

Approved: October 18, 2021

**TOWN OF KENT
ZONING BOARD OF APPEALS
July 19, 2021
FINAL ADOPTED MINUTES**

The Zoning Board of Appeals of the Town of Kent held their July meeting in the Kent Town Hall for the first time since April, 2020, when virtual meetings were conducted via Zoom due to the Corona virus. The meeting was called to order at 7:30 P.M by Mr. Gordon Moccio. After due notice, the following members were in attendance:

Present:

Mr. Gordon Moccio, Chairman
Mr. Ronald Hansen, Vice Chairman
Mr. Joseph Greico
Mr. Brett Harrison
Mr. Travis Hunt

Absent:

Mr. Bill Walters, Building Inspector

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

NEW BUSINESS:

AGENDA:

1. Laura Gentile, 11 Williams Street, Carmel, NY 10512; TM: 22.18-1-2

Requested a 9' foot Side Variance for 16.6' x 16' Pre-existing Deck. Tax Map # 22.18-1-2 (ZBA 21-019)

Mrs. Gentile attended the meeting, explained that she had been in her house for 44 years and wants to sell her house, and needed a variance for the deck. A site visit was conducted and there were no issues with the property.

Mr. Moccio asked for a motion to grant the requested variance. 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.

2. Paul Rienzi, 63 Kentview Drive, Carmel, NY 10512; TM: 10.20-1-51

Requested a 10' ft. side variance for a Pre-existing 12' x 24' shed. Tax Map #10.20-1-51. (ZBA 21-020)

Mr. Rienzi attended the meeting and discussed with the Zoning Board the need for a 10' side variance for a pre-existing 12' x 24' shed. A neighbor also attended the meeting, who had received a notification from Mr. Rienzi pertaining to the variance for his shed, and misunderstood the notice and thought she had to move her shed. The Zoning Board members and Mr. Rienzi informed her that the variance pertained to his shed and she left the meeting. A site visit was conducted and there were no concerns about granting the requested variance.

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

Mr. Gordon Moccio, Chairman	-	Aye
Mr. Ronald Hansen, Sr., Vice Chairman	-	Aye
Mr. Joseph Greico	-	Aye
Mr. Brett Harrison	-	Aye
Mr. Travis Hunt	-	Aye

The motion carried.

3. Joe Cassidy, 32 Larchmont Rd., Carmel, NY 10512; TM: 33.50-1-32 (ZBA 21-022)

Requested a Variance for a Special Use Permit for an Accessory Apartment. Tax Map #33.50-1-32. (ZBA 21-022)

Mr. & Mrs. Cassidy attended the meeting and advised the Zoning Board that the house had been purchased a two and a half years ago and that Mrs. Cassidy's parents needed to relocate to their house and that the apartment needed to be legalized.

Mr. Moccio spoke to Mr. Cassidy and said that the Board really tried to work with the community and applicants, but that he was reluctant to grant this variance and opened it up to the other members for comments. Mr. Hansen asked Mr. Cassidy how many lots he owned and was told that the property consisted of four lots. The house was 1,866 square feet, which included the apartment, which was approximately 750 square feet. The second floor of the house is where the apartment should be. The BOH had no issues with the septic system. Mr. Hansen said that Chapter 77-70 shows the requirements and that Mr. Cassidy's property did not meet the requirements which would allow the Board to grant the variance. Mr. Hansen mentioned that some of the requirements were as follows: 5 lots were required, you could not exceed 25% of the size of the house, and you needed to own the property for at least 4 years. Mr. Hansen said that Mr. Cassidy's property did not meet any of the required codes necessary to approve the variance.

Mr. Moccio asked for a motion to approve the application and no motion was made.

Mr. Moccio asked for a motion to deny the application. The motion was made by Mr. Hansen and seconded by Mr. Greico. Following were the roll call votes.

Mr. Gordon Moccio, Chairman	-	Aye
Mr. Ronald Hansen, Sr., Vice Chairman	-	Aye
Mr. Joseph Greico	-	Aye
Mr. Brett Harrison	-	Aye
Mr. Travis Hunt	-	Aye

The motion carried.

4. James Kafes, 32 Dean Rd., Carmel, NY 10512; TM: 10-2-13 (ZBA 21-021)

Requested a 20' rear variance for a 10' x 16' shed. Tax Map #10-2-13 (ZBA 21-021)

Mr. Kafes said that he wants to have a 10' x 16' shed constructed on his property and needed a 20' front setback variance in order to do so.

A site visit was conducted and Mr. Moccio asked for comments from the ZBA members. Mr. Hansen asked about a gravel pad on the property and whether or not a shed had been located on the property previously. The pad was constructed when the property was owned by a previous owner for a recreational vehicle which they owned and there was no shed on the property previously.

Mr. Moccio asked for a motion to grant the variance. The motion was made by Mr. Harrison 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.

Mr. Moccio asked for a motion to approve the ZBA Minutes pertaining to the June 21, 2021 meeting. The motion was made by Mr. Hunt 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.

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. 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.

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 July 19, 2021

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4. James Kafes
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ZBA 21-021

SITE INSPECTIONS ARE CONDUCTED THE SECOND SUNDAY OF THE MONTH

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