

The Town of Beekman Planning Board Minutes of May 16, 2019

The Town of Beekman Planning Board met for their regularly scheduled meeting on Thursday, May 16, 2019 at the Beekman Town Hall at 7 PM.

The following members were present: Sean Johnston, Rob Lopane, Michael Gallina, Peter Poltrack, and Doug Florance. Also present was Town Engineer - Dan Koehler and secretary - Selene Haile.

Rob lead the Pledge of Allegiance and noted the emergency exits.

No Public Hearings:

Extensions:

1. Treetop Adventures
63 Apple Tree Lane
Grid # 6758-00-329577, 678-00-365610, 6758-00-438672
Zone R-45

This is a request for an extension. They are waiting for the DPW. They are still working out the details of the traffic plan for large events. They require two 90 day extensions.

Rob made a motion to grant two 90 day extensions from February 19, 2019. Seconded by Michael. All in favor. Motion carried.

DISCUSSION:

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

It was stated that they went to the DOT and received conceptual approval but they need a Negative Declaration to move forward.

They also have Health Department Approval but are waiting for a Neg Dec.

They have added screening in the front and have added more storm water treatment.

Dan stated the Board circulated for Lead Agency in October.

Dan stated his comments are in the letter dated May 16, 2019.

This project is just shy of having to have a storm water pollution plan. They will stake the area out and put up a fence.

They have granted a permanent egress to the the neighbor for their driveway. They will put it on the platt and make a formal easement.

Rob made a motion to declare Lead Agency. Seconded by Peter. All in favor. Motion carried.

Rob made a motion to allow the applicant to set a Public Hearing for the June Meeting. Seconded by Michael. All in favor. Motion carried.

2. Little Wolf Properties, LLC - Lot Line Realignment
Duncan Rd
Grid # 6759-00-112874, 6759-00-114938
Zone R-90

This is a proposed lot line realignment on Duncan Road. There are multiple parcels on this deed. Part of this property is in Unionvale and Beekman.

There was a discussion about the property line and that there may be an issue with the area next to the Zollner property.

There was also a discussion about there being no road frontage. The Board does not want to create a non-conforming lot. A note will be placed on the platt.

There is a possibility that Union Vale may pick up a part of the parcel that will be separated.

James Horan - Town Attorney stated he looked at this deed. He said because the Town line runs through the property that automatically creates two parcels which can't be combined due to tax purposes. He said that he noticed the deed description for the Little Wolf property and the deed description for the Zoellner property do not match. He said he thinks a surveyor needs to look at this.

Rob stated his concern is that there will be no access to one lot after this lot line realignment. There was a discussion about what happens with that parcel.

Rob asked for clarification for about creating a lot without frontage. The Town Attorney said it already exists so you are not creating it. You may be increasing the size but it is already there. He said a note can be put on the map that it has no frontage or put a deed restriction.

It was stated that would have to come before a Planning Board to create a lot. Dan asked why they don't give it some frontage in Beekman. The owner said he wants to keep it part of the parcel.

The applicant will put a note on the platt.

The applicant will look into the deed descriptions and clarity.

Dan told the applicant to put any waivers in writing for the next meeting.

3. Town of Union Vale Cell Tower Project in Tymor Park - Lead Agency Designation and Notice of Public Hearing
43 Deforest Lane
Grid # 6659-00-960870
Zone L-C

Jeff Battistoni - Attorney for Union Vale approached the Board

This application is for Homeland Towers to put up a cell tower off DeForest Lane in Tymor Park. This is a 150' tower with 4 carriers and emergency services.

Homeland approached the Town of Union Vale last year and then came back in March and said they were ready to go.

This is dedicated parkland so it is a little complicated. Tymor Park owns this land but the actual project site is in Town of Beekman.

Ballon tests were done and the visual impact was positive. FCC preempts the Health issues. All of the information they have received is good.

The problem is there is a tight time frame - NY State Park needs to have it in June which is the only time they address this type of issue.

The Town of Union Vale sent a copy of the application to the Town of Beekman. The Town of Union Vale wants to review it this since it is in Tymor Park and the park is owned by the Town of Union Vale. They have always handled anything in the park.

There is case law - County of Monroe Document, to allow The Town of Union Vale to review this.

Paul Ackerman sent a letter stating the Town of Beekman may want to review it

If they can't complete this now they will have to wait until next June.

The Town of Union Vale has set a Public Hearing is Tuesday, May 21st.

Peter stated that Union Vale will go through the same process as the Town of Beekman would go through.

Doug stated that we have already been through and the bottom line is if it is good for the public it will be approved.

Rob said he respects what everyone is saying but there were many Town residents that were upset and may want to know why the Town of Beekman wasn't involved.

It was stated that if both towns want to be Lead Agency then the DEC will decide.

It was stated that the Town Board thought it was appropriate for the Planning Board to be Lead Agents.

It was stated that at last night's Town Board meeting the Town Board passed a resolution 05:15:2019-4 that they support the Planning Board of the Town of Beekman declaring its intention to be Lead Agency.

The question of revenue was asked. The money will be pledge to the Park and can only be used for the Park.

It was explained that if the Town of Beekman and the Town of Union Vale want to be Lead Agents it would be decided by DEC.

There was a discussion about why part would the Town of Beekman play if they do not declare themselves Lead Agency. The Town of Beekman can participate as involved agency but the Town of Union Vale does SEQRA review based on input from this Board. The Town of Beekman would get to comment even if not Lead Agency

Doug asked why the Union Vale Planning Board is not handling this. It was explained that the Town of Union Vale Town Board handles all Tymor Park issues.

Town Attorney stated the Town of Beekman as an involved agency would be an interested agency and can review and comment on the application. Homeland will send all paperwork to the Town of Beekman.

If the Board does not make a resolution that is no action.

After the Board had a discussion they made a decision not to comment on Lead Agency.

Doug made a motion to not comment on Lead Agency as long as the Town of Beekman is listed as an involved agency. Seconded by Peter. All in favor. Motion carried.

The April minutes will be held until next month.

Rob made a motion to close the Meeting. Seconded by Peter. All in favor. Motion carried.

Meeting adjourned.

Respectfully submitted.

**Selene Haile.
Secretary**