

## **The Town of Beekman Planning Board Minutes of February 20, 2020**

The Town of Beekman Planning Board met for their regularly scheduled meeting on Thursday, February 20, 2020 at 7 PM at the Beekman Town Hall. The following members were present: Chairman - John Frustace, Faye Garito, Jayson Abbatantuono, Michael Gallina, Rob Lopane and Doug Florance. Peter Poltrack was absent. Also present was Town Engineer - Dan Koehler, Town Attorney - Craig Wallace and Secretary - Selene Haile.

John led the Pledge of Allegiance and noted the emergency exits.

Dan introduced the new members of the Board.

There was a discussion of the November 2019 Meeting minutes. Only four members are still on the Board and only three are present this evening. Dan asked the three members present Doug, Rob and Michael. They had no comments about the minutes. Dan will check with Peter and then the minutes will be able to be approved.

### **PUBLIC HEARING:**

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

Shane Furnia approached the Board.

Michael made a motion to re-open the Public Hearing. Seconded by Rob. All in favor. Motion carried.

Shane stated this application is for a Contractor Yard which was brought before the Board about 2 years ago. It has had two different engineers and different members of the Board. It got hung up with the County and the State Department of Transportation.

Faye stated that she is familiar with the applicant but has no financial interest in project. She feels she can be fair and impartial.

There were no comments on this application from the Public.

Rob made a motion to close the Public Hearing. Seconded by Faye. All in favor. Motion carried.

Dan stated they need to review item 2 in his letter dated February 14th - Make a decision regarding the effect of the project based on its location within the Aquifer Overlay District in accordance with §155-12(D).

He stated the Planning Board needs to go over items 1 to 5 in the code:  
Discussion - John read Berger's Associates response to this issue.

Rob is comfortable with the response and as long as it is enforced.

Dan said the information will be put on the plans.

Cliff has reviewed the map and the documents. He said the only issue would be washing of vehicles and industrial equipment.

Shane said someone might want to wash their van but maybe it could be no washing industrial equipment.

It was agreed there would be washing of industrial equipment. (Nonregistered large equipment) which would lead to pollution.

Mr. Wallace said it would be better to use what is in subsection F - there is some guidance and that could be included in the plan instead of limiting the specific washing of industrial equipment.

Section 155 -12 E prohibits certain things and this fall under that also.

The discussion of repairs of own vehicles/equipment. Mr. Wallace stated it would be confined to the owners us and they would be required to take all precautions to protect the aquifer. Shane stated there is no drains in the 6" concrete floors.

Dan stated the plan states no repair outside of the buildings.

The Board reviewed all standards of 155-12

Engineer's letter item # 3: Make a determination of SEQRA. The provided EAF appears acceptable. The Planning Board shall review the EAF as part of making a determination..

Dan said they have had the chance to review The EAF and it is acceptable. They have provided it in the packet for the Board.

The Board went through the 11 standards. The Board answered small or no impact on all 11 standards.

John made a motion that the Planning Board as Lead Agency hereby determines that the Furnia Court Contractor Yard project will not have a significant adverse effect on the environment, and that a Draft Environmental Impact Statement is not required.

Seconded by Rob. All in favor. Motion carried.

Engineer letter - item #4: Grant preliminary site plan approval. The Planning Board should review the requirements of §155-59(F) in making its determination.

The Board went over # 1 to #7 and items #9 to #12 in the code. (Item # 8 only applies to residential)

Dan said that in conversation with the Fire department they want one in a half times the building height for collapse zone so their equipment is outside of that. The latest has a 31 1/2 collapse zone and there trucks are 8' wide. The Fire Department wants 39' from face of bay door to where someone can be parked in the back. The Fire Department wants the building pushed 4 'forward. Dan said they have 5 feet to work with - moving would appease the Fire Department.

He said the Board needs to discuss this. It could be made a condition of approval.

Shane said this was discussed several times and his engineer said it couldn't be moved. It has already been moved forward.

He would prefer to have it forward but is wasn't possible. His engineer isn't present tonight.

Dan said he thought it was possible.

**Rob asked about the space. However, there will be cars parked there so they need space not including the parked cars. It would add impervious surface.**

**It was asked if this was just brought up. Dan stated he just had the conversation with the Chief. Doug asked is this a request or a rule.**

**Dan said the Board can override this but it is about fire safety.**

**Dan said the Board can make a determination on approval of Fire Chief.**

**The Board asked if this is in writing. Dan said he is working with the Fire Department to address issues with applications in writing in the future. In this case he spoke to the Fire Chief 25 minutes before the meeting and this was the information he was given.**

**Shane said is it in the code in which case his engineer would have followed that. He has had a plan for two years. He said that his engineer isn't present tonight. It was suggested that he could get conditional and have his engineer reply.**

**Craig Wallace stated the Fire Chief has overriding concern and we have to comply with fire safety. He said he has the discretion.**

**He stated the Board could ask the Fire Department to come or provide a letter so it is part of the record.**

**Shane said if the retaining wall is moved back it will go over the one acre of disturbance.**

**Faye asked if he could get a variance.**

**Doug said he googled a collapse zone and it is a 1 1/2 rule.**

**Craig said there is a uniform fire safety code and the Town of Beekman has adopted that.**

**Rob made a motion to grant Preliminary Site Plan Approval. Seconded by Doug. All in favor. Motion carried.**

**Doug made a motion to grant Conditional Final Approval with Town Engineer review letter dated February 14, 2020 and any revisions, approval of outside regulatory agencies, any outside approval fees, any outstanding fees, and subject to compliance with the Uniform Fire Prevention and building code of the State of New York in regard to collapse zone. Seconded by Michael. All in favor. Motion carried.**

**Dan stated Special use permit (155.60 G) is needed for this application.**

**He said the Board needs to look at the code (155.60 G) #1- a-e and #2.**

**Dan said that the Fire Department wanted there to be a condition. With each new tenant the applicant will provide the Building**

**Department a revised floor plan of how the area is being used and a list of what is being stored. It will require a Building permit application and a new CO for every tenant change.**

**Rob made a motion to grant Conditional Special Use Permit Approval. The applicant will obtain a building permit application and CO for each new tenant. Seconded by Faye. All in favor. Motion carried.**

Dan stated that currently the Planning Board is acting as the ARB and will review the sign and building architecture.

Shane showed a picture of what the sign will look like. The sign is free standing and needs to be 10 feet back. He will use Versetta Stone - Mission Point. The background is Middlebury Brown HC-68 and the lettering is Revere Pewter HC-172.

The sign has a metal roof in Middleberry Brown. The light will have a timer and be off from 11PM to 6 AM.

The building will have a stucco front (Revere Pewter) or similar grey with 4' of stone (Versetta Stone - Mission Point) and red mahogany stain wood trim. The windows are clear with white trim. The roof is black (Iko Asphalt shingle). The door in front will be white trim and clear windows. The side and back will be vinyl board batten (harvard slate). The overhead doors will be white.

The retaining wall will be Ledger Stone.

Rob made a motion to approve ARB with the condition that updated plans are provided. Seconded by Doug. All in favor. Motion carried.

**Bond:**

Dan stated the Bond amount is \$35,849 and an inspection fee of \$3,584.

Faye made a motion to recommend to the Town Board a performance bond in the amount of \$35,849 and an inspection fee of \$3,584.

Seconded by Rob. All in favor. Motion carried.

**DISCUSSION:**

#### **1. 2020 Proposed Planning Board Meeting Dates**

January 16, 2020

February 20, 2020

March 19, 2020

April 16, 2020

May 21, 2020

June 18, 2020

July 16, 2020

August 20, 2020

September 17, 2020

October 15, 2020

November 19, 2020

December 17, 2020

Rob made a motion to accept the 2020 dates. Seconded by Michael. All in favor. Motion carried.

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

Meeting Adjourned.

Respectfully submitted

Selene Haile  
Secretary