



Town of Union Vale Zoning Board of Appeals

Town of Union Vale Town Hall
249 Duncan Road
Lagrangeville, NY 12540

Regular Meeting Agenda

At Town Hall

September 3rd 2024 @ 7:30 PM

Zoning Board Members:

Chairperson: Jane Smith, Members: John Hughes, Ilana Nilsen, Dennis Dunning & Mike McPartland

I. CALL TO ORDER / DETERMINATION OF QUORUM

II. BUSINESS SESSION

Approve meeting minutes from August 6th 2024

III. CORRESPONDENCE

None

IV. PUBLIC HEARING

None

V. REGULAR SESSION / NEW BUSINESS

PROJECT NAME

Melilli Area Variance

Owner/Applicant: Carmelo Melilli

Address: 7 Hoofprint Road

Parcel #: 6663-04-753216

PROJECT DETAILS

Application for a rear yard area variance of 9.5' for proposed 12' x 20' storage shed located in the R1.5 zone.

Meeting # 1

VI. REGULAR SESSION / OLD BUSINESS

PROJECT NAME

Cimmino Area Variance

Owner: James Cimmino

Applicant/Builder: Gerlad Thorpe

Address: 200 Mennella Road

Parcel #: 6859-01-27195

PROJECT DETAILS

Application for a side yard area variance of 8' for proposed 22' x 24' detached garage located in the R1 zone.

Meeting # 2

VII. OTHER BUSINESS

None

VIII. ADJOURNMENT

• **NEXT DEADLINE: September 10th 2024** (by Noon)

• **NEXT MEETING October 1st 2024**

UNION VALE ZONING BOARD OF APPEALS

Minutes of the Regular Meeting

7:30 pm

September 3rd 2024

Members Present: Chairperson Jane Smith and Board members Dennis Dunning, John Hughes, Michael McPartland & Ilana Nilsen

CALL TO ORDER / DETERMINATION OF QUORUM

Chairperson Jane Smith determined that there was a quorum for the Zoning Board of Appeals (“the Board”) to conduct business and called the meeting to order.

CORRESPONDENCE

None

BUSINESS SESSION

Approve meeting minutes from August 2024.

PUBLIC HEARING

None

REGULAR SESSION / NEW BUSINESS

PROJECT NAME

Melilli Area Variance

Owner/Applicant: Carmelo Melilli

Address: 7 Hoofprint Road

Parcel #: 6663-04-753216

PROJECT DETAILS

Application for a rear yard area variance of 9.5’ for proposed 12’ x 20’ storage shed located in the R1.5 zone.

Meeting # 1

Chairperson Smith welcomed the applicant and owner Mr. Carmelo Melilli to give an overview of the application. Mr. Melilli stated he is looking to install a 12’ x 20’ (up to 24’ depending on availability at time of purchase) shed in the rear of his property. He stated that he would remove the existing shed that is there now. Mr. Melilli stated due to the slope of the property and the triangular shape there are no other feasible locations to install the shed. There was a discussion to correct the proper code section on the application.

With no more comments the board agreed the application was complete and Chairperson Smith offered the following motion, which was unanimously accepted by the board:

To accept the Application of Carmelo Melilli for an Application for a 9.5’ rear area variance for proposed 12’ x 20’ storage shed located at 7 Hoofprint Road Millbrook NY 12545. Parcel #: 6663-04-753216”

- 1. Classified the application as “Type 2 Action” under NYC RP Part 617.5 and as such, is precluded from environmental review under SEQRA.*
- 2. Scheduled a Public Hearing on the Application for Tuesday, October 1st 2024 @ 7:35 pm and directed the secretary to provide timely notice thereof.*
- 3. Advised the Applicant that all costs involved in notifying the Public shall be reimbursed to the Town of Union Vale.*
- 4. Advised the Applicant that a visit to the premises may -or- may not be scheduled.*

REGULAR SESSION / OLD BUSINESS

PROJECT NAME

Cimmino Area Variance

Owner: James Cimmino

Applicant/Builder: Gerald Thorpe

Address: 200 Mennella Road

Parcel #: 6859-01-271955

Chairperson Smith welcomed the owners Mr. and Mrs. Cimmino. Mr. Cimmino stated the dimensions were incorrect on the application and the garage that is going to be installed is 22' x 24'. There was a discussion regarding the reliability of the current survey since it is not very detailed, and difficult to confirm where the property line is with the information given. The Cimminos were provided with the neighboring property's survey which has a measurement from their house to their shared property line on the side where the garage is being proposed. With this new information the applicant will remeasure to confirm the distance and exact variance needed and revise application as needed prior to the deadline for the public hearing.

With no more comments the board agreed the application was complete and Chairperson Smith offered the following motion, which was unanimously accepted by the board:

To accept the Application of James Cimmino for an Application for a 8' side area variance for proposed 22' x 24' garage located at 200 Mennella Road Poughquag NY 12570. Parcel #: 6859-01-271955

1. *Classified the application as "Type 2 Action" under NYCRR Part 617.5 and as such, is precluded from environmental review under SEQRA.*
2. *Scheduled a Public Hearing on the Application for Tuesday, October 1st 2024 @ 7:45 pm and directed the secretary to provide timely notice thereof.*
3. *Advised the Applicant that all costs involved in notifying the Public shall be reimbursed to the Town of Union Vale.*
4. *Advised the Applicant that a visit to the premises may -or- may not be scheduled.*

OTHER BUSINESS

None

ADJOURNMENT

As there was no further business, a motion was made by the Chairperson Smith, seconded by Member Dunning and unanimously accepted by the Board, to adjourn the meeting at 8:55 PM.

The next regular/public meeting of the Zoning Board of Appeals is scheduled for **Tuesday October 1st 2024, at 7:30 PM.** The agenda will close on **September 10th 2024 at 12:00 Noon.** Items for consideration at the **October** meeting must be received by that date.



***Zoning Board of Appeals approval on the application of
Carmel Melilli Jr. of 14.5' rear yard variance for t proposed 20' x
24' detached shed in the R1.5 zone located at 7 Hoofprint Road
Millbrook NY 12545. Parcel #: 6663-04-753216***

Date: 10/1/2024

In making its determination, the ZBA shall take into consideration the benefit to the applicant if the Area Variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the board shall also consider:

- 1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to the nearby properties will be created by the granting of the Area Variance. Comments?***

Facts and Findings: No, the area it is being installed is in the rear and it is a wooded area from the neighbor in the back & the applicant is also removing an old non-conforming shed from the location.

- 2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an Area Variance. Comments?***

Facts and Finding: No, because of the odd shape of the property, there are limited locations.

- 3. Whether the requested variance is substantial. Comments?***

Facts and Finding: Yes, it is more than 50% variance that is being requested.

- 4. Whether the proposed Area Variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. Comments?***

Facts and Finding: No, the placement of the shed requires minimal disturbance, no removal of existing shrubs, and minimal pavement added for the installation.

- 5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the Area Variance. Comments?***

Facts and Findings: Yes, but does not preclude.

After considering the five factors and weighing the benefit to the Applicant as against the detriment to the health, safety and welfare of the neighborhood or community, Chairperson Smith offered the following motion to **GRANT** the following variances;

1. Area variance §210-17(2) extent 14.5'

Conditions: No

Seconded Member Hughes

Roll Call Vote:

	<i>Aye</i>	<i>Nay</i>
<i>Jane Smith, Chairperson</i>	<u>✓</u>	_____
<i>Dennis Dunning</i>	<u>✓</u>	_____
<i>John Hughes</i>	<u>✓</u>	_____
<i>Michael McPartland</i>	<u>✓</u>	_____
<i>Ilana Nilsen</i>	<u>✓</u>	_____

Signed,



10/1/2024

DATE

Emily Cole, Secretary

Zoning Board of Appeals

cc: Applicant, Town Clerk, Planning Board Chair & Clerk
Building Department & File



Zoning Board of Appeals approval on the application of James Cimmino of 1' side yard variance for a proposed 24' x 24' detached garage in the R1 zone located at 200 Mennella Road Poughquag NY 12570 Parcel #: 6859-01-271955

Date: 10/1/2024

In making its determination, the ZBA shall take into consideration the benefit to the applicant if the Area Variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the board shall also consider:

- 1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to the nearby properties will be created by the granting of the Area Variance. Comments?***

Facts and Findings: No, there were no objections from the neighbors, including the one who adjoins the property line. The design of the garage fits with the existing character of the home.

- 2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an Area Variance. Comments?***

Facts and Finding: No, because of the terrain of the property & location of existing driveway there was no other location that is feasible.

- 3. Whether the requested variance is substantial. Comments?***

Facts and Finding: No, it is a very small variance.

- 4. Whether the proposed Area Variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. Comments?***

Facts and Finding: No, the placement of the garage requires minimal disturbance, no removal of trees from the area.

- 5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the Area Variance. Comments?***

Facts and Findings: Yes, but does not preclude.

After considering the five factors and weighing the benefit to the Applicant as against the detriment to the health, safety and welfare of the neighborhood or community, Chairperson Smith offered the following motion to **GRANT** the following variances;

1. Area variance §210-17(2) extent 1’.

Conditions: No

Seconded Member McPartland

Roll Call Vote:

	<i>Aye</i>	<i>Nay</i>
<i>Jane Smith, Chairperson</i>	<u>✓</u>	<u> </u>
<i>Dennis Dunning</i>	<u>✓</u>	<u> </u>
<i>John Hughes</i>	<u>✓</u>	<u> </u>
<i>Michael McPartland</i>	<u>✓</u>	<u> </u>
<i>Ilana Nilsen</i>	<u>✓</u>	<u> </u>

Signed,



10/1/2024

DATE

Emily Cole, Secretary

Zoning Board of Appeals

cc: Applicant, Town Clerk, Planning Board Chair & Clerk
Building Department & File