TOWN OF PLATTEKIL

PLANNING BOARD

*P.O. BOX 45*

MODENA, N.Y. 12548

Minutes of: January 14, 2025

THE MEETING OPENED WITH A SALUTE TO THE FLAG BY CHAIRPERSON, RICHARD GORRES

ROLL CALL: CHAIRMAN: RICHARD GORRES, ERNIE VANDERMARK, DARLENE EISENHARDT, NATHANIEL BAUM, RICH DMYTRY

Mr. Baum: Arrived at 7:10

**CONCEPTUAL**

Phil Johnson/CDC SBL# 101.1-2-28

497 Freetown Highway Proposed: Multi Family Residential

Mr. Phil Johnson (Pastor Johnson) was present to represent himself.

Mr. Gorres: You are here for a conceptual and you would like to talk to us about a church?

Mr. Johnson: Yes, sir.

Mr. Gorres: You are here for a conceptual. Tell us what you would like to do and where you would like to do it and we will tell you yes or no. Then you will come back.

Mr. Johnson: I have to tell you what I would like to do?

Mr. Gorres: Right.

Mr. Johnson: Let’s put it this way we have been having church in a place my mom lived in and she had deeded it to me. She passed away in 2010. We have been having church there for over eight (8) years. I am now being told I need a site plan in order to have church there.

Ms. Eisenhardt: Who told you that?

Mr. Johnson: One of the assessors. The latest one that is here I think Greg? He has taken up for Ed.

Mr. Gorres: Oh, ok. Yes, you do.

Mr. Gorres: How many people usually show up?

Mr. Johnson: Twenty (20) maybe?

Mr. Gorres: Not so bad. Yah, you have to do a site plan. We need to know where people are parking, exits and bathrooms and stuff. Is it going to stay in the house?

Mr. Johnson: No.

January 14, 2025 PB Minutes

Mr. Gorres: That’s right you want to build. Then you definitely will need to come in for site plan.

Mr. Johnson: I am aware of that. We need a site plan for building the church. Where we are having it the site plan was for building a house. Which was built and converted and we are just using it as a church.

So, I am really concerned why we need something for something we have been using for over eight years.

Mr. Gorres: Did you talk to the building inspector?

Mr. Johnson: Yes.

Mr. Gorres: He told you; you needed a site plan. He was right.

Mr. Johnson: He told me we needed a site plan because….. Yah, he told me I needed a site plan.

Mr. Gorres: You are using the house for something other than what it was built for.

Mr. Johnson: By using the word built.

Mr. Gorres: The house was meant for a family to live in it wasn’t meant to; I shouldn’t say it that way I go to church every week;

Ms. Eisenhardt: It was not built for a mixed use.

Mr. Gorres: And a place of worship.

Mr. Johnson: Can I ask a question? Why after eight (8) years, why am I being told I can not do what I have been doing?

Mr. Gorres: When did they find out you were doing this?

They didn’t know you were doing it?

Mr. Johnson: Oh no, they did. When you say they didn’t know you where doing it who do you mean by they?

Mr. Gorres: The Building Department, the Assessor anybody, anybody? Government Official?

Mr. Johnson: During Joe Croce ten year here, he was aware of everything we were doing there.

Mr. Gorres: They let you do something that they should have told you, you to make it legal?

Now we are in the spot that we need to make it legal.

Mr. Johnson: To have church is illegal?

Mr. Gorres: You are asking me a legal question?
Mr. Johnson: You said legal that’s why I ask the questions.

Mr. Gorres: If the Building Inspector is telling you, you need to come in and get a site plan then you need to come in and get a site plan. Its not up to this board to determine the legality of what you are doing. If the Building Inspector is saying you need to come in and get a site plan you need to come in and get a site plan. We are not here to offer you legal advice on what you should be doing.

Mr. Johnson: Well, I have already sought legal advice and I was admonished to go through these steps because what I am being bothered to do shouldn’t be brought in front of the legal people.

So, I have agreed to do this today.

Mr. Gorres: So, like I said before if the Building Department says you have to do a site plan you have to do a sight plan. It is not hard process for what you are doing. But if the powers to be say you need to do it its not up to this board to tell you can’t or you shouldn’t.

Mr. Johnson: The powers to be knew I was doing this eight (8) years ago.

January 14, 2025 PB Minutes

Mr. Gorres: Yes, but that is not this boards problem. There are people all over this town running business in houses.

Then when they get caught, they have to make it legal.

 Mr. Johnson: We were not hiding anything.

Mr. Gorres: No, I got that. But you are asking the wrong board if you can or cannot do it. All we are here for is to make it legal.

Like I said if the Building Inspector says you need a site plan you need a site plan. I can’t tell you, you do not. He will come back and say who told you that. We are just here to do the site plan not to give you legal advice. Its not a problem to do it, we are ok with that. I’ll tell yah you can keep doing it as a church, but when he comes back and tells yah you have to come and get a site plan that’s what you have to do. We are ok with that.

Ms. Eisenhardt: How did It come to Eds attention that you were having church services in the house?

Mr. Johnson: I was informed someone; you all I am pretty sure you all are aware of the drag race track, so I was told that the individual that wants to do that, started looking and making sure everyone that’s in business ….

Ms. Eisenhardt: Was up to speck.

Mr. Johnson: Yes

Ms. Eisenhardt: That’s unfortunate. As Rich said we got other people with businesses in their houses that we were not aware of and then someone comes forward and says hey this person has a business in their house. So, then they had to come in and fill everything out and just get it legal and stuff. Its not a hard process and not big, we just want to make sure you are following the guide lines.

Mr. Gorres: It’s like people who run business out of there house, like lawyers, doctors and dentists who run it out of there house if it is a whole occupation they still have to come it is an easy process but we still have to do it. Unfortunately, this is what happens in towns.

Mr. Johnson: What is the next step?

Mr. Gorres: You find someone to help you through the process.

Ms. Eisenhardt: Janice he would reach out to you?

Ms. Stryker: Yes

Ms. Eisenhardt: You would reach out to Janice tomorrow and can help you get set up and get back here.

Mr. Gorres: You need someone to represent you. You will need a map of the property and what each room is and what you do with it and the parking so forth. Its not a hard process but I would recommend finding some professional help. It will make it a lot easier on you.

You are all set if there is anything else that we can help you with you can call Janice and she can give you my number and you can call me during the week if I can help you.

January 14, 2025 PB Minutes

**NEW BUSINESS:**

KG Holdings, LLC SBL# 94.20-3-18

1592 Route 44-55 Proposed: Liquor Store

Mr. Gorres: We kinda know why you are here. Which half of the building are you renting?

Mr. Gifft: The right side.

Mr. Gorres: The side where the liquor store is.

Mr. Gifft: Yes

Mr. Gorres: You are doing two different business in the store. Shouldn’t we be doing a site plan for both of the people?

Mr. Acampora: No, the other side is just a work space. The guy that is renting that is just doing costumes and outfits for movie sets.

Ms. Eisenhardt: He is just renting from you and storing the stuff?

Mr. Acampora: He is renting and working in the space. I already came for the building department for that he is not open to the public.

Mr. Gorres: Oh, ok so it’s not open to the public.

Mr. Acampora: No, the only side that is open to the public is where the liquor store is going to be.

Mr. Gorres: The building department knows all about this?

Mr. Acampora: Yes.

What is the next step?

Mr. Gorres: You finding a professional engineer or somebody

Mr. Acampora: I have to find an engineer now? Why? There is so much parking there. There is over an acre there.

For a little store like that? I have to hire an engineer for that?

Mr. Gorres: Oh yah, the laws have changed they make it difficult to be in business. It is the Town Code.

It’s a change of use so all of the stuff that Mr. Hines has listed on there need to be put onto a site map.

Mr. Acampora: I can draw a map and list all of this stuff on it?

Mr. Gorres: It needs to be stamped when done.

Mr. Acampora: Oh, ok.

Mr. Baum: It has to be a lot more specific.

Ms. Eisenhardt: (Showed Mr. Acampora a map and explained what it was to look like)

 January 14, 2025 PB Minutes

Peak Summit Enterprises SBL# 107.8-1-6

Orfeo Road SBL# 101.4-7-18

Mr. Lytle, ZEN Consultants INC. was present to represents Peak Summit Enterprises. It is two parcels one is 4 acres

and one is 16 acres. We would like to move this line and configure approximately two 10-acre parcels.

Mr. Gorres: Where is this?

Mr. Lytle: It is before the post office and right across from the medical practice.

We have the DEC flagged wetlands that have already been flagged. You can see the 100 ft. buffer around the whole perimeter. We are working with DEC right now and Army Corp.

(Showed the narrowest driest spot to cross after working with the DEC & Army Corp)

 I talked to the Highway Super he sees no problem coming off but then again during the process he will stop out and look at it again.

Mr. Gorres: Yes, we will need a letter from him.

Mr. Lytle: There is an existing turn around there and we are coming off the side. It’s a plow issue.

Mr. Gorres: As long as the Highway Super is ok with that and sends us a letter.

Mr. Lytle: Once we get approval from the DEC & Army Corp then we can cross over and get the Health Department approval.

Mr. Gorres: When you can bring in all that information we can set you up for a Public Hearing.

Mr. Lytle: I should have the Army Corp next week and DEC takes a little longer.

**VOUCHERS:**

MHE Engineering Amount: Applicant:

 $183.60 Ohioville Solar

**MOTION:** Mr. Gorres made a motion to approve the voucher for Ohioville Solar with Mr. VanDeMark seconding the motion. All Ayes on the motion.

MHE Engineering Amount: Applicant:

 $1542.10 Ohioville Solar

**MOTION:** Mr. Gorres made a motion to approve the voucher for Ohioville Solar with

Ms. Eisenhardt seconding the motion. All Ayes on the motion.

MHE Engineering Amount: Applicant:

 $391.80 Cross Landscaping & Lawn Care

January 14, 2025 PB Minutes

**MOTION:** Mr. Gorres made a motion to approve the voucher for Cross Landscaping & Lawn Care with Mr. Dmytry seconding the motion. All Ayes on the motion.

**MOTION:** Mr. Gorres made a motion to increase the escrow for Cross Landscaping & Lawn Care by $500.00 with Mr. VanDeMark seconding the motion. All Ayes on the motion.

MHE Engineering Amount: Applicant:

 $194.15 Blasi - 497 Freetown Highway

**MOTION:** Mr. Gorres made a motion to approve the voucher for Blasi 497 Freetown Highway with Ms. Eisenhardt seconding the motion. All Ayes on the motion.

**MINUTES:**

**MOTION:** Mr. Vandemark made a motion to accept the December 10, 2024 with corrections Mr. Gorres seconding the motion. All Ayes on the motion.

**DISCUSION:**

Mr. VanDeMark: Mr. Johnson has a church that was a house that they made into a church.

Mr. Gorres: Yes, it is a change of use.

Mr. VanDeMark: They are not knocking down any walls.

Mr. Gorres: I get where he is coming from, but here is the problem. You put 20 people into your personal house; if there is a problem, a fire or someone gets hurt and it wasn’t set up properly, who is responsible. I hate to put people through this process but we have to make sure all the safety concerns are taken care of with that many people in the house. It is not gonna hurt anyone in the neighborhood, like a race track.

Ms. Stryker: I sent out letters to anyone who has not been in front of the board in more than six months and I received the letter from Modena Developers LLC they would like to remain in front of the Planning Board.

**MOTION:**

Mr. Gorres made a motion to grant Modena Developers LLC a first (1) six (6) month extension with Mr. VanDeMark seconding the motion. All ayes on the motion.

January 14, 2025 PB Minutes

***Modena Developers:***

Mr. Gorres: For all of you who do not know they came in and met with myself and Supervisor Dean Depew and Willie Castillo they are looking of other options for the property other then a 451,000 sq ft. Warehouse. The push back from the community was fairly large and they don’t want to fight that. They would like to do something commercial and smaller and were looking

for ideas. They are currently review that but they did say they don’t want this closed out. If they don’t come up with another option the warehouse is still on the table. I would like to see something smaller and less intrusive but that’s up to them.

Ms. Eisenhardt: I heard housing also.

Mr. Gorres: Yes, they wanted to put Three Hundred and Ninety-Three units of housing but Dean and I about died.

***Mr. Acevedo:***

Mr. Acevedo said he got his Health Department back and is waiting on his engineer so he plans to be back in front of soon.

Mr. Gorres: That is fine as long as they keep in touch with us.

***United Pump & Tank:***

Ms. Stryker: I sent them a letter also in beginning of December. I have heard nothing,

Mr. Gorres: I don’t care if he is going out the other side and not bothering the neighbors he still needs to come in and do a proper site plan. Send United Pump and Tank a letter that he needs to be in here before we take enforcement action.

Ms. Stryker: I gave him three months to respond and we are closing out the account.

Mr. Gorres: Then the Building Inspector can go visit him.

**MOTION:**

Mr. Eisenhardt made a motion to close the meeting with Mr. Dmytry seconding the motion. All Ayes on the motion.

The meeting adjourned at 7:39 p.m.

Respectfully submitted by

Janice Stryker, Planning Board Clerk