



TOWN OF BEEKMAN PLANNING BOARD
Minutes of Thursday, September 19, 2024

The Town of Beekman Planning Board met for their regularly scheduled meeting on Thursday, September 19, 2024 at 7:00 PM at the Beekman Town Hall.

The following members were present:

Chairman- John Frustace

Robert Lopane

Jayson Abbatantuono

Faye Garito

Peter Poltrack was absent.

Also present:

Town Engineer - Dan Koehler

Town Attorney – Craig Wallace

CAC Chair – Cliff Schwark

Recording Secretary- Aletha Bourke

J. Frustace - Noted the emergency exits

Led the Pledge of Allegiance, Moment of silence

J. Frustace – Minutes quite extensive and more time is needed. Approval will be pushed to next meeting.

PUBLIC HEARING

1. Cemco Development Group – Lot 2 & 3 Boyd Re-Subdivision

Pleasant Ridge Road

Grid # 6859-00-434759

Zone R-135

J. Frustace – Asks for representative for application. None present. Asks engineer for update.

D. Koehler – At the last meeting, the planning board authorized Cornerstone to perform wetland review services. Shortly thereafter, the consultant informed us that there was a conflict and chose to withdraw. Sought quotes from three additional consultants and were able to get two, third did not have capacity for work. Tim Miller Associates \$2700 distributed to everyone. Ecological Analysis gave quote for same service totaling \$1670. Suspect we would need to rescind Cornerstone appointment and appoint one of the others.

Board Members discuss pros and cons of consultant proposals

J. Frustace – Briefly outlines details of each consultant proposal.

D. Koehler – Indicates both are qualified and price is comparable.

F. Garito – Questions cost.

C. Wallace – Confirms board should use best discretion for the applicant since he is responsible for cost.

R. Lopane – Construction is lowest qualified bidder but professional services is not tied to the low bidder but if proposals are comparable, go with low bidder.

D. Koehler – Ecological Analysis estimates their time and materials to be \$2420.

R. Lopane – Motion to rescind initial award to Cornerstone due to conflict. Seconded by J. Abbatantuono. All in favor. Motion carried.

R. Lopane – Motion to accept proposal from Ecological Analysis. Seconded by F. Garito. All in favor. Motion carried.

C. Wallace – Planning secretary will need to notify low bidder and establish retention with town.

Secretary – Acknowledged

F. Garito – Motion to open public hearing. Seconded by R. Lopane. All in favor. Motion carried.

J. Frustace – Brief history of application.

Bill Crain, 254 Gardner Hollow – Assuming public hearing remains open.

J. Frustace – Yes. Will allow for decision after information is received.

F. Garito – Motion to adjourn public hearing to October 17, 2024. Seconded by R. Lopane. All in favor. Motion carried.

2. Pozzuto Lot Line – Lot Line Adjustment- Continuation

110 Frog Hollow Rd.

Grid # 6757-00-445645 & 563722

Zone R-45

Brian Hildenbrand, Engineer – Update. Response received last week from DEC regarding wetlands permit. Memo was intense regarding watercourse crossing. Project is lot line readjustment reshaping narrow access lot to create building envelope and create access to rear, which requires crossing watercourse. Process started but too much DEC strain. Want to remove the crossing for now to allow for creation of lots for new house and in parallel, track with DEC to formalize farm access. Will submit revised plan showing no more disturbances proposed in the wetlands in the 100 ft adjacent area. Will allow for progress. Confirms address 110 Frog Hollow at the top of Frog Hollow.

D. Koehler – If continuing farming in the back, still have access for now. Won't halt that operation.

Brief discussion regarding parcel history, filed tax maps and how lot is being divided.

D. Koehler – Explanation of public hearing process regarding concurrent subdivision and water resource permit §155-52 public hearings. Now left with only subdivision.

F. Garito – Motion to open public hearing. Seconded by J. Abbatantuono. All in favor. Motion carried.

Bill Crain, 254 Gardner Hollow – Confirms understanding applicant wants to abandon crossing for the time being. Would like to hear from DEC before moving forward.

F. Garito – Crossing will not affect the subdivision. DEC has no jurisdiction over the subdivision, only the wetlands.

C. Wallace – Applicant would have to come back before the board with an amended application if they wanted to revisit that part.

D. Koehler – Indicates adjourning public hearing and obtaining new plan would allow public the opportunity to view revisions.

R. Lopane – Motion to adjourn public hearing to October 15, 2024. Seconded by F. Garito. All in favor. Motion carried.

DISCUSSION

- 1. Samana Estates** – Subdivision
Beekman Rd. & Greenhaven Rd.
Grid # 6658-00-777635
Zone R-45

Aime Patane, LRC Group, Engineer – Representing applicant LDMH Holdings for 5-lot subdivision on 6.3 acre parcel. Since last appearing before the board, have met and discussed with fire department, covering drainage concerns and they submitted a letter of satisfaction stating they are in favor of the current proposal from a drainage standpoint. Response received from SHPPO requested phase 1 archaeological survey which was done and report provided to the board. Report shows no further investigation is warranted. Noted there is a non-culturally significant foundation from 20th century farmhouse which will remain.

Brittany Shakley, LRC Group – Have heard concerns about drainage and flooding and have revised the plan to add 3 infiltration basins. Provides explanation of water routes for drainage and infiltration, locations of flooding concerns and Fishkill Creek capacity.

R. Lopane – Are you increasing runoff post-construction?

Brittany – What was designed that you see in the plan, no, but with intersection work that is going to happen, working with engineer and county to figure out a solution. Goal is to treat on-site and not increasing off-site.

D. Koehler – A lot of moving parts with Sharbell which has been approved for a long time. County has approved intersection signalization which is going to add a right turn lane and it's going to get wider. Concerned with pooling water due to poor drainage structure across Greenhaven Rd. Made clear to county. They recognize that is a potential safety issue and also want to do their part to facilitate a fix. Looking to have some offline meetings with regard to getting all interested parties on the same page.

Expresses additional concern with traffic light and cars adjusting speeds amidst pooled areas and potentially frozen water across roads. Trying to find the best balance to fix problem and not affect others.

R. Lopane – Stresses importance of considering downstream residents and enforcement of code and stormwater regulations. Questions if infiltration basin is NY state stormwater practice and if soil is conducive to infiltration.

Brittany – Confirms yes. Conducted soil tests and infiltration rates. Indicates soils underneath are good.

J. Frustace – Indicates Dan reached out to the county regarding the water crossing over. They were receptive to solutions.

2. Bailey Estates – Subdivision

Baker Rd.

Grid # 6659-00-720250

Zone R-90

Board members discuss property location.

Michael Panichelli, PE – Appeared for pre-application. Presented, asked questions, received sketch plan review and have quite a bit of work to do. Parcel is almost all trees. Looking for guidance.

J. Frustace – Concerned with viewshed. Generally, in the area of disturbance, you're going to have to make some changes and improvements there, important trees being the indigenous old growth trees.

F. Garito – Agree. Can't replace old growth trees.

Tariq Bailey, Applicant – From a construction standpoint, just want to cut whatever is necessary to build and keep it as natural as possible.

R. Lopane – Will need to do some clearing to work in features for all of the homes. Not just aesthetically but from a conservation standpoint and ecological balance standpoint, the trees and wooded areas are important ecosystems with a lot of wildlife value so trying to do the least amount of destructive damage as possible. When developing plans, be deliberate with showing tree protection to assist with code enforcement. Protection fencing will ensure trees are not removed by mistake.

J. Abbatantuono – Still needs to have curb appeal and be realistic and achievable.

R. Lopane – Reminds applicant to keep buffers of trees on the sides and not clear up to the edge of the property lines to avoid tension between neighbors.

J. Abbatantuono – Would like to see delineation of trees to remain with a legend to identify. What is the minimum diameter, age, etc? Be sure it is realistic and show everything so there are no surprises.

J. Frustace – Notes that per §130-12, trees 12 inches and greater shall be shown. Town code requires 8 inches and greater to be survey located as part of preliminary plat review.

Representative – Not sure what waiver means.

D. Koehler – Historically what the board has done is, within the areas of disturbance, all the trees 8 inches and greater within that have to be located. The waiver is technically asking trees 8 in and 12 and larger on areas outside of areas of disturbance to not have to be located.

Additional discussion regarding locating trees.

R. Lopane – Questions if steep slope analysis will be done.

Representative – Yes, there is a lot of sloping. More to identify. Working on merging everything together for sketch approval.

J. Frustace – Asks about lot size.

Bailey – About 2 acres.

D. Koehler – Comments that the one lot is undersized.

Representative – Yes. Lot 8, that will be fixed as well.

3. Clove Meadows – Subdivision
327 Hynes Rd.
Grid # 6759-00-744708
Zone R-45

C. Wallace – Indicates he has a conflict of interest for this application and will not be able to represent the board. Recommends Shane Egan of CapolliOn7o, Rothschild and Egan to cover legal needs.

J. Frustace – Reads aloud resolution for conflict counsel (enclosed).

F. Garito – Motion to approve resolution. Seconded by R. Lopane. All in favor. Motion carried.

Matt Towne, HVT Homes, Applicant's Representative – Clove Meadows subdivision located at 327 Hynes in R-45. Proposing new town road, culdesac and 13 single-family homes. There's a small portion of DEC wetland and federal wetlands on the site which are delineated and flagged, a couple of intermittent streams which are NRI with buffers shown. Will be all on-site sewer and water and private driveways. Not a lot of clearing to be done. Slopes are very gentle. Soil testing indicated soils are conducive to septic systems. Full SWPPP will be required as it's over 5 acres of disturbance. Have a couple of conceptual locations for stormwater management practices proposed but up to detail design.

J. Frustace – Distance from existing wetland area? You indicated 75 ft?

Matt – Confirms. Points out buffer and DEC wetland on plan. Did not include connection. Biologist Mike Nowicki said it looks like a ditch and was completely dry.

J. Frustace – Indicates January 1, 2025; 100 ft buffer requirement.

Matt – Yes, need to figure that out with DEC.

J. Frustace – They are not using maps anymore. Was at a conference. They are now doing desk approvals using geolocation and it's 100 ft from any wetland. To save yourself some issues, may want to take another look at the location of the house.

Matt – Stream wasn't flagged as a wetland.

J. Frustace – Town not using maps anymore. Regardless of size, it's a desk decision based on the submission and holds for 5 years.

Board members discuss potential for changes in regulation and effects on project.

D. Koehler – Project is just over the limit that qualifies as a Type 1 action for SEQR, making it a more rigorous environmental review. If changes reduced it below the threshold, would no longer be Type 1. It's a gray area, just have to go with today's laws and be ready to pivot as needed.

J. Frustace – Advises applicant the onness is on them to track the transitional period and litigation with Sharbell regarding new regulation enforcement.

D. Koehler – Indicates there will be a virtual public hearing for the regulation on October 10, 2024.

J. Abbantantuono – Indicates he needs to leave.

Matt – Inquires about sketch plan approval.

D. Koehler – Comment letter looks long. A lot of things were provided but need to be noted on the plans. All of the components of sketch are shown within the supporting documents, just asked them to clean it up.

R. Lopane – Would like to hear from DEC before granting sketch approval. Could have a big impact on the plan.

D. Koehler – Code for maps is §155-53. Code for steep slopes is §155-53.

C. Schwark – Adds that all the buffers have been met in accordance with current regulations.

J. Frustace – May want to consider granting sketch at this phase to move application along if he is up against a deadline.

R. Lopane – There's more detail and Dan said it meets the requirements of sketch plan, only concern would be DEC makes a modification that impacts proposed plan but don't think would be stuck with that.

D. Koehler – No big deal if you grant sketch approval and it ends up being less and not more.

F. Garito – Motion to grant sketch approval. Seconded by R. Lopane. All in favor. Motion carried. 3-0

R. Lopane – Motion to adjourn meeting. Seconded by F. Garito. All in favor. Motion carried.

Meeting adjourned 8:31pm.

Respectfully submitted.
Aletha Bourke