TOWN OF PLATTEKILL

ZONING BOARD of APPEALS

P.O. BOX 45 MODENA, N.Y. 12548

Minutes of October 8, 2026

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

ROLL CALL: Judy Loertscher, Bruce Jantzi, Robert Egan; Joseph Egan

ABSENT: Larry Lindenauer

EXCUSED: Christopher Mercier

NEW BUSINESS:

- Andrew Rinne of 403 Unionville Road (SBL: 102.3-3-9.1)

Proposing: Two-Lot Subdivision—referred from the Planning Board for an area variance

APPROVAL OF MINUTES:	September 24, 2026	BJ/RE/JL/AYE
ADJOURNMENT:	7:32pm	BJ/JE/AYE

J. Egan

Okay, on the attendance, Judy?

J. Loertscher

Here.

J. Egan

Bruce?

B. Jantzi

Here.

J. Egan

Bob?

R. Egan

Here.

J. Egan

Joe's here. Chris is excused. We have one vacancy and one no-show, Larry.

J. Loertscher

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

J. Egan

I'll second. All in favor?

ALL

Aye.

J. Egan

Okay, so now we'll have the matter before us of Andrew Rinne of 403 Unionville Road, SPL 102.3-3-9.1

Please step up and tell us about your issue. Please state your name for the record.

A. Rinne

My name is Andrew Rinne. I'm here regarding a proposed two-lot subdivision of the property known as 403 New Unionville Road, Tax ID 102.3-3-9.1

We originally brought this subdivision before the Planning Board. During that review, the application was denied because the proposed house lot did not contain the required amount of usable area under Town Code 110-6. This is particularly relevant to this property because the house and improvements exist within the wetland buffer. As a result, a significant portion of the property surrounding the existing home cannot be counted towards the usable area requirement, even though the home and property exist in the current configuration since 1937. Our goal is simply to separate the existing house onto its own lot while retaining the remaining acreage as a second parcel. We're asking the board for an area variance necessary to allow that subdivision while recognizing that the existing physical conditions of the property and maintaining what we believe is a practical and sensible lot configuration. Pretty much what we've got here is a three-acre parcel, it's an M3 zoning area. The existing house is right here, and this green line is the wetland buffer ad wetlands exist all over here. So, what I tried to do when devising the lines and working with the surveyor, we attempted to keep the house kind of semi in the middle of the lot and give it enough usable area over here for future septic moving because the septic tank exists in pretty much the wetland, as does the well. And the other reason that was primarily the factor is the remaining 71 acres in the back here, if we give it the three acres to satisfy the calculation of usable area, I will pretty much have almost no road access to access the remaining 71 acres. This over here is like a five or six-foot-deep pond, so this pretty much will never be able to, most of the road front is right there, but insensible to actually access the property. As well as in the pamphlet I printed, there's three access points along Lewis Lane, and I honestly don't know why they're there or who made them. Along the access one at the top on the North end, Northwest side on Lewis Lane, it's approximately 19 feet wide on the road, but it conflicts significantly with the neighbor's house, and I put an old survey in there because there was a lot line revision. At one point, the guy built his house over the property line, and so they did a lot line revision, and

even though it's 19 feet at the street, I would be scraping my mirrors against his house in order to make that turn. It's like, I think, five feet there. These are all these lots along Lewis Lane, I think were subdivided sometime in the 50s and 60s, before they just said, we're going to leave some access points here for whatever reason, and they were pretty much unusable. Access two, it's 13 feet wide, but you pretty much hit a stone ledge right at the top towards the property without significant rock removal, blasting and neighbor disturbance. The neighbor there, I think he is 114 Lewis Lane. He raised his property with fill a bunch, and that's pretty much right up against it, so I'd have to almost make a retaining wall to support all this fill.

B. Jantzi

Question, is it 114 or 104?

A. Rinne

It might be 104. I can't remember. He came to the board about, I think, a six-foot fence.

B. Jantzi

Okay. On here, it is 104.

A. Rinne

I may have made a mistake.

B. Jantzi

Just for when we're going over the minutes and stuff for clarification.

A. Rinne

Okay. I'll get confirmation that it's 104 or 114. I don't exactly recall.

B. Jantzi

Okay thank you.

A. Rinne

His property, I would have to significantly disturb or put a retaining wall, so a lot of earth removal there, as well as I might have site access, but access three on New Unionville is the most potential one. Again, it's 25 foot wide, which allows for essentially flag lot minimum, but it also tapers off, so I would have to significantly disturb the area.

J. Egan

These are already existing driveways you're talking about, right?

A. Rinne

These are non-existing driveways. These are just someone put access points.

J. Egan

But you own the land on either side of that access?

A. Rinne

Say that again?

J. Egan

Do you own the land on either side of these access points?

A. Rinne

You mean the left side of Union or the right?

J. Egan

Either one of these access points. How much of the land around the access points do you own?

A. Rinne

None. You see how they shoot out?

J. Egan

Yeah.

A. Rinne

That's pretty much it, it's 13 feet wide off the street, goes 13 feet all the way through. I don't know how they're there. I can't even get an ATV through some of them, because they're stone ledge. I don't know what they were planning when they subdivided widely those, especially with a stone ledge.

J. Loertscher

Are they considered rights-of-ways?

A. Rinne

They're in the actual deeds, meets, and bounds. I looked at all the deeds next door; I don't think there's any rights-of-ways for other people that I found in my research. But then again, I can only go back to where it starts reading cursive and I can't read.

I'm using this is 71 acres for hunting land. In my lifetime, unless I die, it's pretty much leaving as hardwoods, and I just kind of just need a little area to get to my quad path here.

J. Egan

So, what's the difficulty of expanding to, if that's all you're going to do? Expand to get the three acres, and since you own all the land, you still give right-of-way or make like a flag lot where you can put another house up there or something.

A. Rinne

So, that would be essentially putting, giving a right-of-way through here and giving them the three acres, like here.

J. Egan

Yeah, whatever you need to complete that.

You do have a sufficient number of properties, say, you gave right-of-way, and say you gave a little bit of a property? We're trying to give the minimum amount, but you've got to find a happy medium. If you want to build a residence over there as a flag lot, you can get another property over there. If you have to have the three acres on the other side, what I'm saying is you find a line where you can get both if you want to, in the future, but yet you give yourself a right-of-way

because you own all the property, so you're not going to object, I don't think. Something to think about if you're doing this.

A. Rinne

That was one of the possibilities. But, again, before we knew about the usable area, I already had paid and got all the maps done, so I was like, let me just see what we could do here with the existing monuments and stuff like that. On page six, if we did just do the three acres to satisfy the calculation of the minimum area, it takes up every single ounce of road frontage here, without a right-of-way, of course. The right-of-way would probably be, if you had to put a driveway in or some access point, would be somewhere right here. This is already at grade with the road. This drops down significantly. So, the right-of-way would be here next to it and there's already a right-of-way there, probably for the power lines anyway, for the power company. That's kind of where I landed with that.

J. Egan

How big is this pond you talk about?

A. Rinne

There's bass in there. My neighbor said there was no fish in there. It's a beaver pond and the town keeps coming and knocking my beaver pond out. I guess that's the highway department. I'll complain to them.

J. Egan

Does it go over the road?

A. Rinne

I go, stop running my bass fish. It freezes over and kills them.

J. Egan

They like going deep.

A. Rinne

I don't know if this matters, but the five balancing factors, I kind of went through all of them. Will this create an undesirable change in the neighborhood? No. It shouldn't introduce any dense development or substantially change the character of the neighborhood. Can you benefit in another way without the variance? As we discussed, yes, there's other options for, you know, meeting the conformity without essentially the other conformity option would be creating a semi-flag wall configuration or a flag wall essentially. Is the variance substantial? My calculations, it's roughly 66% area variance is needed for relief. Usable areas, .9 acres.

J. Egan

That's what's missing from your request is you're asking for a variance, but nothing was mentioned about how much of a variance we're looking at.

A. Rinne

Yeah, I didn't realize. It was 66%. I'm guessing if it's three acres of usable land on the town code and there's .98 of an acre of usable land for future development if they wanted to move the house or, I guess, I don't know.

J. Egan

2.1 acres of variance.

A. Rinne

2.02 so about 2 acres. My surveyor said it was like .99, but, again, he only sent me a PDF, not the actual CAD file to calculate the exact decimals.

J. Egan

How much land would you have left?

A. Rinne

Back here?

J. Egan

No, going North. How much land is there?

A. Rinne

Just for visualization, this green line from here to here, this is three acres right here using all the road frontage and coming out to here.

J. Egan

You said you have 71 acres?

A. Rinne

74 acres total. But, again, most of the property is wetland and mountainous in the back. This is not zoned mountain because the top, like the North end, is literally cliffs at the top, but down here is mostly just wetland and existing structures. Other than that, the other factor of, will there be physical impacts? No. All the existing structures are remaining where they are. Over here, maybe some tree removal, but I'm doing them anyway because they're a Tree of Heaven. They're an invasive species, so I'm going to go kill them all. And most of the property is already in a USDA CSP program for removing invasive species. So, the minimal impact is pretty much, I don't think anything is changing. We're drawing lines on a map and is the difficulty self-created? Yes, the subdivision is ours to create, is our decision, but the physical constraints are not. The wetland buffers, existing improvements, frontage, and property configuration already exist. The variance lets us work within those conditions instead of deliberately creating an inferior lot configuration.

J. Egan

So why go through this? You said you're just going to leave the rest of it for hunting and whatnot. Why divide it off if that's what it's going to be? Are you going to build something up there? Is that what you're looking to do?

A. Rinne

I honestly don't think so. I don't have any plans. I only live 45 minutes from here in Rockland County, so it's not my goal to build anything here. I bought it for hunting property and fishing, so

that's where I landed on before I figured out rights-of-ways or anything. I was like, all right, what's the easiest point that's already at the road? What has line of sight? Again, I can't get in touch with the Highway Division. I don't know what's wrong with their phone, but that's kind of where I landed. Did I have enough line of sight to see left and right? If I had to put a driveway there to pull out, and that's pretty much it. Where was the easiest without having to excavate or move giant rocks or build retaining walls or essentially disturb my neighbors. My ultimate goal is to be a very kind neighbor and not bother anybody. I have a 13-foot path with a 20-ton excavator in there moving. Someone's going to be like, what's going on?

B. Jantzi
I've got a question. So, it's a big parcel, and you're looking to break off, subdivide, this bottom left corner, we'll call it, the green line.

A. Rinne
This yellow line would be the subdivision. The green line is the wetland buffer barrier and purples. So, here's the house. Yellow is essentially the subdivision I'm proposing. Blue line is edge of the wetland, and then this is the 100-foot buffer from the wetland. As you can see, the septic is in the wetland buffer. The well's in the septic. Sorry, in the wetland buffer. House is in the wetland buffer.

B. Jantzi
If I may, I thought earlier you referred to this here part.

A. Rinne
If we had to satisfy the calculation, we could give three acres like here and then we'd have to give an extra tenth of an acre or a quarter acre to include the house with that calculation. So essentially, to satisfy the calculation, we'd be giving three acres plus the house.

B. Jantzi
So, was part of it that you were looking to be able to break a piece off that you could sell so a house could be put over here, and you'd still have acreage over here with the existing house. Is that part of it?

A. Rinne

No. I only do this one lot. This is, again, mostly just for access for the back end. Again, I'm looking more towards the next generation, after me, whoever gets the property next. They're going to be either looking at either a flag lot or if someone in the future wants to essentially put a house there. I was looking more so just for the future planning.

J. Egan

If you're doing a flag lot, my suggestion is, you put any easements in prior to because if you don't do it now, whoever's in the future may say no.

A. Rinne

That's the goal. Again, I was just looking to see, make it as easy as possible, planning for the future, because, again, that whole area, I don't know if you're very familiar with the New Unionville area and Huckleberry. I don't know how they got some of those properties landlocked. I've looked high and low for rights-of-ways, and there's nothing. People just go, I'm putting a square here in the middle. Good luck getting to it.

J. Egan

I still don't understand why you picked that shape for the yellow.

A. Rinne

I was kind of using existing monuments. There was an existing monument here, and then there's dry land. There's an upland inclusion area, and then just kind of gave them a little bit of access if they needed to essentially access the pond, give them a little of a water feature. Then there was kind of already some rock walls here, was kind of playing within the existing features.

J. Egan

Now, the upland, would that count as?

A. Rinne

No, because it's within the 100-foot wetland buffer.

J. Egan

So, it's not 100 feet wide or 200 feet wide.

A. Rinne

Yeah, the wetland goes from here to here. This whole area is wetland. I wrote it down, but it's 1.66 acres if you include the wetland buffer. Then it's only less than a 50% relief.

J. Egan

That's a lot. Bob, any questions?

R. Egan

No, not yet.

J. Loertscher

Well, I just had a comment about the map as I looked at it at home, and noticing this dotted line. You call it the buffer. Yet, if you look on the key, it almost looks to me like it's a streamline.

A. Rinne

Where's streamline?

J. Loertscher

One, two, three, four. Yeah, about the fifth one down.

A. Rinne

There's technically a water runoff stream, but this pond drains over to it, goes to a culvert here.

J. Egan

There's three lines on that.

A. Rinne

It's a wetland boundary. Yeah, the streamline underneath it's two lines between the dashed line. Sorry, that might be hard to see under a small map.

J. Loertscher

It probably is hard to see because I obviously can't see the wetland boundary.

A. Rinne

Well, that's the middle of the lawn, so there's definitely no stream there.

J. Egan

That's the setback he's talking about. Is that one. It's a setback line.

J. Loertscher

As I looked at it at home, it was confusing to me.

A. Rinne

Yeah, I guess my surveyor did it here. It says the setback and the wetland buffer.

J. Loertscher

The key is off. I mean that's how you look at a map. You look at the key first to understand the map, right? So, the key is a little bit off.

B. Jantzi

So, this has got two dashes in it. That's got three dashes. So, these are all threes.

J. Egan

That should be wetland boundary. That one, as he indicated, the wetland comes by the house. Right here, right behind it or beside it. The key doesn't match what's there.

J. Loertscher

No, the key doesn't.

J. Egan

Get on your surveyor and tell him to get it figured out for free. On record, you were sent here.

A. Rinne

The planning board recommended I come here because they looked at it and they said, you need to go to the ZBA to get a variance and then we can approve this lot configuration.

J. Egan

Did they set themselves as lead agency for SEQRA?

A. Christiana

They did not. It was not mentioned on MHE's comments at the time about taking lead agency.

J. Egan

So, we have to get that clarified on who's going to be lead agency because this should be under their jurisdiction for that because it's still not divided land. It still theirs, right? It's not divided yet.

A. Rinne

We're out of variance. I don't think we, the planning board said they can't divide it, right?

J. Egan

No, but you have SEQRA to deal with. We have to deal with who's going to be lead agency handling SEQRA. You know what that is, right? State Environmental Quality Review Act. Somebody has to be, either they are or we are. There's paperwork to be done with that also. Since they're the ones that are going to be dealing with lot line revisions and stuff like that, I believe they should be the one to handle it. Anybody have an idea about that?
Since they didn't declare themselves and I'm not willing to declare ourselves at this time, we're going to have to clarify that.

A. Christiana

I can reach out to MHE tomorrow and speak with Jonathan and see what he recommends going forward.

J. Egan

Yes because we don't have any public hearing yet either, so.

R. Egan

Do you think we should be lead because we get to approve the variance?

J. Egan

No, because if you look at it, we'd be a type two because it's not interfering with the stuff, but they have a big lot problem. I think that's more of an issue for an EIS than that. I just want clarification because once it's divvied up, if the lot already existed and you were doing something, it would be an easy type two for us.

A. Rinne

What's a type two?

J. Egan

You're not making a change to the environment, no impact, you know what you're doing. It's a home improvement of some sort. Since you're doing a lot line revision and it may affect a bigger wetland area. I would think since they get preponderance of the land to deal with, but they may very well say we have to deal with it.

A. Rinne

My next steps would be to contact these people?

J. Egan

No.

A. Rinne

Is there anything that I have to do?

J. Egan

We would have to set up a public hearing.

A. Rinne

Okay. Well, yeah, I know a public hearing comes next. We'll say Arlene when she gets me the list, there's a good amount of neighbors within 500 feet.

J. Egan

Yes. We're going to have a lot of fun. Arlene would have to set it up, but things for you to think about if whatever you want to do down the road and 66% is a lot to ask for.

A. Rinne

Okay. If did, because again, this map already existed before we got into this thing. What percentage is like a lot? You know, like I'm not going to hold you to a percentage. I know 66% when I did the math I was like, all right, that's a lot.

J. Egan

That's a lot to ask for and then you see it in the five things is substantial because we have to worry about precedent too. It becomes percentage of how much you need versus how much you have and are people comfortable with that.

A. Rinne

Possibly I can move this way up here again. I know I see a driveway back there and then essentially creating a flag lot. So that would make the percentage if I can give it another, I don't know, acre or so.

J. Egan

That would definitely help.

A. Rinne

I probably can get probably 40% I don't know if that's still a lot or again, we go with the right of way and people drive over the thing but I was trying to avoid that.

J. Egan

You put it in when you do it now, unless you disagree with yourself, it's easier. But that's your choice. It's your property and we have to worry about precedent too when we do things. Anyhow, do you have any other questions for us? Anyone on the board have a question? So we'll be able to set up a public hearing then.

B. Jantzi

Well, before we set up a public hearing, I think he's going to have to come up with a different proposal, an alternate proposal, because the public hearing will be on the alternate.

J. Egan

You're right.

B. Jantzi

The public hearing has to state what you're looking for. It's got to be precise.

A. Rinne

Understood. All right. I will redo an alternate thing, a map that lowers the percentage by a good amount.

J. Egan

So, what would be a good amount of time? A month?

A. Rinne

When is the next meeting? I'll try to plan around that.

J. Egan

It's the 22nd. We do it every two weeks.

A. Christiana

In November and December, we only have one meeting because of the holidays. In November, it would be November 12th. In December, it would be the 10th.

A. Rinne

I'm home November 12th.

We can do it.

J. Egan

November 12th? Okay. If something changes or you get delayed somehow, contact Arlene so we can adjust accordingly and not that morning, please.

A. Rinne

Perfect. Yes.

A. Christiana

For the record. Do you want me contacting MHE asking about lead agency?

J. Egan

Please. That way we have that taken care of, and the paperwork can be taken care of if it needs to be done.

A. Christiana

Okay.

J. Egan

So, you're going to readjust these or whatever you do? We'll come back again, and hopefully we can set a public hearing.

A. Rinne

All right. Perfect. So the 12th will be the public hearing with a revised, or do you guys want to do a pre-one again?

J. Egan

We're going to come back on November 12th with the new print, hopefully updated so it's fixed. We'll go over it. You'll give Arlene another copy of the new one and we'll do this again, and if everybody's questions and stuff are satisfied, we'll set up a public hearing.

A. Rinne

I appreciate everyone's time tonight, and I look forward to seeing you guys on November 12th. Thank you.

J. Egan

Thank you. On the minutes, anybody, anything on the minutes?

J. Loertscher

While we were just on that, maybe that should be the question.

J. Egan

The head of the letterhead is not correct on top right. It still says, Larry as the chair and the wrong clerk, unless you don't want to take advantage of it. It says Elizabeth Ackerley is the secretary.

A. Christiana

I updated them on the computer. They're printed here, and the town clerk has uploaded those on the website, so they are correct now.

J. Egan

Okay. They should have the amount, when they come in, we'll have to get the amount of variants they want.

B. Jantzi

Yeah, well the new maps would have that information then.

J. Egan

The important thing is who's going to be the lead agency so let's get that clarified.

Most of the time when we deal with it, it tends to be the planning board, but one can never tell.

We don't shy away from the challenge, right?

B. Jantzi

I'll make a motion to approve the minutes, to accept the minutes as submitted.

R. Egan

I'll second.

J. Loertscher

I'll just say to accept the minutes as September 24, 2026.

J. Egan

So a motion made by Bruce, seconded by Bob. Any questions or anything else to it?

Okay, on a vote, Judy?

J. Loertscher

Aye.

J. Egan

Bruce?

B. Jantzi

Aye.

J. Egan

Bob?

R. Egan

Aye.

J. Egan

Joe? Aye. Minutes accepted.

Any other questions, anyone? Thank you everyone for getting all the training done. Next year we're going to attempt to get it all done to two hours or four hours where we can do some of it here. Maybe if we have nothing on the schedule, we do like we did in the past, come in here and get two hours in for some training. If we can get the county to come down like they said they would. If you can, between now and the end of the year, if you can think about, you can text me or email what you think we'd be interested in getting, if anything, so we can ask the county to focus on that if it's SEQRA or whatever it may be, so we cover what everybody's interested in.

J. Loertscher

Yeah, sounds good.

J. Egan

Okay, it'd be appreciated. Arlene, anything?

A. Christiana

Nope, that's it. Everybody's got their training in. Chris said he's going to have his to me by October 15th.

J. Egan

Okay. Good.

B. Jantzi

Just one other, I don't know if you want to state, we kind of talked about it a little bit before we started about pushing off Roberts into the new year. Everybody on board with that, potentially?

J. Egan

We haven't decided. We have to put it to Roberts in front of us to see how they, if they have difficulty with that and have to speak to Hoyt about this mess that we're in the middle of right now.

A. Christiana

At this time, they haven't gotten any applications in for anybody wanting to join the zoning board, and I haven't heard anything about them finding an alternate fill-in so we can have a quorum.

J. Egan

So we have the difficulty of no one applying, no one interested, so I do not see making any decision in the near future. We'll see on the 22nd, we'll talk, and we'll find out where we go from there. But the odds are, as we stand right now, we can't make a decision even next week.

B. Jantzi

They're supposed to be in in two weeks again then, right? Yes. Okay.

J. Egan

We have nobody else on the schedule, right?

A. Christiana

Nope, they're the only ones, and Hoyt did say to keep them on because we already set on record that they were going to be in front of us on the 22nd, so we have to have them come in.

B. Jantzi

All right, thank you. With that, I'll make a motion to adjourn.

J. Egan

I'll second that, in favor?

J. Loertscher

Aye.

R. Egan

Aye.