



## **TOWN OF BEEKMAN PLANNING BOARD**

### **Minutes of Thursday, February 20, 2025**

The Town of Beekman Planning Board met for their regularly scheduled meeting on Thursday, February 20, 2025 at 7:00 PM at the Beekman Town Hall.

The following members were present:

Chairman- John Frustace

Robert Lopane

Jayson Abbatantuono

Faye Garito and Peter Poltrack were absent.

Also present:

Town Engineer - Dan Koehler

Town Attorney – Craig Wallace

Recording Secretary- Aletha Bourke

J. Frustace - Noted the emergency exits

Led the Pledge of Allegiance, Moment of silence

**R. Lopane – Motion to approve meeting minutes for August 2024 and October 2024. Seconded by J. Abbatantuono. All in favor. Motion carried. 3-0.**

### **PUBLIC HEARING**

- 1. Cemco Development Group – Lot 2 & 3 Boyd Re-Subdivision**  
Pleasant Ridge Road  
Grid # 6859-00-434759  
Zone R-135

J. Frustace – Applicant has requested adjournment to March.

Mike Gillespie, PE – Have information related to the water course. Survey info located stumps and the areas of dead trees. Info was received after submittal deadline.

J. Frustace – Confirms the board was only interested in living substantial trees. Board is just waiting on plans and will review.

D. Koehler – Due to new DEC regs, will need to run through consultant who can probably go through DEC directly.

C. Wallace – Suggests opening public hearing to allow anyone that came to make a comment and then adjourn.

**R. Lopane – Motion to open public hearing. Seconded by J. Abbatantuono. All in favor. Motion carried.**

No public comment

**R. Lopane – Motion to adjourn to March 20, 2025. Seconded by J. Abbatantuono. All in favor. Motion carried.**

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

Brian Stokosa, Engineer – Presented board with pretty comprehensive plan, just going through some of the technical items and putting into 3D model to present. Working with DOT and DCWWA. Hope to have update in a week.

**R. Lopane – Motion to open public hearing. Seconded by J. Abbatantuono. All in favor. Motion carried.**

Bill Crain, 254 Gardner Hollow – Last meeting asked for what trees will be removed, view shed and slope elevation.

J. Frustace – Information will be provided. Delay is with DOT and DCWWA.

R. Lopane – Asks rep to provide elevation or cross-section showing the back part of the lot.

Brian – Confirms they will detail it.

C. Wallace – Indicates planning secretary was provided with letter from resident for public hearing.

Board members discuss letter of concern received by a resident and agree to read aloud and address at adjourned public hearing next month.

**R. Lopane – Motion to adjourn to March 20, 2025. Seconded by J. Abbatantuono. All in favor. Motion carried.**

**3. Baker Estates** – Subdivision  
Baker Rd.  
Grid # 6659-00-760142, 842016 & 645225  
Zone R-90

Applicant and representative for Bailey Estates subdivision mistakenly appear for application after receipt of public hearing notice for Baker Estates, adjoining property owner.

D. Koehler – Indicates for the record that the planning secretary has reviewed the certified mailing and found everything to be in order as required.

Bill Povall, Engineer – Here with three parcels that total over 37 acres. Application will subdivide these three parcels into 6 lots. All are in R-90 zone and conform with zoning. In working with the Planning Board there was some discussion and request for creating a conservation easement to protect the lands in the back. It was expanded based on comments so now over 40% of the area is now placed in a conservation easement to be preserved with no disturbances. Indicates on drawing the dark green area. Red line is the conservation easement line so everything behind it will be preserved. Proposing to keep homes closer to Baker Rd. in the areas with gentler slopes. Proposing storm water management system to meet storm water regulations and proposing shared driveway for two lots to minimize disturbance. Proposing additional trees throughout shared driveway corridor to mitigate other required tree removal. Each lot served by individual well and septic.

J. Frustace – Indicates the look, exterior architecture of the buildings was not presented.

Bill – Did not realize that was a code requirement. Typically with subdivision, creating the lots and don't really have the specifics on the actual homes at this point. Showing larger size home to show that it fits on the lot and can meet grading requirements. Confirms plan is to build and sell the homes, not the approved application. Prospective buyer will be able to select color and different features of the home.

J. Frustace – Design and materials are not always favorable. Solicits feedback from board as ARB.

D. Koehler – There is a section of code for preliminary plat §155-20A(27) that talks about building elevation drawings “or as otherwise required by the planning board” so it's really up to the board. Not typical practice for a subdivision, he is here to prove the viability of the lots. The ARB has jurisdiction on commercial sites for site plans particularly but for residential, not something this board has done.

Board members express concerns of homes being aesthetically pleasing.

Bill – LMDH builds attractive looking homes.

C. Wallace – Architectural Review Board standards are set for the in Chapter 93 and mostly have to do with landmark historical designations and traditionally, site plan and special use permit projects.

D. Koehler – Also Chapter 2. Functions of the ARB are any buildings and/or structures in commercial industrial hamlet or town center zone.

**R. Lopane – Motion to open public hearing. Seconded by J. Abbatantuono. All in favor. Motion carried.**

Bill Crain, 254 Gardner Hollow – Asks how many homes are proposed and how many trees will be removed. Also questions stream that pours down and prior questions regarding Lot 6.

J. Frustace – Indicates there is a tree table and can give the pages to review. There's a culvert. It's all built into the swale. Will have them address.

D. Koehler – The applicant was still locating all of the trees on Lot 6 which has been done.

J. Frustace - Provides Mr. Crain with tree plan for viewing and asks representative to address comment.

Bill – Located all trees 8 inches in diameter and larger and located all trees within 25-50ft of limited proposed disturbance. Property is heavily wooded. Removal of trees is unavoidable in order to build

infrastructure. Proposed conservation easement in order to mitigate. Will limit the ability to disturb more trees. Also proposing a number of trees along shared driveway to lots 5 and 6. Designed pretty detailed storm water management system to capture runoff from the development and treat in accordance with NYSDEC standards. Proposal of conservation easement in the back limits disturbance or clearing back there. Incorporated the existing lot for lot 6 into the subdivision as it's currently landlocked and has an access easement for access. Creating a legal lot by taking land off the main parcel and giving it to this lot 6 so it has road frontage. Doing that allows us to build a shared driveway so there's a lot less disturbance.

J. Frustace – Plan is existing trees. Is removal shown?

Bill – Just noted that all trees within the disturbance area need to be removed. Still do not have a number.

J. Frustace – Tree table was requested.

D. Koehler – Incorporation of Lot 6 kicked them into storm water regs so there is a lot of storm water practices they otherwise would not have had to have done. They've increased the size of the conservation easement by about 1.8 acres and provided a minimum of 100 ft from the intermittent water course at the bottom. Number of trees being proposed is 33, a mixture of deciduous and evergreen.

Bill – Is on grading plan. Points out planting schedule on drawings.

D. Koehler – He's not able to do the infiltration testing he's proposing right now as the winter conditions don't allow it but has provided enough calculations and information to give a feel good on the storm water measures he's implementing.

Discussion regarding sizes and types of proposed trees.

Bill Crain – Need to know magnitude of removal of trees with some precision in order to protect woodlands.

R. Lopane – By the time these types of applications reach this point, we've already discussed it several times. Owners have a right to develop their property. Not everyone will be happy with the level of impact but the applicant has created a conservation easement to protect the most sensitive areas of the site and attempted to mitigate.

J. Frustace – Not just trees but the applicant also went to great lengths to satisfy steep slopes laws.

J. Abbatantuono – Increase in conservation area in which impact toward stream area also beneficial so there was give and take based on the input given.

J. Frustace – Also a completely different design in terms of conservation easement. We were only going to conserve the triangular section of this entire lot but he very creatively incorporated all of the steep slopes of the full length of the lot. It's larger and preserves and protects the steep slopes and the trees within them. Well developed plan when it comes to the environment as opposed to what we've seen. Would like to see everything 8 inches and above in the area of disturbance being removed. Create a table and strike through on the plans with an X.

Bill – Hoping to move forward toward preliminary approval allowing us to go to the health department to work on approval for septic systems.

C. Wallace – Board can direct the applicant to address the town engineer's letter dated February 19, 2025. Verified that agencies have received circulation of intent to act as lead agency so the board can make a motion to declare itself lead agency.

Bill – In reviewing engineer comment letter, everything has pretty much been addressed. A lot of the items that can't be addressed at this point are more technical such as getting health department approval. Not much to respond to. Don't see the plan changing from what it is based on the comments. Will add appropriate table for existing trees.

**J. Abbatantuono – Motion to close public hearing. Seconded by R. Lopane. All in favor. Motion carried.**

J. Frustace – Indicates board is directing applicant to complete tree table and address remaining outstanding comments.

**R. Lopane – Motion to declare Planning Board lead agency. Seconded by J. Abbatantuono. All in favor. Motion carried.**

Bill Crain – Expresses disappointment with closure of public hearing. See the failure to get an exact number as an indication of indifference. Asked if hearing would be open and for number of trees. Thought it implicit that the hearing would stay open until we know the number.

R. Lopane – The drawings do show the area where the trees are being removed and the drawings are showing enough to make a decision on the level of impact which you may not agree with but we'll get the number. Public hearing was closed but the comments are on record.

J. Frustace – The board has complied with the request and the trees will be tabled. The board made the decision to close the public hearing. The applicant also has rights and is not violating any codes. If you would like to change the code or tighten the law, you can pull the information regarding the policy on tree removal and submit a proposal to the town board.

C. Wallace – Tree removal code is §155-53.1 and is very detailed. Can simply direct the applicant to comply by making notations on the plan. This board has to take a hard look at the impacts and I think you've made your record.

## **DISCUSSION**

### **1. Green Hill Farm Holdings – Subdivision**

Hynes Rd. & Beach Rd.

Grid # 6759-00-912540

Zone R-45

John Tamburino, Project Surveyor – After review of engineer comments, hoping Planning Board can declare lead agency and schedule public hearing.

J. Abbatantuono – Asks how many of the comments have been addressed.

John – Engineer said most is small technical stuff that can be easily added before the submittal date. For the most part, everything has been satisfied or partially satisfied minus a few technical additives.

J. Abbatantuono – Indicates discrepancy with the layout of proposed lot 2 to coordinate the plans and a variance would be required. Would not consider that technical.

J. Frustace – That is actually a show stopper. It has been spoken about that it doesn't have the sufficient frontage which is 100 ft and it's considered a rear lot.

John – It's either a variance or we take it off the plan.

C. Wallace – A determination letter was written by the Zoning Administrator detailing that lot 2 is considered a rear lot under town code and those rear lots are only permissible in zones R-90 and R-135.

John – According to Ernie Martin, the engineer, it used to be a flag lot, or a rear lot as you call it. It was consolidated years ago and they were hoping to bring it back kind of as the same.

C. Wallace – It was in a 1999 subdivision which remained undeveloped. The lot remained undeveloped from that approval so you're bound by today's code. The design of lot 2 may change and require new mapping.

J. Frustace – Indicates that would impact the declaration so direction is needed to make a motion.

John – Ideally, they want to keep the Lot 2. Believes they will be going before ZBA.

C. Wallace – This board is required to give an advisory opinion to the ZBA if they are seeking a waiver. Have not done before. Will give legal opinion once more research is done. The engineer recommended declaring lead agency for coordinated review of unlisted action. It's a coordinated review so the ZBA can adopt the findings of this board's SEQRA determination.

J. Frustace – Need to declare ourselves lead agency so that the other agencies can be informed and we can get their feedback.

**R. Lopane – Motion to declare Planning Board lead agency. Seconded by J. Abbatantuono. All in favor. Motion carried. 3-0**

**2. Pozzuto Lot Line – Lot Line Adjustment**  
110 Frog Hollow Rd.  
Grid # 6757-00-445645 & 563722  
Zone R-45

Brian Hildenbrand, PE – Since last planning board appearance, have prepared the plat sub for the lot line change, taken the comments received by the board and consultants regarding easements and railroad crossing in the rear. Plat has been revised to show that. Applicant has retained an attorney to straighten out the living trust and ownership issues. Would like to move toward conditional resolution if possible.

J. Frustace – Asks if reply came back for use of the bridge.

Brian – Always had it but is now documented on plat.

**R. Lopane – Motion to grant preliminary subdivision approval. Seconded by J. Abbatantuono. All in favor. Motion carried. 3-0**

J. Frustace – Asks what waiver is being requested for §130-25.

Brian – Drawing scale. The property is so large that it won't fit on the sheet.

**J. Abbatantuono – Motion to grant waiver from §130-25A. Seconded by R. Lopane. All in favor. Motion carried. 3-0**

J. Frustace – Suggests discussing standards for the aquifer overlay district.

Brian – Not shown on plat, but original site plans had all the notes outlined. The only physical construction is tear down of existing mobile home and construction of new single-family house. The rest is just a paper exercise.

C. Wallace – §155-12. The standards are set forth in subsection D. There are 5 standards.

J. Frustace – Begins review of five aquifer overlay standards with engineer with Standard 1.

Brian – Standard 1 response: Not increasing the use where there's an existing well there now.

J. Frustace – There's no construction. This is a subdivision. Review Standard 2.

Brian – Standard 2 response: The only item would be the septic which will be approved by the county health department.

J. Frustace – Review Standard 3.

Brian – Standard 3 not applicable.

J. Frustace – Review Standard 4.

Brian – Standard 4 not applicable. No proposed hazardous material handling or storage.

J. Frustace – Review Standard 5.

Brian – Standard 4 response: No major earthwork.

**R. Lopane – Motion to authorize town professional consultants to prepare a draft resolution of conditional final approval for future consideration. Seconded by J. Abbatantuono. All in favor. Motion carried. 3-0**

**3. Cedar Gates – Subdivision**  
Beekman Rd.  
Grid # 6658-00-697710  
Zone R-45

Brian Stokosa, Day Stokosa Engineering – This is the 72-acre parcel across from the intersection of Greenhaven Rd. and Beekman Rd. Parcel is wooded and used to have an existing farmhouse. Grade can be seen on the map and goes roughly 200 ft in elevation difference from front to back or south to north. There're two pretty big drainage ravines on each side of the parcel with a ridge in the middle that is where the proposed road is. Took steep slopes into account and tried to avoid. Environmental mapper identifies it as a stream to the east. Will be proposed town road, 22 lots, water provided via well and onsite septic. When applicant was in due diligence period, soil feasibility was done on site. No running water was found at the bottom of the ravines but obviously an issue there during peak heavy weather conditions. Probably due to gravel mine, soils are great material. Water infiltrates into the ground once it gets to the bottom but cannot absorb as fast with heavy rains coming down the mountain and then the issue with the

undersized pipe. Here to discuss layout and get initial comments from the board and town consultants. Thought process is to keep our water within ourselves, treat with storm water facilities and then anything on either side, try to capture and discharge to lower stream corridor. Will be coordinated with DEC and will need to determine classification of ditch line and may have to look at project differently. As part of the Beekman Springs subdivision, an intersection improvement was proposed involving lane widening of Greenhaven Rd. and a traffic light at the intersection. Worked with the traffic consultant prior to submission to provide traffic analysis for potential subdivision. Initially 26 lots with layout but down to 22 based on environmental concerns. Aligned intersection with future improvement to the Beekman Springs subdivision. Traffic report suggests our subdivision lot count would not necessitate improvement to that intersection, but when Beekman Springs does come online, that we align our intersection with their proposed improvement. Report will be further defined as we see where it lays out density-wise as they didn't take into account the subdivision across the street. We would have to modify that improvement plan to incorporate our entrance which would probably just entail spacing the light poles differently. Based on previous public hearings for similar projects, we know traffic and drainage are of concern so we tried to incorporate preliminary control methods.

J. Abbatantuono – Considering there's already a situation at the bottom where it overflows and the descent of the property from top to bottom, mitigation seems like a pretty monumental task with 26 homes.

Brian – It's a starting point. DEC code was revised with a new general permit as it relates to storm water. The methodology is to treat individually at your home site before it has a chance to go offsite and then treat further down the line with storm water infiltration, storm water basin. Control peak before it runs off property. There will be a thorough review and layout could change.

J. Frustace – Asks what type of soils? Confirms sand and gravel. Indicates the subdivision Samana Estates across the street has already treated a lot of the water based on the flows and size of the culverts and pipes and should help add additional protection.

Brian – Plan is to keep and treat our water and then anything that comes around, try to pick up and get away from the two neighboring residential properties. Have to go through the iterations and see where we end up.

J. Abbatantuono – Asks who the developer is.

Brian – Random developer out of Rockland County.

J. Frustace – When it gets closer to knowing the areas of disturbance, will want tables for tree removal and mitigation. Asks if applicant is seeking Ag use permit.

Brian – First time we've come across that. Not looking for any special designation classification. Will be seeking clarification.

J. Abbatantuono – Assuming it's development and then houses get sold.

Brian – The applicant's model is more trying to get it approved and sell it as a package to another developer. They have not expressed interest in building.

C. Wallace – If able, try to determine district status soon whether it's in 21 or 23 as the map changed in 2022.

Brian – Will get clarification.



R. Lopane – Confirms it has been 8 months since last discussion and the plan doesn't look much different. Still have same reservations; completely wooded lot, 26 houses, the septic, the drainage as well as steep slopes and potentially streams. There's a tremendous amount of impact at this level.

Brian – Need starting point for DEC. Regarding changes, original site plan was based on USGS online information as this was real survey information which is why it's similar. Understand concerns. This is step one.

R. Lopane – Elevation shown for the road profile. Guessing the intention is to dedicate the road to the town. That's a very steep incline and highway department would be interested.

Brian – Indicates they are within codes and guidelines for involved agencies.

J. Abbatantuono – Echoes concerns.

C. Wallace – Town engineer is recommending the Planning Board direct the applicant to commence wetland jurisdictional determination process with the Army Corps of Engineers.

Brian – Basically formal acknowledgement so we can reach out to the agencies.

**J. Abbatantuono – Motion to direct applicant to commence with the wetland jurisdictional determination process and determine the agricultural district status. Seconded by R. Lopane. All in favor. Motion carried. 3-0**

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

Aime Patane, LRC Group – Project planner. Last before board in December and received preliminary plat approval. Working with Department of Health and DPW since then. Received well test application approval. Still working toward full approval. One outstanding comment with DPW regarding sight line easements to the plan and will get back to them shortly. Expect to resolve everything with the two departments within the next month or so. In front of the board tonight to request tree felling prior to the DEC deadline of March 30. Would be a tight timeline to get DOH and DPW approval and then come back to the board for final plat approval before this deadline for tree removal. Tree felling plan has been submitted as well as restoration plan and cost estimate. Comments were received and revisions returned today. Spoke briefly and he advised the cost estimate was good, to address any questions from the board and work with Craig on the bond agreement.

R. Lopane – Confirms finalizing approvals with DOH and DPW. Explains there is a DEC window to protect the Indiana Bat and tree removals are limited to October 1 to March 30.

Brief discussion regarding tree felling window and habitats.

Aime – There's a plan in place and money aside for restoration purposes should the project not move forward.

C. Wallace – Can direct the applicant to submit a performance bond agreement for legal review and the town board has to ratify. Town engineer indicated satisfaction with the new and improved performance bond estimate for the trees.

R. Lopane – If this was a subdivision, they would submit a performance bond when they proceed with the subdivision but because they're proceeding ahead of time, it's not covered by performance bond. Trying to recollect if there were other open issues. Hesitant with giving conditional approvals.

Aime – This is so it doesn't delay the project from happening. Being able to fell the trees before the deadline allows them to proceed with any site work and construction once we get approval. If we don't fell the trees before the deadline then they'll have to wait until October and lose six months. Anticipate resolving with DOH and DPW within about a month. Just got approval for well test application so they can go dig test wells. Once DOH signs off, they can proceed to final approvals.

C. Wallace – Clarifies the amount is a restoration cost estimate.

R. Lopane – Asks status of septic.

Brittany Shakley, LRC Group – Submitted to DOH. They are okay with locations, just fine-tuning the technical details and final sign off.

C. Wallace – Confirms similar approval was done for Greenhaven Solar.

R. Lopane – Would want construction fence installed to ensure they're not expanding beyond the area of disturbance.

Brittany – Trees to be removed will be marked.

**J. Frustace – Motion to have inspection escrow set up and performance bond agreement prepared and approved by the town board. Seconded by R. Lopane. All in favor. Motion carried. 3-0**

Aime – Asks about time frame for completion.

C. Wallace – Start tomorrow. Town board meeting is March 4.

Aime – Meeting was moved to March 6. Was supposed to be next week.

J. Frustace – The intent of the inspection is to pay the town professionals for any oversight of the tree felling. Expectations as follows: visit site when fences are installed and construction entrance is in place and trees are marked for removal. We may enter the site during the felling operation. We will enter the site when the felling is complete. There would be future site visits periodically until the plans are signed or if there are any complaints.

C. Wallace – You will need a template which I will help with and will need to attach the restoration schedule as an exhibit. Wouldn't be a bad idea to attend the meeting for any explanation or assurances. Inspection escrow will be set up for the town engineer for future inspections. It's in Chapter 75 of the code.

## **EXTENSION**

### **1. Barton Orchards Farm Market**

64 Beekman Poughquag Rd. (CR7) & 3 Apple Tree Lane

Grid # 6758-00-170733 & 195750

Zone R-45

C. Wallace – Town engineer is recommending 182-day extension.

J. Frustace – They're having the existing well water tested. They're contemplating drilling a new well.

Discussion regarding how long to extend.

**J. Frustace – Motion to extend application to August 21, 2025, 182-days. Seconded by J. Abbatantuono. All in favor. Motion carried. 3-0**

J. Frustace – Indicates next planning board meeting is March 20, 2025 and submission deadline is March 3.

**J. Frustace – Motion to adjourn meeting. Seconded by R. Lopane. All in favor. Motion carried. 3-0**

Meeting adjourned 8:53 pm.

Respectfully submitted.  
Aletha Bourke