

**TOWN OF KENT
ZONING BOARD OF APPEALS
November 19, 2018**

FINAL MINUTES

The Zoning Board of Appeals of the Town of Kent held a Public Hearing at the Kent Town Hall, 25 Sybil's Crossing, Kent Lakes, New York on **Monday, November 19, 2018**. The meeting was called to order at **7:30 P.M** by Mr. Gordon Moccio, the ZBA Chairman. After due notice, the following members were present:

Present:

- Mr. Gordon Moccio, Chairman
- Mr. Ronald Hansen, Vice Chairman
- Mr. Joseph Greico
- Mr. Brett Harrison
- Ms. Jennifer Martinez
- Mr. Bill Walters, Building Inspector

Mr. Moccio opened the meeting by leading the Pledge of Allegiance.

HOLDOVERS:

1. Bally Hack Management, 18 Bradley Ct., Brewster NY 10509 for property located at 15 Dunwoodie Road, Carmel, NY; TM: 33.56-1-3.

Mr. William Shilling represented the owner of this property and requested an interpretation of whether an existing two-family dwelling is a legal nonconforming property. The property location is 13-15 Dunwoodie Road- Tax Map #33.56-1-3.

The property was recently sold to Mr. Gileno, who purchased other properties in the area in the past. This property has a two bedroom, 1 bath cottage house on it, which was built in the 1940's. There is a larger house on the property, which is being used as a two-family residence. There are two apartments – one apartment has two bedrooms and the other apartment has one bedroom. Mr. Shilling was seeking an interpretation that the larger house should be a legal two-family house. The house was originally built as a boarding house and was legal in 1937. This application has been before the Zoning Board for several months. Mr. Shilling had affidavits from the former owner, letters from neighbors and an assessment card from when the house was originally built supporting his statements. The configuration remains the same and shows that there were always two kitchens in it. Mr. Lynch, an engineer with Putnam Engineering, also produced plans showing the house as it was.

Mr. Moccio said that he realized this was an on-going issue for several years and based upon research and data collected and supported Mr. Shilling's remarks. Mr. Hansen said that, having grown up in the area, and the fact he spoke to some neighbors and felt the same as Mr. Moccio.

Mr. Moccio asked for a motion to grant the variance for this property. The motion was made by Mr. Hansen and seconded by Ms. Martinez. . 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>
Ms. Martinez	-	<u>Aye</u>

The motion carried.

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NEW BUSINESS:

1. Jodi Lynn Tovano, 9 Wykagyl Road, Kent Lakes NY 10512; TM: 33.24-1-66

Requested renewal of permit for an accessory apartment at 9 Wykagyl Road, Tax Map # 33.24-1-66.

Ms. Tovano attended the meeting and requested a renewal of an accessory apartment on her property

Mr. Moccio asked for a motion to renew the permit for an accessory apartment on this property. The motion was made by Ms. Martinez 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>
Ms. Martinez	-	<u>Aye</u>

The motion carried.

2. Approval of the October ZBA Minutes

Mr. Moccio asked for a motion to approve the October Minutes. The motion was made by Ms. Martinez 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>
Ms. Martinez	-	<u>Aye</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. The roll call votes were as follows:

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>
Ms. Martinez	-	<u>Aye</u>

The motion carried.

Cordially Submitted,



Vera Patterson

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

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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 November 19, 2018 at the Kent Town Hall, 25 Sybil's Crossing, Kent Lakes, NY at 7:30 p.m. to review the following applications.

3. Jodi Lynn Tovano
9 Wykagyl Road
Kent Lakes NY 10512
Requests renewal of accessory apartment. Tax Map # 33.24-1-66

HOLDOVERS

2. Bally Hack Management
18 Bradley Ct.
Brewster NY 10509
Interpretation of whether an existing two-family dwelling is a legal nonconforming. Location 13-15 Dunwoodie Road- Tax Map #33.56-1-3

SITE INSPECTIONS ARE THE SECOND SUNDAY OF THE MONTH.

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