

TOWN OF NORTH EAST ZONING BOARD OF APPEALS
MINUTES
April 17, 2014

The regular meeting of the Town of North East Zoning Board of Appeals took place on Thursday, April 17, 2014 at 7:30 pm in the North East Town Hall. Board Members present were Chairman Julie Schroeder, Jon Arnason, and Patti Lynch. Board members Edith Greenwood and Claire Owens were absent. Also present was Michael Goldman.

Andrea Hyde & Andrew Weinberg
860 County Route 83
Public Hearing for Application for Area Variance 7:35 pm
Tax Parcel #: 6969-00-715276

Chairman Schroeder opened the Public Hearing by reading the notice into the record. Andrea Hyde and Andrew Weinberg, owners of tax parcel #: 6969-00-715276, located at 860 County Route 83, are requesting an area variance for §98-12 D (4). The applicants are requesting a reduction in the required front yard setback of 75 feet from the street line in order to add a second story to a portion of an existing, nonconforming, one family residence, to erect a two story addition to the rear of the existing residence and to erect a one story garden pergola off the southern side of the proposed addition. Chairman Schroeder added that the request had been sent to Dutchess County Planning Board and had come back marked "a matter of local concern" The application is open for inspection in the Town Hall of North East. The Notice is dated April 1, 2014 and was published in the local paper April 10, 2014.

Michael Goldman, Architect, architect representing the property owners, Andrea Hyde and Andrew Weinberg, presented the Zoning Board members with an application for an Area Variance, photographs of the current building, architectural plans detailing proposed changes, and a survey map delineating where the house sits in relation to the property lines. Mr. Goldman stated that his clients had purchased the 3 bedroom Single Family Residence five or six years earlier. The existing house has no cohesive architectural design and additions to the house appear to have been added hodgepodge over the years. Mr. Goldman's architectural plans propose to improve the house by removing two of the extraneous additions, converting from oil to gas, covering the existing chimney with brick, moving two bedrooms to the second floor and adding new windows and window location. The architectural plans also add an open Pergola which would not extend past the existing houseline. The clients would also like to add a six foot high acoustical fence, if permitted by zoning.

Jon Arnason asked if the fenestration would remain the same.

Mr. Goldman stated that one window would be changed in an effort to add balance to the overall look.

Chairman Schroeder asked if the neighbors had presented any concerns.

Michael Goldman responded that there were few near neighbors and the other houses in the immediate area were existing non-conforming properties as well.

Patti Lynch made a motion to close the Public Hearing at 7:55 pm. The motion was seconded by Jon Arnason and passed unanimously.

Chairman Schroeder called the regular meeting of the Zoning Board of Appeals to order.

Although the Board determined that the proposed project was Type II and therefore exempt from further review under SEQRA, Chairman Schroeder read aloud from part 1 and Part 2 of the short form EAF.

Jon Arnason made a motion that the proposed action will not result in an adverse environmental impact. The motion was seconded by Patti Lynch and passed unanimously.

Chairman Schroeder then addressed the standards for a dimensional variance. Will undesirable change be produced in the neighborhood or a detriment to nearby properties be created by the granting of the variance?

ZBA members believe that the neighborhood will be improved by the proposed changes.

The Zoning Board of Appeals determined that this is the minimum variance necessary and adequate for the intended use. The variance is subject to the condition that the applicants install a landscaped buffer parallel to CR 83, similar in height and width to that currently in place, extending in a southerly direction the full length of any new construction.

A motion was made by Jon Arnason to approve the application pursuant to the plans that have been submitted with the proviso that the landscaping along the road retain the same degree of coverage or blockage from the road. The motion was seconded by Patti Lynch and passed unanimously.

MINUTES

A motion was made by Jon Arnason to accept the Minutes of March 18, 2014. The motion was seconded by Patti Lynch and passed unanimously.

Board member, Jon Arnason asked if the Zoning Board Secretary had received any communication from Dan Latella, lawyer from the firm of Quartararo & Lois, PLLC, representing Mel Gershon of 50 Scribner Rd. Mr. Latella had appeared before the ZBA at the beginning of the year with an application for Special Variance. The ensuing Public Hearing has been adjourned pending further communication from Mr. Gershon or his representative. The ZBA secretary has not received any written communication regarding this matter since March 3, 2014.

A motion was made by Jon Arnason to close the regular meeting of the Zoning Board of Appeals at 8:20 pm. The motion was seconded by Patti Lynch and passed unanimously.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Claudia Stevens". The signature is written in black ink and is positioned to the left of a date stamp.

6/19/14

Claudia Stevens
Zoning Board of Appeals Secretary