



TOWN OF  
**BEEKMAN**  
*New York*

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**Town of Beekman Zoning Board of Appeals  
Minutes of April 6, 2023**

The Town of Beekman Zoning Board of Appeals met for their regularly scheduled meeting on Thursday, April 6, 2023 at the Beekman Town Hall at 7:00 PM.

The following members were present: Chairman: Mersin Capollari, Phil Capalbo, Linda Porter and Maria Rodrigues. Stella Slattery was absent.

M. Capollari – Meeting called to order at 7:00pm  
Indicated emergency exits and restrooms  
Led the Pledge of Allegiance

M. Capollari – Introduces application being presented for public hearing. Applicant seeking 9,000 square foot bulk requirement variance from §155 Attachment 2 Schedule B which requires 45,000 sq. ft. minimum lot area. Asks applicant to approach podium and provide public notice information.

**PUBLIC HEARING**

- 1. Bruning – Andrew/Jenna – Area Variance**  
Hillside Road  
Grid # 6859-03-160149  
Zone R-45

Andrew Bruning, Applicant - Applying for area variance to build home on Hillside Rd.

M. Rodrigues – Asks for a layout of the lot and where the house is going to be.

Andrew – Indicates it is in the paperwork.

Pete Chivella, Seller/Developer – Offers brief history of parcel.

P. Capalbo – Understand zoning moved to R-45 long after that development now short of requirement by 9,000 square feet. Questions if keeping with same development on that road.

Pete – Confirms single family 3-bedroom home.

M. Capollari – Asks if the variance will have any adverse effect on the property or community or disrupt the current look and feel.

Pete – Don't think so. Vacant lot with minimal trees. Pretty flat and level.

M. Capollari – Asks if the hardship is self-created.

Peter – Hardship was created when zoning went into effect.

M. Rodrigues – Questions if sewer and septic meet Board of Health setbacks.

M. Capollari – The zoning board can move forward with this discussion, making this subject to a plot plan being submitted with the building permit application that proves that minimum yard setbacks, lot coverages and impervious coverages are met. The other is the proof of health department approval for the arrangement of water supply and sewage disposal at the time of application for the building permit.

Pete – Asks if survey should be updated.

M. Capollari – Confirms better to have updated survey.

**M. Capollari – Motion to open public comment. Seconded by P. Capalbo. All in favor. Motion carried.**

Selma Claudio, 39 Hillside – Inquires as to how this build will disrupt their quality of life as well as if the property lines that have been drawn have been compared as they seem to be encroaching.

P. Capalbo – Whatever survey they put on the map will have to be surveyed before they put any foundation on. Disputes are a different channel but lot line numbers do not change.

Selma – Were told when house was purchased that there was a do not build on that property.

P. Capalbo – This has gone through engineering and the building inspector and that would've come up on the original application. From what we have seen there is no non-building on there. If there is a reason for non-building like the ground wasn't impervious enough for sewer, when they apply for their department of health, it would get flagged. All those things will come to pass with engineering.

**M. Capollari – Motion to close public hearing. Seconded by M. Rodrigues. All in favor. Motion carried.**

Board members discuss 5 balancing questions.

Selma – Already on record, reapproaches podium to ask when construction will begin and hours.

M. Capollari – Explains there is an ordinance and more information can be obtained by visiting the town clerk or building department.

Board members complete discussion on 5 balancing questions.

**M. Capollari – Motion for roll call vote. Seconded by P. Capalbo.**

**L. Porter – Aye**

**P. Capalbo – Aye**

**M. Rodrigues – Aye**

**Motion passes**

M. Capollari – Today’s public hearing for Bruning area variance on Hillside Road Grid #6859-03-160149 Zone R-45 where the applicant is seeking the 9,000 sq. ft. bulk requirement variance from §155 Attachment 2 Schedule B of the town code which requires 45,000 sq. ft. minimum lot area. Motion is approved based upon the vote tonight and the two conditions discussed earlier.

**M. Capollari – Motion to close meeting. Seconded by P. Capalbo. All in favor. Motion carried.**

Meeting adjourned 7:19 pm

Respectfully submitted.

Aletha Bourke  
Secretary