

**Town of Kent Zoning Board of Appeals Minutes**  
**Approved: May 15, 2017**

**TOWN OF KENT**  
**ZONING BOARD OF APPEALS**  
**April 17, 2017**

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, April 17, 2017**. The meeting was called to order at **7:30 P.M** by Mr. Rogers, the ZBA Chairman. After due notice, the following members were present:

**Present:** Mr. Bob Rogers, Chairman  
Mr. Bob Bradley, Vice Chairman  
Dan Clayton  
Ms. Nina Gerosa  
Mr. Bob Phillips  
Mr. Bill Walters, Building Inspector

**HOLDOVER:**

1. **Kent Investors, P. O. Box 177, Somers, NY 10589 for Property located at 301 Rte. 52, Kent, NY 10512; TM: 44.6-1-7**

Requested a reversal of the Town of Kent Building Inspector's determination of November 10, 2016, received November 14, 2016. The property is located at 301 Route 52, Kent Lakes, NY. Tax Map #44.6-1-7.

Mr. Rogers advised the audience that the owners of Kent Investors asked that this matter be postponed until the May meeting.

**NEW BUSINESS:**

1. **Richard Harrington, 233 Horsepound Road, Carmel, NY 10512; TM: 33.-1-36**

Requested a 40' rear yard variance for 12' x 16' shed. Tax Map #33.-1-36.

Mr. Harrington told the Zoning Board that he had some problems with water running onto his property and the location he selected for the proposed shed was the only place he could put it and not have the runoff affect the shed.

Mr. Rogers said that the Zoning Board had inspected the property and had no objection to granting the variance and that no storage was allowed behind the shed. Mr. Rogers asked for a motion to grant the 40' rear yard variance. Mr. Phillips made the motion and it was seconded by Mr. Clayton. . The roll call votes were as follows:

Mr. Bob Rogers, Chairman	-	<u>Aye</u>
Mr. Bob Bradley, Vice Chairman	-	<u>Aye</u>
Mr. Dan Clayton	-	<u>Aye</u>
Ms. Nina Gerosa	-	<u>Aye</u>
Mr. Bob Phillips	-	<u>Aye</u>

The motion carried.

2. **Susan Schneider, 236 Fogginton Road, Brewster, NY 10509 Property is Located at 11 Cottage Road, Kent, NY; TM: 33.59-1-46**

Requested an 8' rear yard variance for a pre-existing shed. The property address is 11 Cottage Road. Tax Map #33.59-1-46.

Ms. Schneider advised the Zoning Board that her house is for sale and that the title company wants her to obtain a Certificate of Occupancy (CO) from the Building Department for the shed on her property.

Mr. Bradley told Ms. Schneider that the survey presented to the Zoning Board had no relation to the house. Ms. Schneider said that the survey was the only one available and she had obtained it from the Building Department and that it was an old survey. She stated that there had been some adjustments made to the house. The survey makes it look like the house goes in another direction. Mr. Walters told the Zoning Board that he had inspected the property and that the shed was on the corner of the property and that where the house was situated was irrelevant. Mr. Clayton showed the Zoning Board a Google satellite map and showed the house on an angle and the shed. Mr. Rogers asked Mr. Clayton to print out the map for the ZBA file.

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Mr. Rogers suggested that Ms. Schneider may want to have an updated survey done for the title company, bank and future owners, but that the ZBA did not require that she do one. Mr. Rogers said that the Zoning Board would accept the survey submitted along with the Google map for purposes related to the shed.

Mr. Bradley discussed the driveway on Cottage Road and said that there are two front yards on this property. He suggested that the driveway is on Cottage Road that should be considered the front yard and that the area where the shed is situated should be considered the side yard because it is 8' from the property line and the requirement is 12' and a variance would not be required.

Mr. Rogers said that an official note should be included in the Zoning Board minutes that in reviewing this application the Zoning Board made the determination that since the driveway is on Cottage Road, the front yard (northerly property line), the shed is in the side yard and does not require a variance.

Mr. Rogers advised Ms. Schneider to go to the Building Department for a Building Permit for the shed, to obtain a voucher for \$150.00 (half of the permit fee) in order to get a refund since a variance was not necessary, and to get a copy of the Zoning Board minutes for her records.

3. **Approval of March Minutes**

The Zoning Board Minutes for March will be approved at the May meeting.

Mr. Clayton mentioned that the February minutes needed to be changed because the Zoning Board approved the December 2016 minutes along with the February minutes. He was not on the Zoning Board in December, therefore the minutes should be separated to show that he could not approve the December minutes.

Mr. Rogers asked for a motion to close the meeting at 8:00 PM. The motion was made by Ms. Gerosa and seconded by Mr. Clayton. The roll call votes were as follows:

Mr. Bob Rogers, Chairman	-	<u>Aye</u>
Mr. Bob Bradley, Vice Chairman	-	<u>Aye</u>
Mr. Dan Clayton	-	<u>Aye</u>
Ms. Nina Gerosa	-	<u>Aye</u>
Mr. Bob Philipps	-	<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  
AGENDA

NOTICE IS HEREBY GIVEN that the Zoning Board of Appeals of the Town of Kent will hold a Public Hearing on Monday, April 17, 2017 at the Kent Town Hall, 25 Sybil's Crossing, Kent Lakes, NY at 7:30 p.m. to review the following applications:

Kent Investors  
P. O. Box 177  
Somers, NY 10589

Requests reversal of Town of Kent Building Inspector's determination of 2/27/2017. Property is located at 301 Route 52, Kent Lakes, NY. Tax Map #44.6-1-7.

3. Richard Harrington  
233 Horsepound Road  
Carmel, NY 10512

Requests 40' rear yard variance for 12' x 16' shed. Tax Map #33.1-36

4. Susan Schneider  
236 Fogginton Road  
Brewster, NY 10509

Requests 8' rear yard variance for a pre-existing shed. The property address is 11 Cottage Road.  
Tax Map #33.59-1-46

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SITE INSPECTIONS ARE THE SECOND SUNDAY OF THE MONTH.

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