

TOWN OF PLATTEKILL
ZONING BOARD OF APPEALS
P.O. BOX 45
MODENA, N.Y. 12548
Minutes of October 13, 2022

THE MEETING FOR THE ZONING BOARD OF APPEALS OPENED WITH A SALUTE TO THE FLAG BY CHAIRMAN LARRY LINDENAUER AT 7:00 P.M.

ROLL CALL: Larry Lindenauer, Bruce Jantzi, James Fazio, Helene Dembroski, Pearl Morse, Joe Egan

CONSULTANT: Richard Hoyt

EXCUSED ABSENCE: Judi Loertscher

MOTION:

Ms. Morse made a motion to move the minutes to the end of the meeting with Mr. Jantzi seconding the motion. All ayes on the motion.

NEW BUSINESS:

Salvatore Acampora

SBL# 101.4-3-2

100 Acampora Drive

Large Scale Solar

Mr. Jason Iahn with Lighthouse Solar was present to represent Mr. & Mrs. Acampora. Mr. Iahn explained that Mr. & Mrs. Acampora are proposing to build a solar array that does not meet your normal solar regulations. The sole goal of this project is to eliminate the use of fossil fuels and secure their energy needs as they plan for their retirement. The future additions of electrical vehicles along with

heating and cooling will exceed the 1,500sq ft small scale solar.

Mr. Iahn stated said the Acompora's are requesting a variance to code 11-79-part B. The proposed foot print of solar will exceed 1500sq ft which then triggers it to be a large scale solar.

Mr. Lindenauer stated that a public hearing will be held on the 8th of December 2022.

Ms. Morse made a motion to hold a public hearing on 8th of December with Ms. Dembroski seconding the motion.

United Pump and Tank, Inc

SBL# 107.1-1-4.321

120 Kingsview Highway

Side Yard Variance

Mr. Richard Hoyt, ESQ stated that the public hearing was closed on July 14th, 2022. Mr. Bloom granted the extension due to a family crisis with a member of the Zoning Board.

Mr. Hoyt read the draft decision on Steven Lowitt. Please see copy of Variance for Mr. Lowitt for a side yard setback variance at 120 Kingsview Highway.

Ms. Dembrowski questioned does this decision stay in perpetuity to the land or only to the applicant if he chooses to sell the property.

Mr. Hoyt explained that variances generally run with the land.

Mr. Fazio questioned if this property was ever agricultural?

Ms. Morse stated that it was in the past.

Mr. Hoyt stated the property will now be zoned Light Industrial.

Mr. Lindenauer read the Five Factors:

Based on the above, does the benefit to the applicant outweigh the detriment to the community.

MOTION:

On the vote:	AYE	NAY	ABSTAIN
Chair: Larry Lindenauer	X		
Vice Chair: Bruce Jantzi	X		
Judi Loertscher			X
Pearl Morse	X		
Joseph Egan	X		
Helen Dembroski	X		
James Fazio	X		

Mr. Lindenauer stated that the motion for the variance has been granted.

MOTION: Ms. Morse made a motion to except the side yard variance with Mr. Jantzi seconding the motion. All ayes on the motion.

MOTION: Ms. Morse made a motion to go into executive session regarding the Rodriguez litigation with Mr. Egan seconding the motion. All ayes on the motion.

The zoning board went into executive session at 7:25 pm (regarding Rodriguez litigation) resumed at 8:20 pm. No action taken.

MOTION: Ms. Morse made a motion to except the minutes from July 14, 2022 with corrections Mr. Egan seconding the motion. All ayes on the motion.

MOTION: Ms. Morse made a motion to close the meeting at 8:25 with Ms. Dembroski seconding the motion. All ayes on the motion.