

Town of Washington Planning Board

**RESOLUTION DETERMINING THAT THE CONVENTIONAL SUBDIVISION
ACCOMPLISHES THE PURPOSES OF SECTION 137-26B (FORMERLY SECTION
60.2) OF THE TOWN OF WASHINGTON CODE**

Clear Subdivision (515 Woodstock Rd)

Town of Washington Planning Board member Nicole Drury offered the following resolution, which was seconded by member Eric Alexander as follows:

WHEREAS, the Applicant requests approval for a non-realty conventional subdivision of a 90.87-acre parcel into five new lots; and

WHEREAS, the property is located at 515 Woodstock Road (tax parcel 6766-00-021055) in the RL-5 zoning district and Agricultural District 21 (APO Overlay); and

WHEREAS, the subject property is bisected east-west by Woodstock Road, a Town-designated scenic road, resulting in a northern portion and southern portion; and

WHEREAS, each of the north and south portions contains a pond and scattered wetland areas on either side of Woodstock Road; and

WHEREAS, total existing structures include two single-family homes (a farmhouse on the northern portion and a ranch-style house on the southern portion), a cottage, several agricultural accessory structures (barns/shed), and multiple driveways; and

WHEREAS, the Applicant proposes to divide the property into five new lots, with Lots 1-3 on the northern portion and Lots 4-5 on the southern portion, as follows: Lot 1 (~23.4 acres), Lot 2 (~10.1 acres), Lot 3 (~5.4 acres), Lot 4 (~23.5 acres), and Lot 5 (~28.4 acres); and

WHEREAS, Lot 3 would contain the existing farmhouse, cottage, and accessory structures; Lot 4 would contain the ranch house; and the other three lots would be vacant and intended for as-of-right future single-family construction in accordance with RL-5 district requirements; and

WHEREAS, with respect to the three new vacant lots, the Applicant has illustrated proposed development/disturbance envelopes on the preliminary subdivision plat; and

WHEREAS, no construction is proposed on Lots 3 and 4, which at this time both contain primary residences; and

WHEREAS, Lots 3 and 4 would be accessed by existing driveways off Woodstock Road; Lots 1 and 5 would also be accessed from Woodstock Road; and Lot 2 would be accessed from Stanford Road.; and

WHEREAS, this application is considered an Unlisted Action pursuant to the State and Environmental Quality Review Act); and

WHEREAS, the Planning Board declared its intent to act as Lead Agency for SEQRA review on August 6, 2024, which declaration was duly circulated to involved and interested agencies; and

WHEREAS, no objection having been heard from any involved or interested agency, the Planning Board confirmed its status as Lead Agency on October 1, 2024; and

WHEREAS, the Town of Washington Code Section 137-27B(1) (formerly Section 61.2(a)) requires that if a Sketch Plan application for a conventional subdivision meets any of the cluster preference criteria set forth therein the applicant shall include, as part of the Sketch Plan submission, a brief report that describes how the proposed subdivision plan achieves the purposes listed in Section 137-26B (formerly Section 60.2), and why a cluster plan prepared under this Section would not better achieve these purposes; and

WHEREAS, the Applicant did submit such report; and

WHEREAS, the Town of Washington Code 137-27B(3) (formerly Section 61.2(c)) requires that, upon receipt of a Sketch Plan for a conventional subdivision that meets the criteria listed in Section 137-27B(2) (formerly Section 61.2(b)), the Planning Board shall direct the applicant to submit the land inventory information listed in Section 137-21P (formerly Section 42(p)); and that upon receipt of that information, the Planning Board shall refer the application, including the land inventory, to the Conservation Advisory Commission (CAC) for its comments on the adequacy of the plan to fulfill the objectives of Section 137-26B (formerly Section 60.2) and to protect the natural resources on and adjoining the property; and

WHEREAS, the Applicant did submit such land inventory information, which the Planning Board duly referred to the CAC August 6, 2024; and

WHEREAS, the Applicant appeared before the CAC to present its application on August 7, 2024; and

WHEREAS, the CAC provided written comments to the Planning Board dated September 4, 2024 and updated October 3, 2024; and

WHEREAS, the Town of Washington Code Section 137-27B(4) (formerly Section 61.2(d)) requires that within forty-five (45) days of receipt of a Sketch Plan thereunder, the Planning Board shall determine whether the conventional subdivision accomplishes the purposes in Section 137-26B (formerly Section 60.2) of the Code, whether it needs to be modified, and whether the applicant shall be required to apply for a cluster subdivision; and

WHEREAS, in connection with said determination, Section 137-27B(3) (formerly Section 61.2(c)) of the Code sets forth that the Planning Board may hold a public hearing on such determination and the Planning Board did hold such public hearing on October 1, 2024 and said hearing was closed, all who wished to be heard having been heard; and

WHEREAS, upon dues consideration of the public comment, the review of all documents, maps and plans, presentations of the Applicant, advice of its consultants, and the Town CAC, and in reliance upon said record;


NOW THEREFORE, it is determined that:

1. The conventional subdivision accomplishes the purposes in Section 137-26B (formerly Section 60.2);
2. A cluster subdivision is not preferred; and
3. The Applicant should proceed with processing its Application for approval of a conventional realty subdivision.

The foregoing Resolution was duly put to a vote which resulted as follows:

Susan Meaney	A/E
Emily Abrahams	A/E
Eric Alexander	A/E
Nicole Drury	A/E
Richard Philipps	A/E
Anna Hall	A/E
Adam Brandow	A/E

Dated: Millbrook, New York
November 5, 2024


Jennifer Bossert, Secretary
Town of Washington Planning Board