

TOWN OF KENDALL
ZONING BOARD OF APPEALS
MEETING MINUTES

Tuesday, November 18, 2008 – 7:00 p.m.

CALL TO ORDER: Chairman Banker called the meeting to order at 7:00 p.m.

ROLL CALL: Kevin Banker, chair - present
 Pamela Rowles - absent
 Michael Hanlon - absent
 Charles Patt - present
 Gay Smith - present

ALSO PRESENT: Paul Hennekey, Deputy Code Enforcement
 David Schuth, Town Board Representative
 Marianne Wilson, Recording Secretary

MINUTES: Minutes from October 22, 2008 were presented. Chuck is unable to vote as he was not in attendance. Acceptance of minutes suspended for lack of quorum.

No public hearings this month.

CODE ENFORCEMENT: Most business is for issuance of building permits for stoves: wood, pellet and mixed fuel. Town of Carlton has 6 new houses under construction. Albion is very slow. A resident complained to Paul yesterday regarding what he perceives to be misinformation regarding setbacks for construction of his pole barn in 2003. No variance was filed.

Paul would like to participate in Zoning Board meetings in 2009. Agreeable with this board.

NEW BUSINESS: Discussion initiated by Paul regarding loop holes in Zoning Ordinance and changes this board feels are needed. Chuck states Town of Carlton just rewrote their Ordinance. Dave states the Planning Board is to rewrite the Master Plan in 2009. Zoning Ordinance can be updated at any time by Town Board amendment, such as the Local Wind Energy document. The Codification System is not allocated in the 2009 budget. There is carryover from 2008 to add to 2009 funds, which will cover updating Master Plan and Zoning Maps. Any remaining balance can be applied to possible implementation of Codification. The company representative will be scheduled to make a new presentation to the combined boards. Dave feels it would be a benefit to the town. The Master Plan takes precedence over the Zoning Ordinance. The current Master Plan reflects Kevin Noon's then-proposed housing development, the land for which was later donated to the school. The roadway/driveway does not meet town requirements for incorporation into the highway system. Paul states that over-regulation becomes a burden for code enforcement. Codification System is a good tool to investigate and compare with other towns. Some of the most frequent issues that come before this board are fencing, trees, hedges, etc. along the lakefront. Also noted that junk vehicle regulation must match or exceed state regulation.

Property Clean Up: Chuck asked Paul if the Bissell property has been cleaned up. It is believed

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that 4 vehicles remain on that property. Union Hall – Orleans County is to clean it up, apparently soon. Concern expressed that the septic tank under the road should be filled it at that time. It is now simpler to resolve the long-standing deed discrepancy since the building is gone. It could be good parking space for the Kendall Inn. It is not legal for vehicles to park as they currently do on the street. Also noted that current parking is not safe.

Dave Schuth: Town budget was passed for 2009. Minimal increase of about 2% in pay for Zoning Board of Appeals members. No increase in taxes. State aid may be cut.

ADJOURNMENT: Gay moved to adjourn. Seconded by Chuck. All in favor. Meeting adjourned at 7:48 p.m.

NEXT MEETING: Tuesday, December 16 meeting may be canceled if there are no public hearings or other urgent business.

Respectfully submitted,

Marianne Wilson
Recording Secretary