



**TOWN OF WASHINGTON ZONING BOARD OF APPEALS 10 Reservoir Drive,
Millbrook, NY 12545 Resolution No. [2026-__]**

**Resolution Modifying and, In Part, Overturning the Building Inspector's
Determination Concerning 2444 Salt Point Turnpike (Tax Lot
No. 6566-02-588815), and Referring Application for Accessory Residential
Housing to the Planning Board**

WHEREAS, Matthew Pfisterer and Lisa Lahey-Pfisterer (the "Property Owners") are the owners of premises located at 2444 Salt Point Turnpike, Clinton Corners, New York 12514, designated as Tax Lot No. 6566-02-588815 (the "Property"); and

WHEREAS, the Property Owners have sought approval to retain an existing residential structure as accessory residential housing on the Property, and an application for such approval was submitted to the Town of Washington Planning Board; and

WHEREAS, by determination dated September 2, 2025, the Town Zoning Administrator concluded that the existing structure is a "mobile home" prohibited outside mobile home parks and directed that it be removed, citing expiration of a 2009 emergency housing special permit; and

WHEREAS, the Property Owners timely appealed the Zoning Administrator's determination to the Zoning Board of Appeals (the "Board") and requested an interpretation that the structure constitutes a "manufactured home" under the Town of Washington Zoning Code and that the application for accessory residential housing be permitted to proceed to the Planning Board; and

WHEREAS, the Board has reviewed the appeal and its exhibits, the administrative record, the Town of Washington Zoning Code, and the Board's prior determination concerning this Property, heard from the parties and members of the public as applicable, and duly deliberated; and

WHEREAS, a duly noticed public hearing on this appeal was held on December 16, 2025, at 6:30 PM; and

WHEREAS, this action is classified as a Type II action under the State Environmental Quality Review Act (SEQRA) and is not subject to further environmental review.

NOW, THEREFORE, BE IT RESOLVED, that the Board makes the following findings and determinations:

1. Findings of Fact and Code Interpretation 1.1 The matter arises from the Property Owners' request to retain an existing residential structure on the Property as accessory residential housing and from a Zoning Administrator determination dated September 2, 2025 concluding that the structure is a prohibited "mobile home" and must be removed. The appeal identifies the Property as 2444 Salt Point Turnpike, Clinton Corners, New York 12514, Tax Lot No. 6566-02-588815, challenges the Zoning Administrator's September 2, 2025 determination, and seeks an

interpretation that the existing unit is a manufactured home and that the Planning Board application proceed . 1.2 The existing structure had previously been permitted for temporary emergency use by a Special Permit granted in 2009, which, by its terms and Code § 165-45(A)(6), required removal within three months after the emergency ceased . 1.3 The record demonstrates that the housing unit is built on a permanent steel frame, was delivered in one or more sections, is connected to permanent utilities, and is anchored to a concrete slab; accordingly, it is properly classified as a “manufactured home” under the Town Code and not a “mobile home” . 1.4 The installer’s warranty identifies the home as a manufactured (HUD Code) unit installed at 2444 Salt Point Turnpike and provides manufacturer and label information . 1.5 Section 165-28 of the Zoning Code prohibits single and individual “mobile homes” outside of mobile home parks except for specific emergency or temporary purposes, and that prohibition does not expressly extend to “manufactured homes,” which are separately defined .

2. Determinations 2.1 The Board determines that the existing unit on the Property is a “manufactured home” under the Town of Washington Zoning Code and not a “mobile home.” To the extent the Zoning Administrator’s determination was premised on classifying the unit as a prohibited mobile home, that determination is modified and, in part, overturned . 2.2 The Board affirms that the 2009 emergency Special Permit has expired by its own terms and by operation of law, and continued use cannot rest on that prior authorization . 2.3 The proper course is for the Property Owners’ application for a special permit for accessory residential housing to proceed before the Planning Board for full review under all applicable standards, including but not limited to owner occupancy, acreage, limitation to one accessory unit, area and bulk compliance, neighborhood character, environmental considerations, public health and safety, and consistency with community goals . 2.4 No use or area variance is granted or denied at this time because no such application is presently before the Board; the Board retains jurisdiction to consider any duly submitted variance application upon a full evidentiary record pursuant to § 165-109 .
3. Referral and Conditions Framework 3.1 The application is hereby referred to the Planning Board for processing and review, with the understanding that the unit is a manufactured home eligible to be considered as accessory residential housing if all applicable standards are met . 3.2 Should approvals ultimately be granted by the appropriate boards, conditions should be limited to those reasonably necessary to minimize adverse impacts and preserve neighborhood character and community welfare, which may include compliance with setback and density requirements, landscaping and visual buffering, continued owner occupancy, [periodic] permit renewal and review, cessation and removal upon violation or cessation of principal use, and conformance to an approved site plan under current Code provisions; the Planning Board may recommend additional conditions warranted by its review .

4. Procedural Disposition 4.1 The requirement for immediate removal of the unit based solely on its classification as a mobile home is vacated, consistent with the Board's determination herein . 4.2 Nothing in this Resolution waives, reduces, or substitutes for any permits, approvals, reviews, inspections, or compliance obligations required by the Town Code or other applicable law, including but not limited to special permit and site plan approvals by the Planning Board, building permits, or approvals from any other governmental authority having jurisdiction.

BE IT FURTHER RESOLVED, that the Chairperson is authorized to sign this Resolution and to cause notice of this determination to be filed with the Town Clerk and transmitted to the Zoning Administrator, the Planning Board, and the Property Owners; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Motion by: Chair Frank Redl

Second by: Katie Briggs

Roll Call Vote

Chair Frank Redl - AYE

Member Katie Briggs - AYE

Member Alexander O Kollmar - AYE

Member Tate Kunkle - AYE

Member Annie Rolland - AYE

Member Alex Frederick (alternate) - (absent)

The foregoing Resolution was duly adopted on December 16, 2025

Town of Washington Zoning Board of Appeal


Frank Redl, Chairperson

Distribution: - Zoning Administrator - Planning Board - Property Owners - Town Clerk Records