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**RIOLO LAW FIRM**  
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118 N. Bedford Road  
Suite 100  
Mount Kisco, NY 10549  
(914) 458-2252  
[mriolo@riololawfirm.com](mailto:mriolo@riololawfirm.com)

*Michael J. Riolo*  
Attorney

October 27, 2025

**HAND DELIVERY**

Frank Redl, Chairperson  
and Members of the Zoning Board of Appeals  
10 Reservoir Dr.  
Millbrook, NY 12545

Town of Washington  
Attn: Chrissy Briggs, Town Clerk  
10 Reservoir Dr.  
Millbrook, NY 12545

**Re: Appeal of Town of Washinton Zoning Administrator Determination dated 9/2/2025  
2444 Salt Point Turnpike, Clinton Corners, New York 12514  
Tax Lot No.: 6566-02-588815**

Dear Chairperson Redl and Members of the Zoning Board of Appeals:

This appeal is submitted on behalf of Matthew Pfisterer and Lisa Lahey-Pfisterer (the "Property Owners"), who reside at 2444 Salt Point Turnpike, Clinton Corners, New York 12514 (the "Subject Property"). The Property Owners submitted an application to the Town of Washington Planning Board (the "Planning Board") for a special use permit to retain an existing manufactured housing unit (the "Housing Unit") as an accessory residential housing unit at the Subject Property (the "Application"). However, before a hearing was able to take place, the Zoning Administrator of the Town of Washington issued a determination on 09/02/2025 (the "Determination"). A copy of the Determination is annexed hereto as Exhibit A.

The Property Owners respectfully disagree with the Administrator's findings regarding the Housing Unit on the Subject Property in the Determination. As a result, and pursuant to §§ 165-109 and 165-115 of Town of Washington Zoning Code (the "Washington Zoning Code"), the Property Owners are submitting this appeal to the Zoning Board of Appeals (the "Zoning Board") requesting an interpretation of the Administrator's Determination and upon a favorable finding, further request that the Application and the matter be referred to the Zoning Board for their consideration.

**The Zoning Board should find that the Administrator's Determination is misguided and the Application should move forward.**

The crux of the Determination relies on the term "mobile home." According to § 165-140 of the Washington Zoning Code a mobile home or recreational vehicle is defined as:

Any vehicle or similar portable structure with or without a foundation of wheels, jacks, skirtings, wood or masonry block supports, designed or constructed to be towed, driven or otherwise transported to its resting site or parking place and which is further designed to permit occupancy for dwelling or sleeping purposes. The term "mobile home" shall include the terms "house trailer" and "trailer" or other similar phrase. The term "trailer" shall also mean a similar structure used for storage, office, classroom, shelter or any use other than as a dwelling or sleeping place. The term mobile home shall not include modular homes. This term shall include double-wide mobile homes.

The Determination claims that since the structure on the Subject Property is allegedly a "mobile home," its use is prohibited on the Subject Property because a "mobile home" is not allowed outside of mobile home parks. The Subject Property is located in the RL-5 Low Density Residential District.

While the term "mobile home" was used on a prior occasion related to this matter, it was used too loosely. If an object can float on the water, does it make it a boat?

If the Housing Unit is a "mobile home," then the Determination has merit, however, the Housing Unit is not a "mobile home" because it doesn't meet the elements under § 165-140 of the Washington Zoning Code. Instead, the Housing Unit is a manufactured home pursuant to § 165-140 of the Washington Zoning Code and as shown by the installer's warranty. A copy of the installer's warranty is annexed hereto as Exhibit B.

According to § 165-140 of the Washington Zoning Code, a manufactured home is defined as:

A factory-manufactured dwelling, built on a permanent steel-framed chassis and designed to be transported to a site in one or more sections, which is intended to be used as permanent living quarters by a single-family unit when connected to the required plumbing, heating and electrical utilities. For the purposes of this chapter, the removal of transport wheels and/or the anchoring of the home to a permanent foundation shall not remove it from this definition.

Just because the term "mobile home" was used in the initial stage of this matter, doesn't mean that is was the proper term for the Housing Unit. The Housing Unit is a manufactured home as

shown by the terminology in the installer's warranty (see Ex. B) and because it meets the elements of a manufactured home under § 165-140 of the Washington Zoning Code.

The Housing Unit was built on a permanent steel-frame and was transported to the Subject Property. Furthermore, the Housing Unit was delivered to the Subject Property in one or more sections, and has been used since as a permanent single-family unit with connected plumbing, heating and electrical to the Subject Property. And, according to the Property Owners, the Housing Unit was, and still is, anchored to an on-grade concrete slab foundation. See Exhibit C.

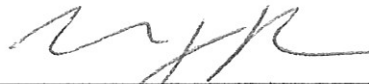
In addition, a manufactured home is not precluded on the Subject Property in the RL-5 Low Density Residential District because the Town of Washington Zoning Code is absent any such express provision.

Accordingly, under § 165-140 of the Washington Zoning Code, the Housing Unit is a manufactured home and not a mobile home.

On the basis of the foregoing, we respectfully request that this Zoning Board of Appeals, at their next meeting, find in favor of the Property Owners by determining that the Housing Unit on the Subject Property is a manufactured home and rule that the Administrator's Determination be quashed so the Application before the Planning Board can move forward with the open matter being referred to the Zoning Board for their consideration.

If you have any questions or concerns, please feel free to contact me.

Respectfully submitted,  
The Riolo Law Firm PLLC



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Michael J. Riolo

# **EXHIBIT A**



**TOWN OF WASHINGTON  
BUILDING AND ZONING DEPARTMENT  
P.O. Box 667, 10 Reservoir Drive  
Millbrook, NY 12545  
Phone (845) 677-3419 Fax (845) 677-1195  
[www.washingtonny.org](http://www.washingtonny.org)**

9/2/2025

Matthew and Lisa Lahey-Pfisterer  
2444 Salt Point Turnpike  
Clinton Corners, NY 12514

Re: 2444 Salt Point Turnpike – Mobile Home  
Tax ID Number: 6566-02-588815

Dear Matthew & Lisa Lahey-Pfisterer;

In an application currently before the Town of Washington Planning Board, you seek approval for "Accessory Residential Housing" for a mobile home that is located on your property, 2444 Salt Point Turnpike, Clinton Corners, NY 12514, identified as Tax Lot No. 6566-02-588815.

In 2009, the Zoning Board of Appeals (ZBA) granted a Special Permit for emergency housing to allow Ms. Lahey, the ailing mother of Lisa Lahey-Pfisterer, to reside on the property for a temporary period. The 2009 ZBA approval is attached hereto. Per Town of Washington Zoning Code § 165-45(A)(6), the mobile home had to be removed from the property within three (3) months of the date when the conditions upon which the permit was issued ceased to exist. Upon information and belief, the three (3) grace period has elapsed.

Permanent use of a mobile home is explicitly prohibited on the subject residential property. Zoning Code §165-28 states that:

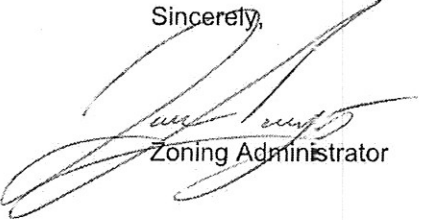
"[n]otwithstanding any other provision of this chapter, single and individual mobile homes outside of mobile home parks *are prohibited in all zoning districts* of the Town," except where they are granted by special permit for emergencies, temporary housing, field offices, or storage pursuant to Code §165-45.

Since the 2009 Zoning Board approval defined the structure as a "mobile home" rather than a "manufactured home," the Planning Board has no authority to grant a Special Permit to allow the mobile home to remain on the property as a permanent structure. The structure no longer

fits into any of the exceptions contained in §165-28 and it therefore must be removed from the property pursuant to the express conditions of the 2009 Special Permit.

**Should you disagree with this determination, you may submit an appeal to the Zoning Board of Appeals within 60 days of the filing of this determination pursuant to Town Law §267-a.**

Sincerely,

A handwritten signature in black ink, appearing to be "L. J. [unclear]", written over the printed title "Zoning Administrator".

Zoning Administrator

Cc.: Town of Washington Planning Board

# **EXHIBIT B**



INSTALL NO. 13716



STATE OF NEW YORK  
DEPARTMENT OF STATE  
ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231

### INSTALLER'S WARRANTY SEAL

THIS SEAL REMAINS THE PROPERTY OF THE DEPARTMENT OF STATE

☒ NEW MANUFACTURED (HUD CODE)

☐ RELOCATED MANUFACTURED (HUD CODE)

A. Manufacturer's name: Colony Homes  
B. HUD label number: RA01482005 - RA01482006 Serial number: ACS 24403 AB  
C. Retailer's name: Kenn Schell - Hudson Valley Home Center  
D. Retailer's address: 2993 RT 238 CAIRO NY 12413  
E. Retailer's certification #: 1RET00362 Telephone #: 518-622-9011  
F. Installer's name: Kenn Schell - Hudson Valley Home Center  
G. Installer's address: 2993 RT 238 CAIRO NY 12413  
H. Installer's certification #: INT003621007 Telephone #: 518-622-9011  
I. Date installed: 2-17-2010 Municipality issuing building permit: Town of Washington  
(City, Town, Village)  
J. Customer name and physical address (911) where home is installed: Susan & Edward Lacey  
2444 SALT POINT TRK CHITON CORNERS, New York 12514

By attaching this SEAL to this manufactured home, the undersigned Installer of this manufactured home warrants as follows:

1. That the installation of this manufactured home meets the standards of the New York State Uniform Fire Prevention and Building Code.
2. That the Installer is certified as an installer by the New York State Department of State.

The foregoing warranties are in addition to and not in derogation of all other rights and privileges which the consumer may have under any other law or instrument. The foregoing warranties are in addition to, and not in limitation of or substitution for, any and all other warranties, express or implied, given or made by the Installer, whether contractually or by operation of law.

Printed Name of Person Signing Seal: William G. Rupp

Signature of Installer or

Limited Installer: William G. Rupp

If you have a problem with your home, you should first contact your installer or retailer. If the problem is not resolved by the Installer or Retailer you can contact the Department of State at (518) 474-4073.

DOS-1660 (Rev. 03/05)

Yellow Copy--Department of State

White Copy--Retain for Your Records

Gold/bronze Copy--Permitting Agency

Seal--Affix to Home



# **EXHIBIT C**





