

**TOWN OF KENDALL
ZONING BOARD OF APPEALS
MEETING MINUTES**

Tuesday, July 14, 2015 – 7:00 p.m.

CALL TO ORDER: Chairman Bolton called the meeting to order at 7:06 p.m.

ATTENDANCE: Chair, Patrick Bolton - present
 Fletcher Rowley - present
 Becky Charland - present
 Kevin Banker - absent
 Shad Speer - present

Also present: Maureen L. Werner, Attorney at Law with Kennedy & Schum, Wendy Meagher with Megher Engineering, PLLC., Code Enforcement Officer Paul Hennekey and Recording Secretary Bakutis.

APPROVAL OF MINUTES: Minutes from the July 14, 2015 meeting submitted by Recording Secretary Bakutis were reviewed. Shad Speer motioned to accept the minutes as presented, seconded by Becky Charland. All in favor.

CODE ENFORCEMENT UPDATE:

CEO Paul Hennekey informed the board of impending new business. He has a Lakeside resident who would like to put a pool in the front yard. The owner will be seeking a variance.

OLD BUSINESS:

Wendy Meagher with Megher Engineering and Attorney Maureen Werner came in to speak to the board regarding their client Mr. Gerard Meisenzahl. They told the board that Mr. Meisenzahl has the final approvals from the Orleans County Planning Board. He is in the process of drilling for a well. He provided the Orleans County Planning Board with documentation of a proper 20' x 50' turn around and told them easement has been provided.. Wendy told the board that Mr. Massey, the Assessor for the Town of Kendall, provided Mr. Meisenzahl with a new Center Road address.

Mr. Meisenzahl's Attorney Maureen Werner passed out letters to the Zoning Board regarding the so-called Hooks Mill Road. The first letter is from the State of New York, Supreme Court, Appellate Division, Third Judicial Department, Decided and Entered: November 22, 2006, Memorandum and Order regarding Town Law Section 280-A for Ulster County. The second letter written on September 7, 2000 to Mr. Mark LaFountain from Attorney Jeffrey R. Martin summarizing in writing the Town's expectations with respect to Mr. LaFountain proposed improvements within the right of way of Hooks Mill Road. The third letter from Attorney Douglas Heath written to Petra H. Topping, Esq. Re:

Hooks Mill Road, Town of Kendall and stating that The Town of Kendall will not grant a specific easement to their client, therein conveying the right of ingress and egress to their lands over the Hooks Mill Road. And any use of the roadbed by their client would be at their risk without and personal injury or property damage liability to the Town. (Letter's attached)

Mrs. Meagher and Mrs. Werner expressed to the board their reason for standing before the board at tonight's meeting. They are seeing if they still indeed need a variance regarding the driveway and turn around with the information they provided.

ADJOURNMENT:

Fletcher Rowley motioned to adjourn, seconded by Shad Speer. All in favor. Meeting adjourned at 8:00 p.m.

NEXT MEETING:

Tuesday, August 11, 2015 at 7:00 p.m.

Respectfully Submitted,

Tammy Bakutis
Recording Secretary