

Town of Kent Zoning Board of Appeals Minutes
July 20, 2020

Approved October 21, 2020

**TOWN OF KENT
ZONING BOARD OF APPEALS
July 20, 2020**

FINAL ADOPTED MINUTES

The Zoning Board of Appeals of the Town of Kent held a Virtual Zoom/Public Hearing from their homes in Kent, New York on **Monday, July 20, 2020**. The meeting was called to order at 7:30 P.M by Mr. Gordon Moccio, the ZBA Chairman. After due notice, the following members participated:

Present:

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

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

NEW BUSINESS:

1. Julio Gonzalez
90 Dykeman Rd
Carmel NY 10512

The applicant requested 10' side & 40' rear variances for a proposed 10' x 12' shed. Tax Map # 44.9-2-8.

Mr. Gonzales stated that he was requesting this variance in order to construct a shed for storage on his property.

Mr. Moccio said that a site visit had been conducted by the members of the Zoning Board and no issues were discovered. Mr. Moccio asked if anyone on the Board or in the audience wanted to be heard and there were no comments from anyone.

Mr. Moccio asked for a motion to grant the 10' side and 40' rear variances. The motion was made Mr. Harrison 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>

The motion carried.

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2. Carol J. W. Kurth
644 Old Post Rd
Bedford NY 10506

Property location 475 Pudding Street. Tax Map # 31.-1-32

1. The applicants requested permission to have an apartment over an accessory structure (Garage)
Per [Article III - R-80 §77-7 (D) (1)]
2. The applicants requested permission to construct a 3 bedroom apartment over a garage and in an accessory structure per [Article XXI- Accessory apartments §77-70 (B)]

Ms. Kurth represented the Mr. & Mrs. Vitiello, the owners of the property noted above, who also participated on the Zoom call.

Mr. Moccio said that the members of the Zoning Board of Appeals had visited the site and met with the owners of the property. Mr. Moccio said that when the Board made their decisions they based them on the plans proposed at the present time as well as in the future. Mr. Hansen stated that the Board member had some concerns about the scope of this project and discussed them with the applicants who had alleviated the concerns and that Mr. Moccio would explain some conditions that were going to be part of the decision when/if the variance was granted on this project.

Mr. Moccio explained the following conditions would apply:

- The use of the property in question as an Air B and B, similar enterprise, or other corporate or commercial enterprise would void this variance; and
- The variance is subject to renewal every 5 years

Ms. Kurth stated that it may be some time before construction began on this property and if the 5 years could begin when the Certificate of Occupancy was issued. Mr. Moccio and Mr. Greico did not object to this request, but Mr. Hansen n and Mr. Harrison did not agree to this request.

Mr. Moccio asked for a motion to grant the variance as described above with the following conditions:

- The use of the property in question as an Air B and B, similar enterprise, or other corporate or commercial enterprise would void this variance; and
- The variance is subject to renewal every 5 years

The motion was made Mr. Hansen and seconded by Mr. Greico. 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>

The motion carried.

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Mr. Moccio asked for a motion to approve the Zoning Board Minutes from the May and June meetings. The motion was made by Mr. Harrison 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>

The motion carried.

The Board discussed how to conduct the meetings in August and it was decided to continue with the virtual Zoom meetings in August.

Mr. Moccio asked for a motion to adjourn the meeting at 08:00 PM. The motion was made by Mr. Greico and seconded by Mr. Harrison. 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>

The motion carried.

Cordially Submitted,



Vera Patterson

CC: Town Clerk
 Planning Board
 Town Board
 Zoning Board
 Emily Cole, Building Dept. Clerk
 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 July 20, 2020**

THIS MEETING WILL BE CONDUCTED VIRTUALLY The Town of Kent will be holding its regularly scheduled Zoning Board meeting on Monday July 20, 2020 at 7:30 p.m. via ZOOM. The meeting will be televised live on the Town of Kent cable channel as well as live-streamed on YouTube. The public can participate via ZOOM. Please identify yourself when participating just as you would if you came to the microphone during a regular meeting. Thank you for your cooperation.

Topic: Town of Kent, N.Y. ZBA Meeting July 20, 2020
Time: July 20, 2020 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/5877083251>

Meeting ID: 587 708 3251

One tap mobile

+19292056099,,5877083251# US (New York)

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 587 708 3251

Find your local number: <https://us02web.zoom.us/j/kH6X5CXoW>

To view the video live on YouTube click the link below. To make a public comment, please sign in to a Gmail account on YouTube.
<https://www.youtube.com/watch?v=L2mrlNH3I2Q&feature=youtu.be>

AGENDA

1. Julio Gonzalez
90 Dykeman Rd
Carmel NY 10512

Requesting 10' side & 40' rear variance for proposed 10' x 12' shed. Tax Map # 44.9-2-8.

2. Carol J. W. Kurth
644 Old Post Rd
Bedford NY 10506

Property location 475 Pudding Street. Tax Map # 31.-1-32

1. Request to have an apartment over an accessory structure (Garage) [Article III - R-80 §77-7 (D) (1)]
2. Request to have an apartment over garage and in an accessory structure per [Article XXI- Accessory apartments §77-70 (B)]
3. Request to have a 1615.5 SF apartment (max. size is 800 SF) [Article XXI - Accessory Apartments §77-70 (B) (7)]

SITE INSPECTIONS ARE THE SECOND
SUNDAY OF THE MONTH.

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