

OFFICE OF THE SUPERVISOR
GARY CIFERRI
(845) 677-3419

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TOWN OF WASHINGTON

10 Reservoir Drive
P.O. Box 667
Millbrook, New York 12545

VARIANCE _____ SPECIAL PERMIT

Tax map ID/Grid Number: 367384

Owner Name Brian Kiernan

Address 3699 Rte. 44

Description of Variance or Special Permit:

Applicant sought Special Use Permit for professional offices for first floor of building.

Special Conditions:

must include 1099 employees, must remove dumpster, and must provide 11 parking spaces

Approved

Disapproved _____

Board Members: Motion Member Cornell Second: Member Meaney
Ch. Jorgensen absent Member Meaney aye
Member Alexander aye Member Spence aye
Member Cornell aye Member Philipps absent
Member Drury aye

Signature Kristen Pitore

Date of Meeting 11/1/2022

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Town of Washington Planning Board

RESOLUTION APPROVING SPECIAL USE PERMIT

Brian Kiernan – Adirondack Property Solutions
3699 Route 44

Town of Washington Planning Board member Cornell offered the following resolution, which was seconded by member Meaney as follows:

WHEREAS, the Applicant, Brian Kiernan, submitted an application for a special use permit to allow professional offices on the first floor of a two-story mixed-use building located at 114 Jameson Hill Road, tax parcel no. 135889-6865-03-367384-0000, a 29-acre property located within the HM zoning district in the Hamlet of Mabbettsville (the “Property”); and

WHEREAS, the Property is depicted on a survey entitled “SURVEY/SITE PLAN FOR ADIRONDACK PROPERTY SOLUTIONS” prepared by Steven J. Green PLS dated July 20, 2022 and subsequently revised on September 20, 2022 ~~and _____~~ (“Survey”); and

WHEREAS, the first floor of the Property where the proposed professional offices would be located is approximately 1,500 square feet; and

WHEREAS, said space in the mixed-use building was previously used as a commercial space, however said permitted use was discontinued for over twelve (12) consecutive months prior to the current office use; and

WHEREAS, the proposed professional offices on the first floor would be used for a real estate management company office with a maximum number of five (5) employees; ~~and~~ including 5 1099 employees; and

WHEREAS, the parking lot located on site of the Property will contain no less than eleven (11) parking spaces; and

WHEREAS, the Applicant submitted an Agricultural Data Statement signed and dated April 21, 2022; and

WHEREAS, the Applicant submitted a Short Environmental Assessment Form dated April 21, 2022; and

WHEREAS, pursuant to 6 NYCRR 617.5(c)(18), this application is considered a Type II action pursuant to the State and Environmental Quality Review Act, which requires no additional environmental review; and

WHEREAS, the Project was referred to the Dutchess County Department of Planning and Development pursuant to Section 239-m of the General Municipal Law, which responded on October 28, 2022 that the application was a matter of local concern; and

WHEREAS, the Planning Board determined that the submitted Survey satisfies the site plan requirements of the Town of Washington Town Code, specifically the standards set forth in Town Code Section 483, since no alterations to the building exterior or existing parking area have been proposed ; and

WHEREAS, the special permit application meets all applicable requirements of the Town Code, specifically Section 470; and

WHEREAS, the Planning Board held a duly noticed public hearing for the Project on November 1, 2022, during which all those who wished to speak were heard.

NOW, THEREFORE BE IT RESOLVED, that the Planning Board of the Town of Washington makes the following findings in accordance with Sections 274-a and 274-b of the Town Law and the Town of Washington Zoning Code:

1. The Survey submitted by the application fulfills the applicable requirements in Article IV of the Town's Zoning Code as provided in Sections 472 and 483 to 487 and will be consistent with the purpose of the Chapter.
2. The Project will further comply with the applicable requirements in Article IV of the Town's Zoning Code as provided in Sections 470 to 473 and will be consistent with the purpose of the Chapter.
3. In accordance with Zoning Code Section 313.3, the proposed use, layout, and design will enhance the historic architectural fabric of Mabbettsville and is consistent with the goals of the HM district to encourage traditional, mixed-use village planning since the requested special permit will facilitate the resumption of commercial use on the first-floor of the building while continuing the residential use of the second floor with no alterations to the existing layout.
4. The proposed Project further complies with the minimum parking requirements outlined in Appendix "C" and Section 313.6 of the Zoning Code as the applicant will provide eleven

(11) parking spaces at the mixed-use Property for use by the residential and commercial tenants.

BE IT FURTHER RESOLVED, that the Planning Board of the Town of Washington hereby grants the special use permit and authorizes the Chairman of the Planning Board or his designee to sign the submitted Survey with the following conditions:

- (a) Complete payment of all municipal fees and the Town's consulting costs; and
- (b) The number of employees occupying the professional offices shall not exceed five (5) individuals; ~~and~~, including 1099 employees; and
- (c) Property shall have eleven (11) parking spots for use by commercial and residential tenants.

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

Chairman Jorgensen	<u>absent</u>
Member Alexander	<u>aye</u>
Member Cornell	<u>aye</u>
Member Drury	<u>aye</u>
Member Meaney	<u>aye</u>
Member Philipps	<u>absent</u>
Member Spence	<u>aye</u>

Dated: Millbrook, New York
November 1, 2022


Kristen DiFiore, Secretary
Town of Washington Planning Board