



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

Minutes of: Thursday, January 8th, 2026

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

Chairman Christopher Mercier called the meeting to order at 7 p.m., led those present in the Pledge of Allegiance, and then conducted roll call of the board members.

ROLL CALL: Chairman Christopher Mercier, Vice-Chair Joseph Egan,
Helene Dembroski, Robert Egan, Bruce Jantzi, Judith Loertscher

EXCUSED: Larry Lindenauer

APPROVAL OF MINUTES: November 13th 2025 & December 11th 2025

PUBLIC HEARING:

1. Jeffrey Sebesta of 15 Huckleberry Turnpike (SBL# 107.8-7-7)
Proposed: Front and Side Yard Fence Height Variance
 - Public hearing opened, applicant not present
 - Public hearing mailings yet to be mailed, public hearing will remain open
 - Applicant set to appear Jan. 22, 2026

NEW BUSINESS: None

OLD BUSINESS: None

DISCUSSION: Zelenak Refund (\$400), Training, Budget, Legal, Liaison

CORRESPONDENCE:

VOUCHERS: None

ADJOURNMENT:

The meeting was called to adjournment at 7:20 p.m. through a motion from Helene Dembroski and a second from Joseph Egan.

All:

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.

C. Mercier:

Now bring the zoning board meeting to order for attendance. Bob Egan?

R. Egan:

I'm here.

C. Mercier:

Helene Dembroski?

H. Dembroski:

Here.

C. Mercier:

Joe Egan?

J. Egan:

Here.

C. Mercier:

Bruce?

B. Jantzi:

Here.

C. Mercier:

Judy?

J. Loertscher:

Here.

C. Mercier:

Okay. Larry is not here, with an excuse. Not too much on the agenda today. We have to approve the minutes for November 13th and December 11. Does everyone have a copy of that? I know Liz emailed it, and it was in your packages.

H. Dembroski:

That was the one that was really organized.

C. Mercier:

Yeah. It was November 13th was the first one, and then it was...

H. Dembroski:

Big improvement, yes, that one.

C. Mercier:

And then we tabled it to the 11th, and then it got tabled again. So Liz would like to get the December 11th and November 13th minutes to the town clerk. So that was all last year. So if anyone does not have any changes, I'd like to have a motion for the November 13th meeting minutes to be approved.

B. Jantzi:

I did have one change I did pass on to Liz. Other than that, I didn't see anything else.

E. Ackerly (Clerk):

That was your name missing from the roll call. I did change that.

C. Mercier:

I have a motion to accept the minutes. I need a second.

B. Jantzi:

Second.

C. Mercier:

Approved second. Any discussion? On the vote?

H. Dembroski:

Aye.

B. Jantzi:

Aye.

J. Egan:

Aye.

R. Egan:

Aye.

C. Mercier:

The minutes for December 11th, which was also tabled. It's another long package. Does anyone have any changes they'd like to see in this one?

H. Dembroski:

No.

B. Jantzi:

No.

C. Mercier:

All right, could I get a...

H. Dembroski:

I make a motion to accept the minutes.

B. Jantzi:

Second.

C. Mercier:

Okay, we've got a first and a second. Any discussion? No. On the vote?

H. Dembroski:

Aye.

J. Egan:

Aye.

R. Egan:

Aye.

B. Jantzi:

Aye.

C. Mercier:

All right, both packages of minutes are approved. Okay. We are going forward. Today we have a public hearing for Jeff Sebesta. Public notice has been put out. Joe, would you be able to please read that?

J. Egan:

Public hearing notice. Notice is hereby given that a public hearing will be held by the Zoning Board of Appeals, Town of Plattekill, County of Ulster, on Thursday, January 8th, 2026, at 7 p.m. on or as soon as thereafter, as may be heard, at the Town of Plattekill Hall, 1915, Route 4455, Modena, New York, 12548. At this time, the Zoning Board of Appeals will be conducting a public hearing on the application of Jeffrey Sebesta for a fence height variance. The property is located at 15 Huckleberry Turnpike and is designated on the Town of Plattekill tax map as Section 107.8, Block 7, Lot 7. All interested parties will be given an opportunity to be heard with respect to this application. For further information, please direct all inquiries to the Zoning Board clerk at 845-883-7331, extension 18, or via email at platteculeplan.yahoo.com. By order of the Zoning Board of Appeals Chairman, Larry Lindenauer.

C. Mercier:

At this time, I have a motion to open the public hearing.

H. Dembroski:

I make a motion to open the public hearing.

B. Jantzi:

I second.

C. Mercier:

Second by Bruce. Discussion?

H. Dembroski:

So we're keeping this open, right?

R. Egan:

There's no time limit?

C. Mercier:

Yes, we're going to keep this open. He is sick, plus he also has not sent out the certified card yet because he was sick. So we have to make a motion to keep the public hearing open?

B. Jantzi:

I've got a question.

C. Mercier:

Well, we haven't voted yet to open it. We're right in the discussion stage.

B. Jantzi:

The discussion on the public hearing, it referred to as fence height variance. Does that need to be specific as to side and front?

H. Dembroski:

Because was there an issue with the side?

B. Jantzi:

It was both.

H. Dembroski:

Both, right?

R. Egan:

Yeah.

J. Egan:

A notice is wrong?

B. Jantzi:

I don't know. If height variance covers all fences on the property, that he's...

H. Dembroski:

Can you read that into the record?

C. Mercier:

We can read that into the record. We're going to keep this open and then what we...

J. Egan:

Fence height refers to side and front.

C. Mercier:

Yeah.

H. Dembroski:

So we'll make a note for the record, I guess.

C. Mercier:

Okay. Can I get a motion to open the public hearing for Sebesta?

B. Jantzi:

So moved.

H. Dembroski:

Yeah. We need a motion.

R. Egan:

Second?

H. Dembroski:

Yeah, second, yeah.

C. Mercier:

Okay. I'm sorry. It was on the vote. Sorry, you guys voted already. On the vote?

H. Dembroski:

Aye.

B. Jantzi:

Aye.

C. Mercier:

Aye.

R. Egan:

Aye.

C. Mercier:

All right. The Sebesta public hearing is open. As previously stated, we're going to keep this public hearing open. I'll need a motion due to the fact that Jeff is sick and he has not complied with the full requirements of the zoning board.

B. Jantzi:

I'll make a motion to keep the public hearing open until such time as the rest of the requirements are fulfilled.

H. Dembroski:

Second.

C. Mercier:

Second from Helene. On the motion?

J. Loertscher:

Aye.

R. Egan:

Aye.

B. Jantzi:

Aye.

C. Mercier:

Okay. Next order of business. We have no new business. We have no old business on discussion. I did look at, I did talk to Liz to find out what the budget is that we're operating. As of right now, from the numbers I got, they don't have any detail, but they said our budget for 2026 is \$11,050. I don't have the breakdown of what's in for legal, what's in for training. It was also passed last night that two members of the zoning board for the Association of Towns.

H. Dembroski:

For the Planning Federation, not Association of Towns.

C. Mercier:

They said Association of Towns last night.

H. Dembroski:

They're wrong because I looked at the agenda and it only showed general town board stuff. The Planning Federation, the one that's going to be in Cooperstown, that's strictly planning and zoning and like zoning officer and stuff.

C. Mercier:

Okay. I'll get more clarification on that.

B. Jantzi:

How is the budget compared to last year?

C. Mercier:

Last year's budget, the numbers I saw was like \$9,300, so it did go up. And we spent, don't quote me on the exact number, low sixes.

B. Jantzi:

And that was even after covering that other expense?

C. Mercier:

Legal expense. Yeah, there could be other stuff coming in.

J. Egan:

I thought we settled all our expenses with the lawyer because we know what's going on.

H. Dembroski:

It's still ongoing.

J. Egan:

It's still ongoing?

R. Egan:

Yes.

C. Mercier:

This is going to be good news.

J. Egan:

All right.

H. Dembroski:

We should talk, I think we mentioned it, that we should split it.

J. Egan:

That was a town planning board problem, not a zoning board problem.

H. Dembroski:

Exactly, and that's the reason why the modification was done, so that it would get off our table.

J. Egan:

Well, wasn't it that the okay was defective because they don't have a record of the vote and planning? So we had nothing to decide on because nothing was legit. So why is it our issue?

C. Mercier:

Because it's the zoning board that made that determination. So the lawsuit, the Article 78, is against the zoning board.

J. Egan:

No, but that brings me back to my original question to begin with. If it was not a legitimate legal decision off the planning board, we're making a decision on something that was never legal.

C. Mercier:

Based on?

J. Egan:

The fact that they don't have a record of the planning board ever approving. That's where the whole 22 circle became.

C. Mercier:

I mean, that's what it was based on, but no, that's what he's disputing in court, that there was no evidence, I guess, in the Article 78. That I don't know. One of my arguments also is that I think one of the bills, Hoyt was representing the zoning officer, and the zoning officer should be coming out of the town budget because he's a town employee, and that Hoyt represents the zoning board. So that was one of the issues. So I want to, going forward, when I get the bills, I'm going to ask those questions. If he's representing a party outside of the zoning board, why is it coming out? They look at it as all town money, which in the end, they're correct. But when you look at it from a line item, it shouldn't come from us. It should come out of a different line item.

J. Egan:

I still get caught up on a thing that we make a determination based on something that was legitimate, and if it wasn't legitimate to begin with, why are we making the determination? I mean, that was my whole crux, because they couldn't say that that document that they have was actually correct. But anyway, it's still the same town.

H. Dembroski:

Well, that's why if we can get approved for this in-person training, the one that they're having in Cooperstown, which I believe is April 19th to the 21st, you have all the local towns, like all over New York State, but these are the questions we could ask without, you know, and we can get some answers.

C. Mercier:

And I'm going to be working with so are the other changes. Willie Castillo is no longer the liaison. James Fazio is the liaison to the zoning board now.

B. Jantzi:

I thought James has been.

H. Dembroski:

I know, right?

C. Mercier:

I know. So it's been Willie, but that's why he doesn't say anything, even though he comes. So James is the new liaison to the zoning board. And I'm going to be sitting down and talking with him. As you saw, Liz sent out for January 27th the workplace violence and sexual harassment webinar. But I truly feel a lot of that training. That is what we have to do, but we should have, and this was my biggest complaint last year to town board members, that the zoning board doesn't get zoning-specific training. You know, I did that battery storage, two hours. The first thing the guy said, 98% of this is zoning officer. So I sat there for two hours just to get a credit. And then the other thing, I want to talk with them and see if we could get credits rolled back over.

H. Dembroski:

So, like, if you go to one that offers six, you can roll the two?

J. Egan:

I lost credits because of that.

C. Mercier:

Yeah, we all did, yeah. So, and see if we could get that back. And, you know, that example was one of them. All right, any more questions?

B. Jantzi:

Not on that, but on discussion. I don't have the agenda in front of me, but it also made reference to a \$400 item. What is that?

C. Mercier:

So that \$400 item, that was Oren Zelenak. Oren came to us from the code enforcement or zoning officer [Planning Board]. We made a determination, he should have never come in front of us. He was coming in front of us because he had two structures in front of his house and they preexisted zoning.

B. Jantzi:

Remember the address?

H. Dembroski:

It was the interpretation.

R. Egan:

Yes.

H. Dembroski:

East Road?

C. Mercier:

Yeah, off East Road.

B. Jantzi:

Oh, just last month.

C. Mercier:

Yes.

B. Jantzi:

Oh, okay. Yeah, because I think we even talked about that later on in the meeting. He shouldn't have to submit monies.

C. Mercier:

Right. So I think we, you know, I don't know if there was a formal vote. I know the town has a policy of not returning money, but in this case, he should have never been sent to us because they were preexisting. So to me, I think that's only fair. You know, accidents happen, you know, missteps. And, you know, we decided, you know, we made that determination that it was preexisting and that he should get his money back.

B. Jantzi:

So on that, do we, like, pass a resolution type of a thing?

C. Mercier:

We're going to reach out to the new administration, and, you know, it would be up to the town board. The town board has to approve whether they want to do that or not. You know, the recommendation would be from the zoning board is to refund the guy's money because he shouldn't have been here.

B. Jantzi:

Now, say, just for people's sake, say they say no on refunding it, he's going to have other stuff in the works. Is he potentially going to have to be submitting more fees that this could go against?

C. Mercier:

If they say no, maybe we could talk to them and say, well, if you don't want to return his money, maybe put a credit in his file or something.

E. Ackerly (Clerk):

I just want to say that for record-keeping purposes, we can't just retitle what a check is for because it's specific recreation fee, application, escrow amount. They're all separate checks. So that wouldn't be possible.

B. Jantzi:

I guess we just have to wait and see what the town says about refunding his money.

C. Mercier:

Yeah, so I guess it's going to be a yes or a no then.

C. Mercier:

Anything else on ZBA business? I got a motion to close.

H. Dembroski:

I make a motion to close the meeting.

J. Egan:

Second that.

C. Mercier:

On vote?

H. Dembroski:

Aye.

R. Egan:

Aye.

J. Egan:

Aye.