



TOWN OF
BEEKMAN *New York*

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TOWN OF BEEKMAN PLANNING BOARD

Minutes of Thursday, April 17, 2025

The Town of Beekman Planning Board met for their regularly scheduled meeting on Thursday, April 17, 2025 at 7:00 PM at the Beekman Town Hall.

The following members were present:

Chairman – John Frustace

Robert Lopane

Peter Poltrack

Faye Garito

Jayson Abbatantuono was absent

Also present:

Town Engineer - Dan Koehler

Recording Secretary- Aletha Bourke

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

J. Frustace – Indicates only meeting minutes from December 2024 can be approved at this meeting.

R. Lopane – Motion to approve December 2024 meeting minutes. Seconded by F. Garito. All in favor. Motion carried.

PUBLIC HEARING

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

J. Frustace – Indicates the applicant has requested an adjournment of the public hearing to the May 15, 2025 meeting.

R. Lopane - Motion to adjourn public hearing to May 15, 2025. Seconded by P. Poltrack. All in favor. Motion carried. 4-0

- 2. Green Hill Farm** – Subdivision
Hynes Rd. & Beach Rd.
Grid # 6759-00-912540
Zone R-45

Ernie Martin, PE – Representing Green Hill Farm LLC, owner of 21-acre property located on the corner of Beach and Hynes Rd. Applicant intends to subdivide into seven lots. Two of the lots will incorporate the two existing houses on

the property. Point out existing main house on plans and small house in front of that. They will be two separate parcels, the larger 9-acre parcel being with the main house and remaining parcels vary in size down to 1.2 acres. Zone is R-45 which requires just over an acre minimum. Site characterized as being open and rolling fields. There're wetlands down at the bottom of the property that have been delineated by a wetland biologist and field verified by the NYSDEC. That signed map is on file with the planning board. The two existing houses are served by an individual subsurface disposal system and individual wells. New lots will also be served by septic systems and wells. Soil exploration was done on the site in the presence of the health department. With the exception of Lot 2, the soils were all gravelly in nature. All systems are in the ground systems except Lot 2 which is a fill system. In the past, a conifer grove on Beach Rd. was represented but on the northeast side there's about four or five trees that have died and a lot of brush taking over. Highway superintendent asked about removal to prevent encroachment which applicant is willing to do and has been noted on plans. Willing to answer questions from Board and/or public.

J. Frustace – Reviews public hearing rules of conduct.

P. Poltrack – Suggests marking both sides of the driveway entrance on Beach Rd. for Lot 2. The boundary at the road. Would like to see now as it is being discussed before the board.

Ernie – Indicates both corners have steel pins so can have the surveyor flag them. Can also put stake where the driveway is going to be.

P. Poltrack – Confirms Lot 1 is the lot with existing house and that 20ft of pavement will be cut to add trees to denote lots.

R. Lopane – Asks if a waiver was granted for having to show trees.

Ernie – Regarding the area where the conifers are, we located the edge of where those are which is denoted on the plan. There was never a plan to take any of them down. If you look at the last plan submitted there are two limits shown; one being what's alive and staying in place and what is dead and being removed.

R. Lopane – Would like it to be more clear on the drawings to what extent are the dead trees being removed and to what extent are the live trees intending on being saved and showing tree protective fencing to protect the live ones.

Ernie – Will show on subdivision plan.

R. Lopane – Motion to open public hearing. Seconded by P. Poltrack. All in favor. Motion carried.

D. Koehler – States for the record that the public mailing has been verified.

Anthony Giorgio, 274 Beach – Across the street. 33-year resident. Two major concerns are environmental impact and overall safety of community. Increase in traffic with more cars. Where does the wildlife go? Think you're destroying the community. Let's keep small town small.

J. Frustace – Summarizes Planning Board's role

P. Poltrack – Indicates the time to speak up about zoning concerns is when the town puts together the comprehensive plan.

Board members provide explanation of how comprehensive plan is established and note that the public will be able to have a say.

J. Frustace - Encourages concerned residents to FOIL documents and view plans upon receipt of public hearing notification in order to hear things that can improve the project from their perspective but if it wasn't appropriate to happen at this point, it would've been prevented from coming this far.

Anthony – Indicates property on plans and that driveway is adjacent to driveways of lots 5 and 6, voicing concerns.

Bill Crain, 254 Gardner Hollow – The main goal of the comprehensive plan is to preserve the rural character of our town. Area around Hynes Rd. is a rural treasure and a shame to start development. Questions amount of pavement and permeable surfaces. Choice of live trees versus dead trees needs to be reexamined. There's a whole world of organisms that depend on dead trees and they serve a function. Wonder if applicant would reduce the number of houses to maintain rural atmosphere and avoid pavement which produces pollution runoff. What adjustments are they willing to make in the interest of preserving rural character.

Joe Schulz, 266 Beach – Live directly across from the field. Concerns about development. Was told years ago that the field was to remain green and never subdivided or built. Understand times change, different owners but sad to see field destroyed for bare minimum acre housing that's just going to be plopped. Very disappointing. There's a large variety of wildlife that people stop to look at. Concerned with what they'll do with the field when they put the houses in. Will they be regrading the field because it ponds out at least three times a year that there's surface water out there for a few days at a time. The grade from Beach Rd. is higher to the field. Are they bulldozing and making driveways? Concerned that when houses are built, people will complain about dust from the dirt road. Also concerned with septic coming in. Water is a precious commodity. Surface water has decreased due to lack of rain. The runoff is allergized. It's a DEC wetland so there's concerns. Hope board will consider impact. Where will all the water runoff now?

R. Lopane – Eutrophication is what it's called when the pond starts to algae over.

Joe – Comments that trees will eventually be cut down for driveways and old growth trees cannot be replaced. Asks about status of barn on the property.

Ernie – Not showing anything to be removed.

Laura Davie, 247 Beach – 30-year resident. Concerned about septic. What type of septic?

Ernie – It's a subsurface sewage disposal system. As sewage exits house, goes into septic tank and then into fields. Holding tanks no longer allowed unless there's no alternative.

J. Frustace – Asks for elaboration on distance to wells, impact, etc.

Ernie – There is a separation requirement. If well is located uphill of a septic system, there must be 100ft separation. If septic is higher than well, you must have 200ft separation. With exception of lot 2, soils good for drainage. Heavier soils on lot 2 and also some water there so we had to put a fill system in. Septic systems need to be maintained. Tanks should be pumped every year or two. It is required that we do a test well per 5 lots so need to do two test wells. Recently received health department approval to use the two existing wells serving the two existing. Research with health department found two previous wells. Think it's the two lots that exist on Beach. When they were drilled a number of years ago they produced in excess of 25 gallons per minute. Health department checks quality and quantity during testing.

Laura – Never had water problem or well going dry. Will that be a problem with 7 houses going in?

Ernie – When the two wells are tested, we'll be monitoring the levels as we're pumping to see if they continually go down or get to a steady state. Can't predict exactly but gives us an indication if there's any effect on the adjoining well.

Laura – Asks if there is any liability if well goes dry. Questions possible easement.

D. Koehler – There's no repercussion or anything that can be forced on the developer. The well testing requirement is the health department's way of determining adequacy of the water supply. There're currently two well reports on file. One is 385 ft deep and yield test was 57 gallons per minute. There was a 410 ft deep well with a yield test of 60 gallons per minute. The aquifer is plentiful based on that.

Discussion regarding whether or not there was an easement. Would have shown up on title search. When survey is generated, they look at the deeds and if there's any indication of easement, the surveyor would put it on the survey.

D. Koehler – Indicates there's nothing on the deed.

J. Frustace – Comments that the town does not have the kind of money where they can buy parcels of land for preservation. Community must realize there are other options that are within personal grasp such as buying the land and preserving it yourselves as a community. Share your concerns as volunteers and members of the community but must operate within scope.

P. Poltrack – There are checks and balances. Any new development has to have approval for septic and well from DCDOH.

Laura – To the left of it was 100-year flood zone.

Rich, Bulldog Concrete, 259 Hynes – Resident for 55 years. Main concern is garbage. More people means more garbage. Secondly, someone should tell the people when they move in that they're moving next to a concrete company that operates 24/7. People need to know where they're buying. Everyone concerned with where the water is going, the water comes to my pond without a legal easement. Spent \$20,000 to get rid of the eutrophication.

Rosemary Joyce Hradek, 6 Grants Path – Received notice for the meeting and had to sign for at post office. Husband with different name and some neighbors, such as 4 Grants Path, did not receive notices. It's Easter, Passover and people are not available. If the hearing was done at a more convenient time, taking into consideration vacations and religious elements, may have had another group expressing concerns.

R. Lopane – There was no ulterior motive on the date, they just happen to get to the point of public hearing at this time. Can certainly adjourn until the next meeting if that is a concern. The mailing goes out to each parcel within 500ft.

D. Koehler – Mentions that the public always has the right to write a letter if they're not able to attend the meeting. That's part of the public hearing process.

R. Lopane - We don't know the particulars of who lives there. The notice goes to the owner of that parcel. That's the most objective general way of contacting the neighbors.

Laura – Inquires about when construction will start.

Ernie – Cannot say with certainty. Maybe by the end of the year there could be one or two in construction.

J. Frustace – Reminds public to sign comment sheet for record.

Joe Schulz – Asks if it's true there were test holes being dug without approval and if the town has any thoughts on paving the road.

D. Koehler – Our code allows applicants for subdivisions to be able to do the exploratory testing to prove the subdivision is viable. They're completely within their right to dig test pits. §130-10 of the town code permits it. Haven't heard anything from the highway superintendent or town board about wanting to change that.

Ernie – Wanted to get a feel for the soils so went out and dug out 6-8 random holes which proved out to be pretty good. From that did a schematic layout and as plan developed, did site specific test holes where each system is going to be.

F. Garito – Appropriate given the holidays to hold public hearing open to give people a chance to make comment.

F. Garito – Motion to adjourn public hearing to May 15, 2025. Seconded by R. Lopane. All in favor. Motion carried. 4-0

Discussion regarding the applicants' need to do their due diligence in terms of what and where they are buying.

J. Frustace – A few items should be addressed before the next hearing and hopefully prepared on the plans for the residents when they come with concerns. Asks for elaboration on density.

Ernie – It's a 21-acre parcel in R-45 zone which is about an acre per lot. Not sure how many lots we could get but the applicant was not looking to get every single lot out of this. Hynes Rd. will appear the same, no new driveways. Could have probably squeezed more lots but purposely made them larger. Applicant wanted main house on large parcel and to maintain view of meadow into wetland area.

J. Frustace – Asks for elaboration on buffers from wetlands and impact of stream.

Ernie – There's a NYSDEC wetland regulated by the state and also a 100ft adjacent area, or buffer. We're not impinging on any of the wetland or buffer or would have to get a DEC permit.

J. Frustace – Required to stay 50ft from the stream and protect it, and 100ft from the wetlands. Asks representative to point out of map.

Ernie – Shows protected areas on map. Owner's main focus is to have the whole area open and maintained the way it is so we didn't consider development in that area.

J. Frustace – Asks Rob to speak to pervious and impervious surfaces and viewshed mitigation with plantings.

R. Lopane – The community has expressed concerns about impacts that we typically talk about in the SEQRA; viewsheds, environment, etc. Will need to explain how you intend to mitigate impact of loss of trees. Recommendation would be to do some tree mitigation which would help viewshed issues.

Ernie – When first embarked on this, all trees were located as well as conifer grove. Showing 2 trees being removed. Area north of conifer grove is dead.

J. Frustace – Need to protect the view of neighbors and future owners.

Ernie – Maybe could add street trees along Hynes.

R. Lopane – There were some questions about storm water. Asks for explanation about requirement to not increase or alter hydrology and how development will affect storm water. You have to prepare a storm water plan that doesn't increase storm water offsite.

Resident indicates there is a cemetery on the property across the street.

J. Frustace – Need to address highway superintendent's concerns with wires and any safety hazards. Suggests leaving dead trees in place if not causing any harm or damage as they are a habitat and a concern for community.

Ernie – Trees are further but brush is starting to impede. Compromise may be to leave dead trees and get rid of the brush. Highway felt some of the brush goes right up to the end of the pavement. Summarized in a memo.

Board defers to highway.

R. Lopane – If you can demonstrate that it is safe, don't have to remove all brush.

P. Poltrack – Concerns should be referred by Rob and directed by highway and highway has expressed a driveway concern.

D. Koehler – There were concerns with traffic too. The way SEQRA workbook goes through traffic, this wouldn't be anything of concern for traffic with 5 new homes going in.

J. Frustace – Confirms for resident 7 lots with 2 existing driveways, so 5 new driveways. Provides copy of plan and indicates if other members of the public wish, they can be provided with a copy of the map. Asks for list of plantings and comment on maintaining dirt road and internally.

Ernie – Nothing within the plan to pave. Internally showing a house, rectangle, don't know exact footprint, approximately 30x50 and driveway. No internal roads. Tried to minimize excavation.

J. Frustace – Indicates there's a buffer zone in tree law which can be increased. Asks for buffer to be shown. Item 9 on comment letter. Areas of disturbance confined to 60ft from primary structure and 10ft from driveway, septic, etc.

Ernie – Would need to review buffer. Indicates the requirement to calculate and show not only on plan but also EAF.

D. Koehler – He even counted the reserve area. The reference for the timber harvesting and tree clearing is Local Law 2 of 2020. Also had them add notes on the plan regarding driveway requirements. If they maintain less than 4% in the driveway, they can have gravel, still blacktop apron. If any part is over 4%, supposed to be paved in its entirety by code. Have also asked for and been provided with soil restoration techniques.

J. Frustace – Summarizes disturbance area will be slightly over 3 acres out of 21, including the construction process and building as well as septic reserve area.

Ernie – Clarifies the 3.3 acres is the total disturbance which primarily is the five new lots.

R. Lopane – There's another 9 acres left undeveloped. While this project is only disturbing 3 acres, it doesn't protect the 9 from future development.

Discussion regarding possibility of conservation subdivision versus conventional.

J. Frustace – Suggests studying plans. Indicates DEC has recently rewritten wetland laws, they are very restrictive and there is a lot of water on the property. Suggests to community to communicate adjournment of public hearing to other members of the community.

DISCUSSION

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

Aime Patane, Project Planner, LRC Group – Five lot subdivision located on the corner of Beekman Rd. and Greenhaven Rd. Received preliminary approval. Since last appearance, added site line improvements and were able to reduce the size for the septic systems based on additional soil testing. Offices and agencies have been in coordination with sightline easements as a condition of approval. Awaiting review and approval. Drainage easement language has been coordinated and working to finalize. Received conditional approval from DOH. Water quality and quantity testing done and results good. Awaiting additional testing results. Working on remaining engineer comments. Would like to move toward conditional approval.

D. Koehler – Started taking a look at finalization which is a lot of legal agreements. Craig has done some review of the easements. Looked into §130-25 which is the code on final and made some comments. Suggested some direct discussions on some lot corner markings. They've been very responsive to requests. Provides explanation of site distance easement providing for better line of sight. Can authorize board to draft resolution of conditional approval to give them some time to address comments.

F. Garito – Motion to draft resolution of conditional subdivision approval. Seconded by P. Poltrack. All in favor. Motion carried. 4-0

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

Alex Alamo and Joe DeMarco, Whalen Architecture – Applicant is looking to make accessory apartment in raised ranch house. Renovations done by previous owner. New owner wants accessory apartment. Provides explanation of current and proposed layout and points out on plan. Septic is designed for 3 bedroom. Proposed layout exceeds code. Figure to close off stairwell for owner to bring square footage to 750 and would have to convert one bedroom into an additional office.

J. Frustace – Suggests review and address each comment.

Alex – Existing greenhouse in front of the property was pre-existing. New owners may want to keep it. If so, would need variance to move forward as it violates zoning code. Other option would be to remove.

D. Koehler – Structure is non-compliant as it is over 120 sq ft. Town code definition of structure is anything affixed to the ground.

R. Lopane – NY State code for temporary greenhouses, you can have a non-continuous concrete pier. Suggests looking at NY state building code for temporary greenhouses. Sometimes can be over-regulated and may not need to be subject to code enforcement. Defer to code enforcement officer.

F. Garito – Disingenuous to say these are offices and not bedrooms. Reason being not to address the septic adding additional bedrooms.

Alex – Was pre-existing and approved as offices. Engineer commented to that effect, a way to do it.

D. Koehler – Had suggested a self-imposed deed restriction that you can't have more than three bedrooms without health department approval or something to that effect. They are basically removing closets. As long as they have a special use permit for accessory apartment, the building inspector goes through every three years. Confirms owner must live in residence.

Alex – Acknowledges testing to be done and contact with health department.

D. Koehler – Issue with base mapping. Would like to see topographic survey. Will need to demonstrate parking.

Alex – Will update. Not doing any exterior work for erosion control. Also will show entrance and access path on site plan.

R. Lopane – Shows support for application and accessory apartments but need to address code issues.

D. Koehler – Building inspector would make a written determination. Would be a Type 2 action so not a coordinated review. Separate processes. The only thing the board could do at this time is deem the action Type 2 in accordance with part 617.5C11.

R. Lopane – Motion to declare Type 2 Action. Seconded by F. Garito. All in favor. Motion carried. 4-0

3. Grape Hollow East – Subdivision
233 Grape Hollow Rd.
Grid # 6756-00-731467
Zone R-135

John Kalin, DC Engineering – Asked to provide status update. Storm water info submitted.

D. Koehler – Don't have everything. Some addressed, some not. Excessive passage of time makes review difficult. May need to schedule meeting to advance progress.

Discussion regarding time lapse, confusion about whether storm water plan requirements. Misinterpretation occurred with DEC. Applicant/representative will get in touch with town engineer to set up meeting to discuss missing items.

D. Koehler – Extension was already granted until June 26, 2025.

EXTENSIONS

1. Town Center Grove – Site Plan/Special Use
Town Center Blvd.
Grid # 6759-00-500438
Zone TC

D. Koehler – The engineer for the project had a conflict but did provide some correspondence with the health department. Preliminary site plan approval was granted and they have six months to submit for final. They want to get health department approval so they are asking for more time before they submit.

F. Garito – Motion to approve 90-day extension to July 17, 2025. Seconded by R. Lopane. All in favor. Motion carried.

P. Poltrack – Motion to adjourn meeting. Seconded by R. Lopane. All in favor. Motion carried.

Meeting adjourned 9:24pm.

Respectfully submitted.

Aletha Bourke
Planning/Zoning Secretary