



## 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

**March 5<sup>th</sup> 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 February 6<sup>th</sup> 2024

#### **III. CORRESPONDENCE**

None

#### **IV. PUBLIC HEARING**

##### **PROJECT**

##### **Maddocks Carport Area Variance**

Applicant/Owner: Jarrod Maddocks  
Address: 206 Barmore Road, Lagrangeville  
NY 12540  
Parcel #: 6661-00-178577  
Meeting # 4

##### **PROJECT DETAILS**

Pre-existing carport located in RA3 Zone

- Area Variance # 1- Front of 37'8"
- Area Variance # 2- Side of 22'6"

#### **V. REGULAR SESSION / NEW BUSINESS**

##### **PROJECT**

##### **Stein/Miralles Area Variance**

Owner: William Stein  
Applicant: Daniele Miralles  
Address: 162 North Clove Road, Verbank  
NY 12585  
Parcel #: 6662-00-962589  
Meeting # 1

##### **PROJECT DETAILS**

Pre-existing dwelling- subdivision application to Planning Board to create new lot of 3-acres, existing lot will be 3.23- acres.

- Area Variance # 1- Front of 27.3'
- Area Variance # 2- Frontage of 80.2'

#### **VI. REGULAR SESSION / OLD BUSINESS**

None

#### **VII. OTHER BUSINESS**

None

#### **VIII. ADJOURNMENT**

- **NEXT DEADLINE: March 21<sup>st</sup> 2024** (by Noon)
- **NEXT MEETING April 11<sup>th</sup> 2024**

**UNION VALE ZONING BOARD OF APPEALS**

**Minutes of the Regular Meeting**

**7:30 pm**

**March 5<sup>th</sup> 2024**

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

Absent: 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**

None

**BUSINESS SESSION**

Reviewed the agenda & unanimously approved meeting minutes with edits from February 6<sup>th</sup> 2024.

**PUBLIC HEARING**

**PROJECT**

Maddocks Carport Area Variance  
Applicant/Owner: Jarrod Maddocks  
Address: 206 Barmore Road, Lagrangeville NY 12540  
Parcel #: 6661-00-178577  
Meeting # 4

**PROJECT DETAILS**

Pre-existing carport located in RA3 Zone

- Area Variance # 1- Front of 37’8”
- Area Variance # 2- Side of 22’6”

Chairperson Smith began by asking Mr. Maddocks, owner & applicant to detail for the public the application. Mr. Maddocks is requesting two variances and he explained the overall construction of the carport, which is an open structure attached to the existing garage. Mr. Maddocks stated that there was no alternative to locating the carport elsewhere due to the well & septic, and layout of the existing garage. The board discussed the factors they must consider when reviewing an application and the conditions that would be imposed should the variances be granted. The Board then unanimously voted as follows:

The Town of Union Vale Zoning Board of Appeals **GRANTS** the Maddocks 22’6” side yard area variance.  
The Town of Union Vale Zoning Board of Appeals **GRANTS** the Maddocks 37’8” front yard area variance.

The Board’s findings with respect to each variance and the conditions imposed are set forth in attachments titled:

*Zoning Board of Appeals approval on the application of Jarrod Maddocks for a side yard area variance of 22’6” located at 206 Barmore Road, Lagrangeville NY 12540  
Parcel # 6661-00-178577*

**&**

*Zoning Board of Appeals approval on the application of Jarrod Maddocks for a front yard area variance of 37’8” located at 206 Barmore Road, Lagrangeville NY 12540  
Parcel # 6661-00-178577*

## REGULAR SESSION / NEW BUSINESS

### PROJECT

#### Stein/Miralles Area Variance

Owner: William Stein  
Applicant: Daniele Miralles  
Address: 162 North Clove Road, Verbank NY 12585  
Parcel #: 6662-00-962589  
Meeting # 1

### PROJECT DETAILS

Pre-existing dwelling- subdivision application to Planning Board to create new lot of 3-acres, existing lot will be 3.23- acres.

- Area Variance # 1- Front of 27.3'
- Area Variance # 2- Frontage of 80.2'

The Board considered applications for two variances in connection with a proposed subdivision of a parcel at 162 North Clove Rd. into two lots. One variance is for frontage for one of the parcels, and the other is for a front yard setback for the other parcel. (Applicant is Daniel Miralles, who rents the property; owner of property is William Stein.)

Parts of the application were incomplete. In addition, what leapt out to The Board was the number of permits that will or may be required for the subdivision since the parcel apparently has wetlands, a stream, is in a floodplain, and is of archaeological interest.

The Board recognized that (1) these environmental/permitting issues were more complex than the variance issues; (2) from a financial standpoint, it seemed to not make sense for the applicant to invest in all the engineering and permitting issues if, ultimately, the variances would not be granted; (3) while the ZBA has the power to condition the grant of any variances on the applicant's obtaining the necessary variances, at the same time, the ZBA will have to consider the environmental issues in connection with deciding on the variances; and (4) this was an unlisted action under SEQRA where coordinated review makes sense — and Planning Board the logical lead agency.

The Board directed the applicant to complete the application, and, in particular to identify each agency with an interest in the permitting process (e.g., DEC, State Historic Preservation Office, Floodplain; Army Corps of Engineers); and put the matter over until the April 2<sup>nd</sup> meeting.

### 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 9:15 PM.

The next regular/public meeting of the Zoning Board of Appeals is scheduled for **Tuesday April 2<sup>nd</sup> 2024, at 7:30 PM.** The agenda will close on **March 12<sup>th</sup> 2024 at 12:00 Noon.** Items for consideration at the **April** meeting must be received by that date.



**Zoning Board of Appeals approval on the application of Jarrod Maddocks for a front yard area variance of 37'8" located at 206 Barmore Road, Lagrangeville NY 12540  
Parcel # 6661-00-178577  
Date: 3/5/2024**

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, it fits with the house and the garage design; and residence on adjacent property is set back considerably so it does not interfere with sight lines.

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.

Facts and Finding: No, there is no other place to put the carport due to the garage location & septic.

3. Whether the requested variance is substantial.

Facts and Finding: It is far substantial, but, given the placement of the house and the garage, the carport is relatively small and far enough away from the front property line so as to be in harmony with the neighborhood.

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

Facts and Finding: Given the placement of erosion mats and the gravel driveway to capture runoff, no significant adverse effect on the environment is foreseen.

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.

Facts and Findings: Yes, it is self-created but does not preclude from granting the variance.

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, seconded by Member Dunning,

***The application of Jarrod Maddocks located at 206 Barmore Road,  
Lagrangeville NY 12540 for a front yard area variance of 37'8"***

The Town of Union Vale Zoning Board of Appeals **GRANTS** the Maddocks Side yard area variance.

Conditions: **Yes**

1. No lighting to be installed on the carport
2. Carport cannot be enclosed
3. Carport & garage must be maintained in the same color
4. If a calamity occurs, reconstruction cannot exceed current footprint

**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>Absent</u>	_____
<i>Michael McPartland</i>	<u>✓</u>	_____
<i>Ilana Nilsen</i>	<u>Absent</u>	_____

Signed,



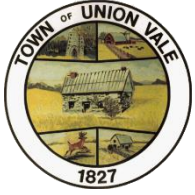
3/5/2024

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 Jarrod Maddocks for a side yard area variance of 22'6" located at 206 Barmore Road, Lagrangeville NY 12540  
Parcel # 6661-00-178577  
Date: 3/5/2024**

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, it fits with the house and the garage design; and the driveway and residence on the adjacent property not near the carport so it will not interfere with the sight lines, sunlight access or privacy of the neighbors.

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.

Facts and Finding: No, there is no other place to put the carport due to the garage location & septic.

3. Whether the requested variance is substantial.

Facts and Finding: Yes, it is very close to the side property line, however there are no direct neighbors on the side.

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

Facts and Finding: Given the placement of erosion mats and the gravel driveway to capture runoff, no significant adverse effect on the environment is foreseen.

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.

Facts and Findings: Yes, it is self-created but does not preclude from granting the variance.

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, seconded by Member Dunning,

***The application of Jarrod Maddocks located at 206 Barmore Road,  
Lagrangeville NY 12540 for a side yard area variance of 22'6"***

The Town of Union Vale Zoning Board of Appeals **GRANTS** the Maddocks side yard area variance.

Conditions: **Yes**

1. No lighting to be installed on the carport
2. Carport cannot be enclosed
3. Carport & garage must be maintained in the same color
4. If a calamity occurs, reconstruction cannot exceed current footprint

**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>Absent</u>	<u>          </u>
<i>Michael McPartland</i>	<u>✓</u>	<u>          </u>
<i>Ilana Nilsen</i>	<u>Absent</u>	<u>          </u>

Signed,



3/5/2024

DATE

Emily Cole, Secretary

Zoning Board of Appeals

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