

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

**Minutes of July 22, 2021**

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

**ROLL CALL:** Wilfrido Castillo Jr., Bruce Jantzi, Judi Loertscher, Pearl Morse, Larry Lindenauer, George Hickey

**CONSULTANT:** Richard Hoyt, ZBA Attorney

**EXCUSED ABSENCE:** Joe Egan

**MOTION:**

Mr. George Hickey made a motion to move the minutes to the end of the meeting, seconded by Mr. Jantzi. On the vote: Mr. Castillo-aye, Mr. Hickey-aye, Mr. Lindenauer-aye, Mr. Jantzi-aye, Mrs. Morse-aye, Ms. Loertscher-aye

RODRIGUEZ, KENNETH

SBL# 101.2-1-4 & 7

151 FREETOWN ROAD

CEO DETERMINATION

Mr. Richard Hoyt: Stated that there are two issues with this appeal. The first issue is, was the Appeal from Mr. Rodriguez timely for the foil request of the interpretation of the code.

The Zoning Board needs to make a decision if the foil request was received in a timely mater.

Mr. Hoyt also stated that the other issue is the interpretation of the code.

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Mr. Hoyt advised the Zoning Board to adjourn the meeting until the August 12<sup>th</sup> meeting in order for the Board Members and Attorneys to review the paper work that was submitted that day and to make a decision.

A request was made that any new materials submitted from the lawyers be submitted no later than August 5<sup>th</sup> so the lawyers will be able to have adequate time to review all material before the 12<sup>th</sup> of August meeting.

Attorney: Mr. Stegner asked that he would like to have the chance to respond if there is a further agreement.

Attorney: Mr. Gordon gave the original copy of the affidavit to Mr. Castillo for the file.

Mr. Jantzi read the Public Hearing Notice:

### **Public Hearing Notice**

Notice is hereby given that a public hearing will be held by the Zoning Board of Appeals, Town of Plattekill, County of Ulster on: Thursday, July 22, 2021 at 7:00 p.m., 23548 or as soon thereafter as may be heard, at the Town Hall 1915 Route 44/55, Modena, N.Y. 12548.

At this time the Zoning Board will be conducting a public hearing on the application of: Appeal of CEO Determination: 1153 Freetown Road – Drag Strip Proposal. The property is located at 151 Freetown Road, Modena, Tax Map Section 101.2, Block 1, Lot 4 & 5.

All interested parties will be given an opportunity to be heard in respect to this application. For further information, please direct all inquiries to the Zoning Board Clerk at 845-883-7331 extension 18.

By order of the Zoning Board Chairperson

Wilfrido Castillo

Mailers: Nine (9) mailers were sent out to the neighbors and eight (8) were signed for.

Mr. Gordon: Stated that the Building Inspector did not consider it a determination on February 3, 2021. There was no delay on Mr. Rodriguez asking for the use determination but the Building Inspector considered the March determination as the only determination.

Mr. Gordon: Stated that he spoke with the Town Hall Employees and they confessed that they did not know the February determination was there. He came to the determination no one in the Town Hall understood a determination was made in February. The whole application will rest on the February 3, 2021 determination.

The foil request March 10, 2021 asked for determination for both Planning and Zoning. Mr. Rodriguez knew they had no knowledge of the determination. The building department told Mr. Stenger that the Planning Board determination was not in the file but the ZBA was.

Mr. Mike Limbo: Stated are you going to adjourn the meeting or not? Now you are getting into dialog and you initially said you wouldn't do that.

Mr. Castillo: Stated the Lawyers are being paid to be here that is why I allowed them to speak but I would like to adjourn this hearing.

Mr. Hoyt: Asked the room if anyone warrants the opportunity to address the board on any of the issues?

No Responses

Mr. Castillo stated that he would like all further inquiries to be sent to the Clerk of the Zoning Board no later than August 5<sup>th</sup> so the attorneys and board members may have adequate time to review all inquiries.

Mr. Hoyt: Stated to Mr. Rodriguez does not have to re-send mailings for the continuation of the public hearing, as it was announced at tonight's meeting.

**MOTION:**

Ms. Morse made a motion to continue the public hearing on August 12, 2021 with Mr. Jantzi seconding the motion. On the vote: Mr. Castillo-aye, Mr. Hickey-aye, Mr. Lindenauer-aye, Ms. Morse-aye, Mr. Jantzi-aye, Ms. Loertscher-aye

**MOTION:**

Ms. Morse made a motion to approve July 08, 2021 minutes with corrections seconded by Ms. Judy Loertscher. On the vote: Mr. Castillo-aye, Mr. Hickey-aye, Mr. Lindenauer-aye, Ms. Morse-aye, Mr. Jantzi-aye, Ms. Loertscher-aye

**MOTION:**

Mr. Bruce Jantzi made a motion to close the meeting seconded by Mr. Hickey. On the vote: Mr. Castillo-aye, Mr. Hickey-aye, Mr. Lindenauer-aye, Ms. Morse-aye, Mr. Jantzi-aye, Ms. Loertscher-aye

**ADJOURNED:**

Meeting closed at 8:00 pm