



TOWN OF BEEKMAN PLANNING BOARD
Minutes of Thursday, October 16, 2025

The following members were present:

Chairman - John Frustace
Robert Lopane
Peter Poltrack
Faye Garito
Jayson Abbatantuono
Claude Rancourt

Also present:

Town Engineer - Dan Koehler
Town Attorney – Craig Wallace
Recording Secretary – Sheryl Discher

J. Frustace – noted the emergency exits, led Pledge of Allegiance, moment of silence first responders.

J. Frustace motion to open meeting. R. Lopane so moved. Seconded by J. Abbatantuono. All in favor. Aye.

J. Frustace motion to accept November 2024 and September 2025 minutes. J. Abbatantuono so moved. Seconded by R. Lopane. All in favor. Aye.

PUBLIC HEARING

- 1. Garito Two-Family** – Site Plan – Special Use
14 Sunrise Dr.
Grid # 6759-04-769120
Zone TC

J. Frustace recuses himself as he has financial relationship with Ms. Garito. R. Lopane will be running this portion of the meeting.

D. Koehler – For the record, the planning dept has reviewed affidavit of publication for newspaper, was done properly. Certified mailings were sent out, but two were sent out in less than the 10 days required by NYS Town Law, section 274A, subsection 8. The board, under advice of legal counsel, conflict counsel, can open up public hearing, listen to and respond to comments, can have continued discussions about project, but can't close the public hearing. Will have to be adjourned to a date specific, November 20, 2025 meeting. Counsel also suggested and directed applicant to re-advertise in Poughkeepsie Journal.

Joe Ferrazza, Westchester Modular, states original plan was for single family home, turns out property is in commercial zone, which requires two family. States they submitted everything that was asked of them but didn't get any comments back until today.

R. Lopane – From our town engineer?

Joe – Yes, we answered all those comments, then got another one back like 10 minutes ago with more comments.

Faye – References recommendations from last meeting are now shown on the maps, trees, landscaping, lights and garbage enclosure.

R. Lopane – States board is fully aware of project just want to make public aware with public hearing. Asks for brief summary of project.

Faye – Goes on to describe project, references zoning changes that don't allow single family homes. References two variances needed and granted. Brings up lot realignment that was discussed at last meeting, her surveyor was able to do it within 2 weeks. Understands that will be a separate application. Moving towards all of the recommended components, and architectural review. States that based on zone, she was allowed to build 3 story multi-unit structure, but didn't do that.

R. Lopane motion to open public hearing. P. Poltrack so moved. Seconded by J. Abbatantuono. All in favor. Aye.

No one from the public speaks.

R. Lopane motion to adjourn public hearing to the November 20th. P. Poltrack so moved. Seconded by R. Lopane. All in favor. Aye.

Rob instructs Dan to go over recent comments.

D. Koehler – For the record, submittals are due 17 days prior, therefore we didn't get this plan until October 10th. Wasn't enough time for the normal review. Coordinated with conflict counsel today, who was supposed to be here tonight but last minute couldn't, therefore the letter was issued later than would have liked. States lighting cut sheet was provided, it's dark sky friendly but photometry is not available and did not provide light temperature. Need these important components for board to consider. Recommends for next submittal make sure color temp is provided, prefers 2700-3000 kelvin which is normal warm light, not a blue oppressive light. The board as de facto Architectural Review Board should also be commenting on the light detail. Regarding trash disposal area, code calls for it to be located in rear when possible, it's on front on the plan. Notes board should take a look at that as it's up against existing horseshoe driveway. Details of trash structure haven't been provided, whatever it's going to be needs to be detailed on the plan.

Faye – Asks if white vinyl is appropriate?

D. Koehler – That's a board discussion.

R. Lopane – Agrees with Dan, it's right in front and should go towards back.

D. Koehler – Recommends to put to side or back.

Faye – States it's not that far off road, would have to build road to it and plow it, but if that's what you want.

D. Koehler – Trees and shrubs concept provided, but no planting schedule, which is requested to show species, size, quantity plus corresponding maintenance schedule is required. References 155-47C, that is noted in letter. Asks if applicant has an idea on size of trees and shrub varieties.

Faye – Prefers to have smaller shrubs, trees are red maples not sure of size.

D. Koehler – Size has to be submitted.

Faye – Asks what's typical size?

R. Lopane – States 1 ½ caliber.

D. Koehler – Clarifies 2 ½ in code.

Faye – Mentioned two trees one on each side of driveway.

D. Koehler – Recommends planning board, acting as ARB, look at materials brought in. Aquifer overlay standards need to be on plan, 155-12D, 5 standards in subsection D, and response to how project does or does not affect the aquifer, required.

R. Lopane – Tells applicant since it's a residence should be easy to meet standards.

D. Koehler – Driveway encroachment has to be discussed, same with shed.

Faye – States once lot realignment is done, shed will be on other property.

D. Koehler – States needs to be some condition of resolution for site plan and special use permit that states it would have to be completed before CO, needs to be satisfied before. Tells applicant whether come back for lot line realignment, doing the covenant for maintenance and easement of shared driveway or removal of driveway completely.

Faye - States sons' driveway doesn't have to loop around, will have enough with lot realignment.

D. Koehler – In theory, even if have lot line that showing in concept there would still be some sort of agreement that you can drive on each other's properties or physical barrier. References Green Hill farm driveway, they put split rail fence.

Faye – Asks if that is an agreement between herself and herself?

D. Koehler – Yes, that's why it would have to be a declaration, you can't grant yourself an easement, but make declaration that becomes a part of the deeds, if properties change hands later then they become easements.

Faye – Agrees, can do that. Seems that's more practical to do.

D. Koehler – Need to show construction details; silk fence, stabilized construction entrance, soil stockpile, tree planting, garbage enclosure detail, driveway cross section detail, light detail and advancing plans to meet final site plan, references code for applicant review. Mentions some of the things the board can do tonight, formal architectural review, including light fixture and reviewing landscaping, asks for input on species.

R. Lopane – Regarding the plantings, as long as your showing the plantings and landscaping, personal choices around house.

Faye – Doesn't want things that will overpower building, or block light, would like something more towards the ground.

R. Lopane – Offers opinion on street species, which shows red maples, feels like good choice. Won't make opinion on types of shrubs.

Faye – Confirms it would be at her discretion to do something appropriate?

R. Lopane – Yes, but wants to ensure it's being done.

D. Koehler – Should show it on the plans, have to propose something.

Faye – Ok, we will.

R. Lopane – Does recommend not using non-native invasive species.

Faye – Asks Rob for his recommendation.

R. Lopane – Likes ilex, ink berries, hydrangeas, rhododendrons are non-native but not invasive, he tries to stick with

broadleaf evergreens, mix in ground covers. Then asks about lot line realignment not being a part of this application? Is it something intended for future?

Faye – Notes she has that plan if wanted to look at, but it's not part of this application, but will be done for condition of CO. She then shows board the lot line plans. States the plan gives both lots an even, balanced appearance size.

R. Lopane – Thinks good idea, asks why it's not being done as part as this process?

Faye – Didn't think she'd have this plan so quickly.

R. Lopane – Asks if there is a way to modify application?

D. Koehler – Technically, could supplement application with another application for subdivision, but will add time.

Faye – States she'll do lot line realignment as separate application, will keep it moving. Asks if she can come back November since separate application.

D. Koehler – It's a simple lot line realignment, which is also type 2 action, no SEQR implications.

Faye – Ok, will be either November or December.

D. Koehler – Asks if realignment going to push out rear line?

Faye – Yes.

D. Koehler – Thinks it makes sense.

R. Lopane – Asks about septic and well systems being vetted with BOH.

Faye – It's all approved.

Joe – States they got it re approved due to new design.

Faye – Explains how septic was in front and had to be moved due to encroaching stream. Did perk tests, went to BOH, all stamped and filed by BOH and Dutchess County Clerk.

D. Koehler – Mentioned in review letter, need a copy.

R. Lopane – Asks about Sunrise Dr being a town, county road?

Faye and Dan state, it's town road.

R. Lopane – Asks Dan if they require any approvals?

D. Koehler – Refers to comments, send referral over to highway superintendent, who gets copies of review letter and plan.

Faye – States that driveway is in same location as in 1964, wasn't changed.

R. Lopane – Questions is it the proposed driveway location?

Faye – Yes, it's the same exact location.

R. Lopane – Asks board if they have any questions or comments.

P. Poltrack – Regarding ARB side, what is the siding?

Faye – CertainTeed Cedar Shake.

Joe – It's vinyl, put on piece by piece, not a vinyl strip. Color blend of 3 colors, guy has to pick and blend them.

R. Lopane – Asks if they get painted or comes in the color?

Joe – 3 bundles of 3 colors.

Faye – Charcoal roof and white windows and doors.

R. Lopane – Asks if charcoal roof asphalt, shingles?

Joe – GAF.

R. Lopane – Confirms that trim is white.

Joe – Doing 4" pvc in picture frame.

R. Lopane – Asks about molding material.

Joe – Azek.

Faye – Sunroom roof is 712.

R. Lopane – Asks what is the standard, 512?

Joe – 512 is standard.

R. Lopane – So using 712, makes it steeper?

Joe – Gives it more pitch. There is an attic upstairs.

R. Lopane – Asks Dan what other features should be reviewed for architectural review? Garbage enclosure?

D. Koehler – Supposes so, that's actually just normal planning board, but lighting included in ARB. References provided cut sheet.

Faye – 3 locations for lights, doors and 3 corners, will be well lit.

R. Lopane – How many total?

Norm – Goes on to list the light locations, 8 lights total.

R. Lopane – Confirms LEDs?

Faye – Yes.

R. Lopane – Asks what's on current house?

Faye – Green timber lines, 20 yrs. old, probably eventually get replaced. House across street has charcoal roof.

D. Koehler – Another thing to look at is doors and windows.

R. Lopane – What's material?

Faye – Therma Tru is front door, white.

R. Lopane – Asks for pictures.

Joe – Standard 4 panel with 2-lite then side lights. 15-lite door on the other unit.

R. Lopane – Asks if image on elevations is accurate?

Faye and Joe – Yes.

D. Koehler – Requests to call elevations out with brands, materials and colors.

Faye and Joe – Windows are Andersen 400, white.

J. Abbatantuono – References Joe in the back and his design, we asked for gables and some other things to dress it up versus just presentation. Also made other applicants make improvements to “beautify”. Dollar General back and forth number of times asking for stone, colors, went from a corrugated building to what it looks like now.

Joe – States that would make it out of the neighborhood.

J. Abbatantuono – States it is town center, done the same to other applicants in past and builder website states houses are fully customizable. Questions are we trying to match the log home that is there, or looking to do town center?

Joe – Will certainly not match log home.

Faye – Reiterates the quality of the product.

J. Abbatantuono – Not questioning quality of products, questioning design of the home. Asking because we forced and asked for feedback from other applicants, such as Mr. LaSala, asked for that and they made those changes. Asking for opinion of the board.

Joe – Asks if there are any specific changes you want?

J. Abbatantuono – Length of roof line, gables.

D. Koehler – Asks if Jay talking about front and left elevation?

J. Abbatantuono – Yes, street facing view, storage space up top.

R. Lopane – States that different applications we have asked for different, Joe’s is completely different.

J. Abbatantuono – Agrees it’s different, but has similar aspects of peaks and architecture, states asking for opinion of board.

P. Poltrack – Questioning how many acres on lot and where it goes. States Jayson has a point in that we should be thinking at some point that side of road is going to be developed.

Faye – States that maybe she should do a 3-story building and make some money, not what she intended, because that other 8 acres more than likely will be 3 stories with retail in it. If that’s what you want, we’ll do it.

Joe – Trying to keep this in flavor with rest of neighborhood. Rest of that lot probably going to be townhouses.

R. Lopane – His opinion of town center goal is to provide multi-family housing, the two units there helps the town with affordable housing. Rather respond directly to neighborhood, rather not have house 3 stories high, which affects the houses next door. He’s ok with materials being used. Ok with it in his opinion.

Faye – States she’s had buyers for the 8 acres, and it was going to 3 stories, high density, she chose not to sell.

R. Lopane – If talking about Dollar General, talking about route 55, and shopping and how that looks. Haven’t

followed every rule of town center, would have parking in back.

J. Abbatantuono – Agrees there has been exceptions, but it's architectural feedback discussion. Agrees plenty of exceptions have been grandfathered in, but at application level is where discussion is.

P. Poltrack – Thinks it fits, could help set a precedent on architecture of buildings that go on other 8 acres.

J. Abbatantuono – Asks if he means down the road sunrise to key bank?

R. Lopane – Asks if Claude has any comments?

C. Rancourt – Feels it fits in neighborhood.

R. Lopane – Asks Dan what next steps are?

D. Koehler – Believes if they add materials, colors and brands on to elevations, seems consensus is that it generally fits in with neighborhood. Once added, then can be approved at next meeting on ARB side. Public hearing needs to be closed before move on to preliminary and conditional final, which can happen all at one meeting or two meetings.

R. Lopane – Still going to meet on this, have more discussion, next month. Good for now.

Joe – Confirms items need to get in before Nov 3. Says if any more comments they will get right back with answers.

D. Koehler – States we don't normally do a back and forth in between meetings.

R. Lopane – Try to get resubmittal in to Dan before his deadline.

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

J. Frustace motion to open adjournment. F. Garito so moved. Seconded by R. Lopane. All in favor. Aye.

Brian Watts from Day Stokosa Engineering, behalf of applicant. Plans haven't materially changed since last submission. Most of the progress made is with regulatory agencies relating to SEQR. Followed up with jurisdictional determination for a wetland, came back with positive declaration for wetland. Walked site with DEC, as of 10/10 letter was submitted electronically, revised determination to no jurisdiction which should satisfy wetland determination item. Another regulatory approval was NYS DOT and left turning lane. DOT agreed applicant installs left hand turn lane. Applicant hired Passero Associates for design of left turn lane to bring from conceptual to final. DOT will no longer issue a conceptual approval and wants SEQR closed before permitting, at a stalemate. They are in contact with each other to develop final plans, survey was submitted to Passero this past week. DOT will handle drainage impacts on their side. Plans contain intent to handle applicant's onsite drainage and correct any neighboring drainage issues, specifically the existing pond which had 24" pipe. It was altered from 20+ year old ditch that directed water from behind house and directed it, inadvertently, to kind of towards the house. As part of proposal, it's being shifted towards the DOT to alleviated drainage issues on neighboring property. All peak flows on site are handled on site by pond. Changes are provided on FEAF submitted. New SHPO determination letter was submitted. Applicant has retained another consultant to split up duties regarding design of water and sewer treatment pump station. Intent to provide large enough station and piping, everything oversized for future town development in county corridor. Most of the regulatory requirements have been addressed, stuck with DOT and SEQR back and forth.

D. Koehler – Needs clarification on pipe on existing pond, does it discharge to swale that's behind house to the west?

Brian – Thinks it was intended to, just altered area enough that it's not flowing as it was.

D. Koehler – Asks if it actually makes it to DOT part?

Brian – Thinks part of it does, discharge more to side, but thinks it disperses both ways. Going to convey towards DOT right away but mitigating all peaks for whole site on pond.

D. Koehler – Regarding pre vs. post analysis, if some is split behind house and some to DOT, has to be some analysis on what goes to DOT now and goes to swale behind house now as separate design points. Could be reducing flows overall but may be adding to DOT swale. Concerned that swale is limited.

Brian – DOT acknowledged they will be looking at drainage impacts to their corridor as part of left turn analysis with Passero, assuring as part of approval DOT is satisfied any impacts are mitigated that does occur.

R. Lopane – Board needs to be comfortable with design plans, DOT is worried about DOT and DOT roads. Board is worried about neighbors. Are we rectifying problem board is hearing from neighbors?

Brian – Yes.

R. Lopane – Sees problem that drain pipe is going right towards their residence. Now aiming pipe towards drainage channel, need assurance that drainage channel can handle storm water and not overflow into neighbors.

Brian – Explains part of improvements of DOT corridor, if improvements need to be made within DOT area, burden will be on applicant.

R. Lopane – So DOT will check? Board wants to know result of that. Whatever DOT is making you do, board needs to know to understand if the neighbors are protected.

J. Frustace – Asks for clarification on issue with DOT and SEQR, conceptual vs. actual final.

Brian – DOT has not given any kind of letter of approval on any projects until they get a SEQR determination from jurisdiction basically saying it's not a waste of time.

D. Koehler – States not uncommon to make SEQR determination, not everything has to be specifically designed out and approved, especially with outside agency. There has to be a potential that those standards can be met, gives a few examples. Could move forward on SEQR determination in anticipation issues will be solved. DOT likes to have actual SEQR. Goes on to list the process, 62 days to make approval/disapproval.

C. Wallace – States applicant can always waive the 62 days, “shot clock”.

Brian – Ok with waiving the shot clock for an additional time frame, ongoing basis, especially if new issues arise.

D. Koehler – Mentions if issue downstream, if anything impacts may be reduced if there's additional design changes that need to be done to meet DOT requirements.

P. Poltrack – Concern about flow behind house of west parcel that is already wet, Bougades property, if going to direct additional water in that direction, what's going to be long term affect to Stop and Shop?

D. Koehler – Clarifying it goes through Bougades, channel behind it, defined contours that shows storm water would channelize, running through that parcel, next parcel that is vacant, then looks like it goes to the front of Stop and Shop, towards parking lot. Must be some diversion to capture that water, either bringing it under parking lot, across Beekman Rd into Fishkill Creek. If all the water from pond discharge is being averted towards DOT right away, that will take away from the properties and Stop and Shop getting it. Would be net decrease in flow. Do a design point for each one if know how much water. Doesn't really know what's happening there. Worthwhile to do site visit to see what current pipe is doing.

Mr. Crain asks from audience if this is public hearing, can he speak?

Bill Crain, 254 Gardner Hollow Rd, feels applicant has made effort to make modifications that are environmentally sensitive. States board discussing need for impervious surfaces for water, refers to last meeting where applicant offered to replace pickleball courts, which are impervious, with garden beds. He strongly suggests taking applicant up

on that as would add more potential for the natural soil and vegetation to absorb the water rather than forcing it where will create problems. Goes on to talk about flash flooding and impervious surfaces. Recommends board ask for pervious surfaces so water can be absorbed by the natural soil, try the garden beds.

P. Poltrack – Asks Dan what are the soil types?

D. Koehler – States site was stripped years ago, soils that are left are dense. Brian sent some pictures of soil tests, not very good. Reason that storm water pond is being converted into another storm water pond, ponds are last resort.

R. Lopane – Asks Brian to describe how storm water pond functions.

Brian – It's a wet pond, the groundwater on lower flatter side, soils aren't totally bad, but high-water table. As you go up there is no ground water and heavy clay. After the water goes through on-site treatment processes, bio retention, any excess runoff is directed to this pond, there is space above water level where water can store, accumulate instead of running over. Have a controlled outlet structure, right now it's 24" pipe at water level and water just goes through it. Afterwards they will have a dedicated outlet structure that has 3" pipe which will allow controlled discharge from pond, slower rate than 24" pipe in heavy storms. Dedicated area where can keep water levels, will keep rising in pond until it gets to high stage flood then go in to new 24" pipe, will hold it there, then once it drops below invert, will go back to 3" pipe. Just prolongs storm water discharge, spreads it out over time and mitigates peak flow rates.

R. Lopane – Asks that they don't intend to any of it to infiltrate into ground?

Brian – If anything does, that's great, model doesn't show any infiltration capacity. It's wet now.

F. Garito – Asks Brian if he's comfortable with modifications and improvements going to make, will alleviate problems neighbors have, lessened greatly?

Brian – Is very confident. Back to the garden beds. If board is ok with that, can show that as specific gardens.

J. Frustace – Suggests community gardens and landlord can coordinate with tenants.

D. Koehler – Suggests some as pollinators, some as fruit or vegetable bearing. Easiest thing in terms of maintenance is a pollinator species. Infiltration may not be as high due to poor soils but ability to retain rain water is on plantings, not a huge amount but it does add up over time.

F. Garito – Better than the pickleball which would hold water.

D. Koehler – That's going to run off completely.

Brian – States that's a simple change, can make it.

Chris Garito, 2618 Route 55, Poughquag. Soil above pond will have clay discharge or soil going to hold a lot of clay?

J. Frustace – Different treatments throughout property, comes to final treatment area, to the pond, where DOT will come in to make final decisions.

Chris – Only concern is was said that clay possibly runs down into the creek after the fact.

J. Frustace – Whatever water is not treated has landed on parcel will end up in pond, then into culvert by smoke shop.

Chris – Concern is being a fisherman, clay discharge into a creek is detrimental to trout habitat or any other habitat.

R. Lopane – Good point, but it's a storm water drainage system, water going in, clay isn't being discharged into pond, just soils underneath are clay and staying put. As water rises, it goes into outlet control structure, like a big catch basin. Asks Brian if he's correct in saying in structure there is a sump so any water exiting is clean?

Brian – Any water that enters the pond should be clean already.

R. Lopane – Explains that the structure is designed to filter and not allow for sediment transport. If there is sediment transport, then pipes are clogging.

J. Frustace – Asks Brian to tell board what he'd like to happen next.

Brian – Would love to close public hearing in order to move forward with SEQR. Need to know final tweaks for DOT. Willing to work with shot clock to offer more time for other elements, instead of 62 maybe go 92 days, and can waive it again at that meeting.

C. Wallace – As long as you're willing to commit to a waiver, number of days doesn't have to be specified, can be indefinite for now. The waiver will have to be revisited at each meeting.

J. Frustace – Asks who decides it?

C. Wallace – Applicant is the one who waives.

J. Frustace – Summarizing that board to consider and have conversation about closing public hearing this evening, applicant waiving shot clock and revisit on month to month basis, for purpose of DOT taking hard look at conceptual renderings and your pump station design.

Brian – Already have commit from Dutchess County Waste Water Authority. Showing a 12" water main in anticipation of improvements, don't need it, but we have it for any future development within town center that can feed off this pipe. Same with sewer, designed so other parcels in corridor can tie into it.

R. Lopane – Asks if anyone else from public wants to speak. He's comfortable moving forward with closing public hearing. Public was given tremendous amount of access to project. Especially since contractors waiving shot clock. Wants to reserve right to open public hearing later in event plans change.

F. Garito – Feels public hearing can be closed.

C. Wallace – Tells John the motion would be to close public hearing on condition applicant consents to waive shot clock.

J. Frustace motion to close the public hearing. F. Garito so moved. Seconded by R. Lopane. All in favor. Aye.

D. Koehler – Reminds that's conditioned on applicant waiving shot clock on preliminary site plan and subdivision approvals.

F. Garito motion to close public hearing subject to applicant waiving the shot clock on preliminary site plan and subdivision and special use approvals. Seconded by R. Lopane. All in favor. Aye.

D. Koehler – States need to move towards SEQR determination, asks board if he should start working on parts 2 & 3? It's a type 1 action.

J. Frustace – Agrees.

R. Lopane – Asks Dan if board can get SEQR in advance.

D. Koehler – Yes, in addition to the links from DEC website to help answer the questions.

R. Lopane – Wants to review Dan's SEQR in advance of the meeting, then just open it up to anyone with questions on a particular part.

D. Koehler – Mentions as long as any conversations about it are at the meeting due to open meeting laws. Can do own research and have own questions, but discussion has to be at meeting.

R. Lopane – In lieu of going through each question, happy to hear opinions and disagreements.

D. Koehler – Suggests if everyone agrees to small or no impact, don't have to go through all of those, if someone agrees or disagrees to something he checks as no/small, that can be discussed. Anything marked as mod/large has to be discussed.

Brian – Asks if he's coming back next month, doesn't need to resubmit materials?

D. Koehler – Agrees, no EAF comments remaining, will let Brian know if they need anything else.

Brian – Will submit any updates as they come in.

R. Lopane – Notes the change about pickleball courts.

D. Koehler – States that does change impervious numbers, to get that info to board.

DISCUSSION

1. **The Woods at Hemlock Hollow** – Sketch Subdivision
Hemlock Hollow Rd.
Grid # 6559-00-748014
Zone R-90

Matt Towne from Willingham Towne Engineering. 4 lot subdivision, on Hemlock Hollow Rd, town road, 10.03 acres. Parcel vacant and wooded. To his knowledge there is no ACOE or DC wetlands. Wetland biologist visited the site and didn't see anything. The NRI wetlands map shows small Hudsonian mapped wetland, on portion of property they aren't touching. Will discuss that with biologist. Gentle slopes on property, references slopes map where it's 15% or more, mostly avoiding that. Couple of spots there being disturbed. 4 single family lots each with their own waste water disposal system, driveway, water supply well. Did some soil testing as shown on map, septic systems are designed. Lots are between 2.08 - 2.89 acres. One rear lot in accordance with code 155-41, need to figure out frontage issue, but allows for 40ft strip for driveway. Will be over 1 acre of disturbance but less 5, will need SPDES permit. Submitted to DEC for wetland jurisdictional determination.

John and Faye discussing location, behind Sylvan Lake, almost on East Fishkill line.

Matt – There is a little shed in disrepair on property.

D. Koehler – Going over pre-application and sketch codes. Big issue is the trees, goes from 12" to 8", suggests identifying the 8" and greater now. Recommends including waiver request to be provided, code 130-52. Start showing tree locations. Need tables of trees coming down.

J. Frustace – Not interested in invasive trees, pleasure to see cut down.

D. Koehler – Code doesn't address that, just limits to 8" DBH.

J. Frustace – Feels only ones need listing are 8" or greater of indigenous hardwoods.

R. Lopane – Believes code doesn't include that because people think all trees have value, invasive is serving a biological function even if having negative biodiversity function.

D. Koehler – Would need a list of trees, wouldn't leave up to land surveyor.

R. Lopane – Need more information on the trees; location, old growth, types. If area of disturbance can be pushed to invasive trees, that's better. How you going to mitigate loss of trees? First, limit area of disturbance, not take out as many. Ensure trees on neighbors' property, keeping trees on steeply sloped areas is important to avoid erosion.

J. Frustace – Mentions forestry and tree removal law, area of disturbance within 60ft of primary structure and 10ft away from everything else.

R. Lopane – Asks if any water courses on site?

Matt – No.

D. Koehler – Boundaries of all contiguous lands owned, Mr. Daly owns that contiguous parcel to north. Code requires that it be shown as contiguous owned, comfortable with deed plotting. Discusses code w/ minimum road frontage requirement of 100ft., rear lots where allowed lot width of min 40ft for access way. Question is does it require 100ft frontage that necks down to the 40ft or is it intended to mean road frontage is 40ft if it's rear lot? Zoning administrator issue, asking applicant to reach out to her to make determination. Regarding slopes, at sketch stage require 15% greater, confirms plan shows that now. References code 155-53, categories of steep slopes, would need to be shown as well. Requires 130-12 and 130-18 be taken care of before sketch subdivision plan approval.

EXTENSIONS

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

Applicant is not in attendance.

D. Koehler – Back in July, 90 days was granted which took them to October 19th. This is extension on preliminary approval. At July meeting board was told applicant was close to finalizing health dept. approvals.

C. Wallace – Received call from applicants' attorney, good sign they hired an attorney.

R. Lopane – Asks if board gave them final approval?

D. Koehler – We have not. It's just an extension of preliminary, code requires within 180 days after granting preliminary need to come in w/ a set for final.

R. Lopane – Confirms that public hearing was done and closed. Is this a case where applicant is waiving shot clock?

D. Koehler – Not necessarily, because preliminary has been granted. This is extension of preliminary, like a delay of submitting their final. Health dept is holding it up. If you grant 90 days, as applicant is requesting, brings us to Jan 17, 2026.

F. Garito motion to extend the applications of Town Center Grove to January 17, 2026. Seconded by P. Poltrack. All in favor. Aye.

PRE-APPLICATION

1. **Hollow Haven Solar Project** – Pre-Application Submission
57-63 Greenhaven Rd.
Grid # 6657-00-704903
Zone C-3

J. Frustace motion to approve a recess. F. Garito so moved.

C. Wallace leaves.

J. Frustace motion to end the recess. F. Garito so moved.

Jeff Matron with EDF Power Solutions, Elyse Shapiro with Colliers Engineers seeking special use permit for community solar project off of Greenhaven Rd., zone C3. Have some questions they'd like clarity on.

D. Koehler – Confirms this is former spa site.

Elyse – References letter from property owner in packet.

Jeff is showing the board the plans, and describing it.

P. Poltrack – Asks how they going to transmit from that site to NYSEG?

Jeff – Would tie in to existing infrastructure on Greenhaven and would run back to Sylvan Lake substation.

J. Frustace – Asks if they can describe what's around property.

Jeff – Haven't reached out to any of the neighbors yet. Plans on inviting them to an event at local rec.

J. Frustace - Voicing his displeasure and states it's not keeping with aesthetics of area, refers to agriculture. Making huge leap from spa and wellness center to a solar farm. Feels it will damage viewshed of area, will have unmitigable adverse impact to area. Would conflict with towns comprehensive plans and zoning, contradiction to farmland projection. Project permanently industrializes significant portion of valuable farm parcel, and function of prime farmland soils. Create an unreconcilable aesthetic impact due to scale of installation and fencing, on adjacent rural neighborhood which fails the special use requirement to harmonize with neighborhood. Unmitigable viewshed degradation due to scale of facility, visual impact negatively affects property values, violating special use standard to protect property values. Feels doesn't meet mandatory special use standards.

P. Poltrack – To John, chances are land will not be used for agricultural use. Will be out of site from Greenhaven Rd. References property across that is vacant, owner has plans to subdivide that. Agricultural use is not a valid concern.

Jeff - Tells board about his background and company. One of largest developers of renewable energy, have about 20 projects in ground in NYS. States that is project would be in C3, which is industrial zone. Proposing 3-megawatt project that's community solar project, part of solar for all program in NYS. Only going to utilize 16 acres. Completed interconnection study with NYSEG. Panels 4 ½ megawatts and 12 inverters. 1100 sq. ft. access drive to get to back parcel. Will meet all requirements for solar ordinance. Will meet any decommissioning requirements. References parcel to rear that's existing solar site at prison, which has been online for a few years.

J. Abbatantuono – States that was put in by NY State with no input from the town, nobody had a choice.

R. Lopane – Would love to keep it a farm, but it's designated C3, light industrial. Board has to consider what that land can become if it doesn't become solar. Could be manufacturing buildings, stores, areas with large impervious pavement. What's best possible use. His understanding is there isn't any earth moving, just putting small footing in the ground which can be irreversible. Doesn't like view of solar panels, doesn't fit w/ look of rural community. They are also quiet, don't have parties, they are good neighbors as long as they are buffered so can't see them. They are good for our tax base. Asks applicant plans for front of the lot?

Jeff – Nothing, leaving existing vegetation. Project is primarily screened now with existing vegetation. Also proposing additional vegetative screenings.

R. Lopane – Asks for lifespan of solar array.

Jeff – About 35 years.

J. Frustace – Asks about contribution to the grid, is it less than 1% in NYS.

Jeff – Doesn't know answer, can get that.

J. Frustace – Ask about buffer around Frog Hollow Brook.

Jeff – Plans show at least an 80ft. buffer around project.

J. Frustace – Asks Dan wetlands require 100ft?

D. Koehler – 50ft. from stream.

Jeff – Did jurisdictional determination with NYSDEC and identified one wetland on site, there's a stream and in addition one wetland with 100ft. setback requirements. Current design is setback not only from wetland but the required 100ft. setback.

F. Garito – Asks once solar field is constructed, does it increase value of property?

Jeff – It typically does in most jurisdictions, value goes to property owner.

D. Koehler – Pilot program, other project they send a check to town every year, in lieu of taxes.

J. Frustace – Would like applicant to provide information on tax values minus pilot payment, tax values before and after.

D. Koehler – Asks applicant if they are aware of local law one of 2019, not in our ecode, need to dig into our new laws, thinks it's 155-43.

Jeff – Referring to end of project, financial incentive for projects to be recycled, posts would be removed, take panels off and recycle them, while restoring project to previous condition.

P. Poltrack – Asks if that would all be on the bond?

Jeff – Yes. Normally revisit conditions of rate, maybe every 5 years or so.

D. Koehler – References another site where they had to do compaction tests after panels were installed to make sure soils haven't been over compacted during construction. Trying to leave them in better state for a potential to return to agriculture. Something that could be considered.

J. Frustace – Referencing another site where trees were to be planted, and there were literal twigs, not trees. Many were driven over.

D. Koehler – Suggests consider during the oversight of any screening and planting, can have independent arborist go out to make sure trees installed per plan size.

Elyse – As part of submission, they will provide visual simulations to show proposed screenings in addition to existing tree lines, what it will look like in 5-10 years. Open to specific species and sizes

D. Koehler - Asks applicant if they have any local sites where vegetation has been established?

Elyse – Has those simulations from other projects that can be shown prior to submission.

P. Poltrack – Asks if NYSEG has agreed to accept the power they produce?

Jeff – They need to get in the program, in order to do that they need local approval first. They did NYSEG study and can handle us at local substation. Need local permit to get in program.

P. Poltrack – Has no problem with them moving forward. Feels it will be out of sight out of mind, feels will be better than battery farms.

R. Lopane – Reads a bunch of permitted uses for this site.

Elyse – Have some questions about aquifer overlay area.

D. Koehler – 155-12D, 5 standards listed, we expect answers and supporting data, placed on the plans.

Elyse – They anticipate getting a C&D permit and SWIPP.

D. Koehler – Clarifies the standards, impacts to surfaces and ground waters, effects from infiltration, how much is being taken away from recharge.

R. Lopane – Asks if they'd be willing to employ a landscape architect to assist in design of planting, buffering?

Elyse – Yes, have a landscape architect on team.

Jeff – Questioning intent of maximum tree clearing allowance for brush, trees and vegetation.

D. Koehler – No more than 15% of total existing brush, trees and other vegetation, in order to accommodate SES, solar energy system.

J. Frustace – Asks about hedge row down the center, maintaining that, and how close is buffer to stream?

Jeff – We are going to wipe that hedge row out. Showing board plans where it could be moved.

J. Frustace – In favor of preserving hedge row.

Jeff – Some will have to go, not much room to work with.

R. Lopane – Asks why is there hedge row there, is water under?

D. Koehler – Probably too wet to hay.

P. Poltrack – States this warrants a trip.

Elyse – References a video she took day of, then describes it.

D. Koehler – Explains that removals are basically the size of whatever using to secure each panel, calculate sq. footage of each one per panel, that number is vegetation removal. Gravel drive, access drive is removal. Also dealing with article 15, stream disturbance, highly classified stream.

Jeff – There's an existing bridge that spans across.

D. Koehler – Big enough for all equipment and construction equipment?

Jeff – Yes.

D. Koehler – Reminds them town has regulation on that stream, pb will have purview of that, if anything constitutes them issuing a water resource permit that's part of public hearing process.

Elyse – Hedge row in center is drainage ditch.

Jeff – Asks about driveway over 4% slopes, have requirement of paved for entirety. What is reasoning, typically they use crushed stone.

D. Koehler – Asks if they going to be over 4%?

Jeff – Does get steep, don't know final calculations.

D. Koehler – Our code says 4%.

R. Lopane – Feels they are likely less than 4%, it's mostly flat. If it isn't, public comments don't want a lot of paved surfaces, want things to percolate into ground, laws are for erosion worries. If there is good justification for why it can be gravel and how mitigating erosion effects, something they look at.

J. Frustace – Brings up firetruck access, heavy equipment is concern.

D. Koehler – Fire dept does not want to go inside fenced area if fire, just make sure perimeter is wet to protect surrounding properties. If it's burning, they let it burn.

Jeff and Elyse state that's unusual.

J. Frustace – Asks what's normal?

Jeff – A Knox box provided for life of the project, which will give fire dept. access to site.

D. Koehler – Their position is they are not going to fight fire if fire inside of there, they won't spray water on any panels that could still be collecting electricity. Just going to protect the property around it.

Elyse – Asks if need access road for fire department can that go in setback?

D. Koehler – Yes, believes so. Had a mowed area. Reminds applicants to be cognizant of trout stream and hot storm water runoff of panels into it, make sure there are ways to control that, good soils there can get a lot of infiltration, and water will have chance to cool down before it migrates into stream and affects the trout.

J. Frustace – Asks if spa is still on table, will this help fund it?

Jeff – Owner still has interest.

J. Frustace motion to adjourn. P. Poltrack so moved. All in favor. Aye