



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

Minutes of: Thursday, March 26th, 2026

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

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

ROLL CALL: Joseph Egan, Robert Egan, Bruce Jantzi, Christopher Mercier

EXCUSED: Judith Loertscher

ABSENT: Helene Dembroski, Larry Lindenauer

PUBLIC HEARING: (Continued)

Jeffrey Sebesta of 15 Huckleberry Turnpike (SBL 107.8-7-7)

Proposing: Front and Side Yard Fence Height Variance

- Applicant Jeffrey Sebesta not present for continued public hearing regarding fence height variances, including a 2 ft. side yard variance (8 ft. total height) and a 2 ft. – 5.5 ft. front yard variance to maintain level fence over 62 ft., ranging from (6 ft. to 9.5 ft. total height) due to property’s sloping grade.
- Ulster County referral returned with no impact; Board proceeded with review.
- Board discussed unique property conditions, including adjacency to commercial uses, significant setback from roadway, and lack of public opposition across multiple hearings.
- Board determined requested variances were justified based on site conditions and lack of detriment to neighborhood.

MOTIONS:

- Close Public Hearing **JE/RE/Aye**
- **Grant** side yard height variance (2 ft.) **JE/RE/Unanimous**
- **Grant** front yard height variance (2 ft. - 5.5 ft.) **JE/BJ/Unanimous**

APPROVAL OF MINUTES: February 26th, 2026 **BJ/JE/Aye**

ADJOURNMENT: 7:16 p.m. **CM/RE/Aye**

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.

J. Egan:

I'll make a motion we move the minutes to the end of the meeting.

B. Jantzi:

I'll second.

C. Mercier:

On the vote.

All:

Aye.

C. Mercier:

I'll move the minutes. Roll call. We're just going to do this real quick. The only one who's not here is Larry, Judi, and Helene. Everyone else is here. Helene's supposed to be coming. She didn't say otherwise. She might show up later. Okay, first order of business. Sebesta, public hearing. Last time Jeff was in front of us we had to send his application up to the county because he was within 500 feet of a State Road. We got a referral response. No county impact so they they're good with it.

J. Egan:

Did we get anything to the question we had about the height where the reference point is from?

C. Mercier:

No he left that in the determination and we're going to put it up for us to decide. Yeah no I figured we're going to do it no further plans now the submitted plans we do have the overall length of the fence. And okay at this time I'd like to make a motion to close or can I get a motion to close the public hearing?

J. Egan:

I'll make a motion to close the public hearing on the Sebesta applicant.

C. Mercier:

Do I have a second?

R. Egan:

Second.

C. Mercier:

Bob seconds it. Any discussion? On the vote all in favor?

All:

Aye.

C. Mercier:

All opposed? No? All right okay going forward on the on the Jeff Sebesta before we do discussion. Bruce can you read the five factors? We're going to do this in in two separate since he has a request for a front variance and the side variance we're going to do it in two separate motions.

J. Egan:

Which one we doing first?

C. Mercier:

We'll do the side first. Okay. We won't read the five factors for both. I think reading it once should be sufficient.

B. Jantzi:

Factors to be considered:

1. *Whether the variances will result in an undesirable change in the character of the neighborhood or a detriment to the nearby properties.*
2. *Whether the benefits sought by the applicant can be achieved by some other feasible alternative to the variance.*
3. *Whether the requested variance is substantial.*
4. *Whether the variance will have an adverse impact on the physical or environmental conditions in the neighborhood.*
5. *Whether the alleged difficulty was self-created which will be relevant but not necessarily conclusive on the application for the variance.*

Based on the above does the benefit to the applicant outweigh the detriment to the community?

C. Mercier:

Okay. So going into I want to do a little discussion before we do a vote on this. I did talk to the attorney on this and a couple factors that he brought in because we tried to help the residents as much as possible. One, the property is next to a commercial business. This is the fourth or fifth meeting we've had with Jeff. No one from the neighborhood has come in and was opposed against his fence. The front yard fence is set way back so there's no ingress or egress issues. The attorney did take a look at this. He was in favor of us granting this. He doesn't see anything detrimental here that raises concern and the fact that it does have the business off to the side and eventually it had that Jimmy's old store. Eventually if they go ahead with their plans he's going to have another business in front of him.

J. Egan:

So that's the issue is that he's going to have two businesses that can create noise and light issues. So he's unique in that aspect. Compared to what we've had in the past.

B. Jantzi:

If there was a chance for a question, that was going to be my question with the six-foot front that we just turned down. Where does that leave us?

C. Mercier:

So I did mention that to him.

B. Jantzi:

I do agree this is a different layout.

C. Mercier:

Right. The big difference is the fence in the front sits way off the road. It's not in the ingress or egress as opposed to the other one that was right in your face. So there's a difference there and then you're next to the two commercial businesses. But this one sits way way back. I've drove past it a couple times and it's more than the full car length you know from the front. So there's there is a big difference between the two. All right. So let's start off with the side setback. The side fence height. Granting a height variance up to the six foot along the side of the building or side of his lot.

J. Egan:

The code is six foot to start with on the side, right?

C. Mercier:

Yeah, he wanted eight. I'm sorry. I got him reversed. He wants eight foot and he wants two foot. Eight foot and a two foot. Right. Thank you for correcting me. Yes, it was six on the side and he wanted he wanted to do two. So he needs a two foot variance on the side and it was the six foot on the front. All right. I'd like to get a motion from someone to allow a two foot variance on the side and take a vote on that then, right?

J. Egan:

Yeah. I make motion that we grant the two foot variance on the side to allow him to go to eight feet.

B. Jantzi:

Is this a motion to grant it or a motion to vote on it?

J. Egan:

Vote to grant it.

C. Mercier:

To grant it. Or you could oppose it.

J. Egan:

You could oppose it too. It would be a nay.

B. Jantzi:

I'm in favor in voting. Okay. I just thought the question was going to be to present it to vote. Okay. I mean that's what tells the story. Yeah.

J. Egan:

Okay. We could whatever. So I make motion we presented for two foot variance on the side for vote on that.

R. Egan:

I second.

C. Mercier:

Bob seconds it. All in favor.

All:

Aye.

C. Mercier:

Everyone's in favor. No one opposed. Um, all right. So, so we have a motion.

J. Egan:

Uh, we need a motion for the front to give him. What do we exactly need? Yeah.

C. Mercier:

So in the front, because of the contour of the land, um, I would put it as, um, per the plans per the submitted plans, the code enforcement, the ZBO did not specify because of the way the contour is, of the property. I would say we could put the...

J. Egan:

We were supposed to get the, how much footage, right?

B. Jantzi:

And the height variance is right now from six feet high to nine and a half feet high. So that's a variance of two feet to five and a half feet on a low end.

J. Egan:

He needs a six foot fence is what he wants right?

C. Mercier:

On the low end, it would be nine foot five, on the high end it would be six foot.

J. Egan:

Okay. So we would state that six foot on the high end and maintain the level to the low end for 62 feet. The grant and the variance is needed to maintain that parallel from the high to the low.

C. Mercier:

Yeah.

B. Jantzi:

If that was a motion, I'll second it.

J. Egan:

Um, yeah, we can put that as a reference point to hide part of the property, gets a six foot variance and he's able to maintain a level plane for 62 feet. Oh, and what does that East or West? to reach a maximum height of nine five at the end of the 62 foot.

C. Mercier:

West. To a height of 9'5".

J. Egan:

West, to reach a maximum height of nine, five at the end of the 62 foot.

C. Mercier:

Yeah, because of the contour of the ground.

J. Egan:

So, so, so he gets a six foot up on the high part of the property and we just maintain level across the fence for 62 feet at the lower end and ends up being nine feet high, which is approximately nine and a half. Let's take it well enough.

C. Mercier:

We got that. All right. Um, could I get a second for that motion?

B. Jantzi:

I'll second.

C. Mercier:

There's a second. All in favor of bringing this to a vote?

All:

Aye.

C. Mercier:

All right. So we got our two motions in there on the first, um, side yard variance. We voted to bring it to a motion. Now we've got to vote on it. All in favor of granting Jeff Sebesta, the side foot variance all in favor?

J. Egan:

Aye.

R. Egan:

Aye.

B. Jantzi:

Bruce, aye.

C. Mercier:

Chris, aye. There's no one here to oppose it. Um, so he's got four yeses on that. All right. On the front yard, um, on the vote to grant Jeff Sebesta, the front height variance as specified in the motion all in favor.

J. Egan:

Joe, aye.

B. Jantzi:

Bruce, aye.

R. Egan:

Bob, aye.

C. Mercier:

Chris, aye. No one here to oppose.

J. Egan:

We do want it to really reiterate that he gets a special because of the conditions with the businesses on both sides and that he has such a far setback from the road. Yes. So that's making unique from all the ones that we've discussed.

C. Mercier:

Just make sure that's in the, in the record. No new business, old business. Any of you guys got any discussion on anything? Um, I know Mike said he, um, dropped off a memo. So I just got to sign the memo. The, um, and that memo is that, the town board did approve our stuff. Um, if we want to, do the zoning board classes on our own from the state, we have a whole list of them. Um, and, those, that they approved along with anything else that Tiffany has, but those are specifically on no for zoning and, um, we could do them on our own. Um, just take a screenshot when you get done and send it to me and we're, no, um, just let me know which course you took and we could, you know, use that toward our training

B. Jantzi:

So that's an approved list that we'll be getting?

C. Mercier:

Yes. So Liz has the list that they approved.

C. Mercier:

Yeah. And then also, um, um, I don't know if Mike sent the memo yet out, but, um, um, I believe the town board also put back our rolled over our, um, hours again, excess hours going forward, going forward. Yeah. So we won't, won't lose anything. So if you decide you want to do all those classes, you know, um, of course there's a specific, you'll get credit for everything. All right. Um, minutes.

B. Jantzi:

I thought they looked pretty good. I'm prepared to make the motion to accept.

C. Mercier:

Yeah, I think they look pretty, pretty good. Um, can I get a motion.

B. Jantzi:

I'll make the motion to accept as submitted, uh, that's minutes from February 26, 2026.

C. Mercier:

Okay. Can I get a second?

J. Egan:

I'll second that.

C. Mercier:

Joe seconds it. All in favor on the vote?

All:

Aye.

C. Mercier:

No one here to oppose. Okay. Minutes are accepted. Um, this time I don't see any vouchers or anything else. Um, can I get a motion to close?

R. Egan:

Second.

C. Mercier:

Bob seconds it, all in favor?

All:

Aye.

C. Mercier:

All right. All opposed? No one here. All right. Meetings adjourned.