



# Town of Union Vale Zoning Board of Appeals

Town of Union Vale Town Hall  
249 Duncan Road  
Lagrangeville, NY 12540

## Regular Meeting Agenda

At Town Hall

**August 6<sup>th</sup> 2024 @ 7:30 PM**

### Zoning Board Members:

Chairperson: Jane Smith, Members: John Hughes, Ilana Nilsen, Dennis Dunning & Mike McPartland

#### I. CALL TO ORDER / DETERMINATION OF QUORUM

#### II. BUSINESS SESSION

Approve meeting minutes from July 2<sup>nd</sup> 2024

#### III. CORRESPONDENCE

Letter from Michael Gillespie July 24<sup>th</sup> regarding Fuscaldo application to be adjourned to the September 3, 2024 meeting.

#### IV. PUBLIC HEARING

##### PROJECT NAME

**Dyckman Addition Side Yard Area Variance**  
Owner: Jonathan Dyckman  
Applicant/Architect: Daniel Contelmo Architects  
Address: 9 Robinwood Lane  
Parcel #: 6661-00-987262

##### PROJECT DETAILS

Application for a side yard area variance of 8' for a proposed 18' x 36' two story addition to existing dwelling located in the RA-3 zone.

Meeting # 2

#### V. REGULAR SESSION / NEW BUSINESS

##### PROJECT NAME

**Cimmino Area Variance**  
Owner: James Cimmino  
Applicant/Builder: Gerlad Thorpe  
Address: 200 Mennella Road  
Parcel #: 6859-01-27195

##### PROJECT DETAILS

Application for a side yard area variance of 8' for proposed 22' x 20' detached garage located in the R1 zone.

Meeting # 1

#### VI. REGULAR SESSION / OLD BUSINESS

None

#### VII. OTHER BUSINESS

None

#### VIII. ADJOURNMENT

- NEXT DEADLINE: **August 13<sup>th</sup> 2024** (by Noon)
- NEXT MEETING **September 3<sup>rd</sup> 2024**

**UNION VALE ZONING BOARD OF APPEALS**

**Minutes of the Regular Meeting**

**7:30 pm**

**August 6<sup>th</sup> 2024**

Members Present: Chairperson Jane Smith and Board members Dennis Dunning, John Hughes,  
Ilana Nilsen

Members Absent: Michael McPartland

**CALL TO ORDER / DETERMINATION OF QUORUM**

Chairperson Jane Smith determined that there was a quorum for the Zoning Board of Appeals (“the Board”) to conduct business and called the meeting to order.

**CORRESPONDENCE**

None

**BUSINESS SESSION**

Approve meeting minutes from July 2024.

**PUBLIC HEARING**

**PROJECT NAME**

**Dyckman Addition Side Yard Area Variance**  
Owner: Jonathan Dyckman  
Applicant/Architect: Daniel Contelmo Architects  
Address: 9 Robinwood Lane  
Parcel #: 6661-00-987262

**PROJECT DETAILS**

Application for a side yard area variance of 8’ for a proposed 18’ x 36’ two story addition to existing dwelling located in the RA-3 zone.

Meeting # 2

Mr. Contelmo, Architect on the project began by explaining the details of the application, which is a proposed two-story addition to the existing one family dwelling. Mr. Contelmo stated there was no alternative location to put the addition due to location of well and septic, and current layout of the home. Mr. Contelmo stated the closest neighbor to the addition will not have much of a visual from their home as the addition faces the neighbor’s garage. He continued that the design of the addition from the front appears to look like a one-story addition, and slopes down in the rear to a two-story addition, and the design fits best with the character of the existing home.

There was a discussion about how much of the addition is protruding into the setback, which is approximately 100 sqft of the total 600 sqft footprint of the addition. It was also noted by the board that the lot size is now substandard due to previous zoning changes, however all the neighboring lots are roughly the same size.

With no other comments or questions from the public or the board, the board discussed the factors they must consider when reviewing an application and the conditions that would be imposed should the variances be granted. The Board then unanimously voted as follows:

The Town of Union Vale Zoning Board of Appeals **GRANTED** the Dyckman addition side yard variance of 8’.

The Board’s findings with respect to each variance and the conditions imposed are set forth in attachments titled:

*Zoning Board of Appeals approval on the application of Jonathan Dyckman of an 8’ side yard setback for the addition of an 18’ x 36’ two story addition to existing dwelling located in the RA-3 Zone at 9 Robinwood Lane, Lagrangeville NY 12540 Parcel #: 6661-00-987262*

## REGULAR SESSION / NEW BUSINESS

### PROJECT NAME

#### **Cimmino Area Variance**

Owner: James Cimmino

Applicant/Builder: Gerald Thorpe

Address: 200 Mennella Road

Parcel #: 6859-01-27195

Chairperson Smith welcomed the owner Mr. Cimmino. There was a discussion regarding the required side set back needed for this application, which was clarified to be 25' side setback for accessory structures. Mr. Cimmino stated the property is approximately 4 acres, but very narrow from side to side, so due to this, the location of the septic and well, and existing driveway there were not any alternative for the location of the garage to not be within the setbacks.

There was a discussion about the lot and the parcel overlay that exists between them and the neighbor. Mrs. Cimmino stated there is a deed overlap, and that they have tried to clear that up in the past with the neighbor, without success. The board indicated that the location of the deed overlap is not near where the proposed garage is located, and may not be relevant to the decision on the matter.

The board asked the owner to modify some of the information regarding the correct code provision that a variance is needed for, and it was also noted the size of the garage needs to be correctly amended to 22' x 24' which also needs to be updated on the code administrator's determination letter. The board advised the applicant to make these changes before the next deadline for review, and, if acceptable, the board will schedule the public hearing for September, otherwise hold the application over to be reviewed for completion.

### OTHER BUSINESS

Chairperson Smith gave brief review to the board of the work session for the Fuscaldo application.

### ADJOURNMENT

As there was no further business, a motion was made by the Chairperson Smith, seconded by Member Dunning and unanimously accepted by the Board, to adjourn the meeting at 8:35 PM.

The next regular/public meeting of the Zoning Board of Appeals is scheduled for **Tuesday September 3<sup>rd</sup> 2024, at 7:30 PM.** The agenda will close on **August 13<sup>th</sup> 2024 at 12:00 Noon.** Items for consideration at the **September** meeting must be received by that date.



*Zoning Board of Appeals approval on the application of Jonathan Dyckman of an 8' side yard setback for the addition of a 18' x 36' two story addition to existing dwelling located in the RA-3 Zone at 9 Robinwood Lane, Lagrangeville NY 12540  
Parcel #: 6661-00-987262*

Date: 8/6/2024

*In making its determination, the ZBA shall take into consideration the benefit to the applicant if the Area Variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the board shall also consider:*

- 1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to the nearby properties will be created by the granting of the Area Variance. Comments?*

Facts and Findings: No, it will conform to the existing character of the home, and designed to minimize detriment to neighboring properties.

- 2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an Area Variance. Comments?*

Facts and Finding: No, due to the location of the septic, well, and topography of the land there were no others feasible locations for the addition.

- 3. Whether the requested variance is substantial. Comments?*

Facts and Finding: No, only approximately 100 sqft of the 600 sqft addition will be within the setback which is less than 17% of the addition.

- 4. Whether the proposed Area Variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. Comments?*

Facts and Finding: No, the closest neighbor to the addition will not have an interior visual of the addition.

- 5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the Area Variance. Comments?*

Facts and Findings: Yes, but does not preclude.

After considering the five factors and weighing the benefit to the Applicant as against the detriment to the health, safety and welfare of the neighborhood or community, Chairperson Smith offered the following motion to **GRANT** the following variances;

1. Side yard variance §210-11(A) extent 8'

**Conditions: No**

**Seconded Member Nilsen**

***Roll Call Vote:***

	<i>Aye</i>	<i>Nay</i>
<i>Jane Smith, Chairperson</i>	<u>✓</u>	<u>          </u>
<i>Dennis Dunning</i>	<u>✓</u>	<u>          </u>
<i>John Hughes</i>	<u>✓</u>	<u>          </u>
<i>Michael McPartland</i>	<u><i>Absent</i></u>	<u>          </u>
<i>Ilana Nilsen</i>	<u>✓</u>	<u>          </u>

Signed,



8/6/2024

DATE

Emily Cole, Secretary

Zoning Board of Appeals

cc: Applicant, Town Clerk, Planning Board Chair & Clerk  
Building Department & File