

UNION VALE ZONING BOARD OF APPEALS

Minutes of the Regular Meeting

7:30 pm

November 4th 2025

Members Present: Chairperson Jane Smith and Board members Dennis Dunning, Ilana Nilsen & Mike McPartland

Absent: John Hughes

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

Letter from George Kolb dated 10/23/25 with regards to the Perez application and screening reconditions.

BUSINESS SESSION

Chairperson Smith changed the order of the agenda to have Old Business, the Lewis Area Variance- Accessory Garage as the first item. The Board approved the October 7th meeting minutes.

PUBLIC HEARING

None

REGULAR SESSION / OLD BUSINESS

PROJECT NAME

PROJECT DETAILS

Lewis Area Variance- Accessory Garage

Owner/Applicant: Gary & Donna Lewis
Address: 40 Oakbrook Lane, Lagrangeville
NY 12540

Parcel #: 6661-00-667426

Application for the construction of a 28’ x 32’ accessory garage to be located in the side yard with the structure closer than 25’. Variance requested.

1. 11’ to place structure closer to the right-side line. §210-17A(2).

Lewis Area Variance -
Meeting # 2

The Chairperson noted that a revised Notice of Zoning Determination (NZD), dated November 3, 2025, included a needed area variance of 4’ for the distance separating the principal building and the proposed accessory building, which was not included in the initial NZD, dated June 25, 2025. The Board had noted, at its October 7, 2025, meeting, that the survey (Plan #3) did not show the distance separating the principal building from the proposed accessory building and thus, whether the location of the proposed accessory building complies with §210-17A (3), which states “No such structure shall be located less than 12 feet from the principal building or less than a distance equal to the height of the accessory building, whichever dimension shall be greater.” Therefore, the Board directed the applicant, at its October 7, 2025 meeting, to update the survey and show the distance from the corner of the accessory building to the principal building.

The Deputy Building Inspector issued a second revised NZD, dated November 4 2025, which stated “the garage is proposed to be 11’ 4” from the main home Sect. 210-17 requires a separation distance of 12’, thus requiring an area variance of 8’ 4”, without explaining how this number was derived. Because there was no clear statement regarding the height of the accessory building, the Board directed the applicant to consult with the Deputy Building Inspector and provide the accessory building height as defined in §210-86 A{192} (Height, Building).

At the November 4, 2025 meeting, the applicant presented an updated survey indicating that the distance between the principal building and the proposed accessory building will be 20' 3", which is greater than the maximum height (peak) of the proposed accessory building (20'). Thus, the applicant asserted that no area variance would be required to comply with §210-17A (3). Nonetheless, the Board again directed the applicant to consult with the Deputy Building Inspector and provide the accessory building height as defined in §210-86 A{192}. At the direction of the Board, Mr. Lewis corrected the code section on his application to §210-17A(2) from §210-17A(4) for the side yard area variance.

With no more comments the board agreed the application was complete and Chairperson Smith offered the following motion, which was unanimously accepted by the board:

“To accept the Application of Gary & Donna Lewis at 40 Oakbrook Lane LaGrangeville NY 12540 for a side yard area variance of 11’ to place a 28’ x 32’ accessory garage closer to the right side yard line §210-17A(2). Parcel #: 6661-00-667426”

1. *Classified as “Type 2 Action” under NYCRR Part 617.5 and as such, is precluded from environmental review under SEQRA.*
2. *Scheduled for a Public Hearing Tuesday, December 2nd 2025 @ 7:35 pm and the secretary will provide timely notice thereof.*
3. *The Applicant was advised that all costs involved in notifying the Public shall be reimbursed to the Town of Union Vale.*
4. *The Applicant was advised that a visit to the premises may -or- may not be scheduled.*

REGULAR SESSION / NEW BUSINESS

PROJECT NAME

PROJECT DETAILS

29 Styles Way LLC- USE Interpretation
 Owner: 29 Styles Way, LLC
 Applicant: SkyGeek Logistics, Inc.
 Engineer/Consultant: Christian Paggi
 Address: 29 Styles Way
 Parcel #: 6662-00-312295/6662-00-320289

Application for the legalization of a warehouse occupancy in the Airport Zone with the use currently housed in a 14,000 sqft Aircraft Hangar. “SkyGeek Corp” sells related aircraft supplies for the retail market via internet sales. (Sect. 210-47) Sect.210-47B(1)(a)[9] Sect. 210-47B(2)(f)
 1. Use interpretation requested.

Meeting # 1

Chairperson Smith welcomed consultant, Christian Paggi, from Paggi Engineering who is representing applicant SkyGeek Logistics and 29 Styles Way, LLC. The property is subject to a Notice of Violation, issued by CEO George Kolb on 7/18/24, for the operation of a warehouse in the A zoning district without required certificates of operation or occupancy. Applicant is requesting an interpretation that the current use is authorized as a retail shop pursuant to Sect. §210-47 B. (1)(a)[9], and §210 47 B. (2)(f) as associated storage for the repair and testing of aircraft equipment and parts. The only Certificate of Occupancy for the building, dated 4/27/01, is for an Aircraft Hanger.

Member Dunning asked applicant if an application was ever submitted in the past for an approval to run a retail shop out of the hanger. Applicant confirmed that no such application was submitted.

Chairperson Smith pointed out the distinction between the two code provisions relied upon by the applicant:

§210-47 B. (1)(a)[9] (“retail shop for aviation related supplies, accessories and gifts...”) is a permitted accessory use, which, under Sect. 210-47 B.(1)(a) must be “*directly related to and on the same parcel as the principal permitted airport use.*”

§210-47 B. (2)(f) (“Airplane salvage, fabrication, repair and testing of aircraft equipment and parts, including associated storage”) are permitted under Sect. 210-47 B. (2) as “*either coprincipal uses of the airport parcel or as a principal use of other parcels within the Airport District...*”

Chairperson Smith explained that there will be a hearing on the requested interpretation, and that the applicant needs to focus first on the principal use of the parcel, and whether SkyGeek’s operations fit within language of §210-47 B. (2)(f). Applicant’s challenge is to demonstrate with specific evidence that the storage that is going on in this hanger is associated with either airplane salvage, fabrication, and/or repair and testing of aircraft equipment and parts. The applicant’s operation must be a permitted principal use before it can have a permitted accessory use. Only if the use fits under Sect. 210-47 B.(2)(f) may the retail shop be permitted as an accessory use.

Mr. Paggi explained that this company had various of names and operated at this site for a very long time. He claimed that there had been no impact on the neighbors, that the applicant is trying to address the violation and has been working with George Kolb to find a path to legalize this. He emphasized that the current use is consistent with the airport uses. Mr. Paggi would like to find a path to move forward and legalize it. He acknowledged that another option would be to seek a zoning amendment from the Town Board that addresses this use specifically.

With no more comments the Board agreed the application was complete and Chairperson Smith offered the following motion, which was unanimously accepted by the board:

“To accept the Application for an interpretation that the current use of the structure at 29 Styles Way Lagrangeville NY 12540 is an authorized use under §210-47B(2)(f) & an accessory use under §210-47B(1)(a)[9] . Parcel #: 6662-00-312295/6662-00-320289”

1. *Scheduled for a Public Hearing Tuesday, December 2nd 2025 @ 7:45 pm and the secretary will provide timely notice thereof.*
2. *The Applicant was advised that all costs involved in notifying the Public shall be reimbursed to the Town of Union Vale.*
3. *The Applicant was advised that a visit to the premises may -or- may not be scheduled.*

PROJECT NAME

McEneaney Area Variance
Owner/applicant: Arkip McEneaney
Address: 29 Verbank Village Rd
Parcel #: 6663-19-519031

PROJECT DETAILS

Application for the legalization of work already performed for an accessory apartment in the H zone. Variance requested.
1. Area variance of 1.23 acres to allow for an accessory apartment.

Meeting # 1

Chairperson Smith welcomed applicant and owner Arkip McEneaney to give an overview of his application. Mr. McEneaney became aware that permits were needed before performing work for his accessory apartment when he received a violation letter from the Town’s CEO. He wants to legalize it all now since it was a misunderstanding.

Chairperson Smith asked if the house is a two-family house or if others live in it. Mr. McEneaney explained that his house was originally a post office on the right and someone living on the left; then it became a store. When he purchased the house, there were two kitchens in the back end, and he thought it was a multi-family house because of the layout with additional bathrooms, and a stairway to upper floor bedrooms.

The Board asked applicant his intention with respect to the accessory apartment, and whether he will make it into a separate unit. Mr. McEneaney wants to keep it unified. He would like to live on the left side of the building with his own privacy, and have guests on the right. Mr. McEneaney confirms that there are two front doors and two back doors that are side to side and this makes it like two units inside but it is still known as a single-family home.

Under code section 210-56B (1)(a)[2], an accessory apartment within an existing single-family home is allowed by special use permit provided the lot is not less than the minimum acreage for the zoning district. Applicant's lot is in the Hamlet district; it is only .27 acres; the minimum acreage for the district is 1.5 acres, thus, it would seem to require a variance of 1.23 acres as well as a special use permit from the Planning Board.

Chairperson Smith referred to code section 210-68A, a "grandfather clause" that allows for the continuation of lawful non-conforming uses in existence before the zoning code became effective. In order to take advantage of that provision, applicant would have to establish (with facts and timelines) that the building (as is) was lawful prior to the effective date of the code, and the accessory apartment continued to be maintained (without being expanded, moved or changed) according to applicable regulations and requirements, and not discontinued for a period of 18 months or longer. Chairperson Smith indicated that, if section 210-68's requirements were satisfied, this would alleviate the need for a variance, but demonstrating that the code's requirements have been met will not be an easy task. She encouraged applicant to seek assistance from CEO George Kolb and to discuss the matter with the Town's Assessor.

Chairperson Smith indicated that she had discussed the application with CEO George Kolb; he expressed concern with whether or not the septic system was compliant given the number of bedrooms. Applicant stated that the Board of Health had inspected the property and no issues were found but a letter is needed.

Chairperson recommended to applicant that, before the Board sets the matter for a hearing on a variance, he should research the history of the apartment; since he is asking for a big variance, he should not want to rule out being grandfathered in, and, in any event, the history will be useful in making his case for a variance.

The Board referred the applicant to the Historical Society for more guidance, and put the application for next month's agenda.

OTHER BUSINESS Two additional items were discussed: 1) The Town of Union Vale's new website, and 2) the discrepancies in the code between building permits and variance applications regarding whether a survey is required or may be waived. The Secretary explained that agendas will be up on the website soon and that she will review the website with the Board at the next meeting. The Board agreed to contact the Town's Attorney, James Nelson, for a status report on the survey issue and to ask him to attend the next meeting.

ADJOURNMENT

As there was no further business, a motion was made and seconded, and unanimously accepted by the Board, to adjourn the meeting at 8:54 PM.

The next regular/public meeting of the Zoning Board of Appeals is scheduled for **Tuesday December 2nd 2025**, at **7:30 PM**. The agenda will close on **November 11th 2025 at 12:00 Noon**. Items for consideration at the **December** meeting must be received by that date.