

**Town of Washington**

**ZONING BOARD OF APPEALS**

10 Reservoir Drive • Millbrook, NY 12545 • 845-677-3419 ext. 116

**RESOLUTION ON APPEAL OF BUILDING INSPECTOR DETERMINATION**

*Daniel Yadgard  
610 Stanford Road  
Millbrook, New York 12545  
(Tax Parcel No. 135889-6766-00-042590)*

Date: September 16, 2025

**WHEREAS**, on September 16, 2025, the Zoning Board of Appeals (“ZBA” or the “Board”) held a duly convened public hearing on the appeal submitted by counsel for James and Lea Cornell challenging the Building Inspector’s issuance of a building permit authorizing a swimming pool and related improvements at the above-referenced property owned by Daniel Yadgard (the “Appeal”);

**WHEREAS**, the Board opened and closed the public hearing on the Appeal on September 16, 2025, heard from the appellants’ counsel and from the property owner’s representative, and received statements from the public;

**WHEREAS**, the Board is familiar with the subject property and the surrounding neighborhood and has reviewed the record of prior proceedings concerning the Yadgard application, including the Board’s earlier action granting area variances with conditions for the pool project;

**WHEREAS**, pursuant to 6 NYCRR 617.5(c)(17), actions of this nature relating to area variances and related determinations for one-, two-, or three-family residences are Type II under SEQRA and require no further environmental review;

**WHEREAS**, after closing the public hearing, the Board deliberated and took the following actions relevant to the Appeal and next steps for administration of the previously conditioned approvals:

- 1. Fence Location / Screening Direction to Building Inspector.** The Board referred the matter to the Building Inspector to work with the applicant to relocate the 6-foot fence to the opposite (far) side of the approved landscaping and to allow a 4-foot post-and-rail alternative as suggested, to maintain the visual screening intent of the Board’s prior approval.

**2. Landscaping Modifications Consistent with Prior Conditions.** The Board approved modifications to the landscaping plantings (consistent with the prior resolution's screening/satisfaction-of-Building-Inspector conditions).

**3. Pool Equipment in Existing Shed / Variance Requirement.** The Board referred and directed that the pool equipment located in the existing shed shall be reviewed by the Building Inspector for determination as to whether any other approvals are required for the equipment's location.

**NOW, THEREFORE, BE IT RESOLVED** by the Zoning Board of Appeals of the Town of Washington that:

**1. Disposition of Appeal.** The Appeal is denied in part and sustained in part as follows: a) The Building Inspector's issuance of the building permit for the pool and related improvements is otherwise upheld subject to the Board's prior conditions and the directives herein; and b) The Appeal is sustained to the limited extent that the Board determines pool equipment located within the existing shed shall be reviewed for compliance with the Town's Code by the Building Inspector prior to or as a condition of continuation of permit work.

**2. Administrative Directions / Remand.** The matter is remanded to the Building Inspector to: a) Work with the applicant to relocate the 6-foot fence to the far side of the landscaping as discussed and to allow a 4-foot post-and-rail option, while maintaining the screening intent; b) Review and approve the modified landscaping plan for consistency with the Board's prior screening condition(s) and with the Town Code; and c) Process the variance application(s) for pool equipment in the shed (if and as required) and return any such variance request to the ZBA for determination.

**3. Continuing Conditions.** All prior conditions of approval imposed in connection with the Yadgard area variances, including screening to the satisfaction of the Building Inspector and responsibility for fees/escrows, remain in full force and effect.

**4. SEQRA.** This action is a Type II action under SEQRA and no further environmental review is required.

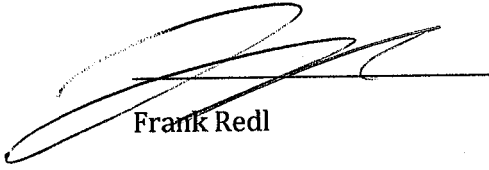
**5. Severability / Effectiveness.** If any clause of this Resolution is adjudged invalid, the remainder shall continue in effect. This Resolution shall take effect immediately.

**Vote on Resolution**

Member	YEA	NAY	ABSENT
Chairman Redl	X		
Member Briggs	X		
Member Kollmar	X		
Member Kunkle	X		

Member Rolland	X		
Alternate Frederick	X		

Dated: Millbrook, New York — September 16, 2025



Frank Redl

Zoning Board Chair



**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  
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11/5/2025

RE: 610 Stanford Road; Tax ID Number: 6766-00-042590

This letter is in regards to the pool equipment associated with the project at said property. Pool equipment installation is included in the Building Permit issued for the construction of the pool. No additional permit is required. The equipment being housed in the shed would not require any additional approval. As for the installation of the equipment in the shed, the Residential Code of New York State has no requirements for pool equipment. Installation is to be done to manufacturer instructions. The need for ventilation, clearances, etc. would be based on the manufacturer. If any modification of the shed is required, excluding expansion or structural changes, no Building Permit would be required. In terms of the screening/ fencing for the pool. The Town of Washington Zoning Code only regulates fences over 6 ½' and the NYS required pool barrier. The agreed screening/ fencing that is part of the resolution would be inspected for compliance with the agreed upon approval. For any questions or concerns, please contact the Town of Washington Building Department.

Sincerely;

Building Inspector/ Zoning Administrator

## Resolution determination

From: Jonathan Ialongo (buildinginspector@washingtonny.org)

To: daniel@thefndtn.com; kbarnett@vandewaterlaw.com; frankredl@aol.com

Date: Tuesday, November 18, 2025 at 12:36 PM EST

Good afternoon Daniel,

I do apologize as the resolution dated 9/16/2025 was only just forwarded to me. Aside from the letter for the equipment in the shed, I will need a few things to review prior to the permit being reinstated. I will need a new screening plan for the new 4 foot post and rail fence and landscaping, copies of the pool equipment manufacturer installation instructions and landscaping plan. Again, I apologize.

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Jonathan Ialongo  
Building Inspector  
Town of Washington  
(845) 219-9724