



TOWN OF PLATTEKILL
PLANNING BOARD
P.O BOX 45, MODENA, NY, 12548

Minutes of: Tuesday, February 24th, 2026

SALUTE TO THE FLAG (7:00 P.M.)

Chairman Ernie VanDeMark called the meeting to order and led those present in the Pledge of Allegiance

ROLL CALL: Nathaniel Baum, Richard Dmytry, Vice-Chair Darlene Eisenhardt, Richard Gorres, Chairman Ernie VanDemark, Joseph LaFiandra, Eric Merritt

PUBLIC HEARING:

Brittany Edwards Chu of 261 Fosler Road (SBL 102.1-7-8.1)

Proposing: Two-Lot Subdivision & Two Single-Family Dwelling Units

- Applicant's representative, John Nosek, of Nosek Engineering present
- Public hearing opened; notice read into record. No public comment received. Public hearing closed.
- Proposed two-lot subdivision creating 7.1-acre and 4.2-acre parcels within RR-1.5 zoning; total parcel 11.3 acres. Individual wells and septic systems proposed.
- DEC wetlands previously validated; 100-foot buffer acknowledged; no disturbance proposed within regulated area.
- Application submitted to Ulster County Department of Health for septic approval; County Highway Department review required for driveway access and 25-foot right-of-way dedication.
- Board issued SEQRA Negative Declaration

p7 **RG/EV/Aye**

NEW BUSINESS:

Pito's Auto Repair of 1192 Rte. 32 (SBL 107.2-5-3)

Proposing: Site-Plan / Home Occupation II

- Applicant did not attend.

OLD BUSINESS:

Orin Zelenak of 44 Old East Road (SBL 108.3-2-8.1 & 8.2)

Proposing: Four-Lot Subdivision

- Applicant Orin Zelenak and representative, John Nosek, of Nosek Engineering present.
- Applicant presented revised subdivision plans addressing prior engineering comments, including grading plan, road profile, erosion and sediment control measures, culvert detail, and private road construction standards.
- Proposal upgrades existing common driveway to Town private road specifications with hammerhead turnaround; no new structures proposed; existing dwellings, wells, and septic systems remain.
- Easement encroachment to be formalized by metes and bounds description; private road access and maintenance agreement required.
- DEC buffer permit application to be submitted; no direct wetland disturbance proposed.
- Clerk directed to issue referral to Ulster County Planning Board and Town of Newburgh for intermunicipal review.
- Board scheduled Public Hearing for March 24, 2026 p12 EV/RG/Aye

APPROVAL OF MINUTES:

February 10th, 2026 *(approved upon noted corrections)* p15 EV/RG/Aye

ADJOURNMENT:

The meeting was brought to an adjournment at approximately 7:35 p.m. with a motion from Richard Gorres and a second from VC Darlene Eisenhardt, all ayes on the vote.

All:

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

E. VanDeMark:

Okay, roll call. Mr. Dmytry?

R. Dmytry:

Present.

E. VanDeMark:

Mr. Baum?

N. Baum:

Here.

E. VanDeMark:

Ms. Eisenhardt?

D. Eisenhardt:

Here.

E. VanDeMark:

Mr. Gorres?

R. Gorres:

Here.

E. VanDeMark:

Mr. LaFiandra?

J. LaFiandra:

Here.

E. VanDeMark:

Yes, and Mr. Merritt?

E. Merritt:

Here.

PUBLIC HEARING:

Brittany Edwards Chu of 261 Fosler Road (SBL 102.1-7-8.1)

Proposing: Two-Lot Subdivision & Two Single-Family Dwelling Units

E. VanDeMark:

First up is a public hearing. I'll read the notice before we begin. This is a notice of public hearing.

Notice is hereby given that a public hearing will be held by the Planning Board, Town of Plattekill, County of Ulster, on Tuesday, February 24th 2026 at 7:00 PM Or as soon thereafter as may be heard, at the Plattekill Town Hall 1915 Route 44/55, Modena, New York, 12548 At this time, the Planning Board will be conducting a public hearing on the application of: Brittany Edwards Chu for a Two-Lot Subdivision Proposing Two Single-Family Dwelling Units The property is located at 261 Fosler Road and is designated on the Town of Plattekill Tax Map as Section 102.1, Block 7, Lot 8.1 All interested parties will be given an opportunity to be heard with respect to this application. For further information, please direct all inquiries to Elizabeth Ackerly, the Planning Board Clerk, at (845) 883-7331 ext. 18 or via email at PlattekillPlan@yahoo.com. By order of the Planning Board Chairperson, Ernie VanDeMark

J. Nosek:

So, very briefly John Nosek, Nosek Engineering, for the record, Proposed two-lot subdivision for Brittany Edwards Chu. This is the lot that exists right now. What we're looking to do is to create a two-lot subdivision with two single-family homes with individual well and septic. Access for both lots will be off of Fosler Road, which I found out, finally, is a county road, not a town road. We've made our initial submittal to the Health Department. We have our soils testing done. I believe they're on about a two- to three-month time frame from the time you submit to you actually get the septic permits and the approval. We have made that application. The DEC wetlands, of course, were validated, and the validation is still valid. The DEC has signed off. Paige, I believe her name is at the DEC, has said that the wetlands as shown are still in effect and accurate. Of course, with the 100-foot buffer, we are not proposing anything in that area. That's what we're looking to do.

D. Eisenhardt:

How big is each lot?

J. Nosek:

Lot 1 is 7.1 acres. Lot 2 will be 4.2 acres. Okay, so here's the wetland right here. The cross-sectional area is the buffer zone outside of the wetland. So you can see out of this 4.2 acres, maybe half of it is not even—yeah, maybe half of it winds up, so probably around two acres is actually buildable out of the wetland. Here, it's probably a little bit more because it's down this way here, so maybe 2.5 is buildable out of this.

D. Eisenhardt:

What's the actual acreage of the whole property?

J. Nosek:

The whole property will be 11.3 acres. Oh, okay.

J. LaFiandra:

What's the zoning district?

J. Nosek:

This district is RR-1.5, rural residential.

E. VanDeMark:

So now we can invite comments from anyone?

R. Gorres:

Yeah, and then we go to public hearing.

E. VanDeMark:

Okay, is there anyone in the audience who would care to comment or speak on this project? Hearing none.

R. Gorres:

I'll make a motion we close the public hearing.

D. Eisenhardt:

Second.

R. Gorres:

All in favor?

All:

Aye.

R. Gorres:

Opposed?

R. Gorres:

Carried.

D. Eisenhardt:

Come have a seat.

J. Nosek:

I did get a copy of the comments from McGoey Hauser (MHE). So we are looking to get the comments from the highway department, and the DEC wetland map has been validated, so that's not an issue. We need septic approval, some erosion sediment control details, and then, of course, we will be dedicating 25 feet from the center line of the road, and he's noting that the deeds should note that there are DEC-regulated wetlands, and any disturbance would require permits, which we would agree to all that. So we don't have any issue to that. I guess my question or comment is, does the board feel that we're in a position to make a negative declaration under SEQRA, and if they might consider approval subject to these comments, or whether you would prefer to have us come back?

R. Gorres:

How many comments were there? Because I don't have comments in front of me.

E. VanDeMark:

Seven.

R. Gorres:

Yeah, but how many have been addressed?

D. Eisenhardt:

Two have been addressed.

E. VanDeMark:

The DEC has done...

J. Nosek:

Yes, we got the sign-off from the DEC. We have their validation.

E. VanDeMark:

He's spoken to the highway super.

R. Gorres:

You're waiting on the health department?

J. Nosek:

Correct.

J. LaFiandra:

I've got a question about the highway superintendent's review, since it's a county road. Is that the county highway department?

J. Nosek:

Yeah, correct.

J. LaFiandra:

They need to sign off on the driveways?

J. Nosek:

They need to sign off on the driveways. I can tell you that there's plenty of sight distance in both directions. It's pretty much straight shot.

J. LaFiandra:

Yeah. I'm familiar with the neighborhood. I live on Cotter Road. Okay. But I was, did they get back to you on the right of way? Because there was a question about that the last time. I mean, the gratuitous dedication?

J. Nosek:

So, they haven't, but we're giving it to them. So, if they want it. So, and I've never heard them not wanting it.

R. Gorres:

Well, yeah, it has to be approved by the attorney.

J. Nosek:

Yeah, it doesn't really do the applicant any good. So, we would just offer to give it to them 25 feet.

D. Eisenhardt:

Don't we have to wait until the attorney...

J. Nosek:

Yeah.

D. Eisenhardt:

That's the 25 feet.

R. Gorres:

That's a non-starter anyway.

D. Eisenhardt:

Has he reviewed it? Because Pat's saying he needs to review it.

J. Nosek:

We don't have any objection to any of the comments. Just if I can, if the board might consider approval subject to all these comments before they would sign off on the maps, that would.

R. Gorres:

So, I'll ask the question again. How many comments are still open?

D. Eisenhardt:

As of right now, looking at this, we have number two is complete. The other six.

J. Nosek:

Six are open. So, the other, so five and six really cannot be done until the board takes action on approval because you can't offer a dedication until we have approval.

R. Gorres:

Right.

J. Nosek:

And the deed, noting that the, so five and six really can't be done until after approval before the maps are signed for filing.

D. Eisenhardt:

And six can't be approved by us until the attorney reviews it per Pat's comments. So, I don't think we can do a neg dec yet.

R. Gorres:

So, have you sent the dedication papers to our attorney?

J. Nosek:

The attorneys won't let me do that until you grant conditional approval. We can show it on the map. Proposed dedication, but the actual dedication language doesn't happen, I'm told, until you make a motion for conditional approval.

R. Gorres:

I don't see why not, but we got to give him, grant a negative declaration or whatever. Do all that first.

J. Nosek:

Okay. I mean, we can come back for another meeting. That's not a problem. I just, if we can get a neg dec under SEQRA that there's really nothing, there's no environmental impacts that...

E. VanDeMark:

Yeah, because the wetlands have been validated.

R. Gorres:

As long as the DEC is happy. Everybody should be happy. Okay. I make a motion. We grant this Brittany Edwards Chu subdivision a negative declaration.

E. VanDeMark:

Second.

R. Gorres:

On the vote?

All:

Aye.

J. Nosek:

Okay. And when we get health department approval and a response back from Ulster County, we'll send it.

E. VanDeMark:

Who's next on the agenda?

D. Eisenhardt:

Pito's is next on the agenda and then Zelenak comes back. Are you here for Pito's, sir?

R. Gorres:

No, that's Orin. That's Orin for Forest Modern.

D. Eisenhardt:

So Pito's didn't show up then?

R. Gorres:

No. Okay, I guess you can come back up.

OLD BUSINESS:

Orin Zelenak of 44 Old East Road (SBL 108.3-2-8.1 & 8.2)

Proposing: Four-Lot Subdivision

J. Nosek:

So, again, for the record, I'm John Nosek, Nosek Engineering, for Orin Zelenak, this is a proposed 4 lot subdivision. The board has seen this before. This is a second meeting, third meeting actually, because we did get billed to the ZBA for an interpretation, so this is our third. What we're looking to do is to create a private road with a hammerhead turnaround to allow each of the four homes that are currently there now to be on their own individual lot with their own individual well with their own individual septic system. All the wells and the septs are there, the homes are there. There's really not any proposed construction in terms of new buildings. We're only looking to improve the current little common driveway to a private road specification for the town of Plattekill so that these lots can ultimately be subdivided and sold. So subsequent to the last meeting, we did a much more detailed plan. We have a grading plan. If you want me to, I can flip and show you, but basically we're proposing to widen the existing common driveway. It's got to be 16 feet. We put the detail on the plans. We did grading. There's erosion and sediment control that we added, which subsequently vary. We did a road profile. We did our engineering details for the septic system. We added a culvert for drainage. Most of this stuff probably the board isn't too concerned about. They'll probably defer that to Pat. So we were proposing to bring it up to private road specifications.

J. LaFiandra:

You're proposing an easement on that encroachment down by the, there's an encroachment on it.

J. Nosek:

Yes.

J. LaFiandra:

The lot down there?

J. Nosek:

Yes. So there is a piece right here that goes onto the adjoiner. Per the deed, there is an easement in place, but the deed is not defined by metes and bounds. So we're proposing to define it by metes and bounds. And so Orin has had discussions with the adjoiner, and he's okay with that. He's willing to sign off on that.

R. Gorres:

Okay, so we'll need that paperwork.

J. LaFiandra:

I remember at the last meeting, I also asked about the road coming in from the northern lot, and I asked if they had any rights right away to come down the driveway. I believe the answer was yes, they do.

E. VanDeMark:

You mean that one?

J. LaFiandra:

Yes, yes. The road, see how the driveway goes up to the, yeah, let me see. The lot number is, lot number seven.

E. VanDeMark:

So that's going to come right into the hammerhead? Well, this road used to go all the way through here.

R. Gorres:

That's access to this.

J. Nosek:

Right. Another lot off the property?

J. LaFiandra:

It's off the property. Onto the north of it. That guy up top. Does he have right of way to come through there?

J. Nosek:

Not that I'm aware of.

O. Zelenak:

Yeah, I've known him for 20 years. He's the neighbor, Mark and Marcy. They moved up from the city. They own that, they own the, you know that property due north of that, at the end of the bog, and somebody built three ponds in a row. They own, he owns that, he and Marcy have a studio there, and they just bought, Lamella sold that whole package to them. He walks around on it. Sometimes I think he's dumped some brush back there.

R. Gorres:

But they don't use that, they don't use that for access or anything?

O. Zelenak:

No, there's nothing there. Actually, there's also the, I think Central Hudson went up there once.

E. VanDeMark:

Oh, is there right of way?

O. Zelenak:

Yeah, I think they crawled up there. They could have gone through, there's kind of an opening off of East Road, but I think they asked if they could just come through there to do some work on one of the towers that goes through the bog. Other than that, it's pretty quiet.

R. Gorres:

Alright. So the road ends at the hammerhead?

J. Nosek:

Yes. We had a cul-de-sac, but we changed it to a hammerhead.

E. VanDeMark:

Yeah, that was one of Pat's comments.

J. Nosek:

So just to update the board, we are in the process of making an application to the DEC for a buffer permit. It's not an actual wetland permit, it's a buffer permit. And under the new DEC wetland regulations, the buffer permit is generally, it's a much more simplified process. So you still have to apply, and they have 90 days to review it. But if you're not actually disturbing the wetlands, and you're not proposing a septic system, or chemicals, or anything, then it's kind of like a, you get a permit in the mail. And about 90 to 120 days.

R. Dmytry:

Now, you talked to the fire department. Is that Clintondale?

R. Gorres:

No, that's Plattekill.

D. Eisenhardt:

Status of highway department should be addressed.

E. VanDeMark:

Is it new ones?

R. Dmytry:

Do we have something in the writing from the commissioner, chief?

J. Nosek:

I don't, but I can submit him a plan.

R. Gorres:

The houses are already here, right?

J. Nosek:

They're all there.

R. Dmytry:

Yeah, but this is, now you don't, what, technically that's a what, a town road?

R. Gorres:

County road. East Road's a county road.

J. Nosek:

So we're talking about Old East Road, right? So I believe that's a town road.

R. Gorres:

Oh, that's a town, Old East Road's a town road, yeah.

J. Nosek:

And this, what's existing is a common driveway. It's about, I think, 10 foot wide, maybe 12. And that common driveway is what all the, you know, this guy here, this guy here, and this guy here, what they use to get access. So we're looking to widen it. We have to, because in order to get subdivision approval, we have to meet the private road specs for the town. I certainly can send it to the fire department. I would think they would be happy that we're not really proposing anything, just looking to bring this up to private roads.

O. Zelenak:

And I built those, I built all the houses myself. And every one of them has a driveway, so you can get a propane pump truck in there and back it up. Because I got tenants that come and go. So, as long as I know that you can get a truck and get it back out safely, right to the home, I think the hammerhead does the turnaround.

R. Gorres:

Yeah, it's much better. It'll be much better when you're done.

D. Eisenhardt:

Did you get a copy of Pat's latest comments?

J. Nosek:

Yep. So, DEC article, so one is the highway department should, review should be addressed when Orin dropped plans off. I did believe there was an extra copy for the highway superintendent. And he personally took it to him. I haven't heard anything, but maybe he hasn't had a chance to review it. A common road access and maintenance agreement will be required. So, and Orin does have an attorney on board who will prepare that documentation. And that's consistent with comment four, private access, road access and maintenance agreement will be required. The easement from the adjoiner is required. Legal documents should be submitted. Again... That's going to be a planning board issue, a planning board attorney and Mr. Zelenak's attorney to take care of. Six is just noting that the ZBA noted that all the existing conditions are acceptable. We did, when we did submit, we did submit two extra copies, one for the county planning department for review, and one to the town of Newburgh planning board.

I cannot send them direct. They will just throw them in the garbage. They have to come from the planning board.

D. Eisenhardt:

Liz, did you?

E. Ackerly (Clerk):

I have them, but I think I have to be directed by you guys.

D. Eisenhardt:

To send them to the county and to Newburgh? Okay. And we skipped over number two, but I know we discussed it before.

J. Nosek:

So, yes. So, we do need to get the permit.

D. Eisenhardt:

Okay. And then number nine.

J. Nosek:

So, number nine says that the plans have been provided. He has not received the revised plans. So, we're not really sure exactly what happened, but we made, we submitted nine copies of everything. And I can just show you.

E. VanDeMark:

Is that what we spoke about? Yeah. Lost in the mail.

J. Nosek:

Let's see. There's a nice big blow up on sheet two. You guys have a copy of all this, I believe. A nice blow up showing the grading with the hammerhead. That's on sheet two. And sheet three, it's the profile for the road. And sheet two also has grading and some erosion control and some culvert design on the plan as well. And then the other two sheets, the last sheet was a detail sheet, the private road detail that he asked for to put on the plan. So, we did. And, oh, and some erosion and sediment control details. So, pretty much everything that Pat had asked in his previous review, I believe we submitted.

D. Eisenhardt:

And 3, 4, and 5 have to be reviewed by the board.

J. Nosek:

So, I guess my question for the board is, are we in a position where we could have a public hearing?

E. VanDeMark:

I say yes.

R. Gorres:

I would think so. Yeah.

D. Eisenhardt:

Do we need to wait for the attorney to review stuff?

E. VanDeMark:

No, not on this stuff. No. So, again, when's our next available, Liz?

E. VanDeMark:

Should be when Pat's here.

E. Ackerly (Clerk):

That would be March 24th.

E. VanDeMark:

Okay. 3-24. Yep. That work for you?

J. Nosek:

Okay. I'll be gone. I'm going to Florida and I'm not missing after this winter, I'll tell you that right now. I'm out of here on the 22nd.

E. VanDeMark:

Okay, so, yeah. I make a motion that we hold public hearing on Orin Zelenak on March 24th, 2026.

R. Gorres:

Second.

E. VanDeMark:

On the vote?

All:

Aye.

E. VanDeMark:

Opposed? Carried. Okay.

J. Nosek:

Thank you. And Elizabeth, I'll be in touch, to get all the adjoiners and all that for the public notice.

N. Baum:

Do we need a motion to refer to Newburgh planning board?

R. Gorres:

No, normally we just send that stuff to them. No, you don't need a motion because it's got to go there. There's no choice.

O. Zelenak:

Thanks a lot. Have a good night.

J. LaFiandra:

Okay, good night.

R. Gorres:

We just want to make sure we get it done. She's got the paperwork to send. The county will review it. Their first Wednesday of the month. Right?

J. LaFiandra:

Are we referring it to county for the county highway, the county road, east road? Or is it because of the four lot subdivision?

R. Gorres:

That's his job. It's his job to do it to the county highway. It's our job to send it to the county planning board.

J. LaFiandra:

Right, because of intermunicipal review, because of GML.

R. Gorres:

Actually, that's a town road. Old East Road's a town road.

J. LaFiandra:

Yeah, we're within 500 feet.

R. Gorres:

That little loop there, that's a town road. That's Bobby's doing. That's why he said he took the maps to Bobby. So the county's got nothing to say about it, except for the county planning board.

E. VanDeMark:

And the updated maps were sent to Pat, but they got lost in the mail.

R. Gorres:

You couldn't send them by electronic carrier?

E. Ackerly (Clerk):

They asked for physical maps.

R. Gorres:

Really? Okay. And he's out of town, too.

E. VanDeMark:

Liz has a whole set. Pito's is a no-show. Do we have any vouchers tonight? No vouchers? Approval of the minutes, we can work on that.

E. VanDeMark:

So let's get the minutes out.

D. Eisenhardt:

Nate's got a couple.

E. VanDeMark:

Sidebar, did we get escrow set up yet for New Paltz Rescue?

E. Ackerly (Clerk):

No.

N. Baum:

On page 22. Just for the record, I don't remember saying, yes, they're stubborn dogs, because I don't even know what the breed is. I don't believe that's attributed to me. Then I've got page 23. I believe what's missing is "finalized map." I'm sorry. One, two, three, four, five, six from the bottom. "Just make sure you specify it on the finalized map."

E. VanDeMark:

Now, what do you think that should be?

N. Baum:

"Map." Page 29. Third one down. "We're neighbors, too. I live there." I don't recall saying that, because then if you look two later, it says "I'm adjacent."

D. Eisenhardt:

That might have been me that said that. Yeah, I think I said "we're neighbors, too, because I live there."

N. Baum:

Then I'm adjacent, and then "that's what I was asking about noise." I thought that's *why* I was asking about noise, because I have a lot of residents. If you could check to see if that's what I said. If not, then I've got to work on my grammar.

E. VanDeMark:

This one should be Darlene.

D. Eisenhardt:

Then Nate should say "that's why I was asking about noise."

N. Baum:

Then that's all I had.

D. Eisenhardt:

Anybody else?

J. LaFiandra:

I assume you've got my comments by now.

R. Gorres:

New Paltz Rescue Squad. Here Joe? This is New Paltz Rescue Squad? Yeah, they're making interior modifications. They have to, because they're making the sleeping quarters in there for the...

J. LaFiandra:

I asked that as a question, actually.

R. Gorres:

Right, right. Well, that's why when they had that meeting and I was here, they needed to bring us plans to show us what they're doing inside the building. Because that was just an office before. Now you're making it an office and a place for them to stay while they're on duty. So you're changing the inside of the building. That's why I asked for all that stuff. I just wanted to get a preview of what we're supposed to have.

E. VanDeMark:

Yeah, because there was never sleeping quarters in there before. I get it. It was a dispatch room.

R. Gorres:

Dispatch room, and then there was another business in there, but there was always an office. Nobody ever slept there. It's not a house.

E. VanDeMark:

Okay, shall I make a motion to accept the meetings, approve the meeting's minutes with the noted corrections?

R. Gorres:

I'll second that. On the vote?

All:

Aye.

E. VanDeMark:

Okay, we don't have any vouchers. We can make a motion to adjourn.

R. Gorres:

No. No, not yet.

E. VanDeMark:

No? What do you have?

R. Gorres:

I'll ask the clerk. Is there any reason we're changing the format of these minutes? Otherwise, we're going to be cutting down a lot of trees.

E. Ackerly (Clerk):

They're really not usually this long. I've been able to cut them down significantly.

R. Gorres:

I'm only saying that. This is not a criticism because you've got no training at all here on what to leave in and what to leave out.

E. Ackerly (Clerk):

The past ones, I've taken everyone's considerations and really cut a lot down.

R. Gorres:

Right, because everybody sometimes asks questions just for their own information that aren't relevant to what we're doing. Everybody does it.

E. Ackerly (Clerk):

This meeting, though, if you were there, you'd know that there was a lot of talking. It's almost impossible to sit and just summarize everything. That's kind of why I have that first page, that's my summarization. Beyond that, when things get technical, I take out the stuff that isn't relevant.

R. Gorres:

It is, you're right. Okay, good try.

D. Eisenhardt:

Any sidebars.

R. Gorres:

I think part of the problem, too, is if we as a board, one person needs to stop talking to the other person so she can figure this out. Because we had that at our fire department. The clerk just finally said, stop.

E. VanDeMark:

One sentence from one guy becomes part of a sentence from the other. I get it. I think what we also need to do, we spent a lot of time on the Great Pyrenees. We need to keep it business. Process the application. If you want to talk about the dogs, talk to them later. Right, because that's what that turned into was 30 pages of notes.

And we have to do it because that's what we have to record.

R. Gorres:

Did they bring maps and diagrams or anything? Sounds like an interesting project. So I'll make a motion we adjourn.

D. Eisenhardt:

I'll second it.

R. Gorres:

All in favor?

All:

Aye.