



TOWN OF  
**BEEKMAN** *New York*

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## **TOWN OF BEEKMAN PLANNING BOARD Minutes of Thursday, January 16, 2025**

The Town of Beekman Planning Board met for their regularly scheduled meeting on Thursday, January 16, 2025 at 7:00 PM at the Beekman Town Hall.

The following members were present:

Chairman- John Frustace  
Robert Lopane  
Jayson Abbatantuono  
Peter Poltrack  
Faye Garito was absent.

Also present:

Town Engineer - Dan Koehler  
Town Attorney – Craig Wallace  
Conflict Counsel – Shane Egan  
Recording Secretary- Aletha Bourke

J. Frustace - Noted the emergency exits  
Led the Pledge of Allegiance, Moment of silence

### **PUBLIC HEARING**

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

Brian Watts, Day Stokosa Engineering - Appearing on behalf of applicant for requested adjournment.

C. Wallace – He’s here for continuity. Waiting DOT.

Brian – Want to be sure when the public has a chance to see this again, their comments have been robustly addressed all their concerns.

C. Wallace – Relying on third parties that are not within their own control can be difficult. Can adjourn to February or March.

Brian – February

**J. Frustace - Asks for motion to adjourn to February 20, 2025. So moved by P. Poltrack. Seconded by R. Lopane. All in favor. Motion carried.**

## **DISCUSSION**

- 1. Sparrow's Nest** – Site Plan/Special Use  
Clove Valley Rd. & Town Center Blvd.  
Grid # 6759-00-465462  
Zone TC

Steve Whalen, Whalen Architecture – Talking about changes in the field after we completed construction focused on the dumpster enclosure. Approval for dumpster enclosure as shown (shows on drawing). Moved to opposite side. Different enclosure, no gate, approximately 10ft deep, 19ft wide and 6ft high. Black chain link fence with black privacy slats. Suggested additional layer for privacy and gates.

D. Koehler – Certain changes can be made in the field but this is visual so thought appropriate to get planning board's blessing. They are improving but you should discuss and be okay with materials and location.

P. Poltrack – It's basically out of sight. Do not believe additional slats are necessary.

J. Frustace – Agree

Board discussion regarding need for gate.

R. Lopane – Like the idea of landscape buffer. Would defer to owner regarding gate.

Positive comments from the board regarding aesthetics of building.

D. Koehler – Other thing is to do some reseeded in spring and get some grass on those unvegetated areas.

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

Matt Towne, Engineer – Plans have been developed further. Septic designed and submitted to health department which addressed a lot of the comments and developed further along.

P. Poltrack – Asks about location of existing house.

Matt – Points out on drawing.

J. Frustace – Asks about stakes and representation of letters.

Matt – SPS, sewage disposal system. Stakes may have been from a previous layout. Confirms all individual septic and wells.

J. Frustace – Asks representative if he has learned anything about the new wetland laws. Also asks town engineer.

D. Koehler – DEC information webinar showed part of Beekman is within what they call the Poukeepsie-Newburgh urban area which means a lot of our wetlands are not going to be state wetlands because they're wetlands of unusual importance. Size doesn't matter. Basically everyone coming before this board will have to do a project jurisdictional determination. GIS desktop type review and collect information to determine wetlands, delineate and submit. It's a process. That layer not on GIS yet. Environmental resource mapper has a layer designated MS4 area which will be the Poughkeepsie Newburgh urban area and believe this site is outside of that.

Further discussion on possible impacts of new law.

D. Koehler – There was a DEC wetland validation block stating good for five years. Trying to understand from the webinar what that meant. Seems if you aren't at some advanced level in the planning process, may still need to go to them.

J. Frustace – All setbacks have been met to avoid.

Matt – Town has 75ft setback whereas DEC would be 100ft.

P. Poltrack – Question about line of sight on Lot 13. Will be right on curve of Hynes road. Maybe shift driveway entrance off road closer to adjacent lot.

D. Koehler – One of the preliminary requirements is getting a conceptual approval from the town highway super so it doesn't hurt to start those conversations. It went to his office during lead agency circulation but maybe reach out directly for a site visit.

J. Frustace – Questions the buffer.

D. Koehler – The only way to know is through the property jurisdictional determination desktop submittal. There is a website link.

Matt – Confirms DEC came to the site to delineate the wetland.

J. Frustace – At the last meeting it was mentioned that having a resolution in place before January 2025 would insulate you from the new requirements but that didn't happen.

D. Koehler – Would've had to get to the point where the public hearing was opened and closed and a SEQRA determination.

R. Lopane – Jurisdictional assessment is to determine if there is a wetland and whether it will be subject to DEC regulations. No question here of wetland because there is.

D. Koehler – State wetland is delineated in the one corner. At the time of the wetland validation, they did not take the upstream wetland that contributes to it. Suggests contacting whoever signed the wetland validation for something in writing. Good job advancing the plans. Planning department circulated for lead agency with no objections. Planning board could declare lead agency for coordinated review of Type 1 action.

R. Lopane – Asks how storm water will be handled.

Matt – SWPPP was developed. Each lot has bioretention area. A couple ponds for peak flow rates. Pretty robust. Points out bioretention areas on map and indicates low points.

**P. Poltrack – Motion to declare Planning Board lead agency for Type 1 SEQRA. Seconded by R. Lopane. All in favor. Motion carried.**

Matt – Questions level at which public hearing takes place.

D. Koehler – Code requires a public hearing for water resource permit. Generally runs concurrent with subdivision public hearing. Eliminates having to do separate mailings. Also limited time once public hearing is closed to make SEQRA determination and grant preliminary approval. Board needs everything satisfied through §130-20 before going into public hearing phase.

**3. Baker Estates – Subdivision**

Baker Rd.

Grid # 6659-00-760142, 842016 & 645225

Zone R-90

Bill Povall, Engineer – Received sketch plan approval. Further developed plans providing detailed responses to each of comments. Developed detailed SWPPP and submitted for review. Provided conservation easement along back of property as requested. Addressed trees based on discussion. Proposed 33 trees along shared driveway to lots 5 and 6. Shaded area toward the back is conservation easement.

R. Lopane – Asks what influenced the extent of the conservation.

Bill – Goal was to be off wetland buffer line. Tried to follow the contours so the conservation easement chosen was the steeper slopes. Also to provide area for backyard and to build septic. Noticed a comment suggesting 100ft off stream and a couple areas were just under that. Confirms primarily protection of stream and secondarily protection of steep slopes.

R. Lopane – Doesn't capture all of the 25-32% slopes but makes an attempt to capture a lot of it.

Bill – The third smaller lot was encompassed in the conservation area and brought all the way to septic system for lot 1.

R. Lopane – Why a vacant lot if not building.

Bill – Lot is proposed to be attached or included as lot 1 and no longer by itself. Added conservation easement so that particular land will be restricted from future development.

D. Koehler – Asks if rep has area of conservation easement in comparison to parent parcels to get the percentage.

Bill – Do not have at this time. Confirms 33 proposed trees along shared drive should be on grading plan. Confirms that as mitigation effort for removal of trees in that area as well as steep slopes being disturbed.

R. Lopane – Questions erosion control measures.

Bill – Erosion control plan submitted and also part of SWPPP. Confirms absolute minimum clearing required for houses. Clearing a lot in the front due to storm water management system, setting up storm water easements in the front of the lots, allows good access for maintenance.

J. Frustace – Asks about HOA.

D. Koehler – Explains that as MS4 regulations have gotten more difficult on the towns, it's been found that the HOAs aren't as effective. Pivoting toward drainage districts Going to need detail on who is responsible for maintenance and mechanism to make sure maintenance is achieved.

R. Lopane – As long as there's a measure whereby each homeowner is responsible for contributing.

D. Koehler – That is what the drainage district would do.

J. Frustace – Asks for explanation of impact of steep slopes law.

D. Koehler – Tree survey for Lot 6 needed to be taken into consideration when going through §155-53F, they have done a good job of limiting. Storm water intelligently laid out.

R. Lopane – Recommends more expansive conservation easement.

Bill – Will look into making it more expansive.

D. Koehler – Falls within urban are that was spoken of. Would make sense to do jurisdictional determination just to solidify the record.

Additional discussion regarding wetlands and new DEC regulations.

D. Koehler – Planning department recirculated for lead agency. No objections so planning board could declare and set public hearing.

**R. Lopane – Motion to declare lead agency for coordinated review of unlisted action. Seconded by P. Poltrack. All in favor. Motion carried.**

**R. Lopane – Motion to set public hearing for February 20, 2025. Seconded by J. Abbatantuono. All in favor. Motion carried.**

#### **4. Furnia Court Contractor Storage**

2729 Route 55  
Grid # 6858-00-002921  
Zone C-2

Thomas Brickner, On behalf of Osorio Tree Service – Asking for extension of time on special use permit that has expired.

D. Koehler - For special use permit, town code requires they start construction within one year and complete within two years. Special use permit lapsed, November of last year was the two-year mark. It was reapproved prior, two different iterations and construction approved on second iteration.

Tom – Permit and extension were issued to prior owner. We took possession, started work and ran into issues with the plan. It doesn't conform to our needs, space is too small for our operation. Possible prospective buyer that may be coming before planning board to explore options. Other option is to seek approvals from Osorio's end to put a building up on top. Need more time to explore options.

D. Koehler – Would be a good time for planning board to rescind approval and establish dates to restore back to natural condition. There is a bond if the board wanted to establish some timelines They are asking for an extension of us not establishing those deadlines at this meeting so they can continue to explore the two options they have. New owner would still need to re-establish special use permit. Need to establish timeline for restoration.

Marvin Osorio, Owner – Indicates interested buyer would like to use for mulching business but also possibility of alternative options for storage of tree service equipment.

J. Abbatantuono – Expresses concerns with sound in residential area while mulching.

D. Koehler – Either way need to come back to planning board for special use permit and can add conditions to be enforced at that time. Suggests providing detailed narrative to building inspector to determine use and proceed from there.

P. Poltrack – Would add traffic. Believe equipment storage area to be better use.

Additional discussion regarding uses, current and potential future, and details including hours of operation.

Marvin – Reminds board of bond and effort already invested. Would like to keep road for access.

R. Lopane – Would be willing to give an additional month for applicant to figure out what they want to do.

Additional discussion regarding equipment storage options and property restoration.

D. Koehler – Indicates no resolution necessary. Board would issue time frame for restoration if no action.

## **PRE-APPLICATION**

### **1. Forevha Farms LLC – Subdivision** Sylvan Lake Rd. Grid # 6658-00-336872 Zone R-45

Brian Watts, PE, Representative – Indicates location on map. Applicant is seeking to build home site and subdivide. Points out potential location of home on map. Non-realty subdivision dividing one lot into two lots for preservation.

Additional discussion regarding location.

R. Lopane – Comments of lot being wooded and steep slopes.

D. Koehler – Road is built. Technically a private road until accepted by town potentially in 2025. Other than having easement in place, there's nothing preventing potential driveway access from Stone Crest.

R. Lopane – Questions bottom strip.

Brian – For bulk rates for road frontage.

Additional discussion regarding access to lots.

D. Koehler – Need to do diligence to make sure nothing prevents a driveway etc. Also beach front nearby.

P. Poltrack – Requests driveway be shown.

Additional discussion regarding options for access.

D. Koehler – Reiterates importance of viability of lots and access options.

R. Lopane – Would like design to be more deliberate as opposed to open ended, something like an easement that demonstrates that a road can be built there.

Brian – Part of the rationale of what he is trying to do is minimize some of the unknowns with the utilities, easements, deeds, and say we've encompassed everything that's there and that gives them the most flexibility for the future.

J. Frustace – Should satisfy the concerns for access, pick the best way to access the new lot and sketch out the other items that would go along with the building. Will then look at areas of disturbance, septic, fields, storm water, etc. Nothing extravagant but needs to be contemplated and laid out to eliminate future concerns.

D. Koehler – Other parts of code to consider such as steep slopes legislation. Doing slopes analysis on this to try to understand where a house site might be, concept of understanding where septic system can be. With all that driveway, probably going to be over the acre will need at least basic SWPPP. If there's steep slopes, will need to follow those standards and incorporate strict erosion sediment control practices to make sure steep slopes don't give during construction. There is a lot going on with a lot like this despite de minimis development. One of the code requirements is how you will deal with septic. Will be going through the process of putting together SWPPP and it needs to be a viable site at that point.

Brian – Has been looked into. Would be a fill pad, some infiltrators to try to minimize the scale as there is a 25% reduction.

**J. Frustace – Asks for motion to adjourn meeting. So moved by R. Lopane. Seconded by J. Abbatantuono. All in favor. Motion carried.**

Meeting adjourned 8:53 pm.

Respectfully submitted.

Aletha Bourke  
Planning/Zoning Secretary