

Memorandum

To: Town of Washington Planning Board
From: AKRF, Inc. (Aaron Werner, AICP; Alicia Moore, AICP)
Date: March 28, 2025
Re: **Killearn Road Improvements**
Joseph Rochford, Town Board
cc: Joseph Spagnola / Kathleen Velletri, Town Highway Dept.
Joseph Eriele, Town Attorney
Dan Farnan, Colliers Engineering and Design

AKRF, Inc. has reviewed the following documents and plans for the above referenced matter:

- Planning Board Application submitted by the Town Board, dated March 14, 2025
- Killearn Road Reconstruction and Drainage Updates information provided by the Town Board for public information meeting held on June 5, 2024

PROJECT DESCRIPTION

The Town Board of the Town of Washington has submitted materials to the Planning Board to facilitate a required referral to the Planning Board for approval related to improvements proposed for Killearn Road, a Town designated scenic road. The submission to the Planning Board follows a study of the road and an informational public meeting held on June 5, 2024. The Town Board is working with Colliers Engineering and Design (CED) as the engineering/design consultant on the project. Killearn Road is a 3.25-mile long single lane gravel/dirt road with existing width varying from 16 to 25 feet. The cross slope of the road has variable crown and poor drainage. Proposed construction related to the repairs includes the entirety of Killearn Road, from Chestnut Ridge Road to Hoxie Road. Recommendations to the Town Board for repair options ranged from spot repairs in select areas, to full reconstruction and paving the road. CED's recommendation was identified as Alternative 3 out of the five alternatives described in the June 2024 informational materials, which includes gravel reclamation (i.e. "mill and fill"), drainage improvements, and widening in select areas of the road. The objectives of the project are as follows:

- 1) Improve the roadway condition by providing a stable roadway section that has the load carrying capacity for the larger delivery trucks and agricultural equipment that frequent the road.
- 2) Improve the roadside drainage along the Killearn Road corridor, to prevent the introduction of surrounding surface water to the road.
- 3) Improve the drainage on the roadway by re-establishing the cross slope on the roadway and optionally adding underdrains on the shoulders of the roadway.
- 4) Complete the project with minimal disruption to the surrounding residences and natural resources.

Preferred Alternative 3 would include repairs to the gravel/dirt surface of the road (along the same profile), revitalizing the road without the expansion of a full reconstruction. Gravel reclamation will be utilized, which strengthens the road by digging up the wearing surface and base, mixing it with new gravel material, reapplying the combined mixture and compacting the gravel to create a new wearing surface. The depth of the gravel reclamation can be as little as 8 inches (partial) to 24 inches (full), depending on the existing

need along the corridor. A full depth reclamation may be the most useful for areas that have had continued failures. CED recommended a minimum of 12 inches of reclamation. The new wearing surface would be shaped to a 4% crown each way, and compacted. In addition to the repairs to the road surface, the chosen alternative involves the installation of roadside ditches to improve roadside drainage (3-foot wide and 1.5-foot-deep grassed bottom ditches adjacent to the roadway shoulders). These drainage ditches would intercept surface water that drains from surrounding properties prior to reaching the road, and therefore stopping additional surface drainage across the road.

COMMENTS

1. Under Town Code Section 165-54(B), the Town of Washington is authorized to regulate the future alterations or improvements of designated scenic roads, including, but not limited to, widening of the right-of-way or of the traveled portions of the road, paving, changes of grade, straightening, removal of stone walls and removal of mature trees.
2. Procedural requirements pertaining to the Planning Board's role for certain alterations and improvements to the Town's scenic roads can be found under Town Code Section 165-54(G)(1)-(5), as provided below (some text underlined for emphasis). AKRF understands that although resurfacing and drainage improvements would otherwise not require Planning Board approval, because the project will require **road widening** in select locations, the Planning Board's approval and public hearing requirements apply per subsection (3) below.

(1) Pursuant to § 271 of the Town Law of the State of New York, the Town Board shall grant to the Planning Board of the Town of Washington the power to approve or disapprove of the alteration or improvement of any Town road designated as a scenic road pursuant to this section.

(2) Alterations and improvements of designated scenic roads shall be carried out so as to preserve to the highest degree possible the aesthetic, historic and/or scenic characteristics of the road.

(3) Routine road maintenance, emergency repairs and the issuance of driveway permits undertaken by the Highway Superintendent shall not require public hearing or Planning Board approval. Such maintenance shall include trimming of the tree branches that encroach on the traveled portion of the road below the height needed to allow school buses and emergency vehicles to pass; trimming or removal of brush and removal of boulders or other obstacles that encroach on the traveled portion of the road; necessary trimming for utility lines; trimming of brush to enhance and protect scenic views, stone walls, mature trees and other characteristics of the scenic road; correction of drainage problems; and retreatment and repair of existing roadway surfaces. Such maintenance shall not include widening of the right-of-way or the traveled portion of the road; paving of dirt or gravel roads or portions of roads; changes of grade; straightening; removal of stone walls; or removal of mature trees.

(4) In the case of a natural disaster in which, in the judgment of the Highway Superintendent, a road or a portion thereof becomes impassable or unsafe for public travel and access must be provided, emergency repairs and reconstruction by the Highway Superintendent may be made as needed to restore the road to its pre-emergency condition without public hearing or Planning Board approval.

(5) Any proposal by a public entity or official for alteration or improvement not involving routine road maintenance, emergency repairs or the issuance of a driveway permit shall be submitted to the Planning Board. The Planning Board shall submit such proposal to the CAC and Highway Superintendent for review and comments and shall hold a public hearing. Notice of the public hearing shall be given by publication in a newspaper of general circulation in the Town of Washington at least five calendar days prior to the date of such hearing and by sending notice by mail to the owners of lots fronting the road to be designated as a scenic road.

3. Town Code Section 165-54(G)(5)(a) requires the Planning Board be provided with a "suitable map showing the location of each proposed improvement or alteration, and when deemed necessary, a short report discussing the reasons for the proposed alteration and available alternatives, if any."

It is AKRF's opinion that the submitted materials provided for the June 2024 informational meeting adequately satisfies the requirement for a short report on reasons and alternatives considered. However, the submitted map is too general and does not provide enough information on where the specific improvements, most importantly widening, will occur along the corridor. Therefore, to satisfy

the requirements of Section 165-54(g)(5)(a), AKRF recommends that CED provide a more detailed map or set of maps for review.

4. Town Code Section 165-54(G)(5)(b) requires the Planning Board to consider the following related to the proposed alterations and improvements:
 - 1) Any alternatives to the proposed alteration or improvement and evidence that the applicant has chosen the alternative least damaging to the scenic road. (As noted above, Alternative 3 has been chosen by the Town Board)
 - 2) That the applicant has considered the following, where appropriate:
 - a) The impact of the alteration or improvement on stone walls within the right-of-way of the scenic road;
 - b) The impact of the alteration or improvement upon the speed of vehicular traffic along the scenic road;
 - c) The preservation of nonhazardous curves in the scenic road;
 - d) The preservation of nonhazardous hills and valleys by avoidance of unnecessary cuts and fills;
 - e) The placement of wide bypasses and turnouts to avoid unnecessary widening of the scenic road;
 - f) Preservation of views of near and distant landscapes through appropriate landscaping techniques within the right-of-way only;
 - g) Minimize impact on roadside vegetation, including but not limited to trees, shrubs and wildflowers; and
 - h) Avoidance of signage, sand, gravel, refuse and salt piles to the extent practicable.

As noted above, the information provided does not include a suitable map with enough information to facilitate the Planning Board's review under the Code. In addition to a more informative map, CED should submit itemized responses for each of the considerations in (a)-(h) above so that the Planning Board has enough information to fully consider the proposal. These responses should be provided to the Planning Board before the public hearing is set.

5. SEQRA: Since the project requires discretionary approvals from the Town Board and Planning Board, it is subject to the State Environmental Quality Review Act. It is unclear if a review under SEQRA has been initiated. If the project is classified as a Type 1 or Unlisted Action (see below), it seems most appropriate for the Town Board to serve as the Lead Agency for SEQRA review, with the Planning Board as an "Involved Agency" due to the approval authority granted to the Planning Board under the provisions of Town Code Section 165-54(G). The lead agency question should be discussed.

SEQRA action classifications to consider include:

Type I pursuant to 617.4(b)(6)(i):

"(6) Activities, other than the construction of residential facilities, that meet or exceed any of the following thresholds; or the expansion of existing nonresidential facilities by more than 50 percent of any of the following thresholds:

- (i) a project or action that involves the physical alteration of 10 acres."

Type II pursuant to 617.5(c)(5):

"(5) repaving of existing highways not involve the addition of new travel lanes."

***Unlisted** – action not identified as Type I or Type II.

Under SEQRA, actions classified as Type II do not require further environmental review or formal designation of a Lead Agency, concluding the SEQRA process. Actions classified as Type I or Unlisted require that the designated Lead Agency, after it has sufficient information, issue a determination of significance, resulting in either a Negative Declaration (that the project does not have the potential for significant adverse environmental impacts, which concludes the SEQRA process) or a Positive

Declaration (that the project does have the potential for significant adverse environmental impacts, which requires the preparation of an Environmental Impact Statement to evaluate the potential impacts under SEQRA).

RECOMMENDATIONS

At the April 1, 2025 meeting, AKRF recommends the Planning Board discuss the project with Town Board representatives and CED (if available), along with the requests for additional information provided in this memorandum. The submission deadline for the May 6, 2025 Planning Board meeting is April 22, 2025. The appropriate classification and procedure for satisfying SEQRA should also be discussed.

RIGHT OF WAY IMPACTS

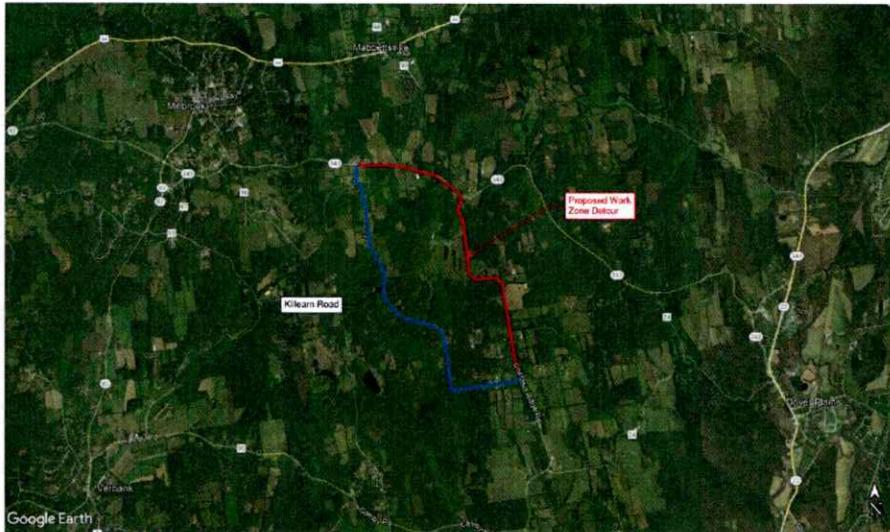
A Right of Way Survey was performed by C.T. Male in 2023. The survey found numerous areas of monumentation indicating property lines along most of Killearn Road. However, it is noted the right of way width is narrow and that there are sections along Killearn Road that appear to be "user roads". User road bounds may only extend to the edge of the gravel road. The Town may explore property acquisitions or easements to install roadside drainage in select areas of the corridor.

IMPACTS TO TRAFFIC DURING CONSTRUCTION

An offsite detour is the recommended method of traffic control for the project, utilizing State Route 343 and Chestnut Ridge Road. Traffic going eastbound on SR 343 may continue East to the intersection of Chestnut Ridge Road and turn South. Traffic going northbound on Chestnut Ridge Road may continue North before turning West onto SR 343. The road would remain open to local traffic and residents along Killearn Road.

Coordination should occur with local emergency services to ensure response times will be acceptable during construction. The local school district, postal service, and local residents will all be contacted to coordinate bus routes, postal delivery, and residential access during the road closure. The details for the work zone traffic control should be prepared and evaluated during final design.

Proposed Vehicular/Truck Detour Routes



COMMENTS

Further questions, comments, or concerns can be addressed to:

Joseph Spagnola
Town of Washington Highway Department
10 Reservoir Drive
Millbrook, NY 12545
Phone: (845) 677 - 3419 ext. 110
Email: hwydept@washingtonny.org



TOWN OF WASHINGTON HIGHWAY DEPARTMENT

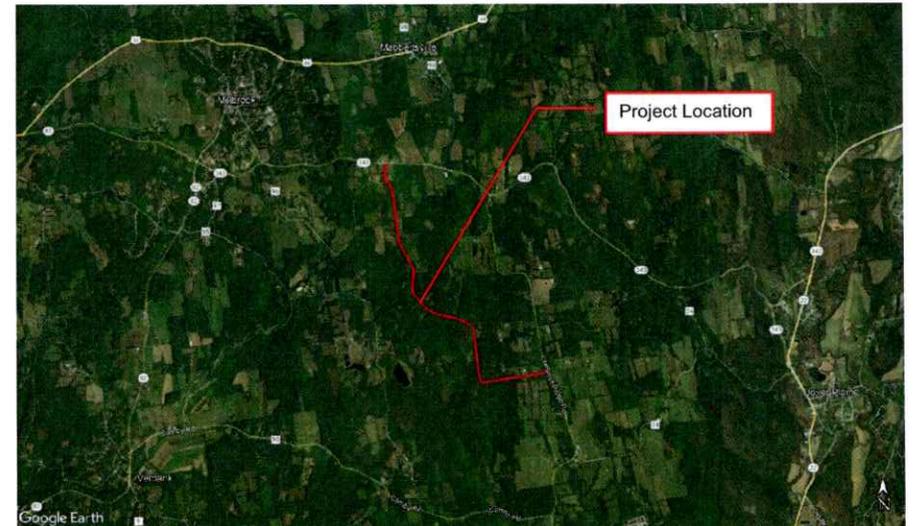
Joseph Spagnola - Superintendent, Town of Washington Highway Department

PUBLIC INFORMATION MEETING

Topic: Killearn Road Reconstruction & Drainage Updates

Place: Millbrook Firehouse
20 Front Street
Millbrook, NY 12545

Date: June 5, 2024 – 5:30 PM



MEETING PURPOSE

The purpose of this informational meeting is to provide an opportunity for interested individuals to become acquainted with the project and express comments to the Town of Washington staff and the project team. There will be a short presentation, after which feel free to review the exhibits provided and to ask questions of the staff.

PROJECT DESCRIPTION & LOCATION

This project involved the study of Killearn Road, which is a 3.25-mile-long gravel "dirt" road in the town of Washington. Killearn Road is technically a one-lane access road with existing roadway width varying from 16 feet to 25 feet. The cross slope of the road has variable crown and poor drainage. Proposed construction of any repairs includes the entirety of Killearn Road, from Chestnut Ridge Road to Hoxie Road. Recommendations to the Town Board for repair options ranged from spot repairs in select areas, to full reconstruction and paving the road. Colliers primary recommendation is described below as Alternative 3, which includes gravel reclamation (sometimes called "Mill & Fill") and drainage improvements.

ROADWAY HISTORY & NEED FOR THE PROJECT

The existing Killearn Road is a deteriorating gravel road, which has multiple geometric and roadway deficiencies for the full length of the road. The existing road exhibits a varying cross slope throughout the corridor, with a majority of the areas exhibiting little to no crown. The lack of a sufficient crown has likely led to numerous potholes and erosion rutting throughout the corridor from surface water ponding on the road within the travel way.

Various horizontal and vertical curves existing along the road appear to be non-conforming to current AASHTO design standards. There is limited sight distance available for the majority of the curves and the numerous driveways along the road. Many of the driveways on either side of the road are moderately to severely sloped, approach Killearn Road at sharp angles, further reducing sight distance for motorists leaving the driveway, and motorists along Killearn Road unable to see a car coming down the driveway slope that is nearly parallel to the roadway.

The road also experiences transverse rutting (sometimes called "Washboarding") from heavy truck tires. The heavy construction vehicles, and frequent trips back and forth, appear to be overloading road section for Killearn Road, and is resulting in severe distress to the subgrade and surface course. This would exacerbate the deterioration of the gravel road and promote the drainage issues that the road is experiencing.

PROJECT OBJECTIVES

- Improve the roadway condition by providing a stable roadway section that has the load carrying capacity for the larger delivery trucks and agricultural equipment that frequent the existing Killearn Road.
- Improve the roadside drainage along the Killearn Road corridor, to prevent the introduction of surrounding surface water to the roadway.
- Improve the drainage on the roadway by reestablishing the cross slope on the roadway and optionally adding underdrains on the shoulders of the roadway.
- Complete the project with minimal disruption to the surrounding residences and natural resources.

PROJECT SCHEDULE

Engineering Study	2022-2023
ROW Survey	2023
Public Information Meeting	Today
Selecting a Repair Option	Summer 2024

PROJECT ALTERNATIVES

Five (5) alternatives and a Hybrid option for the project were studied in 2022-2023, described below.

Alternative 1 – Basic Repairs

Alternative 1 would involve repairing and improving the existing roadway section in limited areas, determined by the Town. In the repair areas, the existing gravel surface would be excavated to subgrade to allow for the new gravel wearing course install along the same roadway profile. In more severe areas of roadway and slope failure, the roadway subgrade could be undercut or over excavated to improve the underlying soils that may have caused the failure. This alternative also includes the repair of existing cross culverts that have either been crushed or clogged to the point that they have lost their function.

Alternative 2 – Basic Repairs with Drainage Improvements

Alternative 2 would include all repairs mentioned in Alternative 1, and also include the installation of roadside ditches to improve the roadside drainage. Since there is minimal roadside drainage on the current Killearn Road corridor, new drainage ditches would be installed on a majority of the corridor. The proposed drainage ditches would be cut adjacent to the proposed roadway shoulders, consisting of a 3-foot-wide grassed bottom, approximately 1.5 feet deep. These drainage ditches would intercept surface water that drains from surrounding properties prior to reaching Killearn Road, and therefore stopping additional surface drainage across Killearn Road.

Alternative 3 – Gravel Reclamation with Drainage Improvements

Alternative 3 would include all repairs described in Alternatives 1 and 2, but also revitalize the existing road without the expansion of a full reconstruction. This improvement to Killearn Road would include a gravel reclamation, which strengthens the road by digging up the wearing surface and base, mixing it with new gravel material, reapplying the combined mixture, and compacting the gravel to create a new wearing surface. The depth of the gravel reclamation can be as little as 8 inches (partial) to 24 inches (full), depending on the existing need along the corridor. A full depth reclamation may be the most useful for the areas that have had continued failures. CED will recommend a minimum of 12 -inches of reclamation. The new wearing surface would be shaped to a 4% crown each way, and compacted.

Alternative 4 – Reconstruction with Gravel Road

Alternative 4 would include the reconstruction of Killearn Road with a new gravel road section and drainage ditches for the full length of the road, from Hoxie Road to Chestnut Ridge Road. The proposed roadway would be uniformly widened to include two (2) 10-foot-wide travel lanes with 2-foot-wide shoulders. The existing roadway would be reclaimed in place to become the new roadway subbase and additional subbase would be placed where the road is widened. After the subbase is compacted throughout, a new 6 inch wearing surface would be applied, shaped to a 4% crown each way, and compacted.

Alternative 5 – Reconstruction with Paved Road

Alternative 5 would involve the reconstruction of Killearn Road with a new asphalt road section and drainage ditches for the full length of the road, from Hoxie Road to Chestnut Ridge Road. The proposed roadway would be uniformly widened to include two (2) 10-foot-wide travel lanes with 2-foot-wide shoulders. The proposed section for the two travel lanes would be sloped 2% in each direction and include the excavation down to subgrade, the installation of new subbase, 3" of asphalt base course, 2" of asphalt binder course, and 1.5" of asphalt top course. Gravel shoulders would be installed at the edge of the travel lanes and compacted to a 6% slope away from the travel lane.

Hybrid Option

Any combination of the above 5 Alternatives that may be phased over time or applied to only certain areas of the roadway, as deemed necessary by the Town.