



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

October 1st 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 September 3rd 2024

III. CORRESPONDENCE

None

IV. PUBLIC HEARING

PROJECT NAME

Cimmino Area Variance

Owner: James Cimmino
Applicant/Builder: Gerlad Thorpe
Address: 200 Mennella Road
Parcel #: 6859-01-27195

PROJECT DETAILS

Application for a side yard area variance of 1' for proposed 24' x 24' detached garage located in the R1 zone.

Meeting # 3

PROJECT NAME

Melilli Area Variance

Owner/Applicant: Carmelo Melilli
Address: 7 Hoofprint Road
Parcel #: 6663-04-753216

PROJECT DETAILS

Application for a rear yard area variance of 14.5' for proposed 12' x 24' storage shed located in the R1.5 zone.

Meeting # 2

V. REGULAR SESSION / NEW BUSINESS

None

VI. REGULAR SESSION / OLD BUSINESS

None

VII. OTHER BUSINESS

None

VIII. ADJOURNMENT

- NEXT DEADLINE: **October 15th 2024** (by Noon)
- NEXT MEETING **November 5th 2024**

UNION VALE ZONING BOARD OF APPEALS

Minutes of the Regular Meeting

7:30 pm

October 1st 2024

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

Approve meeting minutes from September 3rd 2024

PUBLIC HEARING

PROJECT NAME

Melilli Area Variance

Owner/Applicant: Carmelo Melilli

Address: 7 Hoofprint Road

Parcel #: 6663-04-753216

PROJECT DETAILS

Application for a rear yard area variance of 14.5’ for proposed 12’ x 24’ storage shed located in the R1.5 zone.

Meeting # 2

Chairperson Smith welcomed the applicant and owner Mr. Carmelo Melilli to give an overview of the application. There was a discussion about the distance from the property line to the location of the proposed shed. Mr. Melilli stated he intends on putting the shed in that location so that a majority of it will be on the existing driveway and he will only need to add minimal pavement, and will not have to remove any existing shrubs.

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 **GRANTED** the Melilli rear yard variance of 14.5’.

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 Carmel Melilli Jr. of 14.5’ rear yard variance for a proposed 20’ x 24’ detached shed in the R1.5 zone located at 7 Hoofprint Road Millbrook NY 12545. Parcel #: 6663-04-753216

PROJECT NAME

Cimmino Area Variance

Owner: James Cimmino

Applicant/Builder: Gerald Thorpe

Address: 200 Mennella Road

Parcel #: 6859-01-271955

PROJECT DETAILS

Application for a side yard area variance of 1’ for proposed 24’ x 24’ detached garage located in the R1 zone.

Meeting # 3

Chairperson Smith welcomed the owner Mr. Cimmino & applicant Mr. Thorpe to give an overview of the application, and discuss the changes to the amount of variance that is being requested. Mr. Thorpe stated that once the applicant had a more accurate location of the property line, which was calculated using the neighbor's survey and which included the distance from their house to the line, the applicant was then able to define the property line accurately and measure where the proposed garage would be, determining they only need 1' variance from the side line.

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 variance be granted. The Board then unanimously voted as follows:

The Town of Union Vale Zoning Board of Appeals **GRANTED** the Cimmino side yard variance of 1'.

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 James Cimmino of 1' side yard variance for a proposed 24' x 24' detached garage in the R1 zone located at 200 Mennella Road Poughquag NY 12570 Parcel #: 6859-01-271955

REGULAR SESSION / NEW BUSINESS

None

REGULAR SESSION / OLD BUSINESS

None

OTHER BUSINESS

Discussion regarding postponing the November 5th meeting to November 12th due to election day, which was unanimously approved by the board.

ADJOURNMENT

As there was no further business, a motion was made by the Chairperson Smith, and unanimously accepted by the Board, to adjourn the meeting at 8:20 PM.

The next regular/public meeting of the Zoning Board of Appeals is scheduled for **Tuesday November 12th 2024, at 7:30 PM.** The agenda will close on **October 15th 2024 at 12:00 Noon.** Items for consideration at the **November** meeting must be received by that date.



***Zoning Board of Appeals approval on the application of
Carmel Melilli Jr. of 14.5' rear yard variance for t proposed 20' x
24' detached shed in the R1.5 zone located at 7 Hoofprint Road
Millbrook NY 12545. Parcel #: 6663-04-753216***

Date: 10/1/2024

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, the area it is being installed is in the rear and it is a wooded area from the neighbor in the back & the applicant is also removing an old non-conforming shed from the location.

- 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: No, because of the odd shape of the property, there are limited locations.

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

Facts and Finding: Yes, it is more than 50% variance that is being requested.

- 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, the placement of the shed requires minimal disturbance, no removal of existing shrubs, and minimal pavement added for the installation.

- 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. Area variance §210-17(2) extent 14.5'

Conditions: No

Seconded Member Hughes

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

Signed,



10/1/2024

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 James Cimmino of 1' side yard variance for a proposed 24' x 24' detached garage in the R1 zone located at 200 Mennella Road Poughquag NY 12570 Parcel #: 6859-01-271955

Date: 10/1/2024

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, there were no objections from the neighbors, including the one who adjoins the property line. The design of the garage fits with the existing character of the home.

- 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: No, because of the terrain of the property & location of existing driveway there was no other location that is feasible.

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

Facts and Finding: No, it is a very small variance.

- 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, the placement of the garage requires minimal disturbance, no removal of trees from the area.

- 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. Area variance §210-17(2) extent 1’.

Conditions: No

Seconded Member McPartland

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,



10/1/2024

DATE

Emily Cole, Secretary

Zoning Board of Appeals

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