

TOWN OF UNION VALE PLANNING BOARD

MINUTES OF REGULAR MEETING

October 19, 2016

Board Members Present: Chairperson Kevin Durland, Board Members Pasquale (Pat) Cartalemi, Michael (Mike) Mostaschetti, Alain Natchev, Scott Kiniry, John Rapetti, Karl Schoeberl

Members and Alternate Members absent: Ralph Mondello

Others present: Alternate member Kaye Saglibene and James Horan, Town Attorney (retained for the East Mountain application)

CALL TO ORDER / DETERMINATION OF QUORUM

Chairperson Kevin Durland called the meeting to order at 7:30 pm. and determined a quorum was present and conduct business. Chairperson Kevin Durland stated there would be two additions to the Agenda, first a matter of Sky Acres grant request, second a decision to set up a scoping session regarding East Mountain Subdivision.

BUSINESS SESSION

Acceptance of Minutes. Chairperson Kevin Durland asked for a motion to accept the September 21, 2016 Regular Meeting Minutes. A motion was made by Board member Pasquale Cartalemi, seconded by Board member Alain Natchev and adopted by unanimous vote of the Board members to accept the Minutes as submitted by the Secretary for that meeting.

Acceptance of Planning Consultant's Meeting Notes. Upon motion by Board member Alain Nachev, second by Board member Pasquale Cartalemi and unanimous vote of the Board members present, the Town Planner's Meeting Notes were accepted as guidance in the consideration of matters set forth on this Regular Meeting Agenda.

Announcement / Next Meeting. Chairperson Kevin Durland stated the next Regular Meeting will be on November 16, 2016.

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REGULAR SESSION (APPLICATION SUBJECT OF PUBLIC HEARING)

Robert B. Suter, Trustee, Bulls Head – Oswego Friends Meeting – 4 North Smith Road – Subdivision Plat

As stated on the Agenda, this matter involves the presentation of an Application for Subdivision Plat Approval to authorize the transfer of a 0.671-acre portion of TMP 6662-00-510089, Lands of Bulls Head – Oswego Friends Meeting, to adjoining owners Robert I. Israel and Sarah Burns for consolidation with 31.680-acre TMP 6662-00-478162. The intended transfer would reduce to 1.379 acres the area of a heretofore non-conforming 2.050-acre lot within the RA-3 District and cause of a portion of the burial ground retained by the Friends Meeting to be located within 100 feet of the property line. Upon request of the Friends Meeting relief from each of these standards was granted by the ZBA on August 3, 2016.

Chairperson Kevin Durland asked for a motion to open the public hearing, motioned by Karl Schoeberl, seconded by John Rapetti, then the clerk read the legal notice into the record.

Mr. Robert Suter was present and briefly described what the project was before the Planning Board and public present. Mr. Suter explained that he first obtained two variances before the Zoning Board of Appeals regarding an intended transfer of land that would reduce the lands to 1.379 acres the area hence to a non-conforming 2.050 acre lot within the RA3 District and cause portion of the burial ground retained by the Friends Meeting to be located within 100 feet of the property line. Both of these variances were granted by the ZBA on August 3, 2016.

Mr. Suter further explained that the transfer of land to the new owner, to the north of us, and will hopefully give the meeting house a much needed face lift and will be maintained accordingly to keep its historical heritage.

Chairperson Kevin Durland asked if there were any questions from the board or public regarding this somewhat straight forward application.

With no further comments, Chairperson Kevin Durland asked for a motion to close the public hearing, motioned by Scott Kiniry and seconded by John Rapetti and unanimous vote of the board members present.

REGULAR SESSION (DECISION OF PUBLIC HEARING)

Robert B. Suter, Trustee, Bulls Head – Oswego Friends Meeting – 4 North Smith Road – Subdivision Plat

As stated on the Agenda, this matter involves the presentation of an Application for Subdivision Plat Approval to authorize the transfer of a 0.671-acre portion of TMP 6662-00-510089, Lands of Bulls Head – Oswego Friends Meeting, to adjoining owners Robert

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I. Israel and Sarah Burns for consolidation with 31.680-acre TMP 6662-00-478162. The intended transfer would reduce to 1.379 acres the area of a heretofore non-conforming 2.050-acre lot within the RA-3 District and cause of a portion of the burial ground retained by the Friends Meeting to be located within 100 feet of the property line. Upon request of the Friends Meeting relief from each of these standards was granted by the ZBA on August 3, 2016.

Chairperson Kevin Durland offered the below resolution(s) for the Boards consideration:

SEQRA Resolution under Article 8 ECL and Title 6 Part 617 NYCRR
Application by Bulls Head – Oswego Friends Meeting
Subdivision Plat Approval

“The Town of Union Vale Planning Board hereby acts as follows on a Proposed Action, being an Unlisted Action under SEQRA, involving an Application to the Planning Board by Robert B. Suter, Trustee, Bulls Head – Oswego Friends Meeting for Subdivision Plat Review and Approval under Town Code Chapter 192, Subdivision of Land, to authorize the transfer of a 0.671-acre portion of TMP 6662-00-510089, Lands of Bulls Head – Oswego Friends Meeting, to adjoining owners Robert I. Israel and Sarah Burns for consolidation with 31.680-acre TMP 6662-00-478162, all as depicted on a Surveyor’s Map by J. Charles Boolukos, L.S., entitled ‘Bulls Head – Oswego Monthly Meeting of the Religious Society of Friends and Robert I. Israel / Sarah Burns Property Line Change’ dated June 21, 2016, and otherwise described in supporting documents including a Short EAF Part 1 affirmed by Mr. Suter:

1. Determines upon review of the Short EAF Part 1 and its own completion of the annexed Short EAF Part 2 in consideration of the ‘criteria for determining significance’ set forth at Title 6 Part 617.7.c NYCRR that the Proposed Action, as described in the Applications and supporting documentation presented by the Applicant, will cause no potential significant adverse impact on the environment and, thus, issues a Negative Declaration (Determination of Non-Significance) deeming an environmental impact statement to not be required and stating such will not be prepared.
2. Authorizes the Chairperson to so execute the Short EAF and directs the Planning Board Clerk to file and distribute, as may be required, the executed Determination of Significance in the manner set forth within the SEQRA Implementing Regulations, Title 6 Part 617.12 NYCRR.”

A motion to adopt the above-stated Approval Resolution was made by Board member Scott Kiniry and seconded by Board member Pasquale Cartalemi.

The below roll call vote was taken by Chairperson Durland:

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Member Pasquale Cartalemi	Aye
Member Scott Kiniry	Aye
Member Michael Mostachetti	Aye
Member John Rapetti	Aye
Member Karl Schoeberl	Aye
Member Alain Natchev	Aye
Alternate Member Ralph Mondello	Absent
Alternate Member Kaye Saglibene	not voting member this evening
Chairperson Kevin Durland	Aye

whereupon the Chairperson declared the Resolution:

Adopted 7 Defeated 0

Resolution certified and filed:

Joan E. Miller
Planning Board Secretary / Clerk

Date

Resolution under Town Code Chapter 192, Subdivision of Land
Application by Bulls Head – Oswego Friends Meeting
Subdivision Plat Approval

“The Town of Union Vale Planning Board hereby acts as follows in the matter of an Application to the Planning Board by Robert B. Suter, Trustee, Bulls Head – Oswego Friends Meeting for Subdivision Plat Review and Approval under Town Code Chapter 192, Subdivision of Land, to authorize the transfer of a 0.671-acre portion of TMP 6662-00-510089, Lands of Bulls Head – Oswego Friends Meeting, to adjoining owners Robert I. Israel and Sarah Burns for consolidation with 31.680-acre TMP 6662-00-478162, all as depicted on a Surveyor’s Map by J. Charles Boolukos, L.S., entitled ‘Bulls Head – Oswego Monthly Meeting of the Religious Society of Friends and Robert I. Israel / Sarah Burns Property Line Change’ dated June 21, 2016 and otherwise described in supporting documents including a Short EAF Part 1 affirmed by Mr. Suter, as subject of a Negative Declaration (Determination of Non-Significance) under SEQRA heretofore issued by the Planning Board:

Approves the Application for Subdivision Plat Approval and authorizes the Chair to stamp and sign the Subdivision Plat for the ‘Bulls Head – Oswego Friends Meeting Minor Subdivision / Lot Line Alteration’ and the Clerk to distribute copies thereof upon the Applicant’s satisfaction of each of the below conditions and/or requirements within one hundred eighty (180) calendar days of the Planning Board’s adoption of this Resolution:

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1. Stamping of the Subdivision Plat as either a non-jurisdictional subdivision' or 'for filing purposes only' by the Dutchess County Health Department.
2. Submission of Subdivision Plat drawings in the number and form specified within Town Code Chapter 192, including thereon all required stamps. Seals and certifications.
3. Submission of the draft of a Consolidation or Merger Deed for review by the Town Planning Consultant and/or Town Attorney and intended for recording, and required to so be recorded, in the Dutchess County Clerk's Office simultaneously with the transfer of the 0.671-acre portion of TMP 6662-00-510089 to Robert I. Israel and Sarah Burns, with documentation of such recording provided to the Planning Board, within twenty (20) calendar days thereof, so as to both obviate what would otherwise be the authorization through this subdivision proceeding of a separate, non-complying 0.671-acre portion and permit the Planning Board to close-out this project file.
4. Payment of any outstanding bills or reimbursable amounts either presently due the Town of Union Vale, or which will be incurred related to review for compliance with the above conditions, with respect to the submission, review and processing of this Application under Town Code Chapter 192, Subdivision of Land, and SEQRA.
5. Upon consideration that no new lots or additional building sites are being created through the approval of this Application determines the provisions within Town Chapter 192, Subdivision of Land, requiring either the set-aside of recreational land within a subdivision or a cash-in-lieu-of-land payment to the Town Recreation Fund are not applicable to this Application."

A motion to adopt the above-stated Approval Resolution was made by Board member Scott Kiniry and seconded by Board member Michael Mostachetti.

The below roll call vote was taken by Chairperson Durland:

Member Pasquale Cartalemi	Aye
Member Scott Kiniry	Aye
Member Michael Mostachetti	Aye
Member John Rapetti	Aye
Member Karl Schoeberl	Aye
Member Alain Natchev	Aye
Alternate Member Ralph Mondello	Absent
Alternate Member Kaye Saglibene	not voting member tonight
Chairperson Kevin Durland	Aye

whereupon the Chairperson declared the Resolution:

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Adopted 7 Defeated 0

Resolution certified and filed:

Joan E. Miller
Planning Board Secretary / Clerk

Date

REGULAR SESSION (NEW BUSINESS)

Sky Acres Airport, Request for grand funding for Rehabilitate Runway; State PIN 0810.26;FAA AIP No. 3-36-0223-27-15; Rehabilitate Runway 17-35 (3830' x 60'" – Mill and Overlay (Design)

Chairperson Kevin Durland stated that a request from Sky Acres regarding funding for a runway project. With no further questions for concerns from the Board members present, Chairperson Kevin Durland offered the below resolution:

RESOLUTION

WHEREAS, the following grant was issued by the Federal Aviation Administration to Sky Acres Airport, Lagrangeville, State of New York,

State PIN 0810.26; FAA AIP No.3-36-0223-27-15;
Rehabilitate Runway 17-35 (3830' x 60') – Mill and Overlay (Design)

WHEREAS, such project is necessary for the operational safety and efficiency of the Airport; and

WHEREAS, such project is necessary to maintain the Airport consistent with FAA and NYSDOT standards; and

WHEREAS, the FAA has issued a determination that such project “qualifies for Categorical Exclusion from preparation of a formal Environmental Assessment.”; and

WHEREAS, the Planning Board of the Town of Union Vale hereby expresses endorsement of such projects for the purpose of NYSDOT funding only; and

WHEREAS, such the Planning Board’s endorsement of such funding does not/ did not in any way waive any local permitting requirements.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Town of Union Vale, County of Dutchess, State of New York, as follows:

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1. The Planning Board classifies the project as a Type II Action under SEQRA in accordance with Part 617.5.c NYCRR and authorizes the Chairperson to so execute the attached NYSDOT Form DV-21.
2. The Planning Board endorses the project to receive NYSDOT funding assistance.
3. The Planning Board directs the Clerk to send a certified copy of this Resolution with the attached executed Form DV-21 to each of the following:
 - a. Sky Acres Enterprises
30 Airway Drive
LaGrangeville, NY 12540
 - b. New York State Department of Transportation
Aviation Bureau, Attn: Denise Gerald
50 Wolf Road, POD 54
Albany, NY 12232
 - c. TriState Planning & Engineering, P.C.
1 Wesley Court
Huntington NY 11743

A motion to adopt the above-stated Resolution was made by Board member Scott Kiniry and seconded by Board member John Rapetti.

The below roll call vote was taken by Chairperson Durland:

Member Pasquale Cartalemi	Aye
Member Scott Kiniry	Aye
Member Michael Mostachetti	Aye
Member John Rapetti	Aye
Member Karl Schoeberl	Aye
Member Alain Natchev	Aye
Alternate Member Ralph Mondello	absent
Alternate Member Kaye Saglibene	not voting member tonight
Chairperson Kevin Durland	Aye

whereupon the Chairperson declared the Resolution:

Adopted 7 Defeated ____

Resolution certified and filed:

Joan E. Miller
Planning Board Secretary / Clerk

Date

OTHER BUSINESS

Chairperson Kevin Durland stated that the matter of setting up a scoping session regarding the East Mountain Subdivision application is being referred to James Horan, Town Attorney representing the Planning Board.

Town Attorney James Horan stated that this matter is being discussed for the purpose of the Planning Board to set up a scoping meeting for next month. Mr. Horan stated Mr. Habiague submitted some documents which incorrectly state that they were ordered by the Second Circuit. As the record stands after litigation, the Planning Board has rescinded the 1987 Negative Declaration, issued a Positive Declaration and stated its intention to conduct scoping.

Mr. Horan stated that Mr. Habiague submitted something that he called a Draft Scoping document, but it is lacking. The draft scoping document should contain the information that is required for the final scoping document which is found at 6 NYCRR 617.8(f)

(f) The lead agency must provide a final written scope to the project sponsor, all involved agencies and any individual that has expressed an interest in writing to the lead agency within 60 days of its receipt of a draft scope. The final written scope should include:

(1) a brief description of the proposed action;

(2) the potentially significant adverse impacts identified both in the positive declaration and as a result of consultation with the other involved agencies and the public, including an identification of those particular aspect(s) of the environmental setting that may be impacted;

(3) the extent and quality of information needed for the preparer to adequately address each impact, including an identification of relevant existing information, and required new information, including the required methodology(ies) for obtaining new information;

(4) an initial identification of mitigation measures;

(5) the reasonable alternatives to be considered;

(6) an identification of the information/data that should be included in an appendix rather than the body of the draft EIS; and

(7) those prominent issues that were raised during scoping and determined to be not relevant or not environmentally significant or that have been adequately addressed in a prior environmental review.

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Mr. Horan further explained that he spoke with Mr. Habiague prior to the Planning board meeting and Mr. Habiague agreed that a scoping session would be productive.

With no further questions or comments from the Town Attorney, Mr. Horan, Chairperson Kevin Durland asked for a motion to set up a scoping session for the November 16, 2016 regular scheduled planning board meeting, motion made by Board member by John Rapetti, seconded by Board member Alain Natchev and unanimous vote of the board members present.

EXECUTIVE SESSION

Chairperson Kevin Durland asked for a motion to go into executive session regarding Planning Board appointment, motion was made by Scott Kiniry, seconded by Pasquale Cartalemi and unanimous vote of the Board members present.

EXECUTIVE SESSION END / RETURN TO REGULAR MEETING

Chairperson Kevin Durland asked for a motion to end executive session and return to the regular scheduled planning board meeting, motion made by Michael Mostachetti, seconded by John Rapetti and unanimous vote of the board members present.

ADJOURNMENT

There being no further business to come before the Planning Board, the Chairperson asked for a motion to adjourn. A motion to do so was made by Board member Alain Natchev and seconded by Board member John Rapetti. The motion was adopted unanimously by the Board members present. The Chairperson declared the Planning Board meeting adjourned at 9:05 p.m.

Respectfully submitted,

Joan Miller
Planning Board Secretary

Annexed document: Poughkeepsie Journal Public hearing notice, Oswego meeting house