

TOWN OF UNION VALE PLANNING BOARD

**MINUTES OF THE REGULAR MEETING**

**February 13, 2020**

**7:30 pm**

**BOARD MEMBERS PRESENT:** Chairperson Pasquale Cartalemi, Board members Alain Natchev, Karl Schoeberl and Kaye Saglibene

Alternate Members and Members absent:

Scott Kiniry, Michael Mostachetti and Stephen Diamond

Others present:

James Nelson, Esq., Town Attorney,

**CALL TO ORDER / DETERMINATION OF QUORUM**

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

**BUSINESS SESSION**

• **Meeting Agenda.**

Chairperson Pasquale Cartalemi reviewed the agenda and accepted as published.

• **Minutes.**

Chairperson Pasquale Cartalemi asked for a motion to accept the January 23, 2020 special meeting minutes, motion by Board member Alain Natchev, seconded by Board member Karl Schoeberl and unanimous vote of the Board members present.

• **Correspondence**

Chairperson Pasquale Cartalemi noted the following correspondence were received:

Efferen application:

Email rec'd dated 2/5/2020 from Lea Springstead, SunCommon

ECS Application:

Letter dated 1/23/2019, rec'd 2/3/2020 from Michael & Johanna Costello

Letter dated 2/3/2020, rec'd 2/3/2020 from Wallace & Wallace

**PUBLIC HEARINGS:**

**Kariann & Joseph Efferen  
103 Cunningham Drive  
Lagrangeville, NY 12540**

**Regular Meeting - 2  
Special Use Permit  
Ground Mount Solar**

Applicant is applying for a Special Use Permit to install ground mount solar panel system located in the rear yard in the R1 zoning district.

Chairperson Pasquale Cartalemi opened the public hearing, seconded by Board member Kaye Saglibene.

Chairperson Pasquale Cartalemi explained that the applicant and/or the representative for Efferen were not available for the meeting tonight, and received an email stating that the applicant maybe looking into roof top solar panels, but nothing is definite.

Chairperson Pasquale Cartalemi asked anyone that would like to speak had three minutes to speak and please sign in.

Michelle Garcia-Rybkin from Dolly Lane spoke about at the last meeting the applicant or salesperson was supposed to submit some more detailed pictures of the solar panels, specific to the placement in the yard and explain what the circles on the submitted plan represent. Chairperson Pasquale Cartalemi stated that no additional information has been submitted from either applicant or salesperson. Mrs. Garcia-Rybkin asked how long the public hearing is going to be open, Chairperson Cartalemi stated the public hearing could be held open indefinitely, but at this time, it is being held open until the March 12, 2020 meeting, but once the public hearing is closed, the Planning Board is required to make a decision within 62 days, either granting or denying the Special Use Permit.

Antonietta Occhiocone from Cunningham Drive, stated the she would be in favor of roof top solar, not ground mount. The ground mount solar is very close to my property line, it is visible from my side & back yard, it will bring property values down and living in a community that has deed restrictions and rules, I don't feel this should get approved.

With no further comments from the public or Board members, Chairperson Pasquale Cartalemi made the motion to continue the public hearing until March 12, 2020 at 7:35 pm or thereafter, seconded by Board member Alain Natchev, all in favor, motion carried.

**ECS Real Estate Holdings  
NYS Route 55  
Lagrangeville, NY 12540**

**Site Plan**

Applicant applying for a Commercial Site Plan to construct a 2100 square foot building to house a fitness facility in the Town Center zoning district.

Chairperson Pasquale Cartalemi asked for a motion to open the public hearing, motion by Board member Kaye Saglibene, seconded by Board member Alain Natchev.

Matt Towne, P.E., Engineer for the project, made a brief presentation of the project overview for the public, he summarized what happened at the January 23, 2020 meeting and that they are still awaiting response from the NYSDOT, Dutchess County 239 referral and working on the property line dispute between the adjoining neighbors. Basically the application is in a "holding pattern", Mr. Towne explained.

After the applicant made a brief presentation, Chairperson Pasquale Cartalemi asked if anyone from the public had any comments.

Kristin Dionne, a Beekman resident, stated that she is in support of the new gym, Ed, the owner is great for the community, and he gives back to the community. He is a young successful business owner that we need to retain, and I'm in full support of this application.

Bonnie Zarzeka, resident, stated that Ed is great for the community, he is energetic and enthusiastic and I'm in full support of his proposed application.

Jade Zarzeka, a resident, stated ECS is a great place and close by to work out at and am in support of the project.

Board member Karl Schoeberl asked if the Town Engineer had reviewed this submittal and comment letter, Chairperson Pasquale Cartalemi stated "yes" a comment letter was received from Tom Harvey, EIT, on January 20, 2020.

After no further comments from the Board or public, Chairperson Cartalemi asked for a motion to continue the public hearing until the March 12, 2020 at 7:30 pm or thereafter, motion by Board member Alain Natchev, seconded by Board member Kaye Saglibene, all in favor, motion carried.

**RRC Holdings, Inc.  
Liberty Way  
Lagrangeville, NY 12540**

**Special Use Permit  
& Subdivision**

Applicant applying for Special Use Permit to subdivide one parcel into two lots in the RA-3 Zoning district.

Chairperson Pasquale Cartalemi made the motion to open the public hearing, seconded by Board member Kaye Saglibene.

After the applicant made a brief presentation, Chairperson Pasquale Cartalemi asked if anyone from the public had any comments, with no comments, Chairperson Pasquale Cartalemi stated that the 239 referral comment from Dutchess County has not been received yet, therefore he asked for a motion to defer the public hearing until the March 12, 2020 at 7:35 or thereafter, motion by Board member Kaye Saglibene, seconded by Board member Alain Natchev.

**REGULAR SESSION (NEW BUSINESS)**

**Charles Bilangino  
139 Killearn Rd.  
Millbrook, NY 12545**

**Regular Meeting 1  
Lot line adjustment**

Applicant proposing to convey 12.86 acres from existing 33.46 acres lot, then merge property into their 10.86 acre lot, in the RD10 district.

Chairperson Pasquale Cartalemi asked the applicant and/or its representative, Mr. Brian Houston, L.S., to make a brief presentation for the Board members.

Mr. Brian Houston, from Bly and Houston, Inc., was present and explained that the owners property consisting 33.46 acres are proposing to merge approximately 12.69 acres of that parcel to an adjoining landowner's vacant property consisting of 10.86 acres. The 33.46 acre lot would be reduced to 20.77 acres and the 10.86 acre parcel would increase to 23.59 acres. The main reason the adjoining land owner would like to acquire the property, is to maintain privacy and keep a barrier from other neighbors, for he uses the property for hunting.

Mr. Brian Houston explained that the neighbor and Mr. Bilangino are in contract for this proposed lot line. Mr. Houston stated that the neither of the owners are proposing any development, or further subdivision of the lands, just utilizing the lands for hunting purposes.

With brief discussion between the Board members, Chairperson Pasquale Cartalemi accepted the application as complete, declared it a TYPE II action under SEQR, and set up for public hearing on March 12, 2020 at 7:35 or thereafter, motion by Board member Kaye Saglibene, seconded by Board member Karl Schoeberl, all in favor, motion carried.

**REGULAR SESSION (OLD BUSINESS)**

**James & Ermino Bisceglia  
141 N. Clove Rd.  
Verbank, NY 12585**

**Regular Meeting – 3  
Special Use Permit  
Detach access. Apt.**

Applicant applying for a Special Use Permit to utilize an existing accessory apartment in an existing garage located in the R 1.5 district.

Chairperson Pasquale Cartalemi welcomed Mr. Bisceglia and stated that the Board has been notified that the owner of the property (Ermino Bisceglia) has passed, and gave his condolences to James Bisceglia, but read the code section pertaining to accessory apartments and in the code it states that the primary dwelling has to be “forever owner occupied”. Mr. Bisceglia stated he is not living at 141 N. Clove Rd. and intends to fix up the house and sell it.

Town Attorney James Nelson interjected that maybe Mr. Biscelgia could discuss code section 210-56 B with George Kolb, the Zoning Administrator for the Town of Union Vale and ask for an interpretation or there maybe a way that the application can continue, if the Planning Board incorporates a condition, but this would have to be discussed with the Zoning Administrator.

With that said, Chairperson Pasquale Cartalemi stated that he would like to defer the application until the March 12, 2020 meeting, so that the applicant can discuss with George Kolb, motion by Kaye Saglibene, seconded by Board member Alain Natchev, all in favor, motion passed.

**ADJOURNMENT:**

Chairperson Pasquale Cartalemi made a motion to close the meeting at 8:35 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, March 12, 2020 at 7:30 pm**. The Agenda for the meeting will close on **Thursday, February 20, 2020** 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 Miller*

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*Joan Miller*  
*Land Use Secretary*

*Annexed documents:*  
*Poughkeepsie journal – public hearing – Efferen, RRC Holdings and ECS Real Estate holdings*