercourse?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 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?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

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 next to a wetland, waterbody or watercourse?	<input type="checkbox"/> YES <input type="checkbox"/> NO 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?	<input type="checkbox"/> YES <input type="checkbox"/> NO

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 next to a wetland, waterbody or watercourse?	<input type="checkbox"/> YES <input type="checkbox"/> NO 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?	<input type="checkbox"/> YES <input type="checkbox"/> NO

I. The following must be answered for **ALL APPLICATIONS**:

A. APPROVAL REQUESTED FOR (check all that apply):

Special Use Permit	<input checked="" type="checkbox"/>	Preliminary Subdivision Plan	_____
Sketch Plan	_____	Lot Line Revision	_____
Site Plan	<input checked="" type="checkbox"/>	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 - [file.html \(washingtonny.org\)](http://file.html(washingtonny.org)) -- note ALL owners must sign, including both spouses.
- Consent to Inspection - [file.html \(washingtonny.org\)](http://file.html(washingtonny.org))
- Section 809 Ethics Statement (**Business interest disclosure form**)
- 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. See <https://gisservices.dec.ny.gov/eafmapper>. 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 <https://washingtonny.org/document-center/planning-board-minutes/planning-board-forms-general-information/1688-agricultural-data-statement-pdf/file.html>)
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? AD 21
- _____ Wetland Permit Application (found at <https://www.washingtonny.org/document-center/planning-board-minutes/planning-board-forms-general-information/planning-board-application-forms-general-information/33-wetland-permit-form-1/file.html>)
Please review Zoning Code Section 396 to determine if a permit is required in your specific instance.

Applicant Name: Julie Kalberer

A Wetlands Application may 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:

Proposal is to remove an existing laundry room and entry porch and to build an expanded version including a laundry room, mud room, foyer and entry porch in same location. The new construction is 614 square feet. This includes the demolished area of 225 square feet, plus the expanded area of 389 square feet. House is 1810 and pre-c of o non-conforming, hence this application. The existing house has a gross floor area of 5,233 sq.ft. The total proposed increase in square footage is 389 square feet, which would amount to an increase of approx. 7.4%. (Less than 25% maximum increase as allowed per town code)

E. Are there agricultural and /or forestry exemptions affecting the property?

Yes _____ No _____ If yes, please list in detail:

The Floracks currently have an annual NYS agricultural assessment renewal on file covering a portion of their lot. This year, the farmer will be planting corn.

F. Total acreage involved in the application. 389 sq.ft of 23.45 acre lot (0.0089 acres)

G. Total contiguous acreage controlled by the applicant/owner. N.A.

(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)	
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	

Applicant Name: Julie Kalberer

H. Total number of existing structures (including houses, detached garages, sheds, barns or any other building structure). 9

I. Types of existing structures (list):
Main house, guest house, 2 large barns (one with 1br caretaker apartment), pool, sheds, wellhouses/ fire hydrant structures.

J. Total square footage of all new construction. 614 sq.ft new (389 more than existing)

K. Estimated value of new construction or addition. \$350,000

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

New construction:	Expansion:
Residential _____	Residential <u>✓</u>
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 Name: _____ Address: _____ _____ Email Address: _____ Telephone Number: _____	Licensed Land Surveyer Name: <u>Brian Houston (BLY + Houston)</u> Address: <u>PO Box 629</u> <u>Millbrook, NY 12545</u> Email Address: <u>blyandhouston@aol.com</u> Telephone Number: <u>845-797-8830</u>
Attorney Name: _____ Address: _____ _____ Email Address: _____ Telephone Number: _____	Other Type of Professional: <u>Architect</u> Name: <u>Julie Kalberer, AIA</u> Address: <u>757 Third Avenue, Flr. 20</u> <u>New York, NY 10017</u> Email Address: <u>julie@tkanyc.com</u> Telephone Number: <u>917-359-0120</u>

Applicant Name: Julie Kalberer

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 If yes, please identify the organization and whether an application has been made to them.

Dutchess Land Conservancy - Approval Attached

Town of Washington Zoning Board of Appeals, Approval Received 7/16/24 contingent on special permit/ site plan approval

II. 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.

Applicant Name: Julie Kalberer

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
ESCROW FEE (DUE FOR ALL APPLICATIONS)				
Initial Escrow Deposit:		\$1,500.00	1,500	
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		
LOT 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		
SITE PLAN APPLICATION FEE				
		\$600.00	600	
SPECIAL USE PERMIT FEE				
		\$600.00	600	
WETLANDS PERMIT FEE				
		\$600.00		
SUBDIVISION:				
Preliminary 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		
Preliminary 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.

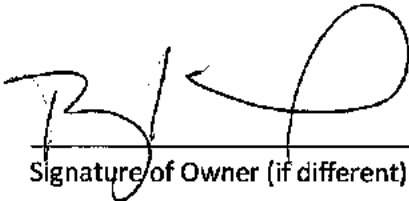
Applicant Name: Julie Kalberer

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. \$ 2,700

Dated: 7.17.24


Signature of Applicant


Signature of Owner (if different)

1
**PROOF
OF
OWNERSHIP**

BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS

2
2

THIS INDENTURE, made the 24th day of June, two thousand and ten,
BETWEEN Katherine A. Couric, as surviving tenant by the
entirety, 1155 Park Avenue, New York, New York, 10128

A. D.
party of the first part, and James Florack and Tracey Kimmel, as
tenants in common 50 Central Park West, New York, New York,
10023

party of the second part,

WITNESSETH, that the party of the first part, in consideration
of Ten Dollars (\$10.00), lawful money of the United States, and
other good and valuable consideration, 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, situate, lying
and being in the Town of Washington, County of Dutchess and
State of New York, bounded and described on Schedule A attached
hereto:

BEING part of the premises conveyed by Tucker Taylor and Thorne
Taylor to John P. Monahan III and Katherine A. Couric, Husband
and wife, by deed dated May 15, 1996, and recorded in the
Dutchess County Clerk's Office on May 22, 2010, in Liber 1979 of
Deeds at Page 624.

EXCEPTING AND RESERVING to the Grantor in favor of that certain
15.84 acre parcel located on the Northeasterly side of Deep
Hollow Road as shown on Map entitled Boundary Line Change
between the Lands of John P. Monahan and Katherine A. Couric and
the Lands of Belinda K. Kaye filed in the office of the Dutchess
County Clerk as Map # 10527 on December 4, 1997, the rights set
forth in section 3.3, Permitted Structures, (a) (i) and (a) (ii)
in that certain Conservation Easement dated June 9, 1994, and
recorded in the office of the Dutchess County Clerk on October

25, 1994 in Liber 1953 of Deeds at page 28. It is the intention of this conveyance for one of the two permitted principal single family residences (the existing principal residence) and one of the two permitted tenant or guest houses (the existing tenant/guest house) to be allocated to the parcel being conveyed to the grantee, and for the remaining right to construct a second principal residence and second tenant guest house to be retained on the 15.84 acre parcel by the Grantor. The balance of the rights as to permitted structures shall remain for the benefit of the parcel conveyed in this deed and the 15.84 acre parcel reserved by the Grantor as provided in said Conservation Easement.

BEING part of the premises conveyed by Tucker Taylor and Thorne Taylor to John P. Monahan III and Katherine A. Couric, Husband and wife, by deed dated May 15, 1996, and recorded in the Dutchess County Clerk's Office on May 22, 2010, in Liber 1979 of Deeds at Page 624.

John P. Monahan III died a resident of New York County, New York, on January 24, 1998 while still married to Katherine A. Couric.

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 in 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.

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.

IN PRESENCE OF:

Katherine A. Couric
Katherine A. Couric

STATE OF NEW YORK, COUNTY OF New York, SS:

On the 17th day of June, 2010, before me, the undersigned, a notary public in and for said state, personally appeared Katherine A. Couric, 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/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Carol A. Graves
Notary Public

RECORD AND RETURN TO:

Robert R. Butts
75 Washington Street
Poughkeepsie, NY 12601

CAROL A. GRAVES
Notary Public, State of New York
No. 01-4649326
Qualified in Bronx County
Commission Expires July 31, 2013

Schedule A Description

Number MAC-98867

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Washington, County of Dutchess and State of New York, bounded and described as follows:

BEGINNING at a point marked by a steel pin set at the southerly assumed roadline of Deep Hollow Road, said point marking the northwesterly corner of the herein described parcel and the northeasterly corner of lands of Frenzel, described in Liber 1422 of deeds at page 110;

THENCE along the southerly assumed roadline of Deep Hollow Road South 60 degrees 21' 55" East 484.06 feet, South 59 degrees 04' 15" East 260.89 feet, South 63 degrees 16' 15" East 350.54 feet and on a curve to the right of radius 35.00 feet, an arc length of 51.55 feet to a point in the westerly assumed roadline at North Tower Hill Road;

THENCE along the same South 21 degrees 07' 00" West 746.29 feet to the southeasterly corner of the herein described parcel;

THENCE through the lands of the Estate of Herman G. Place, described in Liber 491 of deeds at page 493, along the meanline of wood and wire fence North 77 degrees 29' 30" West 277.27 feet and North 76 degrees 48' 10" West 688.42 feet to a spike set at the base of an 8 inch diameter maple tree;

THENCE along lines of no physical bounds North 73 degrees 37' 10" West 104.43 feet to a spike set in a 12 inch diameter maple tree, North 4 degrees 48' 00" East 39.72 feet to a spike set in a 12 inch diameter maple tree and North 7 degrees 24' 30" East 90.79 feet to a steel pin set in the southerly end of a stonewall fence;

THENCE along other lands of the Estate of Herman G. Place, described in Liber 522 of deeds at page 45 and Liber 618 of deeds at page 307 and along stonewall fence, in part, and wire fence North 19 degrees 18' 20" East 152.87 feet, North 19 degrees 43' 28" East 471.00 feet, along stonewall fence, North 18 degrees 24' 08" East 196.61 feet to a steel pin set in the stonewall fence, being the northeasterly corner of lands of the Estate of Herman G. Place, described in Liber 618 of deeds at page 307 and the southeasterly corner of lands of Frenzel;

THENCE along lands of Frenzel, North 22 degrees 02' 30" East 130.19 feet to the point or place of BEGINNING.

Continued On Next Page

Schedule A Description - continued

Title Number MAC-98867

ALSO BEING DESCRIBED AS FOLLOWS:

BEGINNING at a point in the southerly line of Deep Hollow Road marking the northwesterly corner of the herein described parcel, said point being in a stone wall marking the westerly line of lands of Parshall;

thence leaving said stone wall and along said roadline S 58 deg. 43' 44" E 484.06 feet, S 57 deg. 26' 04" E 260.89 feet, and S 61 deg. 38' 04" E 350.54 feet;

thence along the westerly line of North Tower Hill Road and along a curve to the right having a radius of 35.00 feet and an arc length of 51.55 feet, and S 22 deg. 45' 11" W 746.29 feet to an iron pin set marking the southeasterly corner of the herein described parcel, said iron pin being located N 01 deg. 45' W 29.17 feet from a masonry nail in the face of utility pole #139203;

thence leaving said roadline and along lands of Bagatta and along the remains of an old wood and wire fence in a hedge row, N 75 deg. 51' 19" W 277.27 feet, and N 75 deg. 09' 59" W 688.42 feet to a spike in the base of an 8" diameter maple tree;

thence along lines of no physical bounds, N 71 deg. 58' 59" W 104.43 feet to a spike in a 12" diameter twin maple tree;

thence along the lands of Manpa, LLC, N 6 deg. 26' 11" E 39.72 feet to a spike in a 12" diameter hornbeam tree, and N 9 deg. 02' 41" E 90.72 feet to an iron pin at the southerly end of a stone wall; thence along said stone wall N 20 deg. 56' 31" E 152.87 feet;

thence along lands of Yates and continuing in part along said stone wall and in part along the remains of an old wire fence N 21 deg. 21' 39" E 471.00 feet to a point near the southerly end of a stone wall;

thence along the same N 20 deg. 02' 19" E 196.61 feet; thence along the lands of said Parshall and continuing along said stone wall N 23 deg. 40' 41" E 130.19 feet to the point or place of beginning.

rate and payment schedule. These figures are for illustrative purposes only. They reflect the rate now in effect. NOT ACCURATE

PLEASE FILL OR PRESS IN WITH FINING CITY STAMP
INSTRUCTIONS: [http:// www.orps.state.ny.us](http://www.orps.state.ny.us) or PHONE (518) 473-7222

6

FOR COUNTY USE ONLY

C1. SWIS Code _____

C2. Date Deed Recorded _____
Month Day Year

C3. Book _____ C4. Page _____

REAL PROPERTY TRANSFER REPORT
STATE OF NEW YORK
STATE BOARD OF REAL PROPERTY SERVICES
RP - 5217
RP-5217 Rev 2/97



PROPERTY INFORMATION

1. Property Location: 677-697 Deep Hollow Road
Washington, NY 12545

2. Buyer Name: Florack, James A., Kimmel, Tracy

3. Tax Billing Address: _____

4. Indicate the number of Assessment Roll parcels transferred on the deed: 1 # of Parcels OR Part of a Parcel

5. Deed Property Size: _____ X _____ OR _____ ACRES

6. Seller Name: Couric, Katherine A.

7. Check the box below which most accurately describes the use of the property at the time of sale:

A <input checked="" type="checkbox"/> One Family Residential	E <input type="checkbox"/> Agricultural	I <input type="checkbox"/> Community Service
B <input type="checkbox"/> 2 or 3 Family Residential	F <input type="checkbox"/> Commercial	J <input type="checkbox"/> Industrial
C <input type="checkbox"/> Residential Vacant Land	G <input type="checkbox"/> Apartment	K <input type="checkbox"/> Public Service
D <input type="checkbox"/> Non-Residential Vacant Land	H <input type="checkbox"/> Entertainment / Amusement	L <input type="checkbox"/> Forest

8. Ownership Type is Condominium

9. New Construction on Vacant Land

10A. Property Located within an Agricultural District

10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District

SALE INFORMATION

11. Sale Contract Date: 05 / 28 / 2010

12. Date of Sale / Transfer: 6 / 24 / 2010

13. Full Sale Price: 2,000,000.00

14. Indicate the value of personal property included in the sale: _____

15. Check one or more of these conditions as applicable to transfer:

A <input type="checkbox"/> Sale Between Relatives or Former Relatives
B <input type="checkbox"/> Sale Between Related Companies or Partners in Business
C <input type="checkbox"/> One of the Buyers is also a Seller
D <input type="checkbox"/> Buyer or Seller is Government Agency or Lending Institution
E <input type="checkbox"/> Deed Type not Warranty or Bargain and Sale (Specify Below)
F <input type="checkbox"/> Sale of Fractional or Less than Fee Interest (Specify Below)
G <input type="checkbox"/> Significant Change in Property Between Taxable Status and Sale Dates
H <input type="checkbox"/> Sale of Business is Included in Sale Price
I <input type="checkbox"/> Other Unusual Factors Affecting Sale Price (Specify Below)
J <input checked="" type="checkbox"/> None

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken: 10

17. Total Assessed Value (of all parcels in transfer): 1,789,833

18. Property Class: 2,80

19. School District Name: Millbrook CSD

20. Tax Map Identifier(s) / Roll Identifier(s) (if more than four, attach sheet with additional Identifier(s))
Part of 6966-00493540

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein will subject me to the provisions of the penal law relative to the making and filing of false instruments.

BUYER
James A. Florack and Tracy Kimmel
by Robert R. Butts, POA 6/24/10
BUYER SIGNATURE DATE

BUYER'S ATTORNEY
Butts Robert R.
LAST NAME FIRST NAME

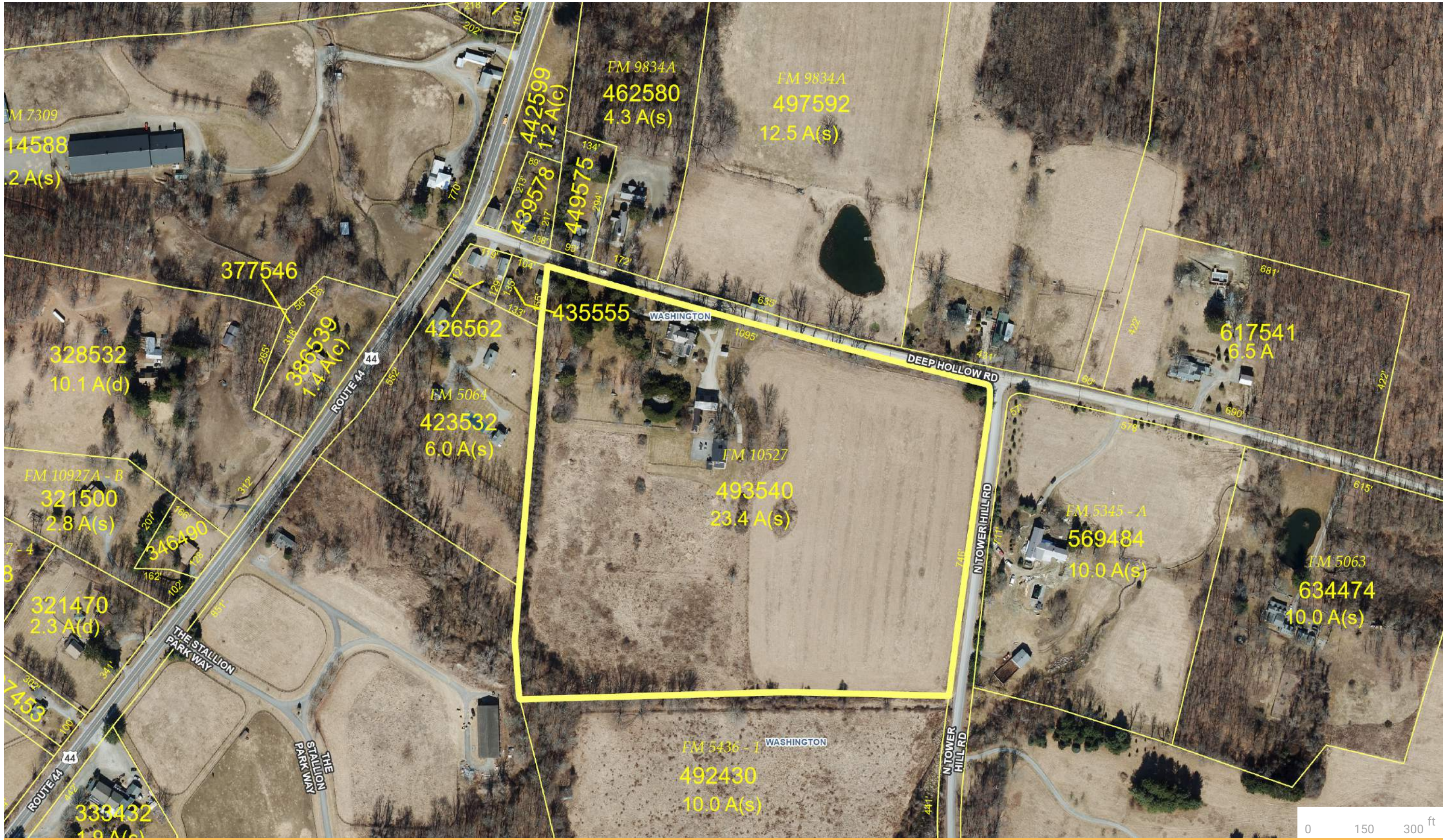
50 CENTRAL PARK W. APT 3A
STREET NUMBER STREET NAME (AFTER SALE)
New York NY 10023
CITY OR TOWN STATE ZIP CODE

845 471-1600
AREA CODE TELEPHONE NUMBER

SELLER
Katherine A. Couric 6/11/10
SELLER SIGNATURE DATE

NEW YORK STATE
COPY

26
27



677 Deep Hollow Rd
 Dutchess County, NY



Printed By:
 ParcelAccess

N
 ParcelAccess
 7/16/2024



RECEIVED
OCT 25 1994

DUTCHESS COUNTY CLERK RECORDING PAGE

RECORD & RETURN TO:

QUARTARARO & QUARATARAO
9 CANNON ST
POUGHKEEPSIE NY 12601

RECORDED: 10/25/94

AT: 15:29:50

COUNTY CLERK: #8026

RECEIVED FROM: QUARTARARO & QUARTARARO

GRANTOR: TAYLOR TUCK & ANO

GRANTEE: DUTCHESS LANDCONSERVANCY INC

RECORDED IN: DEED

INSTRUMENT TYPE: EASE

TAX

DISTRICT: WASHINGTON

EXAMINED AND CHARGED AS FOLLOWS:

RECORDING CHARGE: 57.00 NUMBER OF PAGES: 13

TRANSFER TAX AMOUNT:

TRANSFER TAX NUMBER: #001866

E & A FORM: N

TP-584: Y

FLORACK -
DLC
CONSERVATION
EASEMENT

COUNTY CLERK BY: MOK / _____
RECEIPT NO: R53217
BATCH RECORD: C00008

WILLIAM L. PAROLI, JR.
County Clerk



R & R QUARTARARO & QUARTARARO
9 CANNON STREET
POUGHKEEPSIE, N.Y. 12601

CONSERVATION EASEMENT

THIS CONSERVATION EASEMENT is entered into this ^{9th} day of ^{June}, 1994, between TUCKER and THORN TAYLOR, with a residence at RR 1 Box 98B, Millbrook, NY 12545 hereinafter called the "Grantor", and DUTCHESS LAND CONSERVANCY, INC., a New York not-for-profit corporation with its office at P.O. Box 116, Route 82, Stanfordville, New York, hereinafter called the "Grantee."

5'
6'
28
51
60
100

WHEREAS, GRANTOR is the owner in fee of real property (the "Property") consisting of approximately 41.7 acres of open land in the Town of Washington, Dutchess County, New York, more particularly described in Exhibit "A" and shown on the Conservation Easement Map marked Exhibit "B", both attached hereto and made a part hereof; and

The Property is located in the historic hamlet of Lithgow and is characterized principally by open fields, a stream and a pond. The Property has significant frontage on, and is highly visible from, Deep Hollow Road which is a public highway; and

The Property is included in Certified Agricultural District #21, established by Dutchess County pursuant to the New York State Agricultural and Markets Law, Article 25AA, encouraging the continuation and protection of agriculture; and

The Town of Washington Master Plan, adopted in 1987 and amended in 1989, includes policies to preserve and maintain agricultural land for farm use and for the benefits agriculture provides in maintaining open space, scenic vistas, water resources and wildlife habitat, and encourages compatible land use and development that minimizes the disruption of these resources; and

The Dutchess County Legislature, in the County Master Plan, Directions, emphasizes the protection of prime farmland soils and the continuation of agriculture. Policy 11.21, encourages preservation of agricultural land by use of conservation easements; and

Subdivision and development pressure threaten the continued rural, scenic, agricultural, forested, and open space character of the Property; and

GRANTEE has determined that acquisition of a Conservation Easement on the Property will further its charitable purposes of protecting areas of rural, scenic, and relatively natural character in Dutchess County; and

GRANTOR shares the land conservation goals of GRANTEE and desires to ensure that the rural, scenic and agricultural characteristics of the Property will be preserved for the benefit of future generations; and

GRANTEE is a New York not-for-profit corporation within the meaning of Article 49, Title 3 of the Environmental Conservation Law of the State of New York (the "Conservation Law") and is qualified to be the grantee of tax deductible conservation easements pursuant to Section 170(h) of the Internal Revenue Code; and

The parties desire to preserve the character of the Property in perpetuity by entering into a Conservation Easement Agreement pursuant to the provisions of Article 49, Title 3 of the Conservation Law.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants contained herein, the parties agree as follows:

1. Grant of Easement. Grantors grant to Grantee a perpetual Conservation Easement (the "Conservation Easement") over the Property which shall encumber the Property.

1.1 Purpose. The purpose of the Conservation Easement is to conserve the scenic, agricultural, and natural character of the Property and to protect the quality of its agricultural soils and waterways by restricting development.

1.2 Implementation. This Conservation Easement shall be implemented by limiting and restricting the development, management, and use of the Property in accordance with the provisions of this Conservation Easement.

2. Reserved Rights. Grantors reserve for themselves and their successors in interest, all rights with respect to the Property or any part thereof including, without limitation, the right of exclusive use, possession, and enjoyment of the Property or any part thereof and the right to sell, transfer, lease, mortgage, or otherwise encumber the Property or any part thereof, as owner, subject to the restrictions and covenants set forth in this Conservation Easement. Nothing herein shall be construed as a grant to the general public of any right to enter upon any part of the Property or any lot. Nothing contained herein shall restrict an owner of the Property or part thereof in imposing further restrictions upon conveyance or otherwise.

3. Restrictions Applicable to the Property. The following restrictions apply to the Property:

3.1 Subdivision. The Property may be subdivided and lot line adjustments permitted insofar as the subdivision or lot line adjustments are consistent with the purposes of this Easement.

3.2 Use. The Property shall be used solely for agricultural, non-commercial residential, recreational, horticultural, animal husbandry, equestrian, and related purposes including, without limit, the occupancy and use by owners or tenants of permitted structures built upon the Property in accordance with this Conservation Easement, and customary home occupations compatible with the rural character of the Property. No non-agricultural

commercial, industrial, or institutional use of the Property or any part thereof shall be permitted.

3.3 Permitted Structures. No building or other improvement shall hereafter be placed upon the Property except as specifically provided below. All new structures require prior review as to location, size, and architecture by the Grantee pursuant to Paragraphs 3.4 and 3.12 herein. Permitted structures are as follows:

(a) Residential Structures.

- i) No more than one additional principal single family residence shall be permitted on the Property.
- ii) No more than one additional detached tenant or guest house may be constructed on the Property. No tenant or guest house may be sold separately from the principal residence.
- iii) New residential structures permitted by paragraph (i) and (ii) above shall be constructed only within the "Building Envelopes" shaded on Exhibit "B" hereof.
- iv) Accessory apartments may be constructed within the principal residences or in barns or garages located within the Building Envelopes.
- v) Normal and customary accessory facilities and structures, such as swimming pools, garages, antennas, satellite dishes, outdoor fixtures, and tennis courts may be built only within the Building Envelopes.

- (b) Agricultural Structures. Customary barns, sheds, greenhouses and other agricultural and equestrian facilities shall be permitted and constructed within the Building Envelopes.

3.4 Exterior Appearance. No construction, improvement, repair, or replacement of a structure, or other alteration of the Property shall be constructed or performed in a manner inconsistent with the scenic preservation and conservation purposes of this Easement. Structures shall comply with the following building design standards:

- (a) The exterior of any new buildings shall be architecturally compatible with the land. They shall be designed to fit into the landscape using the existing vegetation and terrain of their surroundings. New buildings shall not exceed the height of mature trees on the Property. Construction of any new building shall not involve any significant alteration of the present landscape.
- (b) New structures shall be sited to minimize visibility from

public roads.

- (c) All roofing and exterior surfaces (except for window glass) shall be non-reflective.
- (d) No signs shall be permitted except those of professional quality and not more than six (6) square feet in size which (i) indicate, by one sign, the name of the owner; (ii) mark a roadway; (iii) are customarily used for posting; (iv) advertise agricultural products grown on the Property; (v) denotes an allowable customary home occupation; or (vi) are temporary signs advertising the property for sale.
- (e) Any ground antenna, satellite dish, outdoor fixture, swimming pool, or tennis court shall be sited and/or screened with wood fencing or vegetative landscaping so as not to be visible from public roads.

3.5 Fences. Fences that are normal and customary in the immediate vicinity may be erected, repaired, or replaced on the Property.

3.6 Chemicals. No pesticide, herbicide, or other chemical treatment for land, vegetation, or animals shall be used unless its use is legal.

3.7 Dumping and Storage. No dumping or storing of non-composted organic waste, sewage or garbage, scrap material, sediment discharge, oil and its by-products, leached compounds, or any other unsightly or offensive materials shall be allowed. This shall not prohibit the legal storing of materials typically associated with the agricultural use of the Property.

3.8 Clearing of Trees. There shall be no clear cutting of trees, except to remove those trees which endanger public safety, are diseased, damaged or fallen, or need to be cleared in connection with the construction and maintenance of permitted structures (in which case such clearing may not exceed three acres), utility lines, and driveways permitted herein. Commercial logging shall be permitted consistent with any DEC approved forest management plan and other applicable guidelines of DEC and the Soil Conservation Service, U.S. Department of Agriculture. All tree clearing shall be conducted in conformity with sound land and forest management practices to minimize erosion and impacts on natural resources.

3.9 Mining, Pipelines, and Landfills. There shall be no surface or subsurface mining or quarrying on the Property except as may be needed for permitted construction of driveways and other improvements on the Property, nor placement of high voltage transmission lines, pipelines, transmission and receiving antennae and towers, landfills, or other land uses detrimental to the scenic character and ecosystems of the Property. This shall not prevent the installation and maintenance of local utility distribution lines which provide service to the structures allowed under section

3.3 herein. Utility lines servicing permitted structures shall be installed underground.

3.10 Waterways. No waterways located on the Property shall be polluted by sedimentation, siltation, agricultural run-off, or otherwise by any actions of the Grantor. No change to any existing ponds, streams, or wetlands, or the construction or alteration of any structure, including septic disposal systems, within 200 feet of the existing wetland shall be permitted except as approved by the Grantee. Any on-site septic disposal system shall be maintained in good repair and proper operating condition. The construction and maintenance of ponds is permitted with Grantee's prior written approval providing that all approvals required by DEC and other agencies are also obtained.

3.11 Roads, Utilities, and Drainage. Unpaved driveways, trails, utilities, and drainage ways may be located anywhere on the Property, provided that they are constructed and located in a manner which is compatible with the agricultural and wildlife habitat use of the Property and minimize erosion and impacts on scenic landscape quality. Driveways shall be unpaved to the extent practicable and shall be located on the edges of fields or along old roads or trails wherever feasible.

3.12 Prior Approval. No improvement or substantial change to the Property (such as the construction of a residence, barn or accessory facility or structure, an addition to an existing structure, or a substantial change in the exterior of a structure) shall be made until plans for the work are submitted to and approved in writing by Grantee as to the location and compliance of the proposed structure, substantial change, or improvement with the restrictions contained in this Conservation Easement. No land shall be excavated or cleared or work commenced prior to Grantee's written approval. Upon receipt of the plans for the proposed work, Grantee shall neither unreasonably delay its decision nor unreasonably withhold approval, but may issue its approval of the plans subject to conditions which must be satisfied. If Grantee fails to act within thirty (30) days of receipt of materials it deems sufficient for its review, approval shall be deemed granted. The actual clearing of land and completed structure, change, or improvement shall conform to the approved plans in all respects. Grantors shall reimburse Grantee for reasonable costs incurred in connection with its review of any proposals. Grantee may waive its right to review any improvement or alteration which it deems to be insubstantial.

4. Additional Covenants.

4.1 Enforcement. Grantee may enforce this Conservation Easement at law or in equity pursuant to the provisions of Article 49, Title 3 of the Conservation Law against any or all owners of the Property. If there is a violation of any of the provisions of this Conservation Easement, Grantee shall notify the party in violation, who shall promptly cure the violation by (a) ceasing the violation, or (b) restoring the Property to the condition before the violation, or (c) both, as appropriate. If the

violation continues, Grantee shall have the right, but not the obligation, to cure it by direct action and the owner shall reimburse Grantee for all expenses reasonably incurred to enforce the Conservation Easement and to cure the violation. Failure to enforce any restriction or covenant herein contained shall in no event be deemed a waiver of a right to do so thereafter as to the same violation or breach, or as to one occurring prior thereto or subsequent thereto.

4.2 Amendment. This Conservation Easement may be amended by recorded instrument signed by the then owner or owners of the property and the Grantee. Any such amendment shall be consistent with the purposes of this Conservation Easement and shall comply with Article 49, Title 3 of the Conservation Law, Section 170(h) of the Internal Revenue Code, and any regulations promulgated pursuant thereto.

4.3 Waiver. The Grantee may on a case-by-case basis waive any provisions of this Conservation Easement that it deems to be non-essential to fulfilling the Easement's conservation purposes. Such waivers may not be granted with respect to the number of residences that may be built or any subdivision. Any such waiver must be supported by a written finding in the minutes of the meeting of the Grantee at which it was approved. Such finding shall state the rationale for allowing the waiver and shall indicate why such a waiver will not compromise the conservation purposes of this conservation easement. Such individual waivers will not affect the future applicability of any waived provision as applied to other situations, and any provision waived in an individual case shall continue in full force and effect for other cases. Any such waiver shall comply with Article 49, Title 3 of the Conservation Law and Section 170(h) of the Internal Revenue Code. Copies of resolutions of the Conservancy's Board of Directors approving such waivers shall be kept in the Conservancy's permanent file with this Conservation Easement. The Conservancy shall, if requested by an owner of the Property, issue a certificate of compliance indicating that an alteration of the Property undertaken pursuant to this Section was undertaken pursuant to an approved waiver of this Conservation Easement.

4.4 Encumbrance by Conservation Easement. Any subsequent conveyance including, without limitation, the transfer, lease, or mortgage of the Property or any lot, shall be subject to this Conservation Easement, and any deed or other instrument evidencing or effecting such conveyance shall contain language substantially as follows: "This [conveyance, lease, mortgage, easement, etc.] is subject to a Conservation Easement which runs with the land and which was granted to Dutchess Land Conservancy, Inc., dated _____, 1993, and filed in the office of the Clerk of Dutchess County at Liber _____ of Deeds at Page _____." The failure to include such language shall not affect the validity or applicability of this Conservation Easement to such property.

4.5 Assignment. This Conservation Easement may be assigned by Grantee, provided, however, that an assignment may be made only to a not-for-profit corporation or otherwise as provided in Article

49, Title 3 of the Conservation Law. No assignment may be made without the approval of the Grantors as to assignee. Such approval cannot be unreasonably withheld or denied.

4.6 Taxes and Assessments. Each owner of the Property or any part thereof shall pay all taxes and assessments lawfully assessed against the Property or part thereof owned by such owner, who shall provide receipted tax bills to the Grantee upon request.

4.7 Severability. Invalidation of any provision of this Conservation Easement, by court judgment, order, statute, or otherwise, shall not affect any other provisions, which shall be and remain in force and effect.

4.8 Hold Harmless. Grantors shall hold harmless, indemnify, and defend Grantee and its directors, officers, employees, agents, and contractors (collectively "Indemnified Parties") from and against all liabilities, penalties, costs, losses, damages, expenses, causes of action, claims, demands, or judgments, including, without limitation, reasonable attorneys' fees, arising from or in any way connected with: (1) injury to or the death of any person, or physical damage to any property, resulting from any act, omission, condition, or other matter related to or occurring on or about the Property, regardless of cause, unless due solely to the negligence of any of the Indemnified Parties; and (2) claims arising out of or in any way related to the existence or administration, performed in good faith, of this Conservation easement. Grantor agrees to maintain in full force and effect a policy or policies of liability insurance coverage under which Grantee is named as an additional insured, and to deliver evidence of such insurance at the execution of this conservation easement, and upon reasonable notice thereafter.

4.9 Binding Effect. The provisions of this Conservation Easement shall run with the land and shall be binding on each owner and any party entitled to possession or use of the Property while such party is the owner or entitled to possession or use thereof. As used in this Section 4.9, the term owner shall include the owner of any beneficial equity interest in the Property.

5. Qualified Conservation Contribution Covenants.

5.1 Continuity. Grantee agrees that it will assign this Conservation Easement only to an assignee which agrees to continue to carry out the conservation purposes of this Conservation Easement. This Conservation Easement may only be assigned to an assignee which is a qualified organization as defined in Section 170(h) of the Internal Revenue Code, or successor provisions, and the regulations thereunder. Any assignee other than a governmental unit must be an entity able to enforce this Conservation Easement, having purposes similar to those of the Grantee which encompass those of this Conservation Easement.

5.2 Notice. Grantors agree to give Grantee written notice before exercising any reserved right, the exercise of which may have an adverse impact on the conservation interests of this

Conservation Easement.

5.3 Inspection. Grantee and its duly authorized representatives shall have the right to enter the Property at reasonable times, in a reasonable manner, and, when practicable, after giving notice, to inspect for compliance with the terms of this Conservation Easement.

5.4 Extinguishment.

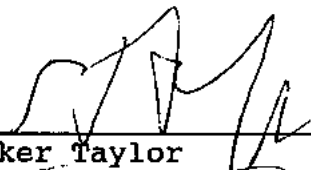
(a) Grantors and Grantee acknowledge that the granting of this Conservation Easement constitutes the donation to Grantee of a fully vested interest in the Property.

(b) If and when the restrictions contained in this Conservation Easement are involuntarily extinguished by eminent domain taking or otherwise, Grantors and Grantee agree to divide the proceeds in proportions equal to the fair market value of their interests in the Property as of the date of execution of this Conservation Easement, unless the laws of New York provide otherwise. For purposes of this subparagraph (b), Grantors and Grantee agree that the value of the Grantee's interest on the date of execution of this Conservation Easement shall equal the amount by which the fair market value of the Property immediately prior to the execution of this Conservation Easement is reduced by the restrictions imposed by this Conservation Easement. Grantee agrees to devote the proceeds it receives in a manner consistent with the conservation purposes inherent in this Conservation Easement.

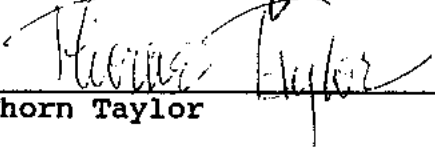
(c) If this Conservation Easement is extinguished pursuant to a judicial proceeding initiated by Grantors or their successors, Grantors shall pay to Grantee the greater of the amount specified in Subparagraph (b) above or the fair market value of the Conservation Easement on the date of judicial extinguishment, as determined by an independent appraisal, the cost of which shall be divided equally between Grantors and Grantee.

5.5 Existing Conditions. This Conservation Easement is granted subject to any existing conditions currently shown on the map attached as Exhibit "B" or on photographs taken at or near the time this Conservation Easement is granted and agreed upon in writing as baseline documentation by the parties hereto.

IN WITNESS WHEREOF, the parties have executed this instrument as of the day and year first above written.

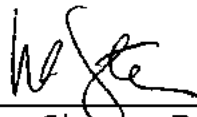


Tucker Taylor



Thorn Taylor

DUTCHESS LAND CONSERVANCY, INC.
a New York not-for-profit corporation

By: 

Ira A. Stern, Executive Director

R & R QUARTARARO & QUARTARARO
8 CANNON STREET
POUGHKEEPSIE, N.Y. 12001

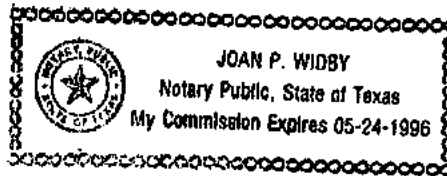
Vertical text on the left margin, possibly a stamp or reference number.

STATE OF ^{TEXAS} ~~NEW YORK~~)
~~DUTCHESS COUNTY~~)
DALLAS COUNTY)

SS.:

On the 28th day of MARCH, 1994, before me personally came Tucker Taylor to me known to me to be the individual described herein, and who executed the foregoing instrument and acknowledged that he executed the same.

Joan P. Widby
Notary Public



STATE OF NEW YORK)
DUTCHESS COUNTY)

SS.:

On the 28th day of March, 1994, before me personally came Thorn Taylor to me known to me to be the individual described herein, and who executed the foregoing instrument and acknowledged that he executed the same.

Ann Gifford
Notary Public

ANN GIFFORD
NOTARY PUBLIC, State of New York
Qualified in Dutchess County
Commission Expires March 30, 1994
Dec 31,

STATE OF NEW YORK)
DUTCHESS COUNTY)

SS.:

On the 9th day of June, 1994, before me personally came Ira Stern to me known who, being by me duly sworn, did depose and say that he resides at Accord, New York, that he is the Executive Director of the Dutchess Land Conservancy, Inc., the corporation described herein and which executed the foregoing instrument, and that he signed his name thereto by order of the Board of Directors of said corporation.

Amy E. Campion
Notary Public

AMY E. CAMPION
Notary Public, State of New York
01CA5016106
Qualified in Dutchess County
Commission Expires on 6/2, 1995

ORIGINAL FILED IN 100-10170-100

All those certain pieces or parcels of land situate in the Town of Washington, County of Dutchess and State of New York, bounded and described as follows:

PARCEL I

Beginning at a point marked by a steel pin set at the southerly assumed roadlines of Deep Hollow Road, said point marking the northwesterly corner of the herein described parcel and the northeasterly corner of lands of Frenzel, described in Liber 1422 of deeds at page 110; thence along the southerly assumed roadline of Deep Hollow Road S 60-21-55 E 484.06 feet, S 59-04-15 E 260.89 feet; S 63-16-15 E 350.54 feet and on a curve to the right having a radius of 35.00 feet and arc length of 51.55 feet to a point in the westerly assumed roadline at North Tower Hill Road; thence along the same S 21-07-00 W 746.20 feet to the southeasterly corner of the herein described parcel; thence through the lands of the Estate of Herman G. Place, described in Liber 491 of deeds at page 493, along the meanline of wood and wire fence N 77-29-30 W 277.27 feet and N 76-48-10 W 688.42 feet to a spike set at the base of an 8 inch diameter tree; thence along lines of no physical bounds N 73-37-10 W 104.43 feet to a spike set in a 12 inch diameter maple tree, N 4-48-00 E 39.72 feet to a spike set in a 12 inch diameter maple tree and N 7-24-30 E 90.79 feet to a steel pin set in the southerly end of a stonewall fence; thence along other lands of the Estate of Herman G. Place, described in Liber 522 of deeds at page 45 and Liber 618 of deeds at page 307 and along stonewall fence, in part, and wire fence N 19 deg. 18' 20" E 152.87 feet, N 19-43-28 E 471.00 feet, along stonewall fence N 18-24-08 E 196.61 feet to a steel pin set in the stonewall fence, being the northeasterly corner of lands of the Estate of Herman G. Place, described in Liber 618 of deeds at page 307 and the southeasterly corner of lands of Frenzel; thence along lands of Frenzel N 22-02-30 E 130.19 feet to the point or place of beginning.

PARCEL II

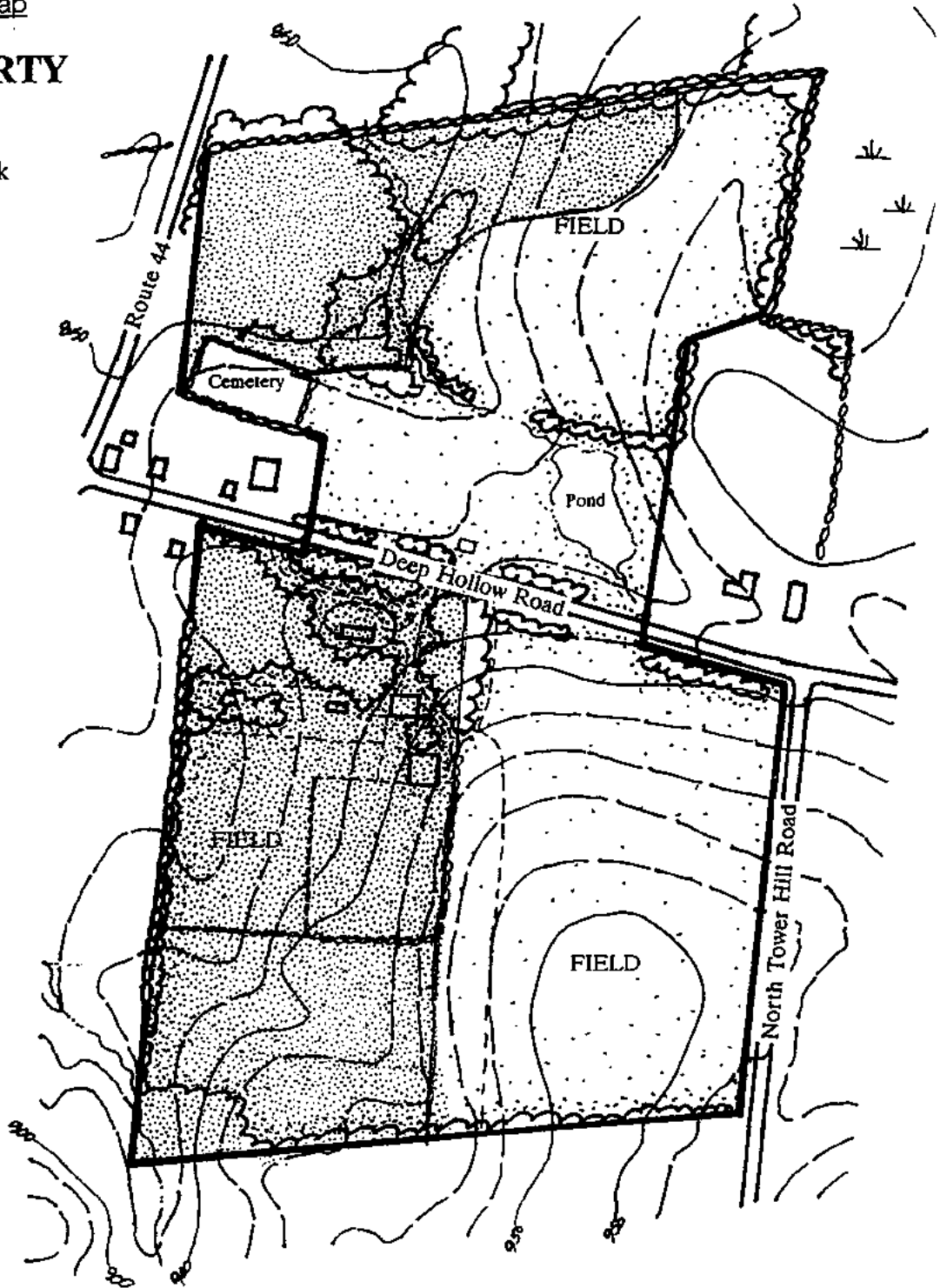
Beginning at a point in the northerly assumed roadline of Deep Hollow Road, said point being the southeasterly corner of the herein described parcel and the southwesterly corner of lands of Belinda K. Kaye, described in Liber 1416 of deeds at page 92; thence along the northerly assumed roadline of Deep Hollow Road N 64-34-00 W 111.87 feet, N 60-12-00 W 185.80 feet, N 58-14-00 W 114.15 feet and N 60-24-10 W 308.03 feet to the southwesterly corner of the herein described parcel and the southeasterly corner of lands of St. Peter's Church of Lithgow; thence along the same and along a wood fence N 25-37-00 E 303.97 feet, N 64-49-00 W 81.90 feet to a large maple tree; thence along the cemetery N 58-09-00 W 134.00 feet to lands of Shanks, described in Liber 1185 of deeds at page 746; thence along the same and along and near a wire fence N 21-14-20 E 350.83 feet to a point, being the northeasterly corner of lands of Shanks and the northwesterly corner of lands of the herein described parcel and also being in the line of lands of Kaye; thence along lands of Kaye and lines of no physical bounds S 83-17-03 E 1095.92 feet, S 24-05-37 W 475.49 feet, N 71-07-03 W 124.43 feet and S 22-15-57 W 580.60 feet to the point or place of beginning.

EXHIBIT B

Conservation Easement Map
For The
TAYLOR PROPERTY

Deep Hollow Road
Town of Washington
Dutchess County, New York

41.07 ± Acres



NORTH

Approximate Scale:

1" = 300'

150' 0' 150' 300'



LEGEND

Property Lines

USGS Contours

Existing Tree Lines

Existing Buildings

Shading Indicates acceptable
"building envelopes"

REPRODUCTION IN
WHOLE OR PART
FROM ORIGINAL

DATE: 06/22/2011 09:51:00 AM

DUTCHESS LAND
CONSERVANCY



PO Box 138
Millbrook, New York 12545
www.dutchessland.org
(845) 677-3002
Fax 677-3008

Officers and Directors

Chairman

Timothy Mayhew

Vice Chairmen

Christopher L. Mann

Oakleigh Thorne

Secretary

*Olivia van Melle Kamp

Treasurer

Nancy N. Hathaway

Steven Benardete

Nicholas C. Bienstock

Timothy M. Bontecou

Candace Browning-Platt

Hannah F. Buchan

Sarah Lyons Chase

Peter Coon

Wolcott B. Dunham, Jr.

Leslie Farhangi

Patricia Farman-Farmaian

Thomas M. Flexner

Thomas W. Keesee

Fernanda M. Kellogg

Brad Kendall

Thomas L. Newberry

Terry Regan

Erie W. Roberts

Rebecca M. Seaman

David R. Stack

Peter Teherapnine

Liselotte Vinco

Kathleen C. Weathers

Fred Whitridge, Jr.

Ross Williams

Chairmen Emeriti

*Leslie B. Barclay 1985-87

*Olivia van Melle Kamp 1987-88

Charles P. Shaw 1988-90

*Farnham F. Collins 1990-92

Nancy N. Hathaway 1992-97

Richard A. Kimball, Jr. 1997-05

Timothy M. Bontecou 2005-14

Rebecca M. Seaman 2014-22

Director Emeriti

John P. Banning, Jr. 2011-22

David R. Tetor 1989-22

Advisory Council

Kathleen V. Augustine

Gayle Bontecou

Russell L. Carson

David C. Clapp

*Farnham F. Collins

Everett R. Cook, II

Wendy C. Curtis

Willem de Vogel

Eliza Dyson

Frank Martucci

Marta Nottebohm

Simon C. Roosevelt

Gilbert P. Schafer, III

Dorothy W. Sprague

President

Rebecca E.C. Thornton

*Founder



June 12, 2024

Mr. James Florack and Ms. Tracy Kimmel
692 Deep Hollow Road
Millbrook, NY 12545

*RE: Florack and Kimmel Property (Conserved as part of the Taylor 41.7
Acre Conservation Easement)*

Dear Mr. Florack and Ms. Kimmel:

Thank you very much for providing us with copies of plans for the proposed addition to the existing principal residence on your Conservation Easement property, as provided to us by Turino Kalberer Architects. Based on our review, we have approved the plans in accord with the details below. This letter serves as a formal record of our approval for your files.

- As shown in the plans, the existing laundry area, which is approximately 9 x 25 feet (225 square feet), will be removed from the house, and be replaced by a new mudroom/laundry.
- The new mudroom/laundry area will be a single story, with dimensions of approximately 20 x 25 (500 square feet).
- Exterior details for the siding and roof will closely match the existing residence in color and architectural style.

Please let me know if you have any questions about our approval or if you need additional information. Thank you very much for your careful stewardship and support of the DLC.

Sincerely,

Art Collings

Vice President for Conservation and Stewardship

cc: Julie Kalberer

enclosure (plans)



Town of Washington

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

PLEASE NOTE: If ownership is held jointly or in partnership, each owner and/or partner must sign a separate owner's endorsement. If the owner or owners are making the application, this endorsement is not required.

OWNER'S ENDORSEMENT

STATE OF NEW YORK
COUNTY OF New York ss:

JAMES A. FLONTER, being duly sworn, deposes and says:

I am: (check one)

- 1. the sole owner in fee
- 2. a part owner in fee
- 3. an officer of the corporation which is the owner in fee of the premises described in the foregoing application.
- 4. designated party authorized to act pursuant to a trust or legal document.
- 5. member/owner(s) of Limited Liability Corporation (LLC).

*JOINT WITH WIFE
TRACY KIMMER*

(If you checked #3, #4 or #5, please provide proof of legate (ie: Corporate Resolution, Surrogate Letter, Executor of the Will, Certified Letter of Testamentary, Letter of Administration, Attorney-Opinion Letter, Letter of Probate, Power of Attorney, etc.)

I reside at 677 Deep Hollow Road
City Millbrook State NY Zip 12545

I have authorized (name) Julie Kalberer, aia
(Company) Turino Kalberer Architects

to make the foregoing application to the Town of Washington for approval as described herein for the property located at 677 Deep Hollow Road
property ID # 135889 6966 - 00-493540

[Handwritten Signature]
Signature

If owner is a corporation, please indicate name of corporation and title of the corporate officer whose signature appears above.

Sworn to before me this 3rd day of June, 2024
Notary Public: Andrea Sue Reichbach Notary Stamp:

ANDREA SUE REICHBACH
Notary Public, State of New York
No. 01RE6346802
Qualified in Westchester County
Certificate Filed in New York County
Commission Expires August 22, 2024



Town of Washington

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

PLEASE NOTE: If ownership is held jointly or in partnership, each owner and/or partner must sign a separate owner's endorsement. If the owner or owners are making the application, this endorsement is not required.

OWNER'S ENDORSEMENT

STATE OF NEW YORK
COUNTY OF New York ss:

Tracy Kimmel, being duly sworn, deposes and says:

- I am: (check one)
- 1. the sole owner in fee
 - 2. a part owner in fee Joint with husband, James A. Flouck
 - 3. an officer of the corporation which is the owner in fee of the premises described in the foregoing application.
 - 4. designated party authorized to act pursuant to a trust or legal document.
 - 5. member/owner(s) of Limited Liability Corporation (LLC).

(If you checked #3, #4 or #5, please provide proof of legatee (ie: Corporate Resolution, Surrogate Letter, Executor of the Will, Certified Letter of Testamentary, Letter of Administration, Attorney-Opinion Letter, Letter of Probate, Power of Attorney, etc.)

I reside at 677 Deep Hollow Road
City Millbrook State NY Zip 12545

I have authorized (name) Julie Kalberer, aia
(Company) Turino Kalberer Architects

to make the foregoing application to the Town of Washington for approval as described herein for the property located at 677 Deep Hollow Road
property ID # 135889 6966 - 00-493540

TK
Signature

If owner is a corporation, please indicate name of corporation and title of the corporate officer whose signature appears above.

Sworn to before me this 4th day of June, 2024
Notary Public [Signature]

Notary Stamp:

MARK A. WEIL
Notary Public, State of New York
No. 01WE4703823
Qualified in Queens County
Commission Expires May 21 2027

Applicant Name: JULIE KALBERER



Town of
Washington

**TOWN OF WASHINGTON
PLANNING BOARD**
10 Reservoir Drive • P.O Box 667 Millbrook,
NY 12545 • (845) 677-3419 EXT 112 •
planningboard@washingtontny.org

AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER

State of New York }
County of New York } ss:

JULIE KALBERER, AIA being duly sworn, deposes and says:

1. That he/she is the agent named in the foregoing application for JAMES FLORACK / TRACY KIMMEL and that he/she has been duly authorized by the owner in fee to make such application and that the foregoing statements contained therein are true to the best of his/her knowledge and belief.
2. That he/she resides at 530 BUTTS HOLLOW RD, TOWN DUTCHESS in the County of DUTCHESS and the State of NY.
3. That he/she is the ARCHITECT/AGENT of the within property as described in the foregoing application for Planning Board approval and that the statements contained therein are true to the best of his/her knowledge and belief.
4. That he/she understands that the Town of Washington Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury he/she declares that he/she has examined this affidavit and that it is true and correct.

[Signature]
Agent/Owner

Agent/Owner

[Signature]
Notary Public

OTTO E. GONZALEZ
NOTARY PUBLIC-STATE OF NEW YORK
No. 01G06354211
Qualified in Queens County
My Commission Expires 02-06-2025

7/18/24



Town of Washington

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

Consent to Inspection

The undersigned, does hereby state:

James A. Florack

and

Tracy Kimmel

Owner Name

Owner Name

That the undersigned is/are the owner(s) of the premises in Town of Washington, located at
677 Deep Hollow Road

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

135889 - 6966 - 00-493540 -

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

Assessment Review

Building Permit

Municipal Search

Planning Board Application

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.**

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.

Contact person for inspection: Julie Kalberer, AIA

Phone Number to schedule inspection: 917-359-0120, julie@tkanyc.com

Signature

Print Name JULIE KALBERER

Print Name

Dated: 7.17.24

Signature

Print Name Tracy Kimmel

Print Name

Dated: 7/17/24

Short Environmental Assessment Form

Part 1 - Project Information

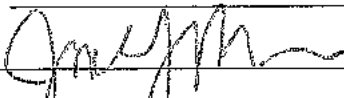
Instructions for Completing

Part 1 – Project Information: The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Florack Residence			
Name of Action or Project: Proposed Addition to House			
Project Location (describe, and attach a location map): 677 Deep Hollow Road, Millbrook, NY 12545			
Brief Description of Proposed Action: We are proposing an addition to an existing non-conforming house that would include a new entry, mudroom, and laundry room.			
Name of Applicant or Sponsor: Julie Kalberer, AIA for Turino Kalberer Architects		Telephone: 917-359-0120 E-Mail: julie@tkanyc.com	
Address: 757 Third Avenue, Flr. 20			
City/PO: New York		State: NY	Zip Code: 10017
1. <u>Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?</u> If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. <u>Does the proposed action require a permit, approval or funding from any other government Agency?</u> If Yes, list agency(s) name and permit or approval: Town of Washington, NY Zoning Board of Appeals & Building Department, and Dutchess Land Conservancy			YES <input checked="" type="checkbox"/>
3. a. <u>Total acreage of the site of the proposed action?</u>		23.45 acres	
b. <u>Total acreage to be physically disturbed?</u>		0.014 acres	
c. <u>Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?</u>		23.45 acres	
4. <u>Check all land uses that occur on, are adjoining or near the proposed action:</u>			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Residential (Rural)			
<input type="checkbox"/> Parkland			

		NO	YES	N/A
5.	Is the proposed action,			
a.	<u>A permitted use under the zoning regulations?</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	<u>Consistent with the adopted comprehensive plan?</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.	<u>Is the proposed action consistent with the predominant character of the existing built or natural landscape?</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7.	<u>Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If Yes, identify: _____				
8.	a. <u>Will the proposed action result in a substantial increase in traffic above present levels?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9.	<u>Does the proposed action meet or exceed the state energy code requirements?</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____				
10.	<u>Will the proposed action connect to an existing public/private water supply?</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If No, describe method for providing potable water: _____ will connect to existing private well				
11.	<u>Will the proposed action connect to existing wastewater utilities?</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If No, describe method for providing wastewater treatment: _____ will connect to private septic system				
12.	a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13.	a. <u>Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ see adjacent property wetland areas on drawings (closest wetland is approximately 670 feet from proposed addition)				

14. <u>Identify the typical habitat types that occur on, or are likely to be found on the project site.</u> Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. <u>Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?</u>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. <u>Is the project site located in the 100-year flood plan?</u>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. <u>Will the proposed action create storm water discharge, either from point or non-point sources?</u> If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. <u>Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?</u> If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. <u>Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</u> If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. <u>Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</u> If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor/name: <u>Julie Kalberer, AIA</u> Date: <u>6-11-24</u></p> <p>Signature <u></u> Title: <u>Principal, Turino Kalberer Architects</u></p>		



Environmental, Planning, and Engineering Consultants
34 South Broadway
Suite 300
White Plains, NY 10601
tel: 914 949-7336
fax: 914 949-7559
www.akrf.com

TOW
CONSULTANT
LETTER

Memorandum

To: Town of Washington Zoning Board of Appeals
From: Alicia Moore
Date: July 12, 2024; REVISED July 15, 2024
Re: Florack Area Variance and Special Permit (677 Deep Hollow Rd)
cc: Jim Florack and Tracy Kimmel (property owner)
Julie Kalberer, AIA (Turino Kalberer Architects)
Aaron Werner, AICP (AKRF, Inc.)
Kyle Barnett (ZBA Attorney)

AKRF, Inc. has reviewed the following documents and plans for the above referenced application:

- Cover Letter to Kim Hand, Zoning Administrator, from Julie Kalberer, AIA (Turino Kalberer Architects) dated 6/13/24.
- Area Variance Application notarized 6/11/24.
- Property Survey prepared by Kevin Cunningham dated 6/15/10.
- Sketch Map (updated survey) prepared by Bly and Houston dated 4/26/24.
- Architectural Drawings (9 sheets) prepared by Turino Kalberer Architects and dated 5/22/24.
- Deed.
- Environmental Assessment Form (EAF) dated 6/11/24.
- Owners Endorsement by James Florack notarized 6/3/24.
- Owners Endorsement by Tracy Kimmel notarized 6,4/24.
- Conservation Easement by Dutchess Land Conservancy (DLC) dated 1994.
- Letter of Approval from DLC dated 6/12/24.
- Aerial Photo (parcel access) undated.
- Photos (11) of the existing house.

PROJECT DESCRIPTION

The Applicant proposes to construct a one-story addition to an existing single-family home located at 677 Deep Hollow Road, a 23.45-acre lot in the RR-10 zoning district (tax parcel 135889-6966-493540) and Agricultural District 21. The subject property is currently improved with a 2-story house (built 1810), guest house, two barns, and accessory structures. The house is preexisting nonconforming as it has a front setback of 43.8 feet where 100 feet is required. The project proposes to remove the existing 225-sf laundry room,

porch, rear landing and steps and add a new entry, laundry room, mudroom, and porch. The proposed net increase is 389 sf of which 228 sf would be within the front setback. The new addition would be made to the side (southeast) of the house, and at its closest point, would be 80.1 feet from the front lot line. The proposed addition has been designed to match the historic character of the existing house. The project is 670± from the nearest wetland. The project requires 19.9-foot area variance to reduce the front setback, as well as a special permit to increase the size of the house (as a nonconforming structure) by approximately 7.4%. The special permit, if approved, also requires Planning Board site plan approval.

COMMENTS

APPLICATION COMPLETENESS

1. Per the cover letter, the Applicant received confirmation from the Town Building Inspector that a certificate of occupancy (CO) is not required, as the subject house, constructed in 1810, predates the CO requirement.
2. The application includes an approval letter from DLC in accordance with the terms of the easement (section 3.12).

CODE COMPLIANCE

3. The existing house is preexisting nonconforming for encroaching the front yard setback (43.8' provided; 100' required). Zoning Code Section 391.7 allows a nonconforming structure to be expanded by up to 25% of the gross floor area with a special permit. Per Dutchess County Parcel Access, the existing house has a gross floor area of 5,233 sf; this should be confirmed. The total proposed net increase in square footage is 389 sf¹, which would amount to an increase of approximately 7.4%. As this percentage is well below the 25% maximum, the project would comply with § 391.7 even allowing for leeway in the exactness of the existing and proposed floor area. (The special permit also requires site plan review and approval by the Planning Board.)
4. As described in the application, the proposed addition would add 228 sf within the reduced front yard. However, as the addition would be made to the side of the house (southeast), it would not further reduce the distance to the front lot line, which is and would remain at 43.8 feet. At its closest point, the new addition would be 80.1 feet from the front lot line. Therefore, as the minimum required front setback is 100 feet, an area variance is required for 19.9 feet.
5. As shown on the submitted NYS Wetlands Map (Sheet A2) and the Town Wetlands Map (NRI #12), there are nearby offsite state and federal wetlands, as well as a freshwater pond (identified as not wetlands). However, as illustrated on the submitted NYS Wetlands Map, the project site is 670± feet from the nearest wetland (federal wetlands north of the project site). As the project is clearly beyond the 100-foot buffer area, a wetland permit and CAC referral are not required.

REFERRALS

6. The subject parcel is within 500 feet of a County road (Route 44) and within 500 feet of a farm operation in an agricultural district (AD 21). This application is therefore subject to General Municipal Law (GML) 239-m, which requires referral to Dutchess County. However, under the Referral Reduction Agreement between the Town and Dutchess County, area variances for residential uses are exempt from referral. (Note that the Planning Board, as part of its site plan review, will be required to refer this application to the County, as site plans for any use are not exempt under the Referral Reduction Agreement.)

¹ The amount of the proposed increase in "floor area," as that term is defined in the Zoning Code, may be even lower than 389 sf, as it is not clear whether the entire proposed new entry and porch would be covered. The definition of floor area implies that uncovered areas are excluded.

7. The property is not located within the Millbrook watershed (NRI #8). Therefore, referrals to the Village of Millbrook and the NYS Department of Health under NYCRR Section 112.5 are not required.

SEQRA

8. This application is considered a Type II Action under the State Environmental Quality Review Act (SEQRA), which requires no environmental review or submission of an Environmental Assessment Form. The applicable Type II citation is as follows:

"6 NYCRR 617.5(c)(16) – granting of individual setback and lot line variances and adjustments"

RECOMMENDATION

At the July 16, 2024 ZBA meeting, AKRF recommends that the ZBA discuss the application and consultant comments, classify the application as Type II under SEQRA (6 NYCRR 617.5(c)(16)), and open the public hearing if prepared to do so.



Town of Washington

TOWN OF WASHINGTON
PLANNING BOARD
10 Reservoir Drive • P.O Box 667 Millbrook,
NY 12545 • (845) 677-3419 EXT 112 •
planningboard@washingtonny.org

AGRICULTURAL DATA STATEMENT

Pursuant to New York State Town Law 283-a and NYS Agriculture and Markets Law 305-b, this Data Statement will be used to evaluate the potential impacts of a proposed development on farm operations in agricultural districts.

Name of Applicant(s): Julie Kalberer, AIA for owners Florack/Kimmel
Address: 757 Third Avenue, Flr. 20, New York, NY 10017
Telephone: 212-219-3007 Email Address: julie@tkanyc.com

Description of Project: Proposed enlargement of 389 sq.ft to an existing non-conforming single-family house

Tax Map Numbers of all Parcels: 135889-6966-00-493540-0000
Address of Project: 677 Deep Hollow Road, Millbrook, NY 12545

APPROVAL REQUESTED FOR (check all that apply):

Special Use Permit [checked] Preliminary Subdivision Plan
Sketch Plan
Site Plan [checked] Final Subdivision Plan

Is the project site located within an Agricultural District? Yes [checked] No
If yes, Agricultural District Number? AD-21

Is any portion of the project site currently actively farmed? Yes [checked] No
Name of person farming the site: Mike Lawrence
Does this person [checked] RENT or OWN the land?


List all farm operations within 500 feet of any boundary of the project site:

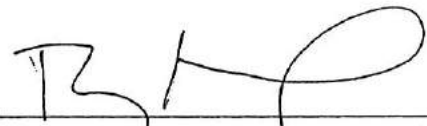
Table with 2 columns and 2 rows. Column 1: #314588, Name: Kildare Realty LLC, Address: PO Box 1334 Millbrook, NY 12545, Is parcel actively farmed? Horse farm. Column 2: #532689 + #497592, Name: Nichols, David Trustee, Address: 658 Deep Hollow Road Millbrook, NY 12545, Is parcel actively farmed? Livestock.

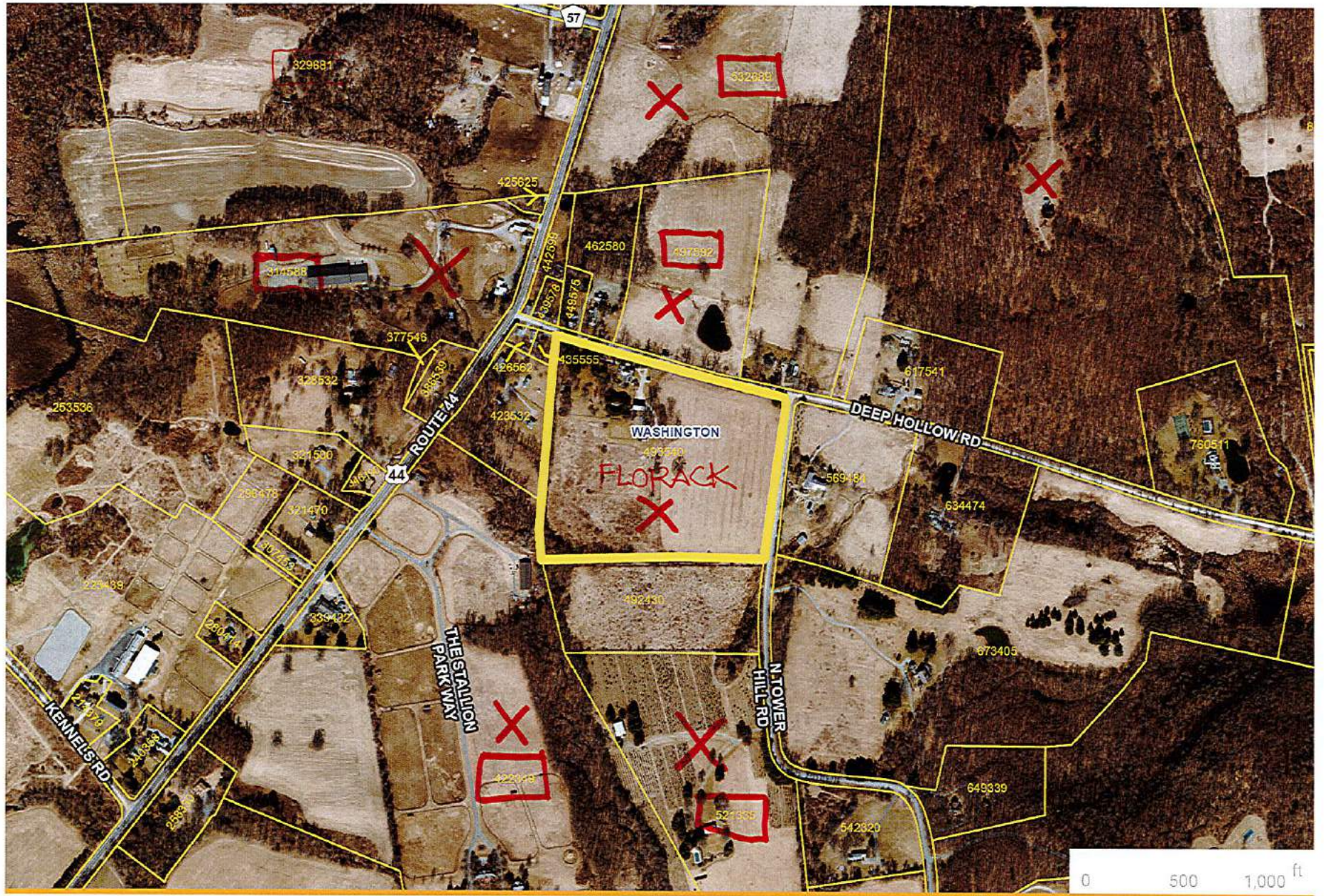
<p>#664765 Name: <u>Lithgow Farm LLC</u> Address: <u>(26-33 Lithgow Road)</u> <u>4 Tahiti Beach Road</u> <u>Coral Gables, FL 33143</u> Is parcel actively farmed? <u>Livestock</u></p>	<p>#521335 Name: <u>Richard Philipps</u> Address: <u>407 N Tower Hill Rd</u> <u>Wassaic, NY 12592</u> Is parcel actively farmed? <u>Tree farm</u></p>
<p>#422349 Name: <u>Stallion Park LLC</u> Address: <u>PO Box 11128</u> <u>Greenwich, CT 06831</u> Is parcel actively farmed? <u>Horse farm</u></p>	<p>Name: _____ Address: _____ Is parcel actively farmed? _____</p>

Attach additional sheets if necessary.

Attach a copy of the tax map or other map showing the site of the proposed project relative to the location of farm operations identified above by marking an X on each farm parcel.

Dated: 7.17.24

Signature of Applicant


Signature of Owner (if different)



Parcel #: 135889-6966-00-493540-0000

Washington, NY

Printed By:
ParcelAccess

N

RED X'S INDICATE FARMING LOCATIONS

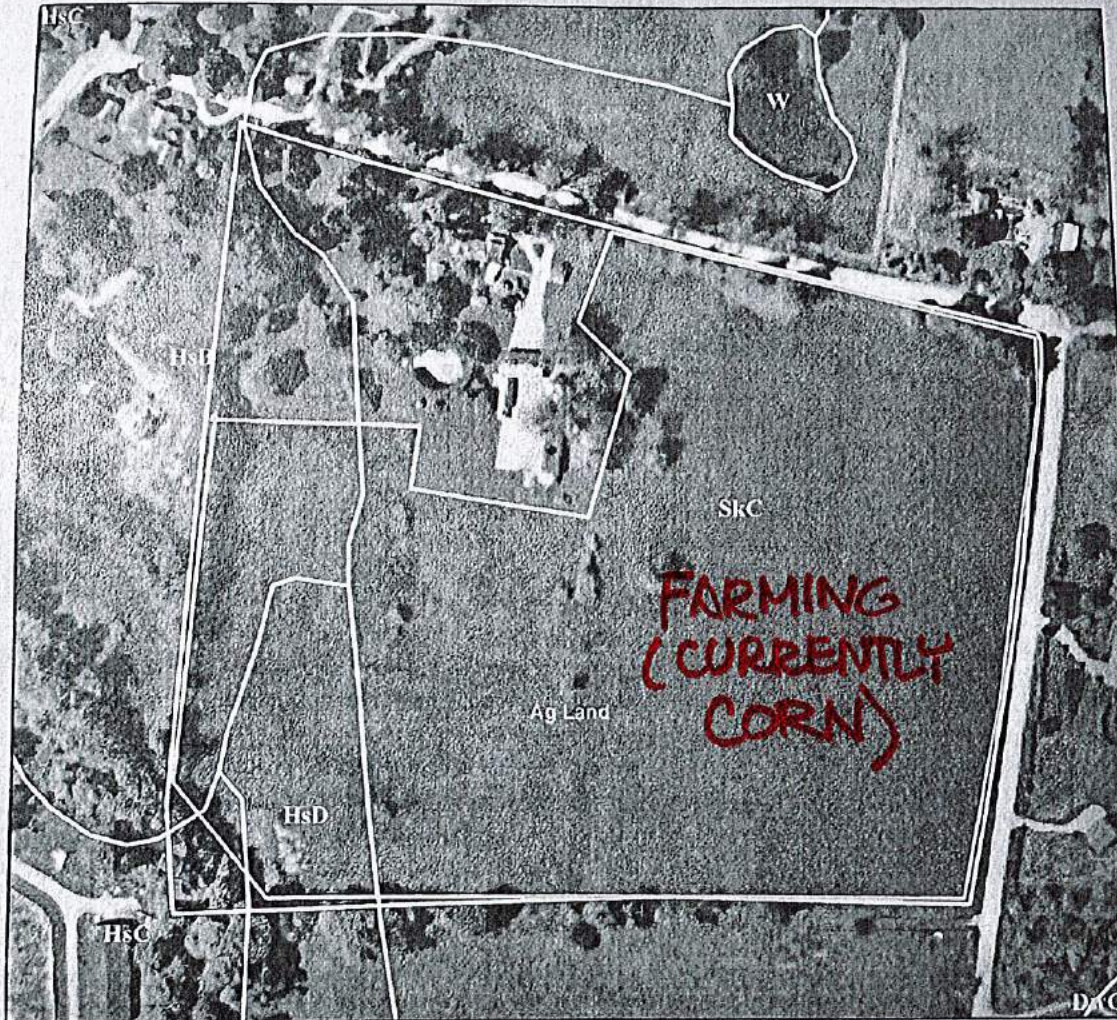
ParcelAccess
7/17/2024



Dutchess County
New York

FLORACK PARCEL

Town of Washington ~ Parcel # 6966-00-493540



0 200 400 Feet

1:2,400

Legend

soils-07-2012

Washington - 493540



Produced on 03-2013
Map Produced by Dutchess County
Soil & Water Conservation District
NOT FOR SITE SPECIFIC WORK

Soils - US Department of Agriculture
(USDA) Natural Resources Conservation
Service (NRCS) Soil Survey Geographic
Data Base (SSURGO), 1998.
Tax Parcels - Dutchess County Real
Property Tax Service Agency, 2009.
Aerials 2008, DC OCIS



Department of Taxation and Finance
Office of Real Property Tax Services

Agricultural Assessment Renewal Certification

RP-305-r
(2/22)
DUE BY
MARCH 1

135889 James A. Florack Tracy Kimmel 50 Central Park WUnit3A New York, NY 10023-0000	6966-00-493540-0000	Mailing address of owner(s) (number and street or PO box)	
ZIP code	City, town, or village	State	ZIP code
Daytime contact number 1-917-881-0962	Number Same	Email address Kimmeltracy@gmail.com	

Please renew my agricultural assessment for 20 24 for the following parcel(s): Tax map number(s) 6966-00-493540-0000

(attach additional sheets if necessary).

I have reviewed the last agricultural assessment application (Form RP-305) that was filed for this farm operation, as well as the instructions that accompany this renewal certification, and I hereby certify that each of the following statements of fact is true:*

- The last agricultural assessment for this land was filed in 20 ____ .
- Since that application was filed, there has been no change in the ownership or total acreage of this parcel, or in the classification of its soils.
- The land is still being used in the same manner as that application, and there has been no change in the acreage devoted to each use.
- At least one of the following conditions is met:
 - The land consists of seven acres or more and the owner has required \$10,000 or more in average gross sales value, annual gross sales value or average gross sales value, annual gross sales value applicable; or
 - The land consists of less than seven acres and the owner has required \$50,000 or more in average gross sales value, annual gross sales value or average gross sales value, annual gross sales value applicable; or
 - No such requirement applied to the parcel(s) and the parcel(s) is either a newly-planted orchard, vineyard, or hopyard, a newly-established Christmas tree operation, or land used by a not-for-profit institution for eligible agricultural research.
- If Form RP-305 indicated that rented land was being used in conjunction with the parcel(s) for the production of agricultural products for sale, the same land is being rented, the same person is continuing to rent it under the same written rental agreement, and, if the rented land does not independently satisfy the gross sales value requirement, it is used in conjunction with qualifying land.

*Included:
• lease
• map
• farm (chair)
• put it into
in photo*

I understand that I must maintain records confirming that each of these statements is true, and that I must supply those records to the assessor upon their request. I understand that any false statements on this form are punishable by law. I further understand that converting this land to a non-agricultural use may subject it to penalties and/or payments based on the amount of taxes owed.

Owner's signature Tyler & Jack Full	Date 3/27/2024
---	--------------------------

Farmer: **Mike Lawrence**

Contact: **914-475-6092**
northviewcustomfarming@gmail.com

To request a copy of the assessor's determination, check here and enclose a stamped, self-addressed envelope.

*Caution: If one or more of these statements is not true, do not complete this certificate; a new Form RP-305 will have to be completed and filed to request renewal of the agricultural assessment.

For Assessor's Use Only

Date application filed: _____ Applicable taxable status date: _____

Action on application: Approved Disapproved

Reason for disapproval (if applicable): _____

Assessor's name (print)	
Assessor's signature	Date