



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

July 2nd 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 June 4th 2024

III. CORRESPONDENCE

None

IV. PUBLIC HEARING

PROJECT NAME

Somsag Accessory Apartment SUP

Owner/ Applicant: Mike & Tara Somsag

Engineer: Edward Mauro

Address: 57 South Parlman Rd Lagrangeville NY
12540

Parcel #: 6660-00-515375

PROJECT DETAILS

Application for the conversion of detached 2-story structure to 1-bedroom accessory apartment located in the RA-3 Zone.

Variance #1- Footprint sqft variance of 372 sqft
Variance #2- Apartment sqft variance of 254 sqft
Variance #3- Lot size variance of 1.2 Acres

Meeting # 2

V. REGULAR SESSION / NEW BUSINESS

VI. REGULAR SESSION / OLD BUSINESS

None

VII. OTHER BUSINESS

None

VIII. ADJOURNMENT

- **NEXT DEADLINE: June 11th 2024** (by Noon)
- **NEXT MEETING July 2nd 2024**

UNION VALE ZONING BOARD OF APPEALS

Minutes of the Regular Meeting

7:30 pm

July 2nd 2024

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

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 June 4th 2024 with revisions.

PUBLIC HEARING

PROJECT NAME

Somsag Accessory Apartment SUP

Owner/ Applicant: Mike & Tara Somsag

Engineer: Edward Mauro

Address: 57 South Parlman Rd Lagrangeville NY
12540

Parcel #: 6660-00-515375

PROJECT DETAILS

Application for the conversion of detached 2-story structure to 1-bedroom accessory apartment located in the RA-3 Zone.

1. Footprint sqft variance §210-56(B)(2)(b) extent 369 sqft;
2. Apartment sqft variance §210-56B(2)(d) extent 237 sqft & §210-56B(1)(b)(3);
3. Lot size variance §210-56(B)(2)(a) extent 1.2 acres.

The Zoning Board of Appeals will also consider whether the existing building form is ‘indigenous to a rural area’ as set forth in 210-56(B)((2)(b), and, therefore, whether any other modification of the exterior appearance of the structure requires a variance.”

Meeting # 2

Chairperson Smith opened the public hearing and welcomed Mr. Mauro, engineer on the application to present the application. Mr. Mauro explained the current owners purchased the property with a detached structure on the property which has a certificate of occupancy as an office building. He explained that shortly after the purchase the zone was changed from the TC zone to an RA-3 zone, and the owners would like to make the lower level a handicapped assessable apartment for the mother in law while keeping an office space above to be used by the owner. The board asked the applicant to explain the orientation of the structure which Mr. Mauro stated that the front of the building faces the home, and that the structure can not really be seen from the road. With no other comments or questions from the public or the board, 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 three Somsag area variances.

1. Footprint sqft variance §210-56(B)(2)(b) extent 369 sqft;
2. Apartment sqft variance §210-56B(2)(d) extent 237 sqft & §210-56B(1)(b)(3);
3. Lot size variance §210-56(B)(2)(a) extent 1.2 acres.

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 Mike & Tara Somsag
for an Application for the conversion of detached 2-story structure to 1-
bedroom accessory apartment located in the RA-3 Zone Located at 57 South
Parliman Rd Lagrangeville NY 12540 Parcel #: 6660-00-515375*

REGULAR SESSION / NEW BUSINESS

Chairperson Smith had to leave after the Public Hearing and delegated the role of chair to Member Dunning for the remainder of the meeting.

<u>PROJECT NAME</u>	<u>PROJECT DETAILS</u>
<p>Fuscaldo Area Variance Owner: Hermann Freihofer & Elizabeth Gilleski Applicant: Joe Fuscaldo Engineer: M. Gillespie & Associates Address: Bruzgul Road Parcel #: 6660-00-780173</p>	<p>Application for an area variance of 19.5 acres for required minimum lot size of 100 acres for proposed wedding venue conference center located in the RD-10 Zone.</p> <p style="text-align: center;">Meeting # 1</p>

Chairperson Smith welcomed the applicant Mr. Fuscaldo who is in contract to purchase the property and Mr. Gillespie, engineer on the application. Mr. Gillespie stated this is an application for an area variance for a proposed wedding venue, with 7 cottages to be used by the wedding party which will only occupy about 8-10 acres of the property.

The board asked the applicant to comment on the history of their application before the Planning Board. Mr. Gillespie stated a few months ago they went before the Planning Board for a sketch plat review. He explained during the review it was discovered that under use of a conference center, which was determined by the Code Administrator, that the property did not meet minimum acreage of 100 acres for that use. Mr. Gillespie stated they received good feedback from the Planning Board in regards to the concept of the project.

The Board stated they do not think that the application is at a point to be reviewed by the Zoning Board of Appeals, as it still unclear as to if this type of use is considered a conference center, and that other environmental impacts should be discussed before the Planning Board before the ZBA can decide. Mr. Gillespie stated the plan provided to both the Planning Board and ZBA is just a preliminary sketch to get an idea if the concept is allowed. He continued that the project fits within a conference center definition as per Code Administrator. Member Dunning asked the applicant if he could indicate whether they have explored other alternatives, such as the possibility of purchasing additional land in which case would not require a variance, or a less of a variance, and to elaborate on why the applicant considers the request not substantial, as they are asking for about 20% difference in the acreage required.

It was recommended to the applicant to submit a request for a work session which would allow the applicant to discuss the matter with the Town Engineer, Town Attorney, Planning Board Chair, ZBA Chair & Code administer, so that the applicant can get guidance as to the best way forward. Mr. Fuscaldo, purchaser of the property indicated that he is in contract to purchase the property pending the approvals and has a limited time to do so as per the contract. The board and applicant agreed the best way forward is to submit a work session review application before resubmitting a revised application with the boards suggested comments. The matter was adjourned.

PROJECT NAME

Dyckman Addition Side Yard Area Variance
Owner: Jonathan Dyckman
Applicant/Architect: Daniel Contelmo Architects
Address: 9 Robinwood Lane
Parcel #: 6661-00-987262

PROJECT DETAILS

Application for a side yard area variance of 8’ for a proposed 18’ x 36’ two story addition to existing dwelling located in the RA-3 zone.

Meeting # 1

Mr. Contelmo, Architect on the project began by explaining the details of the application, which is a proposed two-story addition to the existing one family dwelling. Mr. Contelmo stated the addition will have an additional bedroom & office, and there are no alternatives to the placement of the addition due to the septic location and the layout of the existing home. Mr. Contelmo stated the neighboring property’s garage is placed next to this addition, therefore no detriment to any neighboring properties. The board recommended the applicant revise the application to clarify and label what the provided photos & drawings are and number them accordingly and to also to submit a written description of the project.

With no further discussion the board made a motion, which was unanimously approved by the board to accept the application as complete with the condition that the applicant submit a revised application with the changes recommended before the deadline of July 16th, and Scheduled a Public Hearing on the Application for Tuesday, August 6th 2024 @ 7:35 pm.

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 Dunning and unanimously accepted by the Board, to adjourn the meeting at 9:35 PM.

The next regular/public meeting of the Zoning Board of Appeals is scheduled for **Tuesday August 6th 2024, at 7:30 PM.** The agenda will close on **July 16th 2024 at 12:00 Noon.** Items for consideration at the **August** meeting must be received by that date.



**Zoning Board of Appeals approval on the application of Mike & Tara Somsag for an Application for the conversion of detached 2-story structure to 1-bedroom accessory apartment located in the RA-3 Zone Located at 57 South Parliman Rd Lagrangeville NY 12540 Parcel #: 6660-00-515375
Date: 7/2/2024**

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, you cannot see the structure from the street.

- 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: Building was existing, there are no alternatives to allow the apartment to be handicap accessible.

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

Facts and Finding: No, as the building was in existence prior to Zoning district change, when the acreage needed was less.

- 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

- 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. Footprint sqft variance §210-56(B)(2)(b) extent 369 sqft;
2. Apartment sqft variance §210-56B(2)(d) extent 237 sqft & §210-56B(1)(b)(3);
3. Lot size variance §210-56(B)(2)(a) extent 1.2 acres.

Conditions: Yes

Condition 1: Planning Board approval for special use permit.

Seconded Member Nilsen

Roll Call Vote:

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

Signed,



7/2/2024

DATE

Emily Cole, Secretary

Zoning Board of Appeals

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