

**Town of Kent Zoning Board of Appeals Minutes
February 27, 2017**

Approved: May 15, 2017

**TOWN OF KENT
ZONING BOARD OF APPEALS
February 27, 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, February 27, 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
Mr. Dan Clayton
Ms. Nina Gerosa
Mr. Bob Philipps
Mr. Bill Walters, Building Inspector

Mr. Rogers introduced and welcomed a new Zoning Board of Appeals member, Mr. Dan Clayton.

HOLDOVER UNTIL MARCH 20, 2017 MEETING

1. **Kent Investors/Putnam Stone, P. O. Box 177, Somers, NY 10589; TM: 44.6-1-7**

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

2. **Allison Palais, 924 White Pond Colony Road, Carmel, NY 10512; TM: 11.13-1-38**

Requested a variance for a 30' x 8' deck. Needs 13' front, 8.7" side & 19% lot coverage variance. Tax Map #11.13-1-38.

Mr. Joseph Eicher, a neighbor, attended the meeting and said that Ms. Palais has encroached his property by installing a generator on his property and that he would attend the March 20th meeting to discuss the matter further.

NEW BUSINESS:

1. **Eric Peters, 5 Princeton Road, Kent, NY 10512; TM: 22.73-1-61**

Requested a 14.6' front yard variance and a 5' side yard variance for a proposed 12' x 20' shed/garage. Mr. Peters attended the meeting and thanked the Zoning Board for their advice given previously about relocating the proposed shed and getting a different size. He did take their advice and proposed to have a 18' x 26' aluminum shed on a concrete slab placed on his property.

Mr. Bradley asked where the septic system on this property was located and whether or not it would be impacted when the shed was installed. Mr. Peters said that the septic system and fields are situated straight back from the chimney and that there would be no encroachment. He said he had enlarged the footprint and had discussed it with his neighbors, who had no objections. The shed will match his house, his roof and the trim on his house. It will be situated 4' off his deck.

Mr. Rogers said that the ZBA does not like to have sheds so close to the property line and prefers to have 3' all around and away from the property line. Mr. Peters said he would put up a 16' x 24' shed with 3' on either side to comply with the ZBA's request. Mr. Rogers said the shed could not be used for storage.

The Zoning Board asked Mr. Peters to submit a picture of the shed to the Zoning Board along with new dimensions for the March meeting and he said he would do so.

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Mr. Rogers asked for a motion to grant a 5' side yard and a 17' rear yard variance subject to the new material being submitted and approved by the Building Inspector. The motion was made by Mr. Bradley and seconded by Mr. Philipps. The roll call vote was as follows:

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

The motion carried.

2. On A Roll Realty Corp. (AKA Delliland), 508 Route 52, Carmel, NY 10512; TM: 33.48-1-12

Requested a 13.9' front yard variance for an addition to the existing structure.

Mr. Owen Jordan, the owner of the delicatessen, attended the meeting. Mr. Jordan wanted to change the appearance of the building, build up one story and perhaps have an apartment on the second floor.

The first floor will be extended only by about 4 feet where the overhang is. This will expand the inside to allow for some seating. There is no parking in the front which will be impacted. They are also connected to the sewer.

Mr. Rogers asked for a motion to grant the variance for a 13.9' front yard variance. Mr. Bradley suggested that, since technically this property has two front yards (one on Chauncey Road and one on Route 52/Smadbeck Road), it may be more appropriate to grant variances for both yards and consider the one on Chauncey the rear yard and the front yard would be on Smadbeck/Route 52 in order to legalize the building. A motion was made by Mr. Bradley and seconded by Mr. Clayton to grant a 13.9' Front Yard and a 19.10' Rear Yard variance. The roll call vote was as follows:

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

The motion carried.

**3. Russell Granet/David Beach, 315 Riverside Drive, 12-A, New York, NY 10025
Property known as 578 Gipsy Trail Road, Kent, NY; TM: 32.6-1-15**

Requested a variance to build a 270 square foot single story addition into a side yard set back to be used as a 3rd bedroom with a full bath. Property is known as Tax Map #32.6-1-15, 578 Gipsy Trail Road, Kent, NY.

This project was to have been discussed at the January 23, 2017 meeting, but the meeting was cancelled due to inclement weather. Mr. Beach attended the ZBA workshop on Monday, February 6, 2017 at 7:40 PM.

The application was represented by the contractor, Richard Adamsky of Suburban Improvements, and the architect, Kimberly Ackert. KA stated that the applicant wished to enlarge their house, a small 2-story house with a proposed 10'x22' addition. The present house currently encroaches on the front and rear yards, and the proposed addition will not increase this encroachment but requires an 18'8' front yard variance and 39'9" rear yard variance.

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Mr. Rogers asked for a motion to approve an 18'8" front yard variance and 39'9" rear yard variance. The motion was made by Bob Bradley and seconded by Nina Gerosa. The roll call vote was as follows:

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

The motion carried.

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Ms. Gerosa said that the December minutes should be corrected and that the ZBA did not salute the flag so that should be removed from the minutes. The minutes will be corrected and submitted for approval at the March meeting. There was no January meeting or minutes.

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

Mr. Bob Rogers, Chairman	-	<u>Aye</u>
Mr. Bob Bradley	-	<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
Doug Holly

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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, February 27, 2017** at the Kent Town Hall, 25 Sybil's Crossing, Kent Lakes, NY at 7:30 p.m. to review the following applications:

NEW BUSINESS:

1. On A Roll Realty Corp., 508 Route 52, Carmel, NY 10512; TM: 33.48-1-12

Requests a 13.9' Front yard variance for an addition. Tax Map #33.48-1-12

HOLDOVER UNTIL MARCH 20, 2017 MEETING

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3. Eric Peters, 5 Princeton Road, Kent, NY 10512; TM: 22.73-1-61

Requests a 14.6' front & 5' side yard variance for a proposed 12' x 20' shed. Tax Map: 22.73-1-61.

SITE INSPECTIONS ARE THE SECOND SUNDAY OF THE MONTH.

CC: Town Clerk
Planning Board
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William Walters, Building Inspector
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