

Memorandum

To: Town of Washington Zoning Board of Appeals
From: AKRF, Inc. (Aaron Werner, AICP; Alicia Moore, AICP)
Date: February 14, 2025
Re: 443 Valley Farm Road – ZBA Special Permit
John Schmidt & Wendy Conway (property owners)
cc: Crisp Architects (architect / applicant)
Kyle Barnett, ZBA Attorney
Jonathan Ialongo, Town Building Inspector

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

- ZBA Application dated 1/24/25.
- Agent Affidavit, notarized 12/19/24.
- Owners Endorsements, notarized 12/19/24.
- Disclosure of Business Interest, notarized 12/19/24.
- Site Plan and Floor Plans prepared by Crisp Architects and dated 12/20/24
- South and West Architectural Elevations prepared by Crisp Architects and dated 8/19/24.
- Parcel Access property card (partial listing), neighboring properties, agricultural district viewer.
- Parcel Access neighboring properties.
- Property Deed.
- Town of Washington Wetlands Map prepared September, 2010.
- Soil description – excerpt from the Town Natural Resources Inventory, undated.
- Short EAF and EAF Mapper, dated 12/20/24.
- Property survey prepared by Kevin Cunningham, dated 12/3/1995.
- Property survey prepared by Badey & Watson dated 11/22/24.
- Vegetative cover description and site photographs, undated.

PROJECT DESCRIPTION

The Applicant proposes a 743-sf addition to an existing single-family house on an 88.66-acre lot located at 443 Valley Farm Rd (tax parcel 135889-6766-00-289555). The property is in the RR-10 zoning district, with a portion within the Land Conservation Overlay (LC) district; however, the project area itself appears outside of the LC overlay. The area of disturbance is approximately 1,133 SF (0.026 acres). In addition to the subject house, the property contains multiple other residential buildings (4 residences total), possible agricultural fields, and various accessory improvements. As the property is preexisting nonconforming, expansion is permitted by up to 25% with a ZBA special permit per Zoning Code § 165-84.G, which also requires site plan approval from the Planning Board. The addition involves a new master bedroom (no net increase in bedrooms as the existing first floor bedroom is to be demolished), new closet, laundry and finished / unfinished storage. The proposed addition, as well as the majority of the existing house, is within the 100-foot wetland buffer area of the onsite pond. At its closest point, the existing house is approximately 59.5 feet to the high-water line of the pond. The proposed addition would align with the existing house and

6. Should the ZBA grant the requested special permit and the Applicant return to the Planning Board for site plan / wetland permit approval, the Planning Board will be required to refer the application to the Town's wetland consultant and Conservation Advisory Commission for comment.

SEQRA

7. The action before the ZBA can be 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)(11) – construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system, or both, and conveyances of land in connection therewith"

RECOMMENDATION

At the February 18, 2025 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)(11)), and open the public hearing if prepared to do so. If the hearing can be closed, the ZBA can consider granting the requested special permit, which should be conditioned on the Applicant obtaining site plan and wetland permit approval from the Planning Board.