



**Town of Washington Planning Board**

**RESOLUTION APPROVING ALTERATION AND IMPROVEMENT APPROVAL ON A  
SCENIC ROAD AND WETLANDS PERMIT**

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**KILLEARN ROAD IMPROVEMENT PROJECT**

Town of Washington Planning Board member Eric Alexander offered the following resolution, which was seconded by member Richard Philipps as follows:

**WHEREAS**, The Applicant, the Town of Washington Town Board (the “Town Board”), has made application to the Planning Board for approval of alterations and improvements to Killearn Road (the “Project”), designated by the Town of Washington as a scenic road as defined in the Town Code; and

**WHEREAS**, the Project is described as follows: The Town Board is working with Colliers Engineering and Design (CED) as the engineering/design consultant on the proposed improvements. 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 (the “Project Area”). 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, consisting of either a shallow stone lined swale (set 2 feet from the shoulder and at least 9 inches deep, filled with open-graded stone) or a full swale (3-foot-wide and 1.5-foot-deep grassed bottom ditch), 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; and

**WHEREAS**, the Project includes temporary and permanent disturbances affecting protected wetland areas and, as a result, the application also requires a Wetland Permit approval by the Planning Board; and

**WHEREAS**, the Planning Board indicated its consent to the Town Board serving as lead agency under the State Environmental Quality Review Act (SEQRA) by vote on May 6, 2025, and again consented on July 1, 2025 after the Board was advised the action was a Type I action; and

**WHEREAS**, the application was referred to the Dutchess County Department of Planning and Development pursuant to General Municipal Law Section 239-m; and

**WHEREAS**, the Dutchess County Department of Planning and Development classified the application as a matter of local concern by response dated May 13, 2025; and

**WHEREAS**, per Town Code §165-54(G)(5), the application was referred to the Highway Superintendent and CAC (Conservation Advisory Commission) for comment; and

**WHEREAS**, the CAC provided comment by letter dated July 21, 2025 which comments the Planning Board and Town Wetland Consultant have taken into consideration; and

**WHEREAS**, no further comment was received from the Highway Superintendent as the Highway Superintendent worked with the Town Board on the current application; and

**WHEREAS**, the Wetland Permit application was referred to the Steve Marino of Tim Miller Associates (the Town Wetland Consultant) for review and comment; and

**WHEREAS**, the Town Wetland Consultant visited the Project Area and issued a memorandum to the Planning Board dated July 1, 2025 containing a summary of the site visit and comments on the May 2, 2023 wetlands delineation report prepared by C.T. Male; and

**WHEREAS**, the Planning Board held a combined public hearing on the Scenic Road Application and the Wetland Permit on July 1, 2025 and August 5, 2025 and having properly noticed same and heard all who came before the board with any comment thereon, closed the public hearing on August 5, 2025; and

**WHEREAS**, by letter dated July 22, 2025 from CED, and as discussed during the public hearing on August 5, 2025, it was clarified that the Project would only use stone topping and would not be using the “chip & seal” topping presented at the July 1, 2025 public hearing; and

**WHEREAS**, on August 14, 2025, the Town Board, acting as lead agency, issued a negative declaration of significance under SEQRA and thereby concluded SEQRA review; and

**WHEREAS**, all alterations and improvements to the Scenic Road, as well as the areas of wetland disturbance, are shown on the Site Plan set prepared by CED, dated June 16, 2025.

**NOW THEREFORE BE IT RESOLVED**, that the Planning Board of the Town of Washington makes the following findings with regard to the **Improvements and Alterations for Scenic Road Improvements**:

- A. The submitted application fulfills the applicable requirements of the Town’s Scenic Roads Law (Section 165-54 of the Town Code).
- B. The Planning Board has considered the factors set forth in Town Code Section 165-54(G)(5)(b)(1) & (2), where applicable, and finds that the submitted application meets those factors. Specifically, the Applicant has presented information on all the proposed alternatives considered by the Town Board during discussion in 2023 and 2024. The Planning Board is satisfied that the Town Board has chosen the alternative least damaging to the scenic road.

**BE IT FURTHER RESOLVED**, that the Planning Board of the Town of Washington makes the following findings with regard to the **Wetlands Permit Application**:

- A. Pursuant to Article IX, Section 165-97 of the Town Zoning Code, “[a]n applicant is entitled to a wetland permit...if the proposed regulated activity will not result in a negative impact to the functioning of a wetland, watercourse, or water body that has been shown to have a beneficial environmental function.” Here, the proposed repairs and improvements to Killearn road will not cause a negative impact to occur.
- B. There are no available alternatives that would be practical or feasible. The limit of disturbance depicted on the plans shows only minimal encroachment into the wetland buffers, the vast majority of which is within the existing roadbed and roadside swales. With the proper use of erosion and sedimentation controls during site work any deposition of sediments to the wetlands and streams could be avoided. The plans envision a disturbance to wetlands of approximately 124 sf, all related to culvert placement and outlet protection. The Town’s Wetland Consultant has determined this work to be acceptable and necessary.
- C. The submitted application fulfills the applicable requirements in Article IX (Sections 165-88 through 165-102) of the Town Zoning Code, entitled “Wetlands and Watercourses,” and the Applicant has likewise demonstrated entitlement to the Wetlands Permit.

**BE IT FURTHER RESOLVED**, that the Planning Board of the Town of Washington hereby grants **Wetland Permit** approval subject to the following condition:

- (a) The Town Wetland Consultant shall be present to inspect the erosion controls near sensitive areas after they are installed and before earth movement begins.

The foregoing resolution was duly put to a vote which resulted as follows:

	YEA	NAY
Susan Meaney, Chair	<u>X</u>	_____
Emily Abrahams	<u>Recused</u>	_____
Eric Alexander	<u>X</u>	_____
Nicole Drury	<u>absent</u>	_____
Richard Philipps	<u>X</u>	_____
Adam Brandow	<u>X</u>	_____
Anna Hall	<u>absent</u>	_____

Dated: Millbrook, New York  
September 2, 2025

Lisa Agnelli 9/3/25

Lisa Agnelli, Secretary  
Town of Washington Planning Board