

UNION VALE ZONING BOARD OF APPEALS

Minutes of the Regular Meeting

7:30 pm

October 3rd 2023

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

Email dated 9/5/2023 from Town Engineer Thomas Harvey in regards to Camaj application.

BUSINESS SESSION

Reviewed the agenda & unanimously approved meeting minutes from September 5th 2023.

PUBLIC HEARING

PROJECT

Camaj Garage Area Variance

Applicant/Owner: Prentas & Saqe Camaj
Address: 686 Waterbury Hill Road Lagrangeville NY 12540
Parcel #: 6762-00-150194
Meeting # 3

PROJECT DETAILS

Application for side yard area variance of 10’6” for proposed 22’ x 27’6” attached garage.

Chairperson Smith welcomed the applicant’s son Mr. Camaj to discuss the details of the application. Mr. Camaj explained that when they purchased the home there was no garage even though most of the neighboring properties do have a garage. Mr. Camaj explained that, as his mother and father are getting older and with winters becoming difficult, the family needs an interior space to park for safety. The proposed location, attached to the house, was the only feasible alternative given the contour of the land with a steep drop in the back, an existing pool, oil tank, and septic.

Chairperson Smith shared an email from Town Engineer Thomas Harvey stating that, based on the limited area of disturbance, “this project does not rise to the level of requiring stormwater management.” However, he also advised that “the grading work for the garage should not alter hydrology, particularly by discharging new flows onto adjacent properties.” Mr. Camaj explained that he had hired an engineer who assured that the runoff would follow the existing channels.

Mr. Camaj also commented that the new garage would be built at the end of the existing driveway, no additional driveway would need to be installed, and no trees would need to be removed. It was also noted that the location of the house is set back quite far from the road.

With no more questions or comments, Chairperson Smith read and the Board considered, the following standards for accepting/denying this area variance application, and the Board made the following findings:

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, all nearby homes have garages attached to their homes, the plan for the garage is to match the exterior of the existing home, the house is set fairly far away from the street, and no neighboring property owners have voiced any objection.

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: There is no other feasible alternative due to the septic area, underground oil tank & pool location in the rear of the home.

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

Facts and Finding: While the variance requested is not insignificant, it is not considered substantial because the house is set back very far from the road and the contour of the neighboring property.

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, there will be no clearing of trees, there are no nearby wetlands, and the water run off will be well managed.

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: No, the owners purchased the home with no garage, however all the other homes in the neighborhood have garages. Additionally, the needs of the family are to be able to safely park inside the garage.

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 application of Prentas & Sage Camaj, located at 686 Waterbury Hill Road Lagrangeville NY 12540 Parcel #: 6762-00-150194 for side area variance of 10'6" for proposed 22' x 27'6" attached garage.

Seconded Member Dunning

The Town of Union Vale Zoning Board of Appeals **GRANTS** the Tharu Area Variance

Conditions: No

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,



Emily Cole, Secretary
Zoning Board of Appeals
cc: Applicant, Town Clerk, Planning Board Chair & Clerk
Building Department & File

REGULAR SESSION / NEW BUSINESS

None

OTHER BUSINESS

None

ADJOURNMENT

As there was no further business, a motion was made by the Chairperson Smith, seconded by Member Hughes and unanimously accepted by the Board, to adjourn the meeting at 7:55 PM.

The next regular/public meeting of the Zoning Board of Appeals is scheduled for **Tuesday November 7th 2023, at 7:30 PM.** The agenda will close on **October 24th 2023 at 12:00 Noon.** Items for consideration at the **November** meeting must be received by that date.