TOWN OF
BEEKMAN
New York

4 Main Street
Poughquag, NY 12570
www.townofbeekman.gov
(845) 724-5300

TOWN OF BEEKMAN PLANNING BOARD
Thursday, August 20, 2026

The following members were present:
Rob Lopane
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
   Hemlock Hollow Rd.
   Grid # 6559-00-748014
   Zone R-90

Applicant Presentation

The applicant's engineer, Matt Towne, provided an overview of revisions made since the prior meeting. The applicant reported that all four proposed lots meet applicable zoning requirements and that a common driveway is proposed. The driveway serving Lot 1 was relocated farther from the road, and the proposed residence on Lot 1 was also shifted to an area with less dense tree coverage. The applicant stated that the revisions provide additional buffering along the road and result in a reduction in proposed tree removal. The applicant also reported that a wetland consultant revisited the property to review areas previously identified as potentially containing wetlands. A letter dated July 10, 2026, was submitted confirming the consultant's prior determination that no wetlands were identified on the site. The Planning Board discussed the report and indicated that the Board's concerns had been addressed by the additional site review.

A significant revision to the proposal is the addition of a conservation easement covering approximately 40% of the property. The applicant's attorney, Ken Stenger, explained that the purpose of the easement is to preserve the forested character of the property and limit disturbance within the easement area. He stated that the easement would prohibit activities such as tree clearing and construction of structures within the protected area, subject to the specific terms of the easement.

The attorney further explained that the conservation easement would be a permanent restriction, applicable to the affected lots and would be incorporated into the deeds provided to future homeowners. He proposed that the easement be prominently identified in the deeds so purchasers would have clear notice of the restriction. The proposed enforcement structure would provide the owners within the subdivision with the primary right to enforce the easement, while reserving to the Town the right, but not the obligation, to enforce the easement. The Board discussed the distinction between the restrictions imposed by the easement and the mechanisms for enforcing those restrictions.

The applicant stated that comments from the Conservation Advisory Council and the Town's review comments had been addressed through revisions, additional notes, and supporting information, including drainage calculations. No substantial changes to the proposed home locations, driveways, or septic systems were reported.

The Board discussed the width and configuration of the proposed common driveway and access to the lots. The applicant explained that the common driveway allows the access point to be located farther north, where the roadway is wider, and that emergency vehicle turning radii have been shown on the plans. The applicant also stated that the existing stone walls would remain. The Board noted the importance of retaining the character of the area.

Screening Trees

The Town's representative identified the timing of installation of required screening trees as an item requiring Planning Board direction. The current plan provided for installation prior to the issuance of certificates of occupancy.

The Board agreed that the screening trees should be installed prior to issuance of a certificate of occupancy rather than during construction, in order to prevent the landscaping from being disturbed and to ensure that the requirement is completed before the properties are conveyed. The applicant indicated that there was no objection to this requirement.

Public Hearing

Motion by: Faye Garito to open the public hearing for the Woods at Hemlock Hollow subdivision
Seconded by: Eric Verhave
Vote: Approved unanimously
Result: Motion carried

Dan DiMassimo – 10 Tower Road

He raised concerns regarding lot 3; the proposed rear-lot configuration, access, topography, grading, septic design, and potential impacts to natural resources and neighboring views. He referenced provisions of the Town Code concerning rear lots, adaptation to natural terrain, minimization of grading, preservation of significant natural features, and the Board's authority to consider alternate subdivision layouts.

Mr. DiMassimo noted that the overall project proposes approximately 2,700 cubic yards of cut and 1,900 cubic yards of fill and that the septic system for Lot 3 requires a minimum four-foot fill pad. He requested that the Board determine how much of the proposed fill and grading is attributable to Lot 3 and whether the lot's configuration is consistent with the Comprehensive Plan and applicable subdivision regulations.

Mr. DiMassimo recommended eliminating Lot 3 and relocating the proposed conservation easement to the approximately three-acre area currently proposed for Lot 3.

Bill Crane – 254 Gardner Hollow Rd

Spoke regarding the forested character of the property and potential impacts of the subdivision on the woodland resource. He referenced the Comprehensive Plan's objectives concerning development patterns and preservation of wooded areas.

Mr. Crane supported reducing the number of proposed lots and indicated that Lot 3 presented particular concerns regarding grading and other site conditions.

Mr. Crane also raised concerns regarding the treatment of dead trees within the proposed conservation easement, noting their ecological value. He expressed a preference for a permanent easement with clear restrictions rather than relying primarily on the discretion or actions of future homeowners.

The applicant's attorney clarified that the conservation easement would establish permanent restrictions within the protected area and that the enforcement mechanism is separate from the restrictions themselves. He stated that all owners within the subdivision would have the right to enforce the easement and that the Town could also be given the right, but not the obligation, to enforce the easement.

Dan DiMassimo subsequently asked how the easement would be enforced if a violation affected neighboring properties outside the subdivision? The applicant's attorney stated that the proposed language would provide the subdivision owners with enforcement rights and that the Town could be given the authority to address violations when appropriate. He agreed to work with the Town Attorney to further define the Town's enforcement authority.

Motion by: Rob Lopane asked for a motion to close the public hearing for the Woods at Hemlock Hollow subdivision
So, Moved by: Eric Verhave
Seconded by: Faye Garito
Vote: Approved unanimously
Result: Motion carried

Board Discussion

Code Compliance and Emergency Access, Lot 3

Following the public hearing, the Board requested clarification regarding whether Lot 3 complies with the Town's regulations governing rear lots and whether its configuration is consistent with the Comprehensive Plan.

The applicant's engineer stated that rear lots are permitted under the Town Code and that Lot 3 contains the required access strip. He stated that the four-foot septic fill pad is not unusual where groundwater or bedrock conditions require it and that the revised design reduced grading and moved the proposed residence farther down the slope and away from heavily forested areas. The applicant maintained that Lot 3 complies with the applicable regulations and is consistent with the Comprehensive Plan.

The Board also discussed the length of the shared driveway and emergency access to Lot 3. The applicant stated that truck-turning-radius calculations had been provided and that the design includes an emergency vehicle turnout measuring approximately 20x50 feet, as required for driveways exceeding 500 feet, as well as the required apparatus operating area. The applicant stated that the design satisfies applicable New York State and Town requirements for emergency vehicle access.

Protection of Existing Trees and Construction Limits

- The Board discussed the need for clear delineation of areas shown on the plans as remaining undisturbed
- The applicant acknowledged that additional fencing had not yet been shown on the plans but agreed to add appropriate fencing to the revised drawings
- The Board emphasized that fencing should be installed before construction begins and should clearly identify the limits of disturbance for contractors and the Town's code enforcement personnel; indicating that such measures are necessary to prevent construction equipment, material staging, and other activities from encroaching into areas intended to remain undisturbed
- The applicant proposed incorporating a pre-construction meeting and installation of orange construction fencing after the disturbance limits have been staked by a New York State licensed land surveyor
- The applicant agreed that construction vehicles and activities would remain within the approved limits of disturbance
- These requirements are to be incorporated into a future resolution

Conservation Easement Enforcement

- The Board expressed support for including language in the conservation easement and related approval documents giving the Town the ability, but not the obligation, to enforce the easement if necessary
- The Board also discussed the ability of residents of neighboring properties outside the subdivision to bring potential violations to the Town's attention
- The Board indicated that the conservation easement should provide permanent protection of the designated area, while the enforcement provisions should clearly establish the rights of the subdivision owners and the Town
- The applicant's attorney agreed to coordinate with the Town Attorney regarding appropriate enforcement language

Next Steps

The Town's Engineer, Dan Koehler, advised that the anticipated next steps include:

- SEQRA determination
- Preliminary subdivision approval
- Conditional final subdivision approval
- Steep slopes permit

The applicant indicated that no additional permitting issues were currently anticipated that would materially change the proposed drawings.

SEQRA/Short Environmental Assessment Form

The Town's Engineer, Dan Koehler, requested authorization for preparation of Parts 2 and 3 of the Short Environmental Assessment Form.

So, Moved by: Rob Lopane
Seconded by: Pete Poltrack
Vote: Approved unanimously
Result: Motion carried

No subdivision approval was granted at this meeting.

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

Applicant Presentation

Patrick Potter provided an overview of the application. He stated that the proposal is for a structured sober living residence for eight adult women, with a live-in female house manager. He explained that the proposed use is not intended to be a treatment facility, detoxification center, or medical program, but rather a residential setting intended to provide a stable, substance-free environment for individuals continuing their recovery.

Mr. Potter stated that the existing structure is approximately a 4,700-square-foot residence with four bedrooms, three bathrooms, and common areas sufficient for the proposed occupancy. He indicated that no new construction, expansion, or material physical changes to the property are proposed.

He further described the proposed program as emphasizing recovery participation, employment or education, personal responsibility, household responsibilities, supervision, and community involvement.

Motion by: Rob Lopane to open the public hearing for HVC Recovery Site Plan/Special Use
Seconded by: Eric Verhave
Vote: Approved unanimously
Result: Motion carried

Public Comment

The Chair invited members of the public to provide comments, advising speakers that each would be limited to three minutes.

Sabrina Colesanti - 259 Hynes Road

Expressed concerns regarding the proposed location and operation of the sober living residence. She stated that her concerns were not directed toward individuals in recovery but toward whether the particular location and proposed operational structure were appropriate.

She questioned the remote nature of the property, transportation arrangements, staffing, qualifications of the house manager, procedures for behavioral or mental-health crises, the applicant's involvement at the property, supervision while residents are being transported, the minimum sobriety period for residents, and drug-testing procedures.

She stated that, based on the information presented, she did not believe the location was appropriate for the proposed use.

Rich Colesanti - 259 Hynes Road

Raised concerns regarding the history of the property and prior activity associated with the applicant.

He also questioned the waiver of certain fees and requirements and discussed his concerns regarding the proposed use and its potential financial aspects.

He stated that he has lived and worked in the area for many years and opposed having the proposed facility near his home and business.

Anthony Giorgio - 274 Beach Road

Expressed concerns regarding the potential effects of the proposed use on the surrounding residential community. He stated that, based on his professional experience, he has encountered issues associated with individuals experiencing substance-use problems and expressed concern about potential vandalism, theft, or other disturbances.

Mike Towey, the town attorney, and Rob Lopane asked the speaker to refrain from using generalized or disparaging descriptions of prospective residents, noting that the identities and circumstances of future residents were unknown.

Colleen Hayes - 33 Duncan Road

Requested that the Board require a site plan and conduct further review before acting on the application. She stated that a permanent record of the property's layout would be important for future enforcement and review.

Ms. Hayes also requested that the public hearing remain open because she believed additional information was necessary. She stated that she supported sober living housing generally but had concerns regarding the applicant's experience, business plan, staffing, and the proposed operation.

Linda Porter - 427 Clapp Hill Road

Questioned the medical and professional qualifications of the applicant and the proposed house manager. She raised concerns regarding whether one manager could adequately oversee eight residents and respond to a relapse, withdrawal, or mental-health emergency while also attending to the other residents.

She also expressed concerns regarding the property's remote location and lack of public transportation and nearby services.

Bill Crane - 254 Gardiner Hollow Road

Questioned whether certain operational and medical issues raised during the hearing were more appropriately addressed by the Board of Health or other health-related agencies. Based on his professional experience in psychiatric care, he stated that there is a community obligation to provide appropriate housing and support for individuals recovering from substance-use disorders and encouraged the Board not to reject the proposal based solely on assumptions regarding prospective residents.

Theresa Graham – 57 Gabriel's Path

Asked whether residents could be court-ordered to sober living facilities and whether the applicant would have information regarding the backgrounds of prospective residents. The Board indicated that it did not have an immediate answer to the question.

JP Cantalino - 57 Duncan Road

Stated that the concerns raised regarding location, staffing, and operations were legitimate and should be addressed. He also emphasized the need for recovery housing and cautioned against making assumptions regarding prospective residents. He suggested that, if the particular proposal or location was not appropriate, the community should seek an alternative means of providing needed recovery housing.

The Board advised that New York State regulation of recovery residences is dependent, among other things, upon whether a residence is state-certified or advertises itself as state-certified.

Maryanne Canavan - 1457 Clove Valley Road

Expressed support for recovery housing based on her healthcare experience. She acknowledged the need for a safe and stable environment for individuals transitioning from treatment but expressed concerns regarding the property's remote location and whether residents would have adequate access to transportation, employment, education, meetings, and community resources.

She also expressed concern regarding the adequacy of having one house manager for eight residents.

Joanne Lombardi - 1272 Beekman Road

Stated that she had worked at a rehabilitation facility and had personal experience with addiction within her family. She expressed support for sober living housing and stated that individuals in recovery should not be rejected based solely on assumptions about their past.

She nevertheless agreed that the Board should receive additional information regarding the proposed business and operational plan.

Additional comments were received from members of the public regarding the proposed use, the property's location, and the need for additional information.

Applicant Response

Mr. Potter stated that he has approximately 32 years of sobriety and approximately 30 years of experience working in the recovery field, including conducting interventions.

Mr. Potter explained that prospective residents would generally have a minimum of approximately 90 days of sobriety before entering the residence, following detoxification and additional treatment. He stated that the residence would operate on a structured 12-step recovery model and that residents would generally remain at the residence for approximately six to twelve months.

Mr. Potter clarified that staffing would consist of the live-in house manager as well as two additional support persons with recovery experience and training. He stated that long-term sobriety and relevant recovery training would be important qualifications for staff.

Mr. Potter stated that the residence would conduct weekly drug testing and that individuals experiencing a relapse would be required to leave the residence and return to an appropriate level of treatment. He stated that the residence would not accept individuals requiring high-acuity psychiatric care. He indicated that emergencies would be handled by contacting emergency services.

Regarding transportation, Mr. Potter stated that transportation would be available for recovery meetings and other activities. He stated that there are numerous 12-step meetings in the county and that some meetings are accessible from the property.

Mr. Potter explained that the remote nature of the property was intentional, as he believed the quiet and private setting would provide an environment conducive to recovery. He stated that his personal involvement in the residence would be limited and that the day-to-day operation would be entrusted to the female staff.

Mr. Potter also addressed questions concerning the legal status of sober living residences and reasonable accommodations under applicable housing laws. He stated that the proposed use is residential in nature and that he believed applicable federal and state law provided protections concerning reasonable accommodation.

Board and Counsel Discussion

The Board discussed the distinction between the Board's land-use authority and operational matters relating to the proposed residence.

The Town Attorney stated that, because there is also a concurrent special-use-permit application concerning the proposed alternative care facility, it was reasonable for the Board to inquire into staffing and other operational matters to the extent those matters could affect the neighborhood, including potential health or emergency-response impacts.

The Town Attorney further explained that there was a legal disagreement between the applicant and the Town concerning the extent to which reasonable-accommodation requirements under federal housing law affect local zoning requirements. He stated that, in his view, reasonable accommodation does not automatically exempt the applicant from local zoning requirements, but may affect particular site-plan and special-use-permit requirements and the Board's consideration of requested waivers. The Board discussed the applicant's request for waivers and noted that the Town Code provides the Board with authority to consider waivers of certain requirements.

The Board also discussed the property's site plan. The Town Attorney stated that a site plan exists as part of a recent lot-line adjustment/subdivision approval and depicts the property, residence, and ancillary structures. He stated that the applicant is not proposing physical changes to the existing layout. The Board discussed making the site plan available for public review at the next meeting.

The Board also discussed parking and transportation. Mr. Potter stated that the property contains a three-car garage and a large carport and could accommodate several vehicles. He stated that residents would initially have limited personal vehicle access and that transportation would generally be coordinated through the residence.

Action on Public Hearing

After discussion, the Board determined that additional information was necessary before the application could be fully evaluated.

Motion by: Rob Lopane to adjourn the public hearing for HVC Recovery to September 17th meeting
So, Moved by: Faye Garito
Seconded by: Eric Verhave
Vote: Approved unanimously
Result: Motion carried

The Board noted that the public would have another opportunity to comment when the public hearing resumes and that written comments and questions may be submitted while the hearing remains open.

The Board further indicated that it was not prepared at this time to direct staff to prepare a resolution concerning the application and wished to receive additional information and public input before proceeding.

The public hearing was adjourned to September 17, 2026, and remains open.

DISCUSSION

1. **Garito 2 Family –** Amendment to Site Plan/Special Use
   14 Sunrise Dr.
   Grid # 6759-04-769120
   Zone TC

Recusal

The applicant, Faye Garito, disclosed that the matter involved her application and stated that she would leave the meeting and recuse herself from the Planning Board's consideration of the application.

Applicant Presentation

Counsel for the applicant, Ken Stenger, appeared on Ms. Garito's behalf and summarized the matter. Counsel stated that the property had previously received Planning Board approval for a site plan and special use permit. Since those approvals, several modifications had been made to the property, including:

- Installation of a swimming pool
- Installation of an outdoor furnace/mechanical equipment associated with the pool
- Installation of fencing
- Addition of other site improvements not reflected on the previously approved site plan

Counsel acknowledged that the existing site plan would need to be amended to reflect the changes and stated that the applicant would comply with whatever application or submission requirements the Planning Board determined were necessary. Counsel also reported that a temporary construction access/entryway previously used during construction had been closed and returned to a gravel/natural condition.

Statement Submitted by Absent Planning Board Member (full statement attached)

The Chairman read into the public record a written statement submitted by Planning Board member Jayson Abbatantuono, who was not present due to a prior commitment. The statement raised concerns regarding alleged deviations from the approved site plan, including an additional construction driveway, swimming pool and heating system, fencing, generator, sediment and erosion-control issues, and removal of existing vegetation. The statement also raised concerns regarding compliance with applicable approvals and the applicant's conduct as a Planning Board member.

The statement was directed to be included in the official meeting record.

Counsel's Response Regarding Scope of Review

Counsel advised the Board that the Planning Board's consideration should be limited to the merits of the pending site plan amendment. Counsel stated that allegations concerning ethics, motives, or potential misconduct should be addressed through the appropriate municipal process or body and should not determine the Planning Board's review of the site plan application.

Planning/Zoning Requirements

The Board discussed the distinction between ordinary residential pool installations and this application. Town Engineer, Dan Koehler, explained that the property is located within the Town Center zoning district and contains a two-family dwelling that was previously approved through a site plan and special use permit process. Pursuant to the applicable zoning provisions, changes to an approved site plan must be brought back before the Planning Board for review and amendment.

Dan Koehler, further explained that, in other residential zoning districts, a swimming pool may generally be processed through the Building Department, subject to other applicable environmental or zoning constraints. However, because this property is subject to an approved site plan and special use permit, the modifications must be reviewed by the Planning Board.

Review of Existing Site Conditions

Dan Koehler reported that a site inspection had been conducted and identified several differences between the approved site plan and current conditions, including:

- Four street trees were originally approved; eight were observed
- Landscaping exceeded the originally approved quantities, including additional deciduous trees, shrubs, and grasses
- A split-rail fence had been installed in the area where the driveway connection had been removed
- Retaining walls had been added along portions of the driveway
- The front walkway appeared to be longer than shown on the approved plan
- A swimming pool and surrounding fence had been installed
- The proposed location of the garbage enclosure had changed
- Additional screening was proposed for the garbage enclosure and mechanical equipment
- A generator had been installed on the east side of the dwelling
- A buried LP tank had been installed and was not shown on the approved site plan

Photographs from the site inspection were provided for the Board's review.

Building Permit Discussion

The Board noted that the applicant's submission indicated that building permits had been obtained for the swimming pool and generator. Dan Koehler confirmed that a building permit had been issued for the pool. The Board discussed that the issue appeared to involve the sequence of approvals: the site plan amendment should have been reviewed by the Planning Board before the building permit and construction proceeded.

Mike Towey, Town Attorney, explained that the Building Department would be responsible for confirming compliance with the applicable building permit requirements and conducting any required final inspections.

Planning Board Discussion and Determination

The Board agreed that the application should be evaluated in the same manner as any other application and that the focus of the Board's review should be the proposed amendments to the approved site plan.

The Board determined that the applicant should submit a properly prepared, amended site plan depicting all existing and proposed improvements. The revised plan should be prepared at the scale and in accordance with the requirements of the Town's zoning code and should clearly identify relevant improvements, including the pool, fencing, generator, mechanical equipment, retaining walls, landscaping, driveway modifications, garbage enclosure, and other changes to the approved plan.

The Board noted that the currently submitted survey was insufficiently detailed and was not at an appropriate scale to serve as the amended site plan. The applicant's surveyor should revise the plan to accurately depict the current site conditions and additional improvements.

Mike Towey advised that the Planning Board has authority, in connection with an amendment to an existing site plan, to waive certain requirements applicable to a full site plan review, as appropriate.

Next Steps

- The applicant's representative will coordinate with the applicant and surveyor to prepare and submit an amended site plan
- The amended plan will identify all improvements and modifications to the previously approved site plan
- The submission will comply with the applicable zoning code requirements and appropriate site-plan scale
- Staff will review the submission and place the amended application before the Planning Board for consideration at a subsequent meeting
- The Planning Board will consider whether the existing site plan and special use permit should be amended and whether any conditions are necessary
- Any subsequent Planning Board action will be memorialized through an amended resolution

The Board concluded that submission of the properly prepared amended site plan was the appropriate next step.

2. **Baker Estates** – Subdivision
   Baker Rd.
   Grid # 6659-00-760142, 842016 & 645225
   Zone R-90

Applicant Presentation

The applicant's engineer, Bill Povall, provided an update and stated that the applicant had addressed the Town Engineer's comments since the prior meeting. No substantive changes to the subdivision plan were reported; the outstanding matters were primarily administrative and related to plan revisions and conditions of approval.

Conservation Advisory Committee Review

The Board reviewed comments submitted by the Conservation Advisory Committee (CAC), dated August 8, 2026. The CAC conducted a detailed review of the proposed subdivision and raised concerns regarding soils, erosion, construction sequencing, septic-system slopes, tree removal, limits of disturbance, erosion-control measures, and drainage infrastructure.

The applicant's engineer noted that many of the CAC's concerns had previously been addressed through the project's stormwater pollution prevention plan (SWPPP) and the Board's prior review of the application.

Soils, Slopes, and Erosion Control

The Board discussed the presence of Nassau-Rock complex soils on portions of the property, particularly within the rear/conservation area, and the potential for runoff and erosion associated with steep slopes.

The applicant stated that development had been concentrated toward the front portion of the property in an effort to minimize disturbance to steep slopes.

The applicant confirmed that the project incorporates erosion and sediment-control measures consistent with the New York State Department of Environmental Conservation (NYSDEC) requirements, including silt fencing, stabilized construction entrances, riprap, stone check dams, and slope-stabilization measures.

The Board discussed the CAC recommendation that disturbed areas be limited by construction phase until temporary or permanent vegetation is established.

The applicant stated that the construction-phasing plan provides for installation of stormwater-treatment infrastructure and erosion-control measures before individual lots are developed and that construction would remain within applicable NYSDEC disturbance limits.

The Board also discussed the CAC recommendation concerning erosion-control blankets on slopes of approximately 15% or greater.

The applicant's engineer stated that, in his professional opinion, erosion-control blankets would not generally be necessary on slopes of that grade where appropriate vegetation and stabilization measures are installed.

The Board discussed its authority to require additional stabilization measures where site-specific conditions warrant them.

Lot 6 and Septic System

The Board reviewed the proposed treatment of Lot 6, an existing landlocked lot being incorporated into the subdivision through a lot-line adjustment and access strip.

Questions were raised regarding steep slopes associated with the proposed septic system. The applicant confirmed that the septic absorption field itself would not be constructed on slopes exceeding applicable Department of Health requirements and that the proposed system had been designed based on field testing and applicable health requirements.

The Town Engineer reviewed the soil mapping and test-pit information and stated that the proposed system consisted of in-ground laterals rather than a fill structure placed on top of a steep slope. Based on the information reviewed, the Town Engineer indicated that the septic arrangement was less concerning from an engineering perspective.

Tree Removal and Limits of Disturbance

The Board discussed the proposed tree removals and the CAC's recommendation that the plans clearly identify tree removals and the limits of disturbance.

The Town Engineer stated that the draft resolution includes specific conditions intended to ensure that the approved limits of disturbance are maintained. These measures include staking by a New York State licensed land surveyor, installation of orange construction fencing, and inspection by Town personnel before and during construction to ensure that contractors understand and maintain the approved limits.

The applicant acknowledged and agreed to these requirements.

The Board also discussed the applicability of the Town's timber-harvesting regulations. The Town Engineer explained that a subdivision undergoing Planning Board review is exempt from a separate timber-harvesting permit for tree removal necessary to construct approved roadways, driveways, structures, and related improvements. Tree clearing outside those necessary areas could be subject to the timber-harvesting regulations.

The applicant indicated that approximately 500 trees are proposed for removal; the discussion referenced a figure of approximately 532 trees and 33 replacement trees in a written statement submitted to the Board.

The Board discussed whether the Town's timber-harvesting regulations may warrant future review, particularly in light of the potential erosion and drainage impacts associated with significant tree clearing.

Construction Fencing and Erosion-Control Plan

The CAC recommended that construction fencing be clearly shown on the erosion and sediment-control plans and function as a physical boundary for the limits of disturbance.

The applicant agreed to this condition.

The Board also reviewed comments regarding the location and design of silt fencing. The applicant stated that the plans include additional erosion-control measures, including stone check dams and riprap, and that the plans are intended to comply with the applicable NYSDEC erosion and sediment-control manual. The Board emphasized that additional measures may be required where silt fencing alone is insufficient to address site-specific erosion concerns.

Drainage Easements and Baker Road Runoff

The Board discussed the CAC recommendation that permanent stormwater and drainage facilities be placed within recorded drainage easements and that maintenance obligations be established.

The applicant stated that drainage easements are already proposed for the project's stormwater infrastructure.

The Board and Town Engineer discussed existing Baker Road drainage infrastructure, including catch basins, pipes, and outfalls that cross or discharge onto the subject property. It was noted that some existing outfalls extend beyond the proposed roadway right-of-way and into portions of the property, including an area within the conservation easement.

The Board agreed that additional easements should be considered for the existing Town drainage outfalls to ensure that the Town has access for future inspection and maintenance.

The applicant agreed to coordinate with the Town regarding these easements.

The Board did not determine that the entire Baker Road frontage should be included in a drainage easement, noting that the roadway drainage itself is maintained by the Town.

Additional Written Statement

The Chair read a written statement submitted concerning the Baker Estates application. The statement raised concerns regarding prior tree removal on another project, the number of trees proposed for removal at Baker Estates, and development on steep slopes.

The Chair advised the Board that prior conduct or alleged violations associated with another development could not be considered in evaluating the current application. The Board nevertheless acknowledged that the issues of steep slopes, tree removal, erosion, and limits of disturbance remain matters of concern within the Baker Estates application and would continue to be addressed through the application review and conditions of approval.

Resolution and Next Steps

The Town Engineer presented a draft conditional final approval resolution for the Board's consideration. The draft resolution contains detailed conditions addressing, among other matters:

- Maintenance of approved limits of disturbance
- Construction fencing and site staking
- Tree clearing

- Erosion and sediment control
- Construction phasing
- Required inspections
- Inspection fees
- As-built surveys and certifications
- Stormwater infrastructure
- Compliance with Town Engineer requirements

The Board determined that the resolution should be revised to specifically incorporate and identify the applicable CAC recommendations and the additional conditions discussed during the meeting, including matters concerning drainage easements and other site-specific requirements.

The Board agreed to defer a vote on the conditional final approval resolution until the next meeting. The Town Engineer will revise the resolution to reflect the Board's discussion and will review the meeting record as necessary to ensure that the agreed-upon conditions are accurately incorporated.

Board members were encouraged to review the revised resolution before the next meeting. The applicant's engineer acknowledged the continued review and thanked the Board for its consideration.

Action: Revised conditional final approval resolution to be prepared for consideration and vote at the next Planning Board meeting.

3. **Selca Accessory Apartment** – Site Plan/Special Use
   39 Indian Pass
   Grid # 6757-03-059064
   Zone R-135

Applicant Presentation

Steve Whalen, of Whalen Architecture, appeared on behalf of the property owners. Mr. Whalen provided a brief history of the application, noting that the applicant had previously appeared before the Planning Board seeking a special use permit for an accessory apartment. The application also required resolution of several existing conditions associated with a greenhouse located in the front yard.

The applicant subsequently obtained the required variances from the Zoning Board of Appeals, which were granted earlier in 2026. A Certificate of Occupancy (CO) for the greenhouse was also obtained.

Plan Revisions

The applicant agreed to:

- Reinstate the note on the plans stating that there are no wetlands or floodplains on the property
- Coordinate and include all required Planning Board approval blocks
- Address the Town Engineer's comments and revise the drawings accordingly
- Include the required erosion-control details
- Verify and address a portion of the existing driveway that appears to extend slightly onto the adjacent property
- Confirm the existing driveway surface and provide the appropriate plan notes and details

The applicant stated that these items represented the primary outstanding plan comments and that revised drawings would be submitted.

Public Hearing and Approval Status

The Town Engineer noted that the Planning Board had previously held the required public hearing, which was closed on August 21, 2025.

Due to the passage of time and the applicant's subsequent proceedings before the Zoning Board of Appeals, the application had not yet received preliminary approval.

The Town Engineer advised that the resolution should address preliminary approval, conditional final approval, and the special use permit.

The Board discussed whether any extension of the applicable approval period would be necessary. The Town Engineer indicated that the applicable timing and expiration provisions would be reviewed and confirmed, including the provisions concerning the one-year approval period and available 90-day extensions.

Board Discussion and Action

The Board determined that the remaining plan comments were limited and could be addressed through a revised submission.

The applicant was advised to submit the revised drawings addressing the Town Engineer's comments prior to the next meeting. The applicant was also advised that attendance at the next meeting would be at the applicant's discretion, although attendance would allow the applicant to respond directly to any questions that might arise during the Board's consideration.

Motion suggested by: Dan Koehler to authorize preparation of a resolution for consideration at the next meeting addressing preliminary approval, conditional final approval, and the special use permit.
So, moved by: Eric Verhave
Seconded by: Pete Poltrack
Vote: Approved unanimously
Result: Motion carried

The Town Engineer will prepare the resolution for consideration at the next meeting. The resolution will incorporate the necessary preliminary approval, conditional final approval, and special use permit provisions.

Next Step

Applicant to submit revised drawings addressing the Town Engineer's comments. The Planning Board will consider the resolution at its next meeting.

4. **Cantalino Subdivision** – Subdivision
   57 Duncan Rd.
   Grid # 6759-00-112874
   Zone R-90

Applicant Presentation

Mr. Brian Watts, of Day Stokosa Engineering, the property consists of slightly more than 20 acres. The applicant proposes to subdivide the upper portion of the property to create an additional building lot for a single-family residence. An existing residence is located on the property.

Mr. Watts explained that the applicant proposes to utilize the existing driveway serving the current residence as a shared driveway to provide access to the proposed residence. Appropriate access and maintenance easements would be provided.

The proposed shared driveway generally follows the existing driveway alignment. The applicant is requesting consideration of a driveway grade exceeding the Town's 10% maximum standard in order to minimize additional disturbance to the property and the mapped wetland area. The initial portion of the driveway would have a maximum grade of approximately 14.72%, with the grade subsequently varying from approximately 11% to 7% as it proceeds uphill.

Mr. Watts presented a driveway profile showing that construction of a driveway meeting the 10% maximum grade would require substantial cutting, estimated at approximately six to eight feet in portions of the site. He stated that such construction would result in a substantially wider area of disturbance and could result in additional impacts to the wetland and steeply sloped portions of the property.

The Board discussed an alternative driveway alignment previously shown on the plans. Mr. Watts explained that the alternative alignment would create additional disturbance through the field and wetland buffer and would require construction of a new driveway where no existing disturbance currently exists. The applicant's position was that utilizing the existing driveway would minimize overall site disturbance.

The Board discussed the proposed driveway width and improvements. The applicant indicated that the paved driveway would be approximately 12 feet wide and that the plans provide for the required clear area. Two pull-off areas are proposed, including an area capable of accommodating two vehicles, as may be required because of the driveway grade.

The Board discussed stormwater and drainage concerns associated with paving the existing driveway. Mr. Watts stated that riprap swales and check dams would be incorporated along the driveway to slow and control runoff. He also indicated that a trench drain or other drainage measures could be installed near the bottom of the driveway if determined necessary. The applicant agreed to coordinate with the Highway Department and Town Engineer regarding drainage and erosion and sediment control measures.

The Board and Town Engineer discussed the existing drainage facilities along Duncan Road and emphasized that paving the driveway could increase the rate and volume of runoff reaching the roadway. The Town Engineer will review the proposed drainage measures as part of the application review.

The Board also discussed the wetland delineation. Mr. Watts stated that the wetland had been flagged and that the New York State Department of Environmental Conservation (DEC) had validated the wetland delineation. The applicant will provide the relevant DEC correspondence and documentation to the Board.

The Town Engineer noted that the alternative driveway shown on the plans is required because the applicant is proposing a shared driveway, and the Town Code requires consideration of how an individual driveway could be constructed. He further noted that constructing the alternative driveway to comply with the 10% grade requirement could require substantial cuts and additional disturbance, including potential impacts to wetland areas and soils.

The Board discussed the statutory/code provisions concerning a driveway grade exceeding the Town's standard and the requirement to obtain input from the Highway Department and Fire Advisory Board. It was noted that such referrals had not yet been completed.

Motion by: Rob Lopane to refer the proposed driveway and associated grade request to the Town Highway Department and Fire Advisory Board for review and comment.
Seconded by: Pete Poltrack
Vote: Approved unanimously
Result: Motion carried

The Town Engineer then reviewed additional outstanding application items needed.

- Providing the required minimum sight-distance standard in addition to the measured sight distance
- Coordinating the applicant's DEC review with the Town's review of the water resource permit
- Providing copies of correspondence with DEC to the Planning Board

The Town Engineer further noted that the shared driveway access and maintenance easement must be extended appropriately because the driveway serving the proposed lot continues beyond the point at which the driveway separates from the shared driveway. The applicant was advised to provide a comprehensive easement and maintenance agreement identifying the parties' respective responsibilities for maintenance, repair, drainage, and related matters.

The Board also discussed the ownership of the property. The deed identifies the property as being held in a trust, while the current application and plans identify Don and Lisa individually as the owners. The applicant was advised that the application and plans must be revised to identify the trust/trustees as the legal owners. It was noted that both co-trustees would need to execute the application documents. The applicant was also advised to confirm independently whether any additional consent from the creators/grantors of the trust is required.

The Board discussed the Environmental Assessment Form (EAF). The applicant was advised that the previously submitted EAF is outdated and must be replaced with the current DEC form. The updated EAF must be submitted before the Board proceeds with the contemplated SEQRA actions.

The Board and its counsel/representatives discussed the procedural steps for SEQRA and lead-agency coordination. The Board indicated that it would defer further action until the application has been corrected, the updated EAF has been submitted, and the outstanding engineering and ownership issues have been addressed.

The Board anticipated revisiting the application at the next meeting, at which time it may consider sketch subdivision approval and declaration of intent to act as lead agency, subject to receipt of the required revised materials. The Board noted that the lead-agency circulation and subsequent public-hearing process would need to follow the applicable statutory waiting periods and procedures.

The applicant requested whether a site meeting with the Highway Department could occur before the next Planning Board meeting. The Board indicated that such coordination could proceed if schedules permit. The applicant and Town representatives agreed to attempt to arrange a site meeting with the Highway Department and Highway Superintendent.

Board Action

The application was continued to a future meeting**.** No subdivision approval or final SEQRA determination was made at this meeting.

Outstanding Items Identified

- Referral to the Town Highway Department
- Referral to the Fire Advisory Board
- Review and resolution of driveway drainage and stormwater-control measures
- Coordination with DEC regarding the validated wetland delineation and water-resource review
- Submission of the required minimum sight-distance information
- Revision of the shared-driveway access and maintenance easement
- Preparation of a comprehensive shared-driveway maintenance agreement
- Revision of the application and plans to identify the trust/trustees as the property owner(s)
- Execution of revised application documents by the appropriate co-trustees
- Submission of the current DEC Environmental Assessment Form
- Completion of outstanding engineering and application comments
- Subsequent consideration of sketch subdivision approval and SEQRA lead-agency procedures at a future meeting

5. **Beekman Farms New Build** – Site Plan
   414 Clapp Hill
   Grid # 66559-00-284282
   Zone R-45

Applicant Presentation

Mr. John Watson, of Insight Engineering, on behalf of the applicant for a proposed single-family residence on an approximately 250-acre parcel. The proposal consists of a 4,000-square-foot, one-story residence. No subdivision or lot-line change is proposed.

Mr. Watson reviewed the property and proposed site layout with the Board. The property contains active agricultural fields, existing farm trails, wooded areas, and varying topography. The proposed residence is located generally toward the center of the property in an elevated area. The applicant proposes to utilize existing farm trails for the majority of the driveway in order to minimize new disturbance and tree removal.

The proposed driveway includes sections with grades of up to approximately 15%. The Board discussed the steep-slope areas and whether alternative driveway alignments could reduce impacts to wetlands and steep slopes. The applicant stated that relocating the driveway would require additional clearing, grading, and disturbance and could result in greater impacts to steeply sloped areas.

The property is located within the Ridgeline Overlay District. The proposed finished floor elevation is approximately 817 feet. The Town Engineer advised that the applicant must demonstrate compliance with the applicable ridgeline and viewshed requirements and provide sufficient information regarding the visibility of the proposed structure from public viewpoints and surrounding properties.

The Town Engineer further advised that the bulk table should be revised to reflect the 30-foot maximum building height applicable within the Ridgeline Overlay District, rather than the general 35-foot height permitted in the underlying zoning district.

The Board discussed the potential viewshed associated with the proposed residence. The applicant stated that the residence would be situated within existing vegetation and would be substantially screened by trees and the surrounding topography. The applicant offered to provide additional viewshed information.

Board members expressed interest in conducting a site visit to better evaluate the proposed building location and visibility from surrounding public areas.

Wetlands

The applicant advised that DEC had identified and flagged wetland areas on the property, including portions extending into actively farmed fields. The applicant stated that a jurisdictional determination had been requested from DEC and that the applicant is awaiting further clarification regarding DEC jurisdiction following recent changes to the applicable regulations.

The Board discussed the relationship between DEC jurisdiction and the Town's wetland regulations. The Town Engineer advised that additional documentation would be required if the applicant intends to challenge or modify the DEC wetland determination.

The applicant stated that the proposed driveway follows an existing farm trail through the wetland area and that alternative routes would require additional disturbance to steep slopes.

Conservation Advisory Committee

The Town Engineer recommended referral of the application to the Conservation Advisory Committee (CAC) for review of the wetlands and steep-slope components.

The Board discussed whether the application was sufficiently developed for referral and determined that early CAC review would assist in identifying potential issues before further revisions to the site plan.

Driveway and Fire Access

The Board discussed the proposed driveway grade, width, surfacing, pull-off areas, and fire access.

It was reported that the Fire Advisory Board had previously reviewed the proposal and requested additional pull-off areas at approximately 500-foot intervals, verification of driveway width and surfacing materials, and an adequate turnaround area for fire apparatus near the proposed residence.

The Town Engineer also advised that, pursuant to the Town Code, any portion of a driveway exceeding a 4% grade requires the driveway to be paved in its entirety. The applicant proposes an approximately 3,300-foot driveway that would not be paved for its entire length. The applicant was advised that an exception to this requirement would require consideration by the Zoning Board of Appeals.

Outstanding Code Enforcement Matter

The Town Attorney, Mike Towey, advised the Board that a Notice of Violation exists against the property. The applicant's representative stated that he had not previously been aware of the violation.

The Board discussed reported issues involving livestock, accumulated materials, and abandoned vehicles. The applicant was provided a copy of the Notice of Violation and agreed to review the matter.

The Board noted that the outstanding violation would need to be addressed as the application proceeds.

Existing Trailer/Structure

The Town Engineer noted that a trailer or other structure near the front of the property appeared to be used as a residence. The Board was advised that the Town Code does not permit two principal residential structures on the same lot.

The applicant stated that the owner had been contacted and that the trailer could be removed.

Additional Engineering Comments

The Town Engineer identified additional technical items to be addressed, including:

- Providing a plan view corresponding to the driveway stationing
- Providing additional information concerning site visibility and viewshed
- Addressing steep-slope impacts and alternative site/driveway configurations
- Addressing wetland impacts and DEC jurisdiction
- Revising the bulk table to reflect the applicable ridgeline building-height limitation
- Addressing the driveway paving requirement
- Providing required fire-access improvements
- Resolving the outstanding Notice of Violation
- Removing the additional residential trailer/structure
- Addressing remaining technical comments contained in the Town Engineer's review

Motion by: Rob Lopane to refer the application to the Conservation Advisory Committee and Town Highway Department.
Seconded by: Eric Verhave
Vote: Approved unanimously
Result: Motion carried

The motion was amended to specifically request that the Conservation Advisory Committee provide reports regarding:

- **Town Code §155-52 – Wetlands**
- **Town Code §155-53 – Steep Slopes**

The amendment was seconded by Eric and carried unanimously.

Site Visit

The Board discussed conducting a site visit to evaluate the proposed building location, driveway, wetlands, steep slopes, and potential viewshed impacts.

The applicant agreed to coordinate access to the property. Because the property is actively farmed and contains livestock, the applicant requested advance coordination of the visit.

The Town Attorney advised that any site visit involving a quorum of Board members must comply with applicable Open Meetings Law requirements and that Board members should limit their activities to observing the site and gathering factual information without discussing the merits of the application.

Board Action

The Beekman Farms application remains under review and was continued for further consideration. No site plan approval was granted at this meeting.

The applicant was directed to address the outstanding engineering, environmental, fire-access, zoning, and code-enforcement matters and to coordinate with the applicable Town departments and advisory committees before the next substantive review.

Motion by: Eric Verhave to close the meeting. **Seconded by:** Pete Poltrack. **Vote:** Approved unanimously. **Result:** Motion carried