



TOWN OF  
**BEEKMAN**  
*New York*

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**TOWN OF BEEKMAN PLANNING BOARD**  
**Minutes of Thursday, April 20, 2023**

The Town of Beekman Planning Board met for their regularly scheduled meeting on Thursday, April 20, 2023 at 7:00 PM at the Beekman Town Hall.

The following members were present: Chairman - John Frustace, Peter Poltrack, Robert Lopane, Jayson Abbatantuono and Faye Garito.

Also present was Chair Conservation – Cliff Schwark, Town Engineer - Dan Koehler, Town Attorney - Craig Wallace, Alternate Attorneys John Furst and Jonathan DeJoy, and Town Clerk – Lauren Abbatantuono.

J. Frustace- Noted the emergency exits

Led the Pledge of Allegiance

Called for a moment of silence for military and first responders.

On the agenda this evening we have 2 public hearings. There are other items on the agenda for discussion. With public hearings, you will notice in some cases we will be responding and in others we won't. That's not because we are ignoring any of your comments. If one of the planning board members or town engineer or attorney have a question for you about the comment or statement to answer it, they will make it. The purpose is not to not address any one of your issues. It's to allow everyone who may have a comment to comment. That's the purpose of the public hearing. Notes will be taken and when we close the public hearing, we will address all of those concerns if they haven't already been discussed. For any item or application for discussion on the agenda that is not part of the public hearing, the board cannot entertain any comments from the public. That is because we are not in a position to make comments about applications that are not at the public hearing phase. You can always write an email to the building department that will get forwarded to myself and the other board members.

**PUBLIC HEARING**

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

Pleasant Ridge Road

Grid # 6859-00-434759

Zone R-135

D. Koehler- Mr. Chairman, the applicant's engineer sent a letter this afternoon asking this item be pushed to the May 18, 2023 meeting.

**F. Garito- Motion to adjourn applicant to May 18, 2023. Seconded by P. Poltrack. All in favor. Motion carried.**

**2. Station Grille – Amend Site Plan**  
2578 Route 55  
Grid # 6759-04-685204  
Zone TC

F. Garito- Recused

J. Frustace- After the applicant presents the changes to Station Grille, we will open up the podium to any comments from the public. Try to keep comments under three minutes. You'll state your name and address once I open the public hearing.

Peter Setaro, Engineer for the project from CPL. As far as the advertising goes, we had out sent out the PDFs of the letters we sent out return receipt and proof of advertising but I do have the originals here tonight if I could hand them in. (Distributed to board members).

We are here tonight for our public hearing. We've been here a few times before. The project received site plan approval a few years ago. There has been demand and desire to have some outdoor seating, so that's the reason why we're back here. When we came originally, there was a requirement that was put on the map that there could be no outdoor dining. I believe there were some issues with the prior owner, but Kevin obviously runs a little different business. So at the last meeting we discussed about installation of a tent out in the back, basically over top of the septic system. We were proposing a 30x50, but in our most recent submission we changed that to 30x30. There would be approximately 50 seats that would be put out there. In one of my submissions I had talked to the Dutchess County DOH, and they said basically the project was approved for 101 seats based upon the capacity of the septic system. So they said as long as you take, not physically take the seats from inside outside, but as long as you are going to have 50 seats outside then you have to do something on the inside to only have 51 seats on the inside. Either move some seats into the corner or whatever. So there can only be if there's 50 outside, 51 seats inside. I believe in one of my first submissions, I submitted an email from the health department saying that would be fine with them. And they regularly monitor the restaurants so that's something they would check throughout their inspections. Planning board also asked about lighting and what the tent would look like, so with our last submission we submitted a catalog cut of the tent, would be white. Lights would be very very low wattage. They would be strung on the inside the tent. There wouldn't be anything hanging lower than the short flaps that are around the tent so they won't be visible from the street. On the plan we had put that outdoor dining would end at 9pm. There could also be soft music that would be playing. We had proposed the possibility of an acoustical guitarist, but again, anything outside we're proposing it would end at 9pm. I had gotten in touch with the Dutchess County planning department. They sent out a letter for the 239M, a referral. Basically said it was a matter of local concern.

J. Frustace - Does the Board have any questions for the applicant before we open the hearing?

P. Poltrack - Move to open the hearing. Seconded by R. Lopane. All in favor.

J. Frustace - At this point if there is anyone in the public that would like to speak, please approach the podium. State your name and address. Also I have a picture, if anyone is interested, of the proposed tent and seating available that I can pass out if you need to see it closer.

John Garito – Owns the property where Diamontes was built and now their complex  
Expressed concerns with mobile home park directly across the street. The concern in the beginning was that there wasn't sufficient parking on their parcel for what they were projecting they were going to have then. Concerns were expressed regarding additional traffic and lack of sufficient parking as well as bank security and parking in the bank parking lot.

J. Frustace – Reminded Kevin that he will have a chance to respond to comments. Reminded Mr. Garito that comments must be addressed to the board and asked him to summarize due to time limit.

Brent Davis – Parents live at 26 Palmer Circle – Expressed concerns with cars parking outside the residence, unsanitary conditions, loitering and noise when the establishment was Ramblers Rest.

J. Frustace- Clarified that the establishment is under new ownership and questioned if that is still currently the case or if reacting to past practice.

Brent Davis – Stated he has since moved. Father is still there but more or less confined to the house.

P. Poltrack – Has that been the case since the Grille opened?

Brent Davis – Can't really say. It has been winter with the doors closed and relatively quiet other than St. Patrick's Day.

Sean Johnston, Gardner Hollow Rd. – This is part of the town center. Comprehensive master plan has been done with opportunity to question, adapt or adjust a lot of the issues and they have been addressed. This seems like a refreshing. It's in Town Center. We have someone running a business there and I think we should support them.

P. Poltrack – Mr. Chairman, it has been brought to my attention by the neighbor Tony Pepe who had a concern about people in the outdoor area accessing through the trees to his property. The other thing people have mention is the noise factor. Soft music was mentioned as well as acoustical. I'm wondering if there should be a limit on that type of music.

J. Frustace – Letter from Tony Pepe read aloud.

As business owner and 40 year resident, very interested in businesses succeeding. Current owner has made sincere attempt to be good citizen and business owner, especially the parking and sewage situation which were both a problem and have been corrected. Concerned that outdoor dining creates noise for surrounding residents. Nearby residents should be notified. Public hearing should be left open to get feedback. Music should be limited and outside bands may not be appropriate for this location. Some thought should be given to additional privacy such as fencing that may stop the possibility of attractive nuisances.

D. Koehler – Clarification from Mr. Pepe's letter. Code requires for site plan that all property owners within 500ft be notified and they were.

**R. Lopane - Motion to close public hearing and continue discussion. Seconded by P. Poltrack. All in favor.**

#### **Station Grille – Public Hearing Ended, Discussion continued**

Peter – As far as parking I can only say that we have the required number of parking spaces so we do meet the town requirement. A lot of work has been done to make improvements to the site. Kevin will speak to music. Outdoor dining should not increase traffic as number of seats is not changing.

J. Frustace – Clarification that occupancy will not be increased due to outdoor area. As part of indoor area will be closed off when outdoor area is in use, occupancy will be the same regardless of whether people are inside or outside. Asks Kevin to speak to hours of operation, volume decibels, lighting, etc.

D. Koehler – Confirmation that occupancy will be in the resolution.

Kevin – It did get crowded in the evening St. Patrick's Day. There were some cars on Palmer Circle but that was one day in the 18 months we've been open.

Emergency -911 called for Mr. Setaro

J. Frustace – Reconvene group. Stressed importance of health. Prayers for Mr. Setaro.

The public hearing is over. Kevin if you could speak to the significant issues; decibels, sound, music, lighting and other disturbances.

Kevin – Thank you everyone for helping out with Pete. In 18 months we've never had negative attention such as fights, police, etc. Lighting will be up inside the tent above the flaps shining down. We already have perimeter lighting, which is non-intrusive, low lighting just enough to keep it lit in the back. I believe we will have dining all the time and maybe an occasional fundraiser or event. We will not go past 9 or 10pm. We have a good relationship with Key Bank and they have not mentioned parking as an issue. Noise will not be louder than a lawnmower. Will only have outdoor music for an event or fundraiser with the exception of speakers on the building that play low music.

J. Frustace – Confirmed outdoor music will only be used for events. Direct questions to town attorney.

C. Wallace – Chapter 108 of code deals with noise and there's a 60-decibel limit between 7am and 8pm and after 8pm it is 50. The board could condition approval on adherence to chapter 108 of the noise ordinance.

J. Frustace to C. Wallace – And you will prepare those in the resolution.

C. Wallace – It would be a condition

J. Frustace to C. Wallace - What is the responsibility to monitor parking that is not on his property? He can only put signs on his own property that state you are in danger of being towed. He already has site plan approval for 34 parking spaces so a more restrictive measure cannot be imposed.

J. Frustace – Clarification. It would not be within our scope to prevent him from doing what's within his right because of parking that is outside the boundaries of his property? That would be more of a police or enforcement or neighbor to neighbor issue.

Kevin – do we have any idea how loud 60 decibels is?

J. Frustace – 80 decibels would be the sound of a jet to give a frame of reference and then incrementally down to zero. Can you talk about the lighting a little bit. There is a picture here string lighting underneath the tent.

Kevin – Same type lighting, all LEDs, probably about 250 bulbs, about 250ft of lighting

J. Frustace – Right, string length 150ft, 45 sockets and 48 bulbs, 1 watt per bulb for a total of 45 watts per set so that's pretty dim.

Kevin - I plan on putting at least 5 strands across the tent. I have those bulbs on my deck in Poughkeepsie and it's lit up. I will have as much light as needed so customers can read the menu.

J. Frustace – Thank you for your responses. Dan would you like to comment?

D. Koehler – I don't really have technical comments. Pete mentioned that the 239 referral was received from the county. It was a matter of local concern. We've done our part with that. The action was deemed type 2 at the last meeting so there's no SEQRA issues to take care of. If you're comfortable you can certainly grant a sketch site plan approval just because it's procedure and then authorize preparation of a draft resolution for the next meeting or we can do a resolution on the fly and move from there.

J. Frustace – Does the board have any comments?

R. Lopane – Inquired about parking on bank property

Kevin – We have given them a certificate of liability so they are not held responsible for liability. Corporate had stated that as long as they have the certificate on file they are not liable.

R. Lopane - Have they ever expressed any concerns to you about parking?

Kevin – None at all. No. None of our hours overlap.

J. Frustace – If it became a problem, wouldn't it be within the right of the property owner or tenant to tow any vehicles that are not there to patronize the bank.

Kevin – Yes, absolutely. Right now the signs at the bank say no parking during business hours which kind of says they're open to using it when there's no business.

J. Frustace – They could escalate the signage to indicate that vehicles could be towed after hours.

Kevin – I would imagine so. I would do it on my property if I had an issue.

R. Lopane – Inquired about use of heaters in outdoor seating area

Kevin – Confirmed no plans to use heaters at this time.

J. Frustace – Asked for motion to grant sketch approval. This would be to then draft a resolution for approval at the next meeting. Is that correct Dan?

D. Koehler – The sketch approval is a separate step so you can certainly make that as a completely separate step right now and then you can have a discussion about doing something on the fly. I know Kevin is trying to get this open by May.

Kevin – Justification for desire to open in May to include favorable weather, Mother's Day and graduations.

**R. Lopane – Motion to grant sketch approval. P. Poltrack seconded.**

**Roll call vote: R. Lopane - Aye**

**J. Abbatantuono - Aye**

**J. Frustace - Aye**

**P. Poltrack - Aye**

**J. Frustace – Motion to approve the sketch plan has been approved.** The second motion would be to permit our town engineer and town attorney to approve a resolution on the fly for site plan approval. At that point they would be granted site plan approval once the resolution has been signed by me. We haven't seen a copy of the resolution. It's under the assumption that it's going to include all issues.

D. Koehler – It would be a resolution for preliminary site plan approval and conditional final site plan approval. We can make it subject to addressing the contents in April 18, 2023 letter, making sure all outstanding escrows are paid, all application fees were properly paid and that the owner would sign a copy of the resolution for the purpose of indicating familiarity with the provisions of the resolution and acknowledging a copy thereof.

J. Frustace to C. Wallace – Is there anything else that needs to be in the resolution?

C. Wallace – If the board so is inclined to condition approval on adherence to chapter 108 of the noise ordinance and its occupancy permit, and SOA and Dutchess County Department of Health regulations.

R. Lopane – I'm prepared to move forward on conditional final approval. I'm satisfied with the responses, notwithstanding communities' comments. I feel as though the applicant is very much involved and on top of the issues there. I'm satisfied with his response of no increase in traffic due to shifting occupancy. I

haven't seen or heard of any extra traffic impact except for the one St. Patrick's Day. There doesn't seem to be any issue with the bank. I'd be prepared to move forward.

J. Frustace – Any other comments from the board or amendments to the motion?

**R. Lopane – Motion to approve site plan. Seconded by P. Poltrack.**

**Roll call vote: R. Lopane - Aye**

**J. Abbatantuono - Aye**

**J. Frustace - Aye**

**P. Poltrack - Aye**

**Motion carried**

J. Frustace – A resolution will be drafted and written and I will be called on to take a look at it and sign it if everything is in order.

J. Frustace - Public hearings are now over and we enter into discussion phase of applications.

## **DISCUSSION**

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

Steve Whalen, Whalen Architects - Joined by Matt Towne, Civil Engineer and Krista Jones of Sparrow's Nest

Since our last presentation we have addressed comments from the town engineer's letter date November 16. We are also in receipt of his letter dated April 19<sup>th</sup>. I just wanted to point out a couple of items. One of the comments that was on the most current letter was about addressing the fire advisory board comments. We had those on the construction drawings but will add a note to the site plan that those things will be included and to answer question #4 from the fire advisory board about whether or not the building sprinkler, yes it will be. We've also developed the signage and the building elevations as far as the signage goes will be in compliance with the size of the sign and the colors are going to be straight out of the zoning ordinance whatever those colors are as listed, the green, the beige, black and silver and the colors on the building are going to match as close as we can get to the green and beige.

J. Frustace – Any questions from the board? Dan, can you address the comments and how they've been satisfied.

D. Koehler – We went through the latest set of plans. I think there was a December letter that was addressed as well. We did add a few extra things based on turning it from a preliminary into a final review. With regard to the fire advisory board comment with the sprinkling. The intent was that if you're going to have something like a water storage tank, the planning board should know where that is; above ground, underground, locations for emergency power generators for sprinkling. Those are all site plan issues as far as we're concerned so if you can just generate at minimum a pretty good concept and incorporate that into the plan set, that would be important to show.

Steve – The drawings are getting wrapped up with MEP. I'm supposed to have drawings tomorrow so we can certainly show where the storage tank's going to be, where the generators are going to go. We can certainly show that all on the site plan.

D. Koehler – The one comment was really more engaged in the idea of making sure the water is getting away from the building to protect the building. The 420 contour pretty far away from that 420.5 building

elevation for the overhead door so just pull those in a little make sure that drainage gets away a little bit better. Some other additional notation we like to see put on there about landscaping, where landscaping is to be maintained in perpetuity as long as the use is in effect. That is town code requirements. When we get to this point we always start talking about bonding and inspection fees as well to make sure that the site is built accurately. We don't necessarily ask for a bond that encompasses the entire site development. We want a bond to be in place to restore back to a safe condition and stabilize in terms of erosion, sediment, storm water, etc. if construction is started and stopped. We can work with you offline on that. Normally inspection fee is 4% off of that. I'm wondering if the planning board has had an opportunity to review the standards that are on the plans for the aquifer overlay. They addressed all five standards on their plans and normally we just make sure that the planning board understands those and agrees with the applicant for the record. As Steve mentioned, they came a long way with the signage; materials, colors and all that. They did follow the Benjamin Moore historic colors that are in our code for that and they are going to incorporate that right into the building as well. If anybody has any comments on the ARB type of review that you have to do you should make them now otherwise you'd be accepting their plans as they are proposed.

P. Poltrack – Would it be advisable because there is a sprinkler system there, maybe it is in the code, that system be tested once a year.

Steve – I believe the fire department has to go in. You've got to have fire extinguishers in there, make sure everything is up to code. I don't know if it is every 6 months or every year but they do have regular inspections and we can write that in.

D. Koehler – And there will be FDC?

Steve – Yes

D. Koehler – We would like to see that on the site plan too, the location of the FDC that way it makes sense so the fire departments knows where they would go in and connect.

Steve – Once I have MEP drawings, it is going to tell a whole different story.

P. Poltrack – Fire suppression is pump operated, etc. right. I believe that is some of what should be tested every year. We have had issues with other buildings where things have not been tested. I don't know whether it's going to fall under the purview of code enforcement or building inspector to see that something like that is addressed.

J. Frustace – This was spoke about over a month ago and there is a process in the works for fire inspections, CO inspections, etc. but I don't believe it's been formalized yet. Code enforcement. Received clarification from Kevin regarding drawings for signage.

D. Koehler – The landscaping was changed based on updated survey and the fact that they are giving an easement for a sidewalk and utility along Town Center Blvd and Clove Valley Rd. The landscaping has changed. That's always purview of the planning board. I always make sure that the planning board is satisfied with the landscaping requirement. I would like to ask everybody to make sure then that way we can say that the AO and landscape components were acceptable or not.

J. Frustace – I will wait for Rob and Peter to familiarize themselves. Our resident arborist and landscape architects. I like everything about the architecture and landscape.

D. Koehler –Draft resolution prepared. Conditions for signed site plan are as follows:  
Satisfaction of April 19, 2023 letter.

Preparation of the performance bond estimate in the amount approved by town engineer.

Performance agreement reviewed and approved by town attorney.

All other legal documentation associated with the project such as sidewalk and utility easement shall be reviewed and approved by town attorney.

Payment of outstanding escrow fees related to planning board process as determined by the town comptroller's office and establish the post-development escrow.

Submit payment of outstanding site plan and/or special use permit fees as determined by the town comptroller's office.

Applicant and owner shall sign a copy of the resolution and file with planning board for the purposes of indicating familiarity with the provisions of resolution and acknowledging receipt of a copy thereof.

**F. Garito – Motion to approve preliminary site plan and conditional final site plan, and special use permit. Seconded by R. Lopane.**

**Roll call vote: R. Lopane – Aye**

**F. Garito - Aye**

**J. Abbatantuono - Aye**

**J. Frustace - Aye**

**P. Poltrack – Aye**

**J. Frustace – Unanimously approved**

D. Koehler – Conditional approval means you still have to satisfy those conditions before the plan is signed and before you can do anything.

Steve – We will get everyone a full set of revised drawings with the correct signature block.

**2. Town Center Grove – Subdivision & Site Plan & Special Use Permit**

Tow Center Blvd.

Grid # 6759-00-500438

Zone TC

Mike Gillespie - This is on Town Center Boulevard. This is the parcel right after Sparrow's Nest. We were here some time ago relative to improvements going on with a subdivision, and a site plan. Two site plans for supporting four family residences/parking on the parcel. 2 four families. We made a presentation before. The board felt comfortable with it. The other thing that did pop up was that this is actually in a TC zoning district, so you're required to have building from 0-15(50?) feet from the front of the property. Being this is a TC zone, that's probably more geared towards 55. Looking at requirements, along with what's in the available area here, we have the library across the street, Sparrow's Nest where that building is actually set back off the street. A request was made to see what we could do to modify the building location to be more conforming with what is out there. We've laid out a modified plan, pulled back our buildings, showed parking in the front rather than the rear, and actually went to ZBA to get an idea of what they thought. That's going to require a variance.

J. Frustace – That's to keep the theme consistent with the library and Sparrow's Nest. With the parking in the back, is your intention to move it up front should you be granted the setback variance?

Mike – Yea. We are hoping tonight we could do a fore dated review because with that being the board we need to know who's the lead agency but they were definitely okay.

**\*\*Inaudible\*\***

This is the first time you've said to modify the layout, fairly straightforward. We have a copy of the town engineer's letter. We've addressed the comments from last time around so we are hoping to get at least somewhat of a thumbs up from the board relative to building inspection.

J. Frustace – Is there a plan that shows the location of the building? I just have one that shows the architecture. Could you point it out.

Mike – Indicated building location on plans. There's going to be some shared driveway easements for the access way and things like that as well.



J. Frustace – Any thoughts about the sidewalk. We typically leave that up to the applicant.

Mike – We certainly have room continued on from Sparrow's Nest as well, connecting to that all the way out.

P. Poltrack – Is there a utility easement?

Mike – There's none existing there. I think I got something on Dan's letter and put a comment that the town look for some type of utility easement in the future. Sewer may come down the road, got a place to lay it so wherever it makes sense. I don't think it affects our proposal either way.

D. Koehler – It doesn't. It would be up front if it is an extension of what Sparrow's Nest just did. It's 10'.

F. Garito – It just makes sense that this is facing our park and the buildings are being placed so that it's uniform. I understand the concept of the town center but it doesn't always work. Even if you go in a village there's different buildings in different locations so I have no problem with that.

R. Lopane – Will this be consistent with the next development to the left of it. Do you recall Dan if they have the parking in the front or the back. We met with that applicant last month.

D. Koehler – I could go back into my plans submitted for last month. I think it was relatively similar in nature. We need to give this applicant guidance on where we want to see things here. My suggestion, since there are a number of variances that would end up having to be done because of the parking in the front, the building set back; town center calls for parking in the back and code calls for parking in back of multi-family uses as well. There is some work he is going to need to do with the zoning board as well. The planning board should also be happy and give good guidance to the point where this will end up being a coordinated review. We will have to make a SEQR determination before it can go to ZBA and they can make their determination. In terms of planning, parking in the front we mentioned you can maybe tighten some of the spaces. Code calls for 9x18, you're showing 10x20. You're showing more spaces than you need per code. It might be worthwhile to talk about a snow shelf or grass strip between parking a sidewalk and some landscaping. Soften up the building and view of the parking. There is a lot of landscaping shown on Town Center Boulevard concept but internal to the parking area we would be looking for some landscaping as well per code.

Mike – We can certainly do that. We came in with a plan and were asked to modify it accordingly, which makes sense for all the reasons you said. Even though this may change a little bit, this board is comfortable with the layout, which ultimately is going to be the lead agency.

R. Lopane – The apartments are where the town center is at. You're not getting a variance for that. That is permitted by right. I would just reiterate Dan's comments regarding the landscaping. I am ok with the layout, assuming we are abandoning the issue of parking in the front on both sides anyway, what becomes more important is consistency and setback of buildings, so I don't have a problem with that because of the specific circumstance that we're allowing with Sparrow's Nest and it looks like we're allowing in the other building. I'm generally ok with the layout, just some planting, softening of structures, trees in the parking area. Would nice to have an island in the entrance drive. These are just my comments. We are going to have an opportunity to talk about that after you get the variance right.

D. Koehler – We'll be seeking to be the lead agency on a coordinated review of SEQRA for the unlisted action and in that case the ZBA will not be able to make a determination on their variance until there's a SEQRA determination so this board would be making that SEQRA determination before they go to ZBA. So you'll see more iterations.

R. Lopane – I do appreciate the gesture made on Town Center Blvd with the street trees.

Mike – I can do more parking spaces here. We can always pull back, bring in islands. There's a lot of room to make something like that work.

R. Lopane – In the future I would like to know more about how you're handling stormwater.

Mike – We are showing the infiltration area down on the side here.

R. Lopane – That's not the septic?

Mike – No the septic is from the rear. This is the infiltration area here.

J. Frustace – These are the elevations Pete and Faye.

R. Lopane – Have you checked the water table? Is it good for infiltration?

Mike – **\*\*Inaudible\*\***

R. Lopane – The key to the infiltration system is that the water table is low enough.

J. Frustace – Ok so do you need any more direction at this point?

Mike – I would like to move forward with circulating for lead agency. Can't do much without that. Meanwhile, we'll go ahead and make appropriate modifications per Dan's letter. I don't know where 30 days hits; we need to start that process.

D. Koehler – I don't have a problem with doing that. I don't know if I can identify all the outside agencies right now but I can certainly get a list.

J. Frustace – Would you like a motion to be made Dan?

D. Koehler – I guess what you'd do is make a **motion to allow the town planning department to circulate for lead agency.**

**J. Frustace – So moved.**

**F. Garito – Second**

**P. Poltrack – Aye**

**J. Abbatantuono - Aye**

**R. Lopane - Aye**

**All in favor**

D. Koehler – We'll let you know how many copies we need. A lot of them are taking electronic now, once I put that list together.

### **3. Baker Hill Subdivision – Subdivision**

Baker Road

Grid # 6659-00-760142

Zone R-90

Michael Gillespie – For Baker Hill Subdivision. This came across the board at one time, relative to a seven (7) lot subdivision now being proposed as five (5) lot subdivision due to issues with slope. The proposal provides for clustered pipe subdivision whereas homes would be clustered over certain areas to lessen impact of slope, perhaps conservation easement, etc. Owner is in favor. Would like to proceed if the board is comfortable with proceeding in that direction.

F. Garito – Does that meet the code for acreage or does the conservation easement allow for smaller lots.

D. Koehler – The Conservation subdivision allows for flexibility in the design of lots so all those areas in white on the map are much more level areas two of the lots are getting into tighter slopes, more difficulty

with driveway grading behind the house, septic systems. The more we stay away from steep slopes the better off we are as far as erosion, sediment control and all that. The board has flexibility in the allowance of what you can do. Whether it's a combination of shared driveways and houses off small strips of land, frontage, whatever else, and you don't have to have the frontage requirements. You can make your own side yard. You can change your area requirements. Septic and well separations are going to drive the lot sizes. They are still going to be over an acre for the most part. You've got a better opportunity to preserve that other land in open space conservation.

J. Frustace – It's quite a steep that goes down to a ravine. Questions from the board.

R. Lopane – In favor of conservation subdivision. Good way of protecting natural resources. Heavily sloped areas, wooded areas and give some flexibility in zoning to have smaller lots or different setback and to cluster those. It used to be called cluster. Now it's conservation subdivision. For Dan, process wise, we first have to agree on a conventional plan?

D. Koehler – This is not the first time Mike has been here. He has cut it down based on the lot widths issues and steep slopes issues that we had before. While I say that the bottom two lots are uncomfortable, they are doable in terms of finding pockets of areas that weren't that steep. The driveways are going to be tough with the standing areas at the roadway and at the house. It's a significant grading effort but it's doable. In terms of moving things up toward that other area, we're going to have a lot less of an issue to deal with.

J. Frustace – Ok, so we would be agreeing to a five-lot conservation subdivision.

D. Koehler – Right. You could use the current plan as your sketch for determining that density of 5 acres and then move from there to the conservation.

P. Poltrack – Can we decide on four?

D. Koehler – We certainly can talk to the board about that.

Mike – These are R-90 so 2 acre lots. Septic and well separation will determine the lot size.

F. Garito – That zoning got changed about 15-20 years ago from 1 acre to 2 acres.

P. Poltrack – My concern is the lower lot where you have limited. Not saying don't try to work it, I'd like to see what could possibly done with it but if it doesn't make sense then drop it.

Mike – We've shown setback, done soil tests. We would like to stick with five knowing that it is a developable lot.

J. Frustace – What is the pitch of the contours in the back of that lot? 15%

R. Lopane – You realize if he goes to conservation subdivision, there's not going to be any lot. All the houses are going to be in the white area. He's going to reconfigure the whole thing. Our only discussion now is what we agree is a buildable subdivision conventionally, just for the purposes of knowing his lot count.

Discussion regarding clarification of 4 or 5 lot count.

P. Poltrack – I'll buy in to the five lots after discussing it.

F. Garito – I think it's a much better situation. Having a conservation easement is beneficial for the area.

J. Frustace – Confirms with D. Koehler nothing more to do with this application and states we can move on.

**4. Barton Orchards Farm Market – Site Plan**  
64 Beekman Poughquag Rd. (CR7) & 3 Apple Tree Lane  
Grid # 6758-00-170733  
Zone R-45

Joseph Berger, Berger Engineering – Representing the applicant. Following up from last month's meeting for further discussion. The plan in front of you depicts the rotated trash bin, additional landscaping and some of the other minor revisions that were discussed at the last planning board meeting. The trash was pushed back behind the building, concrete pad in front of it, parking in front, adding the earth berm all along the fence for screening, adding additional trees, as we discussed at the last meeting, for additional screening. We're still keeping the entire view in the front as you requested for the cars. Parking in the rear we changed based on past comments. The walk going out to the main road was changed to a concrete walk. The surface as proposed before still the millings, except in the area where the ADA is and the area where there's a loading dock. We made those two areas blacktop. We're using concrete bumpers to delineate the parking spaces and it's been added to the plan. Here just to further discuss other items. Prepared a response to Dan's letter that was sent to the planning board.

J. Frustace – Understand you made some revisions based on letters from John Furst and Dan. Board does not have a copy. Please discuss.

J. Furst – It was just a quick email to the applicant. One of the things the board was looking for and had asked for previously were some architectural renderings with respect to the colors and details of the building trim. You have provided some information so they were just looking for a little more information; windows, doors, etc. and also with respect to the product; clapper versus sheeting.

Joe – The siding is going to be called hearty board country lane red cedar mill plain collapse siding and will be added to the plan. Just the windows and the trim will be white. Roof staying the same way. We can certainly add that to the plan. That is information we recently received.

J. Frustace – Now knowing that the white trim is present on the building, that may be the reason for the fencing.

Joe – Yes. That's what we wanted. We're willing to change it to a wooden fence if that's going to make it more natural in color.

J. Frustace – One of the thoughts is that with the side yard fencing the electric vehicle charging stations there and it being in the meadow or side yard area, white would have been pretty stark. We'll leave that up

Joe – We're willing to use a standard stockade fence, wood stockade fence we could use. No real preference. We thought the vinyl white was for maintenance.

J. Frustace – You didn't have a chance to provide any of the images or elevations for the building other than what has already been received?

Joe – No, we have not.

Janice Gomez Anderson, Rodenhouse Shaw and Polidoro – It didn't make it into the letter we sent in. We asked at the last meeting that the architectural renderings and drawings be waived in this case. The house is existing. It's a farm. All of the state guidance from Ag and Markets is that the farmer should not have to go out and hire all sorts of consultants to get an approval for a farm use. This is a permitted use. Peter has spent a substantial amount of money on attorneys, engineers and if he has to go get architectural renderings, that's going to be another thing. We are just asking that the notes can be put on the plan and that be sufficient. We are not talking about a new building or subdivision but a farm stand.

D. Koehler – Market

F. Garito – And you're talking about really an addition on the back.

J. Frustace – This has been what we have been doing since November, having a discussion as to whether or not this is a farm stand or a farm market.

Janice – Sorry, I misspoke. I meant farm market.

J. Frustace – That is how we spent the first meeting. I mentioned that I had an extensive conversation with agamarkets planner back then. I've read through your entire letter to us including all of agamarkets regulations and rules. You will notice in there that when they refer to whether or not an applicant should use professionals or not, they're talking about crops and smaller farmers, not hybrid models like we are speaking about here that have electric vehicle charge stations, dumpsters, or in an R-45 zone. If Mr. Barton were expanding his crop or his cattle, we would not be having this conversation. Tractors, barns, silos, etc., that's all considered farm equipment in the regulations. It does speak very specifically about hybrid or larger versions of agricultural use. To question whether or not we have a right to see. Since November, complete architectural renderings is part in parcel to why we are here now still deliberating over what our scope of practice is. A lot of time and effort went into preparing comment letters in advance. Now you're saying it's not within our right to know what the building is to look like.

Janice – I don't think I ever used the words it's not within your right. What we are asking this board to do is waive that, so it is within your right. Evidently, the town of Beekman does not actually have an architectural review board and it's deferred to this board. This board has the right in site plans but this board also has the authority to waive certain requirements. One of the things it talks about in the Ag and Markets guidance which I've provided to you and you've read, it talks about not burdening farmers with more and more requirements and so we're asking that this board waive the requirement for an architectural rendering. We've added notes regarding colors, etc. but we're asking that the requirement for a full architectural rendering be waived in this case.

D. Koehler – Would like to make a suggestion. This board has already seen a rendering of the side of the building. I think it would be appropriate if you just put a couple call outs on there: this is the shingle, this is the trim and that's it and we can move on. It will take you 15 minutes. The concept of going back and forth on it is costing more than to just do it.

J. Frustace – The applications that just left discussion phase, full architectural renderings of the building and that's just discussion phase requesting nothing. We have a complete understanding of what the building is going to look like in the Town Center area.

P. Poltrack – I know it would help me if I had a visual example of what the exterior is going to be versus just telling me ABC siding or whatever the case. What I am really interested in is that what you're proposing is going to fit in with what is already existing.

J. Frustace - There's also the understanding that Peter Barton does do things in a very attractive way no question about it. I've seen the Apple Core and other buildings on his property. The frustrating point here is that we are still pulling teeth for this information.

Janice – We're asking not to have to hire an architect to do an elevation.

J. Frustace – We are literally 5 or 6 months into this process and you're now asking for a waiver when, truthfully, it should have been done in the beginning. I don't understand why skirting the process is the priority rather than just following the process. You can't speak about cost given, the amount of money that has been spent unnecessarily to me, at the same time, to avoid the process.

Joe – Understand. We are here tonight. What can we do to move forward.

J. Frustace – Let's hear about the other items and then we'll let the board weigh in. What other comments?

J. Furst – The second point was to the signage which I think in your response the applicant will come back later to get specific approval for the design of the signs themselves. They do indicate signs on the property, the locations, as part of the site plan approval. You need to see the locations but as the architectural review board, the planning board has not seen the design and I think the process is you file an application to the building inspector who then refers it over to the planning board who acts as the ARB. I see you're going to put a note on the plan so that answers that question on signage.

J. Frustace – What are we being asked to do tonight? Are we going to take action without seeing the images and trust that?

J. Furst – I think a rendering was submitted.

D. Koehler - Yes

P. Poltrack – Just a side shot.

J. Frustace – Of the building or the sign because I haven't seen anything in the way of a sign.

J. Furst – We haven't seen anything about the sign. They know they have to come back separately.

J. Frustace – The building we'll come back to.

J. Furst – They will come later when they're ready to put up the sign.

J. Frustace – You're asking for the planning board and ARB to move forward without seeing it.

J. Furst – Right but they're not going to put up any signs until it get ARB approval. The next item, which you alluded to before, is the fencing. It has to be white or earth tone. Originally it was earth tone and then it flipped to white.

Joe – If you want the earth tone we can go with a stockade fence.

J. Furst – I think he is looking for direction from the board as far as the color and type of fence.

Janice – My understanding is we want either white vinyl or stockade wood.

J. Frustace – The reason that was brought up is because it changed from one plan to another without discussion here.

Joe – It changed as a result of comments.

P. Poltrack – Is the white going to be glaring?

J. Frustace – That was the concern I have especially for the fence in the side yard. Our comprehensive plan is looking for earth tones. It's going into an area where there's going to be trees and meadow. I'm not sure what the plan is but it would stick out like a sore thumb in that area.

R. Lopane – They had submitted a building elevation last time around. I liked it. Most of the site is of the existing building remaining the same. The extension is matching that. I appreciate your frustrations with this process and how it has gone. The problem with this application is it is a bit of a hybrid. If this was a strictly more conventional farm operation, they probably wouldn't be here. The fact that it is sort of commercial, sort of a farm, you have to kind of give it that weight. It is a farm operation too so you don't want to punish the farm. I'm sympathetic to that. As far as the stockade fence, I prefer the natural. A more

earth type tone with wood would match better. It would blend into the aesthetic better and not be as obstructive.

J. Frustace – What would be your recommendation. Maintaining wood in the woods to me would be difficult.

R. Lopane – If he goes with pressure treated, the maintenance is a lot less. Not as maintainable as fiberglass or vinyl. He has a lot of that pressure treated on the farm and does a good job of maintaining it.

Joe – Change was made in response to a misunderstood comment. We started with stockade, switched over, and we'll go back. In fact, I already changed it back. There was a lot of conversation. Peter was more in favor of stockade fence pressure treated.

J. Frustace – Any other comments regarding tan vinyl versus stockade fence?

F. Garito – Agree with Rob. He analyzed this pretty well.

J. Frustace – So that would be what we're interested in.

Joe – Confirms stockade.

D. Koehler – One of my comments kind of parlay into that with stockade fence. Would that be the same material for the refuse enclosure as well. Just for continuity because the detail showed imperial tan. The call out for the fence on the sides was the white so just want to make sure there's continuity.

J. Furst – The next question or comment we had was with respect to the storm water and drainage. Initially you had done some storm water work and shown some bases and then you removed some parking. I assume once you removed that parking you were underneath the one-acre threshold.

Joe – Yes

J. Furst – Maybe I will have Dan speak to this because he did reach out to the DEC. We think that you're still going to have to do a SWPPP because you've got to consider the entire farm according to the DEC.

D. Koehler - There was a conversation and it was twofold. First, there was the conversation about removing waves in the old road bed and the DEC opined that that was soil disturbance. So I said the applicant may just say well we're not going to do that then as part of this and still remain below the acre. I had given her the history of the entire site and that includes the Treetop Adventures and everything. She said Treetop Adventures still has an open permit and this is considered part of a larger plan of common development. Basically, what she is saying is regardless of the disturbance you have, you'd be subject to a SWPPP. I would be happy to work offline with you on that and make sure that the DEC understands exactly what's going on to help streamline this.

Joe – I don't think it's going to change the application much. SWPPP is not end all. It's erosion control, maybe a few rain guards, but something that will not change the overall look of the site.

D. Koehler – In terms of the impact of the site plan, likely they would probably just use some surface swales. You wouldn't even notice it and probably over to a bio-retention area which actually has planted shrubs, grasses, those type of things. They're quite attractive actually.

Joe – They've gotten a bad rep. We do a lot of them. People are used to seeing ones done inappropriately where they look bad and not maintained but the ones I've seen done are really nice. They look like a garden.

J. Frustace – Again, it was on the plan and then it disappeared.

Joe – Because of the change to the plan.

J. Frustace – I think he said the bioretention was removed because of the area of disturbance but now we're right back where we are and it's going to be resolved with the swales as you said. That brings us to the point about the old road.

D. Koehler – Peter was mentioning that he was worried about, to whatever extent, ripping up that road just in case there's root systems for some of those larger trees there. I think what Joe was talking about is just mainly removing whatever pavement section there is and then replacing it with a topsoil and seeding it and turning into grass.

Joe – This portion right here (points out on drawing) is mainly lawn now. Continues to indicate areas of disturbance on drawing. Our interpretation is that it is considered unregulated disturbance. May be a moot issue if determined common benefit.

J. Frustace – I think they have ruled it as common.

Joe – Well they can't make that determination without our input.

J. Frustace – You referred to some confusion coming off of Beekman-Poughquag Rd.? What is your plan for the rest of that old road going to the throat of the entrance.

Joe – Here is pretty much overseeding. A little bit of topsoil.

P. Poltrack – What are you doing with the old driveway at the entrance to Beekman-Poughquag Rd.

Joe – We're going to get a permit to remove that.

J. Frustace – That continues up through and over to.

P. Poltrack – Why don't you just put a fence here.

Joe – The county will require a county permit. They will design what needs to be done. In my experience, they want it to be topsoil and seeded.

D. Koehler – Which is also mentioned in the department of planning letter as well.

Joe – That's my discretion. Based on working with the county for 40 years, they're going to want it to be removed, not just put up a fence.

J. Frustace – We've moved on from architecture. Talked about the sign, storm water, the fence. There was confusion about the parking on your title page versus on the plans.

Joe – That wasn't modified until recently because we were just working on sheet three for layout. We got the final number down. That kept moving around a little bit and I didn't want to have to keep going back to sheet 1. It is 35 spaces.

J. Frustace – I saw the hours of operation which basically ends operation at around 6:30pm. The latest throughout the week.

Janice – No. That came off the plans. We'd like it to come off the plans. We're asking that the plans be marked, that the project will operate in accordance with the town code. Mentions Station Grill.

D. Koehler – That was the noise ordinance that had different hours on it but the town code doesn't necessarily have dictated hours in its code. That is why we typically ask for it.



Janice – We just think that 7-6 is too limited. If you have people commuting from the city.

J. Frustace – What are the hours you're proposing?

Janice – We don't have a specific proposal. We don't want to be limited to limited by a specific proposal.

J. Frustace – You did read the county planner's comments right.

Janice – We did, and the county's planners left it to you. As you've said, you all know Peter and how he runs an operation. The alcohol that is going to be served is cider. This is not going to be a bar. It's not going to be a restaurant. For people commuting from elsewhere, a lot of people commute from elsewhere. I would've loved to have been able to stop by and get a hot cider on my way here tonight at 7 o'clock because as I rode down 55, everything was closed.

J. Frustace – We do have other items on the agenda. Who put those hours of operation on the plans? Peter himself on comments.

J. Furst – We talked about it at length at the last meeting and there was no objection, at least at the last meeting, about having the hours of operation between 7am and 7pm or something to that effect. Now you're saying he doesn't want to be limited by those. He wants to be open later than 7:00.

Janice – He doesn't want to be limited by it in the sense that right now, Apple Core is 7-6, 8-6 and that's the intention is to keep it in that, but we don't want to be completely constrained by that either.

J. Furst – The hours of operation that we talked about last month is in line with typical retail operation. Let's face it, this is a retail commercial use. It just happens to be selling farm products and that's how you have the ag and markets protections. Some of the concerns we discussed last month was if you're operating at 8 or 9 o'clock at night, is that really a farm market or is that more like a restaurant or tavern. There's a different use.

Janice – What I would envision, when we talked about the idea of what our intention right now and possibly the seasonal chamber for example, one of the things I know they do at Apple Core is pies at Thanksgiving. You would want to extend your hours for people to come get their pies.

P. Poltrack – Apple Core does not apply to this at all. I notice there's a sign for tap room and I understand Peter runs the tap room. What time does that close?

Joe – I believe 9pm.

J. Frustace – I see no reason to belabor this any further. The plans submitted that we have reviewed, a tremendous amount of time was spent. To me, that was a non-issue because it was on the plans and I brought it up just to confirm and say thank you for putting them on the plans. I am happy with the way those are reflected on the plans. I'm not interested in deviating from what you put on there at this point.

Joe – Basically tonight I am just asking that we're getting the response back in terms of the market to take back to our client and the planning board would like to see the hours reviewed from last time on the next submission.

J. Frustace – Yes what is currently on the plans is maintained. Yes

P. Poltrack – What is currently on there?

J. Frustace – They're currently finishing up their operation at 6:30 would be the latest.

Janice – Would the board consider something longer like 8 o'clock?

J. Frustace – Any comments regarding that? You know that we're very flexible and understanding. The problem is that there is no reciprocation whatsoever.

Janice – I respectfully disagree.

J. Frustace – From November to now, the changes that have occurred have been tremendous without discussion and delays have been suggested, caused by this board, in letters. This is unacceptable.

Janice – No one has said anything like that tonight. Can we move on. We are trying as well.

J. Frustace – This is a complete waste of our time because we shouldn't even be talking about hours of operation now.

F. Garito – For clarification, you talked about Apple Core Thanksgiving time, what would be the reason for modifying the hours? If we knew that, that might be helpful.

Janice – I think that you're looking at just people that are farther up here. How far are we from Lagrange, another 10 minutes up the Taconic? The people coming back from work, you want to catch those people who live here. That is going to be the bread and butter of this I think. The farm bread and butter can be the people that come from all over and enjoy it. It's got a broader purpose now obviously after the devastating fire in August which has put them in a completely different position than he was then. The purpose is for the people who live here. If you're on your way home and need to grab a few things, people coming back from work. I think 8:00 would be a very reasonable number.

J. Frustace – Let's cut to the chase. Do any members of the board have an issue with 8:00?

P. Poltrack – Seasonal

J. Frustace – What does that mean?

P. Poltrack – He mentioned seasonal hours.

J. Frustace - I think we just need to come up with a fixed number so that it's clear to everybody.

R. Lopane – I agree and I'm conflicted. It's hard for me to just say and the reason for that is the public comment. That was a big issue that they have is the timing. If there's something we could try to compromise on with the community, it's the timing. I understand what you're saying which is he's trying to capture those people on the way home and if he said 5:00 he would capture no one because no one gets home by 5. I think if we pushed it to 7:00 that would be something reasonable. I am just suggesting that 8:00 seems now it's starting to get late.

Janice – One thing to that, which I thought of on the way over here is in some of the issue is disturbance to the neighbors and everything but for much of the summer season, much of the growing season, it's light until 8 or 9 o'clock at night so car lights aren't going to be an issue. You will have cars in and out of the parking lot but lighting isn't going to be an issue. We're not talking about music or anything like that. We're simply talking about people in and out of the farm market.

J. Abbatantuono – The other two seasons it would be. There was a lot of public comment about the hours, about disturbance, about light and a lot of that. So, while I agree with you, what you're saying about the time zones for two of the seasons, 100%. But I'm not for extending the hours just based on all the comment we got. Personally, that's my feeling on it.

Janice – Even if we did it seasonally so that in the seasons where it is light, where he is growing, where we are selling more of their own on-farm product, that's been that growing season.

R. Lopane – I don't think that makes a difference to the community.

J. Abbatantuono – Loitering I think was the issue.

R. Lopane - I would rather just stick with what was originally on the plans. It's the one thing we can do to try to lessen the impact to the community. That is something we have to worry about as the planning board.

P. Poltrack – This time of year, you wouldn't have the light issue until 9:00.

J. Frustace – I'd like to hear what Faye has to say. 6:30 or 7:00 is what we are deliberating over versus seasonal. I would like to defer to the board because I put a lot of time and effort into this and this change is part and parcel with what we've been dealing with from the beginning. I just want to move on because we have a lot of other items on the agenda.

R. Lopane – I think we've had enough discussion. The only way to move forward is to take a vote. Someone propose something. It's more efficient that way.

J. Frustace – I would like to propose 7 o'clock. Seasons have nothing to do with it at this point. It's a compromise. Is this anything that anyone wants to consider as a motion.

Janice – That was 7 o'clock close?

J. Frustace – Confirmed. Does anybody want to amend that? 6:30 was the number, compromising to 7. Does anybody find that unacceptable?

F. Garito – I think it's reasonable considering we are a commuter community. I live here. I work here but most people don't.

J. Frustace – That would make the market available to people who are coming home at around that time so that makes sense to me as well. Confirms board members are ok with 7:00.

J. Furst – Last comment is a follow up to Dutchess County planning's comments which would be a condition of any approval as far as requiring any outside agency approvals for the highway permit, health department requirements.

Joe – Update on that: we have health department approval. County highway departments won't issue that permit until such time without site plan and be allowed to work because it's a removal of the drive. Those are two, in my opinion, non-issues since one is approved and one's just a permit issue.

J. Frustace – I have one other item that John is unaware of. Dan and I talked about it. We couldn't figure it out. Because of the way the legend and the trees had been reflected, Dan's comment letter doesn't reflect the number of trees that are on the plans. I like the plans and the way the trees have been reflected, and I want to make sure that you do not read his comment letter and then change the plans and remove the trees that you have here. I determined that there are six sugar maples, six Norway spruces and six red cedars for a total of 18 new trees.

D. Koehler – I only saw the two sugar maples on there so maybe I'm missing where they are. I was looking for the ones with the P on them correct?

J. Frustace – I went down to his legend. The P were the proposed and then if you look in his legend you'll see the other ones don't have P's, the Norway spruces or the red cedars. He changed the symbol at the bottom but all of the existing trees reflect the diameter of the girth of the trees.

D. Koehler – I still only see two sugar maples. I guess I'm just missing them.

J. Frustace – All of the ballards are actually lights and that's great.

D. Koehler – Are they down at the bottom by Beekman-Poughquag Rd? There's four there.

Joe – Those are existing.

J. Frustace – Not according to your plans. Those are new plantings.

Joe – I stand corrected.

J. Frustace – Those four are proposed red cedars.

D. Koehler – Okay. Those are the ones I missed. I didn't see those. Those are sugar maples aren't they?

Joe – They're subject to highway. We tried to do some filling in there.

J. Frustace – So they're going to be planted according to the plan, correct.

Joe – Proposed

J. Frustace – Right, proposed. They can be repositioned. I'm more concerned about the number. Not interested in them being just removed because the county doesn't want them where they are. They can be moved further up to mitigate the view shed from the highway. He also removed trees before the plan was approved from that same area where the bioretention pond was originally specified. That is now no longer on the plans as well. It's a juggling act here for us. You're here now saying that these are proposed by who? Proposed by you to Peter or by you to us? I would like to know whether they are going to be there or not.

Joe – The plans are dynamic. As things change and the planning board requires more things, things change.

J. Frustace - We're not requiring anything other than what is on the plans as was presented to us. Asks Dan to review comment letter.

D. Koehler – Don't really think it's worthwhile to get into it too much at this point. Just got to release you on satisfying them as best you can fast. The biggest engineering concern was making sure you had the ADA compliance in the pathway.

Joe – Discusses alterations to ramp.

D. Koehler – I just saw the one spot elevation and want to make sure you're considering it. If it ended up being a double switchback ramp in front of it then that a site planning consideration.

R. Lopane – Is there any action we need to take today?

D. Koehler – Suggested that if the board is satisfied, can grant sketch site plan approval and could also authorize the attorney to prepare a draft resolution for preliminary site plan and conditional final site plan approval for your consideration at the May meeting. Confirms this is a Type 2.

R. Lopane – We have to make sure nothing changes on the drawing.

J. Frustace – Realize at this point, we have nothing that reflects, concretely, what is going to be taking place in the way of the signage. The hours of operation were just changed. Keeping up with the changes is very difficult. You seem to be wavering on the trees again down toward the bottom. I would like to know before we vote if the changes we discussed this evening are going to be reflected on the plans as discussed; hours of operation, we're going to see signs as well as additional architectural renderings for the building.

J. Furst – On the signage, they know they need to come back later for the design, first to the building inspector and they building inspector will refer that here. They can come back two months from now, two years from now, but they can't put up any signage until they come back and get the sign permit. Confirms it will be in the resolution. The other issue as far as the elevations, what Dan had suggested was good. You have a rendering that kind of showed that the addition was going to match the existing building which was the big issue. I think it needed a little more detail, which you pointed out, and I think Joe has agreed to add notes on the rendering to provide the detail you're requesting. I don't think they need a full architectural and the board was okay with that.

J. Frustace – The issue was that this happened I think in February. Joe's associate was here. Joe wasn't and neither was Peter and the engineer took all of our comments. It was a very constructive meeting. At the next meeting nothing that we discussed appeared on the drawings. We are here again having a conversation, you're being accommodating and you're indicating that these items are going to appear on the drawings.

J. Furst – The only issue is the hours of operation. The applicant has to confirm that he's okay with 7:00pm. I think that's the only thing preventing action tonight. The board can still vote on sketch plan and authorize preparation of a draft resolution. The first action would be sketch plan approval.

**R. Lopane – Motion to grant sketch plan approval. Seconded by F. Garito.**

**Roll call vote: R. Lopane - Aye**

**F. Garito - Aye**

**J. Abbatantuono - Aye**

**J. Frustace - Aye**

**P. Poltrack – Aye**

**Motion carried.**

J. Furst – The next potential action would be to authorize my office to prepare a draft resolution of approval for next month's meeting for the boards consideration.

Janice – Clarification that resolution will be preliminary and conditional final.

**F. Garito – Motion to approve legal to draft resolution. Seconded by R. Lopane.**

**Roll call vote: P. Poltrack - Aye**

**J. Frustace - Aye**

**J. Abbatantuono - Aye**

**F. Garito - Aye**

**R. Lopane – Aye**

**Motion carried.**

Town Clerk notes that the gentleman Pete who had a prior medical emergency looks to be okay.

**5. 60 Mountain View – Accessory Apartment – Special Use Permit**

60 Mountain View

Grid # 6759-00-008320

Zone R-90

William Guerra – As a return from our last meeting in the fall, it was requested that an engineer verify no changes have been made since approval in 2012 under previous owner. Returning with the letter in hopes of moving forward with accessory apartment.

D. Koehler – Prepared draft resolution for your consideration. Within that, you will see a few highlighted areas that are basically the actions that the board would be taking. This is previously approved. The code reads such that when there is a new owner with regard to accessory apartment use, the new owner has to come in and get the new approval. He is using the exact same documents. We have the proof the septic was sized appropriately, all the changes were approved by the previous engineer. Would deem as type 2 action for SEQR, waive the public hearing IAW §155-59 c4, you would do your sketch plan, aquifer overlay district standards, grant preliminary site plan, and grant final site plan approval with the following minor conditions prior to issuance of building permit:

1. Owner will provide formal letter allowing periodic inspections by town building department upon reasonable notice.
2. Outstanding application fees and escrows and fees are remitted as required.
3. Applicant will sign resolution indicating familiarity and acknowledging receipt.

Prior to issuance of Certificate of Occupancy:

1. Inspection to verify consistency with plans on file.
2. Code violations have been remediated.

**J. Frustace – Asked for motion to approve if no other comments/questions.**

**P. Poltrack – Motion to approve draft resolution as written. Seconded by J. Abbatantuono.**

**Roll call vote: R. Lopane - Aye**

**F. Garito - Aye**

**J. Abbatantuono - Aye**

**J. Frustace - Aye**

**P. Poltrack – Aye**

**Motion carried.**

- 6. Nina Massen – Accessory Apartment – Special Use Permit**  
1169 Route 216  
Grid # 6758-00-852634  
Zone PH

Michael Berta – Applicant’s Architect joined by Nina Massen. This is the former Hogan residence. There is an existing garage on it that we’ll be turning part of into an apartment. Exterior changes, I have elevations I can show you, will be just taking the garage doors off and adding a few windows, redoing the siding.

J. Frustace – This is going to be along the breezeway. Is going to be closed?

Michael – The breezeway open. It’s more of a covered colony. The colors right now are white and blue and I know Dan had said something in his comment letters about earth tones. We are open to suggestions from the board of what they’d like to see colors in the breezeway. Our thought was we were just going to keep in contact and just paint it all white. With installing the breezeway, we are actually going to be removing a significant amount of asphalt and putting it back to grass. It helps a little bit with the drainage. The walkway we were thinking of is a paver system with walkway underneath so it’s not just pure concrete. A little bit of drainage. We’re definitely going to do landscaping in front of it with some shrubs to minimize the effect. The front is pretty well wooded but on either side of the existing driveway, adding a couple of low ponds to further block it.

J. Frustace – I understand this doesn’t impact septic or anything because the numbers don’t change. Dan, correct me if I’m wrong.

D. Koehler – Right. The concept is they are providing a new floor plan for the main house. Making some larger rooms in there. Where there are three bedrooms now, at the end there will be two. One of the other things was just making sure there is nothing in the basement.

Michael - In the next submission we'll provide you with the basement plan. The other thing is we have the inverts for the existing septic tank. Right now, the lid is 438 and the invert is 437. With the existing garage floor plan when we raise it up it will be 442. So, it's a four-foot drop. So, we should have no problem maintaining pitch. We will be installing a septic tank for the garage.

J. Frustace – Inquires about tile fields.

Michael – Explained that was the original material use for septic fields.

P. Poltrack – Are you putting in a new tank. Do you need BOH approval?

Michael – Yes. No other way to get a direct line from the garage to the existing septic tank so that will allow me to make the turn.

D. Koehler – May be required due to new structure. Verify with BOH. Defined by code, the 50-foot offset for the water course buffer is defined at the top of the bank. So you can quantify it. The water resource permit is concurrent with planning so you can do both at the same time.

Michael - Base flood elevation is at 430 so finished floor is 12 ft above. Basement is 4 ft above the flood zone.

R. Lopane – Inquired about the driveway and parking.

Michael – The existing driveway pretty much stays the same but the area of asphalt basically wraps around three sides of the existing garage (indicates on plan). Clarification that the garage is two structures; main garage and lean to section. Changing windows and making more of a screened room About 10 cars on asphalt without impeding.

R. Lopane – Inquired about plans for law area.

Michael – Confirms it will be a garden.

**F. Garito – Motion to deem Type 2 Action. Seconded by P. Poltrack. Roll call vote:**

**R. Lopane – Aye**

**F. Garito - Aye**

**J. Abbatantuono – Aye**

**P. Poltrack - Aye**

**J. Frustace - Aye**

**Unanimous**

D. Koehler – You can set a public hearing for next month May 18 for site plan, special use permit, and water resource permit.

**R. Lopane – Motion to set public hearing for May 18, 2023. Seconded by F. Garito. Roll call vote:**

**R. Lopane - Aye**

**F. Garito- Aye**

**J. Abbatantuono - Aye**

**P. Poltrack – Aye**

**J. Frustace – Aye**

**Motion granted**

## 7. Short-Term Rental – Local Law – Town Board Referral

For the board to vote favorably or not on the short-term rental local law.

P. Poltrack – Did not have a chance to read. Suggested discussing at the next meeting.

J. Frustace – Read it and would prefer Craig discuss the items and why the change is occurring. This is not for us to approve or not. We have no authority over approval. It is advisory.

C. Wallace – There were a couple changes made. This was a previously passed local law last summer. There is a possible constitutional problem that affected out of state owners, or unhosted owners. An immediate family definition was added. Hosted and unhosted short term rental definitions to be treated equally. Requirement added that a maximum of 15 short-term rental permits be issued per year on a first come, first served basis and no owner could have more than one so it is fairly distributed.

J. Frustace – Clarification: Unhosted means not owner occupied. Owner is not present on the property during the rental. Would a board member like to make a motion to vote favorably or unfavorably.

**F. Garito made motion to vote favorably. Seconded by R. Lopane. Roll call vote:**

**R. Lopane – In favor**

**F. Garito – In favor**

**J. Abbatantuono - Abstained**

**P. Poltrack – Abstained**

**J. Frustace – In favor**

**Motion passes**

### PRE-APPLICATIONS

1. **31 Pleasant Ridge Rd – Site Plan**  
31 Pleasant Ridge Rd.  
Grid # 6858-00-105685  
Zone R-45

Brian Stokosa, Project Engineer - 31 Pleasant Ridge Rd. This is the first lot, the larger lot (Indicates on plan). The lower lot where he built the house was like 7 acres. This is lot 1, a hair over 43 acres with the house in the front. What we're proposing to do is an indoor grow facility for marijuana. Everything is indoors. It will be a building that is 200x500. We showed on the plan an access road that goes up to the upper portion of the property. This is a residential area, so we consider this agricultural. We asked the neighbors, they are very informative about what we do on this parcel, based upon what we did on Shane's parcel. We tried to push the building down into the hillside and spread east and west to create a level pad. If you're looking at the front of the building, we are showing 42 parking spots. That would be at almost at grade, at slab level. The intention is to have 20 employees. We tried to use the hillside as a natural buffer between residents up on Cunningham and by doing that the top of the bank where we don't have a row of pine trees to add an additional screen. Cunningham has a cul-de-sac up there, emergency vehicle service access coming through this property was always a concern when you're looking at a residential component. We showed emergency service access gate on Cunningham into the back of the parcel, into the back of the building. The back of the building will be used for truck delivery, also fire access for Pete. Technically, the fire trucks could come through the back of the building and out toward Pleasant Ridge Rd. The building will be sprinklered. It will have a generator. It will have fire suppression. There will be an outdoor water storage tank. It will be a public water supply. Those are all the site plan components of it. No retail use. This is strictly grow process, dry and sell and ship. This is mainly a shipping operation. No retail component. Water usage for 20 employees, figure about 300 gallons a day. The grow operation itself is basically a recycled water operation so the plants are fed fertilized water and the water is recycled. There is an osmosis process that goes on. From a water standpoint, aquifer overlay there are certain provisions in the code for groundwater protection. Shooting highs probably less than



2000 gallons a day. As far as smell, this will be indoors, we will have HEPA filters, charcoal filters. As we go through the process, we will have to provide the town with a level of comfort as it relates to efficiencies and assurance with the residential component behind it. The HEPA filters work and there is no smell associated with this operation.

D. Koehler – There will be exhaust exiting the building and it is going to vent to atmosphere.

Brian – Right so that's where we talk about the charcoal filters and the HEPA filters. Obviously, this was brought up and Dan provided us a pretty thorough basis to look at from a technical standpoint of what to provide the board. We'll dive into those processes and provide documentation. Tonight is just to introduce the project and get feedback. This is a pre-application meeting so we wanted you to basically get a feel for the use as it relates to this site. We consider this agricultural. We have planned if this project gets going and is online to eventually work toward solar paneling on top of the roof. That's more of a phased concept right now to get the building up and eventually incorporate solar panels on the roof to offset some of the energy costs. There will be no outdoor grow operations. Everything is inside. Nothing outside.

P. Poltrack – What you're putting up is an agricultural building. I don't know whether it applies. I don't think it matters what it is used for. In this particular case I understand it's for growing a plant but if that doesn't pay off, the building can be used to grow another agricultural product, correct. I don't even see why marijuana is mentioned.

J. Abbatantuono – Well how about the smell and exposure to the neighbors that are around the residents?

J. Frustace – Craig, correct me if wrong. We have agamarkets for farm operations, and its our obligation to meet their rules and regulations as interpreted, this project also falls under the new marijuana law on an agricultural piece of property for agricultural use. The town has already opted out of on-site consumption and retail so that's not a question. This is going to be a wholesale operation for marijuana production that will get sold to other retail operations outside of our community. When you mentioned you're looking to us as far as use; as far as I'm concerned, its not really within our purview to discuss the use. Is that correct Craig? Considering what I just mentioned, we are here to discuss site plan.

C. Wallace – Yes. What you mentioned was that the town did opt out of dispensary and retail use but this is a totally different animal. This is a marijuana growing operation that is not open to the public. It's going to be enclosed like a greenhouse, using hydroponics, irrigation internally and it's in an established ag district.

J. Frustace – So our concerns would be issues like parking location, view shed, mitigation, traffic.

C. Wallace – Traditional site plan treated as any other site plan.

J. Frustace - Would a traffic study be required for something like this?

D. Koehler – It could be.

J. Frustace – 40 parking spots at 20 employees but then you bump it up to 40 spots eludes to quite a bit of traffic. I'm picturing trucks delivering soil, fertilizer...

Brian – Looking at the code, parking requirements based upon the square footage of the building. I agree 42 spaces is quite large, that's why we banked 15 just to show you that this is a very small operation as it relates to employees. It's fairly computerized and its on a drip out irrigation system. There are sensors that monitor the plants. As far as an employee count, the maximum we talked about was 20 employees. As it relates to parking, traffic and peak hours of operation, we will dive more into that. This was more of a concept to hopefully understand that yes this is considered a use that is permitted here. What we are trying to do tonight is just get that understanding conveyed to us and then kind of working through site planning process as it relates to building position, screening, architectural features and how we try to take

this building and try to hide the mass of it. We are trying to get some of that input tonight just because we have that large residential component behind it. We will get into lighting, drainage, entrance.

J. Frustace – So our job here is to discuss issues like the filter, the parking, he's putting it in an embankment there. There was talk of landscape also to further mitigate the building for the exposed section. An item that I have thoughts about is security. Is that this board's concern?

J. Abbatantuono – Are you going to need to fence this property? Are you going to need lighted fencing? The farms on Noxon Rd initially went in and then they had all sorts of problems. All of a sudden it was lit fencing all the way around. How are we going to deal with that as an option just to put it out there.

Brian – We're going to follow New York State Laws as it relates to marijuana.

J. Frustace – What is that by the way? Do you know? We are curious.

Applicant - I think they as for razor wire. Personally, I don't like to use razor wire but I have to go by the law.

J. Frustace – What's your position? How do you fit into the project?

Applicant - I'm one of the owners.

J. Frustace – One of the owners, ok. Shane is the property owner? You're going to lease the property from Shane? You're going to buy the property from Shane...ok.

P. Poltrack – Including the house up the road?

Applicant - Yes

R. Lopane – Are you subdividing the house out of the property?

P. Poltrack – He can't. When he separated the other parcel, it stated that parcel number one was going to stay as one parcel to avoid segmentation.

J. Frustace – Don't want to get too far away from the razor wire as it is a concern for the board. You indicated that state law requires razor wire.

Applicant - I don't know. I would have to find out. There's hardly any rules and regulations at this point.

J. Frustace – I understand that there have been events where people come to these places to steal the product and some issues in terms of crimes committed.

Applicant - There's going to be cameras and security like you wouldn't believe.

Brian – There's a certain security component for New York State. We'll certify that and go over it with the board.

I think there has to be a 24-hour person on site at all times for security.

J. Frustace – We have run into this problem with previous applications where the use is new to the town. I don't know if Craig is familiar with all the laws regarding this. Any material you could provide us with and email it to the building department that would help us and guide us through this process with you because you seem a little unclear as well. This new law and things aren't clearly stated. It would be helpful if you could provide us with whatever information, we would like to read it. I have attended a few extra CE classes but mostly spoke of Massachusetts effort. I do not have a lot of understanding about the planning process with this in terms of security and such. Layout and design we're familiar with.

Asks for input from town engineer on other discussion items.

D. Koehler – This is sketch kind of conversation. I think he is looking for some input from you guys. We just gave global technical thoughts on the issues that, in our experience with other projects, we know these things are going to come up. The public hearing component, the more information the better on that so we just tried to put together a few things.

J. Frustace – As you know, what's very important to us as a board, is that the town engineer and town attorney's comments are satisfied.

R. Lopane – I don't know if you're from our town but it has been subject to several "farming" proposals over the years and, to say the least, it's not been conventional of what people imagine for a farm. Here we are looking at another, what I think, is not what people would think in the mainstream as a farm. It's agriculture, you're growing but it doesn't look like a farm, doesn't quack like a farm, doesn't sound like a farm. It doesn't feel like a farm at all to anyone in the community. So far, my impression is it looks like an industrial building with the industrial road, the amount of parking that goes with an industrial facility and with utilities and infrastructure that are consistent with an industrial facility not necessarily an agricultural. I'm just expressing those concerns because our town has been subject to this on several occasions. I get these large lots are tough to figure if there's a lot of taxes that have to be paid. How are you making money? It's tough making money selling hogs. My big concern is this building could be easily retrofitted to an industrial use. It's got the parking, the access, the square footage. It looks like an industrial building to me. That's number one. Number two, you're paying a lot of attention to the view of it from behind which is great, but I wonder what it looks like from 55.

P. Poltrack – You won't see it from 55.

R. Lopane – He's raising the grade there. He's lowering it on the back side, but on the front side it's getting raised, am I correct?

Brian – We're on grade in the front.

R. Lopane – That front corner isn't getting lifted? You're upgrading the middle right.

Brian – There's a 6-foot fill in that one.

R. Lopane – I just want to make sure that as you go forward, we want to see what the view is going to be in the winter what that's going to look like because it's a pretty massive structure.

Brian – We'll give you a couple of viewshed sections.

J. Frustace – Dan really extensively discussed viewshed from angles in his letter but Rob brought up a good point about the winter view because that is important.

F. Garito – This is new. One of the things I would need to know is if the growing of this type of product sanctioned by the state to be more indoors than outdoors for security reasons, and it's under Ag and Markets so that puts it in a whole new light. I'm not sure we are clear as to how much jurisdiction we have on this because it falls under Ag and Markets. That is my dilemma.

Applicant – The greenhouses that are growing cannabis are having mold and having problems and they can't sell it. If they're growing it outside, they can only grow in the summertime so they're not going to make money all year long. If someone has fertilized next door and the fertilizer goes to the product outside, they're not allowed to sell it to a dispensary or anything else. Basically, we're just going to grow it and ship it out and have nothing to do with it after that. Once everything is built, there's only one tractor trailer once a week and then maybe a little small truck coming in to deliver.

J. Frustace – That would need to be specified. What is your intention with the rest of the property?

Applicant – Shane said they do maple syrup. He said I can do many things there because it's farming. It's a lot of property.

P. Poltrack – Turn it into a horse operation or purebred beef.

C. Wallace – Mr. Chairman, I came across this Massachusetts case with similar interpretation and application that was similar to this. It was regarded as proper for the board to consider the overall size of the proposed establishment facility, the proposed lease of growth space, number of employees, number of truck trips per day, overall trip generation of the facility, water consumption, potential for industrial level noise, need for sophisticated HVAC and odor mitigation controls and large co-generation facility. Those were some of the things that board was asked to consider. That would probably be a good starting point for this applicant to address, given our lack of experience in this type of growth facility in the state. It is such a new concept.

J. Frustace – These are all the items that Dan covered in his comment letter with them.

J. Abbatantuono – Have to be a lot of detail to get everyone up to speed. Evidence, background and all that.

R. Lopane – I don't want to be completely negative about the application. There could be a lot worse like we could have filled this whole setup with houses and then a lot more traffic. I'm glad it seems like you're attempting to minimize the impacts within the building. I just want you to be aware what's happened in our town and the feeling. It's kind of left a bad taste in our mouth. It's going to be important going forward to demonstrate to our community that this is not going to be harmful but a nice addition to the town and that it's actually agriculture. You're growing plants. You're hiring local people which is good. I'm assuming you'll hire local for 20 jobs. My biggest thing is about the aesthetic of this building. If there's a way to make it look more like a barn somehow, that I think would go a long way to make it feel like a farm. If we're calling it a farm, should be what people consider a traditional farming site.

J. Frustace – Do more with the lines that are exposed so that it doesn't look industrial. Like he said, maybe using barn red colors.

Applicant – It's an aluminum building.

J. Abbatantuono – An industrial looking building.

R. Lopane - A lot of the last two decades of farms buy these metal buildings but they still have gable roofs and a nice pitch on the roof.

Applicant – It's only 16 feet high, 19 maximum.

J. Frustace – We look forward to the elevations and all that which Brian is quite familiar with. Landscaping, etc.

R. Lopane – Particularly, this community here, we just went through another application with this actual neighborhood on a cell tower. They're not very happy how that turned out.

J. Frustace – What is appreciated is the effort and detail that went into your plans at a discussion phase. It's very important to address all of the comments in Dan's letter and then anticipate public hearing issues before we get to the hearing. Viewshed, traffic, security razor wire. That type of industrial concept is something that I don't believe any of us are interested in. Very much interested in mitigation through plantings on areas that aren't going to impact your other farming intentions if you have them. Any other comments for the applicant.

J. Abbatantuono – There's going to be a need for a lot of information. It's already being posted. People are already swarming.

D. Koehler – One other thing I just noticed also is I had touched on energy in my letter and you had mentioned something about solar in yours as well.

Applicant – As soon as we're making money I want to put solar.

D. Koehler – Take a look at our code for solar. It's not necessarily posted directly on eCode. You have to go into the new laws and it was local law 1 of 2018 I want to say. That will also help guide what you can and cannot do on the roof as well. They should take a look at that code because I don't know exactly what it is for building mounted. We just went through it with ground mounted. You should take a look at it.

**2. Samana Estates** – Subdivision  
Beekman Rd. & Greenhaven Rd.  
Grid # 6658-00-697710  
Zone R-45

J. Frustace – Provides explanation of property location.

Mike Gillespie – It's on the corner of Beekman Road and Greenhaven Road. Just over 6 acres; R-45 zoning district. Proposing 5 lot subdivision. Proposing access points coming out to both roads will need approval from Dutchess County public works. Site visit was done. They seem to be satisfied from a verbal standpoint. Some clearing and other things Proposing wells and septic systems. Additional soil tests done. We have a survey. Will try to work around trees as best we can. Some flexibility with septic. Septics will be very small. Introducing the plan prior to formal application.

J. Frustace – Are you going to clear cut the entire lot and then landscape and plant or will you be maintaining some? Clarification. More of a question of whether or not you are going to clear cut because of septic, driveways, etc. or were you going to maintain some and then build around.

Mike – We are going to try to maintain as much as we can. We want to have some buffering between each of the lots. It's a one-acre zone so having a few trees here and there actually works. Because of the size of the septic areas, they're going to be about the smallest that you are going to have. So instead of having fill pads that are taking up half the lot, that's not going to be the case.

J. Frustace – So being that you offered and committed to maintaining some of the trees, which wasn't something I requested, you're going to now actually put a plan together with the diameters of some of the larger ones which will remain.

R. Lopane – Maintaining groups of trees is important. Maintaining buffers is important.

P. Poltrack – There will be a traffic light put in at that intersection.

Mike – I had heard that. I actually did a little bit of research. There's not a lot online that shows what was proposed there. They're probably floating around town hall. There probably is some information but unless there were certain right of ways proposed to be taken and it's turning lanes and things like that I don't necessarily know how it may affect us. We're trying to keep our driveways as far away from that intersection as reasonable

P. Poltrack - I don't think there were turning lanes on the final but definitely there is an emergency-controlled traffic light.

D. Koehler – Just to back up on the buffers, the property to the south, as you know, is owned by the fire department and they were talking about a training facility there years ago so I don't now if that's ever

going to be brought back up again but it might be a good idea to try to maintain some of those buffers there.

R. Lopane – That's the biggest issue we had with Barton recently is that he wants to build that farm market and the neighbors apparently cut the trees down right up to the property line so you're absolutely right. We could anticipate future complaints by these neighbors if and when the fire department wants to develop their site. It's important that we put a buffer in this drawing and maintain a buffer there so they can have future protection from any development happening on this lot.

J. Frustace – Asks for some elaboration on the buffers.

Mike – As mentioned, we have some flex on the septic systems. We can move them around to maintain separation. Here is the property fire district (indicates on drawing). I think this used to be a farm field so it's clear. I could play around with this a little in terms of shifting things up to provide for that buffer.

R. Lopane – Concentrating the driveways together also limits the amount of disturbance you have to make to trees. Questions drainage.

Mike – Points out of drawing. Indicates that it will be worked out with the county.

3. **597 Depot Hill** – Lot Line Adjustment  
597 Depot Hill  
Grid # 6758-00-893014 & 6758-00-846042  
Zone R-135

Applicant/Representative not present.

**J. Frustace - Motion to adjourn the Planning Board Meeting. Seconded by P. Poltrack. All in favor. Motion carried.**

Meeting Adjourned 10:36pm

Respectfully submitted.  
Aletha Bourke