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TOWN OF UNION VALE PLANNING BOARD

MINUTES OF THE REGULAR MEETING

April 11, 2019
7:30 pm

BOARD MEMBERS PRESENT: Chairperson Kevin Durland, Board members, Pasquale Cartalemi, Scott Kiniry, Michael Mostachetti, Kaye Saglibene and Alain Natchev

Alternate Members and Members absent: Board member Karl Schoeberl

Others present: none

CALL TO ORDER / DETERMINATION OF QUORUM

Chairperson Kevin Durland called the meeting to order at 7:30 pm and determined a quorum was present to conduct business.

BUSINESS SESSION

• **Meeting Agenda.**

Chairperson Kevin Durland asked for a motion to accept the agenda as published, motion by Board member Pasquale Cartalemi, seconded by Board member Alain Natchev, accepted unanimous vote of the Board members present.

• **Minutes.**

Chairperson Kevin Durland asked for a motion to approve the regular meeting minutes from the March 14, 2019, motioned by Board member Alain Natchev, seconded by Board member Pasquale Cartalemi and unanimous vote of the Board members present.

PUBLIC HEARINGS:

None.

REGULAR SESSION (NEW BUSINESS)

John & Sandra Russo and Salvatore & Angela Pasquariello
168 South Parlman Road
Lagrangeville, NY 12540
Parcel Site: Same
TMP# 6660-00-593670

Regular Meeting – 1
SUP – Accessory Apt.
within primary dwelling

Special Permit Use application requesting legalization of existing accessory apartment within a single family dwelling, in the RA 3 zoning district.

Chairperson Kevin Durland welcomed the applicants and asked them to please briefly explain their project.

Angela Pasquariello was present with her parents, Mr. John and Sandra Russo. Ms. Pasquariello approached the Board and explained that her parents and her purchased the house at 168 South Parlman in

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October, 2018 and explained that it had an existing mother/daughter setup since it was built in 1986. The owners received a Zoning Board determination in 1986 to construct a mother/daughter house with the condition, that if the “mother” residing in the one portion of the house “ceases” that the mother/daughter would approval would also cease and a new approval would be needed.

Ms. Pasquariello explained that they purchased the house with intentions to have her parents live with them, they have not intentions to rent the portion that her parents would be residing in.

Board member Alain Natchev asked who is on the deed, and has the transfer of sale taken place, for it is not showing on the current GIS program. Ms. Pasquariello stated that her, her husband, and her parents on are the deed and the transfer of sale did take place in late October, 2018. The clerk noted that she has a copy of the deed of transfer, has been updated in the RPS assessors file and tax file, but the GIS program can take up to 6 months to be updated by the County.

Chairperson Kevin Durland stated that according to the code, the house is required to be “owner occupied” at all time during this use, it is not allowed that it be utilized as a two family rental. Ms. Pasquariello stated that her and her husband, this is their primary residence and have no intentions of rented it out.

With no further question from the Chairperson or the Board members present, Chairperson Durland asked for a motion to set a public hearing on the above referenced project for May 9, 2019 at 7:35 pm, motion by Board member Michael Mostachetti, seconded by Board member Kaye Saglibene and unanimous vote of the Board members present.

Mary Lent
71 Eddy Road
Verbank, NY 12585
Parcel Site: Same
TMP# 6662-01-464880

Regular Meeting – 1
SUP – Accessory Apt.
within primary dwelling

Special Permit Use application requesting legalization of existing accessory apartment within a single family dwelling, in the R1.5 zoning district.

Chairperson Kevin Durland welcomed the applicants and asked them to please briefly explain their project.

Mary Lent was present and explained that she has an existing apartment within her primary dwelling and wanted to get a C/O for it, after inquiring about it through the Building Inspector, she was informed that she needed to obtain a Special Use Permit from the Planning Boar and an area variance from the Zoning Board of Appeals.

Chairperson Kevin Durland asked the applicant if they understood that if the apartment is utilized, the house has to be owner occupied for this to be legal, Ms. Lent understood.

Board member Pasquale Cartalemi asked for Ms. Lent to show where the two parking spaces will be for the accessory apartment and does the house have BOH approval for 3 or 4 bedrooms.

Ms. Lent stated that she has the BOH approval, and can show where the parking will be on the map for the next meeting.

Chairperson Kevin Durland stated that this cannot be accepted as a complete application, and deferred the application until the May 7, 2019 meeting, with additional requested information submitted by the Planning agenda deadline of April 18, 2019, and advised the applicant to submit a variance application to the ZBA.

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Lawrence Mattiello
115 North Smith Road
Lagrangeville, NY 12540
Parcel Site: 79 Styles Way
TMP# 6662-00-315346

Regular Meeting – 1
Lot Line Adjustment

Discussion - Subdivision, Lot line adjustment for TMP# 6662-00-315346 to convey residential property line into commercial (Airport) zoning to increase residential property line buffer

Mr. Mattiello was present and explained that he purchased the property at 115 North Smith Road and after reviewing the survey, Mr. Mattiello expressed the would like to change the “lot line” between parcels that he owns to transfer property from commercial zoning to residential zoning to add more of a residential buffer to the house that he currently resides in. The residential lot consists of 6.43 +/- acres, the commercial lot consists of 34.74 +/- acres and the proposed transfer from commercial to residential is 3.1 +/- acres. This matter has been discussed before the Town Board regarding a change in zoning, and the Town Board referred Mr. Mattiello to the Planning Board for their opinion on the proposed project.

Board member Scott Kiniry asked which Board would be doing the SEQRA review for this project, would it be the Town Board or the Planning Board and which Type action would it be Type I or Type II.

After discussion between the Board members, Chairperson Kevin Durland asked that the Clerk for the board discuss with Town Counsel to determine which Board will be conducting the SEQRA review and further determine which action it is, Type I or Type II.

Chairperson Kevin Durland deemed the application complete, asked for a motion to have the clerk for the Board forward a letter of positive opinion from the Planning Board to the Town Board regarding the above stated project for the proposed lot line in such Zoning district, motion by Board member Michael Mostachetti and Board member Pasquale Cartalemi.

Prosciutto Properties, Inc.
1867-1875 Route 55
Lagrangeville, NY 12540
Parcel Site: Same
TMP# 6660-00-384427

Regular Meeting – 1
Site Plan Discussion

Application to discuss matters of Site Plan submission for above stated parcel.

Chairperson Kevin Durland welcomed the applicants Engineer, Christian Moore from KC Engineering and asked them to please briefly explain their project.

Mr. Moore explained that he is the new engineer on this project, for Ernest Martin, P.E. was the previous engineer and has since retired.

Mr. Moore explained that he is aware that there is a history with the project, it was close to having a completed Site Plan, when the project went into limbo, he contacted the previous Town Engineers Lawrence Paggi and Liz Axelson for their comment letters to help understand where the project left off.

Mr. Moore explained that he visited the site for the first time and was unaware of the conditions before that. Mr. Moore explained that the sheds that are on the property, are from a previous tenant and the current owner does not own them, therefore the owner is in the process of finding out how they can get removed. The site has a material storage in the rear of the property and the encroachment in the rear of the property has been removed. The Site plan depicts parking on the sides and front. Mr. Moore explained that the NYSDOT letter

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dated March 13, 2017 states the fence location is ok in the right-of-way, but the stone wall and signage location may not be in the right-of-way, therefore needs to be re-located.

Board member Pasquale Cartalemi asked about the parking, if there are two business approved at this location, retail landscaping and automotive repair, then the parking spots need to be reconfigured to either 21 parking spaces or 17 parking spaces, depending on how many businesses are there, and the spaces cannot be located further than 300' from the building, the business is being conducted out of.

Board member Pasquale Cartalemi asked about the handicapped parking space, why there is only one and why is it located behind a gate/fence, is there access to building from the side or rear for the handicapped person to enter the business/businesses for it does not depict any entrances on the Site plan. Mr. Moore stated there is door in the back of the building for access.

Board member Kaye Saglibene asked why can't there be parking in the rear of the building, Mr. Moore stated that material is stored there and there isn't another place on the site to store it.

Board member Scott Kiniry asked if there is Board of Health approval for the property and how many bathrooms are located in the building/buildings? Mr. Moore stated he would need to look into the Board of Health approval and believes there is one bathroom, located on western side of the building, but can be accessed by the other side of the building.

Board member Pasquale Cartalemi stated that there is not proposed screening on the Site Plan, which is a requirement for Site Plan approval.

After discussion between the Board members and the applicants Engineer, Chairperson Kevin Durland asked for a motion that the Board not accept the application as complete, and referred Mr. Moore to the Town of Union Vale Site Plan requirements, code section 210-63 Application for Site Plan approval, consisting of 26 items to guide Mr. Moore in what needs to be on the Site Plan for the next meeting; and Chairperson Kevin Durland stated, if there is going to be a change of use on the property, (other than retail landscape and automotive repair), other uses would require and Special Use Permit application in conjunction with Site Plan approval; motion by Board member Kaye Saglibene, seconded by Board member Alain Natchev and unanimous vote of the Board members present.

ADJOURNMENT:

Chairperson Kevin Durland made a motion to close the meeting at 9:00 pm, seconded by Board member Kaye Saglibene and unanimous vote of the Board members present.

NEXT MEETING / SUBMISSION DEADLINE

The next Regular Meeting of the Town Planning Board is scheduled to occur on **THURSDAY, May 9, 2019**. The Agenda for the meeting will close on **Thursday, April 18, 2019** at noon hour. Both new applications of any type and all continuing submissions regarding site plans, subdivisions, special permits or other agenda items to be considered at the meeting must be received in their entirety at the Planning Board Office in required number, with all required application fees paid and required escrow deposits made, not later than the close of agenda.

Respectfully Submitted,

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Joan E. Miller
Planning Board Secretary / Clerk

Annexed documents: