TOWN OF PLATTEKILL

ZONING BOARD of APPEALS

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

Minutes of September 24, 2026

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

ROLL CALL: Joseph Egan, Robert Egan, Bruce Jantzi, Christopher Mercier and Judith Loertscher

ABSET: Larry Lindenauer

OLD BUSINESS:

- Hudson Valley Flyers (Old Orchard Airpark) of 156 Freetown Rd. (SBL# 101.2-3-6.11)

Proposed: Looking to have 1999 ZBA language updated to address new FAA legislation for site plan

APPROVAL OF MINUTES:

	August 27, 2026	CM/JL/AYE
	September 10, 2026	JL/RE/AYE

ADJOURNMENT:	8:19 p.m.	CM/BJ/AYE

J. Egan
We're going to do a roll call. Judy?

J. Loertscher
Here.

J. Egan
Bruce?

B. Jantzi
Here.

J. Egan
Chris?

C. Mercier
Here.

J. Egan
Bob?

R. Egan
I'm here.

B. Jantzi
Joe, are you here?

J. Egan
I'm here. Okay, so this is going to be pertaining to the Hudson Valley Flyers, Orchard Park, Air Park, at 156 Freetown Road.
This is a meeting where we're going to decide what's going to happen. You guys have any last input on that? State your name, please.

B. Schindler
I'm Burke Schindler. I'm the treasurer and secretary for the Hudson Valley Flyers. I have a couple of things here for you guys, I don't know if you need them. I have a couple more of these cards and a letter that was returned. Do you guys want them?

B. Jantzi
Yes, they go into the file.

B. Schindler
So, I did receive, thank you to your secretary, first thing this morning, the draft version of the proposal. I had two very minor corrections that I'd like to submit. Otherwise, I think we're pretty much there.

J. Egan
Okay, well, part of one of your ones dealing with, as you know, with the helicopters. You've got helicopters, you've got rotor wing, you've got all kinds of ways that they're describing these things. So, I did not send it to you because I figured you guys understood the definitions. But I'm adding on a definition tonight because people that are not aviation people do not understand some of the terminology that's in this resolution. Part of it, they didn't know about the airspeeds. If we had given you a copy, which I took for granted because people say helicopter versus rotorcraft. I looked and I know the code and that's where I got it from when I wrote this description up. I will give you a copy of the description page that's going to be added on. We said a light helicopter is a relatively small rotorcraft designed to carry a limited number of people or a light payload. It typically has a maximum takeoff weight below 7,000 pounds. It's used for training, personal transportation, observation patrols, and general aviation operations.

B. Schindler
Yeah, that was the 14 CFR part 27, which is a classification is normal class rotorcraft, which is the way the FAA defines it.

J. Egan
But if you go out and you look at other agencies that are dealing around, you know, they'll say light, ultralight, middle, mid-level. They're dealing with weights, you know, the lift load. Since everybody here or general people call it helicopter, you know, they will look at it and they'll say helicopter. When they look up and they see a plane, they don't see all the different types of planes. So, we try to keep the language such that people down the road that may look at this on a board, a future board, or such that they have an understanding of what's there. Again, with your MOSAIC and the FAA, they change horsepower to stall speeds and stuff like that. So, we put these definitions in so that they can better understand what's written into this one. So that's how they're going to define it. If you want the payload, it's a description exactly right as the FAA has that. So that issue would not have been an issue for you if you had seen the definition page, I just took it for granted. We did ask you for a definition and what we got was a news article attachment and a very simple definition. I did not feel that fit the understanding that we had and expectations I had of people that are in this agency. I expected something with more detail.

B. Schindler
It's a single rotor head.

J. Egan
That's so vague.

B. Schindler
I said it was a single rotor head, normal class rotor craft. If you go to the FAA's definition under 14 CFR Part 27, it's the class of rotor craft. You can write any words you want. Some manufacturers will go with light, medium, heavy, different things. What matters to the FAA and what is black and white, and I like black and white. I don't like things where there's gray areas that could cause a problem.

J. Egan
It's 7,000 pounds.

B. Schindler
Specifically defined 7,000 pounds and the type. So, if you want to eliminate the experimental and the noisy corporate helicopters and things that we want to too, that excludes it. 14 CFR Part 29 is your commercial transport and your military and your heavy helicopters.

J. Egan
In my description I can add in as per, you know, whichever the code was, but it's still the same description. 7,000 pounds and rotor craft. The other issue I have is we started this adventure a gentleman came in, he wanted to follow MOSAIC and that was it. Of course that was too broad for use here. MOSAIC covers a lot of stuff that has nothing to do with us. You know, the mechanics and the certifications and all that stuff. It has nothing to do with us, our concern was the size of aircraft that enter and exit, which was original agreement. So now, through our conversation here and things going on, I find out that there's more activity going on there than was actually originally agreed in 1999. So that gives me the helicopter, the ultralights. All that stuff was not perceived or in the agreement in 1999.

B. Schindler
I'd like to stop you for a minute. For the record, it was single engine, fixed wing. An ultralight is a fixed wing, single engine. There was no definition there about not having gliders or anything else. So, the ultralights that are there were acceptable to the 1999 standards. I'm not sure what your complaint there is.

J. Egan
You've got a whole variety of ultralights.

B. Schindler
Well, it's part 103. It's very specific in the FAA's definitions.

J. Egan
Do you have to be licensed to fly an ultralight?

B. Schindler
No.

J. Egan
Does your aircraft have to be inspected in any way?

B. Schindler
No.

J. Egan
So, you're going to fly an aircraft that we don't know who's flying it, that has no safety checks on it at all. Are there any annuals on it or any other inspection things?

B. Schindler
No.

J. Egan
You know all the other aircrafts, you have your 100 hour, you have your annuals, you have all these different inspections that are safety.

B. Schindler
That's right. You have to take that up with the FAA. It's part 103 with the FAA.

J. Egan
Well, I think when they perceived in 1999, I don't think they were thinking ultralights or anything. I don't think at that time they were prevalent enough to draw the attention. Now, some ultralights have wings on them, fixed wings and some are not. You've got weight shift types, parachutes, rotorcraft, unpowered gliders, light line aircrafts, amphibious ultralights. This is all right from the FAA. So, you have a whole litany of aircraft that can fly in and out of there where people are not licensed. They're not inspected. Their aircrafts not inspected. You can build it in your backyard and come up there and build it. I don't think that was anticipated in 1999. I don't think it was even brought up to the table that we'd have these types of aircrafts in and out of there. People then probably thought just regular airplanes in and out. I mean, if it wasn't said directly, it was inferred.

B. Schindler
Well, there was discussion in the minutes in the FOIL request where there was talk about ultralights. Somebody said, well, you have an ultralight over there with twin engines on it. We said, no, there's no such thing as an ultralight with twin engines. There are ultralights with single engines. So, there is history in this document package for this town where there was talk about ultralights. Part 103 has been around for a long time; it's not something new.

J. Egan
We are not arguing that part 103 has not been around. We talk about safety also. When these things fall out of the air and into somebody's backyard, I personally am not comfortable with that. There's no checks or balances on them. I personally can't believe that I would expect you guys to be watching them if they're doing it right. Since there's no license, there's no oversight, there's nothing you can say to them. Right?

B. Schindler
Well, I mean, going back to what we said two weeks ago is we police our members there. I also have an ultralight there, been flying it there for 25 years and maintenance is important. When you go up in the air, you don't want to go and fall because that sudden stop at the end usually doesn't end too well.

J. Egan
Don't some of them have parachutes on them?

B. Schindler
Mine does it's a ballistic recovery chute. It's not required to have it.

J. Egan
It's not required to get inspected. It's not required to be licensed. It's not required for anything. I have a real issue with that. I don't know how the rest of the board feels, but I have a problem with that. We're kind of trying to meet you in the middle here where we rearrange the speed limits and that on aircraft, which is matching MOSAIC. We're allowing, even though originally helicopters were not allowed in there, it wasn't in the original agreement, and it had been going on for years.

B. Schindler
Well, I'll correct you again.

J. Egan
You said six years.

B. Schindler
Right. You're making it sound like we haven't been following the rules. That took place after 2016 when we came in and redid the maps, and it's not on the site plan. Now, you call it an error or an omission, but it was explicitly taken off.

J. Egan
It was on the original site plan. Just because it was omitted does not mean it went away, because that's the reason why you're here, is because it still exists. It didn't go away just because you close the door and I don't see it means it's not there.

B. Schindler
Well, it's errors and omissions from the time.

J. Egan
Right, but you blatantly took advantage of what you perceived to be a misstep. We were trying to compromise the fact that you did it for six years outside of the thing, and we're adults. You know better than that. The ultralights I have a real problem with because of safety. I think that it's too much potential. There's no checks or balances. There's nothing in there. You can't guarantee me that some fool's not going to roll up there and do something.

B. Schindler
Well, you'd have to take that up with the FAA, then.

J. Egan
No. You guys have ultralights there. You can go over to another airport in Middletown or wherever else that have them.

B. Schindler
That's not going to happen. At this point, we can either come to an agreement here and come up with something that's going to work, or we can turn it over to our lawyer and address it. We don't want to go that route, but we have things that are in place. They've been in place for years, and it seems like every time we come here with a meeting you're very obstructionist here to what we're trying to do. We're just

trying to comply with new rules and make sure that we can utilize our property and our airport in compliance with new rules and regulations and not limit it. We don't have to put these rules into place.

J. Egan
Now, again, you talk about being obstructionist and compliant. If you come in here and you tell us you have six years of flying a helicopter, that's definitely not in the original agreement.

B. Schindler
Well, because it was taken off, I personally sat here and was told by the board at the time to take anything off that map and add anything to that map that we wanted, and we took those rules off.

J. Egan
You don't have authority to take rules off.

B. Schindler
Well, we can submit to the town, and you review it, and if you had an objection to it, you say, hey, this is missing, and you put it back on or the town board, when they approved it. So, there's two boards that approved this.

C. Mercier
I have a couple questions, if you don't mind.

J. Egan
Go ahead.

C. Mercier
So, when you were back in front of the planning board you weren't in front of the zoning board. Planning board takes care of nothing but site plan. They can't amend; they can't remove anything that this board does. So, whatever's in 1999, it doesn't matter whether it was on that map or not, it's still in effect. The only board that could change that is this board. The same thing with site plan. The only board that could change site plan is the planning board, not the town board, not the zoning board. This is how the authority of the boards is. Just because it didn't make it onto your new map doesn't mean that they're voided. No one has the authority except for this board to modify it.

B. Schindler
We were before the ZBA, and that's who we ended up with at the end. We started with the town, we went to the ZBA, then we went to the zoning board of appeals, not just the zoning board, but the zoning board of appeals because they couldn't handle it. Zoning board of appeals kicked it back to the zoning board, and the zoning board went into executive session to discuss where we were as a pre-existing non-conforming entity. When they came out of that session, they specifically told me, I'm sitting here with the maps, put anything on it, take anything off, have it done because you can't come back because of the zoning issues and the pre-existing.

C. Mercier
And this was in 2016?

B. Schindler
2016.

C. Mercier
Do we have minutes from 2016?

J. Egan
Well, when they came before us in 2016, it was for that expansion to the south. Is that not correct?

B. Schindler
That is correct.

J. Egan
You were looking for a variance at that time, and we did not touch or change any of the other conditions. When we went through this, when we had an anonymous vote of the board to re-hear you, that never happened in 2016.

B. Schindler
Well, it did. We went through many different things. The first thing was a lot line revision because we were looking to buy the property to the south and we wanted to add it. We couldn't do a lot line revision because the zoning wasn't there to just say, hey, we're going to erase that line and make them a contiguous piece. Also, during that time, we wanted to add hangers to the south end for the property that we bought. We wanted to add a secondary tractor shed. We wanted to add a pavilion, which we just recently built, and we came in and got a building permit for it. All of those changes were done, and the zoning changes were done with the zoning board to add those additional things and change the site plan. The town board, to your point, and correct, the town couldn't change that. The zoning board had to do that. We were before the zoning board. We made those changes. We submitted those maps, and those maps were approved.

J. Egan
That's planning, planning does the maps. .

C. Mercier
So, in 2016, you reopened. You had an anonymous vote to reopen the conditions that were set in 1999.

B. Schindler
I'm not exactly sure litigiously what the town did, but we went before every board, and we spent a tremendous amount of time in front of the zoning board, who eventually said, here are the maps. Get these. Send them back to the town, because the town didn't want to touch it until the zoning board said, hey, you're in agreement with everything.

B. Jantzi
Is that possible? Planning, not zoning?

B. Schindler
We were before everyone. It was the planning, the zoning, the ZBA, and the town, we went around and around.

B. Jantzi
Zoning, ZBA is us.

B. Schindler
Yeah, we went around and around with all of that, and all the different boards were involved in talking to each other because, like I said, we played the alphabet soup to get where we were. Regardless, it wasn't on there, and I'm not saying for right or wrong, and I'm not trying to blame the town. I'm saying we made that choice. We assumed that that was correct at the time when we left, whether it was errors and omissions on the town, errors and omissions on our side. It wasn't on the map. It's what we submitted, and that's what we believe. That's when those aircraft came in. It's not we were just willy-nilly there, not complying with the rules and being the wild, wild west and doing what we want. We did things in accordance. When this MOSAIC came up, it triggered looking at all this and discussions within the club going, we don't need it. The previous secretary, I reached out to her. We started this process, and she goes, no, it's not on your map. The town, you guys reviewed that and said, yeah, it's not there, but comply with those for now, and we started the process to try to get it rectified and meet where we need to be for two reasons. One, so the history with the town is correct. We're complying with what we're supposed to be doing, and everybody here and at the club knows what we're doing, how we're doing it, and we're complying with the FAA. The town and our own needs at the same time and trying to weave that together. Where that error came from, I'm telling you what was told to me when I was sitting here and why we made those changes, and that's what led to the belief. So, have we been operating for six years not in compliance with that, we've told you that. We haven't tried to hide that. I'm telling you why it happened, not just, eh, we don't care about the town. We're going to do what we want to go do. It was a belief at the time. That's all I'm saying.

J. Egan
Well, I was on the board at that time that you got the easement that you wanted and they granted it to you. Nowhere during that time did we have a vote to change that. I remember a unanimous vote being held to change the limits or conditions that are on there. I don't believe that ever happened. I think because you were expanding on the southern side and you were looking for some variances on that southern end when you were redoing it, and you were going to planning, planning sent it to us just like now. You were sent back to us from planning this time because these 1999 issues were still there. It didn't disappear because they didn't end up on the next thing. So that being said, it's the omission of it. I said in the beginning, despite your statement that I'm being confrontational or disruptive or interfering with what you're doing, we need to get it right for the community. When you came in here and wanted us to follow MOSAIC, my opinion was you just wanted too broad of a brush, and you knew that. We just control the use of the property in the entire town.

B. Schindler
What I'm trying to get across and what I need the town to understand is when you approved this as an airport, there was quite a few restrictions that you lost control of. So, water, sewer, building permits, sure, absolutely. If we're going to change, going to add runway, take out land, do stuff like that. The operations,

the aircrafts and these types of limits, the town doesn't have the control over. The FAA has a control over that, and it's been tried. We don't want to get into that litigation and that confrontation. It's not good for us and it's not good for the town. We also don't want to be overly restricted and not have certain aircraft that we are legally allowed to use there not be there. We agree with you, we don't want the big, noisy helicopters. I was like, well, that's not a great definition. With your explanation here and the 14 CFR 27.1 this is perfect. The only thing was all aircraft must be powered, no gliders, no ultralights, anything like that. We've had gliders over there before. They were motor gliders, so they weren't an issue. It's a glider with a motor. It doesn't have to be towed up with a tow plane. Like I said, ultralights, those weren't restricted in 1999 or 2016. I know the membership's not going to agree to have things that are already there now taken away when it wasn't a restriction initially. It creates a problem because we have people that have spent lots of money, time, energy, have hangers, you know, for their ultralights over there, to now go in and go, sorry, you can't use that aircraft here anymore. That's going to create significant problems and friction, and it's not against any rules or regulations at the time.

C. Mercier
Since 1999, just working on what Joe was going toward, you know, safety, how many accidents have there been over there?

B. Schindler
As far as someone getting, like, hurt or what? We've had some airplanes, you know, damaged from, like, rocks and prop strike and things like that.

W. Miller
There's a difference between what the FAA describes as an incident and an accident. We've had two accidents and probably two or three incidents. An incident is the extent of the physical injury to a person and or the value of the damage to the aircraft. Obviously, a fatality is a fatality, we're not going to lie, there has been one or two.

J. Egan
Do you guys record near misses or anything like that?

B. Schindler
We control, we don't record them, but we address them in the club's meetings. If somebody goes off and does something that's, maybe it's legal, but it's unsafe or it's not something that we like, we address those people and we reprimand them. It'll start with a verbal, hey, don't do this, that's not acceptable, we can't do that. If that continues, then they get a written warning from the board going to them, so there's a paper trail. If they do something, we can expel them from the membership and then they're out of the club. So, yes, we do police things. To your answer, that's why I was asking, and thanks, Andy (W. Miller), for clarifying that. Before I answer that, I just want to know exactly what you're looking for.

C. Mercier
In numbers, you guys have been there for 26 years.

B. Schindler
Four incidences in 30 years, that's kind of the numbers that you're rolling with, and they were minor. So, there's been some instances, there's been nothing that's needed to be recorded to the FAA. What's reportable to the FAA is, there's a whole litany of them, and you can pull them up, but it's the amount of damage, it's the cost structure, did you have a control device fail in flight? There's a whole litany of things that you have to go down, and we haven't had issues of those magnitudes. So, I pride ourselves on that we're safe and we're compliant, and we police our members.

C. Mercier
The incident on Barclay, was that from you guys?

W. Miller
That was 25 or 30 years ago.

C. Mercier
Was that you guys, or was that from somewhere else?

B. Schindler
No, that was our facility. That was one of our pilots.

C. Mercier
Okay, so one in 25 years.
Going back to the ultralights, around how many ultralights do you think you have over there?

B. Schindler
Currently there's two on the site. One of them is mine, and I used to fly all the time. Then I got married and had kids, and then transitioned into helicopters eventually, and then I just didn't have time to fly it. You know, it flies very differently than the helicopter so it's in the hangar. The other gentleman who did fly his ultralight quite frequently, he took a job on an 18-month contractual term in Canada for a specialized electrical thing that he's doing up there with his job. He does plan to return once that contract is up and he's stateside-based again, and then he would go back to flying his aircraft again.

C. Mercier
So, it's not a significant number of ultralights.

B. Schindler
No, it's not like half our field. I would say it's two out of 25/30 airplanes, depending on what we have there. Airplanes come and go, but it's a small number of them, but there's right now two of them on the field that I'm aware of.

J. Egan
Do you guys limit any type of ultralight on that property that you would deem that it doesn't fit your style?

W. Miller
Yeah. We had a powered parachute at one point, and the gentleman moved to another location because the physical layout of the place didn't meet his needs.

J. Loertscher
You should state your name for the record.

W. Miller
I'm Andrew Miller. I was also William Miller; I go by either name. I'm a town resident.

F. Schindler
I'm Fred Schindler. I've been flying ultralights for thirty years and I've stopped recently. You need special training in order to repair an ultralight engine. They also crash at 25 miles an hour. I felt completely safe. Now, we hardly ever fly above 2,000. We're kind of the slow and low guys. I've always enjoyed them. I've been flying out of there for 20 of the 26 years. No problems. Your accident, actually, your death rate, your fatality, very small.

J. Egan
People that love aircraft don't find it dangerous, because if you're really good, you take the precautions to be safe. The helicopters, we were able to narrow them down and define it within the use that's being used now to keep it. The ultralights are still another one that's just so uncontrolled, and there's no limitation of what we put there. Anyway, any other questions or comments here?

B. Jantzi
I do have one. A general description of what an incident would be that would prompt a warning.

B. Schindler
Well, if a pilot were to, say, do a high-speed pass down the runway, that's not configured for landing. He's going too fast to come in to land. Instead of coming in, he's buzzing the airport. Something like that, we'd be like, no because it's not safe, it could lead to an incident, and we would self-police that. Someone's doing acrobatic activities, things like that, things that don't meet the requirements, don't meet the FAA's requirements for unsafe. We have a responsibility to not only our other members in the club, but to the town, our neighbors, and everything else, to make sure that we don't have people there doing things that are unsafe and unapproved.

B. Jantzi
Okay.

J. Estis
Joe, I'd just like to make a comment. John Esits, I'm a member of the club. I live in the Town of Newburgh. I'm a conventional airplane pilot. I own regular airplanes and I'm a commercial licensed pilot. I've been flying for 50 years and I've dabbled with ultralights. I've been flying ultralights since the early 80s. I had a dealership for a particular brand ultralight back in the day. It epitomizes recreational aviation. There's a lot of licensed, skilled, professional pilots and experienced pilots that fly ultralights. Not every pilot that flies ultralight is a daredevil that just wants to have a fun time, you know, go crazy. We don't

allow those kinds of people in our club. We're very close about policing, like Burke said. I'd be disappointed if we weren't allowed to have ultralights. I don't have one right now. However, in the future, there's older pilots that might want to downsize and may not have the money to afford to maintain a full-size airplane and want to continue flying recreationally, and an ultralight is a great way to be able to do that.

J. Egan
But you're saying all the people flying ultralights are licensed pilots to begin with?

J. Estis
Not all of them, certainly. I'm a licensed pilot and I've been flying ultralights for 40-plus years on and off.

J. Loertscher
How many members are in your club? I'm just curious.

B. Schindler
It floats between 60 and 65, and those members vary in different categories. Some are social members. We have a couple members that are social members that like airplanes that are coming out, or they're a photographer, and they take pictures of everything and stuff. Some members are hangar owners, and a couple of the members are emeritus, which are part of the club. They moved away, but they still want to get the newsletter and know what's going on. Of the club, probably 80% of the club is members that are pilots or can fly.

C. Mercier
Are you ready to proceed?

J. Egan
Yes, I'm ready to proceed. No questions?
We don't need to do the five factors because there's no variance asked on this, and it'll be stated in the record here.

B. Schindler
It's just that one, all aircraft must be powered, no gliders, no ultralights.

J. Egan
I didn't even know you put gliders out of there

B. Schindler
We had one that was a motor glider. It's a motor that has its own power but it's still a glider, and that's what I'm saying. I like things to be very clear, I like black and white.

J. Egan
But in here it says about a motorized aircraft, so that would be motorized aircraft. A glider, in the normal sense, would be unmotorized.

B. Schindler
It still says, and no ultralights and the like, but we have ultralights there. If we took that one sentence out, this is good, the definition to what you have there. If we took that one sentence out, I'd say the club would be in agreement with that.

J. Egan
I think the gliders, you know what I mean, or the glider, the one that has the power is a powered vehicle.

W. Miller
So, you're saying you're defining it as a glider has to be towed.

J. Egan
Yes. Has no power. It's not motorized.

W. Miller
If you put glider towed, that would define it as a pure glider.

J. Egan
Well, in our descriptions here, we talk about the vehicles have to be motorized in our part of the agreement. They ought to be motorized, right? So, if you have a glider with no motor, that, by fact, falls into that category anyway.

W. Miller
The ultralights are motorized.

J. Egan
I'm talking about the elimination of a regular towed glider would be the fact that it has no motor.

B. Schindler
If we could put, like Andy (W. Miller) said there, no gliders towed. I know I'm being anal, but I like no ambiguity.

J. Egan
No towed gliders, that's all.

B. Schindler
Then take out no ultralights.

J. Egan
We'll see how the board feels about the ultralights.

B. Schindler
Just put glider towed and then take out after the comma there no ultralights and a like. Then I would agree with the statement, because then it's all aircraft that are powered, so a powered motor glider would be acceptable because we're saying towed and being very clear, and then take out the ultralights. I can then,

you know, take this to the board, and I don't see why they would have an objection to this based on what we've come in and asked for.

W. Miller
So, after you make your decisions tonight, I then have a question about... If I get a Vietnam warbird, and it would be a front engine, back engine, it would be the Cessna 337. How do I come back and ask for a variance?

J. Egan
Well, I don't know. You'd have to talk to the lawyer about that exception or something, because it's a historic item or something of that nature.

W. Miller
I mean, I'm definitely looking at this, and I'm looking for one, but it is a military Vietnam warbird.

J. Egan
Anyhow, we're still here about the ultralights, if you feel comfortable with that?
They're stating that they haven't had any issues with them, the safety records.

C. Mercier
You know, part of our job with this change is make sure stuff is safe with the community and your record's showing that.

J. Egan
So, with this change here, the whole thing we're sticking on is this ultralight and if people are comfortable with that?
Judy is good with it. Bruce?

B. Jantzi
I'm okay with the ultralight.

J. Egan
Chris?

C. Mercier
Yeah, I'm okay with it.

J. Egan
Bob?

R. Egan
I'm okay with the ultralight.

J. Egan
Okay, so it looks like the ultralight should be struck from this.

B. Schindler
Thank you. The only question I have is when we get to the next part, with the exception for the helicopters, notwithstanding the exception, fixed wing limitation, helicopters, etc., it doesn't say, the language in here doesn't reference this as an exhibit.

J. Egan
We're going to edit it into here as defined as per the definitions.

B. Schindler
At the end of all of this where it says, you know, helicopters, you know, heavy helicopters remain prohibited. If we could put, you know, 14 CFR part 27 normal category. That makes it like I can point to a pilot and go, that's what you want to fly. Look at this in the far range. You read it and it's a yes or a no. It's black and white. I don't like, light and then somebody goes, well, those are definitions based on turbulence and weight. I don't want to get in arguments with people. I want to be like; it's this or that.

J. Egan
Okay. So, we're going to strike out the ultralight, right?

B. Jantzi
Well, the ultralight there, that's pertaining to the helicopters.

J. Egan
Notwithstanding, no fixed wing limitation only for helicopters. This is the exception. Light helicopter, right?

B. Schindler
Yeah, so we'll have the definition here, which is clear. Then if we can add 14 CFR part 27.

J. Egan
That's subsection 27?

B. Schindler
Yeah, normal category rotorcraft.

C. Mercier
Where were we putting that one?

B. Jantzi
That's at the end of number eight.

J. Egan
I'm just going to put in normal.

B. Schindler
It's normal category rotorcraft. I just like using the FAA's definitions in words. I know your intent, and it's our intent too. We want to limit the quadcopters, the military, the heavy lift, things like that.

J. Egan
I'll work with Arlene to update this text here to reference the normal, which we have held up. Again, language has to be such that anybody in the future reading, sitting on a board that has absolutely no knowledge is going to at least have some reference, which is why I want the definitions in there so they can see the depth. Of course, you said that, but in definition, I put the thing with 7,000 pounds, which is helicopter versus rotorcraft.

B. Schindler
Well, that's why I like the FAA rules. That's why I want to reference the part. It would be adding 14, the number 14, CFR, Code of Federal Regulations, Part 27. What that part means is if you look up, there's two categories of rotorcraft, and then when you look at normal and you look at transport, right? When you look at those, 14 CFR Part 27 is normal helicopter. That's going to be your Robinson R-22, your R-44, your training helicopters, your regulars. When you talk about Part 29, that's going to get into transport helicopters. That gets into your corporate helicopters, things like that, which we have no ability to have there and no money to have there. The only thing we've had land there at a couple different times is we've had the MEDEVAC land there twice for trainings to be able to land there and egress to the throughway for a landing site, and we've had the state troopers land there a few times practicing.

J. Egan
That's out of your hands and ours, too, if they just show up. I am going to try to include some of these definitions in along with the packets so anybody in the future understands them. If we state rotorcraft or anything, they don't have to start hunting it out themselves so that they understand it.

B. Schindler
That gets us to what we have there, what we want, and it excludes the heavy lift helicopters, noisy ones, ones we don't want there, ones the town doesn't want there, and our neighbors don't want there.

J. Egan
Do we need to read this whole thing with the amendments and with it?

C. Mercier
We're supposed to.

J. Egan
We'll read it with the amendment and we'll move forward. Then we can vote on it. Then you guys are going back to planning after this?

B. Schindler
I saw in the minutes that you guys want, and obviously I think it's right, so you want new maps with the statement on there. I'm just not sure. I can't put this entire thing on there. I'd need something maybe from

the lawyer succinct saying, like, maybe it's just stall speed, the bullet for the rotor craft, and then the fixed one.

J. Egan
This could be part of it, but we're taking those conditions off there, and we're changing two of them, I think.

C. Mercier
We also could make reference to this also on the map.

B. Schindler
I mean, I've got a little box up in the corner where you can put stuff, but I'll figure it out with Marshall down there in Pine Bush how he wants to do it.

J. Egan
So, there's no misunderstanding in the future, if it doesn't show up on a site plan for whatever reason, a piece of paper got in there or whatever, it's inaction until such time it gets changed officially. So anybody in the future ask you, say, no, it's still there. So, we don't have any misunderstanding.

B. Schindler
Well, that's why I want it back on the map because that makes it real. You're going to make the changes to it and then you'll send it to me.

A. Chistiana
Once it's finalized with the changes, I can send it over to you.

B. Schindler
If I could request, I can work with the engineer to get the verbiage on the map. But if you have something that the town's lawyer says, here's a box. I just want to copy and paste. That's easy because if you've already approved it with the town's lawyer, what you want on our site plan in the upper right-hand corner for the restrictions. It's just a copy and paste of what we have in here and not me interpreting it in writing. Put this on and put that on. Like, I just want you guys to be happy.

B. Jantzi
So, would you be looking for this modified?

B. Schindler
Yeah, I just want this statement modified to what the town's accepting. I just want to make sure it's meeting everybody's approval here tonight to modify this. This is what was on the map in '99.
This is what came off in 2016 and we have new maps drawn to go back to the town. I want to put whatever the town wants here. Copy and paste that right back onto the map and go.

C. Mercier
But like I said, we put some of the restrictions on there. But also put reference back to this resolution.

B. Schindler
This right now, it says on the old map that was hanging there before the change. It said ZBA, April 22, 1999. It will now say ZBA, September, whatever it is, 2026. Then all I want is this edited however the town wants this edited to cover the changes that are in here. A

J. Egan
I'm just going to read our resolution. Does anybody have any other input on it before I read it?

B. Jantzi
You've got the notations down that are changing.

C. Mercier
This is going to supersede the 1999?

J. Egan
Yep. I'll read this resolution. No other changes? All right.
WHEREAS, the following findings of fact are determined: One, this is an application made by the Hudson Valley Flyers Incorporated. PO Box 516 Plattekill, New York 12568. Regarding property at 156 Freetown Road in the town. The applicant seeks to modify some of the conditions imposed by the ZBA in connection with the decision from 1999. (attached here to as Exhibit "A") regarding an appeal of prior code official determination. Two, the property is 41.22 acres, is in the RR 1.5 zone district, and contains a private, non-for-profit airport. The section block and lot is 101.2-3-6.11. As of 1999, the property was in the then R60 zone district. Number three, the airport is not open to the public, but is used by members and their guests. Four, the existing airport contains a grass runway of about 3,000 feet, which has no lights, together with related hangars and outbuildings. Five, the planning board of the Town of Plattekill referred the applicant to the ZBA in June 2026 to re-review the 1999 ZBA conditions, as the planning board has been asked to amend the previous approved site plan regarding such conditions of approval. Six, no new physical improvements to the site are proposed. Seven, on July 9, 2026, the ZBA voted unanimously to re-hear the 1999 decision. Eight, pursuant to notice to 23 area property owners and published in the local newspaper of record, the ZBA convened a public hearing on September 10, 2026. Nine, at the September 10, 2026 public hearing, no area resident appeared and no letter from neighbors were received. The applicant had several members from the Hudson Valley Flyers did appear and explain why they requested the three items to be modified by the ZBA as followed. A) Allow larger aircraft, i.e. delete the 1999 condition C-3, which limits the aircraft horsepower of any aircraft not to be more than 185 horsepower. B) Remove the limitation on fixed-wing and on single-engine aircraft as set forth in condition C-2. From the 1999. Number ten, the applicant has pointed out that the new FAA regulations allow for changes sought in a manner under the modernization of special airworthy certification, otherwise known as MOSAIC. Number eleven, on September 10, 2026, after listening to the testimony, the ZBA closed the public hearing and reserved the decision. WHEREAS, after due deliberations, the ZBA renders the following conclusions: One, there is neither a use or area variance, so the statutory tests for either do not apply. Two, the appeal to the ZBA is considered a Type 2 exempt action per SEQRA. Regulation 6 New York NYCRR Part 617-.5 (37). Notwithstanding, the Planning Board of the town shall address the SEQRA as it is so determined in connection with the pendant application to amend the site plan. Number three, as no physical disturbance to the existing airport is proposed and no variances are sought, the ZBA matter does not have to refer to the Ulster County Planning Board for its GML 239 review. Four, the prior

documentation that this use is within the zoning law definition of amusement and recreation is not being disrupted.

J. Loertscher
Determination, I think you meant to say. Prior determination.

J. Egan
I'm sorry. I'll start again. Number four, the prior determination that this use is within the zoning law definition of amusement and recreation is not being disturbed. The zoning board concluded that such use authorizes the town to assess local land use jurisdiction over the private small non-for-profit airport. Number five, the ZBA recognizes that aviation technology has evolved over the past 27 years and can be expected to continue to evolve in the future. Number six, as such, the ZBA is attempting to strike a balance between accommodations to the applicant and the protection of the existing and future residents of the town via a fair administration of the zoning law of the town. Number seven, as to condition C-3 from 1999, the zoning board hereby deletes the former language no more than 85 horsepower and replaces it with the following.

C. Mercier
185.

J. Egan
185 horsepower. Replace it with the following. Number three, maximum stall speed for all aircraft not to exceed 61 knots CAS or 61 knots VS1. All aircraft must be powered. No towed gliders. Number eight, as to condition C-2, given the small private nature of the airport, the ZBA concludes that all aircraft must remain single engine and fixed wing except for the new additional conditions C-2 shall be as follows: Notwithstanding an exception shall be made to the fixed wing limitation only for helicopters classified by the FAA as “Light (normal) Helicopters” as per FAA 14 CFR subsection 27.1 Number nine, all the other conditions from the 1999 decision remain unchanged. Number ten, this amended ZBA decision shall be noted on any site plan to be approved by the Town Planning Board. Number eleven, the entire amended decision is based upon the existing runway in grass remaining approximately 3,000 feet long and without lights. Should any of these changes in the future, the matter must come back to the ZBA. Let this amended determination be filed with this Town Clerk and the Town Planning Board, the Building Department, and the applicant. This will be by order of the Zoning Board of Appeals, Town of Plattekill, Joseph Egan, Vice Chair.
We're going to have a vote on that or any comments?

C. Mercier
Now I can make a motion to accept the language of the new resolution.

J. Egan
With the changes, right?

C. Mercier
With the changes.

B. Jantzi
I'll second.

J. Egan
All right. The motion is made by Chris, second by Bruce.
Any other comments?
On the vote, Judy?

J. Loertscher
Aye.

J. Egan
Bruce?

B. Jantzi
Aye.

J. Egan
Chris?

C. Mercier
Aye.

J. Egan
Bob?

R. Egan
Aye.

J. Egan
Aye. So it passes.
So, again, everything when we get it written up correctly and amend it, then you'll see how the planning board or whomever places it on site plan.

B. Schindler
If I get more of those green cards, do you guys want them or do you have, what you need?

J. Egan
It would be nice if you returned them if you get them.

B. Schindler
Okay.

J. Egan
You can hand them to Arlene there.

B. Schindler
Thank you, everybody, for your time and effort. I'll wait to hear from you and we'll go from there. Thank you very much.

J. Egan
Now, we have minutes we have to deal with. Buefore we get to the minutes, which I don't know how we're going to end up on that, is we do have an issue. I should be down as chair, not vice chair.

A. Chistiana
Yes. So, when Hoyt sent that over, he sent it over as a PDF, not a Word document. I'm going to request for him to send it over as a Word document, so I can edit it.

J. Egan
Okay. So, now that we have a full board here, we need a vice chair. Judy already told me don't even look at her, so I'm not looking at her. I'm looking over towards Bruce, and he's shaking his head like, don't look at me.

B. Jantzi
I respectfully decline.

J. Egan
I wish to nominate or appoint Chris to be vice chair, if he's willing to step into the fray.
Do you want to be vice chair?

C. Mercier
You talking to me or him?

J. Egan
Bob.

R. Egan
No.

J. Egan
Okay. So, I'm going to say Chris to be vice chair, if he's willing to step into that mess.
Chris, will you accept being vice chair?

C. Mercier
Sure. If it's what everyone wants to vote.

J. Egan
Okay. We'll hold the vote anyway, just to be official. I'm going to vote for Chris to be vice chair.
Judy?

J. Loertscher
Aye.

J. Egan
Joe, aye.
Bruce?

B. Jantzi
Aye.

J. Egan
Bob?

R. Egan
Aye

J. Egan
So, it's unanimous. Chris is vice chair.
Now we have the minutes. Our August 27th. Everybody voted on it. Bruce did, Judy did and I did. But we didn't have anybody else to vote because Bob abstained. Chris, can you say for the record if you had read the August 27th minutes and you feel comfortable on voting on it.

B. Jantzi
Or could Bob come back and vote if he has looked at them?

J. Egan
Yeah. If he read them and he feels comfortable. So, now, after reading it, for the record, you feel comfortable in making a decision on the minutes? Okay

C. Mercier
On those minutes, since it was just the two of you, I don't even think you need to. I think it could get put into the file as an addendum because, technically, you didn't really open the meeting.

J. Egan
The meeting was open. We took the information, but we could not make a decision on anything. So, the minutes should be part of the official record as an addendum.

C. Mercier
Okay, I make a motion to accept the August 27th minutes.

J. Loertscher
I'll second it. Oh, well, I already did second it, right?

C. Mercier
No, did you second it?

J. Loertscher
Well, I approved it last time around.

J. Egan
But we're doing it again. So, Chris made the motion. Judy seconded it.
On the vote, Judy?

J. Loertscher
Aye

J. Egan
Bruce?

B. Jantzi
Aye

J. Egan
Chris?

C. Mercier
Aye

J. Egan
Aye.
Now, the September 10th minutes, there were four of us here at the time for the Flyers Club. It's a really long one. Did everybody have a chance to read it?

B. Jantzi
There was nothing that I caught as being amiss.

J. Egan
Okay. So, you want to make a motion

B. Jantzi
I will make a motion. Anybody else have anything?

C. Mercier
Yeah, the two vouchers for Hoyt? What was that in reference to?

J. Egan
One had to do with the Roberts situation and one had to do with…

C. Mercier
Liberty View. Since we're paying for that, is he updating you on that?

J. Egan
Yes, he updated us, actually, when he was here the last time. Telling us where it stands in court and everything. When he was here doing the Flyers, he updated us after they were gone and what's going on there. That's how we know they're in court. So, again, on the minutes, any other questions? Anyone want to make a motion on it?

J. Loertscher
I'll make a motion to accept the minutes of September 10th, 2026.

J. Egan
All right. Any second?

R. Egan
I'll second.

J. Egan
Judy made the motion. Bob seconded it.
On the vote? Judy?

J. Loertscher
Aye.

J. Egan
Bruce?

B. Jantzi
Aye.

J. Egan
Chris?

C. Mercier
Aye.

J. Egan
Bob?

R. Egan
Aye.

J. Egan
Aye.
We don't have any vouchers or any other discussions.

C. Mercier
Make a motion to close the meeting.

B. Jantzi
I'll second.

J. Egan
On vote?

ALL
Aye.