

TOWN OF UNION VALE PLANNING BOARD  
MINUTES OF THE REGULAR MEETING

**August 8, 2019**  
**7:30 pm**

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

Alternate Members and Members absent: none

Others present: James Nelson, Esq., Town Attorney

**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 Karl Schoeberl, seconded by Board member Alain Natchev, accepted unanimous vote of the Board members present.

• **Minutes.**

Chairperson Kevin Durland asked for a motion to accept the minutes from the July 11, 2019 regular meeting, motion by Scott Kiniry, seconded by Karl Schoeberl, and unanimous vote of the Board members present.

**PUBLIC HEARINGS:**

**Clove Valley Rod & Gun Club**  
**9 Club House Lane**  
**Lagrangeville, NY 12540**  
**TMP# 6761-00-873563**

**Regular Meeting – 2**  
**Lot Line Adjustment**

Applicant Clove Valley Rod & Gun Club is proposing a lot line adjustment of 6.71 +/- acres from a 693 acre, reducing to 686 +/- acres (parcel TMP# 6761-00-873563, owned by Clove Valley Rod & Gun Club) to TMP # 6861-00-165488, increase from 19.81 +/- acres to 26.52 +/- acres (owned by Powell) in the RD10 district.

Chairperson Kevin Durland made the motion to open the public hearing, seconded by Board Member Pasquale Cartalemi.

Mr. Brian Houston, L.S. representing his clients, presented the Board with a map depicting the lot line adjustment between Clove Valley Road & Gun Club and the Powell residence. Mr. Powell was asked Clove Valley Road and Gun Club for more of a barrier to the dwelling that sits on 19.81 acres that he owns. After negotiations, it was agreed that 6.71 acres (from the Gun club property) would be added to the 19.81 acres (Powell property), therefore, decrease the Gun club property from 693 acres to 686 acres and increase the

**DRAFT**

Powell property from 19.81 acres to 26.52 acres. Mr. Houston stated there is no future proposed development on either of these properties.

Mr. Houston stated that SEQRA was not necessary on this parcel due to the SEQRA regulations enacted January, 2019.

Chairperson Kevin Durland stated that it is an unlisted action under SEQRA, therefore no further review needs to be conducted.

With no further questions or concerns from the Board or public, Chairperson Kevin Durland asked for a motion to close the public hearing, motion by Board member Scott Kiniry, seconded by Board member Michael Mostachetti.

**Kevin Warren**  
**36 Turkey Run Road**  
**Hopewell Junction, NY 12533**  
**Parcel Site: 58 Pleasant Ridge Road Ext.**  
**Poughquag, NY 12570**  
**TMP# 6859-00-903925**

**Regular Meeting – 2**  
**Subdivision – Minor**

Applicant is proposing to subdivide a 144 +/- acre parcel into two lots, which 116.5 +/- acres within the Town of Union Vale and 27.5 +/- acres within Town of Beekman. The proposed subdivision will create a 5 +/- acre lot (wholly in the Town of Union Vale) and reducing the existing TMP 6859-00-903925 lot to contain 136 +/- acres in the RA5 District.

Chairperson Kevin Durland made the motion to open the public hearing, seconded by Board Member Alain Natchev.

Peter Sanders, from Rennia Engineering was present as well as the owner of the property, Mr. Kevin Warren.

Mr. Sanders explained his client purchased the property last August and is proposing a conventional subdivision that is subdividing a 5 acre lot off for his son to build a single family house. Mr. Sanders stated Kevin Warren, the owner, intends to build his house on the larger parcel of 136 acres, which currently has a barn, under renovation on it. Mr. Sanders stated that an easement will be generated in order to facilitate the utilities to both properties.

Chairperson Kevin Durland asked if there is a letter from Dutchess County stating that the building lot is suitable for SDS. Mr. Sanders stated it will be provided when applying for the Building permit. Chairperson Kevin Durland mentioned that the Zoning Administrator had some concerns that a variance maybe required regarding the fronting setback, from the existing barn parcel, and the newly created 5 acre lot.

Peter Sanders explained that there is a 35' setback from accessory structures in the RA5 district, and the setback is depicted as 36' from the front lot to the barn, it meets the requirement as per the code.

Board member Pasquale Cartalemi questioned if the existing barn, is considered a pre-existing non-conforming accessory structure, is allowed on a parcel without a primary dwelling and if this parcel is not in the agriculture district is the current barn over 20' in height, it may need a variance for the height.

Town Attorney James Nelson, asked if the parcel in in the agricultural district, by Dutchess County. The parcel is currently not listed in the agricultural district, but the owner, Kevin Warren stated he has submitted a letter to Dutchess County to get agricultural status for this parcel. Town Attorney, James Nelson stated if the owner could provide a letter to the Board stating that status, it would be helpful.

## DRAFT

Board member Alain Natchev stated that the plans submitted are not stamped by the Land Surveyor and or an Engineer, therefore we cannot accept the plans until they are stamped by a Licensed Land Surveyor or Engineer to validate the measurements, that were done in the field depicted on the Subdivision plat.

Chairperson Kevin Durland asked the public if there were any questions.

Mr. Otis an adjoining property owner spoke of the short notice he had of this hearing, being noticed by mail, and the mailing did not include a "subdivision plan", but a description of the subdivision, he was not able to review the plan until prior to the meeting tonight, he would like to have time to comment and not have this rushed through. Mr. Otis explained that his property is on the sloping side of the proposed 5 acre parcel and has some concerns regarding septic and wastewater draining into his property. Mr. Otis is in the construction business and is favorable of what he is seeing tonight, and thanked Union Vale for having a building buffer between properties, but wants to make sure the Planning Board reviews this application thoroughly and are not rushed.

Ms. Susan Hann, an adjacent property owner explained that her father lived on Pleasant Ridge Road Ext. and she now lives in her father's house, and expressed concern regarding the scenic beauty and scenic byway this property has and is for the community. Ms. Hann explained that on any given day people are stopping and taking pictures of the historic barn and view that this property has. She is most concerned that why is the 5 acre lot being subdivided in front of the barn, and why not behind the barn. Proposing a house in front of the barn will affect the scenic view, and is jeopardizing one of Union Vales historical landmarks, we as neighbors don't want to loss that.

Mrs. Miller, an adjacent property owner stated she would be most affected, the proposed 5 acre lot is directly across from her residence. She commended the Warren's for ascertaining the large endeavor of renovating the existing barn and beautifying it, but is concerned about the condition of Pleasant Ridge Road Extension with the construction vehicles and the placement of the driveway access to the proposed 5 acre lot and other lot after the current driveway access ceases.

With no further questions or concerns from the Board and public, Chairperson Kevin Durland asked for a motion to defer the public hearing to the September 12, 2019 meeting to allow the applicant to provide the Planning Board with a Stamped Engineer plan, copy of easement for utilities, letter from DC Board of Health for SDS approval and give time for the Planning Board to confer with Counsel concerning the conformity or non-conformity of the existing barn on its own parcel without a primary structure and the possible setback variance, motion by Board member Alain Natchev, seconded by Board member Michael Mostachetti.

### **REGULAR SESSION (OLD BUSINESS)\DECISION ON PUBLIC HEARING)**

**Clove Valley Rod & Gun Club  
9 Club House Lane  
Lagrangeville, NY 12540  
TMP# 6761-00-873563**

**Regular Meeting – 2  
Lot Line Adjustment**

Applicant Clove Valley Rod & Gun Club is proposing a lot line adjustment of 6.71 +/- acres from a 693 acre, reducing to 686 +/- acres (parcel TMP# 6761-00-873563, owned by Clove Valley Rod & Gun Club) to TMP # 6861-00-165488, increase from 19.81 +/- acres to 26.52 +/- acres (owned by Powell) in the RD10 district.

With no further questions from the Board members, Chairperson Kevin Durland offered the below draft resolution for the Boards consideration:

**Resolution: Close Public Hearing; and Preliminary  
Approval with Conditions of the Clove Valley Rod & Gun Club  
and  
William and Linda Powell Lot Line Adjustment.**

“The Town of Union Vale Planning Board hereby acts as follows in the matter of an Application known as Clove Valley Rod & Gun Club and William and Linda Powell Lot Line Adjustment under Town Code Chapters 192 Subdivision of Land and 210 Zoning for a lot line alteration as a minor subdivision for the lot line adjustment of 6.71 +/- acres from a 693 acre, reducing to 686 +/- acres (parcel TMP# 6761-00-873563, owned by Clove Valley Rod & Gun Club) to TMP # 6861-00-165488, increase from 19.81 +/- acres to 26.52 +/- acres (owned by Powell) in the RD10 district, as described or otherwise depicted within supporting information including subdivision plans prepared by Brian Houston, L.S., Bly & Houston, Inc. dated June 13, 2019:

1. Determines that the proposed Type II action does not require further SEQRA review, per NY CRR Part 617.56
2. Closes the Lot Line/Minor Subdivision public hearing.
3. Determines that since no new lots will be created that Town Code Chapter 192, Section 192-18 C.(3); regarding parkland is not applicable to this application.
4. Approves the Minor Subdivision Plat for a Lot Line Alteration based on the following conditions:
  - a. Payment of any outstanding fees.

A motion to adopt the above-stated 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:

Member Pasquale Cartalemi	Aye
Member Scott Kiniry	Aye
Member Michael Mostachetti	Aye
Member Karl Schoeberl	Aye
Member Alain Natchev	Aye
Member Kaye Saglibene	Aye
Chairperson Kevin Durland	Aye

and the Chairperson declared the Resolution:  
Adopted 7 Defeated 0

Resolution certified and filed:

---

Kevin Durland  
Chairperson for Planning Board

---

August 8, 2019

## **DRAFT**

### **REGULAR SESSION (NEW BUSINESS)**

**RRC Holding Inc.**  
**11 Potter Lane, Lagrangeville, NY 12540**  
**Site: Liberty Way, Lagrangeville, NY 12540**

**Regular Meeting 1**  
**Subdivision**

Applicant proposing a subdivision of 34.55 +/- acres (TMP 6660-00-720421) into two lots, lot # 1 being 16.74 +/- acres and lot 2 being 17.81 +/- acres in the RA3 District.

Mr. William Povall was present representing RRC Holdings, Inc., and explained that the owners purchased a 34.55 parcel and after doing soil tests for individual building lots, it was determined after the results, that a two lot subdivision was most suitable. Therefore his client is proposing two lots, lot A to be 16.74 acres and lot B be 17.81 acres, he would prefer the large lots to have two separate driveways off the current cul-de-sac. The newly created two lots do not have enough road frontage, therefore they are aware according to George Kolb, Zoning Administrator determination letter, that two variances for 100' each are needed.

Mr. Povall explained that his client was not interested in extending the cul-de-sac to encroach into the lots, but preferred to apply for variances if need be.

Board member Scott Kiniry asked if any part of the lot, specifically 10% or more, classified wetlands. Mr. Povall stated there are no wetlands on any of the property.

Board member Pasquale Cartalemi had some questions if this was part of the original subdivision that included 5-8 lots, unsure if it is/was, variances may not be needed, if they were considered flag lots from the original subdivision.

After discussion by the Board members present, Chairperson Kevin Durland stated that if this application is deemed to need variances, then SEQRA should be determined and if it should be coordinated or uncoordinated review.

At which time, James Nelson, Town Attorney suggested that the action under SEQRA would be classified as Unlisted, and depending if it is coordinated or uncoordinated, a notice of intent should be sent out. Chairperson Kevin Durland asked for a motion that the Planning Board determine the action for this application is Unlisted and a coordinated review will be done by the Planning Board, therefore directing the Land Use Secretary to send out a Notice of Intent, declaring Town of Union Vale Planning Board as lead agency in the SEQRA review to all involved agencies, motion by Alain Natchev, seconded by Board member Michael Mostachetti, and unanimous vote of the Board members present.

### **REGULAR SESSION (OLD BUSINESS)**

**Prosciutto Properties, Inc.**  
**1867-1875 Route 55**  
**Lagrangeville, NY 12540**

**Regular Meeting 2**  
**Site Plan**

Applicant requesting discussion review of a proposed Site Plan for above referenced property.

Mrs. Campanaro was present and representing herself and her son. Mrs. Campanaro stated that KC Engineering submitted revised plans that incorporated the revisions that the Planning Board suggested from last month's meeting.

Board member Pasquale Cartalemi stated this newest submission included concerns he had from the last meeting specific to the handicapped parking, location of the dumpsters and some tree screenings.

## DRAFT

Chairperson Kevin Durland noted that the type of trees that are going to be used for screening should be depicted on the Site Plan, specific to species, spacing, and maintenance. Board member Michael Mostachetti questioned why the screening trees are located behind the fence, they should be in front of the fence, to screen the fence, correct. Discussion occurred regarding the location of the trees, and it was determined the NYSDOT did not want the trees in the Right of Way (in front of the fence), therefore the applicant placed the trees behind the fence.

Board member Alain Natchev mentioned if the fence in the front of the property is to stay, and no screening of plants are going to be planted, that the Planning Board place a condition, that the fence be properly maintained, to include that all the privacy slats be in place, the same color and if any break that they be replaced, and the fence be maintained on both sides, including any climbing brush be removed from the fence.

Chairperson Kevin Durland stated this plan has been before the Planning Board and numerous times and asked if the Board was ready to accept the application as complete and set for a public hearing.

Board member Scott Kiniry stated that if the applicant can have their Engineer submit revised plans to the Planning Board with the revisions suggested, then he would favor accepting it complete tonight.

Chairperson Kevin Durland asked for a motion to accept the application submittal date March 21, 2019, revision Site Plan July 17, 2019 as complete, directing the clerk to set the application up for public hearing for September 12, 2019 at 7:35 pm, with the applicant Patricia Campanaro, on the record, agreeing to waiving the 62 day public hearing decision for this application, motion by Board member Scott Kiniry, seconded by Board member Michael Mostachetti, and unanimous vote of the Board members present.

### **ADJOURNMENT:**

Chairperson Kevin Durland made a motion to close the meeting at 9:20 pm, seconded by Board member Scott Kiniry 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, September 12, 2019**. The Agenda for the meeting will close on **Thursday, August 22, 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,

---

Joan E. Miller  
Planning Board Secretary / Clerk

Annexed documents:  
Public hearings: Clove Valley Rod & Gun Club  
Warren Subdivision