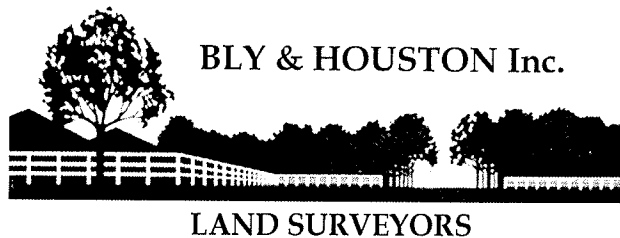


HARRY J. BLY LS
(1935-2008)

PO BOX 629
9 ELM DRIVE
MILLBROOK, NY 12545



BRIAN M. HOUSTON L.S.
TEL: (845) 677-5619
EMAIL: blyandhouston@aol.com

Susan Meany Chairperson
Town of Washington Planning Board
10 Reservoir Drive
Millbrook, NY 12545

September 23, 2025

Re: Subdivision and Lot Line Change for Whalen and Colman
Tax Id; 6664-00-39457-00 Whalen, and 6664-00-209387-00 Colman

Planning Board Members,

Please accept this application for subdivision and lot line change between properties owned by Richard and Judith Whalen and adjoining owners William and Jenny Colman, located at 561 and 563 Verbank Road. Both parcels are in the RL-5 zoning district.

Part 1, Lot Line Change, Whalen to Colman:

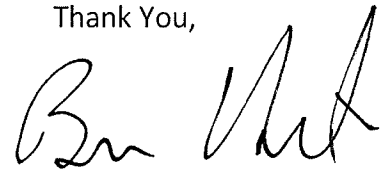
Currently the Whalens own a 54.15 acre parcel of land which has a house and barn on it. Adjoining this property is a 20.69 acre parcel owned by William and Jenny Colman where they reside. Both properties use an existing common driveway to access their residences. The Whalens are proposing to convey a vacant 20.58 acre parcel of land to the Colmans which will be merged into the Colmans existing 20.69 acre lot creating a 41.27 acre parcel of land. There is no development planned as a result of this lot line change.

Part 2, Subdivision of Whalen land:

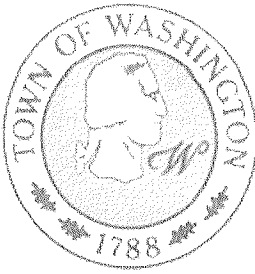
After the lot line change is complete, it leaves the Whalen property with 33.57 acres. They are proposing to subdivide 19.58 acres, Lot A, from the remaining land, which will leave the existing house and barn on a 13.99 acre parcel. The newly created parcel will be conveyed to one of the Whalens daughters, and this subdivision is being done for estate planning purposes with no planned development at this time. The proposed Lot A will gain its access from the existing common driveway and then connect to the lot via an individual driveway. The location of the proposed driveway is shown on the map, which will run between the buffer area of NYS freshwater wetland MB-45, which was delineated by NYSDEC in 2014, and the 100' buffer area of the Federal/ Town of Washington wetland (the pond shown on map) which was determined by the high water mark of the pond. The existing topography of the land in the vicinity of the proposed driveway rises uphill from the common driveway connection and would make a driveway with a 5% to 9% grade easily attainable without impacting the wetland buffer areas.

We look forward to discussing this application in more detail at the next planning board meeting.

Thank You,

A handwritten signature in black ink, appearing to read "Brian M. Houston". The signature is fluid and cursive, with the first name "Brian" and last name "Houston" clearly distinguishable.

Brian M. Houston L.S.



Washington

**TOWN OF WASHINGTON
PLANNING BOARD**

10 Reservoir Drive • P.O. Box 667 Millbrook,
NY 12545 • (845) 677-3419 EXT 116 •
planningboard@washingtontny.org

COMBINED PLANNING BOARD APPLICATION

**Submit Application and four copies, together with
all required additional documentation and fees,
to:**

Planning Board Secretary
Town of Washington
10 Reservoir Drive
Millbrook, NY 12545
T: (845) 677-3419, Ext. 116
F: (845) 677-2085

**With electronic copy (including all maps
and forms) to:**

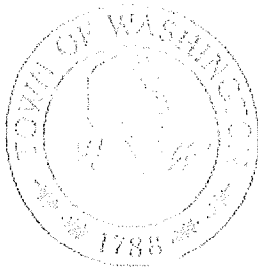
Planning Board Secretary
planningboard@washingtontny.org

The digital copy shall be in a pdf, jpeg or other suitable write-protected image format capable of being opened and viewed using standard Windows-based software.

Name of Applicant(s): <u>BRIAN HOUSTON L.S.</u>	
Business Name: <u>BLV AND HOUSTON INC. LAND SURVEYORS</u>	
Address: <u>PO BOX 629 MILLBROOK, NY 12545</u>	
Telephone: <u>845-677-5619</u>	Email Address: <u>BLVANDHOUSTON@aol.com</u>
Name of Record Owner(s) of Property: <u>RICHARD & JUDITH WHALEN</u>	
Address: <u>563 VERBAK ROAD MILLBROOK NY 12545</u>	
Telephone: <u>845-677-8220</u>	Email Address: _____

Before completing the next page, review the Town Zoning Map found at
<https://www.dutchessny.gov/Departments/Planning/Docs/washington.pdf>
to determine your Zoning District, which will be one of the following:

RR-10 Rural Residential	RL-5 Low Density Residential	RH-1 High Density Residential	HM Hamlet Mixed-Use
RS-10 Rural Residential	RS-5 Low Density Residential	RM-2 Medium Density Residential	



Washington

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COMBINED PLANNING BOARD APPLICATION

**Submit Application and four copies, together with
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10 Reservoir Drive
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**With electronic copy (including all maps
and forms) to:**

Planning Board Secretary
planningboard@washingtonny.org

The digital copy shall be in a pdf, jpeg or other suitable write-protected image format capable of being opened and viewed using standard Windows-based software.

Name of Applicant(s): BRIAN HOUSTON L.S.

Business Name: BLV AND HOUSTON INC. LAND SURVEYORS

Address: PO BOX 629 MILLBROOK, NY 12545

Telephone: 845-677-5619 Email Address: BLVANDHOUSTON@AOL.COM

Name of Record Owner(s) of Property: WILLIAM & JENNY COLMAN

Address: 501 VERBAUK ROAD MILLBROOK NY 12545

Telephone: _____ Email Address: _____

Before completing the next page, review the Town Zoning Map found at
<https://www.dutchessny.gov/Departments/Planning/Docs/washington.pdf>
to determine your Zoning District, which will be one of the following:

RR-10 Rural Residential	RL-5 Low Density Residential	RH-1 High Density Residential	HM Hamlet Mixed-Use
RS-10 Rural Residential	RS-5 Low Density Residential	RM-2 Medium Density Residential	

Applicant Name: Brian Houston

REAL PROPERTY INFORMATION: Complete a box for each lot which is involved. Copy and attach more sheets if more than 3 parcels.

Dutchess County Tax Map Number (1234-00-123456-0000)	<u>6664-00-309457-00</u>
Name of Property Owner	<u>RICHARD & JUDITH WHALEN</u>
Property Street Address	<u>563 VERBANK ROAD</u>
Number of Acres	<u>54.15 AC</u>
Zoning District from Zoning Map	<u>RL-5</u>
Describe the Current Use of the Property	<u>RESIDENTIAL, FARM LAND</u>
Is this property located near or in a buffer area next to a wetland, waterbody or watercourse?	<u>X</u> YES _____ NO May require a Town Wetlands Permit or be ruled by the Aquifer Protection Requirements
Is this property within 500 feet of the boundary of the Village of Millbrook?	_____ YES <u>X</u> NO

Dutchess County Tax Map Number (1234-00-123456-0000)	<u>6664-00-209387-00</u>
Name of Property Owner	<u>WILLIAM & JENNY COHAN</u>
Property Street Address	<u>561 VERBANK ROAD</u>
Number of Acres	<u>20.69 AC</u>
Zoning District from Zoning Map	<u>RL-5</u>
Describe the Current Use of the Property	<u>RESIDENTIAL</u>
Is this property located near or in a buffer area next to a wetland, waterbody or watercourse?	<u>X</u> YES _____ NO May require a Town Wetlands Permit or be ruled by the Aquifer Protection Requirements
Is this property within 500 feet of the boundary of the Village of Millbrook?	_____ YES <u>X</u> NO

Dutchess County Tax Map Number (1234-00-123456-0000)	
Name of Property Owner	
Property Street Address	
Number of Acres	
Zoning District from Zoning Map	
Describe the Current Use of the Property	
Is this property located near or in a buffer area next to a wetland, waterbody or watercourse?	_____ YES _____ NO May require a Town Wetlands Permit or be ruled by the Aquifer Protection Requirements
Is this property within 500 feet of the boundary of the Village of Millbrook?	_____ YES _____ NO

Applicant Name: _____

I. The following must be answered for **ALL APPLICATIONS**:

A. APPROVAL REQUESTED FOR (check all that apply):

Special Use Permit _____	Preliminary Subdivision Plan _____ ✓
Sketch Plan _____	Lot Line Revision _____ ✓
Site Plan _____	Final Subdivision Plan _____ ✓

B. All applications must include all of the following documents. (Please mark with a check to indicate that each is enclosed)

- ✓ A copy of the current deed of each property.
- ✓ Any easements affecting all parcels involved in the proposed activity.
- ✓ A recent survey.
If the project involves any construction, locate all water or wetlands [streams, creeks, ponds, or marshes] on the property on the survey.
- ✓ A recent aerial photo at a scale of 1:200 or less with the relevant tax parcels delineated. (This can usually be found using Dutchess Parcel Access as long as all current structures are shown).
- ✓ Owner's Endorsement – (You will find this attached to the end of this application.) Note ALL owners must sign, including both spouses.
- ✓ Consent to Inspection – (can be found on Planning Board page under "Planning Board Documents and Forms").
- _____ Section 803 Ethics Statement. (You will find this attached to the end of this application.)
- ✓ Environmental Assessment Form (EAF) for SEQRA review.
Complete Short Form EAF under SEQRA, which can be found at https://www.dec.ny.gov/docs/permits_ej_operations_pdf/seafpartone.pdf.
This Short Form EAF may also be filled out using the EAF Mapper Tool which creates the form as you go. See <https://gisservices.dec.ny.gov/eafmapper>. After initial review, the Planning Board may require a long form EAF.

C. The following documents may be required, if applicable. (Please mark with a check to indicate which, if any, are enclosed)

- ✓ Agricultural Data Statement. (This can be found on Planning Board page under "Planning Board Documents and Forms").
This document is required if any portion of the project is located on property within an agricultural district containing a farm operation, or on property with boundaries within five hundred (500) feet of a farm operation located within an agricultural district.
If this is applicable, what Agricultural District is the property in? _____
- _____ Wetland Permit Application. (This can be found on Planning Board page under "Planning Board Documents and Forms").
Please review Zoning Code Section 396 to determine if a permit is required in your specific instance.

Applicant Name: BRIAN Houston

A Wetlands Application may be required if the proposed activity is:

- within 50 feet of the boundary of a wetland that is at least $\frac{1}{4}$ acre in size but less than 1 acre; or
- within 100 feet of a boundary of a wetland that is at least 1 acre in size; or
- Within 100 feet from the high water mark of a perennial watercourse or waterbody; or
- within 50 feet from the high water mark of the identified channel for an intermittent watercourse.

D. Detailed description of proposed activity:

THE WHALENS HAVE A 54.15 AC PARCEL. THEY ARE PROPOSING TO CONVEY 20.58 ACRES TO ADJOINING OWNERS THE COLMAN'S VIA A LOT LINE CHANGE. ADDITIONALLY, THE WHALENS ARE PROPOSING TO SUBDIVIDE A 19.58 AC PARCEL FROM THEIR PROPERTY AND CONVEY TO THEIR DAUGHTER.

E. Are there agricultural and /or forestry exemptions affecting the property?
Yes X No _____ If yes, please list in detail:

F. Total acreage involved in the application. 74.8 AC

G. Total contiguous acreage controlled by the applicant/owner. 74.8
(This includes lands owned by family members of the applicant and any corporations, partnerships, limited liability companies, or other entities in which the applicant has an interest.)

List each contiguous property:

Dutchess County Tax Map Number (1234-00-123456-0000)	
Name of Property Owner	
Property Street Address	
Number of Acres	

Dutchess County Tax Map Number (1234-00-123456-0000)	
Name of Property Owner	
Property Street Address	
Number of Acres	

Applicant Name: BRIAN HOUSTON

H. Total number of existing structures (including houses, detached garages, sheds, barns or any other building structure). 2 WHALEN 2 COUMAN

I. Types of existing structures (list):

WHALEN - HOUSE, BARN
COUMAN - HOUSE, SHED

J. Total square footage of all new construction. N/A

K. Estimated value of new construction or addition. N/A

L. Type of construction or activity proposed (check all that apply):

New construction:

Residential _____

Commercial _____

Institutional _____

Home occupation _____

Expansion:

Residential _____

Commercial _____

Institutional _____

Change in use _____

Other: _____

M. If any of the following professionals are involved in the proposed project or activity, please identify and provide contact information:

Professional Engineer

Name: _____

Address: _____

Email Address: _____

Telephone Number: _____

Attorney

Name: _____

Address: _____

Email Address: _____

Telephone Number: _____

Licensed Land Surveyer

Name: BRIAN HOUSTON L.S.

Address: PO BOX 6029

MILLBROOK NY 12545

Email Address: _____

Telephone Number: _____

Other Type of

Professional: _____

Name: _____

Address: _____

Email Address: _____

Telephone Number: _____

Applicant Name: BRIAN HOUSTON

- N. Does this application require approvals from any other organization or entity (for example, i.e: NYS DOT, Dutchess County Board of Health, Dutchess County Department of Transportation, the Village of Millbrook)?

Yes _____ No X If yes, please identify the organization and whether an application has been made to them.

- II. For **SUBDIVISION AND LOT LINE ADJUSTMENT** applications, please also answer the following:

A. **LOTS**

Number of lots proposed: 1
Size of the smallest lot proposed: 13.99 AC
Size of the largest lot proposed: 41.27 AC

B. **DRIVEWAYS**

Number of private driveways proposed: 1
Number of common driveways proposed: 1 EXPANSION OF EXISTING COMMON DR.
Maximum number of lots served by a common driveway: 3

- C. Preliminary Plat includes 74.8 acres and tentatively includes 1 future lots. The amount of area shown on this Preliminary Plat proposed to be dedicated for future public use (exclusive of roads) is 0 (define your measure in acres or square feet).

- D. Does subdivider intend to request any waivers or variances from the Subdivision Regulations upon submission of Final Plat for approval? No X Yes _____

- E. Does subdivider intend to submit a single subdivision plat for filing with the County Clerk for all property in the Preliminary Plat? Yes X No _____
If no, state the number of sections to be filed. _____

III. **FEES AND ESCROW**

A. Application Fee and Escrow Deposit

An Application Fee and an initial Escrow Deposit for the amounts listed in the chart on the next page for your type of application must be included with this application.

Applicant Name: BRIAN HOUSTON

Fees are payable to the "Town of Washington" and are due at the time the application is submitted.

Fee Type	Amount	Amount Due	Date Paid
ESCROW FEE (DUE FOR ALL APPLICATIONS)			
Initial Escrow Deposit:	\$1,500.00	\$1,500	
Additional Escrow will be determined at the first Planning Board meeting. This additional escrow can vary from \$2,000 to \$10,000 and will be determined by the complexity of the matter and the amount of legal and/or planning consultant advice required			
LOT LINE CHANGE APPLICATION FEE			
Up to 5.99 acres	\$600.00		
6.0 - 15.99 acres	\$900.00		
16.00 acres or greater	\$1,200.00	\$1,200	
SITE PLAN APPLICATION FEE			
	\$600.00		
SPECIAL USE PERMIT FEE			
	\$600.00		
WETLANDS PERMIT FEE			
	\$600.00		
SUBDIVISION:			
Preliminary Approval - Minor: Up to 4 Lots			
Application Fee:	\$750.00	\$ 750	
Fee Per New Lot	\$250.00 per lot	\$ 250	
Final Approval	\$750.00*	\$ 750	
Final Approval Up to 4 lots	\$200.00 per lot*	\$ 200	
Recreation Fee Per New Lot	\$4,000.00 per lot		
Preliminary Approval - Major: 5 or more lots			
Application Fee	\$850.00		
Fee Per New Lot	\$250.00		
Final Approval	\$850.00*		
Fee Per New Lot	\$200.00 per lot*		
Recreation Fee Per Lot	\$4,000.00		

* To be paid whether or not the Planning Board waives the requirements for Final Approval.

Applicant Name: BRIAN HOUSTON

(WITHDRAWN)

The applicant will periodically be advised as to the need to replenish the escrow account. Any unexpended escrow deposit will be returned to the applicant at the completion of review of the application.

Please note here the total amount of the check you are including for the Application Fee and Escrow Deposit. \$ 4650

Dated: 9/17/25

Brian Houston
Signature of Applicant

Alfred M. Whal
Signature of Owner (if different)

OWNER

(COLMAN)

Applicant Name: BRIAN HOUSTON

The applicant will periodically be advised as to the need to replenish the escrow account. Any unexpended escrow deposit will be returned to the applicant at the completion of review of the application.

Please note here the total amount of the check you are including for the Application Fee and Escrow Deposit. \$ _____

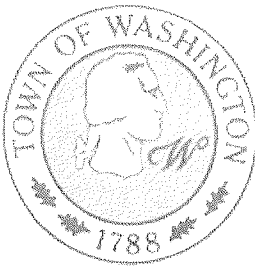
Dated: 9/17/25

Brian Houston
Signature of Applicant

X [Signature]
Signature of Owner (if different)

X [Signature]
OWNER

Applicant Name: BRIAN HOUSTON



Washington

**TOWN OF WASHINGTON
PLANNING BOARD**

10 Reservoir Drive • P.O. Box 667 Millbrook,
NY 12545 • (845) 677-3419 EXT 116 •
planningboard@washingtontny.org

AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER

State of NEW YORK }
County of DUTCHESS } ss:

BRIAN HOUSTON being duly sworn, deposes and says:

1. That he/she is the agent named in the foregoing application for SUBDIVISION & LOT
LINE CHANGE and that he/she has been duly authorized by the owner in fee
to make such application and that the foregoing statements contained therein are true to the best
of his/her knowledge and belief.
2. That he/she resides at 11 ELM DRIVE in the County of
DUTCHESS and the State of NEW YORK.
3. That he/she is the LAND SURVEYOR / AGENT of the within property as described in the
foregoing application for Planning Board approval and that the statements contained therein are
true to the best of his/her knowledge and belief.
4. That he/she understands that the Town of Washington Planning Board intends to rely on the
foregoing representations in making a determination to issue the requested applications and
approvals and that under penalty of perjury he/she declares that he/she has examined this affidavit
and that it is true and correct.

Brian Houston

Agent/Owner

Agent/Owner

George T Whalen III

Notary Public

GEORGE T WHALEN III
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01WH4857854
Qualified in Dutchess County
My Commission Expires July 21, 2026

Applicant Name: BRIAN HOUSTON



Washington

**TOWN OF WASHINGTON
PLANNING BOARD**

10 Reservoir Drive • P.O. Box 667 Millbrook,
NY 12545 • (845) 677-3419 EXT 116 •
planningboard@washingtonny.org

DISCLOSURE OF BUSINESS INTEREST

State of NEW YORK }
County of DUTCHESS } ss:

BRIAN HOUSTON being duly sworn, deposes and says:

1. Pursuant to §803 of the General Municipal Law the following municipal officer(s) or employee(s), and any of their family members, outside employers, business associates, clients or campaign contributors, have, or will later acquire, an ownership position, employment position, or other contractual interest in the proposed project: (Insert name, home address and municipal position held. Attach additional pages as necessary.)

NONE

2. That the interest of said municipal officer(s) or employee(s) is: (Detail the nature and extent of the interest. Attach additional pages as necessary.)

NONE

3. That he/she understands that the Town of Washington intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury he/she declares that he/she has examined this affidavit and that it is true and correct.

Brian Houston

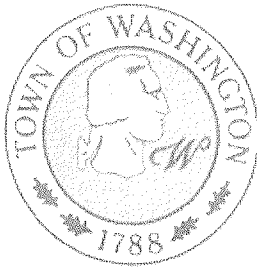
Agent/Owner

Agent/Owner

George T. Whalen III
Notary Public

GEORGE T WHALEN III
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01WH4857854
Qualified in Dutchess County
My Commission Expires July 21, 2026

Applicant Name: BRIAN HUSTON



Washington

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PLANNING BOARD**

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NY 12545 • (845) 677-3419 EXT 116 •
planningboard@washingtontny.org

DISCLOSURE OF BUSINESS INTEREST

State of New York }
County of Dutchess } ss:

WILLIAM W. COLMAN being duly sworn, deposes and says:

1. Pursuant to §803 of the General Municipal Law the following municipal officer(s) or employee(s), and any of their family members, outside employers, business associates, clients or campaign contributors, have, or will later acquire, an ownership position, employment position, or other contractual interest in the proposed project: (Insert name, home address and municipal position held. Attach additional pages as necessary.)

NONE

2. That the interest of said municipal officer(s) or employee(s) is: (Detail the nature and extent of the interest. Attach additional pages as necessary.)

NONE

3. That he/she understands that the Town of Washington intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury he/she declares that he/she has examined this affidavit and that it is true and correct.

[Signature]
Agent/Owner

Agent/Owner

[Signature]
Notary Public

GEORGE T WHALEN III
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01WH4857854
Qualified in Dutchess County
My Commission Expires July 21, 2026

Applicant Name: BRIAN HOUSTON



Washington

**TOWN OF WASHINGTON
PLANNING BOARD**

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NY 12545 • (845) 677-3419 EXT 116 •
planningboard@washingtonny.org

DISCLOSURE OF BUSINESS INTEREST

State of New York }
County of Dutchess } ss:

JENNY M CUMAN being duly sworn, deposes and says:

1. Pursuant to §803 of the General Municipal Law the following municipal officer(s) or employee(s), and any of their family members, outside employers, business associates, clients or campaign contributors, have, or will later acquire, an ownership position, employment position, or other contractual interest in the proposed project: (Insert name, home address and municipal position held. Attach additional pages as necessary.)

NONE

2. That the interest of said municipal officer(s) or employee(s) is: (Detail the nature and extent of the interest. Attach additional pages as necessary.)

NONE

3. That he/she understands that the Town of Washington intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury he/she declares that he/she has examined this affidavit and that it is true and correct.

[Signature]
Agent/Owner

Agent/Owner

[Signature]
Notary Public

GEORGE T WHALEN III
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01WH4857854
Qualified in Dutchess County
My Commission Expires July 21, 20__

Applicant Name: _____



Washington

**TOWN OF WASHINGTON
PLANNING BOARD**

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NY 12545 • (845) 677-3419 EXT 116 •
planningboard@washingtonny.org

DISCLOSURE OF BUSINESS INTEREST

State of New York }
County of Dutchess } ss:

RICHARD M WHALEN being duly sworn, deposes and says:

1. Pursuant to §803 of the General Municipal Law the following municipal officer(s) or employee(s), and any of their family members, outside employers, business associates, clients or campaign contributors, have, or will later acquire, an ownership position, employment position, or other contractual interest in the proposed project: (Insert name, home address and municipal position held. Attach additional pages as necessary.)

NONE

2. That the interest of said municipal officer(s) or employee(s) is: (Detail the nature and extent of the interest. Attach additional pages as necessary.)

NONE

3. That he/she understands that the Town of Washington intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury he/she declares that he/she has examined this affidavit and that it is true and correct.

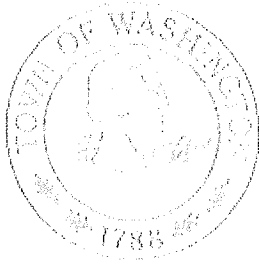
Richard M. Whalen
Agent/Owner

Agent/Owner

Therese M. Cox
Notary Public

THERESE M COX
Notary Public, State of New York
Reg. No. 01C05015260
Qualified in Dutchess County
My Commission Expires 07/19/2029

Applicant Name: _____



Washington

**TOWN OF WASHINGTON
PLANNING BOARD**

10 Reservoir Drive • P.O. Box 667 Millbrook,
NY 12545 • (845) 677-3419 EXT 116 •
planningboard@washingtontny.org

DISCLOSURE OF BUSINESS INTEREST

State of New York }
County of Dutchess } ss:

JUDITH H WHALEN being duly sworn, deposes and says:

1. Pursuant to §803 of the General Municipal Law the following municipal officer(s) or employee(s), and any of their family members, outside employers, business associates, clients or campaign contributors, have, or will later acquire, an ownership position, employment position, or other contractual interest in the proposed project: (Insert name, home address and municipal position held. Attach additional pages as necessary.)

NONE

2. That the interest of said municipal officer(s) or employee(s) is: (Detail the nature and extent of the interest. Attach additional pages as necessary.)

NONE

3. That he/she understands that the Town of Washington intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury he/she declares that he/she has examined this affidavit and that it is true and correct.

Judith H. Whalen
Agent/Owner

Agent/Owner

Therese M. Cox
Notary Public

THERESE M COX
Notary Public, State of New York
Reg. No. 01C05015260
Qualified in Dutchess County
My Commission Expires 07/19/2029



Washington

TOWN OF WASHINGTON PLANNING BOARD
PlanningBoard@Washingtonny.org

10 Reservoir Dr, PO Box 667
Millbrook, NY 12545
845-677-3419

THIS DOCUMENT MUST BE SIGNED BEFORE A NOTARY PUBLIC

PLEASE NOTE: If ownership is held by a corporation, LLC, jointly or in partnership, each owner and/or partner must sign a separate owner's endorsement.

OWNER'S ENDORSEMENT

STATE OF NEW YORK)

COUNTY OF Dutchess ss:

RICHARD M WHALEN, being duly sworn, deposes and says:

- I am: (check one)
- ☐ 1. the sole owner in fee (One individual on the tax roll)
 - ☒ 2. a part owner in fee (Two or more individuals on the tax roll)
 - ☐ 3. an officer of the corporation which is the owner in fee of the premises described in the foregoing application.
 - ☐ 4. designated party authorized to act pursuant to a trust or legal document. (Trustees listed on tax roll)
 - ☐ 5. member/owner(s) of Limited Liability Corporation (LLC).

(If you checked #3, #4 or #5, you must attach proof of authority (i.e.: Corporate Resolution, Surrogate Letter, Executor of the Will, Certified Letter of Testamentary, Letter of Administration, Attorney-Opinion Letter, Letter or Probate, Power of Attorney)

I reside at 563 VERBANK ROAD

City MILLBROOK State NY Zip 12545

I have authorized (name) BRIAN HOUSTON C.S. of (Company) BLY AND HOUSTON INC. LAND SURVEYORS to make the foregoing application to the Town of Washington for approval as described herein for the property located at 563 VERBANK ROAD located at 00-309457-00. Property ID # 6664

Richard M. Whalen
Signature

If owner is a corporation or LLC, please indicate name of the entity and title of the officer whose signature appears above.

Sworn to before me this 18th day of September, 2025.

Notary Public _____

Notary Stamp: commission expires:

Therese M Cox

THERESE M COX
Notary Public, State of New York
Reg. No. 01C05015260
Qualified in Dutchess County
My Commission Expires 07/19/2029

Type of Authority:



Washington

TOWN OF WASHINGTON PLANNING BOARD
PlanningBoard@Washingtonny.org

10 Reservoir Dr, PO Box 667
Millbrook, NY 12545
845-677-3419

THIS DOCUMENT MUST BE SIGNED BEFORE A NOTARY PUBLIC

PLEASE NOTE: If ownership is held by a corporation, LLC, jointly or in partnership, each owner and/or partner must sign a separate owner's endorsement.

OWNER'S ENDORSEMENT

STATE OF NEW YORK)

COUNTY OF Dutchess ss:

JUDITH H. WHALEN, being duly sworn, deposes and says:

- I am: (check one)
- ☐ 1. the sole owner in fee (One individual on the tax roll)
 - ☒ 2. a part owner in fee (Two or more individuals on the tax roll)
 - ☐ 3. an officer of the corporation which is the owner in fee of the premises described in the foregoing application.
 - ☐ 4. designated party authorized to act pursuant to a trust or legal document. (Trustees listed on tax roll)
 - ☐ 5. member/owner(s) of Limited Liability Corporation (LLC).

(If you checked #3, #4 or #5, you must attach proof of authority (i.e.: Corporate Resolution, Surrogate Letter, Executor of the Will, Certified Letter of Testamentary, Letter of Administration, Attorney-Opinion Letter, Letter or Probate, Power of Attorney)

I reside at 563 VERBANK ROAD
City MILLBROOK State NY Zip 12545

I have authorized (name) BRIAN HOUSTON L.S. of (Company) BUY AND HOUSTON INC. LAND SURVEYORS to make the foregoing application to the Town of Washington for approval as described herein for the property located at

563 VERBANK ROAD
00 - 309457 - 00.

Property ID # 6664

Signature

If owner is a corporation or LLC, please indicate name of the entity and title of the officer whose signature appears above.

Sworn to before me this 18th day of Sept., 2025.
Notary Public

Notary Stamp: commission expires:

Proof of Authority is attached. Type of Authority:

Therese M. Cox
THERESE M COX
Notary Public, State of New York
Reg. No. 01C05015260
Qualified in Dutchess County
My Commission Expires 07/19/2029



Washington

TOWN OF WASHINGTON PLANNING BOARD
PlanningBoard@Washingtonny.org

10 Reservoir Dr, PO Box 667
Millbrook, NY 12545
845-677-3419

THIS DOCUMENT MUST BE SIGNED BEFORE A NOTARY PUBLIC

PLEASE NOTE: If ownership is held by a corporation, LLC, jointly or in partnership, each owner and/or partner must sign a separate owner's endorsement.

OWNER'S ENDORSEMENT

STATE OF NEW YORK)

COUNTY OF Dutchess ss:

WILLIAM W. COCHAN, being duly sworn, deposes and says:

- I am: (check one)
- ☐ 1. the sole owner in fee (One individual on the tax roll)
 - ☐ 2. a part owner in fee (Two or more individuals on the tax roll)
 - ☐ 3.
 - ☒ 4. an officer of the corporation which is the owner in fee of the premises described in the foregoing application. designated party authorized to act pursuant to a trust or legal document. (Trustees listed on tax roll)
 - ☐ 5. member/owner(s) of Limited Liability Corporation (LLC).

(If you checked #3, #4 or #5, you must attach proof of authority (i.e.: Corporate Resolution, Surrogate Letter, Executor of the Will, Certified Letter of Testamentary, Letter of Administration, Attorney-Opinion Letter, Letter of Probate, Power of Attorney)

I reside at 561 VERBANK ROAD
City MILLBROOK State NY Zip 12545

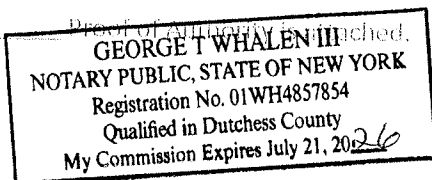
I have authorized (name) BRIAN HOUSTON L.S. of (Company) BLV AND HOUSTON INC. LAND SURVEYORS to make the foregoing application to the Town of Washington for approval as described herein for the property located at 561 VERBANK ROAD located at 00-209381-00. Property ID # 66664

[Signature]
Signature

If owner is a corporation or LLC, please indicate name of the entity and title of the officer whose signature appears above.

Sworn to before me this 21st day of September, 2024
Notary Public [Signature]

Notary Stamp: commission expires:



Proof of Authority is attached. Type of Authority: DEED



Washington

TOWN OF WASHINGTON PLANNING BOARD
PlanningBoard@Washingtonny.org

10 Reservoir Dr, PO Box 667
Millbrook, NY 12545
845-677-3419

THIS DOCUMENT MUST BE SIGNED BEFORE A NOTARY PUBLIC

PLEASE NOTE: If ownership is held by a corporation, LLC, jointly or in partnership, each owner and/or partner must sign a separate owner's endorsement.

OWNER'S ENDORSEMENT

STATE OF NEW YORK)

COUNTY OF Dutchess ss:

JENNY M. CAMAN, being duly sworn, deposes and says:

- I am: (check one)
- ☐ 1. the sole owner in fee (One individual on the tax roll)
 - ☐ 2. a part owner in fee (Two or more individuals on the tax roll)
 - ☐ 3. an officer of the corporation which is the owner in fee of the premises described in the foregoing application.
 - ☒ 4. designated party authorized to act pursuant to a trust or legal document. (Trustees listed on tax roll)
 - ☐ 5. member/owner(s) of Limited Liability Corporation (LLC).

(If you checked #3, #4 or #5, you must attach proof of authority (i.e.: Corporate Resolution, Surrogate Letter, Executor of the Will, Certified Letter of Testamentary, Letter of Administration, Attorney-Opinion Letter, Letter of Probate, Power of Attorney)

I reside at 561 VERBANK ROAD

City MILLBROOK State NY Zip 12545

I have authorized (name) BRIAN HOUSTON L.S. of (Company) BLY AND HOUSTON INC. LAND SURVEYORS to make the foregoing application to the Town of Washington for approval as described herein for the property located at

561 VERBANK ROAD
00 - 209387 - 00.

Property ID # 6664

[Signature]
Signature

If owner is a corporation or LLC, please indicate name of the entity and title of the officer whose signature appears above.

Sworn to before me this 21 day of Sept, 2025

Notary Public [Signature]

Notary Stamp: commission expires:

GEORGE J. WHALEN III
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01WH4857854
Qualified in Dutchess County
My Commission Expires July 21, 2026

Type of Authority: DEED



Washington

TOWN OF WASHINGTON
BUILDING, PLANNING & ZONING
10 Reservoir Dr, PO Box 667
Millbrook, NY 12545
845-677-3419

Consent to Inspection

The undersigned, does hereby state:

RICHARD M. WHALEN and JUDITH H. WHALEN
Owner Name Owner Name

That the undersigned is/are the owner(s) of the premises in Town of Washington, located at
563 VERBANK ROAD MILLBROOK NY 12545
which is shown and designated on the Dutchess County Tax Map as:

664 - 00 - 309457 - 00

That the undersigned (has) (have) filed, or cause to be filed, an application with the Town of Washington for the following:

☐ Assessment Review ☐ Building Permit
☐ Municipal Search ☒ Planning Board Application
☐ Zoning Board of Appeals Application

That the undersigned do(es) hereby give consent to representatives of the Town of Washington, including but not limited to the Building Inspector, Zoning Administrator, or Assessor of the Town of Washington to enter upon the above described property, including any and all buildings located thereon, to conduct such inspections as they may deem necessary with respect to the aforesaid application, including inspections to determine that said premises comply with all of the laws, ordinances, rules, and regulations of the Town of Washington. The time and date of the inspection will be scheduled in advance with the property owner or their representative. **Failure to schedule an inspection will delay your project.**

That the undersigned, in consenting to such inspections, does so with the knowledge and understanding that any information obtained will be used in conjunction with the application, and may delay your application if violations of the laws, ordinances, rules or regulations of the Town of Washington have been identified, and that your assessment may be increased based upon information found in the site inspection.

Contact person for inspection: BRIAN HOUSTON

Phone Number to schedule inspection: 845-797-8830

[Signature]
Signature

RICHARD WHALEN

Print Name

Dated: _____

[Signature]
Signature

JUDITH WHALEN

Print Name

Dated: _____



Washington

TOWN OF WASHINGTON
BUILDING, PLANNING & ZONING
10 Reservoir Dr, PO Box 667
Millbrook, NY 12545
845-677-3419

Consent to Inspection

The undersigned, does hereby state:

WILLIAM W. COLMAN and JENNY M. COLMAN
Owner Name Owner Name

That the undersigned is/are the owner(s) of the premises in Town of Washington, located at
561 VERBANK ROAD MILLBROOK NY
which is shown and designated on the Dutchess County Tax Map as:

6664 - 00 - 209387 - 00

That the undersigned (has) (have) filed, or cause to be filed, an application with the Town of Washington for the following:

<input type="checkbox"/> Assessment Review	<input type="checkbox"/> Building Permit
<input type="checkbox"/> Municipal Search	<input checked="" type="checkbox"/> Planning Board Application
<input type="checkbox"/> Zoning Board of Appeals Application	

That the undersigned do(es) hereby give consent to representatives of the Town of Washington, including but not limited to the Building Inspector, Zoning Administrator, or Assessor of the Town of Washington to enter upon the above described property, including any and all buildings located thereon, to conduct such inspections as they may deem necessary with respect to the aforesaid application, including inspections to determine that said premises comply with all of the laws, ordinances, rules, and regulations of the Town of Washington. The time and date of the inspection will be scheduled in advance with the property owner or their representative. **Failure to schedule an inspection will delay your project.**

That the undersigned, in consenting to such inspections, does so with the knowledge and understanding that any information obtained will be used in conjunction with the application, and may delay your application if violations of the laws, ordinances, rules or regulations of the Town of Washington have been identified, and that your assessment may be increased based upon information found in the site inspection.

Contact person for inspection: BRIAN HOUSTON

Phone Number to schedule inspection: 845-797-8830

+ William W. Colman X Jenny M. Colman
Signature

WILLIAM W. COLMAN

Print Name

Dated: 9/21/25

Signature

JENNY M. COLMAN

Print Name

Dated: 9/21/25

P5
WASH 70.-
130.-
208.-
(RPS) 3.90
263.90

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS

THIS INDENTURE, made the 1st of February, Two Thousand and Eighteen,

BETWEEN

WILLIAM COLMAN and JENNY COLMAN, husband and wife, residing at 563 Verbank Road, Millbrook, New York 12545,

party of the first part, and

WILLIAM W. COLMAN and JENNY M. COLMAN, as Trustees of the **WILLIAM W. COLMAN REVOCABLE TRUST**,
having an address at 563 Verbank Road, Millbrook, New York 12545

and

JENNY M. COLMAN and WILLIAM W. COLMAN, as Trustees of the **JENNY M. COLMAN REVOCABLE TRUST**,
having an address at 563 Verbank Road, Millbrook, New York 12545

each as to an undivided one-half (1/2) interest, as Tenants in Common,

party of the second part.

WITNESSETH, that the party of the first part, in consideration of Ten Dollars (\$10.00), lawful money of the United States, and other good and valuable consideration, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Washington, County of Dutchess and State of New York, more particularly described in Schedule "A" annexed hereto and made a part hereof;

BEING the same premises conveyed to William Colman and Jenny Colman, husband and wife, by Judith H. Whalen and Lynda J. Whalen by deed dated January 6, 2015 and recorded in the Dutchess County Clerk's Office on January 7, 2015 as Document # 02 2015 149;

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the

Schedule "A"

ALL that certain plot, piece or parcel of land with the buildings and improvements thereon erected, situate, lying and being in the Town of Washington, County of Dutchess and State of New York, more particularly bounded and described as follows:

BEGINNING at a point at the westerly line of Verbank Road, said point being the southeasterly corner of the herein described parcel and being the northeasterly corner of lands of Florence J. Harris described in Document 02-2010-5736; thence along lands of Harris and along lands of Tasak Inc. described in Document 02-2006-6700, N 83 deg 15' 00" W 952.18 feet to a point; thence continuing along lands of Tasak Inc. following the mean centerline of a stone wall and the range thereof, N 81 deg 47' 45" W 1242.65 feet to a point; thence along lands of the Rockefeller University described in Liber 1332 of Deeds at page 525 and other lands of the Rockefeller University described in Liber 1337 of Deeds at page 886, on a line of no physical bounds, N 09 deg 53' 40" E 907.32 feet to a corner of stone wall; thence through lands of Judith H. Whalen and Linda J. Whalen described in Document 02-2007-4794, S 69 deg 26' E 712.67 feet, S 62 deg 21' E 149.36 feet, S 22 deg 11' W 25.00 feet, S 67 deg 49' E 87.68 feet, S 69 deg 36' E 167.00 feet, S 67 deg 26' E 59.36 feet, S 11 deg 54' W 586.35 feet, S 81 deg 47' 45" E 116.40 feet and S 83 deg 15' 00" E 953.70 feet to a point at the westerly side of Verbank Road; thence along the same, S 10 deg 57' W 25.07 feet to the point or place of beginning.

CONTAINING 20.69 Acres of Land.

As surveyed by Bly & Houston LLP.

SUBJECT to Covenants, Easements, Restrictions, Conditions and Agreements of record, as well as those contained herein.

TOGETHER with a non-exclusive easement for ingress and egress over the common driveway, as set forth on filed map number 10402B and as contained and conditioned in Driveway Easement and Maintenance Agreement, recorded simultaneously herewith.

TOGETHER with a non-exclusive easement for continued use and necessary maintenance and repair of the existing underground utility lines serving the party of the second part's lands, as same may extend on, under or beneath the remaining lands of the party of the first part. Said easement to only be exercised upon appropriate notice to and consent from the party of the first part, its successors and/or assigns. Such consent shall not be unreasonably withheld. Once any repair or maintenance has been performed, the property shall be fully restored to its original condition by the party of the second part.

SUBJECT to the following restrictions and negative easement: All buildings on the premises conveyed hereunder, with the exception of customary agricultural, three board, wood fencing not to exceed four feet in height from existing grade, must be built within the building envelope, as such building envelope is described on Schedule "B" hereto. In addition, no trees may be cut or destroyed outside of this building envelope, unless such trees are completely dead. In such event, such trees may not be removed until their status as dead has been confirmed by the owner of the adjacent lot, known as grid no. 135889-6664-00-309457-0000 and now owned by Judith Whalen. These restrictions and negative easement shall run with the land and shall be enforceable by the owner of the lot known as grid no. 135889-6664-00-309457-0000 owned by Judith Whalen, her heirs, successors and assigns.

SUBJECT to the following restrictions and negative easement that limits the grading on the premises conveyed hereunder: There is currently a wood stake set on the northerly rim of the gravel pit on the premises conveyed hereunder, located on the east side of a 30" oak tree, with an elevation of 459.4', based upon the North American Datum of 1988. This is shown on Schedule "C" hereto. Any grading or re-grading of the gravel pit area shall not decrease or lower the elevation of the existing rim of the gravel pit below the elevation of 459.4', based upon the NAVD88 datum. These restrictions and negative easement shall run with the land and shall be enforceable by the owner of the lot known as grid no. 135889-6664-00-309457-0000 owned by Judith Whalen, her heirs, successors and assigns.

BEING a part of the premises conveyed by JUDITH H. WHALEN and LYNDA J. WHALEN f/k/a Lynda J. Whalen-Nolan to JUDITH H. WHALEN and LYNDA J. WHALEN by deed dated July 6, 2007, and recorded in the Dutchess County Clerk's Office on July 9, 2007, as Document No. 02-2007-4794.

The premises are in an agricultural district and the parcel is entirely owned by the transferors.

**BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS**

Dated February 1, 2018

from

WILLIAM COLMAN and JENNY COLMAN

Grantors

to

**WILLIAM W. COLMAN and JENNY M. COLMAN as Trustees of the
WILLIAM W. COLMAN REVOCABLE TRUST**

and

**JENNY M. COLMAN and WILLIAM W. COLMAN as Trustees of the
JENNY M. COLMAN REVOCABLE TRUST**

Grantees

Tax Map #: 6664-00-209387-0000
563 Verbank Road
Town of Washington, County of Dutchess

RECORD AND RETURN TO:

Cristen G. M. Rescigno, Esq.
Daniels, Porco and Lusardi, LLP
1 Memorial Ave.
Pawling, New York 12564

BARGAIN AND SALE DEED WITH COVENANTS AGAINST GRANTORS ACTS

DEED

THIS INDENTURE, made the 10 day of April, 2024, BETWEEN

JUDITH H. WHALEN, residing at 563 Verbank Road, Millbrook, New York 12545
and LYND A J. WHALEN, residing at 17 Rossway Road, Pleasant Valley, New York
12569, as party of the first part, and

RICHARD M. WHALEN and JUDITH H. WHALEN, as husband and wife, residing at
563 Verbank Road, Millbrook, New York 12545, as party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN DOLLARS and
other good and valuable consideration paid by the party of the second part, the receipt
and adequacy of which is hereby acknowledged, does hereby grant and release unto the
party of the second part, the heirs or successors and assigns of the party of the second
part forever,

All those certain plots, pieces or parcels of land and all improvements thereon,
situate lying and being in the Town of Washington, County of Dutchess and State
of New York being described as Dutchess County Tax Grid number 135889-6664-
00-309457 as 17.50 acre lot, and Dutchess County Tax Grid number 135889-
6664-00-214426 as a 36.65 acre lot.

The premises includes same premises conveyed to Judith H. Whalen at Document No.
02-2006-9392 and a portion with premises to Judith H. Whalen and Lynda J. Whalen
at Document No. 02-2007-4794.

TOGETHER WITH all right, title and interest, if any, of the party of the first part in and
to any streets and roads abutting the above described premises to the center lines
thereof; **TOGETHER WITH** the appurtenances and all the estate and rights of the party
of the first part in and to said premises; **TO HAVE AND TO HOLD** the premises herein
granted unto the party of the second part, the heirs or successors and assigns of the
party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything
whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first, in compliance with Section 13 of Lien Law, covenants that the party of the first part
will receive the consideration for this conveyance and will hold the right to receive such consideration as a
trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same
first to the payment of the cost of the improvement before using any part of the total of the same for any other
purpose. The word "party" shall be construed as if it reads "parties" whenever the sense of the indenture so
requires.

Wash 3p60
140
205

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN THE PRESENCE OF:

✓ Judith H. Whalen by Richard M. Whalen
Judith H. Whalen
by Richard M. Whalen, her agent her agent
✓ Lynda J. Whalen
Lynda J. Whalen

STATE OF NEW YORK)
) ss.:
COUNTY OF DUTCHESS)

On the 10 day of April, 2024, before me, the undersigned, a notary public in and for said state, personally appeared RICHARD M. WHALEN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Margaret R. Bedrossian
Notary Public, State of New York
No. 01BE6372310
Qualified in Dutchess County
Commission Expires March 18, 2026

Margaret R. Bedrossian
Notary Public

STATE OF NEW YORK)
) ss.:
COUNTY OF DUTCHESS)

On the 11 day of April, 2024, before me, the undersigned, a notary public in and for said state, personally appeared LYND A J. WHALEN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Margaret R. Bedrossian
Notary Public, State of New York
No. 01BE6372310
Qualified in Dutchess County
Commission Expires March 18, 2026

Margaret R. Bedrossian
Notary Public

②

EASE
PS 65.-
WASH 5.-
70.-

DRIVEWAY EASEMENT AND MAINTENANCE AGREEMENT

THIS AGREEMENT, dated the 6th day of January, 2015, is by and between ✓
Judith Whalen, with an address at 563 Verbank Road, Millbrook, New York 12545 ("Party 1") and
Judith Whalen and Lynda Whalen, with an address at 561 Verbank Road, Millbrook, New York ✓
12545 ("Party 2").

WHEREAS, the parties to this agreement are the owners of two (2) parcels of
contiguous real property located in the Town of Washington, County of Dutchess, State of New ✓
York. Party 1 owns the parcel identified as tax grid no. 135889-6664-00-309457-0000, and Party
2 owns the parcel identified as tax grid no. 135889-6664-00-214426-0000;

WHEREAS, the said property of Party 1 and said property of Party 2 are subject to
a Declaration of Private Road Easement and Maintenance Agreement (the "Existing Agreement"),
which is recorded in the Office of the Dutchess County Clerk as Document No. 02 2006 9391, which
relates to a common driveway now used by Party 1 and Party 2;

WHEREAS, the said property of Party 1 and said property of Party 2 are now the
subject of a lot line adjustment application before the Town of Washington Planning Board, and the
parties desire and intend to revoke the Existing Agreement, and replace it with the terms hereof, to
become effective once said lot line adjustment application is approved.

NOW THEREFORE, in consideration of One Dollar (\$1.00) and the mutual
promises and stipulations hereinafter set forth, the parties agree as follows:

1. Definitions.

For purposes of this agreement, the following words are defined as follows:

A. "Common Driveway" means the driveway used by Party 1 and Party 2 which
is subject to the terms of this agreement, and is shown on filed map no. 10402B (the "Map") and
means only that part of the driveway which is used by either or both Party 1 and Party 2 to reach their
property boundaries.

B. "Maintenance" means those regularly recurring tasks of repair, restoration and
care required to keep the Common Driveway useable and open for safe vehicular passage. Such
tasks shall include, but not be limited to, the filling in of depressions in the Common Driveway and
snow plowing or removal.

C. "Improvement" means the resurfacing, reconstruction, and care required to sustain and extend the useful life of the Common Driveway for safe vehicular passage, and any action relating to the driveway which may be required by any law, regulation, ordinance or governmental authority. This definition is intended to encompass any work not considered Maintenance.

D. "Owner" means Party 1 or Party 2, and all of their heirs, successors and assigns who become an owner of either property which is subject to the terms of this agreement.

2. Declaration of Easement.

The parties hereby declare that the property of Party 1 shall be subject to and the property of Party 2 shall benefit from a non-exclusive easement for ingress and egress over the Common Driveway, as this easement is located entirely on the property of Party 1. The location of the easement and Common Driveway hereby declared are shown on the Map.

3. Allocation of Financial Responsibility Among Owners.

Party 1, alone, shall ^{SW NW} ~~reasonably~~ determine and perform or have performed the necessary Maintenance and Improvement of the Common Driveway, and may engage such contractors as are necessary to complete same, at a reasonable cost. ^{reasonably SW NW}

Party 2 shall be liable for eighty percent (80%) of all snow plowing/removal costs, and fifty percent (50%) of any other Maintenance and Improvement costs. Party 1 shall be liable for twenty percent (20%) of all snow plowing/removal costs, and fifty percent (50%) of any other Maintenance and Improvement costs.

In the event that the parcel of Party 1 (tax grid no. 135889-6664-00-309457-0000) is subdivided and a new lot is created which is to use the Common Driveway, Party 1 and Party 2 shall amend this agreement to equitably apportion snow plowing/removal and any other Maintenance and Improvement costs, to the newly created lot. If an additional lot is created by Party 2, such additional lot shall not have the right to use the Common Driveway without the written consent of Party 1, and an amendment to this agreement, regarding apportionment of costs to the new lot.

4. Use and Condition of Driveway.

No owner shall use the Common Driveway in any manner that may result in damage thereto other than normal wear and tear. Any damage caused to the Common Driveway by an owner, his/her guests, agents or employees, shall be repaired by that owner at its sole cost and expense. The Common Driveway will at all times be of sufficient width, grade and cover so as to provide access to vehicles, including emergency vehicles.

5. Binding Effect.

This agreement shall run with the land and be binding upon each Owner, his or her heirs, successors and assigns.

6. Amendment and Revocation of Existing Agreement.

This agreement shall not be amended without the written consent of all Owners.


The Existing Agreement is hereby revoked.

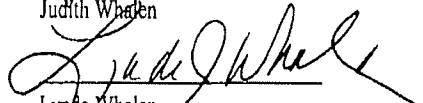
7. Governing Law and Enforcement of Agreement.

This agreement shall be governed by and construed under the law of the State of New York.

Failure of any Owner to fully pay for their share of the cost of the Maintenance and Improvement of the Driveway as set forth herein, or failure of any Owner to perform any other obligations set forth in this agreement, shall give rise to a cause of action for money damages and/or equitable relief to any other non-defaulting Owner, with associated interest at a rate of ten percent (10%) and associated costs, including, but not limited to, reasonable attorney's fees. Thus, if any Owner defaults in his or her obligations hereunder, they will become liable for damages, costs, interest and attorney's fees.

IN WITNESS WHEREOF, the parties hereto have duly executed this agreement on the date first written above.


Judith Whalen


Lynda Whalen

Short Environmental Assessment Form

Part 1 - Project Information

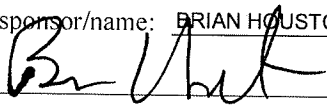
Instructions for Completing

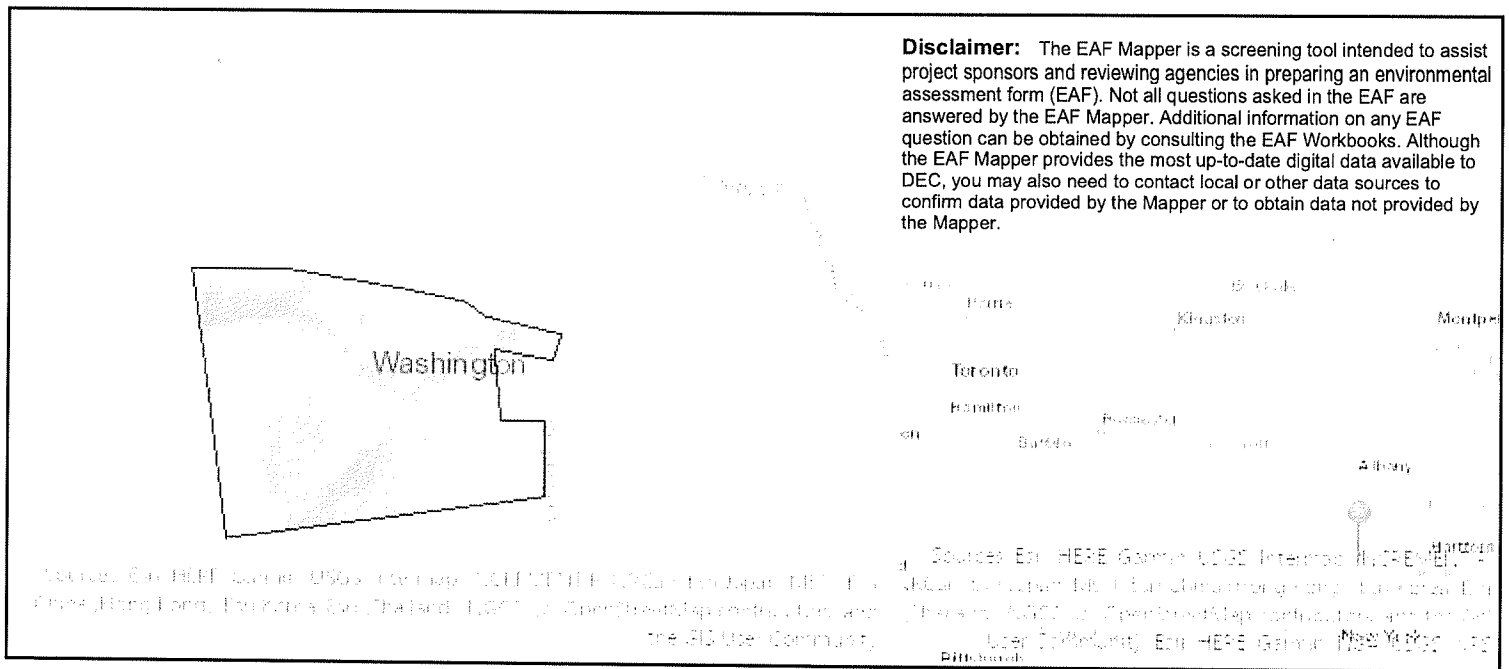
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project:			
SUBDIVISION & LOT LINE CHANGE PREPARED FOR WHALEN & COLMAN			
Project Location (describe, and attach a location map):			
561 & 563 VERBANK ROAD TOWN OF WASHINGTON NY			
Brief Description of Proposed Action:			
THE APPLICANTS ARE LOOKING TO CREATE ONE NEW 19.58 ACRE LOT FROM THE EXISTING LANDS OF WHALEN AND TO TRANSFER A 20.58 ACRE PORTION OF THE WHALEN LOT TO COLMAN TO JOIN THE 20.69 ACRE EXISTING LANDS OF COLMAN. THE REMAINING WHALEN LOT WILL BE 13.99 ACRES. THE COLMAN LOT WILL BECOME 41.27 ACRES.			
Name of Applicant or Sponsor:		Telephone: (845) 677-6117	
BRIAN HOUSTON		E-Mail: BLYANDHOUSTON@AOL.COM	
Address:			
P.O. BOX 629			
City/PO:		State:	Zip Code:
MILLBROOK		NEW YORK	12545
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			YES
			<input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
			<input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		54.15 / 20.69 acres	
b. Total acreage to be physically disturbed?		0.0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		54.15 / 20.69 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ THE PROPOSED BUILDING LOT WILL REQUIRE THE APPROVAL AND INSTALLATION OF A NEW WELL TO SERVE ANY BUILDING PROPOSED IN THE FUTURE.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ THE PROPOSED BUILDING LOT WILL REQUIRE THE APPROVAL AND INSTALLATION OF A NEW SEWAGE DISPOSAL SYSTEM TO SERVE ANY FUTURE PROPOSED BUILDING.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>BRIAN HOUSTON</u> Date: <u>9/23/2025</u>		
Signature: <u></u> Title: <u>REPRESENTATIVE / SURVEYOR</u>		



Part 1 / Question 7 [Critical Environmental Area] No

Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites] No

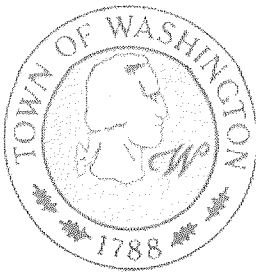
Part 1 / Question 12b [Archeological Sites] No

Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
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Part 1 / Question 15 [Threatened or Endangered Animal]

Part 1 / Question 16 [100 Year Flood Plain] No

Part 1 / Question 20 [Remediation Site] No



Washington

**TOWN OF WASHINGTON
PLANNING BOARD**

10 Reservoir Drive • P.O. Box 667 Millbrook,
NY 12545 • (845) 677-3419 EXT 116 •
planningboard@washingtontny.org

AGRICULTURAL DATA STATEMENT

Pursuant to New York State Town Law 283-a and NYS Agriculture and Markets Law 305-b, this Data Statement will be used to evaluate the potential impacts of a proposed development on farm operations in agricultural districts.

Name of Applicant(s): BRIAN HUSTON L.S.
Address: PO BOX 629 MILLBROOK NY 12545
Telephone: 845-677-5619 Email Address: BLYANDHUSTON@AOL.COM

Description of Project: LOT LINE CHANGE CONVEYING 20.58 AC FROM A 54.15 AC PARCEL OWNED BY WHAKEN TO ADJOINING OWNER COLMAN. ALSO SUBDIVIDING A 19.58 AC PARCEL FROM WHAKEN LAND

Tax Map Numbers of all Parcels: 6604-00-309457 AND 209387

Address of Project: 563 VERBANK ROAD, MILLBROOK NY

APPROVAL REQUESTED FOR (check all that apply):

Special Use Permit	_____	Preliminary Subdivision Plan	<u>✓</u>
Sketch Plan	_____	Lot Line Revision	<u>✓</u>
Site Plan	_____	Final Subdivision Plan	<u>✓</u>

Is the project site located within an Agricultural District? Yes ✓ No _____
If yes, Agricultural District Number? _____

Is any portion of the project site currently actively farmed? Yes ✓ No _____
Name of person farming the site: RICHARD WHAKEN
Does this person _____ RENT or ✓ OWN the land?

List all farm operations within 500 feet of any boundary of the project site:

Name: Quila Farms, LLC
Address: 593 Verbank Rd
Millbrook, NY

Name: Douglas + Corinne Tardio
Address: 597 Verbank Rd
millbrook NY

Is parcel actively farmed? Yes

Is parcel actively farmed? Yes

Name: 560 Verbank Road LLC
Address: 560-578 Verbank Rd
Millbrook NY

Is parcel actively farmed? Yes

Name: _____
Address: _____

Is parcel actively farmed? _____

Name: Sandi Eberhard
Address: 499-533 Verbank Rd
Millbrook NY

Is parcel actively farmed? Yes

Name: _____
Address: _____

Is parcel actively farmed? _____

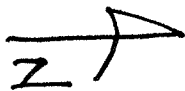
Attach additional sheets if necessary.

Attach a copy of the tax map or other map showing the site of the proposed project relative to the location of farm operations identified above by marking an X on each farm parcel.

Dated: 9/17/25
Brian Fausti
Signature of Applicant

X [Signature]
Signature of Owner (if different)
[Signature]
OWNER

1" = 400'



UNIVERSITY
056469 ROCKEFELLER

121588

ROCKEFELLER UNIVERSITY
082056

207547
QUILA FARMS, LLC

SANDI EBERHARD
297272

209387
SITE

309457
SITE

325520
TARDIO

329572
NICHOLL
LECREN

541 REALTY LLC
360357

KINGSLEY
360428

VERBANK ROAD

560 VERBANK ROAD LLC
490374

ERRATIC HOLDINGS LLC
437473

560 VERBANK ROAD LLC
540430

424523
CLARK

567540
MARSHALL

50' 166.5'