

**UNION VALE ZONING BOARD OF APPEALS**

**Minutes of the Regular Meeting**

**7:30 pm**

**February 3<sup>rd</sup> 2026**

Members Present: Chairperson Jane Smith and Board members Dennis Dunning and Ilana Nilsen.

Members Absent: John Hughes and Mike 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**

1. With respect to the conditional variance granted to Angel Perez on October 7, 2025: an email to Mr. Perez from Land Use Secretary and a response from applicant dated January 20, 2026, regarding the arborist’s submission of a more detailed tree screening plan.

**BUSINESS SESSION**

The Board approved the January 6<sup>th</sup> meeting minutes.

**PUBLIC HEARING**

**PROJECT NAME**

**PROJECT DETAILS**

**Canevari-Area Variance- Structured Shed**

Owner/applicant: Paul & Erika Canevari  
Address: 1811 Bruzgul Road, Lagrangeville  
Parcel #: 6660-00-680280

Application for the placement of a 10’x18’ structured shed to be located in the front yard. Variance requested.

1. 38’ 5” to place accessory structure closer to the front property line than the principal dwelling §210-17A(4).

Meeting # 2

The Board reviewed Mr. & Mrs. Canevari’s, revised submission received on January 13, 2026. Applicant provided the required information of a) an updated survey indicating the distance between the principal building and the front property line, b) new extent calculation of 38’ 5” as the area variance being requested, c) revised application with the correct extent of the area variance requested, and d) replacing the NZD in the application with the NZD dated December 22, 2025/REV.

The Board asked the applicant to address the five factors it must consider when reviewing an application. Mr. Canevari explained that, as shown on pictures taken from the road, the 10’ x 18’ Amish style shed will not be very visible from the road and will not affect the character of the neighborhood. Since the front of the house is angled on the lot, and the septic is located in the backyard. no other placement is available. The unusual orientation of the house mitigates the substantial nature of the variance and the self-created nature of the need for the variance. Mr. Canevari confirms that the shed will used for storage and will be placed at the top of the driveway for easier access. No tree removal or land leveling is needed.

The Board unanimously voted to grant Paul & Erica Canevari a front yard variance of 38' 5" with no conditions imposed; factual findings are set forth in the attachment titled:

*Zoning Board of Appeals approval on the application of Paul & Erica Canevari for an area variance of 38'5" to place a 10' x 18' structure shed closer to the front property line than the principal dwelling in the RA3 zone located at 1811 Bruzgul Road, Lagrangeville NY 12540. Parcel #: 6660-00-680280.*

**REGULAR SESSION / OLD BUSINESS**

**PROJECT NAME**

**PROJECT DETAILS**

**McEneaney Area Variance**

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

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 # 3

Chairman Smith began by explaining that, at the prior meeting on January 6, 2026, the Board raised code § 210-12. This section specifically provides that “nothing contained herein” (understood to mean nothing contained in Chapter 210 of the code) “shall prohibit the use of an existing lot of record” (a term defined in Article XII, § 210-86A) of “less than the prescribed lot area, lot width or lot frontage” so long as certain criteria are satisfied. This specific provision appears to override the supplementary regulations contained in code § 210-56. (See, code § 210-23 (“The Supplementary Regulations set forth in this article [V] are applicable to all uses and zoning districts within the Town of Union Vale unless otherwise specifically provided herein.”) The Board had sought the advice of counsel to gain a better understanding of these provisions.

The Board then discussed the six criteria needed to satisfy § 210-12 on an existing lot of record which, if satisfied, could alleviate the need for applicant to obtain a lot size variance in order to meet the requirement for a special use permit for an accessory apartment set forth in § 210-56 B. (1)(a)[2].

The first criteria set forth in §210-12 A. concerns the ownership of adjoining lots or tracts of land by the applicant; if, in the aggregate, the owner’s adjoining lots either comply or more nearly comply with the minimum lot area required in the District Schedule of Bulk Regulations, the owner does not obtain the benefit of §210-12. (Presumably, such an owner could combine the lots to achieve his or her purpose.) While Mr. McEneaney owns a separately numbered parcel across the street from his house, his garage and septic are located on the parcel across the street, and, while he pays two different tax bills for the parcels, the two parcels are effectively already conjoined since, by deed, he cannot sell them separately; in the aggregate the two parcels do not either comply or nearly comply with the 1.5 acre minimum lot requirement for the H District.

Next, development of the lot must satisfy town, county and state health requirements for potable water supply and sewage. Mr. McEneaney advised that the Department of Health confirmed that, since he had not added any bedrooms, these requirements were satisfied. Subsections C, D, E and F were also satisfied because the lot is not part of a subdivision, there is only one principal single-family dwelling on the property, and “development” of the lot is not in issue since the principal dwelling existed on the lot prior to zoning.

Chairperson Smith made a motion that the Zoning Board of Appeals (1) find that (a) this lot is an existing lot of record; and (b) that each of the criteria listed in code §210-12 subsections A-F is satisfied; and (2) interpret §§

210-12 and 210-23 as specifically exempting the applicant from either satisfying the lot acreage requirement under code §210-56 B (1)(a)[2] or obtaining a lot size variance in order to obtain a special use permit for an accessory apartment. The motion was seconded and unanimously approved. The applicant was advised to proceed to the Planning Board for a special use permit.

**OTHER BUSINESS**

**PROJECT NAME**

**PROJECT DETAILS**

**Perez Area Variance**

Owner/applicant: Angel Perez  
Address: 46 W. Clove Mtn Rd, Lagrangeville  
Parcel #: 6660-00-701662

Variance granted with conditions regarding screening on the side of the property.

At the meeting on January 6, 2026, the Board recommended that Mr. Perez stake out the location of trees, and consult with his neighbors to help assure that all were in agreement before trees were planted.

The Board read the correspondence received from applicant Angel Perez dated January 20, 2026, explaining the inability to meet with the arborist or his neighbors due to winter weather. The Board indicated that it was likely to accept as satisfactory a plan from the arborist (showing the species of trees, the number of each species and their sizes, and the location of planting) provided there was a written agreement signed by the neighbors stating that they are in agreement with the arborist's report.

The Board will wait for Mr. Perez to submit updates for review.

**ADJOURNMENT**

As there was no further business, a motion was made by the Chairperson Smith, seconded by member Nilsen, and unanimously accepted by the Board, to adjourn the meeting at 8:34 PM.

The next regular/public meeting of the Zoning Board of Appeals is scheduled for **Tuesday March 3<sup>rd</sup> 2026, at 7:30 PM.** The agenda will close on **February 10<sup>th</sup> 2026 at 12:00 Noon.** Items for consideration at the **February** meeting must be received by that date.