

Memorandum

To: Town of Washington Planning Board
From: AKRF, Inc. (A. Werner, AICP, A. Moore, AICP)
Date: May 30, 2025
Re: Singer-Tworkowski Lot Line Adjustment (471, 447 Butts Hollow Rd)
cc: Joseph Singer and Michael Tworkowski (property owners)
Kirk Horton (Surveyor, Applicant)
Hannah Atkinson (PB Attorneys)
Jonathan Ialongo (Town Building Inspector)

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

- Planning Board Application signed by Kirk Horton L.S. 4/17/25, Joseph Singer 4/16/25, and Michael Tworkowski 5/9/25.
- Letter to the Planning Board signed by Joseph Singer and Michael Tworkowski and authorizing Kirk Horton to as their agent, dated 4/16/25.
- Subdivision Plat prepared by Kirk Horton, L.S. revised 5/14/25.
- Agent Affidavit signed by Kirk Horton and notarized 4/17/25.
- Disclosure of Business Interest with notarized signatures of Joseph Singer and Michael Tworkowski.
- Owners Endorsement signed by Joseph Singer, notarized 4/16/25, and Michael Tworkowski, notarized 5/9/25.
- EAF signed and dated 4/20/25.
- Deed for each property.
- Agricultural Data Statement signed by Kirk Horton dated 4/21/25 and Michael Tworkowski.

PROJECT DESCRIPTION

The Applicant, on behalf of property owners Joseph Singer and Michael Tworkowski, requests a lot line adjustment between the adjacent properties of 471 Butts Hollow Rd (135889-7064-00-050993) ("Lot 1") and 447 Butts Hollow Rd (135889-6964-00-980977) ("Lot 2") in the RR-10 zoning district. Both properties are jointly owned by Joseph Singer and Michael Tworkowski. The adjustment would transfer 2.767 acres from Lot 1 (currently 27.417 acres) to Lot 2 (currently 9.751 acres). As the minimum lot size in the RR-10 district is 10 acres, Lot 2 is currently undersized. As a result of the adjustment, Lot 1 would be 24.661 acres, and Lot 2 would be 12.507 acres, bringing it into compliance with the minimum lot size requirement. Each property contains a residential dwelling and accessory structures. Lot 2 contains a pond (not wetlands). No new lots would be created, and no construction is currently proposed. Both lots would be zoning compliant following the lot line adjustment.

COMMENTS

The Applicant has revised the submission package in response to comments from the Planning Board and its consultants. Previous comments are presented below in *italics*; new and follow-up comments are in **bold**.

APPLICATION COMPLETENESS

1. *5/2/25: The application includes an Agricultural Data Statement. The map included with the statement does not identify the locations of farm operations. The Applicant should update the map to comply with this requirement.*

5/30/25: The Applicant has updated the map with X's shown on all Ag District parcels within 500 feet. Per email correspondence with the Applicant, copies of updated map will be provided to the Planning Board at the upcoming meeting. (As no construction is proposed as part of this application, no agricultural impacts are anticipated.)

2. *5/2/25: Both properties are jointly owned by Joseph Singer and Michael Tworkowski. However, with the exception of the letter authorizing Kirk Horton to as their agent, dated 4/16/25, the application documents are signed and/or notarized only by Mr. Singer. Both owners must sign and notarize, where necessary. Prior to approval, Mr. Tworkowski's signature must be provided each place where indicated and notarized where required.*

5/30/25: Comment addressed. The documents have been updated with Mr. Tworkowski's signature and notarized where required.

3. *5/2/25: While no new construction is proposed as part of this application, in the presentation to the Planning Board, the Applicant should provide the intent or benefit of the proposed lot line change.*

5/30/25: The lot line adjustment would bring Lot 2 into compliance with the minimum lot size requirements in the RR-10 district.

CODE COMPLIANCE

4. *5/2/25: The Planning Board may waive the public hearing for a lot line adjustment. Pursuant to Subdivision Code Sections 137-10(B), the Planning Board may, at the Applicant's request, grant waivers from informational and procedural requirements of the Subdivision Regulations for minor subdivisions and lot line adjustments. The Planning Board shall clearly indicate which requirements, if any, of Subdivision Regulations shall be waived and the reasons for such waivers.*

5/30/25: At the 5/6/25 meeting, the Planning Board waived the public hearing requirement.

5. *5/2/25: There is a small pond on Lot 2. However, the pond is not identified as wetlands on the Town's NRI Wetlands Map (Map 12) nor on the NYSDEC Environmental Resource Mapper.*

5/30/25: As noted during the 5/6/25 meeting, a wetland permit is not required for this application.

6. *5/2/25: The subdivision plat identifies wells on each parcel but does not show septic locations. The plat should be updated to identify the septic locations, or the Applicant should confirm that each property has its own septic on the lot and that this arrangement would not be affected by the lot line change.*

5/30/25: Comment addressed. The revised plat identifies the approximate locations of the septic areas as well as the locations of the transformers. Based on their locations, these utilities would remain on their respective lots after the lot line adjustment.

7. *5/2/25: The residential structure on Lot 1 is identified on the plat as a cottage. The Applicant should clarify the distinction between a cottage and the "house" identified on Lot 2 and confirm that the residential structures on each lot are separate principal uses, each with its own onsite utilities (septic/well).*

5/30/25: Comment addressed. At the 5/6/25 Planning Board meeting, the applicant clarified that the cottage is an A-frame residence, which, as with the "house," meets the Zoning Code definition of a dwelling. (Dwelling is defined as "A detached building designed or used exclusively as living quarters for one or more families, excluding motels, hotels, or other transient residence facilities." § 165-140.)

8. *5/2/25: The existing and proposed lots are zoning compliant based on the subdivision plat.*

5/30/22: The existing Lot 2 is undersized, as it is 9.751 acres where 10 acres is required. As a result of the proposed lot line adjustment, Lot 2 would be 12.507 acres, thus bringing it into compliance.

REFERRALS

9. *5/2/25: The subject parcel is within 500 feet of a farm operation in an agricultural district (AD 21). This application is therefore subject to General Municipal Law (GML) 239-m, which requires referral to Dutchess County. However, the Dutchess County Department of Planning and Development has not exercised the option to review subdivision applications which do not involve an application for site plan approval or a variance. Therefore, referral to the County pursuant to General Municipal Law (GML) 239-n is not required.*

5/30/25: No further comment.

10. *5/2/25: Prior to the Planning Board Chair signing the final subdivision plat, the Applicant must demonstrate that permission to file has been received from the Dutchess County Health Department.*

5/30/25: No further comment.

SEQRA

11. *5/2/25: This application is considered a Type II Action under the State Environmental Quality Review Act (SEQRA), which requires no environmental review. The applicable Type II citation is as follows:*

6 NYCRR 617.5(c)(16) – granting of individual setback and lot line variances and adjustments

5/30/25: The application was so classified at the 5/6/25 Planning Board meeting.

RECOMMENDATION

At the June 3, 2025 Planning Board meeting, AKRF recommends that the Planning Board consider adopting the resolution approving the lot line adjustment.