

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

Minutes of: June 08, 2021

ROLL CALL: Chairman: Cindy Hilbert, Vice Chairman: Richard Gorres (arrived 7:40), Kathie Beinkafner (8:25) Nathaniel Baum, Ernie Vandermark, Phil Sabarese

APPROVED ABSENCE: Lorraine Morano  
PLANNING BOARD ENGINEER: Patrick Hines

**APPROVAL OF MINUTES**  
May 25, 2021 **(moved to the end of the meeting)**

**CONCEPUATAL:** SBL#108.1-1-1.12  
Capobianchi, Gabriel 314 New Unionville Rd. Wallkill, NY

Mr. Gabe Capobianchi was present to discuss his proposed project. During the pandemic Mr. Capobianchi built an obstacle course in his back yard. He stated that he owns approximately 15 acres and was trying to find ways to stay active. Mr. Capobianchi did runs with family during the pandemic and then it became bigger and other people came. People donated money and part of the proceeds were donated to the food bank and animal shelter. Mr. Mandoske came out to the location and did a brief inspection. Mr. Capobianchi stated that nothing he has set up is permanent and can be taken down in a day. Mr. Capobianchi stated that the 2<sup>nd</sup> week of April, Scott Mandoske sent him a letter regarding a violation. He made an appointment to have Mr. Mandoske come out and looked at what he had built and Mr. Mandoske told him to needed to go the Planning Board to discuss the project.

Ms. Hilbert asked the applicant what Mr. Mandoske discussed when he came out to the property. Mr. Capobianchi did not really have an answer.

Mr. Baum asked roughly how many people he thought attended the events. Mr. Capobianchi stated that there were roughly 90 people that signed up for the last event.

Mr. Capobianchi stated that there is a portable toilet at the site and that he has a separate insurance policy from his homeowners for the obstacle course.

Ms. Hilbert asked if the structures were taken down every year or does it remain up year around? Mr. Capobianchi stated that it does not come down but it could be taken down if it needed to be. It may be taken down during the winter months.

Ms. Hilbert asked what the zoning was on the property and the applicant stated that it was RR-1.5.

Ms. Hilbert explained that he needs to complete an application with a professionally mapped site plan. Planning Board member Gorres, Sabarese and Baum stated that they would like to go out to the property and look at the obstacle course. Mr. Capobianchi said they were welcome at any time.

Mr. Capobianchi stated that this property is located next to the Rod and Gun Club (Bethlehem). This property is used for a hunting and shooting range.

The Planning Board stated that it was ok for Mr. Capobianchi to continue with an extension until he is able to come back with a completed application.

A copy of Mr. Mandoske's letter will be added into the file for the project.

## **DISCUSSION:**

John and Joanne McDonough    Subdivision map review

The last time Mr. & Mrs. McDonough was present the Planning Board told them to seek legal advice to regarding the possible removal of the "No further subdivision" note from their filed subdivision map. Ms. Hilbert

explained that the Planning Board could not remove that note from their map and that they should seek advice from their attorney if it is even possible.

Mr. & Mrs. McDonough would like to further subdivide their property. The McDonough's stated that there already is curb cut along the south western corner along State Route 32. This was approved by the State DOT.

Ms. Hilbert stated that she had a conversation with Mrs. McDonough and explained this information (she was reading from the note of her conversation kept within the Planning Board file) about the process. She reviewed the history of the parcel and the dates the actions took place.

Ms. Hilbert explained that as per Section 118-4 of the Town Code, any parcels associated with the subdivision and on a private drive, must have access only off of the private drive. The Planning board does not have the authority to allow any additional access anywhere else. If they wanted to continue to try to have an access off of the State Route, they would need to have the Town Board grant them an allowance.

The McDonough's stated that their attorney sent a letter to the Planning Board saying that they could further subdivide the property and all they needed to do was have another map drawn up and remove that condition off the map ("No further subdivision"). There was some Board discussion about the reason that comment was placed on the Final Map, but no one could remember. Mr. Gorres said he thought that one of the former Planning Board members (Ms. Judy Mayle) might remember and he would contract her to see.

M. McDonough stated that there were two streams that flowed through the property. There are currently four (4) houses on McDonough Way. Ms. Hilbert said she would check with the Building Inspector to see if there could be more than four houses on a private drive and let the Board know.

The McDonough's will need to see if the Town Board will grant them the allowance to have a property access off of the State Road instead of the private road; the Board will determine if they are allowed to have more than four house off of the private road and they will need to see if the State DOT will allow them official access to use a curb cut along Route 32, if the Town Board permits it.

The Planning Board will try to research why that comment was added to the final subdivision map to determine whether or not they will allow further subdivision of that property.

Ms. Hilbert asked the Board members if they had a chance to review the proposed amendment to the Town Zoning Code to add in the new **State Highway Floating Zone**. Ms. Hilbert read and reviewed the Ulster County Planning Board comments and there was some general discussion regarding them. After some discussion the Planning Board offers these considerations:

1. The proposed zoning amendment should include some type of language that protects the applicant should their project run over the allotted time stated in the proposed code. *“What would happen if the applicant is caught in limbo with their project and can’t meet the timeline listed in the proposed ordinance.” “What would happen if the applicant gets initial approval from the Town Board, approval from the Planning Board, and then when seeking final approval from the Town Board, they are denied (assuming there is a change of the seats on the Town Board and the current board does not support the project).”*
2. One of the UCPB comments was to incorporate affordable housing into the Floating Zone. There was some discussion about the need for affordable housing and the Planning Board felt that the Code could be amended to include that as an additional use if the Town Board desired it.
3. The Planning Board felt that the Town must consider revising and updating the current Town Code. There are numerous things that are outdated and need to be changed and updated to make the Code more useable for the Town.

Ms. Hilbert will draft up a memo and send it to the Town Supervisor and Planning Consultant, and copy all the Planning Board members on it. She will also forward a copy of the Ulster County Planning Board comments to the Board members.

## VOUCHERS

**MOTION:** Mr. Gorres made a motion to pay \$107.00 for 323 Old Mill Road LLC with Mr. Vandermark seconding the motion. All ayes on the vote.

**MOTION:** Mr. Gorres made a motion to pay \$225.20 for Woodruff with Mr. Baum seconding the motion. All ayes on the vote.

**MOTION:** Mr. Gorres made a motion to pay \$209.80 for Calabrese with Mr. Sabarese seconding the motion. All ayes on the vote.

**MOTION:** Mr. Gorres made a motion to pay \$308.80 for Solar Farm Plattekill with Mr. Sabarese seconding the motion. All ayes on the vote.

**MOTION:** Mr. Gorres made a motion to pay \$689.24 for Moran Nursing Home with Mr. Sabarese seconding the motion. All ayes on the vote.

**MOTION:** Mr. Gorres made a motion to pay \$179.00 for RG Earl with Mr. Vandermark seconding the motion. All ayes on the vote.

**MINUTES:** Mr. Sabarese made a motion to approve the minutes of May 25, 2021, **as amended** with Mr. Vandermark seconding the motion. Ms. Hilbert has abstained from the vote. The motion has passed with the majority.

## **ADJOURNMENT**

**MOTION:** Mr. Sabarese made a motion to adjourn with Mr. Vandermark seconding the motion. All ayes on the vote. Ms. Hilbert and Mr. Baum abstained

The meeting adjourned at 9:30 p.m.