

**TOWN OF PLATTEKILL  
ZONING BOARD OF APPEALS  
P.O. BOX 45  
MODENA, N.Y. 12548**

**AUGUST 14, 2014**

**THE MEETING FOR THE ZONING BOARD OF APPEALS OPENED WITH A  
SALUTE TO THE FLAG BY CHAIRMAN, WILFRIDO CASTILLO AT 8:00 P.M.**

**ROLL CALL:** Chairman, Wilfrido Castillo, Bruce Jantzi, Lawrence Keeno,  
George Hickey, Joseph Egan

Excused absence: Pearl Morse, Lawrence Lindenauer

***MINUTES***

July 10, 2014

**MOTION:** Mr. Hickey made a motion to move the minutes to the end of the meeting  
with Mr. Keeno seconding the motion. On the vote: Mr. Castillo-aye Mr. Jantzi-aye  
Mr. Keeno-aye Mr. Hickey-aye Mr. Egan-aye

***SEQRA***

Mr. Jantzi-This project will be going to the Planning Board for review. The Planning Board will  
be taking Lead Agency on this project and SEQRA will be reviewed by the Planning  
Board.

***PUBLIC HEARING***

*Trans-Hudson Management Corp. Variance SBL#101.1-1-11*

Mr. Jantzi-Read the public hearing notice.

The proof of mailings for the 500 foot notifications were given to Zoning Board member, Mr.  
Egan.

Mr. Castillo-Does anybody have any questions or comments regarding the variance, which is the  
only thing that we will be discussing, the variance at hand and nothing else.

Mrs. Laskowsky-For what?

Mr. Castillo-It is for the front of the building...

Mrs. Laskowsky-Are we talking Babba Louies?

Mr. Castillo-For the Dunkin Donuts. The variance is actually for the vestibule. It is a fifteen foot variance request, but it is only adding one foot from the existing roof that they have there now. It is a pre-existing non-conforming lot.

Mr. John Stoeckel-We are representing the applicant on the proposed development of Dunkin Donuts. The project involves an addition of the proposed vestibule for the future entrance to Dunkin Donuts. As the Chairman had mentioned, the existing structure is just shy of twenty one feet from the setback which is a fourteen foot encroachment to the front yard. The proposed development would be a fifteen foot encroachment. So what is there today, and what will be there in the future is a one foot difference. But in either case, before development this will require a Zoning Board variance.

Mr. Castillo-Are there any questions on the vestibule in the front? If anyone would like to examine the map, look at it, you can come up and take a look. (to Mr. Stoeckel) I believe the existing structure is going to be knocked down, and a new building put up, and they are putting a new vestibule on.

Mr. Stoeckel-It is utilizing the existing structure with exception to the additions in the rear, the drive-thru and the vestibule being added, but the primary structure will be utilized.

Mr. Jantzi-(to Mr. Stoeckel) Is it using the original structure or using the original footprint?

Mr. Stoeckel-Sorry, I can't answer that at this time because I am not specifically sure.

Mr. Castillo-(to Mr. Stoeckel) you weren't the gentleman that came to the last meeting.

Mr. Stoeckel-No, Justin Dates was the individual that came here previously.

Mr. Castillo-Well, the building will be discussed at the Planning Board process. (to the audience) are there any questions for the gentleman in regard to the variance?

Mrs. Laskowsky-I am confused when you are talking about the drive-thru and the one foot in the front. There already is a drive-thru.

Mr. Castillo-(to Mrs. Laskowsky) that really doesn't have the footings, it was used six months out of the year. In order to have it the way it is designed, you have to have the footings down to forty two inches.

Mr. Jantzi-(to Mrs. Laskowsky) the existing footprint is a straight line there now, the new one will have a little jut out coming out.

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Mrs. Laskowsky-The side line is not going to change, which is not going to affect my property. Melissa's property is in back, that is why I was asking about the drive-thru, that is still going to be within the same footprint as what is there now.

Mr. Castillo-The footings aren't down to the forty two inches, it was just an old walkway when I was a kid, and you used to park the cars in the front. The footings are going to come out one foot.

Mr. Castillo-(to Mrs. Laskowsky) would you like to come up and take a look at the map?

Mrs. Laskowsky-I don't see any big deal.

Mr. Stoeckel-There will also be time for public input during the Planning Board. What we are here for tonight is strictly the vestibule. This existing structure is within the front yard setback, but because it is an additional expansion, it requires a variance.

Mr. Laskowsky-You are saying the roof is only going to be a foot out?

Mr. Castillo-Just the vestibule, not the roof. Just the entrance way, that is the only thing that is coming out, the building itself is staying where it is.

Mr. Laskowsky-Of course, there was always a sewer problem there.

Mr. Castillo-Yes, but that is something to be discussed at the Planning Board.

Mr. Stoeckel-We will be addressing that issue.

Mr. Castillo-We addressed that issue in conversation at the last meeting, and that is going to be engineered. The Board of Health is the agency that approves that. Does anyone have any more questions?

Melissa Weatherly-Do you know the hours of the Dunkin Donuts there?

Mr. Castillo-No, but this is just for the variance. That is something they would present to the Planning Board.

Melissa Weatherly-My house is the house behind Babba Louies, and the way the drive-thru is now, which closes around 10:00, I believe, my concern is that we are right there.

Mr. Castillo-That would be a question that would be asked at the Planning Board public hearing, but right now the exit and entrance would most likely stay the same. Anybody else have any questions on this?

Mr. Wilkin-Just to clarify things about the Ulster County Planning Board comments. Since I had to recuse myself, we were right about thirteen before that, so it dropped it down, and whenever that happens we don't have a quorum, and you have to wait thirty days from the submission date.

Mr. Castillo-Exactly. We have three more days in which to receive comments from the Ulster County Planning Board, so I want a motion to keep this public hearing open.

**MOTION:** Mr. Jantzi made a motion to keep the public hearing open for two more weeks (August 28<sup>th</sup>.) with Mr. Egan seconding the motion. On the vote: Mr. Castillo-aye Mr. Jantzi-aye Mr. Egan-aye Mr. Keeno-aye Mr. Hickey-aye

Mr. Jantzi-If anyone in the audience has any further questions at that time they can come up as well, regarding this variance.

Mr. Egan-There were twenty-one mailings delivered, eighteen returned and one returned non deliverable.

## **MINUTES**

July 10, 2014

**MOTION:** Mr. Hickey made a motion to approve the minutes as written with Mr. Keeno seconding the motion. On the vote: Mr. Castillo-aye Mr. Jantzi-aye Mr. Egan-aye Mr. Keeno-aye Mr. Hickey-aye.

## **BUDGET**

Mr. Castillo-We will go over the budget when we have a full quorum at the next meeting.

## **ADJOURNMENT**

**MOTION:** Mr. Hickey made a motion to adjourn with Mr. Jantzi seconding the motion. On the vote: Mr. Castillo-aye Mr. Jantzi-aye Mr. Hickey-aye Mr. Keeno-aye Mr. Egan-aye

The meeting adjourned at 8:30 p.m.

Respectfully submitted by Susan Bolde, Zoning Board Clerk

