



TOWN OF  
**BEEKMAN**  
*New York*

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**TOWN OF BEEKMAN PLANNING BOARD AGENDA**  
**Minutes of Thursday, February 17, 2022**

The Town of Beekman Planning Board met for their regularly scheduled meeting on Thursday, February 17, 2022 at the Beekman Recreation Center. The following members were present: Chairman - John Frustace Faye Garito, Robert Lopane. Jayson Abbatantuono and Peter Poltrack. Also present was Town Engineer - Dan Koehler, Town Attorney - Craig Wallace and Secretary - Selene Haile.

John led the Pledge of Allegiance and noted the emergency exits.

Rob made a motion to open the Meeting. Seconded by Peter. All in favor. Motion carried.

Faye made a motion to approve the November 2021 and January 2022 Planning Board minutes. Seconded by Rob.  
All in favor. Motion carried.

**DISCUSSION**

1. Greenhaven Road Solar Community – Special Use Permit  
97 S. Greenhaven Rd  
6757-00-082660  
Zone C-3

Peter made a motion to open the continuation of the Public Hearing. Seconded by Rob. All in favor. Motion carried.

The applicant's representative presented photos and a visual and addressed some of Dan's comments.

They were asked to do two things - a plan showing no variances and a plan that would maintain trees. The applicant did not do a plan showing no variance. They stated it doesn't work out without the variances. If they follow the setback of the zoning code they will expand closer to Green Haven Road. They will have to knock down the barn. It would have less impact on the neighbors but a greater impact on the road. They will also have to remove more trees.

John asked about reducing the number of panels.

There was a discussion about the variance required. The applicant believes they can meet the 5 criteria for a variance.

Faye asked about the yield with a variance and without. The applicant stated they believe it could be a 40% decrease without the variance. He stated that this would sink the project. Peter asked about looking at a 30- or 35-foot variance instead of a 70' variance.

The applicant will look at the options and provide the information about what it would look like without the variance.

There was a discussion about tree removal. Rob stated the neighbors are concerned about the wet areas. There was also a discussion about three trimming and stumping. Peter said that he is against the project if the tree removal is not cut to leaving stump within 6" of the ground.

Peter also stated that Ditron is concerned about the construction process and he suggest they drag the cut trees to the field where the second set of panels will be and all the chipping should be done on that site.

John Klein - 159 South Green Haven Road (representing Klein Farm) said he doesn't think the numbers add up and that the production will be reduced by 40% if they don't get the variance.

There was a discussion about what the production would be if they partially reduced the variance.

Faye said she wants to see real numbers to see what the reductions would be.

Robert Lucardo (Ditron) said his client has 3 specific concerns.

1-the visual impact

2-dust impact

3-drain pipe easement impact wet area along the property line

He stated the dust impact is a serious issue for Ditron. He stated in the latest submission to the Board from the applicant the statement for dust control was general and unspecific. He would like to see a specific dust control mitigation plan. He asked how the plan would be monitored.

He also asked about the tree line and how and when it would be removed. It provides a wind break. He also stated he appreciates the Board paying attention to the visual impact. He stated Ditron would like to see a vegetation buffer to help mirage to help mitigate the visual impact. He stated it is hard to see from the plans where the trees are going to be planted. He also asked if the trees will be cut when they get to a certain height.

He stated the drain pipe issue is very important to the property. He wants to make sure this doesn't affect the use of the drainpipe or the maintenance. He is also concerned about the possible increase for maintenance.

Ditron would like the formal easement agreement to be entered into and have that addressed at this time.

Bill Crain approached the Board. He spoke about the importance of trees and respecting nature.

Caroline Alexis - 121 South Gardner Hollow Road. She pointed out her property on the map and noted the visual impact from her home. She stated the trees being shown will not block her view. She stated that if this was moved to the front it would be in her side yard.

Rob made a motion to adjourn the Public Hearing to the next meeting. Seconded by Faye. All in favor. Motion carried.

The Board asked the applicant to show plans without the variance to show the numbers of panels and the difference from this plan.

The Applicant stated they will show a site-specific dust plan. He also stated the trees shouldn't have to be cut in the future. They will also provide a cross section for where the electric is going with the easement. They will also look at the tree removal plan again. They will look at a full screen for the Alexis property. The owner is not opposed to them entering her property.

Rob encouraged the applicant to work with the neighbors and to look at different layers for the South and Northern tree plan. It would be good to initiate a mutual agreement in regard to the easement drainpipe and the electric.

Peter stated that stumping will be defined as no more than 6 inches.

Peter also asked for Ditron to receive a copy of the C 2.1 and for the applicant to give the plant heights.

2. Camp Ludington – Lot Line Revision  
165 Paine Rd  
Grid# 6756-00-464707  
Zone R-135

This is located at the end of Paine Road. The plan is to preserve open space - Trust Public Land.

This application is for 2 lots to be subdivided one will remain with the Girl Scout Camp and one will become part of the land trust.

The applicant stated the Trust and DEC continue to pay property tax to the Town of Beekman.

This will require a variance for frontage for Lot 2 because Lot 1 will maintain the frontage.

This will need a referral to the Zoning Board.

It was stated that the adjoining lot is owned by US Appalachian Trail.

Peter stated the Fire Department would be interested having access to State Land. He would like them to discuss with Fire Department.

Rob said they are only drawing a line.

Dan stated the actual survey is coming and they have to make sure the camp is viable.

There was a concern about EMS being able to get to the camp. The applicant stated the camp is being used during the summer season.

Rob made a motion to waive # 6 and # 7 on Dan's comment letter. Seconded by Faye. All in favor. Motion carried.

The frontage for lot 2 will be zero no matter what.

It was stated that SEQRA was done and this is an unlisted action. The land is going to remain raw land.

Faye said they need to see the survey and Dan agreed.

They can move forward because the variance will be the same with or without the variance.

The conservation lot would not result in a flag lot.

Rob made a motion to refer this to the Zoning Board for a variance. Seconded by Faye. All in favor. Motion carried.

Rob made a motion to grant Sketch Approval. Seconded by Peter. All in favor. Motion carried.

3. Safe Haven Animal Shelter & Wildlife Center - Site Plan and Special Use Permit  
186 S Greenhaven Road  
6657-00-106399  
Zone C-3

Charles May - Engineer and Josephine - Founder and President of Safe Haven approached the Board.

Mr. May stated they received Dan's comments and they will be addressing them with Dan. There were 3 issues which he will address.

Josephine came forward and stated that it is her understanding to fulfill the resolution, there are 3 things that need to take place - performance bond for storm water system, the black top parking lot and the storm water which is part of phase II.

She said on the plans, it said the parking lot would begin once phase I is operational and they are not.

They just found out the performance bond amount was \$5800 and she brought a check to Town Hall but know she found out that was inspection fees. She doesn't know what will happen to that check.

she said on February 10 she talked to Dan and found out the amount of the performance bond and she is working on that and hopes it is done soon.

She thought the parking lot would have to be complete when they are operational and they are not. She did talk to the DEC this week and she gave Dan the phone number. They did not put a time frame on when that has to be capped.

She asked the DEC officer if they could put item 4 down and don't have to put asphalt down right now.

The price of the sub base is \$21,000 - can do sub base in early spring. They can't do it now.

The storm drain price is \$59,000 and that was last year's price.

It has been hard times the last two years. It has been very hard on non-profits. They have not been able to do any fund raising for the last 2 years. They rely on adoptions, but they are not open so they have no animals. They have three municipalities contracts on line to take their dogs but if she doesn't get an answer they will no longer be available. They are asking the Board to re-negotiate the resolution. They would like to put sub base when open and asphalt next year. They will pay the performance bond. and do the storm drain system before the years end. They don't have the money to spend to do everything and they will loose these contracts. They have a fundraiser on April 24th.

She stated she doesn't feel what is going on and she needs to be copied on everything so she can stay on top of everything.

The Conditional Final Approval has expired and the plan for capping the soil and putting asphalt was a condition. This was supposed to be addressed first - parking lot done during phase I operation.

The Board talked about how important it was to cap that off and there can't be any disturbance until that is done. The Board worked with the applicant and didn't request test wells.

The septic and well was done and that was not supposed to happen until this was capped off.

Dan said the process is very clear. He asked for the signed SWPP on several occasions so they could sign the Site Plan. That should have been done by May 18th. He didn't hear anything until September

The septic being built was a big blunder and no extensions were requested

If they do a re-approval the same conditions as the original apply.

The soil needed to be remediated early in the process according to the SEQRA.

John said that opening up to look at the entire project again would have to redo SEQRA

Craig stated if they come back to amend the approval that would open up everything else and require another environmental assessment.

Dan has worked all through Covid and was available.

If they grant an extension, the same conditions apply. If any changes are requested, SEQRA has to be reconsidered. There is no guarantee a new final approval would be accepted.

The applicant asked if DEC isn't concerned, why is the Board.

It was stated that making changes would change what has been signed off on.

The applicant asked what is more important the parking lot or the storm water. Rob stated all the requirements need to be done.

Peter said the problem is they can't begin until they get a CO but they can't get a CO until the soil is capped.

It was stated the applicant can ask for an extension of the Conditional Final Approval.

It was stated that the Building Inspector will not give a temporary CO and the Board has no jurisdiction to give a temporary CO. It was stated the project has to be completed. Dan stated that SEQRA is based on remediation and it has to be done.

Craig said that all site improvements need to be done before a CO is issued. You can't put the cart before the horse.

The two options are to ask the Board to grant an extension to the Conditional Final Approval or start at square one.

Rob made a motion to grant (2) 90-day extensions of Conditional Final Approval with the conditions on the November 19, 2020 resolution. Seconded by Peter. All in favor. Motion carried.

4. 359 Depot Hill – Site Plan and Special Use Permit  
359 Depot Hill Rd  
Grid# 6757-00-693527  
Zone R-135

The applicant (Eric Bleile) is before the Board to present his dog hiking business and get input from the Board.

He has a dog hiking business with 24 vans and currently uses 100 acres in Holmes. He serves Fairfield County and Westchester. This is an off-leash hiking experience for the dogs and he needs more property. He is currently looking at 350 acres on Depot Hill Road.

He stated part of the property is in the forestry program and he would continue that. It is surrounded by very few homes. This would operate from about 10 to 2 seven days a week. There would be about 8 vans in the morning and 8 in the afternoon.

Each van usually has 10 dogs. It was stated these are not hunting dogs. This is dogs hiking - some on leashes and some loose. They may chase something for a few seconds but come back to their pack. He stated he hasn't had issues with any of his neighbors in his current location.

It was stated this is low impact for this amount of acreage. It would be considered outside recreation.

This will need a site plan and special Use permit - 155-59 and 155-60. The disturbance proposed should be less than an acre (parking area).

John made a motion to close the meeting. Seconded by Rob. All in favor. Motion carried.

Meeting Adjourned  
Respectfully submitted  
Selene Haile  
Secretary