

**TOWN OF KENT
ZONING BOARD OF APPEALS**

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MAY 14, 2019 REGULAR MEETING MINUTES

The Town of Kent Zoning Board of Appeals held a regular meeting on May 14, 2019 at 7:00 p.m. in the Kent Town Hall.

- 1) Call to Order and Roll Call

Mr. DiPentima opened the meeting at 7:02pm.

Board Members Present: Anthony DePentima, Chairman; Members: Nick Downes, John Noneman, Mike Van Valkenburg; Alternates: Anne Bisenius, Patricia Oris

- 2) Appointment of Alternates(s) to Voting Status

Mr. DePentima elevated Ms. Oris to voting status

- 3) Acceptance or Revision of Agenda

Mr. Downes accepted the Agenda as presented. Mr. Van Valkenburg seconded and the motion carried unanimously.

- 4) Reading and Approval of Regular Meeting Minutes of March 12, 2019.

Ms. Oris made a motion to approve the Regular Meeting Minutes of March 12, 2019 as presented. Mr. Noneman seconded and the motion carried unanimously.

- 5) Recess Meeting. Convene Hearing:

The hearing was convened at 7:05pm.

- 5.1. Application #02-19, Joy C. Brown, 463 Segar Mountain Road, relief from §3240, side yard setback, for the construction of a 12' x 12' addition on the westerly side of the existing "tea house", Map 15 Block 22 Lot 67.

Ms. Brown was in attendance and presented her application. She has a 5 acre property with her principal residence and several outbuildings, including a studio and a "teahouse." She is looking to add an addition to one of the existing buildings (the "teahouse") that would extend about 7 feet into the side yard setback. The intent is to add a bathroom and sleeping space to create living space in the current outbuilding. She explained that the westerly side made the most sense due to the topography of the land and the orientation of the existing building. The abutting neighbor on that westerly side is the Weantinoge Land Trust. Ms. Brown explained that prior to Weantinoge being deeded the 15 adjacent acres, she was in discussion to acquire two abutting acres as the prior owner was selling the remaining 13 acres. When it was apparent that the transfer would be to the Land Trust, but that they

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were wanting the full 15 acre property, she agreed to forego her pursuit of the 2 acres to facilitate the Land Trust's acquiring of the total parcel. She acknowledged that she knew that it might create a need for variance down the road for the teahouse building due to its existing proximity to the setback line. There was discussion about whether she had any consultation about moving the large rock on the front side of building or excavation on the back side. She reported no formal consultation. Mike Van Valkenburg asked whether she had any discussion with Weantinoge about doing a lot line revision that would keep both of their parcels the same size, but adjust the line to allow for the needed footage along that border to allow for the required setback. Ms. Brown said she had not, but thought it was an interesting potential solution. Mr. DiPentima clarified that we had her pending application and are prepared to take a vote on it tonight if she wished. However, if she wanted to pursue some other options first, she could withdraw the application voluntarily. Should she wish, she could submit it at a later date for consideration without prejudice. Ms. Brown indicated that she would like to voluntarily withdraw the application at this time. Mr. DiPentima asked again if she was sure, as the committee would then take no action tonight. She said she was. The hearing was recessed.

6) Close Hearing. Brief Recess

The hearing was closed at 7:26pm. There was no brief recess.

7) Reconvene Meeting. Action on Appeal(s) Heard

The meeting was reconvened at 7:26pm. Since the applicant indicated that they were going to voluntarily withdraw the application at this time, the committee took no action. The applicant is free to submit the application at a later date for consideration without prejudice.

8) Old Business

None noted.

9) New Business

None noted.

10) Communications

10.1. Monthly Financials – July through March, 2019.

There was a brief review of current financials with no action.

11) Adjourn

The meeting was adjourned at 7:29pm

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