

Approved: July 19, 2021

**TOWN OF KENT
ZONING BOARD OF APPEALS
June 21, 2021
FINAL ADOPTED MINUTES**

The Zoning Board of Appeals of the Town of Kent held a Virtual Zoom/Public Hearing from their homes in Kent, New York on **Monday, June 21, 2021**. The meeting was called to order at **7:30 P.M** by Mr. Gordon Moccio. After due notice, the following members participated:

Present:

Mr. Gordon Moccio, Chairman
Mr. Ronald Hansen, Vice Chairman
Mr. Brett Harrison
Mr. Travis Hunt
Mr. Bill Walters, Building Inspector

Absent:

Mr. Joseph Greico

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

NEW BUSINESS:

AGENDA

1. Eric Nardozzi
797 Pelhamdale Ave.
Pelham, NY 10803

Mr. Nardozzi requested a 1.42 acre variance to build a single-family dwelling on a .58 acre vacant lot in a 2 acre zone & a 170' frontage variance. The lot had 80' frontage. This property was located at 18 Chief Nimham Drive, Kent, NY 10512. Tax Map #21.13-1-10.

Mr. Nardozzi participated on the Zoom call.

Mr. Moccio stated that the Zoning Board members had visited this property and that he had some concerns about granting such a significant variance and if this request for a variance was granted it would cause problems in the future and set a precedence. Mr. Hansen agreed with the concerns that Mr. Moccio had. The lot is a very narrow road frontage lot and maybe 50 years ago this would have been allowed, but things had changed since that time. Mr. Harrison said that he had hoped for the best, but that he agreed with Mr. Moccio and Mr. Hansen and would have difficulty granting the variance.

Mr. Moccio asked for a motion from the Zoning Board of Appeals members to grant the variance and there was no motion made. Therefore, the request for the above mentioned variances was denied. Mr. Moccio thanked Mr. Nardozzi for attending the meeting.

Mr. Nardozzi asked to be heard and said that in looking through Town records and on 1/21/13 a variance of the same nature was granted to Mr. Stephen Feicher of Hayworth, New Jersey which was similar to the variance he was requesting. His lot was not level and his lot is level. Mr. Moccio thanked Mr. Nardozzi for his comments. Mr. Moccio pointed out that in 2013 there were different members on the Zoning Board of Appeals and he could not comment or understand their reasoning when they granted Mr. Feicher's variance. Mr. Nardozzi said he felt that granting the variance would add value to the property and by constructing his house the Town would also accrue tax revenue. Many of the other lots in the neighborhood are similar to this lot. Mr. Moccio said that the Zoning Board members stood by their decision to deny Mr. Nardozzi's variance. Mr. Moccio suggested that Mr. Nardozzi may look at other pieces of property which would be better suited to his plans to construct a house.

2. Robert Hyer
1 Roslyn Rd.
Carmel, NY 10512

Mr. Hyer requested a 7' side variance for an existing pool deck. Tax Map #22.82-1-32

Mr. Hyer participated on the Zoom call.

Mr. Moccio said that the Zoning Board members had visited this property and that he, personally, had some concerns about the condition of the pool deck. Mr. Moccio said that the deck appears to be old and had not been well maintained. One footing led toward a fence and he felt that it was not appropriate to grant this variance. Mr. Moccio also said that he thought that the deck was constructed by a journeyman or a homeowner and not a professional. Mr. Hansen said it looked like the deck was at the "end of its life" and being 1 foot from the property line he had concerns. Mr. Hansen said he felt it would serve best to remove the existing pool deck and that the new homeowners should submit a new plan to build a new deck in another place on the pool site. Mr. Hunt said he and Mr. Harrison had visited the site as well and had some concerns and agreed that the request for the variance should be denied.

Mr. Moccio asked for a motion from the Zoning Board of Appeals members to grant the variance and there was no motion made. Therefore, the request for the above mentioned variance was denied. Mr. Moccio thanked Mr. Hyer for attending the meeting.

Mr. Hyer said that a licensed contractor, a resident on Roslyn Road, built the deck approximately four or five years ago.

Mr. Moccio asked for a motion to approve the Zoning Board of Appeals minutes for May and comments submitted previously had been done. The motion was made by Brett Harrison and seconded by Mr. Hansen. Following were the roll call votes.

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

The motion carried.

Mr. Walters advised the Zoning Board members that an attorney for Mr. Ryder had submitted a foil request via an e-mail message for documents pertaining to this project. The Planning Board also received a phone call regarding this matter.

Mr. Moccio asked for a motion to adjourn the meeting at 8:00 PM. The motion was made by Mr. Harrison and seconded by Mr. Hansen. Following were the roll call votes:

Mr. 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>Aye</u>
Mr. Travis Hunt	-	<u>Aye</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

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 June 21, 2021

THIS MEETING WILL BE CONDUCTED VIRTUALLY The Town of Kent will be holding its regularly scheduled meeting on Monday June 21, 2021 at 7:30 p.m. via ZOOM. The meeting will be televised live on the Town of Kent cable channel as well as live-streamed on YouTube. The public can participate via ZOOM. Please identify yourself when participating just as you would if you came to the microphone during a regular meeting. Thank you for your cooperation.

Topic: Town of Kent, N.Y. ZBA Meeting Monday June 21 2021
Time: Monday June 21, 2021 at 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/5877083251>

Meeting ID: 587 708 3251

One tap mobile

+19292056099,5877083251# US (New York)

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 587 708 3251

Find your local number: <https://us02web.zoom.us/j/kH6X5CXoW>

To view the video live on YouTube click the link below. To make a public comment, please sign in to a Gmail account on YouTube.

<https://www.youtube.com/watch?v=L2mrLNH3I2Q&feature=youtu.be>

AGENDA

1. Eric Nardozzi
797 Pelhamdale Ave
Pelham NY 10803

Request 1.42 acre variance to build single-family dwelling on a .58 acre vacant lot in a 2 acre zone & 170' frontage variance, lot has 80' frontage. Location 18 Chief Nimham Dr. Tax Map #21.13-1-10

2. Robert Hyer
1 Roslyn Rd
Carmel NY 10512

Requests 7' side variance for existing pool deck. Tax Map #22.82-1-32

SITE INSPECTIONS ARE CONDUCTED THE SECOND SUNDAY OF THE MONTH.

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