

**TOWN OF UNION VALE PLANNING BOARD**

**MINUTES OF REGULAR MEETING**

August 17, 2016

Board Members Present: Chairperson Kevin Durland, Board Members Pasquale (Pat) Cartalemi, Michael (Mike) Mostaschetti, Alain Natchev, Scott Kiniry, John Rapetti and Karl Schoeberl

Alternate Members Absent: Rallph Mondello, Kaye Saglibene

**CALL TO ORDER / DETERMINATION OF QUORUM**

Chairperson Kevin Durland called the meeting to order at 7:30 pm. and determined a quorum was present and conduct business. Due to the brief agenda, at the Chairperson's request, the Town Planner Art Brod was not required at tonight's meeting.

**BUSINESS SESSION**

**Acceptance of Minutes.** Chairperson Kevin Durland asked for a motion to accept the July 20, 2016 Regular Meeting Minutes. A motion was made by Board member Alain Natchev, seconded by Board member Pasquale Cartalemi and adopted by unanimous vote of the Board members to accept the Minutes as submitted by the Secretary for that meeting.

**Acceptance of Planning Consultant's Meeting Notes.** Upon motion by Board member Alain Natchev, second by Board member Karl Schoeberl and unanimous vote of the Board members present, the Town Planner's Meeting Notes were accepted as guidance in the consideration of matters set forth on this Regular Meeting Agenda.

**Announcement / Next Meeting.** Chairperson Kevin Durland stated the next Regular Meeting will be on September 21, 2016.

**REGULAR SESSION (APPLICATION SUBJECT OF PUBLIC HEARING)**

**Bryan and Katie Zittel – 35 Patrick Drive, Lagrangeville, NY 12540 - Special Use Permit to propose to construct an 884 s.f. addition to their single-family Principal**

dwelling within the RA3 District for purposes of occupancy as a one-bedroom Accessory Apartment.

Chairperson Kevin Durland opened the public hearing and the clerk read the legal notice for the record.

Mr. Rutledge was present, representing his daughter, Katie Zittel the owner of the house. Mr. Rutledge explained that he and his wife are retired and live with his daughter and son-in-law currently at 35 Patrick Drive, and would like to construct an accessory apartment for them so that they can help with the upbringing of their grandchildren while their children go to work.

The clerk noted that following three variances were granted by the Zoning Board of Appeals at the August 3, 2016 meeting:

*Motion by Board member James D. Layton and seconded by Board member Board member Ilana Nelson to adopt the following resolution:*

*The Town of Union Vale Zoning Board of Appeals **GRANTS** the 3 area variances to construct an accessory apartment in the RA3 district: (1) a 1.19 acre area variance (under § 210-56 B. (1)(a)[2], the minimum lot size required is 3 acres; the lot size is 1.81 acres); (2) an area variance to allow for 166 square feet of additional habitable floor area (under § 210-56 B. (1)(a)[3], an accessory apartment may not be more than 35% of total habitable floor area of principal dwelling); and (3) an area variance to allow for an additional 734 square feet to the 150 square foot maximum allowed under § 210-56 B. (1)(a)[4] for an extension to the existing foundation, for Bryan and Katie Zittel, 35 Patrick Drive, Lagrangeville, NY 12540.*

*Conditions: The occupant of the accessory apartment shall be a family member or relation to the family that resides in and owns the principal dwelling.*

*Motion unanimously approved by vote of five; variance granted.*

Board member Scott Kiniry asked a question about the submitted survey, and Mr. Rutledge stated that he intends to have the property survey updated once the proposed addition/accessory apartment is under construction and George Kolb, CEO for the Town of Union Vale will have it in the Building department. Board member John Rapetti had a question about the breezeway, will it be enclosed or will it be open and will it have a full foundation. Mr. Rutledge stated at this time the breezeway is going to be enclosed and will have a full foundation. Mr. Rutledge stated they are removing one bedroom within the existing house, which has Board of Health approval for a 4 bedroom house septic, and move that bedroom into the accessory apartment. Board member Alain Natchev asked if the proposed accessory structure will match the existing house, such as siding, roof line. Mr. Rutledge explained he is keeping the addition the same style as the

existing house, matching everything. The shingles of the existing house were replaced last year, so they should match the new structure well, not much fading.

Board member Alain Natchev stated that there looks to be adequate parking, but did mention he had concern regarding the 3 or 4 propane tanks that were located outside the garage when he did a site visit. Mr. Rutledge stated the tanks were empty and he plans on removing them. Board member Alain Natchev asked if they were keeping the above-ground pool, Mr. Rutledge stated “no”; they will not be replacing it, but the playground area will stay, but will probably move it to another area in the yard.

With no further questions or comments from the Board members or public, Chairperson Kevin Durland closed the public hearing.

Chairperson Kevin Durland offered the below draft Approval Resolution for the Boards consideration:

**Resolution under Town Code Chapter 210, Zoning**  
**Approval of Application by Bryan and Katie Zittel, Owner**  
**Special Use Permit (Apartment Accessory to a Principal Dwelling)**

“The Town of Union Vale Planning Board hereby acts as follows in the matter of an Application by Bryan and Katie Zittel, Owner, for Special Use Permit under Zoning Law Sections 210-10 and 210--56(B) for a One-bedroom Apartment Accessory to a Principal Dwelling proposed to be created through a 884 s.f. to a single-family, owner-occupied dwelling on 1.82-acre TMP 18-6761-00-022032 at 35 Patrick Drive within the RA-3 District, being the subject of an Application for Area Variances submitted to and accepted for processing by the ZBA on July 6, 2016, which resulted in the ZBA’s grant on August 3, 2016, of requested relief in the matters of minimum required lot area, maximum foundation area (‘footprint’) of the addition to accommodate proposed use, and maximum square footage of accessory apartment as a percentage of the square footage of the principal dwelling, and as described or otherwise depicted within supporting information including a Short EAF Part 1 affirmed by Mr.Zittel, a prior Survey Map of August 17, 1995, by J, Charles Boolukos, and several unattributed drawings including sketch site plan, floor plans and elevations depicting both the location of the Principal Dwelling and the proposed Accessory Apartment and the layout / design of each:

1. Reaffirms its prior classification of the Proposed Action involving the Application to the Planning Board for Special Use Permit and other permits, approvals and compliance determinations as may be required from other agencies as a Type II Action under SEQRA for which further environmental quality review is precluded.
2. In consideration of the Area Variances granted by the ZBA on August 3, 2016, determines the proposed use to be consistent with each of the General Standards for special permit uses set forth within Town Code Chapter 210 at Section 210-55.
3. In consideration of the Area Variances granted by the ZBA on August 3, 2016, further determines the proposed use is consistent with each of the Additional Standards for an Accessory Apartment within Principal Dwelling set forth within Town Chapter 210 at Section 210-56, subsection B(1), paragraphs (a), subparagraphs [1] through [10], and will further be

confirmed by the Town Code Enforcement Officer as to its consistency with subparagraph [11] in the matter of required Dutchess County Health Department (DCHD) approval for sanitary sewage and water supply facilities prior to the issuance of any permits for the Accessory Apartment. See CEO's attached Zoning Determination of June 6, 2016, as revised to June 15, 2016, indicating the manner in which compliance with DCHD standards will be achieved.

4. Grants the requested Special Use Permit conditional upon requirement that documentation of consistency of the Accessory Apartment with above-cited subparagraph [11] be both presented to and found the satisfactory by the CEO with copy of said documentation forwarded to the Planning Board so as to remove the stated condition and permit the Planning Board's close-out of its project file.

Attachments: ZBA's Decision and CEO's Determination"

A motion to adopt the above-stated Approval Resolution was made by Board member Pasquale Cartalemi and seconded by Board member Alain Natchev.

The below roll call vote was taken by Chairperson Durland:

Member Pasquale Cartalemi	Aye
Member Scott Kiniry	Aye
Member Michael Mostachetti	Aye
Member John Rapetti	Aye
Member Karl Schoeberl	Aye
Member Alain Natchev	Aye
Alternate Member Ralph Mondello	Absent
Alternate Member Kaye Saglibene	Absent
Chairperson Kevin Durland	Aye

whereupon the Chairperson declared the Resolution:

Adopted 7                      Defeated 0

Resolution certified and filed:

\_\_\_\_\_  
Joan E. Miller  
Planning Board Secretary / Clerk

\_\_\_\_\_  
Date

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

None.

### **OTHER BUSINESS**

None scheduled.

### **ADJOURNMENT**

There being no further business to come before the Planning Board, the Chairperson asked for a motion to adjourn. A motion to do so was made by Board member Alain Natchev and seconded by Board member John Rapetti. The motion was adopted unanimously by the Board members present. The Chairperson declared the Planning Board meeting adjourned at 8:00 p.m.

Respectfully submitted,

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Joan Miller  
Planning Board Secretary

Annexed document: public hearing notice, Poughkeepsie Journal, Bryan and Katie Zittel