TOWN OF NORTH EAST
ZONING BOARD OF APPEALS
MINUTES OF JUNE 18, 2026

The regularly scheduled monthly meeting of the Town of North East Zoning Board of Appeals, ("ZBA") took place on Thursday, June 18, 2026, at 7:00 pm in the Town of North East Town Hall, 19 N Maple Ave., Millerton, NY. ZBA members present were Chair Edith Greenwood, Julie Schroeder, Karen Pitcher, Henry Smedley and Judith Carlson, secretary to the Board. Present in the audience was Joseph Frydl.

Joseph Frydl and Victoria Charles
Area Variance
188 McGhee Hill Road
Tax parcel #7070-00-493746

Chair Greenwood made a motion to continue the public hearing on the Joseph Frydl and Victoria Charles application for a front yard variance. The public hearing had been opened on May 21st of 2026. Henry Smedley seconded; all voted in favor and the motion passed.

Frydl continued his explanation of the project. It involves partial demolition of an existing home to add space, storage, and better access to the views. They need a variance because the current house is within the front yard setback. They are largely using the existing footprint of the original house with an extension towards the Western part of the property. Frydl talked to all the neighbors with properties within 300 ft. of their property and all were in favor of the project.

Schroeder had questions. What is meant by a partial demolition? Frydl stated that the windows (Marvin windows) in the original house will be recycled. The well that is in the Northeast corner will be preserved including the connector

and pump. The propane hook up will be preserved. The floors and many of the fixtures (kitchen and bathroom etc.;) will be upcycled into the new project. The mechanicals in the basement will be preserved. The brand new well, pump and the emergency generator and hookup will be recycled.

Schroeder asked about the flooding and drainage off the hill. Frydl explained that the cinder block foundation on the hill side is a problem during a rain storm (spouts and spigots run through the basement). Greenwood asked if they were using curtain drains. A civil engineer is working on the problem. The three contractors that bid on the project are studying the issue with the drainage.

Discussion of the site plan took place regarding the septic set-up.

Greenwood asked if the board had any questions. Smedley asked if they were going to have new reinforced concrete on the one side of the basement. Frydl said that there would be a new foundation on that side.

Greenwood entertained a motion to close the public hearing. Pitcher so moved; Smedley seconded; all voted in favor and the motion passed.

Greenwood entertained a motion to open the meeting. Schroeder so moved; Pitcher seconded; all voted in favor and the motion passed.

The Board reviewed SEQR. Greenwood stated that this application is considered a Type 2 action under Title 6 of the NY comp code rules and regulations Section 617.5 sub-section c 9 and therefore it is exempt and will not need further review.

Greenwood entertained a motion to classify this as a type 2 action. Schroeder so moved; Pitcher seconded; all voted in favor and the motion passed.

The Board went over the variance balancing tests.

1. *Whether benefit can be achieved by other means feasible to applicant.* Schroeder stated that there is no other alternative for the applicant. If he adds on to the rear of the building, it is impossible because of the steep slope. If he goes sideways, the septic is there. No.

2. *Undesirable change in the neighborhood character or to nearby properties.* The project follows the historic pattern of development on the road. Schroeder added that most older homes are relatively close to the road in the Town of North East. The enlarged home is well buffered by vegetation between the proposed structure and the road. No.

3. *Whether request is substantial.* No. The requested front-yard variance is 24ft., which represents a 24% variance from the 100 ft setback required and is not considered substantial.

4. *Whether request will have adverse physical or environmental effects.* No.

5. *Whether alleged difficulty is self-created; which is relative and not determinative.* Yes.

Schroeder emphasized that it should be written in the decision that the views at this property are unique which does not apply to other small plots in the Town of North East with the same history.

Greenwood made a motion to grant a front yard variance of 24' with two conditions.
#1 – that there be no change to the plans of the foot print of the house that the Board has reviewed and approved.

#2 – the applicant will maintain the vegetation growing between the properties of their neighbors and the road.

Schroeder so moved; Pitcher seconded; all voted in favor and the motion passed.

Schroeder warned that she does not like the precedent the Board is presenting by granting a setback for no obvious reason. She stated that anybody can come now with a small acreage lot and want the same thing.

Smedley agreed to write the decision.

Minutes from May 21, 2026, were reviewed and there was one correction. Greenwood asked for a motion to approve the minutes with the correction made. Smedley so moved; Schroeder seconded; all voted in favor and the motion passed.

Greenwood asked for a motion to close the meeting. Smedley so moved; Pitcher seconded; all voted in favor and the motion passed.

Respectively submitted,

Judith Carlson

Judith Carlson
Secretary
Town of North East
Zoning Board of Appeals

(minutes approved) 10/15/26

RECEIVED
OCT 22 2026
TOWN OF NORTH EAST
TOWN CLERK