

ZONING BOARD OF APPEALS

25 Sybil's Crossing
Kent Lakes, NY 10512
MINUTES
July 2022

NOTICE IS HEREBY GIVEN that the Zoning Board of Appeals of the Town of Kent will hold a Public Hearing on **Monday, July 18, 2022** at the Kent Town Hall, 25 Sybil's Crossing, Kent Lakes, NY at 7:30 p.m. to review the following applications

The Zoning Board of Appeals of the Town of Kent held their July 18, 2022 meeting at the Kent Town Hall. Mr. Gordon Moccio called the meeting to order at 7:30 P.M.

Present:

Mr. Gordon Moccio, Chairman
Mr. Ronald Hansen, Vice Chairman
Mr. Joseph Greico

Absent:

Mr. Brett Harrison
Mr. Travis Hunt
Mr. Bill Walters, Building Inspector

Mr. Moccio opened the meeting by leading everyone in reciting the Pledge of Allegiance.

HOLDOVERS:

1. Claire Nalley (holdover from May 2022)
570 Gipsy Trail Rd.
Carmel, NY 10512

ZBA-22-21_ Requested a 43'8" variance for a deck. Tax Map 32.6-1-17

Mrs. Nalley did not have the green cards with her at the meeting, but she would drop them off with the Building Department on Tuesday morning. Ms. Nalley said that she wanted to have a deck built and needs an easement because it will be approximately 15' from the property line, which borders the Gipsy Trail Club. The applicants are seeking a 6'2" foot rear yard setback.

Mr. Hansen said that the site had been visited and that there is enough distance so there were no issues. Mr. Moccio asked for a motion to grant the requested variance. Mr. Hansen made the motion and it was seconded by Mr. Greico. Following were the roll call votes:

Gordon Moccio, Chairman	-	<u>Aye</u>
Mr. Ronald Hansen, Sr., Vice Chairman	-	<u>Aye</u>
Mr. Joseph Greico	-	<u>Aye</u>
Mr. Brett Harrison	-	<u>Absent</u>
Mr. Travis Hunt	-	<u>Absent</u>

The motion carried.

2. Geovanny Solorzano-Moreira (holdover from May 2022)
7 Hastings Road
Carmel, NY 10512

ZBA-22-19_ Requested an 18' Rear Yard & a 6' Side Yard variance for a shed.
Tax Map: 33.59-1-52.

Mr. Solorzano-Moreira attended the meeting and gave the green cards to Mr. Moccio. He joked that he had some concerns when a green card was requested.

Mr. Hansen said that, for the record, the applicant appeared before the Zoning Board in May and the Zoning Board members had visited the applicant's property and had no concerns about granting the variance. Mr. Solorzano-Moreira was not aware that the neighbors had to be notified of his plan to have a shed built on his property at that time. Since that time the green cards were mailed out and returned to the applicant, which he gave to Mr. Moccio.

Mr. Moccio asked for a motion to grant the requested variance. The motion was made by Mr. Hansen and seconded by Mr. Greico. Following were the roll call votes:

Gordon Moccio, Chairman	-	<u>Aye</u>
Mr. Ronald Hansen, Sr., Vice Chairman	-	<u>Aye</u>
Mr. Joseph Greico	-	<u>Aye</u>
Mr. Brett Harrison	-	<u>Absent</u>
Mr. Travis Hunt	-	<u>Absent</u>

The motion carried.

3. Heather & Christian Duben (holdover from May 2022)
31 Cottage Road
Carmel, NY 10512

ZBA-22-20_ Requested 12 ft. from property line for a Pre-existing shed & 18' for a Pergola.
Tax Map: 33.50-1-19.

Ms. Brittany Alvarez represented the applicants.

Mr. Hansen noted that this matter was presented to the Zoning Board of Appeals at the May meeting and this was another case where the neighbors had not been notified of the plans for this property and the project was held over until the July meeting.

Ms. Alvarez presented the cards to Mr. Moccio.

Mr. Moccio asked for a motion to grant the variance. Mr. Greico made the motion and it was seconded by Mr. Hansen. Following were the roll call votes:

Gordon Moccio, Chairman	-	<u>Aye</u>
Mr. Ronald Hansen, Sr., Vice Chairman	-	<u>Aye</u>
Mr. Joseph Greico	-	<u>Aye</u>
Mr. Brett Harrison	-	<u>Absent</u>
Mr. Travis Hunt	-	<u>Absent</u>

The motion carried.

NEW APPLICATIONS:

1. Michael Murphy
59 Brayton Rd.
Carmel, NY 10512

ZBA-22-22_ Requested a 16’ variance from the north property line and a 16’ variance from the west property line for a 12’ x 16’ storage shed to be placed in the northwest corner of the property 4’ from each property line. Tax Map 33.81-1-62.

Mr. Murphy attended the meeting and explained why he needed a variance. Mr. Murphy sent out the green cards and gave them to Mr. Moccio.

Mr. Moccio said that the site had been visited and that the Board members understood why Mr. Murphy had some concerns.

Mr. Moccio asked for a motion to grant the variance. Mr. Greico made the motion and it was seconded by Mr. Hansen. Following were the roll call votes:

Gordon Moccio, Chairman	-	<u>Aye</u>
Mr. Ronald Hansen, Sr., Vice Chairman	-	<u>Aye</u>
Mr. Joseph Greico	-	<u>Aye</u>
Mr. Brett Harrison	-	<u>Absent</u>
Mr. Travis Hunt	-	<u>Absent</u>

The motion carried.

2. Richard Annunziata
Smalley’s Corner Rd.
Carmel, NY 10512

ZBA-22-23_ Requested a lot width variance: required 250’, proposed 206’, variance 44’ and road frontage variance – required 250’, proposed 221’, variance – required 20’ pre-existing non-complying condition. Tax Map 21.-1-11.

Mr. John Karell represented the applicant. Mr. Karell advised the Zoning Board that this property was part of a proposed subdivision in 1987. It is lot #7 1.8 acre but does not meet today’s standards for frontage and lot line. This project is also before the Planning Board and the Board of Health approved the lot. The green cards were also given to Mr. Moccio.

Mr. Hansen said that this property doesn’t fit the standard, but it is close. It has the basic acreage 2 acre zoning 40,000 square feet and technically has 80,000 square feet. Mr. Hansen said the driveway lot width is the problem. Mr. Hansen, Mr. Moccio and Mr. Greico said they had no issues with granting the variance.

Mrs. Sandra DiBernardi, who spoke for herself and her husband who passed away last year, asked to be heard. Mrs. DiBernardi said that she didn’t understand the notice she received in the mail and thought that Mr. Annunziata wanted to take some of her property. Mr. Hansen and Mr. Moccio told her that was not the case and that the lot width of 250’ and that the applicant only had 206’ and had requested a variance to allow him to build on this property. Mr. Karell explained the drawing to Mrs. DiBernardi. Mrs. DiBernardi said that she had no objection since her property would not be impacted.

Mr. Moccio asked for a motion to grant the requested variance. Mr. Hansen made the motion and it was seconded by Mr. Greico. Mr. Moccio asked for a motion to grant the variance. Mr. Greico made the motion and it was seconded by Mr. Hansen. Following were the roll call votes:

Gordon Moccio, Chairman	-	<u>Aye</u>
Mr. Ronald Hansen, Sr., Vice Chairman	-	<u>Aye</u>
Mr. Joseph Greico	-	<u>Aye</u>
Mr. Brett Harrison	-	<u>Absent</u>
Mr. Travis Hunt	-	<u>Absent</u>

The motion carried.

Mr. Moccio asked for a motion to close the meeting at 8:00 PM. The motion was made by Mr. Hansen and seconded by Mr. Greico. Mr. Moccio asked for a motion to grant the variance. Mr. Greico made the motion and it was seconded by Mr. Hansen. Following were the roll call votes:

Gordon Moccio, Chairman	-	<u>Aye</u>
Mr. Ronald Hansen, Sr., Vice Chairman	-	<u>Aye</u>
Mr. Joseph Greico	-	<u>Aye</u>
Mr. Brett Harrison	-	<u>Absent</u>
Mr. Travis Hunt	-	<u>Absent</u>

The motion carried.

Cordially Submitted,



Vera Patterson

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

ZONING BOARD OF APPEALS AGENDA

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

SITE INSPECTIONS ARE THE SECOND SUNDAY OF THE MONTH.

CC: Town Clerk
Town Board
Zoning Board of Appeals Members
Planning Board Clerk
Wm. Walters, Building Inspector