

DRAFT COPY

**UNION VALE Planning Board
Minutes of the Regular Meeting**

7:30 pm

April 8, 2021

Chairperson Pasquale Cartalemi, Members Stephen Diamond, Scott Kiniry, Alain Natchev, Michael Mostachetti, Kaye Saglibene and Karl Schoeberl

CALL TO ORDER / DETERMINATION OF QUORUM

Chairperson Pasquale Cartalemi determined that there was a quorum for the Planning Board

("The Board") to conduct business and called the meeting to order.

Approval of meeting dates and deadlines.

CORRESPONDENCE

None

BUSINESS SESSION

Millbrook Inn, Owner Yvette Fromer, Applicant Jess Nahon, 3 Gifford Road, Millbrook, NY,

James Tomapat, Owner 33 Gail Lane, Poughquag, NY 12570

Chairperson request, Mark Olsen, Consultant for The Millbrook Inn, for a brief synopsis: "The Millbrook Inn proposal is basically to add a dining room addition, add two guest rooms, to take away a very large parking area that is currently kind of in the side yard of the property, pave and redevelop that as a smaller paved parking area in the lower right hand corner of the lot as it's placed on, the drawing of the occupant load of the property is to remain as per zoning 30 for dining and 20 for guest rooms so total of 50. The parking area is to be landscape screened from the private road which is Gifford and from the adjacent property. The coverage we've been over the disturbance area we've been there built to keep under the prescribed environmental cap of .93 of an acre so that we don't fall into a need for a full sweep and provide control measures for the development of the site. That is being illustrated on the drawings as well so far we've I think from our letter from your engineer, Mr. Harvey, I think we've answered all of the issues and questions with regard to the drawings and we've received the a response from the County with regard to the project having I you know basically, no comment."

Mr. Harvey commented that the County Planning was satisfied with the details, all that remained was an approval from the Health Department with regard to the restaurant facilities and sufficient septic facilities for the capacity. Mr. Olsen will see if there is a letter from DoH to be submitted to the board.

Alain Natchev: Questions with regards to the ZBA, where they stand on this project, Chairperson explains the ZBA has postponed the May 4, 2021 meeting to May 18, 2021.

Chairperson, Cartalemi asks for comments from the public:

"My name is Crispin Kerry I work for a company called Colony Capital and we own The Fountains, the adjacent senior housing. Let me first of all say, it's great idea. My one question is, I was told that there are some requirement from us to approve a 15 foot set back or something like that? Also, I haven't seen a drawing so if I'm incorrect about this this is I just don't know what I'm talking about, but my question ultimately is if I need to go to my lender to get approval for something like that because I know that I've had to have my lender approve getting an easement on other properties I just don't know if this setback falls into the same sort of category so that's really what it boils down to."

Town attorney, Jim Nelson states, "This is a public hearing to accept comments about this plan and one of the issues were actually several of the issues related to setbacks and buffers and as an adjoining property owner I assume that this board as well as the zoning board of appeals where the applicant is going would welcome the comments of its neighbor because the set back issues related to how close parking and also landscaping and improvements can be to the property line I'm not familiar with your lending documents but what I can tell you is that the setbacks relate to the distance from the property line into the Millbrook end's property I'm not aware of anything where the owners of the Fountains property are being asked to give up any form of easement so I don't again I don't know what your lending documents require normally at public hearings the boards are very interested in hearing whether the neighbors support the project on the adjoining property and none of the plans that I've seen here and nothing I've heard from Mr. Olson tells me that there's going to be any form of encroachment on to your property.

Chairperson Cartalemi questions code 210.25.B3, that it says that in all districts parking areas shall be set to be located no close closer to any property line in the minimum parking set back to establish in the district area bulk regulations if parking associated with nonresidential uses abutting an existing residential use or land situated within a residential district a minimum separation of 25 feet or such greater distance as may be required within said schedule between any parking area or access thereto within a residential property line shall be maintained, George's determination letter George referenced the need for that. However, he referenced that he said it was a commercial use to commercial use so it wasn't necessary.

Chairperson suggests applying for another variance with the ZBA.

ZBA Chairperson, Jane Smith, corrects the referenced code, it is not 210.25.B3 but, 210.37.C2, 25 foot wide landscape buffer, and we're going to have 15 foot.

Chairperson Cartalemi, suggests not closing the Public Hearing until the ZBA has made a determination.

Member, Scott Kiniry," ...the applicant in front of us now is was part of the Fountains and that's been there since I think 1906 so you're retaking a hard view of the word district and I believe that yes when we did the zoning and the master plan maybe we should had a circle outlining or lines outlining there is the Fountains as its own district and to me you got a commercial endeavor there and a commercial endeavor with the Inn. "Suggests, The Millbrook Inn, should be "grandfathered in, because it was formerly part of The Fountains."

Chairperson Cartalemi presents a vote on SEQR: "whereas Jess Nahon has applied on behalf of The Millbrook Inn to the Union Vale town Planning Board for site plan and special use permit approvals for the development of property in the R1 zoning district located at 3 Gifford Rd in the Town of Union Vale in such application seeking to develop that property as an inn and whereas Miss Nahon has also applied on behalf of the inn with the Town of Union Vale Zoning Board of Appeals for variance is required to affect the development which is proposed as shown on a plan set most recently revised April 9th 2021.

Whereas, the applicant has submitted an environmental assessment form in support of the project.

Proposal for accepting lead agency for SEQR: 1. The Town of Union Vale Planning Board assumes lead agency status for the environmental review of this action. 2. After reviewing the environmental assessment form part one as well as the questions presented in the environmental assessment form Part 2 set the County planning department's response and all of the documents received and proceedings had on this application does determine that the department approval of this action will not result in any significant adverse environmental effect and the chair of this planning board is authorized to complete Part 2 of the Environmental Assessment Form in the negative as to environmental impacts and to complete the negative declaration at Part 3 of the EAF submitted by the applicant and this resolution having been called to vote.

-All in favor.

Call to open Hearing for **James Tomapat, Owner 33 Gail Lane, Poughquag, NY 12570; addition of accessory apartment.**

1. Satisfaction of parking spaces, shown by aerial photo of property.
2. With the contingent sale of the home, it should be noted to the new buyer that the home and accessory apartment must be owner occupied.

3. Vote to schedule a Public Hearing June 10th,2021,- All in Favor

Next meeting on June 10, 2021: Submission for new business closes May 20, 2021 at 12pm

1. Continue Public Hearing for The Millbrook INN
2. Initial Public Hearing for James Tomapat, 33 Gail Lane