

**TOWN OF KENT  
ZONING BOARD OF APPEALS  
July 16, 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, July 16, 2018**. The meeting was called to order at **7:30 P.M** by Mr. Ronald Hansen, the ZBA Vice Chairman. After due notice, the following members were present:

Present:

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

Absent:

- Ms. Jennifer Martinez

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

**HOLDOVERS:**

1. John Ryder, 109 E. 36<sup>th</sup> St., Ste. 4, New York, NY;  
Property located on Waywanda Rd., Kent, NY 10512; TM: 41-1-8

Requested a variance to utilize a small 25 foot camping trailer to be used during the construction of a new home on Waywanda Road to construct a new home to house workers. Tax Map #41.-1-8.

There was no one at the meeting to represent the applicant. Mr. Hansen confirmed that the applicant will be sending a letter withdrawing his request for a variance. This project was again held over until the August meeting. Mr. Walters mentioned that this project had been on the ZBA agenda for six months and that it would be prudent to remove the application from the agenda until he reapplies.

Mr. Hansen asked for a motion to remove the Ryder application from the agenda. The motion was made by Mr. Hansen and seconded by Mr. Moccio. The roll call votes were as follows:

Mr. Gordon Moccio, Chairman	-	<u>Absent</u>
Mr. Ronald Hansen, Sr., Vice Chairman	-	<u>Aye</u>
Mr. Brett Harrison	-	<u>Aye</u>
Ms. Martinez	-	<u>Absent</u>

The motion carried.

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**NEW BUSINESS:**

1. **Andrea Gutierrez, 21 Sedgewick Road, Carmel, NY; TM: 33.48/1-36**

Requested an 18' rear and a 3' side variance for a proposed 12' x 12' shed.  
Tax Map #33.48-1-36.

Ms. Gutierrez advised the Zoning Board members that she needed a variance for a proposed 12/ x 12 shed. Mr. Moccio asked for a motion to grant this variance. The motion was made by Mr. Hansen and seconded by Mr. Moccio. The roll call votes were as follows:

Mr. Gordon Moccio, Chairman	-	<u>Aye</u>
Mr. Ronald Hansen, Sr., Vice Chairman	-	<u>Aye</u>
Mr. Brett Harrison	-	<u>Aye</u>
Ms. Martinez	-	<u>Absent</u>

The motion carried.

2. **Judith Skelton, 16 Hastings Road, Carmel, NY; TM: 33.51-2-37**

Requested an 8' rear variance for a proposed swimming pool. Tax Map #33.51-2-37.

Mr. Nejame represented the applicant and advised the ZBA that there was only one flat spot where the pool could be constructed. .

Mr. Hansen advised the representative that the plans submitted were not accurate and that there was no way this application could be approved. He asked if anyone from the company had visited the site and was told that they had not. A new survey had to be done and new plans had to be prepared for the ZBA. Mr. Moccio suggested that a site visit be done by Nejame and that new drawings be submitted after the site visit. Mr. Hansen made a motion to deny the requested variance and it was seconded by Mr. Moccio. The roll call votes were as follows:

Mr. Gordon Moccio, Chairman	-	<u>Aye</u>
Mr. Ronald Hansen, Sr., Vice Chairman	-	<u>Aye</u>
Mr. Brett Harrison	-	<u>Aye</u>
Ms. Martinez	-	<u>Absent</u>

The motion carried.

3. **Cindy Bravo-Sanchez, 97 West Lakeshore Drive, Carmel, NY; TM: 33.57-1-1**

Requested a 4' rear and 4' side variance for a proposed swimming pool. Tax Map 33.57-1-1.

This application was withdrawn.

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4. **Michael Bonventre, 10 Gilead Road, Carmel, NY; TM; 33.65-1-16**

Requested an 8' side variance to rebuild an existing garage. Tax Map 33.65-1-16

Mr. Bonventre said that a tree fell on an existing garage during the tornado and he wants to re-build it. The existing is encroaching on a neighbor's property by approximately 2' and, since he needs to repair the garage he plans on re-building it and rectifying the encroachment.

A neighbor asked to be heard about this matter and said that the garage in question is not near her property and she thinks that the new location will be near her property and will be building a retaining wall. There is also a stockage fence she built previously to keep a neighbor's dog out of her yard. Mr. Bonventre told her that her fence was on his property and that he would be taking it down and will be building a retaining wall. The neighbor was very concerned about this matter.

Mr. Hansen said that the permit was to re-build the garage, correct the location and to put a 2' addition onto the new garage.

The two neighbors were satisfied with the application after it was clarified.

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

Mr. Gordon Moccio, Chairman	-	<u>Aye</u>
Mr. Ronald Hansen, Sr., Vice Chairman	-	<u>Aye</u>
Mr. Brett Harrison	-	<u>Aye</u>
Ms. Martinez	-	<u>Absent</u>

The motion carried.

5. **Michael Zimmerman, 607 West End Avenue, New York, NY; for Property Situated at 27 Barrett Circle Court, Carmel, NY; TM: 42.12-1-18**

Requested a 19' side variance for a proposed garage addition at 27 Barrett Circle Court, Carmel, NY. Tax Map 42.12-1-18

Mr. Zimmerman's architect represented him. The applicant is in the process of having an addition put onto his house and there is an existing non-conforming garage on the property, which is located approximately 1'5" off of the property line of the adjacent property. There will not be any construction or changes to the garage now or in the future.

A site visit was done to this location and the ZBA understood the problem. Mr. Moccio asked for a motion to grant the variance. The motion was made by Mr. Hansen and seconded by Mr. Moccio. The roll call votes were as follows:

Mr. Gordon Moccio, Chairman	-	<u>Aye</u>
Mr. Ronald Hansen, Sr., Vice Chairman	-	<u>Aye</u>
Mr. Brett Harrison	-	<u>Aye</u>
Ms. Martinez	-	<u>Absent</u>

The motion carried.

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6. Approval of the June ZBA Minutes

Mr. Moccio asked for a motion to approve the June ZBA minutes for June.

The motion was made by Mr. Hansen seconded by Mr. Moccio. The roll call votes were as follows:

Mr. Gordon Moccio, Chairman	-	<u>Aye</u>
Mr. Ronald Hansen, Sr., Vice Chairman	-	<u>Aye</u>
Mr. Harrison	-	<u>Aye</u>
Ms. Martinez	-	<u>Absent</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. Moccio. The roll call votes were as follows:

Mr. Gordon Moccio, Chairman	-	<u>Aye</u>
Mr. Ronald Hansen, Sr., Vice Chairman	-	<u>Aye</u>
Mr. Brett Harrison	-	<u>Aye</u>
Ms. Martinez	-	<u>Absent</u>

The motion carried.

Cordially Submitted,



Vera Patterson

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

**Town of Kent Zoning Board of Appeals Minutes  
July 16, 2018**

**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 16, 2018** at the Kent Town Hall, 25 Sybil's Crossing, Kent Lakes, NY at 7:30 p.m. to review the following applications.

1. Andrea Gutierrez  
21 Sedgwick Road  
Carmel, NY 10512

Requests a 19' rear and 7' side variance for a proposed 12' x 12' shed. Tax Map #33.48-1-36.

2. Judith Skelton  
16 Hastings Road  
Carmel, NY 10512

Requests an 8' rear variance for a proposed swimming pool. Tax Map # 33.51-2-37.

3. Cindy Bravo-Sanchez  
97 West Lakeshore Drive  
Carmel, NY 10512

Requests a 4' rear and a 4' side variance for a proposed swimming pool. Tax Map # 33.57-1-1.

4. Michael Bonventre  
10 Gilead Road  
Carmel, NY 10512

Requests an 8' side variance to rebuild an existing garage. Tax Map #33.65-1-16.

5. Michael Zimmerman  
607 West End Avenue  
New York, NY 10024

Requests a 19' side variance for a proposed garage addition at 27 Barrett Circle Court., Carmel, NY. Tax Map #42.12-1-18.

**HOLDOVERS**

1. John Ryder  
109 East 36<sup>th</sup> St. Suite 4  
New York, NY 10016

Requests a variance to utilize a small 25 foot camping trailer through the construction of new home to house workers. Waywayanda Road. Tax Map # 41.-1-8.

**SITE INSPECTIONS ARE THE SECOND SUNDAY OF THE MONTH.**

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