

Memorandum

To: Town of Washington Planning Board
From: AKRF, Inc. (A. Werner, AICP, A. Moore, AICP)
Date: October 31, 2025
Re: Whalen Colman Lot Line Change and Subdivision (563 and 561 Verbank Rd)
cc: Richard and Judith Whalen; Jenny and William Colman (property owners)
Brian M. Houston, L.S. (Applicant and Surveyor)
Hannah Atkinson (PB Attorney)
Jonathan Ialongo (Town Building Inspector)

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

- Lot Line Change Preliminary Plat (1 sheet) prepared by Brian M. Houston, L.S. dated 8/27/25.
- Public Hearing Waiver request dated 10/15/25.

PROJECT DESCRIPTION

The Applicant, Brian M. Houston, L.S., on behalf of property owners Whalen and Colman, proposes a lot line adjustment (LLA) involving the Whalen property at 563 Verbank Rd (parcel ID 135889-6664-00-309457, 54.15 acres) and the Colman property at 561 Verbank Rd (parcel ID 135889-6664-00-209387, 20.69 acres). Both are in the RL-5 zoning district and APO overlay (AD 21). The Whalen property contains a residence, barn, and active farmland; the Colman property contains a residence. The lot line adjustment would not affect the existing structures or utility infrastructure, which would remain on their respective current parcels. The requested adjustment would transfer 20.58 acres of vacant property from Whalen to Colman, resulting in parcels of 33.57 acres and 41.27 acres, respectively. No construction is presently proposed.

COMMENTS

AKRF provided comments in a previous memorandum (10/3/25) based on the Applicant's initial submission. The application has since been substantively revised. The comments that follow are based on the revised application.

1. In the initial application, the Applicant proposed that, following the LLA, Whalen would subdivide 19.58 acres of undeveloped land ("Lot A") from the remaining land, which would be conveyed to the Whalens' daughter for estate planning. Access to Lot A was proposed as an individual extension off of the existing common driveway. At the 10/7/2025 Planning Board meeting, the Applicant revised the project to include only the LLA and exclude the subdivision of Lot A. The Applicant acknowledged the Whalens' intent to subdivide at an undetermined future date.
2. The 20.58-acre property to be transferred is vacant and undeveloped. The Applicant explained at the previous Planning Board meeting that the purpose of the transfer is to preserve and protect the property against potential future development.

PROCEDURAL / CODE CONSIDERATIONS

3. 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.

As part of the updated application, the Applicant has submitted a waiver request from the public hearing requirement.

4. The properties include wetlands. As no work is proposed, a wetland permit is not required. However, any future disturbance within the wetlands or protected wetland buffer, including, potentially, the extension of the driveway to access future Lot A and/or septic/well infrastructure for future Lot A, will require a permit per Town Code § 165-95. New septic/well infrastructure will also require approval from the County DOH.

REFERRALS

5. The subject parcel is within 500 feet of a farm operation in an agricultural district (AD 21). The Planning Board referred the Project to the Dutchess County Department of Planning and Development under General Municipal Law Section 239-m(3)(vi), and the County responded with a finding of no authority.
6. This application for a non-realty subdivision requires "permission to file" from the Dutchess County Health Department, which the Applicant must demonstrate has been received prior to the Planning Board Chair signing of the final plat.

SEQRA

7. 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

The application was classified as a Type II Action at the meeting of 10/7/2025.

RECOMMENDATIONS

At the November 4, 2025 Planning Board meeting, AKRF recommends that the Planning Board 1) discuss the application and consultant comments, 2) grant the requested public hearing waiver, and 3) consider the approval resolution prepared by the Planning Board attorney.