

TOWN OF BEEKMAN PLANNING BOARD AGENDA

Minutes of August 20, 2020

The Town of Beekman Planning Board met for their regularly scheduled meeting on Thursday, August 20, 2020.

The following members were present: John Frustace (arrived at 7:15) Faye Garito, Jayson Abbatantuono, Rob Lopane, and Peter Poltrack. Also present was Town Engineer - Dan Koehler, Town Attorney - Paul Ackerman and Secretary - Selene Haile

Rob led the Pledge of Allegiance and noted the exits.

Peter made a motion to approve the July minutes. Seconded by Faye. All in favor. Motion carried.

Discussions:

1. Kindred Creeks Farm Inc. – Site Plan and Special Use Permit
2901 Route 55
6858-00-185588
Zone C2 & R-135

Mr. Cartwright approached the Board. He owns a tent and party rental business across the river. This is his home and property on Route 55 and he will be hosting weddings and private family events. Everything is portable - tents, generators, lights, port potty, refrigeration, table, chairs, dishes, etc. They will be using generators and they will be setting up and tearing down. He doesn't want to put up a building. He wants to keep the agricultural feel.

It was stated he received a variance from the ZBA for a farm stand.

Dan stated he issued a review letter.

They will be using generators which are ultra-quiet. They use Honda 7000 watt and 3000 watt generators which are 65 decibel. They are gas powered.

Rob said the band would be louder than the generator.

Mr. Cartwright said they will use moon lights - 20 AMPS with a 3000 watt generator. It is a telescoping system which looks like a balloon. They run on dimmer switches. They are put away at night. They cover an area like a parking area. He stated he doesn't think it will affect Route 55. He stated if it does, he will get another form of lights.

Dan asked if the Board wants to add anything in the resolution about lights.

Mr. Cartwright stated maybe he could get something to go over to keep the light down.

Peter said he doesn't think anything needs to be added to the plan since the applicant is experienced and responsible.

Faye asked how far from Route 55 they would be located. Mr. Cartwright it is 50 feet away and there is a large knoll. Faye said that would minimize any interference to Route 55 traffic.

Mr. Cartwright stated if there is any concern from neighbors he would change it. He is in this for the long haul and doesn't want to have any problems.

They will be holding events during the spring, summer and fall.

It was asked if there is any loading spaces. Mr. Cartwright said a truck could back up to the barn. They will hand carry the stuff to the site.

There will be a note on map that if the other property is ever sold the front driveway is not to be used.

There was a question about trash. It will be placed inside the gate on the right hand side, across from the farm stand.

Dan said they should come in with a sketch of the farm stand for ARB approval before site plan approval. Mr. Cartwright stated they will wait until spring to get it since the season is almost over and it is a \$12,000 investment.

Dan said the project is in aquifer overlay zone 155-12. There is very little impact. If Planning Board is comfortable they can make the statement the impact is minimal.

Faye stated there are no changes. This is agricultural in nature and has minimal impact.

Dan said they have gone thru standards for a Special Use Permit. The Board can grant Preliminary, Conditional Final and Special Use Permit.

Peter made a motion to grant Preliminary Site Plan Approval, Conditional Final Approval, and Special Use Permit. Seconded by Rob.
All in favor. Motion carried.

Dan will prepare the resolution and circulate it for the Boards review

Town Attorney - Paul Ackerman asked about the deed from 2018. The owner stated the name has changed but there was no transfer of property.

2. Safe Haven Animal Shelter & Wildlife Center – Site Plan and Special Use Permit
186 S Greenhaven Road
6657-00-106399
Zone C-3

Charles May approached the Board.

He has addressed the previous review from Dan. He does have response from the DEC that the storm water plan is in compliance mediation plan.

He said he just got comments from Dan about 35 minutes ago so they will meet and go over the comments. He said he did submit EAF and it was circulated and he wondered if there were any comments. Dan stated only from the Department of Planning however there is still time since it has not been the full 30 days.

Dan said that the Board could declare themselves Lead Agency and set a Public Hearing for September.

Peter asked about handling the waste. He asked if there was more containment besides covering it He said his concern if 30 to 40 years from now and the land across the street.

Dan said he is not sure how the containments move thru the asphalt capping. He stated he emailed Scott Taylor to ask some of the questions he has about some of the materials and how they move thru the soil.

Mr. May said the applicant would be willing to put in a monitoring wells which would indicate any contamination.

John asked about aquifers, water ways, or wetlands around and to they need to make sure there is no impact. There are federal wetlands near the railroad tracks.

Peter said he thought testing the well was a good idea. He said it should be the owner's responsibility and a copy of the results be sent to the Town of Beekman. He said there were a set of guidelines that were used on Pleasant Ridge Road and a timetable for testing. It should be placed on the Platt.

Rob asked whether this was a requirement of the DEC. Dan said no the applicant is willing to do it and it is not a requirement of the DEC. The applicant is offering this.

Mr. May said the storm water chambers is wrapped in a geo-textile so the storm water does not enter the ground. There are storm water chamber infiltrates down and it is captured in a covering so it doesn't go into the ground. There is stone below the covering. There would be no net increase of water downstream. The water would come out at a slower rate.

The remediation plan has met all the DEC standards. The applicant will maintain black top every 2 to 3 years, seal coat, and it will act as a parking lot.

John stated there is no vote tonight on this application. The Board could vote to have a Public Hearing in September.

Mr. Ackermann said the next logical step is to schedule a Public Hearing for September and see what the Public has to say.

Faye made a motion to set a Public Hearing at the next Planning Board Meeting. Seconded by Peter. All in favor. Motion carried.

Dan said to check because there is a possibility that the next Planning Board Meeting may be at the Beekman Recreation Center.

There was a discussion where the well would be located. This a commercial water supply and the applicant is willing to get the water tested. Dan said this has sandy gravel soil. There are wetlands off site. They will therefore have to strategically place the wells. Wherever they decide it should be placed on the drawings.

Mr. Ackerman said the Board decides some sort of monitoring process and enter into a legal site management agreement. He said than a deed restriction or easement could be placed on the property which would require them to perform such things as regular testing.

It was stated that this was State land and the applicant feels it would be impossible to get an easement or deed. If she doesn't use this as it is stated the land goes back to the State. She can't do anything else with the property.

Mr. May said once they get a Negative Declaration they can go back to the Department of Health.

The applicant said she doesn't have a deed she has an Article of Patent. Mr. Ackerman said you could still put an easement and it would be filed with the State. This would be an environmental easement plan and it would be filed.

Rob said it seems it would be a difficult process to have the applicant get an easement form the State on this property. He said it needs to be on file somewhere. Rob stated he thinks it should be on the plat and asking them to do anything else would be imposing obstacles.

He said the DEC isn't asking for this the applicant is volunteering this.

Dan said it could be incorporated in the Special Use Permit. He stated the Building Inspector would get notification of something that is due.

Faye said she agrees with Rob that it would be difficult for the applicant to get an easement and she is voluntarily willing to do the testing.
If she leaves the property goes back to the state.

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

Faye said she wants to disclose that part of this application is relying on parking on property that she owns. She said she will reclude herself from this application.

Peter said he doesn't feel she needs to do that.

Mr. Ackerman asked if she stands to gain financially. She said she does not.
He stated she doesn't need to reclude herself.

Faye said that based on the advice from the Town Attorney she will continue unless she finds she is uncomfortable.

Pete Setero - Engineer for project and Kevin Kilmeyer - applicant approached the Board.

Kevin is the owner of the River Station in Poughkeepsie.

Kevin was before the Board 6 months ago and since then they have done a lot of homework. They worked with the DOH and DOT.
The DOT fine with project and happy there is going to be some channelization that was never built.

Pete said they sent the plans and will be working with them. In order to get a working parking lot there is not enough room on the property.
The Route 55 Right of Way comes back into the property. They have showed some landscaped islands however some are in DOT right of way. In the discussion they have no issue with improvements in the right of way. The applicant will have to enter into an use and occupancy permit with DOT. It will spell out what is in the right of way.

They met with the DOH. Kevin had parts of septic system excavated and they came in with a camera to check the laterals. Two were plugged due to tree roots gotten into septic system. They will have the trees removed and 2 laterals will be reconstructed

They went thru water system and with some minor improvements the DOH feels they will re-approve the use.

They uncovered the sewage pump station. They will have a 6 hour well test and do water quality samples and make a submission to the
DC Dept. of Health.

As far as the parking goes the Health Department will approves for 101 seats which requires 34 parking spaces by code. They will be 3 spaces short.

Dan said they have 2 ADA spots so they are actually only 1 space short.

The prior owner had a parking agreement with Key Bank and Kevin has talked to them and submitted a letter that once Kevin owns this they will enter into a formal parking agreement for use off hours if needed. They have a cross walk proposed to get from Key Bank to the restaurant. There are no dedicated spaces at Key Bank. They also showed in front of the building a concrete sidewalk and it wraps around.

He said as far as lighting they are not proposing too much more. The lights on the front door will be changed.

They have provided a landscaping plan. It was stated they did not propose plantings on the island, they are proposing grass due to the winter road salt.

Peter said to make sure to look at the line of sight. It was stated they will only have grass in that area.

Faye said on the west side of Palmer Circle there was posts at one time to keep cars from leaving on Palmer Circle. Some of those posts have been removed by the previous owner. She stated cars come off Route 55 and can come out of the parking lot and it is very dangerous and needs some sort of barrier.

Pete said the inside of parking lot is curbed. They would have to drive over the curb.

There are no building changes to exterior.

They do have to make a sign application. They will get better details for the Board. They are proposing moving the sign. It will be a pole mounted sign and at the base there will be cultured stone. It will have gooseneck lights shining down and annual plantings.

John Garito came forward and stated he owns the Key Bank property and land surrounding. The restaurant was built in the 60's and it was not necessary to increase parking. He said he has no problem with them wanting to park there and making a new facility. He said his concern is Key Bank's local branch manager has given permission but Key Bank Corp has not.

Mr. Garito said if Key Bank leaves he would have to consider if a new tenant would want this parking in their lot. He said he doesn't anticipate Key Bank leaving. He wants to see it used but if something happens and another tenant rejects that parking he has to consider his business. He is not taking any money for the parking. He can't guarantee the future.

The engineer for the applicant is going to look at trying to find a parking space or two on the property.

Faye asked about compact car only spaces.

Peter asked if they could take some space from the septic system location.

The engineer started that at some point they would like to increase the seating capacity and they would need additional parking spaces.

This has 160 seating capacity and they are starting with 101 seats.

Faye said there may be central sewer in the future which would help the situation.

They will show the detail for trash dumpster. They will use white PVC fencing. They will include for the next meeting.

There was a discussion of the sign being out of the property line. The code says that free standing signs are supposed to be 10' within property line. Dan said they may need to get a variance and have an agreement (use and occupancy) with the Town if it is in the right of way. Mr. Ackerman asked if it could be incorporated with the permit with the State.

There was a question about the Archeological item.

If the Board felt it was unlisted then the Board would have to circulate for Lead Agency. Dan felt it is a Type II action.

Mr. Ackerman stated he agreed it is a Type II action and they can identify potential archeological items. If it impacts the Board is obligated to redo SEQRA

Faye made a motion that this is a Type II action. Seconded by Peter. All in favor. Motion carried.

He stated the Board could set a Public Hearing for next month.

Faye said Key Bank will negotiate with the owner. If applicant is not the owner has to be worked out.

Dan said they can come with 99 seats and adequate parking. If they get one more space they can have the 101 seating. This is the most they can get from the DOH at this time. They will be saved from doing the crosswalk. They can do that if they have parking at Key Bank.

Faye said people will park at Key Bank anyway and it is dangerous. There is no lighting and in the winter it is dangerous because there is no designated access from Key Bank.

Peter made a motion to have a Public Hearing next month. Seconded by Faye. All in favor. Motion carried.

Extensions:

1. Furnia Court – Contractor Yard
Route 55
Grid # 6858-00-002921
Zone C-2

The applicant is working on an easement agreement.

180 days to August 18, 2020

Peter made a motion to grant 2 (two) 90 day extensions until February 14, 2021. Seconded by Rob. All in favor. Motion carried.

2. Tree Top Adventures (Barton Orchards)
Special Use Permit
Beekman/Poughquag Road
6758-00-329577, 6758-00-365610, 6758-00-438672
Zone: R- 45

Dan stated there have been a series of extensions. They County Department of Public Works has been working on an approval for management of larger events to control traffic. The pandemic got in the way and held things up.

Dan stated this will need four 90 day extensions witch will bring it to February 8, 2021. Faye made a motion to grant four 90 day extensions until February 2021. Seconded by Peter. All in favor. Motion carried.

Rob stated the applicant has to attend the meeting fir they are not done by then.

Rob made a motion to adjourn the meeting. Seconded by Jayson. All in favor. Motion carried.

John made a motion to close the meeting. Seconded by Faye. All in favor. Motion carried.

Meeting Adjourned.

Respectfully submitted.
Selene Haile