



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 30, 2024
Re: Ciferri Lot Line Adjustment (Maple Hill Subdivision)
cc: Roderick W. Ciferri III (trustee of R.W. Ciferri, Jr. 1990 Trust, property owner)
Joseph P. Eriole (PB Attorney)
Jonathan Ialongo (Town Building Inspector)

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

- Planning Board Application dated 8/12/24.
- Sketch Plan (Property Survey) prepared by Bly and Houston, LLP dated 8/15/24.
- Owners Affidavit, undated.
- Owners Endorsement, dated 8/19/24.
- Consent to Inspection, dated 8/19/24.
- Deeds for Parcel 313539 and Lots 1-9 of Maple Hill Subdivision.
- Property Tax Statement for Parcel 286494 (Lot 7) dated 2024.
- Property Tax Statement for Parcel 249489 dated 2024.
- EAF, dated 8/16/24.
- Maple Hill subdivision Filed Map prepared by Milton Chazen and dated 7/18/1988.
- Aerial Photo (Parcel Access)

PROJECT DESCRIPTION

The Applicant, Roderick W. Ciferri III (as trustee of R.W. Ciferri, Jr. 1990 Trust), requests approval of three lot line adjustments (“LLA”) affecting six properties with a combined acreage of approximately 13.5 acres located within the RH-1 district. The three proposed lot line adjustments are between the following properties (described further in Comment 1, below): (1) Lot 3 (6764-01-288522) and Lot 7 (6764-03-286494); (2) Lot 2 (6764-01-287553) and 19 Maple Hill Drive (6764-01-274557); and (3) 52-54 County House Rd (6764-01-313539); and Lot 9 (6764-01-309516). The Applicant owns five of the properties, and the Swart family owns one of the properties (19 Maple Hill Dr.). All of the properties comply with the RH-1 minimum lot size of 1 acre, except for 19 Maple Hill Drive (Swart property) (0.3 acres), which is

preexisting nonconforming. The proposed project would not significantly alter the size of any of subject properties and would not cause or increase any nonconformities with respect to lot size. The purpose of the lot line adjustments is to simplify access rights to the properties. No construction is proposed as part of the application.

COMMENTS

1. The project proposes the following lot line adjustments:

Table 1
Subject Properties and Proposed Changes

LLA	Property	Owner	Use	Current Acreage	Proposed Acreage	Purpose of LLA per application
1	Lot 3 6764-01-288522 Maple Hill Dr.	R.W. Ciferri, Jr. 1990 Trust	Vacant	1.37	1.37	Exchange driveway with Lot 7
	Lot 7 6764-03-286494 County House Rd.	R.W. Ciferri, Jr. 1990 Trust	Vacant	1.08	1.08	Exchange driveway with Lot 3
2	Lot 2 6764-01-287553 Maple Hill Dr.	R.W. Ciferri, Jr. 1990 Trust	Vacant	1.7	1.7	Grant better access to 19 Maple Dr. driveway
	19 Maple Dr. 6764-01-274557	Swart	Single-family house	0.3 ^[1]	0.3 ^[2]	Gain better access to driveway
3	52-54 County House Rd 6764-01-313539	R.W. Ciferri, Jr. 1990 Trust	Apartments, shop, warehouse	1.92	1.78	Allow an existing parking area to be located on the right parcel
	Lot 9 56 County House Rd 6764-01-309516	R.W. Ciferri, Jr. 1990 Trust	Duplex	1.01	1.01	Allow an existing parking area to be located on the right parcel
Notes: ^[1] Preexisting nonconforming ^[2] increase of 391 SF						

APPLICATION COMPLETENESS

2. The Planning Board may request clarification on how the project would accomplish the purposes of LLA 2 and 3.
3. Per the application form, the parcel located at 19 Maple Hill Drive (6764-01-274557) is owned by the Swart family (LeRoy H. and Mary Lynn Swart per the application; Jodi Swart, trustee of Swart Trust, per Dutchess County Parcel Access). The application should include the deed or other proof of ownership of this property (e.g., tax record) as well as an Owners Endorsement notarized by the property owner and authorizing the Applicant, Roderick W. Ciferri III, to make this application.
4. The Applicant should clarify the changes proposed for the property labeled as Lot 8 (6764-01-305497) on the Sketch Plan. Lot 8 is shown as having a proposed and to-be-eliminated lot line, and it is described as “1.084 acres before lot line change[;] 1.195 acres after lot line change.” However, the application description does not refer to Lot 8 or any changes to it. (See also, Comment 11.)
5. The application includes a tax statement for parcel 6764-03-249489 (Maple Hill Drive, 1.01 acres). However, the project description does not include this property. The Applicant should clarify what changes, if any, are proposed for parcel 249489.
6. The final subdivision plat should include signature blocks for the Applicant and the Planning Board Chair.

CODE COMPLIANCE

7. This application meets the following definitions per Article VII of the Subdivision Regulations:

RE-SUBDIVISION: A change in a subdivision plat or re-subdivision plat filed in the Office of the Dutchess County Clerk which (a) affects any street layout shown on such plat, (b) affects any area reserved thereon for public use, (c) constitutes a lot line adjustment as defined herein, or (d) creates any new lots.”

LOT LINE ADJUSTMENT: modification of parcel boundaries in which a portion of one parcel is combined with an adjoining parcel without increasing the total number of parcels.

8. The Planning Board may waive the public hearing for a lot line adjustment. Pursuant to Subdivision Code Sections 20.2(a) and 20.3, the Planning Board may, at the Applicant’s request, grant waivers from informational and procedural requirements of the Subdivision Regulations for minor subdivisions and lot line adjustments. The Planning Board shall clearly indicate which requirements, if any, of Subdivision Regulations shall be waived and the reasons for such waivers.
9. The property located at 19 Maple Hill Drive (Swart property) is preexisting nonconforming, as it is 0.3 acres where one acre is required. The proposed lot line adjustment would not increase the extent of the nonconformity; per the Sketch Map, the adjustment would increase the property size by 391 SF, which would bring it slightly closer to conformance.
10. The proposed project would not significantly alter the size of the subject properties or render any lot undersized (nonconforming). However, Lot 9 and the property at 52-54 County House Rd contain existing structures, which may be affected by the proposed changes. (The Swart property also contains existing structures; however, as shown on the Sketch Plan, the proposed lot line adjustment would expand the lot line further out.) While the application states that the project would not increase any nonconformities, the Applicant should confirm that the lot line adjustments affecting these properties would not cause a nonconforming reduction in setbacks. The Planning Board may request additional information or documentation, for example, an illustration showing existing structures relative to existing/proposed lot lines and/or a zoning compliance table.
11. Per the property deed, Lots 8 and 9 hold access easements over the driveway on Lot 7. The Applicant should describe the impact that the proposed project would have on the easements. The Applicant should also clarify the changes proposed to Lot 8 (see also, Comment 2).
12. There are no onsite wetlands.

REFERRALS

13. The subject parcel is within 500 feet of a County road (Route 97) 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. However, the Dutchess County Department of Planning and Development has not exercised the option to review subdivision applications which do not involve an application for site plan approval or a variance, citing “no authority” to review. Therefore, referral to the County pursuant to General Municipal Law (GML) 239-n is not required.
14. The Applicant must demonstrate that permission to file has been received from the Dutchess County Health Department prior to the Planning Board Chair signing the final subdivision plat. Proper signature blocks should be added to the final plat.

SEQRA

15. This application is considered a Type II Action under the State Environmental Quality Review Act (SEQRA), which requires no environmental review. 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 September 3, 2024 Planning Board meeting, AKRF recommends that the Planning Board discuss the application and consultant comments, classify the application as Type II under SEQRA (6 NYCRR 617.5(c)(16)), request clarification described above, and consider waiving the public hearing.