

**TOWN OF NORTH EAST
ZONING BOARD OF APPEALS
MINUTES OF AUGUST 17, 2023**

The regularly scheduled monthly meeting of the Town of North East Zoning Board of Appeals, ("ZBA") took place August 17, 2023, at 7:35pm in the Town of North East Town Hall, 19N Maple Ave., Millerton, NY. ZBA members present were Chairman Julie Schroeder, Edith Greenwood, Patti Lynch-Vandebogart , Karen Pitcher and Judy Carlson, Secretary to the Zoning Board.

182 Route 44 East LLC (North East Ford)

Public Hearing for Area Variances

182 Route 44

Parcel # 133889-7271-00-739225

7: 35PM - Chair Schroeder entertained a motion to open the meeting. Vice-Chair Greenwood seconded; all voted in favor and the motion passed.

The purpose of this meeting was to go over a draft of Facts and Findings (the written decision) in relation to additions and input from the Zoning Board and review of the response from Clayton Gurnett, Junior Planner from the County of Dutchess Department of Planning and Development. The date it was referred to the County was 8/1/2023 and was received in the Zoning Office on 8/17/2023. The County determined that the application was a matter of local concern. However, while the Zoning Board was concerned about buffering the building on the site plan.....Gurnett from Dutchess County Planning was concerned about more landscaping to buffer the parking areas "Section 180-24 (D)(2)" requires that in any continuous area of a lot consisting of 15 or more parking spaces, the landscape treatment provided shall not be less than one shade tree (not less than three inches caliper at breast height) for each 15 cars or fraction thereof, while not less than 8% of a lot consisting of 60 or more parking spaces shall be provided with protected islands or other planting areas should be reasonably distributed so as to break up the appearance of a continuum of parking. The two short ornamental dogwoods and boxwood plantings proposed for the front yard are sparsely placed and do not achieve this standard. The Board should consider a row of street trees along the Route 44 frontage, placed 20-30 feet apart, either below or behind the overhead wires – which should be taken into account when choosing the appropriate species of street trees in terms of growth rate and typical maintenance requirements.

The Board discussed the documents and made suggestions and suggested modifications for the draft decision. Greenwood made reference to the 1985 Boulevard Study – the intent of this study was to have the section on Route 44 lined with trees and eventually sidewalks. Chair Schroeder stated that it was adopted and it presently was an addendum to the code. After much discussion, Chair Schroeder stated that it was difficult to single out a business when the Boulevard study has not been implemented on any other application, but it should be acknowledged.

Gurnett goes on to say that:

The Town's recently adopted comprehensive plan promotes a vision for the Boulevard District, a gateway area to the Town, that is more so an extension of the Villages Main Street rather than suburban plazas. The comprehensive plan suggests that one way of mitigating the strip-style development is by ensuring parking lots are adequately landscaped within these commercial areas.

Chair Schroeder will revise and send out the decision. The Board decided that Gurnett's comments be acknowledged and sometime when the Boulevard study is put into effect Rubin will have to abide by what is in the Boulevard study.

Greenwood made a motion to authorize the chair to make modifications and recirculate the draft decision to the members of the Zoning Board; Pitcher seconded; all voted in favor and the motion passed.

8:30PM Pitcher made a motion to adjourn the meeting; Greenwood seconded; all voted in favor and the motion passed.

Respectfully Submitted,



Judith A. Carlson
Zoning Board Secretary

Approved: 12/21/23

RECEIVED
JAN 11 2024
TOWN OF NORTH EAST
TOWN CLERK