

December 6, 2021

PINE PLAINS ZONING BOARD OF APPEALS MINUTES

Tuesday, November 23, 2021

7:30 PM

IN ATTENDANCE: Scott Chase, Chairman, Carl Baden, Margo Jackson,
Michael O' Neill, Marie Stewart, Amanda Zick

ABSENT:

ALSO PRESENT: Michael and Catherine Dillinger, Drew Weaver, ZEO

Scott Chase opened the meeting at 7:30 with a quorum present.

Dillinger Public Hearing: Chairman Chase read the public hearing notice that was publicized. Chase said he visited the site and saw the location of the house, septic system, etc. Chase says the noise from the basketball court across the road is one reason for the house to be moved back further from the road. Chase also mentioned that neither of the next-door houses are adjoining or 50 feet from the road. Because of these reasons Chase has no significant issues with the application.

No board members had any issue either. Jackson feels it fits with the neighborhood.

Chase said since no member of the public were present would any board member like to add anything to be put on the record. There were none.

Chase asked for a motion to close the public hearing, motion by Stewart, second by Baden, all in favor, motion carried.

Chase then went over the draft resolution with the board (see attached).

Chase asked for a motion to approve the resolution, motion by Jackson, second by Baden, all in favor, motion carried.

Approval of the October Meeting Minutes: Motion by Stewart to approve the October 2021 meeting minutes, second by Zick, all in favor, motion approved.

Other Business: No other business to go over.

Meeting adjourned at 7:50pm.

Respectfully submitted by:

Tricia Devine
Secretary

Scott Chase
Chairman

WHEREAS, The Town of Pine Plains Zoning Board of Appeals is in receipt of an area variance application from Michael and Catherine Dillinger for property located at address 49 Beach Road, Town of Pine Plains, Dutchess County, Tax Map ID# 6871-000-0599450, to allow the construction of a home with more than the required maximum 50' front yard, and

WHEREAS, the Zoning Board of Appeals has reviewed the subject variance request #3-2021 submitted by Mr. Dillinger, and

WHEREAS, after review of the application including review of the Town habitat map, a site inspection, a legally noticed public hearing held on November 23rd, 2021 with no neighbors expressing concerns/opposition, and

WHEREAS, the action is exempt from referral to the Dutchess County Department of Planning and Development and

WHEREAS, the proposed action is a Type II action under SEQRA and by law is not considered to have significant impact on the environment and no further environmental review is required, and

WHEREAS, the existing home is in a neighborhood where existing homes have similar front yard setbacks, and

WHEREAS, the lot is located directly across from a basketball court and active recreational area with potential nuisance noise which may be mitigated by further separation, and

WHEREAS, the Board finds that maintaining the 50'-foot front yard would require removal of several trees which may assist in noise mitigation,

WHEREAS, the variance requested is not substantial for the neighborhood, and

WHEREAS, the lot was previously existing prior to zoning and the increase in the front yard setback will not adversely affect the character of, nor be a detriment to, the neighborhood, and

WHEREAS, this lot was created prior to the adoption of the Zoning Law and hence any hardship was not self created, and

