

TOWN OF UNION VALE PLANNING BOARD

MINUTES OF REGULAR MEETING

March 16, 2016

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

Members Absent: Chairperson Kevin Durland and Board Member Scott Kiniry

Others Present Alternate Board Members Ralph Mondello and Kaye Sagliabene:

CALL TO ORDER / DETERMINATION OF QUORUM

With Chairperson Kevin Durland absent due to illness, Town Planner Art Brod asked the Board to designate an “acting” Chairperson to conduct the meeting. A motion was heard from Board member Alain Natchev to designate Pasquale Cartalemi as the Acting Chairperson to conduct business, seconded by Board member John Rapetti and adopted by unanimous vote of the Board members present.

Acting Chairperson Pasquale Cartalemi then called the meeting to order at 7:30 pm. and determined a quorum was present. He further welcomed to the Planning Board and designated the two Alternate Board members, Ralph Mondello and Kaye Saglibene, to be voting Board members at this meeting in the absence of Chairperson Kevin Durland and Board member Scott Kiniry.

BUSINESS SESSION

Acceptance of Minutes. Acting Chairperson Pasquale Cartalemi asked for a motion to accept the February 17, 2016 Regular Meeting Minutes and the March 2, 2016 Special Meeting Minutes. A motion was made by Board member Alain Natchev, seconded by Alternate member Ralph Mondello and adopted by unanimous vote of the Board members to accept both minutes as submitted by the acting secretary for those meetings, Town Planner Art Brod.

Acceptance of Town Planner’s Meeting Notes. Upon motion by John Rapetti, second by Alain Natchev 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. Acting Chairperson Pasquale Cartalemi stated the next Regular Meeting will be on April 20, 2016.

REGULAR SESSION (OLD BUSINESS)

None scheduled.

REGULAR SESSION (NEW BUSINESS)

Bulls Head-Oswego Monthly Meeting (Robert B. Suter, Trustee) – 4 North Smith Road -- Subdivision

The Bulls Head-Oswego Monthly Meeting proposes to subdivide its 1.9-acre parcel at 4 North Smith Road into two parcels, creating a new 1.2-acre parcel with frontage on North Smith and Ricks Roads and a 0.7-acre rear parcel including the meeting house for transfer to an abutting property owner, presumably as an annexation parcel for consolidation with the adjoining parcel.

Acting Chairperson Pasquale Cartalemi welcomed Mr. Robert Suter from the Quaker Society regarding a conceptual review of a subdivision plan.

Mr. Suter explained that an adjacent landowner from the Quaker Society's owned property is seeking to purchase some property from them and he is asking the Planning Board for a conceptual review of such subdivision of lands. The subdivision would require a variance from the ZBA to reduce the area of the already non-complying 1.9 acre lot to 1.2 acres, which was acknowledged by Mr. Suter.

Town Planner Art Brod stated he drove by the site before attending the Planning Board meeting and noted there does not appear to be any substantial problems with the proposal, except for the required variance which Mr. Suter identified. Mr. Brod stated that the variance that would be required would related only to 1.2 acre parcel that would remain with the cemetery, in that the remaining 0.7 acre including the meeting house would be consolidated with the adjacent ownership. If the setback is established on basis of the sketch plan, setback for the meeting house will not be an issue is that a minimum of 35 feet is shown.

Board member Alain Natchev had a question regarding the deed of the property, on the submission there appears to be two owners and it could lead into a legal issue. Alternate Board member Kaye Saglibene asked Mr. Suter if they still use the meeting house, Mr. Suter stated "no". Town Planner Art Brod stated that future use of the meeting house is unknown, once acquired by Mr. Israel, the adjacent landowner that

would like to purchase the property, and this may need other approvals. In addition concern was expressed by both the Society and the Planning Board that modifications to, or even demolition of this historic structure (c. 1792 according to Mr. Suter) would be outside the purview of either the Town (except for the ministerial issuance of a demolition permit) or the Society upon transfer to Mr. Israel.

Acting Chairperson Pasquale Cartalemi asked the Town Planner Art Brod to elaborate on how Mr. Suter could proceed. He responded proceeding is contingent upon preparation of survey map / subdivision plat and submission of individual applications to the Planning Board and the Zoning Board of Appeals accompanied by a Short EAF Part ZBA authorization is required to reduce the already non-complying 1.9 acre lot to 1.2 acres. Requirement for the recording by Mr. Israel concurrently with transfer of the 0.7-acre parcel of a merger, or consolidation, deed combining the 0.7 acre with his adjacent land would be a stated condition of subdivision plat approval. The Town Planner emphasized that an area variance must be first granted by the ZBA prior to approval of the Planning Board.

Elizabeth Noonan / Raven Strange – 448 Camby Road – Special Use Permit

This matter is the subject of February 26, 2016, zoning determination and referral to the Planning Board by the CEO in consideration of an area variance granted by the ZBA in the minimum lot area for a Caretaker's Cottage (reduction from 25 acres to 13.98 acres).

Acting Chairperson Pasquale Cartalemi welcomed Mrs. Noonan and her daughter Raven Strange. Mrs. Noonan explained that she submitted joint applications to the Zoning Board of Appeals and the Planning Board in December 2015. She has since been seen by the Zoning Board of Appeals and acquired an area variance for an 11.02-acre reduction in minimum lot area to construct a Caretakers Cottage, which the ZBA Clerk verified.

She said she appeared for the January 2016 Planning Board meeting and nobody was at the Town Hall and she was never notified that the meeting had been cancelled. She was then told that she was not on the February 2016 Planning Board meeting agenda by the Code Enforcement Officer but was told that she would be on the March 16, 2016 Planning Board Meeting. Acting Chairperson Pasquale Cartalemi stated that the Board has been without a Secretary for two months and now has a Secretary that can help streamline the process.

Upon note of the requirement by the Town Planner, Mrs. Noonan and her daughter expressed displeasure for not being previously advised of the requirement of Zoning Law Section 210-56(B)(3)(e) by Code Enforcement Officer George Kolb. The Acting Chairperson advised she have her professionals contact the Dutchess County Health Department in this regard, with the Board noting she appears to have been proceeding to this point without the services of a professional engineer. While it has no option to accepting the area variance granted by the ZBA, the Planning Board did express

concern that the Zoning Board of Appeals would have granted an area variance to authorize a Caretaker's Cottage be constructed on such a small parcel.

Acting Chairperson Pasquale Cartalemi read the below procedural resolution, as prepared by the Town Planner, for the Planning Board's consideration:

Resolution under Town Code Chapter 210, Zoning
Processing of Application by Elizabeth Noonan / Raven Strange
Special Use Permit (Caretaker's Cottage)

"The Town of Union Vale Planning Board hereby acts as follows in the matter of an Application by Elizabeth Noonan / Raven Strange for Special Use Permit under Town Code Chapter 210, Zoning, Section 210-10 and 210-56(B)(3) for construction of a 1472 s.f. Caretaker's Cottage and installation of related site improvements on 13.98-acre TMP 18-6763-00-510089, an existing lot of record with established principal single-family dwelling, at 448 Camby Road in the Rural Development (RD-10) Zoning District as subject of an Area Variance with respect to minimum lot area granted by the ZBA on March 2, 2016, and as described or otherwise depicted within supporting information including Land Survey and architectural plans prepared by Bly Houston L.S., dated October, 2015 and Serge Architects dated November 11, 2015; and a Short EAF dated March 16, 2016.

1. Accepts the Applications under Town Code Chapter 210, Zoning, as adequate for Planning Board, consultant and public review.
2. Declares the Application be part of a Proposed Action within the classification of a 'Type II Action' for which further environmental quality review is precluded under SEQRA.
3. Schedules a Public Hearing on the Application for Wednesday, April 20, 2016, at 7:35 p.m., and directs the Chairperson with assistance of the Secretary to provide or otherwise cause the noticing in the Town's official newspaper and posting thereof, including on site and with for individual notice to certain adjoining and/or otherwise adjacent owners.
4. Delegates Planning Board members Ralph Mondello and Kaye Saglibene to conduct a field visit to the site and report their observations concerning the Applications at the time of Public Hearing.
5. Requires submission of a copy of the Application or other documentation submitted to the Dutchess County Health Department for approval of proposed on-site water supply and sanitary sewage arrangement designed to serve the Caretaker's Cottage.
6. Without prejudice to any input that may be received in response to referral, formulated based upon observations during field visit or otherwise received at the

Public Hearing, authorizes the Town Planner to prepare a draft Approval Resolution with appropriate conditions for the Board's consideration on April 20, 2016, or at such later occasion as may be timely."

A motion to adopt the above-stated Procedural Resolution was made by Board member Michael Mostachetti and seconded by Board member John Rapetti.

The below roll call vote was taken by Acting Chairperson Cartalemi:

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

whereupon the Chairperson declared the Resolution:

Adopted by a Vote of 7 Ayes and 0 Nays.

Resolution certified and filed:

Joan E. Miller
Planning Board Secretary / Clerk

Date

[AB1] Richard Mackey – NYS Route 55 opposite Wisseman Road – Pre-Submission Conference

This matter is the subject of a February 19, 2016, zoning determination and by the CEO, including call for the Applicant to schedule a conceptual meeting with the Planning Board to discuss an intended Business Office / Storage Building (20,000 s.f. building footprint) on a 25.279-acre parcel in the Town Center (TC) District.

Acting Chairperson Pasquale Cartalemi asked if Mr. Mackey was present. There being no response, the Acting Chairperson asked the Clerk to reach out to Mr. Mackey to see if he would like to appear at the April 20, 2016 meeting.

OTHER BUSINESS

None scheduled.

ADJOURNMENT

There being no further business to come before the Planning Board, the Acting 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 Acting Chairperson declared the Planning Board meeting adjourned at 9:00 p.m.

Respectfully submitted,

Joan Miller
Planning Board Secretary