

Approved June 21, 2021

**TOWN OF KENT
ZONING BOARD OF APPEALS
May 17, 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, May 17, 2021**. The meeting was called to order at **7:30 P.M** by Mr. Gordon Moccio, the Zoning Board of Appeals Chairman. After due notice, the following members participated:

Present:

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

NEW BUSINESS:

AGENDA

1. Katherine & Claude Martinez Pierre
27 Walden Rd.
Carmel, NY 10512

Requested a renewal for an accessory apartment. Tax Map #22.83-2-29.

Mr. & Mrs. Pierre participated on the Zoom Call to renew a permit for an accessory apartment. The previous permit was five years ago in 2016.

Mr. Moccio asked for any comments and Mr. Hansen said a fire inspection was done and there were no issues with this property.

Mr. Moccio asked for a motion to renew the permit for an accessory apartment, which will expire in five years. The motion was made by Mr. Hansen and seconded by Mr. Hunt. 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.

2. Marion Healy
470 Horsepound Rd.
Carmel, NY 10512

Requested a 40' rear variance for a pre-existing shed, a 2' rear variance for a pre-existing deck & a 32' rear variance for a pre-existing deck. Tax Map #22.17-1-13.

Mr. & Mrs. Healy participated on the Zoom call.

Mr. Hansen said that a site visit was conducted and there were no issues pertaining to this property.

Mr. Moccio asked for a motion to grant the variances requested. The motion was made by Mr. Greico and seconded by Mr. Harrison. 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.

3. Nikola Ivezaj
18 Beaver Hill Rd.
Carmel, NY 10512

Requested a special use permit for a pre-existing accessory apartment. Tax Map #33.24-1-84.

Mr. Victor Ivezaj represented his father. This apartment permit was not previously approved.

Mr. Hansen said that a site inspection was done and there were no issues and the apartment was in good shape and had been inspected by the Fire Inspector.

Mr. Moccio asked for a motion to grant the request for a special use permit for an accessory apartment. The motion was made by Mr. Harrison and seconded by Mr. Greico. 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.

4. Gerald Greco
12 Schuykill Ct.
Carmel, NY 10512

Requested a renewal of an accessory apartment. Tax Map #12.18-1-1.

Mr. Greco participated on the Zoom call.

Mr. Hansen said that this permit was pre-existing and was a renewal and a fire inspection was also done. Therefore, a site visit was not necessary.

Mr. Moccio asked for a motion to renew the permit for an accessory apartment. The motion was made by Mr. Harrison and seconded by Mr. Greico. 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.

5. Christopher George
34 Deer Run Ct.
Carmel, NY 1051

Requested renewal of a previously approved variance for a 35' rear and a 16' side for a proposed 10' x 16' shed.
Tax Map #21.13-1-39.

Mr. George participated on the Zoom call.

Mr. Hansen noted that a site inspection had been done at this property and no issues were found.

Mr. Moccio asked for a motion to grant the variances as requested. The motion was made by Mr. Hansen and seconded by Mr. Greico. 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.

6. Dr. John Ryder
170 Waywayanda Ct.
Carmel, NY 10512

Requested a special use permit to allow an educational center in an R-80 zone § 77-41 – Home Occupations & § 77-44.6 Establishment of an artist studio. Tax Map #41.-1-8.

Dr. Ryder and his architect, Joel Greenberg of Architectural Visions, participated on the Zoom call.

Dr. Ryder said he appreciated the opportunity to be heard. After building his residence he thought that he would like to share the beautiful property with others and established a non-profit trust organization. He said that he thought he could practice as a psychologist on his property as he does in New York City. Dr. Ryder said that with the pandemic he thought his services were very valuable. He said the property had been in disrepair for many years and the neighbors had signed a petition that they were happy to have him in the neighborhood and approved of what he was doing. Just as the Board had a mandate to take care of the Kent Township he has a mandate to his organization to promote well-being. Dr. Ryder requested that the Board allow him to continue what he was doing, on his property especially during the pandemic. Dr. Ryder asked that his architect speak on his behalf. Dr. Ryder suggested that the Zoning Board grant the requested variance for a year and at that time re-visit the issue.

Mr. Moccio said the Board appreciated Mr. Greenberg participating on the call and the endeavors Dr. Ryder was making. However, when researching this matter it was clearly not a simple office and it seemed a bit disingenuous. Mr. Moccio pointed out that Dr. Ryder had been marketing this property since 2017 and he felt it was disingenuous for Dr. Ryder to say it's a simple office. There were incentives for donors to use the property for two weeks.

Mr. Hansen reiterated Mr. Moccio's feelings. He asked Dr. Ryder if he had been seeking donations and he said he had. Mr. Hansen said that he had been advertising the property as a school/education center rather than a single-family residence. Mr. Hansen asked why the original application was not submitted as a school/education center. He said that either the followers were being misled or the Town was mislead regarding the plans for the property. Dr. Ryder said that the donors were aware of his plans. Dr. Ryder said that his architect filed the plans with the Planning Board and he asked to be heard and was not allowed to speak. He also spoke to Paul Jonke, the Town of Kent Assessor, and later with the current Assessor. Mr. Hansen said that everything submitted to the Town of Kent pertained to a single-family residence. Mr. Moccio asked if any other Board members had comments. Mr. Harrison said that he echoed concerns that Messrs. Hansen and Moccio had pertaining to this matter. Mr. Greenberg asked to be heard and Mr. Moccio asked him if he had any information regarding the discussion at this meeting. Mr. Greenberg said that the property was in disrepair and that Dr. Ryder had cleaned it up and improved it. Mr. Greenberg said that he felt Dr. Ryder should be allowed to respond after the minutes were filed and that this matter be held over until the June meeting. Mr. Moccio said that the matter would not be held over for a month and that the Board would vote at this meeting. Mr. Moccio asked for a motion to approve the requested variance and none of the Board members made the motion. Therefore, the motion was denied.

Town of Kent Zoning Board of Appeals
May 17, 2021

Mr. Moccio asked for a motion to approve the Zoning Board of Appeals Minutes for February, March and April .
The motion was made by Mr. Hansen and seconded Mr. Harrison. 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.

Mr. Moccio asked for a motion to adjourn the meeting at 8:45 PM. The motion was made by Mr. Hansen and seconded by Mr. Harrison. 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
Emily Cole, 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 May 17, 2021**

THIS MEETING WILL BE CONDUCTED VIRTUALLY The Town of Kent will be holding its regularly scheduled Zoning Board meeting on Monday May 17th 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 May 17th 2021
Time: Monday May 17th 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/u/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>

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SITE INSPECTIONS ARE CONDUCTED THE SECOND SUNDAY OF THE MONTH

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