

DRAFT

TOWN OF UNION VALE PLANNING BOARD

MINUTES OF THE REGULAR MEETING

May 9, 2019
7:30 pm

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

Alternate Members and
Members absent: Board member Pasquale Cartalemi

Others present: none

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 Alain Natchev, seconded by Board member Michael Mostachetti, accepted unanimous vote of the Board members present.

• **Minutes.**

Chairperson Kevin Durland asked for a motion to approve the regular meeting minutes from the April 11, 2019, with one correction of a “b” missing”, motioned by Board member Alain Natchev, seconded by Board member Michael Mostachetti and unanimous vote of the Board members present.

PUBLIC HEARINGS:

John & Sandra Russo and Salvatore & Angela Pasquariello
168 South Parlman Road
Lagrangeville, NY 12540
Parcel Site: Same
TMP# 6660-00-593670

Regular Meeting – 2
SUP – Accessory Apt.
within primary dwelling

Special Permit Use application requesting legalization of existing accessory apartment within a single family dwelling, in the RA 3 zoning district.

Chairperson Kevin Durland opened the public hearing, motion by Scott Kiniry and seconded by Board member Kaye Saglibene. The clerk read the notice into the record.

Mrs. Pasquariello was present with her parents and approached the Board. Mrs. Pasquariello explained that they purchased the house in 2018 and thought the house was a legal two family, but later found out that there was an expired variance relating to the “legality” of the two family with the previous owners passing. They are looking to legalize this two family and have no intentions of renting it, just having her parent live with them.

DRAFT

Both Chairperson Kevin Durland and Board member Alain Natchev noted the site visit to the premises was uneventful and the application was submitted was complete.

With no further questions or concerns from the Board or public, Chairperson Kevin Durland made the motion to close the public hearing, seconded by Board member Kaye Saglibene.

REGULAR SESSION (OLD BUSINESS\DECISION ON PUBLIC HEARING)

**John & Sandra Russo and Salvatore & Angela Pasquariello
168 South Parlman Road
Lagrangeville, NY 12540
Parcel Site: Same
TMP# 6660-00-593670**

**Regular Meeting – 2
SUP – Accessory Apt.
within primary dwelling**

Chairperson Kevin Durland offered the below draft resolution for the Boards consideration:

RESOLUTION ADOPTING A TYPE II ACTION UNDER SEQRA

**SPECIAL USE PERMIT
Russo and Pasquariello
Accessory Apartment within Primary Dwelling
TMP # 6660-00-593670**

**Date: 5-9-2019
Resolution #: P2019 -7
Russo/Pasquariello
168 South Parlman Road
Lagrangeville, NY 12540**

“I move that the Planning Board determine that the existing Accessory Apartment at 168 South Parlman Road, Lagrangeville, NY 12540 has been declared a Type II action under SEQRA section 617.5(c)(18), that the proposed action requires **no further review** under the SEQRA.

Moved By: Board member Kaye Saglibene
Seconded By: Board member Karl Schoeberl

Kevin Durland, Chairperson	Aye
Scott Kiniry, Board member	Aye
Michael Mostachetti, Board member	Aye
Alain Natchev, Board member	Aye
Karl Schoeberl, Board member	Aye
Pasquale Cartalemi	absent
Kaye Saglibene	Aye

Kevin Durland, Planning Board 5-9-2019
Date

Motion carried by 6 votes

RESOLUTION APPROVING SPECIAL USE PERMIT

**SPECIAL USE PERMIT
Russo and Pasquariello
Accessory Apartment within Primary Dwelling**

TMP # 6660-00-593670

Date: 5-9-2019

Resolution #: P2019-8

Whereas, a formal application for special use permit approval of Russo and Pasquariello for the purpose of Legalizing an existing Accessory Apartment located within the primary dwelling located at 168 South Parlman Road, Lagrangeville, NY 12540 in the Town of Union Vale was submitted to the Planning Board by Russo/Pasquariello on March 6, 2019.

Whereas, the requirements for special use permits of Chapter 210, Section 210-56-B, of the Code of the Town of Union Vale have been met, except as waived by the Planning Board, and

Whereas, in accordance with Chapter 210, Section 56-B, the principal dwelling unit shall be intended to be owner-occupied and either the principal dwelling unit or the accessory apartment will forever be required to be owner-occupied, and

FURTHER IT BE RESOLVED, that the special use permit entitled Russo & Pasquariello, Accessory apartment within Primary Dwelling located at 168 South Parlman Road, Lagrangeville, NY 12540, dated March 6, 2019, be approved and the Zoning Administrator may issue the necessary building permit(s) upon completion of such conditions as are noted below.

Conditions of special use permit approval shall be as follows:

- 1. Building issuance of a Certificate of Occupancy for the Special Use Permit, wording to include on the C/O : “Chapter 210, Section 56-B, the principal dwelling unit shall be intended to be owner-occupied and either the principal dwelling unit or the accessory apartment will forever be required to be owner-occupied.”**

Moved By: Board member Scott Kiniry

Seconded By: Board member Alain Natchev

Kevin Durland, Chairperson	Aye
Scott Kiniry, Board member	Aye
Michael Mostachetti, Board member	Aye
Alain Natchev, Board member	Aye
Karl Schoeberl, Board member	Aye
Pasquale Cartalemi	absent
Kaye Saglibene	Aye

Kevin Durland, Planning Board

5-9-2019
Date

Motion carried by 6 votes

DRAFT

Mary Lent
71 Eddy Road
Verbank, NY 12585
Parcel Site: Same
TMP# 6662-01-464880

Regular Meeting – 1
SUP – Accessory Apt.
within primary dwelling

Special Permit Use application requesting legalization of existing accessory apartment within a single family dwelling, in the R1.5 zoning district.

The clerk noted that Mrs. Lent was before the Zoning Board of Appeals for a .4 lot acreage area variance on May 7, 2019 and the application was approved and is set for public hearing on June 4, 2019.

The clerk also noted that she received an email dated May 9, 2019 that Mrs. Lent was unable to attend the Planning Board meeting.

Chairperson Kevin Durland explained that from the last Planning board meeting in April, the board requested Mrs. Lent submit additional material to complete her application, specifically the Board of Health approval and pictures depicting two parking spaces for the accessory apartment.

After some discussion between the Board members present, Board member Alain Natchev suggested that the resolution contain a condition by the Planning board or Zoning Board that the site be inspected annually by the Building/Code Enforcement inspector to ascertain that the applicant is adhering to the two bedrooms upstairs and one bedroom downstairs, per BOH approval for three bedrooms.

With no further questions or comments from the Board members present, Chairperson Kevin Durland asked for a motion to set public hearing for the above stated application for June 13, 2019 at 7:35pm, motion by Scott Kiniry, seconded by Alain Natchev, unanimous vote of the Board members present.

Lawrence Mattiello
115 North Smith Road
Lagrangeville, NY 12540
Parcel Site: 79 Styles Way
TMP# 6662-00-315346

Regular Meeting – 1
Lot Line Adjustment

Discussion - Subdivision, Lot line adjustment for TMP# 6662-00-315346 to convey residential property line into commercial (Airport) zoning to increase residential property line buffer.

Chairperson Kevin Durland explained that it was not clear at the April 11, 2019 Planning board meeting if the Town Board or the Planning Board was going to submit the Letter of Intention as lead agency, but after discussion with the Town Board, and email received from Town Supervisor Maas on April 30, 2019, it was clear that the Town Board was “deferring” the matter of lead agency to the Planning Board. There was also an email received from the Town Attorney and Town Engineer agreeing with the Planning Board that this application is an Unlisted action under SEQRA, and Chairperson Kevin Durland would like to offer the below resolution for the Planning Boards consideration:

DRAFT
Resolution: SEQRA Unlisted Action; and
Set Concurrent Lot Line Adjustment Public Hearing
Mattiello Lot Line

DRAFT

“The Town of Union Vale Planning Board hereby acts as follows in the matter of an application known as Mattiello Lot Line under Town Code Chapter 210 Zoning for lot line adjustment at a site located at 79 Styles Way and 115 North Smith Road, Lagrangeville, NY 12540 in the Airport and RA3 Zoning districts, as described or otherwise depicted with supporting information including site plan prepared by Gary LaTour, L.S. dated December 17, 2018:

1. The Town of Union Vale Planning Board determine this re-zoning as an **Unlisted Action** under SEQRA per New York State Environmental Quality Review Act (SEQRA) as per the regulations in NY CRR Part 617;
2. The Town of Union Vale Planning Board wishes to act as Lead Agency and circulate a Notice of Intention to act as Lead Agency to any and all involved agencies;
3. Makes 239 – m referral to Dutchess County Planning and Development under General Municipal Law Section 230 I, m and n;
4. Sets Lot Line adjustment public hearing to be held on June 13, 2019 at 7:35 pm.

A motion to adopt the above stated resolution was made by Board member Scott Kiniry and seconded by Board member Alain Natchev.

Below roll call vote:

Kevin Durland, Chairperson	Aye
Scott Kiniry, Board member	Aye
Michael Mostachetti, Board member	Aye
Alain Natchev, Board member	Aye
Karl Schoeberl, Board member	Aye
Pasquale Cartalemi	absent
Kaye Saglibene	Aye

Chairperson Kevin Durland

5-9-2019 Motion carried by 6 votes

REGULAR SESSION (NEW BUSINESS)

None.

ADJOURNMENT:

Chairperson Kevin Durland made a motion to close the meeting at 8:15 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, June 13, 2019**. The Agenda for the meeting will close on **Thursday, May 23, 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.

DRAFT

Respectfully Submitted,

Joan E. Miller
Planning Board Secretary / Clerk

Annexed documents: