



Environmental, Planning, and Engineering Consultants

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Memorandum

To: Town of Washington Planning Board
From: AKRF, Inc. (A. Werner, AICP; A. Moore)
Date: August 2, 2024
Re: Presser (97 Valley Farm Rd) – Site Plan
cc: Hillel Presser (property owner)
Daniel Contelmo
Joseph P. Eriole (PB Attorney)
Jonathan Ialongo (Town Building Inspector)

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

- Agricultural Data Statement dated 7/12/24.
- EAF dated 3/19/24.
- Site Plan (1 sheet) prepared by Daniel Contelmo Architects and dated 5/21/24.

PROJECT DESCRIPTION

The Applicant, on behalf of the property-owner Hillel Presser, proposes interior and exterior renovations, including expanding the existing front porch into a new L-shaped roofed porch of 537 sf, to a 2,310-sf single-family home on a 5.2-acre lot in the RM-2 zoning district (tax parcel 135889-6765-00-414655) and Agricultural District 21. The proposed interior renovations would add a bedroom suite within the existing attached garage. The house is preexisting nonconforming for encroaching the front yard setback (47'6" provided; 75' required). The proposed roofed porch would increase the size of the house by 23%, and it would further encroach the front setback by 2'-6." In addition to the subject house, the property is currently improved with a barn, gravel driveways, and other accessory improvements. The property-owner also owns three adjoining parcels (total of 4 parcels amounting to 17.9± acres) which appear to be farmed; no work is proposed on the other parcels. The property includes wetlands (a pond) north of the subject house; however, the project site is outside of the 100-foot wetland buffer.

On May 21, 2024, the ZBA granted a special permit to increase the size of the house (as a nonconforming structure) by 23% and an area variance of 30 feet (to allow a 45' front setback where 75' is required), conditioned on: 1) the house remaining 3-bedrooms; 2) the Applicant obtaining site plan approval (as required for the special permit); and 3) no adverse comments from the County.

COMMENTS

The Applicant has revised the submission package in response to comments from the Planning Board and its consultants. Previous comments are presented below in *italics*; new and follow-up comments are in **bold**.

APPLICATION COMPLETENESS

1. *The property is within AD 21. The Applicant should submit an Agricultural Data Statement.*
Comment addressed. The Agricultural Data Statement and map have been submitted.
2. *The Applicant should submit an EAF, required for all site plan applications.*
Comment addressed. An EAF has been submitted.
3. *The signature block for the Planning Board should be added to the site plan (in addition to the signature block for the Applicant/Owner, which is already on the site plan).*

TOWN OF WASHINGTON PLANNING BOARD PLAN APPROVAL	
<p>The plan of development for the property as depicted hereon was approved by a majority of the members of the Town of Washington Planning Board at a meeting held on _____ and the conditions of Site Plan Approval have been satisfied or arrangements have been made to ensure the completion of any outstanding or incomplete conditions.</p>	
<p>_____ Chair</p>	
<p>_____ Date</p>	

Comment addressed. The signature block has been added to the site plan.

CODE COMPLIANCE

4. *The project would add a bedroom within the existing attached garage. However, as explained at the May 21, 2024 ZBA meeting, the Applicant recently converted a different bedroom into an office. Therefore, there is no net change in the number of bedrooms, which is three.*

No further comment.

5. *The property includes an approximately 6,730-sf pond north of the subject house. The pond is identified as a wetland on the Town of Washington Wetlands Map (NRI Map #12). The house and project site are located outside of the 100-foot buffer around the pond. Therefore, a wetland permit is not required.*

No further comment.

REFERRALS

6. *The subject parcel is within 500 feet of a municipal boundary (Village of Millbrook) and 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. Under the terms of the Town's Referral Reduction Agreement with Dutchess County, site plans are not exempt from the GML 239-m referral and review process. The County is required to respond within 30 days of receipt.*

County referral was made 7/3/24. The County response, dated 8/2/24, deemed the project a "matter of local concern" and declined comment.

7. *The property is located within 500 feet of an adjacent municipal boundary. Specifically, at its southeast corner, the property touches the boundary of the Village of Millbrook. Therefore, pursuant to GML 239-nn, the Town of Washington is required to give notice of the site plan public hearing to the clerk of the Village of Millbrook. Such notice shall be given by mail or electronic transmission to the Village Clerk at least 10 days prior to a hearing.*

Notice was provided to Millbrook of the public hearing. A response is not required. No further comment.

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)(12) – construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;”

The application was so classified at the Planning Board meeting of 7/2/24. No further comment.

RECOMMENDATION

At the August 6, 2024 Planning Board meeting, AKRF recommends that the Planning Board open the public hearing, and if the hearing can be closed, consider granting site plan approval.