TOWN OF PLATTEKIL

PLANNING BOARD

*P.O. BOX 45*

MODENA, N.Y. 12548

Minutes of: March 25, 2025

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

ROLL CALL: CHAIRMAN: RICHARD GORRES, VICE CHAIRMAN: ERNIE VANDEMARK, DARLENE EISENHARDT, RICH DMYTRY, ERIC ACKERLY, JOSEPH LAFIANDRA

Excused Absence: Nathanial Baum

Consultant: Pat Hines, MHE Engineering

**NEW BUSINESS:**

*Mary Jane Tenney & Christopher Tenney SBL# 108.3-7-2 & 3*

*102 Decker Road, Wallkill Proposed: 2- Lot Subdivision*

Ms. Brooks was present to represent her client Mr. & Mrs. Tenny. We are proposing a two-lot subdivision with a lot line revision of a 21.2-acre parcel of land that is located at the easterly end of Decker Road. The property is on the boundary line; the easterly side of the road is Ulster Country and the westerly side is Orange County. This is part of an estate settlement, the estate of Kenneth Decker, father of Mary Jane Tenney. I have done work there for Mr. Decker almost twenty years ago where he tried to subdivide out lot #1 and lot #2. We went to the ZBA and they were trying to just make lot #2 just an acre. At that point in time the recommendation for Mr. Decker was make lot 2, three (3) acres to meet the code and we will approve it. At that time Mr. Decker didn’t want to lose all of his sheds and garages in the back so they dropped the project.

Now that he has passed, Mary Jane and her husband Christopher, live in the house on lot #3. They don’t want to take care of the homes any more on lot 1 & 2 that were dads and an aunt. They are looking to subdivide the property. We have been able to meet the acreage requirements but because of the preexisting shapes of the lots we still do need five (5) area variances. Lot #1 needs an area variance for lot width. We are required to have 250 feet and we have 149.2, side yard requirement of 14.2 ft. Now that is a setback to an existing lot line so we are not creating that situation but we generally always ask for all the variances at one time. Lot #2 again calls for a 250-lot width and we only have 195.84. The front yard setback of 26.7 ft., again is pre-existing but we would include that in the variance request. Newly created side lot line of 41.7 where 50 is required.

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Each lot line has its own individual well and septic system, so we are ok as far as that goes. We will require utility easement for the overhead utilities that cross lot #2 to get to lot #1.

Mr. VanDeMark: So, I assume there is a pole line there.

Ms. Brooks: There is. The overhead one is the utility pole and there is nothing I can do about that. I don’t know whether there is an existing easement or if it was done prior to Central Hudson asking for easements.

Ms. Brooks: Pat had some comments. A deed plot of the entire parcel should be submitted. We have shown a tax map lot it is showing a general description so we are asking for a waver of the deed plot. It is one of those descriptions bounded on the north by so and so (Mr. Hines: By a big tree. Ms. Brooks, I wish I had a big tree id go find the big tree) its just bound by owners so we are this evening asking for a waiver of the entire boundary survey and asking for the deed plot to be sufficient.

No new construction is proposed, so we would ask the board to wave the topography as well.

Pat outlined all the area variances which we concur with. Notation that there is a DEC regulated wetlands at the very easterly portion on the property which we have shown from the tax map lot.

The review of the short EAF does not show any environmental constraints and one new driveway should be approved by the highway superintendent. I should have mentioned that because this was all family there was a shared driveway agreement and they all pretty much just shared the driveways. The Tenny’s understand that when someone purchases the new lot, they will probably want their own driveway they won’t want to have to get a shared driveway agreement. They are proposing a new driveway of their own; but the turn around area of the proximities of the garages, carport and the house they will be having a cross easement in the back (where you see the cross hatched area).

Mr. Hines: The board can entertain those wavers and refer it to the ZBA for the area variances listed in my comments.

Mr. Gorres: Ok, does anyone have any questions about the wavers?

The Board: No one had any questions.

**MOTION:** Mr. Gorres made a motion on the waver of topography on the 2-lot subdivision with lot line and the entire survey of the partial with Mr. VanDeMark seconding the motion. All eyes on the motion.

**MOTION:** Mr. VanDeMark made a motion to refer this to the ZBA for five variances with Ms. Eisenhardt seconding the motion. All ayes on the motion.

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**OLD BUSINESS:**

*Minard Farms SBL# 102.1-6-25.11*

*730 South Street, Highland Proposed: Four – Lot Subdivision*

Ms. Brooks was present to represent her client.

Ms. Brooks: We last appeared before the board, last month, on Minard Farms and I requested

the Planning Board to circulate notice of intent to be Lead Agent. Pat went back and reviewed his records, which obviously were more complete than mine, and discovered the Lead Agency had already been circulated. So, what we are looking for this evening is for the board to entertain a SEQR determination. We already determined the public hearing would probably be April 22nd.. We did receive additional comments from Pats office regarding the SWPPP mostly. I did speak with Andy Willingham the engineer on the project and he did not have any questions or negative comments regarding any of Pat’s comments. We did reach out to the Board of Health today to find out what the status of the approval was. It was sent to them about three months ago. They do have some new people now doing review’s but they are still behind.

So, we still do not have an approval on that yet but we are hoping that we will have it by the April meeting. I also scheduled a meeting for this Friday with the applicant’s attorney. Pat had also supplied us with a draft for the Storm Water Facilities maintance agreement, so we will be meeting this Friday to make sure we cross our T’s and dot our I’s so to speak because the April public hearing.

This evening, we are hoping that the Planning Board will review the part two of the EAF and give a SEQR determination.

Mr. Hines: The applicant did submit a short Environmental Assessment Form for the project which we have reviewed. The project is just under an eighty-acre site. There is a two-acre disturbance that triggered a need for the Storm Water Prevention plan there is a review of that. There are no other significant areas. There is a potential wet lands on this site but they are not impacting any other wet lands on this site. We did circulate Lead Agency back on 27th of July, 2023; including the Town Board, the DEC, Ulster County Planning Department and Ulster County Health Department. None of those objected; so first step I would ask the board to declare yourself Lead Agency for the review and we would recommend a Negative Declaration.

**MOTION**: Mr. Gorres made a motion that Plattekill Planning Board take Lead Agency on Minard Farms with Mr. Dmytry seconding the vote. All ayes on the vote.

**MOTION:** Mr. Gorres made a motion for a declare Negative Declaration on Minard Farms with

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

Mr. Hines: They are looking to schedule the public hearing.

Ms. Brooks: I didn’t note that you had voted to schedule the public hearing. So that needs to be done.

Ms. Eisenhardt: Can they schedule the public hearing without the Department of Health?

Mr. Hines: Yes, if it is not in, in time, it will be part of the conditional approval.

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**MOTION:** Mr. VanDeMark made a motion to schedule a public hearing on April 22, 2025 seconded by Ms. Eisenhardt. All ayes on the motion.

*SPF Holdings SBL# 102.1-6-27.11*

*740 South Street Proposed: 2-Lot Subdivision*

Mr. Shawn Jackson, owner of SPF Holdings, was present to represent himself.

Mr. Hines: The engineer called me and said they do not have a lot of heavy lifting here and are ready to schedule a public hearing.

They have received approval from the Health Department for the septic systems.

This project became just a two-lot subdivision. It was originally a couple more lots I believe when originally submitted.

Mr. Jackson: Yes, three.

Mr. Hines: This is here for a two-family residence on the lot. The calculated disturbance is .7 acres, so it is below the threshold of a Storm Water Pollution prevention plan.

They have provided an e-mail from the Highway Superintendent dated 7 November 2024 that states “I reviewed the plans and the email you have sent at this time. I do not see any issues with the road frontage.” He was referencing the E driveway location.

The long form EAF does not identify any potential environmental issues. You would be in the position to issue a Negative Declaration for this two-lot subdivision unlisted action.

We did get the subdivision plot that we asked for last time. The survey plan is here.

If you do desire to issue that Negative Declaration for this project you would be in position to schedule a public hearing for, I guess April 22nd.

**MOTION:** Mr. Gorres made a motion to declare a Negative Declaration on SPF Holdings with Mr. VanDeMark seconding the motion. All ayes on the motion.

**MOTION:**  Mr. Gorres made a motion to schedule a Public Hearing on April 22, 2025 with Ms. Eisenhardt seconding the motion. All ayes on the motion.

*Deer Run Industrial Park SBL# 101.2-1-7*

*153 Freetown Road Proposed: Mini Storage Units*

Mr. Interrante, Ciro Interrante Architect, was present to represent his clients.

We answered the comments from October. We put the reply in and believe your company replied with a couple of comment letters. One of them was basically generified that we complied with everything that was outstanding at the last meeting. The second one mostly had to do with Storm Water. So what we did between the last meeting and now we had Patti do some accurate topography in the area and based on that we kinda shrunk the project and rearranged some of the

topography. We also went ahead and I hand delivered a septic design to the Health Department a couple of weeks ago and they had a couple of comments and we resolved those comments. Now it is sorta going up the chain of command for different signatures. I have not gotten the official

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letter yet. That is pretty much taken care of also. I think what is mostly outstanding now has to do with the Storm Water. Eric is the Civil Engineer doing the Storm Water.

Eric Chastain, Civil Engineer: I appreciate the review and all of the comments regarding Storm Water. It makes sense to me and I will address them with revisions to the plans. Right here we got some Storm Water infiltration basic and Storm Water from the site will flow into the infiltration basin pretty much divided half and half on the site here. So everything will eventually flow into the basin.

Mr. Hines: Procedurally we circulated Lead Agency back in October, no objections were found. The board can declare itself Lead Agency for the SEQR review of this project at this time. We did get comments back from the DEC stating that the site does contain a BT designated strain which is protected as well as wetland CD26. The wetland boundaries are approximate and a delineation and validation by DEC staff for that.

Mr. Interrante: I did fill out those forms that they sent and I would like to try and find out if ….

that designated stream is probably 400 – 500 ft away from this….

Mr. Hines: I am not so worried about the stream as I am concerned about the wetlands and the new DEC regulations. As of January 25, 2025 the wet land maps are kinda balled up and thrown away and there is a different wet land process which may be why they didn’t respond to your request for a delineation. There is a newer process, it goes through DEC Albany first. They do a broad-brush screening. Obviously, they are going to come back with wetlands on the site.

If you can get that validated from the region that is fine. Previously wet land were 12.5 acres or larger and delineated on wet land maps that were created in 1987. As of this year those wetland maps are no longer valid and they are taking more of an Army Core of Engineer’s approach that says if it has the wet land hydrology, wetland soils and wetland plants, it’s gonna be a wetland for DEC regulations. Initially they are going to drop down to 7.5 acres but they have not done that yet. The wetland mapping is no longer valid.

Mr. Interrante: We know it’s like a few hundred feet away from here and its downhill from where this is. Does the board have authority to bypass this or wave it?

Mr. Hines: During the SEQR process I think we need to check that box. I think you guys have been delineated. It may be if you guys contact DEC Regional 3 guys, they may just give you the validation that would be great.

It also came back habitat for Bald Eagles.

Mr. Interrante: Oh, that popped up on the ….

Mr. Hines: We need a sign off from DEC the same if you want to contact them. I know it pops up automatically. Somewhere there is a nest in a certain distance for that to pop up.

We need to make sure that nest is not on this site.

For the SEQR process we need that also and you can send an e-mail to Lisa Massie at DEC Region 3 and she will confirm. They have a radius around these areas and they could be I don’t know how big it is but there is a reason it pops up and its within their radius to check.

The Building Department asked for a confirmation from Code Enforcement about the caretaker’s apartment.

Mr. Interrante: What was that request again?

Mr. Hines: The Building Departments gate keeper letter identified a request for clarification whether the care take garage is a living facility/office. You identified that the caretaker garage

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facility is to the house the caretaker. We just need to get that back from the Code Enforcement officer that they are ok with that. They had given you what I typically call a Gate Keeper letter and I think you answered it but we have not gotten a confirmation back from the Code Enforcement Officer.

Mr. Interrante: That is the Building Inspector.

Mr. Hines: Yes.

Mr. Hines: We had long discussions after the previous meeting that this is not in the BD sidewalk district so you are out of that. At the time I did not even know there was a side walk district map. I have that now.

Fire Department comments probably want a knock box at the gate. Don’t know what type of gate it is going to be.

Mr. Interrante: It is probably going to be a rolling gate with a key pad. Is that ok or should I talk to him? Who is the fire inspector?

Mr. Gorres: Modena his name is Nelson I don’t know what his last name is.

Mr. Hines: Maybe the building department can coordinate that for you.

Mr. LaFiandra: This property, it abutts up to the thruway property? Is there any referral to the thruway?

Mr. Hines: Yes, there is. We Lead Agency it to the thruway; you didn’t hear back but there will also be a public hearing notice going to them as well. It will have to also go to the County Planning because of that as well.

We circulated to the Town Board for Lead Agency. Obviously, the Planning Board was Lead Agency. We sent a copy to DEC, Ulster County Planning, Ulster County Public Works, Ulster County Health Department and NYS Thruway Department.

Mr. Interrante: Aren’t they supposed to reply in like 45 days or something like that?

Mr. Hines: 30 days. They did not. That is why this board just made themselves Lead Agency.

Mr. Interrante: None of them replied?

Mr. Hines: DEC did. That is where we got the letter from DEC.

Mr. Interrante: Ulster County Planning didn’t have anything to say about it?

Mr. Hines: No, they didn’t and they usually don’t. That did not satisfy the 239 reviews.

That’s only the Lead Agency SEQR processes. So it will still have to go for a 239 review.

Mr. Chastain: What are the next steps after we get the maps revised? Is there a need for a Public Hearing?

Mr. Hines: There is a need for a Public Hearing. This is a site plan so you can do it without closing SEQR. Subdivision you need to close SEQR first. If you schedule early in the process, I am good with that we will get the input from the neighbors before we get too much further.

Mr. Interrante: So, you’re saying the board can schedule a Public Hearing?

Mr. Hines: It’s up to the board. If they are comfortable with that.

You may want to send to County Planning as well.

Ms. Eisenhardt: We can do the Public Hearing without the SWIFT being completed?

Mr. Hines: Yes, we can. We are down too technical.

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**MOTION:** Mr. Gorres made a motion the Plattekill Planning Board take Lead Agency on Deer Run Industrial Park with Mr. VanDeMark seconding the motion. All ayes on the motion.

**MOTION:** Mr. Gorres made a motion for a Public Hearing on April 22, 2025 for Deer Run Industrial Park seconded by Ms. Eisenhardt. All ayes on the motion.

**DISCUSION:** (Ms. Brooks Control Point: Fosler Forest)

Ms. Brooks, Control Point: Last month I was before the board and we had a lengthy discussion with the board about whether or not we needed Board of Health approval for the lot I was creating which already is a separate lot separated by a highway.

At the end of the evening it was determined that I would send….

Mr. Hines: It’s not a separate lot. I will couture it is separated by the highway.

Ms. Brooks: It’s separated by a highway.

Ms. Eisenhardt: Which property is this one?

Ms. Brooks: Fosler Forest it was 4.76 on the westerly side of the road and 86 acres on the easterly side of the road.

So, at the end of the evening the board had directed that I send a follow up e-mail to Pat outlining what the issues were to collaborate with Mr. Dominck Cordisco and provide a recommendation to the planning board.

So, I went back and I created that e-mail and I circulated it to Pat, Dominic and Plattekill Planning Board, Rich, and the client. Then Dominic sent a e-mail saying do I have authorization to work on this and the next thing I got was an e-mail from Janice saying: Mr. Gorres wanted me to inform you that as per Plattekill Planning Policy any newly created lots need Board of Health approval. Plattekill does not allow unbuildable lots.

First of all, I thought that when a Planning Board made a recommendation that was the recommendation of the Planning Board and it shouldn’t be superseded by the chair absent the rest of the board. Secondarily, I was not looking to create an unbuildable lot; we said the night of the meeting that we were more than willing to put a note on the map that it was not a buildable lot until the Board of Health approval was granted. Further there were other uses that were permitted in the zone other than a buildable lot such as agricultural. I would like some clarity on why the change occurred. Now I have now my client…I alerted him the day after the meeting this is what happened at the meeting last night and this is what we are going to do going forward. Then I had to forward him the e-mail saying ok this is what happened now.

He is an attorney and he said I would have preferred the attorney’s opinion and I would like to have documentation form the chairman on that Planning Board policy and how it has been applied in the past and why we have varied from Planning Board determination to a Planning Board Chairman making the determination that the original determination from the Planning Board to get the opinion was no longer valid.

Mr. Gorres: Because in the past that is what we have done. It’s a policy not a written policy its just a policy …

Ms. Brooks: This is what he is looking for documentation of other projects that that has happened.

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Mr. Gorres: It’s been so long I can’t provide that.

Ms. Brooks: Again, we are not looking to create a buildable lot. So, I just want to know where to go. I need to respond to my client.

Mr. Gorres: I never got an e-mail from Dominic on….

Ms. Brooks: Because you told him not to respond.

Mr. Hines: We stopped at that point. We can restart that.

Mr. Gorres: Yeah, we can restart that.

If you would like I can have Janice call Mr. Cordisco in the morning and have him continue on that.

Ms. Brooks: Right, I think in the end he doesn’t want to proceed unless he has... He only got an e-mail from me saying this is what happened at the board meeting. So understandably he is not going to act on something.

Mr. Gorres: Yeah, no exactly. Ok I will have Janice call him in the morning and proceed with that. Janice if he wants to, he can contact Patti with any questions.

Ms. Brooks: I would be happy to address them. I do very much appreciate it.

Mr. Gorres: No problem.

**MINUTES:** Mr. Gorres made amotion to approve the minutes of 25 February 2025 with a grammatical correction with Ms. Eisenhardt seconding the motion. All ayes on the motion

**VOUCHERS:**

MHE Engineering Amount: Applicant:

$102.00 Huckleberry Bluestone

**MOTION**: Mr. Gorres made a motion to approve the voucher for Huckleberry Bluestone in the amount of $102.00 with Mr. Dmytry seconding the motion. All Ayes on the motion.

MHE Engineering Amount: Applicant:

$248.12 TEG Federal Credit Union

**MOTION:** Mr. VanDeMark made a motion to approve the voucher TEG Federal Credit Union in the amount of $248.12 with Ms. Eisenhardt seconding the motion. All Ayes on the motion.

MHE Engineering Amount: Applicant:

$391.40 SPF Holdings LLC

**MOTION:** Mr. Gorres made a motion to approve the voucher for SPF Holdings in the amount of $391.40 with Mr. VanDeMark seconding the motion. All Ayes on the motion.

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MHE Engineering Amount: Applicant:

$225.30 Peak Summit Enterprises

**MOTION:** Mr. Gorres made a motion to approve the voucher for Peak Summit Enterprises in the amount of $225.30 with Ms. Eisenhardt seconding the motion. All Ayes on the motion.

MHE Engineering Amount: Applicant:

$408.90 Newburgh Fuel Distributors

**MOTION:** Mr. Gorres made a motion to approve the voucher for Newburgh Fuel Distributors in the amount of $408.90 with Ms. Eisenhardt seconding the motion. All Ayes on the motion.

MHE Engineering Amount: Applicant:

$102.00 Ohioville Solar

MOTION: Mr. Gorres made a motion to approve the voucher for Ohioville Solar in the amount of $102.00 with Mr. VanDeMark seconding the motion. All Ayes on the motion.

Drake Loeb Amount: Applicant:

$112.50 General 2025

**MOTION:** Mr. Gorres made a motion to approve the voucher for Drake Loeb General 2025 in the amount of $112.50 with Ms. Eisenhardt seconding the motion. All Ayes on the motion.

WB Mason Amount: Applicant:

$67.18 General – 2 Custom Name Plates

**MOTION:** Mr. Gorres made a motion to approve the voucher for WB Mason in the amount of $67.18 with Mr. VanDeMark seconding the motion. All ayes on the motion

Mr. Gorres: Janice, have you gotten your new mat?

Ms. Stryker: No

Mr. Gorres: Since I have a board member here Janice needs a new mat. There is a big hole in it. It’s warn in.

How much do they cost?

Ms. Stryker: About one hundred dollars ($100.00).

Mr. Gorres: You don’t have enough to do that right now right?

Ms. Stryker: Not unless I wipe out the entire account for the year.

Mr. Gorres: So my request is she needs a new mat and she says there .. we were only allowed two hundred ($200.00) for the year. If she buys that mat, which I’m ok with I went and looked

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at it, are we going to be able to get more money to replenish the account so she can buy more stuff if she needs it? It is only March.

Mr. Castello: Put it in writing and send it to the Town Board we will renew it and give you an answer.

Mr. Gorres: Thank you.

**\*\*** Notes: …. = inaudible comments

**MOTION:**

Ms. Eisenhardt made a motion to adjourn the meeting with Mr. Gorres seconding the motion. All Ayes on the motion.

The meeting adjourned at 7:50 p.m.

Respectfully submitted by

Janice Stryker, Planning Board Clerk