Town of Beekman Planning Board
Minutes of January 18, 2018

The Town of Beekman Planning Board met for their regularly scheduled meeting on Thursday, January 18, 2018 at the Beekman Town Hall. The following members were present: Chairman - Sean Johnston, William Magee, Rob Lopane, Michael Gallina, Doug Florance, and Dave Anderson. Peter Poltrack was absent. Also present was Town Engineer - Jon Bodendorf, Secretary - Selene Haile and Town Attorney - Craig Wallace.

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

DISCUSSION: (This was heard first)

2. Boccia & Marino Lot Line Realignment
   59-60 Cypher Lane
   Grid # 6758-00-004160
   Zone: R-45

Steven Allick from Chazen Engineering approached the Board.

Boccia driveway comes over a strip which is owned by Marrino. It has been that way since construction of the Boccia house.

John Cunnigham conveyed easement to Boccia when he was constructing Marino house.

Over the years there has been some disagreements. Marino is now questioning the validy of the easement. He now wants to sell this land to Boccia however it will make Marino's lot non conforming.

Jon stated this is not an official application so he looked at it briefly.
The application would clear up any liability issues but this would require an area variance. Mariono's strip would go to 15' of frontage.

It was stated there are 9 acres in the rear but they can't be further developed. There is a house and a large pond and it would be very difficult to further develop.

The engineer said that Boccia can't construct a new driveway due to the large rock in front of the property. It would be very expensive to be moved.

It was stated this needs a variance from the Zoning Board.

Dave said he thinks the rock needs to be moved and a new driveway created.

It was suggested that the deeds be forward to the Town Attorney so he could review them.

PUBLIC HEARING:

Hot Ass Wood Site Plan (Dmitry Khorash)
2537-2545 Route 55
Grid # 6759-00-650278
Zone: TC

Bill made a motion to go into executive session regarding this application. Seconded by Rob. All in favor. Motion carried.

Bill made a motion was made to close the executive session and reopen the meeting. Seconded by Rob. All in favor. Motion carried.

Bill said we need to go back and start from the beginning because we have skipped some steps. We have to have a short form EAF and step thru the whole process

The map is from 1973 and things may have changed. The Board is recommending get back with Jon and he will tell you what you need and we can get to a formal process.

Most of the stuff has been discussion and not been formalized.

Mr Khorash stated he has a recording on his phone that an employee of the Town gave his landlord message that said clearly that he was allowed to do what he is doing. This was 2 years ago. Also most of the members of the Board were here when he came two yeas ago and asked permission which he received. Based on that permission and the employee he states he invested half a million dollars in cash based on the Board's recommendation.

He said he knows the difference between the law, back door dealings and discrimination

He has done everything in his power to satisfy the Town. He has done what the Town asked him to do. He has been led down a path - done everything he was asked.

He had a decision 3 months ago - invest more money and not litigate He has spent an additional 60,000 so he didn't have to litigate

He can come back with the recordings. He feels he is being railroaded. He met with Town Attorney and Town Supervisor. Now there is a new Town Attorney

What benefit is the Town going to have with a multimillion dollar lawsuit.

He discussed it with Bob Sumners - sued on behalf of Joe and won. This is a winnable case - How does this benefit the Town.

I am a hard working business man.

Craig Wallace said this Board is going to listen to your applicantion. They haven't made a decision yet because they don't have an application to decide on. You are threatening the Board.

You need to proceed with this application with an engineer so this Board can consider it.

Once there is an application this Board can take action on SEQRA.
You need to provide a clean application so this Board can act on it.

it needs to go through the process. If you go through the process and the Board rules on your application it will be bullet proof. We want to make sure that it is correctly done so it is not overturned in court.

You need to get an engineer to help you through this process

The applicant asked Mr. Wallace if he has ever been discriminated against. He said he can clearly see discrimination being directed at him road blocks put up

You don't care about 2 years ago, but it changed his life - you don't know what the Board has been saying.

There is not a member in the audience - not one person in the audience after he advertises this.

The new supervisor doesn't like him which is a known fact and has now sent an attorney to the meeting.

Bill stated that no one on the Board is against or for you , you must go through the process.

Rob said the applicant needs to look at the provisions and submit a formal application. You have been told to do that at several meetings.

This attorney can come up with a million reasons to deny.

Bill stated that nothing has been denied. There has been no denial.

The applicant stated the code requires 600 feet of sidewalks. Is that ridiculous. A $60,000 sidewalk. I am going to spend money on an engineer and then if I don't put in a sidewalk I will be denied.

Mr. Wallace said you are supposing this Board is going to reject your application but you haven't submitted a complete application.

The town engineer doesn't return my calls - 3 separate times.
Rob stated that the applicant was asked at the last meeting to look at the code and submit a complete application.

Rob said he wants to make a motion that the applicant follows direction of the town engineer in respect to the completeness of the application. Seconded by Michael. All in favor. Motion carried.

Rob made a motion to go into executive session.

John Armmeturo stated he is the owner of the property since 2004.

He said he has had various tenants that have been denied which cause him hardship. He was approached by Dmitry 2 years ago and he told him yes as long as it was okay with the Town and he made decisions based on that

He go a verbal okay from the town and he has been operating for 2 1/2 years. The processor caused problems and he removed the processor
so what has changed.

Mr Wallace said the board hasn't acted on any applications because application isn't complete.

Once it is complete then the Board can make a decision. It needs to be done in the right manner so there is no questions this property is legal going forward.

We heard rumors that the new Supervisor doesn't like Dmitry. Mr. Wallace stated that has nothing to do with this.

Sean said this Board only applies the rules. Nothing has been denied. There needs to be an application so they can rule.

John asked about sidewalks. Jon said he doesn't know where that comment came from. The applicant can sake the Board for waivers. He gave the name of 3 engineers that can help him.

An engineer can explain to him what to do and what waivers he can ask for.

Sean said he appreciates the diplomacy. An application needs to be presented and the Board can do due diligence. A complete application is needed.

Rob made a motion to go into executive session. Seconded by Michael. All in favor. Motion carried.

Sean made a motion to close the executive session. Seconded by Michael.

Sean made a motion to close the meeting. Seconded by Bill. All in favor. Motion carried.

Meeting Adjourned at 8:40 PM

Respectfully submitted.
Selene Haile
Secretary

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