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TOWN OF UNION VALE PLANNING BOARD

MINUTES OF THE REGULAR MEETING

March 14, 2019

7:30 pm

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

Alternate Members and Members absent: Board members Scott Kiniry and Michael Mostachetti

Others present: Town Engineer, Thomas Harvey

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 Pat Cartalemi, seconded by Board member Kaye Saglibene, accepted unanimous vote of the Board members present.

• **Minutes.**

Chairperson Kevin Durland asked for a motion to approve the regular meeting minutes from the February 14, 2019, motioned by Board member Alain Natchev, seconded by Board member Pasquale Cartalemi and unanimous vote of the Board members present.

PUBLIC HEARINGS:

**Louis F. Gagliardi, Jr.
682 North Clove Road
Millbrook, NY 12545
Parcel Site: Same
TMP # 6762-00-803010**

**Regular Meeting – 2
Special Use Permit
Legalize – Existing
Detached Accessory Apt.**

Application for special use permit to legalize an existing detached accessory apartment (approx. 814 square feet) above an existing garage that was constructed in 2005 under permit # 73-05, in the RD10 zoning district and determined by Building Inspectors letter dated 12/18/2018.

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

Mr. Gagliardi was present and briefly explained to the Board and public that he purchased this property in late 2018 and received a letter of violation from the Building Inspector of the Town of Union Vale that the existing apartment above the detached garage was illegal and that I needed to get a Special Use permit from the Planning board in order to keep the finished apartment or he would need to remove, demolish it. Mr.

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REGULAR SESSION (OLD BUSINESS – DECISION ON PUBLIC HEARING)

**Louis F. Gagliardi, Jr.
682 North Clove Road
Millbrook, NY 12545
Parcel Site: Same
TMP # 6762-00-803010**

**Regular Meeting – 2
Special Use Permit
Legalize – Existing
Detached Accessory Apt.**

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

**Town of Union Vale Planning Board
249 Duncan Road
Lagrangeville, NY 12540
(845) 724-5600**

RESOLUTION APPROVING SPECIAL USE PERMIT

Existing Detached Accessory Apartment

**Date: 3/14/2019
Resolution #: P2019-5**

Whereas, a formal application for special use permit approval of 682 North Clove Road, Millbrook, New York 12545 for the purpose of Legalizing an existing (703 sq. ft.) Accessory Apartment located in a detached garage at 382 North Clove Road, Millbrook, NY 12545 in the Town of Union Vale was submitted to the Planning Board by Louis Gagliardi on November 28, 2018.

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 Existing detached Accessory Apartment at 682 North Clove Road, Millbrook, NY 12545, dated March 14, 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 Karl Schoeberl

Seconded By: Board member Kaye Saglibene

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- Aye Kevin Durland, Chairperson
- Absent Scott Kiniry, Board member
- Absent Michael Mostachetti, Board member
- Aye Alain Natchev, Board member
- Aye Karl Schoeberl, Board member
- Aye Pasquale Cartalemi
- Aye Kay Saglibene

 Kevin Durland, Planning Board

3/14/2019
 Date

Motion carried by 5 votes

REGULAR SESSION (NEW BUSINESS)

Prosciutto Properties, Inc.
1867-1875 Route 55
Lagrangeville, NY 12540
Parcel Site: Same
TMP# 6660-00-384427

Regular Meeting – 1
Site Plan Discussion

Application to discuss matters of Site Plan submission for above stated parcel.

The clerk emailed the applications engineer, KC Engineering on February 26, 2019 to confirm they were on the Agenda for March 14, 2019.

Chairperson Kevin Durland asked if there was any representation for this application from the public, with no response, the Board further discussed how to proceed with this matter.

After discussion, Chairperson Kevin Durland recommended that the Clerk for the Board notify the applicant in writing that the submitted Site plan application has expired, and therefore a new Site plan application needs to be submitted with appropriate application fee and escrow deposit, according to Site plan code requirements and Town of Union Vale fee/escrow schedule, motion by Pasquale Cartalemi, seconded by Karl Schoeberl, and unanimous vote of the Board members present.

Mac & Buck, LLC
Route 55
Lagrangeville, NY 12540
Parcel Site: Same
TMP # 6660-00-206503

Regular Meeting – 1
Sketch Plat Discussion/submit
Cross Orchard Apartments

Initial submission for Sketch Plat discussion. Applicant proposing Cross Orchard apartments complex.

Chairperson Kevin Durland welcomed Dennis Lynch, from MA Day Engineering, whom is representing the applicant.

Mr. Lynch explained that he made a presentation before the Town Board last month, regarding the proposed 125 unit town house complex his client is proposing, and the Town Board referred us to the Planning Board for Sketch Plat, for their opinion on the project.

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Mr. Lynch explained that that the 25 +/- acre parcel on Route 55 sits directly across from Wisseman Road. The units will consist of 2 and 3 bedroom two story units, some with have garages underneath, some will not. The current code states in the TC district, that mixed use of residential and commercial are needed to be incorporated in any development in that district, that is why the applicant reached out to the Town Board and is requesting a Zoning change, for the applicants are proposing that there be no commercial and only residential, for the adjoining properties are only residential.

Chairperson Kevin Durland asked why they are only proposing residential. Mr. Lynch stated that the adjoining properties are residential and they would like to keep with that character of the neighborhood and commercial rentals are very desirable in this economy, but residential is thriving. Mr. Lynch mentioned that Union Vale does not currently have anything like this in the Town and would benefit the Town with additional revenue in taxes.

Board member Pasquale Cartalemi stated that in the code, that if they are not age restrictive, the number of units allowed on that parcel is 30, if there is an age restriction, the number allowed is 75, so how did you calculate 125 units? Mr. Lynch stated that they would be asking for a waiver on the age restriction to allow 75 units, then we may need to apply for a variance to allow the additional 25 units.

Board member Kaye Saglibene asked if there are going to be any single level units, for there is a need for senior housing, say people that don't want the maintenance of a single family home with property, but still want to remain in Union Vale. Mr. Lynch stated most of the units will be 2 or 3 bedroom Town house style, so they will mostly be two level.

Board member Karl Schoeberl asked if there have been any well tests or septic testes done on the property and septic. Mr. Lynch stated the soil is not suitable for single wells and septic's, so they are proposing a water treatment facility on site as well as septic treatment center on site. They are proposing two wells to supply the water for the units, which have holding tanks.

Board member Pasquale Cartalemi asked if a traffic study has or could be done regarding the traffic that is going to be exiting, entering the project, say approximately 200 cars at peak travel time and months that school is in session. Mr. Lynch stated he approached the NYSDOT regarding site distance, curbing etc., but they would not review that until SEQRA review has started on the project. Mr. Lynch stated that his client has not done a traffic study, but he may be able to obtain a copy of one that was done prior to the bridge replacement on Route 55 that took place in the recent years.

After further brief discussion, Chairperson Kevin Durland and the Board members present stated that they believe the project in their opinion looks good, but there are some code concerns that need to be verified before a formal submission can commence. Specific to verification of the number of units allowed per the code and requiring Zoning Board interpretation of the code, code section 210-54 (E), 210-56 A(2) and 210-56A(5). The Board had questions regarding this submittal if it is cohesive with the Master Plan of the Town of Union Vale, the traffic, water supply and impact on adjacent residential wells.

ADJOURNMENT:

Chairperson Kevin Durland made a motion to close the meeting at 9:00 pm, seconded by Board member Pat Cartalemi 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, April 11, 2019**. The Agenda for the meeting will close on **Thursday, March 21, 2019** at noon hour. Both new applications of

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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:
Letters from C.E.O. Gagliardi
Public hearing notice - Gagliardi