



TOWN OF
BEEKMAN
New York

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TOWN OF BEEKMAN PLANNING BOARD
Thursday, July 16, 2026

The following members were present:

Rob Lopane
Jayson Abbatantuono
Eric Verhave
Faye Garito
Pete Poltrack

Also present:

Town Attorney – Michael Towey
Town Engineer – Dan Koehler
Recording Secretary – Sheryl Discher

Call to Order/Opening Remarks

The meeting was called to order with initial housekeeping announcements. Attendees were advised of the locations of emergency exits.

Pledge of Allegiance and Moment of Silence

PUBLIC HEARING

1. **The Woods at Hemlock Hollow** – Sketch Subdivision – Requesting adjournment to August
Hemlock Hollow Rd.
Grid # 6559-00-748014
Zone R-90

The Board considered the public hearing for The Woods at Hemlock Hollow. The applicant requested that the public hearing be continued to the August meeting in order to gather additional information and present it to the Board.

Motion by: Rob Lopane to reopen the public hearing for the Woods at Hemlock Hollow subdivision with the sole intent to adjourn it to the next meeting.

Seconded by: Peter Poltrack

Vote: Approved unanimously

Result: Motion carried

The Chair opened the public hearing and invited members of the public to speak regarding the application. No public comments were offered.

Motion by: Faye Garito to adjourn the public hearing for the Woods at Hemlock Hollow subdivision to August 20, 2026

Seconded by: Eric Verhave

Vote: Approved unanimously

Result: Motion carried

DISCUSSION

1. Baker Estates – Subdivision

Baker Rd.

Grid # 6659-00-760142, 842016 & 645225

Zone R-90

Final Subdivision Approval – Continued Review

The Planning Board considered the application for final approval of the Baker Estates Subdivision, a proposed six-lot subdivision located on Baker Road. The applicant's engineer, Bill Povall, provided an update on the application.

The property currently consists of three lots totaling approximately 37 acres. The proposal would create six lots, including the incorporation of a previously landlocked parcel to provide appropriate access and bring the parcel into compliance with zoning requirements. The applicant reported that the subdivision received preliminary approval in March and that the applicant has since been working to complete Health Department requirements.

The applicant reported that the Health Department has reviewed and accepted the proposed septic systems and approved the well locations. The wells have been drilled, and the applicant has received the latest testing results and is proceeding with the remaining Health Department review. The applicant confirmed that the Health Department process did not result in any changes to the proposed lot configuration or overall area of disturbance.

Town Engineer Review and Conditions

Dan Koehler reviewed outstanding requirements associated with the final approval, including the following:

- Compliance with the Town's steep slopes ordinance, including required notes and restrictions on the subdivision plans.
- Referral of the revised steep slopes information to the Conservation Advisory Committee (CAC) for review.
- Review and completion of required legal documents and easements.
- Finalization of the Stormwater Pollution Prevention Plan, including revisions related to infiltration testing and the applicable Notice of Intent.
- Installation of required concrete monuments and iron rods in accordance with Town requirements.
- Identification of property boundaries and conservation easement locations through appropriate monumentation.
- Execution and filing of the conservation easement and other required easements concurrently with the subdivision map.
- Provision of a shared driveway easement and maintenance agreement.
- Establishment of appropriate mechanisms to ensure that shared improvements and stormwater management facilities are completed before individual lots are developed or occupied.

Steep Slopes, Erosion Control, and Inspections

The Board discussed the need for additional safeguards to ensure compliance with the approved plans, particularly with respect to steep slopes, tree clearing, and limits of disturbance.

The Board emphasized the importance of preventing unauthorized tree removal or disturbance of protected areas and discussed the requirement for installation of orange construction fencing along the approved limits of disturbance before any tree clearing occurs. Staff inspection of the fencing and limits of disturbance prior to clearing was discussed as an important enforcement mechanism.

The Board also discussed the applicant's history with another development and expressed concern regarding ensuring adequate resources for ongoing site inspections and enforcement. It was agreed that additional inspection funding should be established through an escrow or similar mechanism so that the Town has sufficient resources to conduct inspections and address compliance issues without placing the burden on taxpayers.

The Board determined that an erosion control/performance bond should be required as a condition of the steep slopes approval. The applicant was directed to prepare a construction cost estimate for purposes of establishing the required bond.

The Board further determined that inspection fees should be established to support inspections necessary to certify compliance with the steep slopes permit. Staff indicated that the bond and inspection fee structure could be established on a lot-by-lot basis and incorporated into the final approval resolution.

The Board discussed the potential for requiring separate bonds for individual lots, particularly given that the six lots may be developed over an extended period. Staff noted that lot-specific bonding could avoid issues associated with expiration of letters of credit or other security instruments before all lots are developed.

Phasing and Shared Improvements

The Board discussed the timing of installation of the shared driveway and stormwater infiltration facilities.

It was agreed that the shared driveway improvements and required Phase One stormwater management improvements should be completed before the issuance of a building permit for an individual lot. The Board emphasized that improvements benefiting the subdivision as a whole should be completed before individual lots are sold or occupied, thereby ensuring that future lot owners are not left to determine whether required shared improvements will be constructed.

The applicant confirmed that the proposed plan includes a shared driveway easement, stormwater management easement, and the required maintenance agreement.

CAC Referral

The Board directed the applicant to address Engineers Comment No. 4 concerning the steep slopes requirements and to resubmit the revised plans with the required notes and restrictions.

Upon receipt of the revised plans, the Planning Department was authorized to forward them to the Conservation Advisory Committee for review. The Board indicated that it wished to receive the CAC's comments before taking final action on the subdivision.

Conditional Final Approval Resolution

The Board discussed directing the Town Engineer to prepare a resolution of conditional final approval for consideration at a future meeting. The Board noted that the resolution would incorporate the outstanding requirements discussed during the meeting, including CAC review, bonding, inspection fees, easements, phasing requirements, and other applicable conditions.

Motion by: Rob Lopane to direct professional staff to prepare a resolution of conditional final approval for the Planning Board's consideration at a future meeting.

So, Moved by: Jayson Abbatantuono

Seconded by: Eric Verhave

Vote: Approved unanimously

Result: Motion carried

The Board thanked the applicant and his representative for attending. Final approval was deferred pending completion of the outstanding requirements and further Board review.

2. Dutchess Contracting Corporation – Subdivision/Site Plan/Special Use
Bischoff Ln. & Route 55
Grid # 6759-00-494352 & 478317
Zone TC

Project Status Update

The Planning Board received an update from George Cronk, engineer for the applicant. Mr. Cronk stated that three engineering firms are involved in the project, with responsibilities divided among site planning, New York State Department of Transportation (DOT) plans, and water and sewer design.

The applicant reported that the Planning Board previously closed the SEQR review in January 2026, allowing the project to proceed with reviews by other agencies. Revised plans have since been submitted incorporating updated DOT, water and sewer, stormwater, and site-plan components. The applicant noted that the various plan sets need to be coordinated so that all engineering drawings are consistent.

Water and Sewer

The applicant reported that Dutchess County Water reviewed the project's anticipated water and sewer demand and confirmed sufficient capacity for the proposed approximately 8,800–9,600 gallons per day of flow. No additional capacity for future buildout was included in that determination.

The applicant is working with Dutchess County Water on a Memorandum of Understanding (MOU) addressing responsibilities, costs, engineering, construction, operation, and maintenance. A draft MOU has been prepared and forwarded to the applicant's attorney for review. The Planning Board is expected to receive a copy.

The water and sewer plans have also been submitted to the Health Department. The Health Department is awaiting completion of the Dutchess County Water and Planning Board reviews before finalizing its review.

The Board discussed how the Health Department should handle plan sets prepared by three separate engineering firms. The applicant indicated that clarification is being sought from the Health Department regarding the appropriate stamping and identification of the respective engineering responsibilities.

Utility Easements and County Water Authority

The applicant described proposed easements across the Dalton Farms Homeowners Association property for water and sewer utilities, including a force main and water main. The applicant requested confirmation as to whether the Town should be named as a party to the easements.

The Board discussed the distinction between utilities located within the proposed Town right-of-way and utilities located outside the right-of-way. The proposed road is anticipated to be dedicated to the Town, providing the Town with rights within the roadway.

The Board also discussed the long-term ownership, operation, and maintenance of the water and sewer facilities. The applicant indicated that the current proposal is for the property owner to operate and maintain the facilities as an out-of-district user, with the possibility that Dutchess County Water could subsequently assume ownership and expand its district.

The Board expressed concern about potential future obligations or liabilities for the Town if ownership and maintenance responsibilities are not clearly resolved. The Board indicated a preference for having Dutchess County Water assume responsibility for the applicable facilities from the outset, if feasible, rather than leaving potential future responsibility with the Town.

The applicant and Board discussed potentially including both the Dalton Farms property and the applicant's property within the applicable utility arrangements. The applicant agreed that resolving the issue at this stage could avoid future complications and could facilitate potential expansion of the system.

DOT Review

The applicant reported that the revised plans had been resubmitted to the New York State Department of Transportation. DOT had requested a drainage analysis addressing the capacity of drainage structures and inlets. The analysis has been completed and confirmed adequate capacity.

The plans remain under DOT review. The applicant noted that DOT's review process has transitioned to an online system, making direct status inquiries more difficult.

Other Easements and Plan Changes

The applicant identified an additional access easement associated with neighboring properties and stated that the applicant's attorney would provide additional information regarding that easement.

The Board expressed a preference for having all required easements identified and addressed as part of the current plan set rather than deferring them to a later stage.

The applicant confirmed that the force main now remains entirely on the applicant's property.

The applicant also reported that the water and sewer utilities were relocated to maintain the required separation from the stormwater pond. The revised utility configuration was coordinated with the stormwater design.

The proposed Town road entrance has been widened in response to DOT comments and will transition to the standard Town road width farther into the site.

Fire Protection System

The applicant reported that a 10,000-gallon underground storage tank has been added to satisfy fire-flow requirements associated with the sprinkler system. The tank will be located underground and therefore will not create a visible above-ground feature.

The Board discussed the pumping and generator requirements associated with the fire suppression system and the need to ensure that the system remains operational over the long term.

The Board raised the question of whether the fire suppression pump and related equipment are subject to periodic inspection and testing requirements. Staff agreed to investigate the applicable fire code and New York State requirements and consult with the appropriate fire official regarding inspection and testing requirements.

The Board discussed the possibility of incorporating periodic inspection and documentation requirements into the final approval, if appropriate. The applicant indicated that it was not opposed to such a condition.

Stormwater Maintenance

The Board discussed responsibility for maintenance of the stormwater management system. Staff indicated that responsibility would rest with the owner and operator of the site and would be addressed through the Stormwater Pollution Prevention Plan and applicable legal documents and easements.

The Board emphasized the importance of establishing a clear enforcement mechanism to ensure continued maintenance of the stormwater system.

Plan Coordination

Staff identified coordination of the various plan sets as a primary outstanding issue. Because the project has undergone reviews by multiple agencies and consultants since the September 2025 plan set and the January 2026 SEQR determination, staff requested that the site, traffic, water, sewer, stormwater, and other plans be fully reconciled.

The applicant was asked to ensure that all plan sets are consistent and do not contain discrepancies that could result in construction conflicts, easement issues, right-of-way problems, or subsequent legal or engineering revisions.

Board Discussion and Next Steps

The Board thanked the applicant's representative for the update and noted the progress made on the project.

Outstanding matters include:

- Completion and review of the Dutchess County Water MOU.
- Clarification of long-term ownership and maintenance responsibilities for the water and sewer facilities.
- Finalization of all required utility and access easements.
- Completion of DOT review.
- Completion of Health Department review.
- Coordination and reconciliation of all engineering plan sets.
- Confirmation of applicable inspection and testing requirements for the fire suppression system.
- Continued review of stormwater maintenance and enforcement provisions.

No final approval action was taken at this meeting. The applicant will continue working with staff and the reviewing agencies to address the outstanding items and return with coordinated plans and documentation.

3. Tobin Lot Line Realignment – Lot Line Adjustment

435/433 Old Route 55

Grid # 6858-00-098530 & 090498

Zone R-135

Applicant Presentation

Raymond Mckeiver, representing the Tobin's and their surveyor. A lot-line realignment between two existing, developed parcels owned by family members. A portion of the green parcel would be transferred to the Tobin parcel (pink) to enlarge it. No new development or disturbance is proposed, and existing septic and well systems will not be affected.

Key issues discussed

- **Lot area/nonconformity:**

The Tobin parcel was already nonconforming for:

- Minimum lot area
- Lot width
- Side-yard setback

The proposed adjustment would correct the lot width and side-yard setback, but initially would have left the lot approximately 23,000 sq. ft. below the 135,000 sq. ft. minimum.

The applicant agreed to adjust the proposed lot line further so that the Tobin parcel meets the full 135,000 sq. ft. minimum. This eliminates the need for a Zoning Board variance.

- **Shared driveway:**

The parcels share a driveway. The existing easement does not accurately encompass the driveway, so the applicant will clean up the easement as part of this application. A maintenance agreement for the shared driveway will also be required.

- **Additional access easement:**

Depending on the final lot-line configuration, an additional access easement may be needed for one parcel through the other.

- **Topography/tree information and other waivers:**

Because there is no proposed disturbance, the applicant requested waivers from certain submission requirements, including topography and potentially tree-location requirements. The board indicated that the applicant should submit a complete written list of requested waivers, with the required justification.

- **Scenic overlay:**

Route 55 is within the town's scenic roads/scenic viewshed overlay. The plan should include a notation identifying the affected parcel as being within the overlay.

- **Existing shed:**

A shed on the Tobin parcel appears to exceed 120 sq. ft. and may not meet required setbacks. The applicant can resolve this by:

- Providing an existing certificate of compliance, which would establish it as legally existing/nonconforming;
- Moving or removing the shed; or
- Obtaining a variance if necessary.

- **Utility/satellite issue:**

A satellite is shown on the NYSEG related portion of the property. The applicant should verify that it is authorized or supported by an appropriate license/agreement.

- **Fire access:**

The Fire Advisory Board reviewed the driveway. Its length is approximately 465 feet, below the 500-foot threshold that would trigger additional emergency-access requirements. The main concern was 14-foot vertical clearance. The applicant should trim overhanging branches where necessary.

Motion by: Rob Lopane to formally determined the application to be a Type II action under SEQRA

Seconded by: Pete Poltrack

Vote: Approved unanimously

Result: Motion passed unanimously

Board's procedural direction

The board did not grant sketch approval yet. The applicant needs to:

- Revise the lot line to bring the Tobin parcel into full compliance with the 135,000 sq. ft. minimum.
- Submit the revised plan.
- Provide the complete list of requested waivers and supporting justification.
- Address the shed's legal/nonconforming status.
- Clean up the shared-driveway/access easements and provide the required maintenance agreement.
- Add the scenic-overlay notation and other requested map notes.
- Address the remaining checklist comments.

Once those items are addressed, the board indicated the application should be in a position to proceed toward sketch approval and a public hearing.

Bottom line: The board was generally supportive of the realignment. The biggest substantive issue—the undersized lot—was resolved during the meeting when the applicant agreed to move the proposed lot line enough to make the parcel fully conforming.

4. **HVC Recovery** – Site Plan/Special Use
237 Hynes Rd.
Grid # 6759-00-796573
Zone R-45

Applicant Presentation

Pat Potter, 237 Hines Road, proposed use is a women's sober-living residence operated as Hudson Valley Collective (HVC) Recovery.

Proposed operation

- 9 total residents: 8 residents plus 1 live-in house manager.
- 4 bedrooms and 3 bathrooms, approximately 4,700 sq. ft.
- The facility would be nonclinical sober living, not a treatment or detox facility.
- Residents are adults, generally in early recovery.
- Residents would generally have driving privileges after an initial period; the house manager would provide transportation to meetings, appointments, etc.

- The applicant described a structured program involving curfews, chores, peer accountability, house meetings, 12-step participation, and community integration.
- Intended average/target stay is approximately one year.
- Fee would be \$5,000 per resident per month, including meals, toiletries, linens, housekeeping and local transportation, but not individual therapy or similar outside services.
- The applicant stated that the operation would be promoted through word-of-mouth, a website and Facebook, but would not advertise itself as a New York State-certified recovery residence.

Zoning/Legal issues discussed

The Building Inspector has classified the proposed use as an “alternate care facility,” requiring:

- A special use permit, and
- Concurrent site-plan approval

The Planning Board attorney explained that the Board cannot override the Building Inspector's use determination, but the Board has considerable authority to waive local requirements as reasonable accommodations.

The attorney also noted that people in recovery can qualify as persons with disabilities under the Fair Housing Act (FHA) and ADA, meaning reasonable-accommodation obligations are relevant.

However, requirements controlled by other governmental authorities cannot simply be waived by the Planning Board. The discussion specifically identified:

- Septic: County jurisdiction
- Fire code: State jurisdiction
- The applicant may need to pursue a state fire-code variance if necessary

The attorney indicated that New York regulates sober living facilities on a voluntary basis as community recovery residences, and that state registration is required when an operator represents itself as a certified recovery residence. The applicant said HVC would not do that.

Site-plan accommodations

The Board discussed that normally a formal site plan would be expected. However, because there are no proposed physical changes to the property, and the existing survey/site information already shows the relevant layout, the Board was willing to proceed toward a public hearing without requiring the applicant to commission a new architect/engineer site plan at this stage.

The property is also subject to a previously conditionally approved lot-line realignment, with the resulting parcel expected to be approximately 13.4 acres, and there is a shared driveway with an existing maintenance/easement agreement.

Fire and County review

The discussion also raised the possibility that the occupancy could implicate Group R-3/congregate-living fire-code requirements, including potentially a sprinkler requirement. The Town Attorney indicated that fire-code compliance could ultimately be made a condition of approval, or the applicant could seek a state variance.

The town staff also indicated that the application likely requires a General Municipal Law §239-m referral to the county planning department because of its location and proximity to an agricultural district/operation.

For SEQRA, Town Engineer's preliminary view was that the proposal would likely be a Type II action, rather than a Type I action.

Motion by: Rob Lopane to refer the application to the Fire Advisory Board, particularly to address the shared driveway/access and fire-safety considerations.

Seconded by: Jayson Abbatantuono

Vote: Approved unanimously

Result: Motion passed unanimously

Motion by: Rob Lopane to hold a public hearing for the August 20th

Seconded by: Eric Verhave

Vote: Approved unanimously

Result: Motion passed unanimously

Motion by: Rob Lopane to waive the advertising and notification fees and obligations for the applicant, having the town send to all properties 500ft and incur the cost of notifying the neighbors.

So, Moved by: Faye Garito

Seconded by: Eric Verhave

Vote: Approved unanimously

Result: Motion passed unanimously

Summary of Board Actions Taken

The Planning Board took three significant actions:

1. **Fire Advisory Board referral — APPROVED**
 - Motion made and seconded.
 - Passed unanimously.
2. **Public hearing scheduled for August 20 — APPROVED**
 - Applicant confirmed he was prepared to attend.
 - Motion passed unanimously.
3. **Waiver of applicant's notification/advertising obligations — APPROVED**
 - Rather than requiring the applicant to pay for and handle the required notices and legal advertisement, **the Town will handle the notifications and advertising at Town expense.**
 - Required notice includes properties within 500 feet of the subject property.
 - Motion passed unanimously.

Overall Takeaway

The Board was not denying the application. The tone of the discussion was generally cooperative, with the Board explicitly discussing reasonable accommodations and attempting to reduce unnecessary procedural burdens.

The application is moving forward to a public hearing on August 20, while the remaining substantive issues - particularly fire code, septic, county referral, and any applicable conditions of the special-use permit - still need to be resolved.

The most important distinction in the discussion is that the Board appears willing to accommodate the applicant on local procedural/site-plan requirements, but it cannot waive state or county requirements, such as applicable fire and septic regulations.

EXTENSION

1. Lennar-Plum Court Lot 9 – Lot Line Adjustment

Plum Ct. & Tillman Dr.

Grid # 6758-02-721807, 723793 & 717817

Zone PH

Reason for the extension

The attorney involved, Mr. Wekstein, was not present but provided an update via letter. The parties are still working through legal encumbrances affecting the Lot 9 owner. Because those issues remain unresolved, additional time is needed.

The Board indicated that another extension could be considered, but if another extension is requested in the future, the applicant/attorney should appear in person and provide an update.

Extension period

- The existing extension was set to expire in August 19, 2026, before the Board's next regular meeting.
- The Board clarified that the new 90-day extension should begin the day after the existing extension expires, rather than overlapping it.
- The resulting expiration date will be November 17, 2026.

Board action

Motion by: Rob Lopane to approve extension to November 17, 2026

So, Moved by: Pete Poltrack

Seconded by: Jayson Abbatantuono

Vote: Approved unanimously

Result: Motion passed unanimously

Adjournment

Motion by: Jayson Abbatantuono to adjourn the meeting

Seconded by: Faye Garito

Vote: Approved unanimously

Result: Motion passed unanimously