

Town of Plattekill Planning Board

Minutes of: Tuesday, October 28th, 2025

ROLL CALL: Chairman Richard Gorres, Eric Merritt, Joseph LaFiandra, Ernie VanDeMark, Darlene Eisenhardt, Nathaniel Baum, Richard Dmytry, Patrick Hines (Engineer)

1. Louis J. Braun – Five-Lot Subdivision (Camp Sunset Rd)

- Large-lot subdivision; no construction proposed.
- Wetlands and buffers confirmed; public concerns about drainage and future subdivision addressed.

Motions

- Close public hearing: **Gorres / Eisenhardt – Aye**
- Negative Declaration (SEQRA): **Vandemark / Gorres – Aye**
- Final Subdivision Approval (conditions: fees, maps, mylars): **Gorres / Eisenhardt – Aye**

2. Ulster RKJV LLC – Lindsey Court (Stormwater Plan Update)

- 2009 subdivision; never built.
- Updating SWPPP to current DEC standards; no new lots; road grading and drainage improvements upgraded.
- Septic approvals to be done lot-by-lot.

Motions

- Close public hearing: **Vandemark / Gorres – Aye**
- Reaffirm previous Negative Declaration: **Vandemark / Gorres – Aye**
- Conditional Final Approval (DEC stormwater permit + securities + fees/maps/mylars): **Gorres / Vandemark – Aye**

3. Oren Zelenak – Concept Review (Private Road Subdivision)

- Two parcels with existing homes; proposal to create private road by widening shared drive.
- DEC wetlands confirmed; buffer permit needed.
- Must return with full engineered plans.

No motions taken.

4. Peak Summit Enterprises – Lot Line Realignment

- Lot line change involving DEC wetlands; fire department requires 30×30 ft entrance pad and 20-ft road width.

Motions

- Set Public Hearing for Nov. 18, 2025: **Gorres / Eisenhardt – Aye**

Motion to adjourn: Eisenhardt / Gorres – Aye

[Darlene Eisenhardt]

October 28th, 2025 at 7 p.m. or as soon thereafter as may be heard at the Town Hall, 1915, Route 4455, Modena, New York, 12548. At this time, the Planning Board will be conducting a public hearing on the application of lands of Louis J. Braun for a five-acre lot subdivision. The property is located Camp Sunset Road designated as Tax Map 101.2, Block 2, Lot 12.91. 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 Planning Board Clerk at 845-883-7331 ext. 18
By order of the Planning Board Chairperson, Richard Gorres

[Rich Gorres]

Okay, they're going to explain the project to you, then we will open the public hearing to comment. You direct your comments to the board. I see a lot of people here, probably for you.
So, everybody, I want everybody here to have a chance, so if you have more than one question, can we just move, we'll make sure if there's more questions, we'll go around. Okay, you want to explain this, or what we're doing here?

[Bob Capucilli]

We are proposing a five-lot total subdivision. The total 130-acre lot is being split into four pieces. We're going to have a nine-acre lot here, twelve-acre lot here, four-acre lot, and on the south side of Camp Sunset, a twelve-and-a-half-acre lot, leaving a remainder of the lot that spans both sides of Camp Sunset with thirty-five acres on the north and thirty-five acres on the south. No construction is proposed at this time, and no changes beyond the property lines.

[Rich Gorres]

So you're just doing a, just a subdivision to break it up into five lots and there's no improvements? Correct. Okay. Anybody have any questions? State your name, and I'll take your name for the record.

[Judy Byrne]

I'm Judy Byrne. I just don't understand where this is in relation to the letter I got. I'm on Heather Lane off Church Street, so I think that's the next project.

[Rich Gorres]

That's the next project, that might be the next project.

[Pat Hines]

That's going to be the one right in the hamlet of Plattekill there.

[Rich Gorres]

That's okay, that's a little far from you.

[Bob Capucilli]

Yeah, so this project, if I wasn't clear, Plattekill Ardonia Road and Camp Sunset Road up to Rabbit Run Road.

[Joe Malfa]

Joe Malfa. On Rabbit Run, the lots there, those are going to be residential, they're smaller lots, correct?

[Bob Capucilli]

Right now, this is only proposed to take this one chunk right here, which will be Camp Sunset and Rabbit Run, and that'll be a 23.38 acre lot. These are existing stone walls that run through the lot. This is not an intended...
Yeah, it's kind of already set up like that, just the lay of the land from where we placed those stones there years and years ago.

[Rich Gorres]

You, over there.

[Resident]

I'm on Plattekill Ardonia Road. I'm just wondering what kind of... Right now, all the water drains from that side of the road to our side. Everybody's taking a lot of water. Is there a proposal to turn that and go somewhere else? Or are you going to add extra and we're going to have to put it back?

[Bob Capucilli]

No, like I said, there's no proposed changes right now, but right here you can see that there is a watershed boundary line that's shown. This area in here is the drainage area that goes out in your direction, I'm assuming. The entirety of the rest of the property drains out to Lake Sunset.

So it's only this part right here, and there's no proposed changes at this time.

[Rich Gorres]

There was a question that I think I want to ask, because you've been here before for a previous subdivision. Is if at some point they build a house there and they do stuff, is this set up... Pat, has this been...

[Pat Hines]

So right now it's just a large lot subdivision with no development proposed. If any of the lots are developed in the future, they'll be back before you and or the building inspector. That area in question is designated on the maps as federal jurisdictional wetlands, and I believe DEC wetlands, so the majority of that wet area along the frontage of Plattekill Ardonia Road is wetlands and most likely would not be developed if any development occurs.

[Louis Braun]

If I can, it was actually set up so that the first 400 feet from Plattekill Ardonia Road on the south side of Camp Sunset Road not be used as lots.

[Bob Capucilli]

It was intended that this piece was left.

[Rich Gorres]

Oh, it's just going to be a... Okay. Thank you.

[Mike Lembo]

Michael Lembo, is there going to be a 200-foot buffer zone around Camp Sunset Lake?

[Bob Capucilli]

Per DEC regulations, there is a 100-foot buffer.

[Mike Lembo]

But I thought beginning of this year they added another additional 100 feet from beyond the buffer zone. It was something that the law changed.

[Pat Hines]

Yeah, that's only for Vernal Pools. We have a DEC wetland validation map.

[Bob Capucilli]

Actually, this is the copy of it right here. So yeah, these wetlands have been delineated and reviewed by the DEC. I can't see that. Yeah, it's a small block right here, but this is signed off on by the DEC with all the correct buffers. There's nothing that exceeds 100 foot for any of the wetlands on site. All right.

[Mike Lembo]

The other question is, will those lots be able to be subdivided in the future, or that's it?

[Bob Capucilli]

Per the zoning regulations, I believe, you know, square footage, you know, 65,000 square feet. So, you know, acre and a half lots are the minimum for zoning, just the square footage. So there is potential for future subdivision, but none planned at this time.

[Mike Lembo]

Well, I mean, that's something to think about, because then, you know, if each lot subdivides and then you have more lots, then you're going to have an increase in water usage and also sewage.

[Pat Hines]

Any further subdivision of any of the lots will be back before this board, if there is any. Right now, there is no proposed development of the site.

[Mike Lembo]

So then what would you do in the future if somebody came back to subdivide it? Would you say you can't because of the way the zoning code reads now, or you'd let them go ahead and do it?

[Pat Hines]

Well, they would have to comply with the underlying zoning of the parcels right now and the environmental regulations in place at the time if they proposed a subdivision. But right now, they don't have that before us right now. It's a large lot, five large lot subdivision.

All the lots are greater than five acres, so it's not considered a realty subdivision and you don't have to prove them out to be buildable. But because they're all very large lots, it's assumed that there's at least some place to develop a house, at least one. But any future development would be before this board.

Similar to tonight, there'd be a public hearing and the underlying zoning would prevail, along with any environmental constraints that are existing on this site. And they'd have to prove them out to the Ulster County Health Department, stormwater regulations.

[Mike Lembo]

No, I get all that. I mean, I'm familiar with the process, but what I'm trying to say is it wouldn't now be the time. I mean, it's nice that you have these big lots that hopefully people would want to buy the lot and leave it alone instead of somebody buying it and then subdividing it to smaller lots.

Now, you're increasing the population, you're increasing the impact on the environment. And we all have to remember, we don't have municipal water sewer in this town. We're all on wells.

So, I mean, I think that now that you're in the planning stage, it's something to think about before you get to that point.

[Pat Hines]

Yeah, again, there's a multitude of hypotheticals that could occur here. This board currently is addressing this large lot subdivision. What happens in the future, again, has to be addressed under the underlying zoning and environmental constraints. There's a multitude of things that could occur, but we don't have that before this board right now. The application before the board is a five-lot, large-lot subdivision.

[Rich Gorres]

Anybody else?

[Deborah Pedrick]

Deborah Pedrick. Um, who owns that property?

[Louis Braun]

We do— Mr. Braun. Louis J. Braun, Joanne M. Braun.

[Deborah Pedrick]

Oh okay.

[Rich Gorres]

Anyone else? Going once, going twice.

[James Ayer]

James Ayer.. If this was approved, any construction going to be started, any land clearing, if it is approved?

[Pat Hines]

There is no construction proposed at this time.

[Bob Capucilli]

It's just the lots being, you know, created, basically. Nothing else beyond that.

[Rich Gorres]

Okay. Anybody else? Okay. Do we have a **motion** to close the public hearing? All on vote?

[Darlene Eisenhardt]

Second.

[All]

Aye.

[Pat Hines]

So we received county comments. They're addressing approval of waste facilities by the health department. As I mentioned during the public hearing, all lots are greater than five acres and are not realty subdivisions.

There are uses in the code in this zone that do not require the subsurface sanitary sewer disposal systems. These lots can be used for various other uses, agricultural, several other open space type uses. I don't believe there's any intent to develop these lots at this time. As Mr. Braun has told the board on several occasions, the lots are greater than five acres, and therefore it is assumed that there is an area where subsurface sanitary sewer disposal systems can be developed. Many of the lots are constrained by DEC-regulated wetlands and associated buffers, but there's certainly adequate usable area on each of the lots where a septic system could be developed if proposed in the future. So I think that addresses the county comments. Our comments are the project is before the planning board for a public hearing for the proposed five lot subdivision. All lots are greater than five acres, as I've just mentioned. No proposed improvements are depicted on any of the lots at this time. A DEC wetland validation map has been submitted. The DEC has signed off on the location of the wetlands and the associated 100-foot buffer. We're suggesting any substantive comments at the public hearing be addressed. We heard from the public and addressed their comments, and we just addressed the county recommendations for the project.

[Bob Capucilli]

Do you have an extra copy of that? I haven't seen one. Would you mind if I just... The county one.

[Pat Hines]

Oh, yeah, you can have mine. Thank you. So the applicant submitted a short environmental assessment form for the project. It was filled out on the DEC's interactive website, which populates areas or questions that are in the DEC's database. The project does not identify any historical resources or archaeological resources. There is potential habitat for a bog turtle, which would have to be evaluated prior to any development of the individual lots, and that would be the lots associated with the wetland areas delineated by the DEC. There are no 100-year floodplains and no remediation areas. Based on the information submitted by the applicant and provided by the short environmental assessment form and the surveys provided, we would recommend the board adopt a negative declaration for the project.

[Ernie Vandemark]

Motion to declare negative dec. on this project.

[Rich Gorres]

Second. On the vote?

[Rich Gorres]

Do we grant final approval?

[Pat Hines]

I believe you'd be in a position to do that.

[Rich Gorres]

Okay. I make a motion to grant final approval for the Louis Braun five-lot subdivision.

[Pat Hines]

Any conditions on payment of any fees?

[Rich Gorres]

Fees, maps and mylars. Okay.

[Darlene Eisenhardt]

Second.

[Rich Gorres]
On the vote.

[All]
Aye.

[Rich Gorres]
You can go.

[Bob Capucilli]
Good, thank you very much.

[Pat Hines]
I just noticed that map still has that Z connecting the stream to the pond.

[Bob Capucilli]
Yeah, I brought the wetland one instead of the updated. That's not the revised one, but I think that was the only change we had on it. Thank you.

[Rich Gorres]
You're welcome.

[Darlene Eisenhardt]
Good luck, guys. It's been a pleasure.

[Rich Gorres]
Okay. Next subdivision. Ulster RKJV LLC, Lindsey Court.

[Darlene Eisenhardt]
Notice is hereby given that a public hearing will be held by the Planning Board, Town of Plattekill, County of Ulster on Tuesday, October 28th at 7 p.m. or as soon thereafter as may be heard at the Town Hall, 1915, Route 4455, Modena, New York, 12548. At this time, the Planning Board will be conducting a public hearing on the application of lands of Ulster RKJV LLC for amended subdivision stormwater pollution plan. The property is located on Quaker Street, Plattekill designated as Tax Map Section 107.2, Block 9, Lots 28.1 through 28.13. 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 Planning Board Clerk at 845-883-7331, extension 18, by order of the Planning Board Chairperson, Richard Gorres. Okay.

[Ulster Rep.]
Good evening.

[Rich Gorres]
Good evening.

[Ulster Rep.]
Good evening, Engineering and Surveying Properties.
So this subdivision was originally signed by the Planning Board back in 2009, filed in 2010. It's located along Quaker Street, across the road from Prospect Hill Road. This right-of-way here that's already established is Lindsay Court. Thirteen lots total that are already existing, ranging from one acre to two-and-a-half over here, and then this one's a six-acre lot. So all of these houses are approved dwellings. They had approved septic areas, approved well areas. Health Department approval has expired, so we are going back to the Health Department to receive a permit for each individual house. Our firm was contacted to update the stormwater pollution prevention plan, which as of 2024, there were new requirements and standards set forth by the DEC, so that required additional soil testing in the stormwater areas that are located within the easements there. Road grading was slightly modified. We eliminated – there were some catch basins located in the roadways, and now we have culverts, flare-down sections, everything going to these drainage manholes here and down to four infiltration basins. And that's where they just updated the stormwater pollution prevention plan, and we have set the board to reaffirm their original
(Inaudible – 18m 35s)

[Rich Gorres]

Thank you. That's it. Any questions? Because this is already an approved subdivision. They're here amending the stormwater drainage because those standards have changed under DEC regulations. So if you have any questions, it's an already approved subdivision. They're just modifying it, so I'm taking it and you're making it better. Okay. So if you have any questions for them, that has to be pertaining to that. So if you have any questions for them, feel free to ask.

[Susan Benken]

Hi, uh, Susan Benken, could you just show me where Quaker Street is on that map?

[Pat Hines]

Right across the street.

[Susan Benken]

That's Quaker Street.

[Ulster Rep.]

And you have Prospect's (*Hill Rd.*) right across that intersection right there.

[Rich Gorres]

Oh, I remember this. It's right in the corner. Yeah, yeah.

[Ulster Rep.]

Church Street is further down this way, so the property is here with Lindsey Court. If you keep heading south a little bit, it's probably off the map down this way, if you follow Quaker Street.

[Susan Benken]

So Lindsey Court is actually off of Prospect Hill?

[Ulster Rep.]

It's kind of an offset intersection. It's not developed yet, but the right-of-way exists.

[Pat Hines]

It's an open field area right now.

[Ulster Rep.]

Yeah, it's open.

[Pat Hines]

This project was approved, I want to say, more than a decade ago.

[Ulster Rep.]

2009.

[Pat Hines]

2009, so even two decades ago, almost, one and a half. And what happened was the market in 2009 wasn't conducive, I guess, to selling houses. I recall that a lot of projects did not get developed around then. But the securities for this project were somehow lapsed. Either they weren't maintained by the applicant or were lapsed. So the issue here when they came back was that although the lots are formed, someone's been paying taxes on the individual lots. The maps were filed with the county, but no development occurred. So they're back here to update, to meet the current stormwater management for the project. They changed the road a little bit. But right now, if you go to the county tax maps, all these lots appear on there. And we're getting this kind of, I'll say, cleaned up, because part of this reapproval is going to be to reestablish the securities to protect anyone that potentially buys a lot. Right now, if you paid cash, you could buy a lot, but you wouldn't have a town road. Certainly a mortgage company wouldn't give a mortgage. But this is bringing this project up into current standards as it languished since 2009.

[Susan Benken]

Are those boxes mean that there's houses there already?

[Pat Hines]

No, those are just potential house sites that fit the underlying zoning.

[Rich Gorres]

Yeah, there's nothing there. The road's not improved.

[Pat Hines]

Because they're existing lots, we discussed with the health department, the approvals for the septic system has lapsed, and because they are filed lots, the health department is going to review and issue permits for each individual lot as they come in. Typically, in a subdivision like this, they would get the whole thing approved, but they did that in 2009. The health department views them as individual lots, and they'll have to follow that as part of the approval here. We will require individual septic permits for each lot.

[Rich Gorres]

So if somebody comes in and buys a lot, they've got to go get it approved. Or the developer has to.

[Pat Hines]

Before they get a building permit, they'll have to have a health department permit. The drainage district for operation and maintenance of the drainage improvements was established and has existed since 2009, so that's one of the boxes we checked now that was done and remains valid. So each of those lots will pay for the operation and maintenance of the stormwater facilities that support this lot, so it's not a burden on the town taxpayers in general.

[Judy Byrne]

Hi, Judy Byrne, so this is not the same area where there are four houses already?

[Pat Hines]

No, there's no houses.

[Rich Gorres]

No, there's nothing there. Okay.

[Pat Hines]

No, that's across the street at Prospect and Quaker. That's another subdivision. The name escapes me right now.

[Rich Gorres]

Innovation Homes?

[Pat Hines]

Innovation Homes, right.

[Judy Byrne]

No, because where I am, it's wet behind my house, and then there's an empty apple orchard on Quaker, but it's wet there. Is this in any way close to that?

[Pat Hines]

A large part of the back of these lots, the lower end of that map from the stormwater ponds down, is wet and wetland areas that aren't going to be disturbed. Oh, okay. That whole lower portion of the map is too wet to drill.

[Judy Byrne]

That lower portion is behind me.

[Pat Hines]

Probably behind you. I don't know where your house is.

[Judy Byrne]

I know it is wet.

[Pat Hines]
Oh, it's wet.

[Judy Byrne]
Some goes into Orange Lake and some goes into Chadwick Lake. So, you know, I wonder about all of those houses.

[Pat Hines]
So that's one of the things they're here for is to upgrade those two stormwater ponds that are proposed to the current standards that provide for water quality and water quantity treatment. Well, your septic system is downgrading these.

[Joe LaFiandra]
I have a question. Do we have to refer to Newburgh for the intermunicipal boundary?

[Pat Hines]
I don't think it's that close.

[Joe LaFiandra]
Oh okay.

[Speaker 11]
No, Newburgh's quite a ways down.

[Rich Gorres]
That's where the other subdivision is, down the other way. The name of the street is Quaker. That's a ways from there, yeah. Down Quaker a little bit more.

[Pat Hines]
But, again, we're just reaffirming this subdivision. It's kind of a weird thing we're doing.

[Rich Gorres]
Yes, Mr. Lembo.

[Mike Lembo]
Wouldn't you still need, I mean, I know you probably had previous Board of Health approval, but wouldn't, since it's been dormant for so long, have to have Board of Health approval again on the lots? So we discussed that.

[Pat Hines]
This being a unique situation and those permits being expired, we discussed it with the applicant's representative, and I actually had discussions with the Board of Health. And because they are filed lots right now, they exist on the tax maps. If you open the tax maps up, each of these lots in their current form show up. Someone's been paying taxes on these lots, these individual lots. So the Health Department said that they are going to review each one when they come in for a building permit. They have to redo each and every permit, yes. Pay that \$300 fee, I believe. We're kind of cleaning up a 15-year-old mess here.

[Rich Gorres]
I remember that mess.

[Pat Hines]
I don't, unfortunately.

[Rich Gorres]
Yeah, I do. All those subdivisions down there never really got built out. Yeah, it was bad timing. Anybody else, any questions?

[Joe LaFiandra]
Are those the swales on the map of the designated FES 1, 2, 3?

[Pat Hines]
Those are flared end sections.

[Joe LaFiandra]
Oh, flared end, okay. Thank you.

[Rich Gorres]
If not, I will entertain a **motion** to close the public hearing.

[Ernie Vandemark]
Motion to close.

[Rich Gorres]
Second. On the vote?

[All]
Aye.

[Rich Gorres]
What's the status of the SWPPP?

[Pat Hines]
We have reviewed the SWPPP and gave comments on several occasions.

[Rich Gorres]
Okay.

[Pat Hines]
We actually received this SWPPP prior to it being before the planning board. It was going back and forth with the town board to what to do with this animal.

[Unknown]
Okay.

[Pat Hines]
We determined that it should come back to the planning board for reapproval because a new subdivision map needs to be filed to supersede the previous file.

[Rich Gorres]
Oh, yeah.

[Pat Hines]
Because there wasn't stormwater facilities here. There was modifications to the vertical grades on the roads and some modifications to the roadway drainage system. So this map, once complete and approved, will be filed at Ulster County and will take out any of the mystery in the future when someone flips through and says, "Why doesn't this look like the 2009 map?"

[Rich Gorres]
Yeah, okay, that was the question.

[Rich Gorres]
Okay.

[Darlene Eisenhardt]
All right.

[Unknown]
So, do you want a **motion** for a negative declaration?

[Pat Hines]

Yeah. So what we want to do here is this project received a negative declaration back in 2009. The changes are not that substantive, and we're recommending that you reaffirm the negative declaration previously issued for the project based on the current layout and there being not a significant change. The lots are laid out the same. The roadway is in the same location. The stormwater facilities were upgraded to meet current standards is really the only changes to the map.

[Rich Gorres]

Right.

[Ernie Vandemark]

Okay.

[Rich Gorres]

Go ahead. You can make that **motion**.

[Ernie Vandemark]

So I'll make a **motion** that we declare reaffirm the previous negative declaration on this project.

[Rich Gorres]

Second. On the vote?

[Darlene Eisenhardt]

Aye.

[All]

Aye.

[Darlene Eisenhardt]

Did we make a **motion** to close the public hearing?

[Ernie Vandemark]

Yeah, we did.

[Rich Gorres]

We did. Yeah.

[Pat Hines]

Yeah. So this would be in a condition where you could address a conditional final approval subject to the receipt of the NYSDEC stormwater SPDES permit. We require those to be enhanced prior to the stamping of the map so that it doesn't fall through the cracks in the future. There needs to be security posted for all public improvements, including the roadway, drainage facilities, and stormwater management facilities. We just note the drainage district was previously formed for the balance parcel and remains valid. And the typical language you have is it fees, maps, and mylars?

[Rich Gorres]

Yep. So the drainage district is the town's problem.

[Pat Hines]

That's been formed already, though. That's still valid. We researched that a couple months ago.

[Rich Gorres]

Okay. So we need to make a motion for security for all proposed public improvements, including roadway, drainage facilities, stormwater, and management facilities be provided, and that we get the SWPPP approved from the DEC. (Inaudible - 29m 24s)

[Darlene Eisenhardt]

Maps, mylars.

[Rich Gorres]
Fees, maps, and mylars.

[Ernie Vandemark]
Second.

[Rich Gorres]
On the vote.

[All]
Aye.

[Rich Gorres]
You're good. Thank you. That's new business. I take it you're here for Oren?

[John Nosek]
Yes.

[Rich Gorres]
Okay. Let's see what we're up to this time. Explain to the board what we're here for.

[John Nosek]
For the record, John Nosek, Nosek Engineering, representing Oren Zelenak. This project is a proposal.

[Pat Hines]
Folks, can you take that outside? Sorry.

[John Nosek]
This project is a proposed two-lot subdivision of two existing parcels. So currently there's two existing parcels with two dwellings on them. And our proposal is to construct a new private road to the town of Plattekill private road specifications, and to subdivide those existing homes off of the overall parcel. So we gave this is a sketch plan. It's not a detailed engineering plan, but we wanted to present something to the board so we could get the board's feedback. So right now, again, there are two existing lots with homes, and there is a barn and some other smaller structures in this area here. This is where Oren lives. And on both parcels and then on the other parcel, there's two existing homes. They all have their own well. They all have their own septic. So in terms of construction, the only thing we're really looking to do as part of this two-lot subdivision, as far as the physical disturbance, would be to widen the existing common drive to a private road. Approximately, we pace it off somewhere between 750, 800 feet. And I don't know if anybody has seen it, but it's a very nice common drive that's there now, but it's narrow and it needs to be widened. So the plan would be to kind of keep the grade that exists there now and then widen it to meet the specifications of the town of Plattekill. So it might have been a little confusing on my part, but we did show or wanted to show the board this is not what we're proposing. But down the road, there may be the possibility of a two-lot subdivision of lot two and three into two more lots because we understand that I believe we're allowed up to six lots on a private road. So that's not what we're looking to do. That's not what this application is. What we wanted to kind of be transparent with the board to know that Mr. Zelnick or the future owner of lot two could possibly, or three, could possibly come in and do a further subdivision. That's not proposed at this time. So that's really the only reason why we prepared the phase two map. We do have, and Oren can present to the board if you want, we do have an agreement, a written agreement. We understand it will have to be formalized and included into the overall maintenance agreement and the legal language and so forth. But the adjoiner has agreed, at least at this time, that he's on board with the widening of the road in exchange for some certain improvements, small improvements that Mr. Zelnick is proposing to make. But he is on board with going in and preparing, making this a private road. And whatever legal descriptions, et cetera, that need to accompany that, that we would eventually, if this gets to a point of final approval, we would prepare all that. I did get Pat's comments. I did get the town's planning board comments. I don't know if you want to go through them quickly, but I think we're in agreement with all of them. We did also, just to update the board, Oren did send a request in to Paige from the DEC on the existing wetland and the existing buffer. And she responded, that's in your packet there, that she is okay with the boundary that was dated June of 2025, so it's very recent, that the existing wetland and buffer is accurate. We do understand that we need a DEC buffer disturbance permit. So it would not involve a wetlands permit, just a buffer disturbance. So I was told by the DEC, I don't know if it's true, that it's supposed to be more of a streamlined process when it's only an adjacent area and not the actual wetlands. But we do need to secure that permit. We do understand that.

[Rich Gorres]
Okay.

[John Nosek]
I think pretty much, Pat, all the comments. I mean, we need detailed plans. We need topo. We need private road access agreement. Just want to make one thing kind of clear, at least from our end, our understanding, the only disturbance we're looking to do will be to widen the existing common drive. We think it's going to be about 8 to 10 feet, pretty much mostly to this side of the existing common drive. So our total area of disturbance on this project is probably around 8 to 9,000 square feet. So we're well below the one acre threshold of having to do a full stormwater pollution prevention plan.

[Pat Hines]
So you've got to show that limit of disturbance on the plan.

[John Nosek]
Yeah, we'll show that on the plan. County referral, we understand. Submission to the town of Newburgh, that's fine. I don't know if you want to wait until we have more detailed plans or if you want to do that now. It's whatever the board prefers.

[Pat Hines]
Yeah, I think we should get the topo and the road details and all that for them first.

[John Nosek]
Okay.

[Unknown]
Anything else we wanted to cover?

[John Nosek]
No, just if there are any questions about what I've shown here. So there was a comment, concern about the additional structures. So our understanding, since Oren has purchased the property, that those structures have been there. We believe they're pre-existing. So I don't myself personally think there's a need for a variance. They've been there since he purchased the property. I think that was referring to one of your comments, Pat.

[Rich Gorres]
Are you talking about the stuff that's on the north side of the road or the south side of the road? That's east road, so.

[John Nosek]
Well, south side.

[Rich Gorres]
Oh.

[John Nosek]
That's what came with my thought.

[Pat Hines]
So the town code has a section 110.15, capital letter C2, that does not permit accessory structures in the front yard. There is at least two accessory structures which project in the front yard of lot one. And I believe that those need, unless the code enforcement officer sees otherwise, they need variances to clean them up as you're subdividing, which means you're losing the protection. But I'll defer to the code enforcement officer on that if we can get a letter from him. Okay.

[John Nosek]
Well, should we contact him, or is the planning board going to?

[Pat Hines]
Yeah, you should contact him.

[Rich Gorres]
You contact him.

[Pat Hines]
Discuss my comment 14 with him. But, again, this is a concept plan. I tried to be thorough with the comments just to give some kind of guidance on what we'll be looking for.

[Rich Gorres]
I know.

[John Nosek]
One thing I just think, what I believe, and I'll ask the board if their concurrence or opinion is the same, Pat, these are existing dwellings, existing houses, so I don't think we need to go to the Ulster County Health Department. If we were to come into a further subdivision, that would be different.

[Pat Hines]
I concur with that.

[Joseph LaFiandra]
I've got a question. The gravel road, the dirt driveway, does the lot to the north, because it looks like it goes up against the property line there, do they have rights to that driveway as well?

[John Nosek]
Yes.

[Joseph LaFiandra]
They do?

[John Nosek]
Yes. So we actually find this low lot. That's a photo of where you'd be driving in from Old East Road. And this is my neighbor. So I went to the neighbor's where we run this, there's a right-of-way across this.

[Joseph LaFiandra]
Yeah, that's the guy in the front, right?

[John Nosek]
Right. And that is there on the map, and this is the detail. So the existing driveway, what we discussed was that I would plant some trees, and then we have already 12, 14 feet of driving surface, and so it would just kind of come this way. But then we would get these trees in here and agreed on that, and so I brought this sign by him. I know it's not formal, I know it's not how we would do it, but just to show that I'm not wasting anybody's time.

[Joseph LaFiandra]
Okay. Do you happen to know what the width requirement is for private road?

[Pat Hines]
I don't know. Too many towns in my area.

[John Nosek]
Yeah, I know.

[Rich Gorres]
Yeah, they've changed them since they talked about that years ago. I'm not sure what the... because the private road has to be able to be made into, if you wanted to turn it into a town road at some point, it has to be built to town road standards, except you don't pave it.

[John Nosek]
Correct. Okay.

[Rich Gorres]

So you have to get the town to standards for that.

[John Nosek]

I should be able to find them on 120 feet.

[Rich Gorres]

Yeah, I'm not sure what they did with those, like, if they changed them or not.

[Pat Hines]

So the highway superintendent is a big fan of T hammerhead turnarounds, although this is a private road, so if there's any inkling in the future that you may want to just, and it looks like it's set up for that T turnaround in this area with the lot lines.

[Rich Gorres]

Yeah.

[Pat Hines]

We're going to remove the cul-de-sac and go with the hammerhead. And that will reduce your disturbance in the wetland area as well.

[John Nosek]

I think most of the T itself, all the T, may actually be out of the buffer entirely. But if it is, it's minimal.

[Pat Hines]

Can you have a signed J.D. from DEC so they can submit that?

[John Nosek]

Yes.

[Rich Gorres]

Yeah.

[John Nosek]

Okay, so that's in there. Yeah, that's in there as well as

[Pat Hines]

That's in this packet you just gave?

[John Nosek]

Yeah, pages.

[Rich Gorres]

Yeah, I just read through some of it.

[John Nosek]

After she said I wanted to, I'm sorry to take so long to get back to it, but I wanted to get guidance on how to actually interpret this and I'm interpreting the map you have.

[Joseph LaFiandra]

Yeah. Okay. The existing property line is the one that basically goes north-south, right?

[John Nosek]

Yeah, it goes kind of this way.

[Joseph LaFiandra]

Okay, yeah.

[John Nosek]

Okay. It severs the two properties. I say this.

[Joseph LaFiandra]
This way?

[John Nosek]
This is against the neighbor.

[Joseph LaFiandra]
Yeah. Okay. But that's supposed to be towards...

[John Nosek]
So there's a parcel, yeah.

[Joseph LaFiandra]
Okay.

[Rich Gorres]
Anybody else got any questions?

[John Nosek]
We have work to do and this was just kind of a concept for the board and so we'll proceed.

[Rich Gorres]
Go ahead. You got it.

[John Nosek]
I appreciate the feedback.

[Rich Gorres]
Thank you. Have a good night.

[Pat Hines]
You too. So I just want to be clear. What you have here from the DEC is not the validation, but it is a confirmation that there is wetlands on the site.

[John Nosek]
So she put the validation block on the map that we used. She signed it.

[Pat Hines]
Okay. And that's what I'm looking for.

[John Nosek]
December 24th. And then there was a question about whether there was a new law and I asked her and she said "get a determination," which is what that is.

[Pat Hines]
Okay.

[John Nosek]
You have a signed one, though.

[Pat Hines]
Great. We're going to need that for the final.

[John Nosek]
Okay. We'll get it to you.

[Pat Hines]
Okay. Thanks, John.

[John Nosek]
Thanks, again.

[Darlene Eisenhardt]
Have a good night.

[Rich Gorres]
I see Mr. Lytle sitting out here. That's not good. Why are you here, Ken?

[Ken Lytle]
There's no one here to speak again.

[Rich Gorres]
Peak Summit Enterprises, I take it. Okay. Proposed lot line realignment. Did you bring the map or anything to put up?

[Ken Lytle]
I didn't bring any maps. You want me to grab one of the maps I gave you? That's pretty simple. Yep. Do you want me to hang one up for you?

[Rich Gorres]
No, I just want to find it. It's got to be this one. Yeah, that's Lindsey Court.

[Ken Lytle]
Just very informal. It's a simple lot line change of 20 acres, a 16-acre parcel, a 4-acre parcel. Oh, okay. And we had to cross the DEC wetland. It's been months since we've been back to you. We got the DEC application all deemed as complete. They're finishing up the public notice Thursday. I think that's over.

[Unknown]
You can comment on it until Thursday, it says here. I downloaded it today.

[Ken Lytle]
And then you can see the Board of Health we have. That's all done. I met with the Highway Superintendent, Bob, out there, and he wanted some comments from the Fire Department. We had the Fire Department give us a width requirement for the road. We had to change it with the DEC, and the DEC has approved the new width. And just as of today, I received a letter from the Fire Department that at the intersection of our driveway with the road, they want to have a 30-by-30 gravel area.

[Rich Gorres]
Where you turn in?

[Ken Lytle]
Where I turn in. The driveway entrance has to be 30-by-30 now. I guess it's a new thing. Does that sound right?

[Rich Gorres]
That's not shown right now.

[Ken Lytle]
That is not shown. It only happened today. I got an email from...

[Rich Gorres]
They want a certain width, too? Just 30-by-30, and then 20-foot is fully acceptable. We had a letter from the Fire Department. You guys have a copy of that in your file somewhere.

[Rich Gorres]
Yeah, because Fire Departments are getting tired of going down so many roads and getting scraped up and beaten up.

[Pat Hines]
The turnarounds were added as well.

[Ken Lytle]

Yep, we changed the turnarounds. Originally, the DEC wanted it to be 10-foot wide, and the Fire Department said they wanted it 20-foot wide, so we adjusted it with the DEC approval.

[Rich Gorres]

Well, that makes sense.

[Ken Lytle]

Concrete trucks, fire trucks, whatever. 30-by-30 I thought was a little excessive for the driveway entrance, but... That's what it is.

[Ken Lytle]

That's two lots. It'll be maintained in that driveway.

[Pat Hines]

So each lot will maintain their share of it?

[Ken Lytle]

That's correct. That'll be the maintenance agreement.

[Pat Hines]

Well, they'll be shared in common, yeah.

[Ken Lytle]

Absolutely correct. We're here tonight, I believe, if everything's okay, to set up for a public hearing.

[Pat Hines]

A public hearing, so...

[Rich Gorres]

Okay.

[Ken Lytle]

And by then, we'll have the actual final DEC sign-off.

[Rich Gorres]

Public hearing of the third... It's the third Tuesday. That's the third D... Oh, my God.

[Darlene Eisenhardt]

We're only having a meeting.

[Rich Gorres]

It's the third Tuesday. It should be the 18th. November 18th is the only meeting for the month. Okay. Now, you see the young lady sitting over there?

[Ken Lytle]

I know, she's the new person. Good luck.

[Rich Gorres]

She's the new clerk. Okay.

[Ken Lytle]

So we get to call you tomorrow.

[Ken Lytle]

We're going to call you tomorrow. That would be Liz. Okay.

[Darlene Eisenhardt]

She's our new clerk.

[Ken Lytle]
She'll be fine.

[Ken Lytle]
Not yet. Nope, I understand. Janice gave me some heads up.

[Rich Gorres]
Okay. That's it.

[Ken Lytle]
We're good? Anything else?

[Ernie Vandemark]
I think we need a **motion** for a public hearing.

[Ken Lytle]
Nah, I got a **motion**.

[Rich Gorres]
This guy? Yeah, I'll do it. He doesn't do any formal, normal anyway.

[Ken Lytle]
You guys are fine. You're fine with me. Let's make a **motion**. Yeah, yeah.

[Rich Gorres]
Make a **motion** to... Peak Summit Enterprises on November 18th for a public hearing?

[Ken Lytle]
Yep.

[Darlene Eisenhardt]
Second.

[Rich Gorres]
On the vote?

[All]
Aye.

[Rich Gorres]
All right. We'll see you then. Make sure you bring everything.

[Ken Lytle]
I'm probably going to send someone that night.

[Pat Hines]
Okay. Yeah, it's you, right?

[Rich Gorres]
Yeah, I got wondering about that.

[Pat Hines]
Yeah, I got... Everyone's loading up. I'm off that week.

[Darlene Eisenhardt]
I don't think we have vouchers or minutes or anything.

[Nate Baum]
Oh. Really?

[Nate Baum]

Well, we had 28 of them last time. Okay. We're close to.

[Rich Gorres]

That's it?

[Darlene Eisenhardt]

So I'm going to make a **motion** to adjourn. Wait a minute.

[Nate Baum]

I didn't do an exact count, but for both projects, everything that went out was returned. I know we were asked to do an actual count of it. Do you want me to, or just... Everything that was sent out according to the sheet came back.

[Rich Gorres]

Came back? That's fine. That's fine. It's in the record.

[Nate Baum]

Minus the owner of each parcel.

[Rich Gorres]

Right. Got it.

[Nate Baum]

Our projects are not parceled.

[Rich Gorres]

All right. That's on record.

[Darlene Eisenhardt]

Now I'm going to make the **motion** to adjourn the meeting.

[Rich Gorres]

Second. To vote?

[All]

Aye.