

Approved: December 18, 2022

TOWN OF KENT
ZONING BOARD OF APPEALS
FINAL ADOPTED MINUTES
NOVEMBER 21, 2022

The Zoning Board of Appeals of the Town of Kent held their November 21, 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. Brett Harrison
Mr. Robert Ulich, Alternate ZBA Member
Mr. Bill Walters, Building Inspector

Absent:

Mr. Joseph Greico
Mr. Travis Hunt
Mr. Andrew Wells, Alternate ZBA Member

Mr. Moccio opened the meeting by leading everyone in reciting the Pledge of Allegiance. Mr. Moccio asked that applicants come forward to the podium, sign the sheet provided and submit the green postal cards to the ZBA when their names were called.

Mr. Moccio said that he would like to take an opportunity to welcome Mr. Robert Ulich, an Alternate Member, to the Zoning Board of Appeals and that the Zoning Board Members were looking forward to working with him in the future.

NOTICE IS HEREBY GIVEN that the Zoning Board of Appeals of the Town of Kent will hold a Public Hearing on Monday, November 21st, 2022 at the Kent Town Hall, 25 Sybil's Crossing, Kent Lakes, NY at 7:30 PM to review the following applications

1. James Johansen
10 Dellacona Rd.
Carmel NY 10512

ZBA-22-29 – Requested a 14' rear property line variance for a 10'x 12' Shed. Tax Map # 33.74-2-40.

Mrs. Ferreira, a neighbor of the Johansens, advised the ZBA that Mr. and Mrs. Johansen had passed away and that their son sold the property to Mr. and Mrs. Ferreira's son. In order to expedite the sale of the house Mr. and Mrs. Ferreira took responsibility to obtain permits for an existing shed.

Mr. Moccio asked for comments pertaining to this application. Mr. Hansen said that, during the review of this application, no issues were apparent and there was no objection to approving this application.

Mr. Moccio asked for a motion to grant the variance as noted above. The motion was made by Mr. Harrison and seconded by Mr. Ulich. Following were the roll call votes:

Gordon Moccio, Chairman	<u>Aye</u>
Ronald Hansen, Vice Chairman	<u>Aye</u>
Joseph Greico	<u>Absent</u>
Brett Harrison	<u>Aye</u>
Travis Hunt	<u>Absent</u>
Robert Ulich, Alternate Member	<u>Aye</u>

The motion carried.

2. Michael & Madison Ruggiero
371 Pudding St.
Carmel NY 10512

ZBA-22-30 – Requested a 15’ variance for an in-ground pool on Tax Map# 31.17-1-11.

Mr. and Mrs. Ruggiero said that she and her husband have 35’ where they want to have the pool built and were requesting a variance for an additional 15’ variance in order to have 50’ from the property line.

Mr. Moccio asked for comments regarding this variance. Mr. Hansen said that this was another project, which had been reviewed, and there were no issues, which would cause the ZBA to deny the requested variance.

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

Gordon Moccio, Chairman	<u>Aye</u>
Ronald Hansen, Vice Chairman	<u>Aye</u>
Joseph Greico	<u>Absent</u>
Brett Harrison	<u>Aye</u>
Travis Hunt	<u>Absent</u>
Robert Ulich, Alternate Member	<u>Aye</u>

The motion carried.

3. James Ardisanna
128 Towners Rd.
Carmel, NY 10512

ZBA-22-31 – Requested a 15’ Rear Variance & an 8’ Side Variance for a 12x 24 shed.
Tax Map# 33.74-1-19.

Mr. Ardisanna said that he was requesting a 15’ rear variance an 8’ side variance because he wants to build a 12’ x 24’ shed on a corner of his property, which was very small. He said the location he felt that the location, which he selected, was about the only place where he could build the shed because of leach fields on his property. Mr. Ardisanna said that there is a fence on two corners of his property near his driveway and that the shed would be up against the fence.

Mr. Moccio said that this application had been reviewed and asked for comments.

Mr. Hansen said the drawing shows that the shed will be directly on the fence line with a zero variance and that the ZBA had no problem granting a 6’ side variance rather than the 8’ variance and that the property in the rear was fine. Mr. Ardisanni said that he would be happy to make the shed be 6’ from the side property line.

Mr. Moccio asked for a motion to grant a 6’ variance. Mr. Hansen said that he would make the motion with the stipulation regarding the 6’ variance rather than the 8’ variance and Mr. Ulich seconded the motion. Following were the roll call votes:

Gordon Moccio, Chairman	<u>Aye</u>
Ronald Hansen, Vice Chairman	<u>Aye</u>
Joseph Greico	<u>Absent</u>
Brett Harrison	<u>Aye</u>
Travis Hunt	<u>Absent</u>
Robert Ulich, Alternate Member	<u>Aye</u>

The motion carried.

4. Jonathan Griffin
10 Bedford Rd.
Carmel NY 10512

ZBA-22-32 – Requested a 6’ variance for a Shed. Tax Map# 33.66-2-54.

Mr. Moccio asked if anyone was present for this application and there was no response. This project was held over for the December meeting.

5. Christopher Weber
587 Famers Mills Rd.
Carmel NY 10512

ZBA-22-33 Requesting a 16 ft. side yard variance for ATF- 8 x 16 Shed Tax Map# 11.17-1-30.

Ms. Nanci Kubic, a realtor from Houlihan Lawrence, represented the applicant at this meeting. Ms. Kubic advised the ZBA that the variance was for an “After the Fact” permit for an existing shed. The property was being sold and the closing would be held the week after this meeting. Ms. Kubic said that the applicant purchased this property in 1999 and the shed was on the property at that time. However, during the municipalities, the applicant found that there had not been a permit for the shed so he wanted to legalize it prior to the closing.

Mr. Moccio asked for comments regarding this variance.

Mr. Hansen said that this application had been reviewed and that the applicant had the appropriate clearance, which would normally be requested, and that there were no issues regarding the variance.

Mr. Moccio asked for a motion to grant the variance for this property. Mr. Moccio asked for a motion to grant the variance as noted above. The motion was made by Mr. Harrison and seconded by Mr. Ulich. Following were the roll call votes:

Gordon Moccio, Chairman	<u>Aye</u>
Ronald Hansen, Vice Chairman	<u>Aye</u>
Joseph Greico	<u>Absent</u>
Brett Harrison	<u>Aye</u>
Travis Hunt	<u>Absent</u>
Robert Ulich, Alternate Member	<u>Aye</u>

The motion carried.

Mr. Moccio noted that the Board had received the draft of the Minutes from the October 17, 2022 meeting and asked if everyone had read them. Everyone said they had read them and Mr. Moccio asked for a motion to accept them. The motion was made by Mr. Harrison and seconded by Mr. Hansen. Following were the roll call votes:

Gordon Moccio, Chairman	<u>Aye</u>
Ronald Hansen, Vice Chairman	<u>Aye</u>
Joseph Greico	<u>Absent</u>
Brett Harrison	<u>Aye</u>
Travis Hunt	<u>Absent</u>
Robert Ulich, Alternate Member	<u>Aye</u>

The motion carried.

Mr. Moccio asked for a motion to adjourn the meeting at 7:45 PM. The motion was made by Mr. Ulich and seconded by Mr. Hansen. Following were the roll call votes:

Gordon Moccio, Chairman	<u>Aye</u>
Ronald Hansen, Vice Chairman	<u>Aye</u>
Joseph Greico	<u>Aye</u>
Brett Harrison	<u>Aye</u>
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
Agenda November 21st. 2022

NOTICE IS HEREBY GIVEN that the Zoning Board of Appeals of the Town of Kent will hold a Public Hearing on **Monday, November 21st. 2022** at the Kent Town Hall, 25 Sybil's Crossing, Kent Lakes, NY at 7:30 p.m. to review the following applications

1. James Johansen
10 Dellacona Rd.
Carmel NY 10512

ZBA-22-29 - Requests property line variance for a 10'x 12' Shed; 14' Rear variance, Tax Map # 33.74-2-40

2. Michael & Madison Ruggiero
371 Pudding St.
Carmel NY 10512

ZBA-22-30 - Request a variance a 15 ft. for a in-ground pool on Tax Map# 31.17-1-11

3. James Ardisanna
128 Towners Rd.
Carmel NY 10512

ZBA-22-31 - Request a variance for a 15 Rear Variance & 8 ft. Side Variance for 12x 24 shed.
Tax Map# 33.74-1-19

4. Jonathan Griffin
10 Bedford Rd.
Carmel NY 10512

ZBA-22-32 - Requesting a variance for 6 ft. for a Shed. Tax Map# 33.66-2-54

5. Christopher Weber
587 Famers Mills Rd.
Carmel NY 10512

ZBA-22-33 Requesting a 16 ft. side yard variance for ATF- 8 x 16 Shed Tax Map# 11.17-1-30

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

SITE INSPECTIONS ARE THE 2nd. SUNDAY OF THE MONTH. BETWEEN 9:00 AM & 10:00 AM

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