

January 30, 2023

Town of Washington Town Board

Via Email to Mary Alex, Town Clerk at

malex@washingtontny.org

Via Email to Christine Briggs, Deputy Town Clerk at

CCBriggs@washingtontny.org

CC: Mary Alex, Town Clerk

Town of Washington Zoning Appeals Board

Town of Washington Planning Board

Town of Washington Conservation Advisory Board

Town of Washington Comprehensive Review Committee

Dear Town Supervisor Ciferri and Town Board Members Heaney, Rochfort, Murphy and Audia,

After attending the Town Board meeting on 1/12/23 on Zoom, we are writing to urge you to adopt the plan submitted by the Comprehensive Plan Review Committee **as is** and to **not move the lines.**

Up to the Town Meeting we had felt encouraged to see an equitable and democratic process unfold under the fair-minded guidance of the Comprehensive Plan Review Committee.

After all this positive work had been accomplished and a clear and cogent plan was submitted to the Town Board, we were quite dismayed to see the plan's findings and the entire process devalued and relativized at the town meeting by members of the Town Board and the public. It was stunning to see the lawyer representing concerned town residents be interrupted and cut off repeatedly, as well as Friends of the Town of Washington (FOTOW) being demonized, while a potential investor and his counsel were given plenty of uninterrupted airtime to pitch their project.

We couldn't help but see disturbing parallels to our recent personal experience in which we requested the thorough review of our neighbor's variance application for an in the ground swimming pool at 580 Oak Summit Road. As adjacent property owners we had been invited to attend the initial ZBA meeting regarding this variance application. We attended the hearing fully trusting in the fairness of the review process. At the meeting we voiced concerns regarding the wetlands next to the proposed pool site. These concerns had been corroborated by the Town of Washington's own wetland's expert that we had consulted under recommendation by the town. We also alerted the ZBA to the fact that our neighbor, a full time New York City resident, while presenting herself as building the pool for her personal use, has been renting her house since 2012 as an Airbnb and is now marketing her house with a heated in the ground swimming pool on VRBO at almost double the previous rate.

From the very first meeting the sympathies of the ZBA became quite clear as they clearly tipped their hand in favor of granting the substantial variance, dismissing questions and environmental concerns by specialists, shutting down our lawyer in subsequent hearings, cutting of our feedback and ignoring the town's current zoning laws that clearly prohibit non-owner-occupied short-term rentals without a special bed and breakfast permit. Our environmental and legitimate concerns about the disruptive impact of a neighboring short-term rental with pool on our privacy and the quality of life of the neighborhood were ignored by the ZBA, who willfully embraced the neighbor's prevaricating assurances that she was no longer renting and would be installing a pool that did not require backwashing and/or draining and submitted letters of support from persons not even residing in the vicinity of the project or who had financial interests in the matter. Once the pool was installed, our worst fears were realized: last fall the chemically treated pool waters were emptied into the adjacent wetlands and our neighbor continues with her VRBO rentals. (Email and video sent to Building Inspector James Finley on 11/17/22)

When we purchased our home in February of 2018, we were under the impression that we were moving into a residential neighborhood in a community that values environmental conservation. We would have never knowingly bought a home next to a commercial, illegal bed and breakfast operation due to the unpredictability of revolving guests, traffic etc. As full-time residents we pay taxes that support the local community and infrastructure, our neighbor does not. It was disheartening to see the ZBA so clearly biased in favor of the business interests of our neighbor, who from the get-go was deceptive about her intentions and assisted by the ZBA, circumvented the need for a wetlands permit, proceeded with clear cutting in a wetlands buffer, dodging at every turn what should have been a thorough and transparent review process of her application.

We urge the town board to not do the same when it comes to this recent survey and to adopt its conclusions and recommendations without further ado at the February 9th meeting.

Respectfully,

Matthias Leutrum and Jan Stuart

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Millbrook, NY 12545