TOWN OF KENT
ZONING BOARD OF APPEALS
February 23, 2015

The Zoning Board of Appeals of the Town of Kent held a Public Hearing at the Kent Town Hall, 25 Sybil's Crossing, Kent Lakes, New York on **Monday, February 23, 2015.** The meeting was called to order with the salute to the flag at **7:30 P.M.** After due notice, the following members were present:

Present: Mr. Bob Rogers, Chairman
Mr. Richard Wetzel, Vice Chairman
Mr. Bob Bradley
Ms. Nina Gerosa
Mr. Bob Phillips

Absent: Mr. Bill Walters, Building Inspector

Agenda:

1. **Ms. Nancy Nolan, 6 Tilly Foster Court, Lake Carmel, NY 10512; TM: 33.40-1-46**

   This project was held over from January's meeting. Ms. Nolan advised the ZBA that she had given the wrong dimensions for the proposed carport to the Zoning Board. She said her driveway goes down into a v-shape. The 20' length is correct, but the width needs to be 27' instead of 21' as requested previously. The Zoning Board and Ms. Nolan agreed to hold this matter over until May when the snow is gone in order to re-inspect the property to ensure the proper measurements are taken for the requested variance.

2. **Ms. Kim Bernard, 36 Fireside Court, Patterson, NY 12563; TM: 2.-1-54**

   The applicant requested an 85 foot variance from the front property line for an existing chicken coop. The house was built in 1971 and Ms. Bernard purchased the property in 2000. She built the chicken coop at that time without a building permit or a Certificate of Occupancy. Recently a neighbor reported the violation and Ms. Bernard realized that the coop sits only 15'4" off of the property line. Mr. Bradley said that this property has no road frontage and the ZBA would have to determine what exactly was considered the front yard in order to grant a variance. The adjoining parcels are owned by NY State and Holmes Presbyterian Camp. Mr. Wetzel asked the applicant about another structure on the property and was told it was a pole barn on the property and whether or not there was a building permit or CO for that building. Ms. Bernard said they used it to store wood and that there was not a CO for it. Mr. Bradley asked the applicant to move some rabbit hutches in the front yard and the applicant agreed to do so. Mr. Wetzel said that the variances could not be granted until all violations are corrected. Mr. Wetzel also pointed out that there is also an unregistered car on the property which needs to be moved off of the property. Mr. Bradley quoted Section 8 under Agricultural Uses 77-11-A. (8). "*Agricultural uses as defined in NY State Agriculture and Markets Law, provided that no building in which farm animals are kept and no storage of manure shall be located nearer than 100 feet to any street line or property line, and provided further that the keeping of horses and livestock shall be permitted only on lots having an area of two acres plus one acre for each such animal in excess of one. In addition, no greenhouse heating plant shall be located nearer than 50 feet to any street line or property line. One farm stand exclusively for the sale of agricultural products grown on the premises is permitted*". Mr. Bradley said that the one farm stand near the road is therefore allowed. Mr. Rogers asked for a motion to grant an 85 foot property line variance, per the section noted above, and with the condition that the hutches be moved out of the front yard and that the other violations pertaining to the unregistered car and the CO for the existing pole barn.

The motion was made by Mr. Bradley and it was seconded by Ms. Gerosa. The vote was as follows:

Mr. Bob Rogers, Chairman	-	Aye
Mr. Richard Wetzel	-	Aye
Mr. Bob Bradley	-	Aye
Ms. Nina Gerosa	-	Aye
Mr. Bob Phillips	-	Aye

The motion carried.

3. **Approve Zoning Board Minutes from January 19, 2015**

Mr. Rogers asked for a motion to approve the January 19, 2015 minutes. The motion was made by Mr. Bradley and seconded by Mr. Wetzel. The vote was as follows:

Mr. Bob Rogers, Chairman	-	Aye
Mr. Richard Wetzel	-	Aye
Mr. Bob Bradley	-	Aye
Ms. Nina Gerosa	-	Aye
Mr. Bob Phillips	-	Aye

The motion carried.

4. Mr. Phillips asked the Zoning Board about Mr. Eric Mentz' property. Board of Health won't let him build a septic system because he would need more fill. He asked Mr. Phillips to check with the Zoning Board to see if they would allow him to bring in fill and allow it to set for one year. Mr. Rogers said that the ZBA would not be able to do so because it was a matter for the Board of Health to consider.

Mr. Rogers asked for a motion to close the meeting at 8:30 PM. The motion was made by Mr. Wetzel and it was seconded by Ms. Gerosa. The vote was as follows:

Mr. Bob Rogers, Chairman	-	Aye
Mr. Richard Wetzel	-	Aye
Mr. Bob Bradley	-	Aye
Ms. Nina Gerosa	-	Aye
Mr. Bob Phillips	-	Aye

The motion carried.

Cordially Submitted,

Vera Patterson

Vera Patterson

cc: Zoning Board of Appeals Board Members
Building Inspector
Town Clerk

ZONING BOARD OF APPEALS
25 Sybil's Crossing
Kent Lakes, NY 10512

NOTICE IS HEREBY GIVEN that the Zoning Board of Appeals of the Town of Kent will hold a Public Hearing on **Monday, February 23rd, 2015** at the Kent Town Hall, 25 Sybil's Crossing, Kent Lakes, NY at 7:30 p.m. to review the following applications:

1. Kim Bernard
   36 Fireside Ct
   Patterson, NY 12563
   Tax Map No.: 2.-1-54

Applicant Requests 85 ft variance from front property line for existing chicken coop.

HOLDOVERS:

1. Nancy Nolan
   6 Tilly Foster Ct
   Lake Carmel, NY 10512
   Tax Map No.: 33.40-1-46

SITE INSPECTIONS ARE THE SECOND SUNDAY OF THE MONTH.

The Zoning Board of Appeals will entertain any other business, which is properly presented to the Board.

CC: Town Clerk
Planning Board
Town Board
Zoning Board
William Walters, Building Inspector