

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

Thursday, November 17, 2016 – 7:00 p.m.

ATTENDANCE: Chair. Patrick Bolton - present
 Fletcher Rowley - present
 Becky Charland - present
 Shad Speer - present
 Dan Mattle - present

Also present: Floyd Young Jr., 2148 Peter Smith Rd., Annette Staples, 16081 Lomond Shores, Sandra and Mark Schieb, 16083 Lomond Shores, Alberta Root, 1945 Transit Rd, Colin Martin, 40 Crestview Dr., Brockport, NY, Randy and Marge Wilkenson, 1945 Transit Rd., Robert “Ike” Burr, standing in for Mr. Williams, Town Board Liaison Newell, Code Enforcement Office Hennekey and Recording Secretary Bakutis.

Chairman Bolton called the meeting to order at 7:00 p.m.

APPROVAL OF MINUTES:

Minutes from the October 11, 2016 meeting submitted by Recording Secretary Bakutis were reviewed. Shad Speer motioned to accept the minutes as amended, seconded by Patrick Bolton. All in favor.

PUBLIC HEARING FOR VARIANCE – TAX ID#42.-1-6

Zoning Board Chairman Bolton opened the public hearing at 7:02 p.m. He read the public notice:

Notice is hereby given that a public hearing will be held by the Zoning Board of Appeals of the Town of Kendall on Thursday, November 17, 2016 at 7:00 p.m. at the Kendall Town Hall, 1873 Kendall Road, Kendall, New York to consider the application of Floyd Young Jr., 2148 Peter Smith Rd., Tax ID #42.-1-6. Applicant seeks a variance for construction of a shed with rear and side setbacks of (5') five feet requiring variances of (20') twenty feet from Article V, S265-22. All persons wishing to speak will be heard at this time. Application is on file in the town clerk's office.

By Order of Patrick Bolton
Town of Kendall Zoning Board Chairman

Chairman Bolton gave the applicant Mr. Floyd Young a chance to explain to the board why he seeks a variance for construction of a shed. Mr. Young said there was an existing 12' x 12' shed on the property that was damaged beyond repair and it was also too close to the property line. The structure will have a single pitch roof, a (10') ten foot front wall and an (8) eight foot rear wall, (4') four by (6') six construction with about (9) nine posts inside. It will be built on a slab. Mr. Young stated his yard is wet so he would like to build it at a higher point in the yard. He also told the board the septic system is on the south side of the property. Mr. Young said there was a ditch in the middle of the yard that was filled in and it gets very wet certain times of the year so he would not want to build in that area.

Chairman Bolton closed the public hearing at 7:12 p.m.

The Zoning Board members discussed the appropriate criteria for the variance, they reviewed all the documents submitted by the applicant. Fletcher Rowley motioned to approve the variance, for construction of a shed with the rear and side setbacks of (5') five feet requiring variances of (20') twenty feet from Article V S265-22. Chairman Bolton asked for a roll call vote with the following results:

16VAR7 (Young) – ROLL CALL VOTE:	Dan Mattle	- aye
	Becky Charland	- aye
	Shad Speer	- aye
	Chair. Bolton	- aye
	Fletcher Rowley	- aye

Approval granted.

PUBLIC HEARING FOR VARIANCE – TAX ID#9.12-1-28.1

Zoning Board Chairman Bolton opened the public hearing at 7:15 p.m. He read the public notice:

Notice of hereby given that a public hearing will be held by the Zoning Board of Appeals of the Town of Kendall on Thursday, November 17, 2016 at 7:15 p.m. at the Kendall Town Hall, 1873 Kendall Rd., to consider the application of Annette Staples, 16081 Lomond Shores, Tax ID #9.12-1-28.1. Applicant seeks a variance for an open porch addition with a side setback of (3') three feet requiring a variance of (2') two feet from Article V S265-28. All persons wishing to speak will be heard at this time. Application is on file in the Town Clerk's office.

By Order of Patrick Bolton
Town of Kendall Zoning Board Chairman

Chairman Bolton gave the applicant a chance to explain to the board why she seeks a variance. Mrs. Staples told the board that she would like to extend the existing roof to prevent the elements from getting in the front door. Mrs. Staples' contractor Mr. Henry Massenger was there to explain to the board the work that was going to be done. It will stay in line with the house and the structure will be approximately (8') eight by (10') ten feet. There is a pre-existing cement pad.

Chairman Bolton closed the public hearing at 7:20 p.m.

The Zoning Board members discussed the appropriate criteria for the variance, they reviewed all the documents submitted by the applicant. Becky Charland motioned to approve the variance for an open porch addition with a side set back of (3') three feet with a required variance of (2') two feet from Article V S265-28. Chairman Bolton asked for a roll call vote with the following results:

16VAR6 (Staples) – ROLL CALL VOTE:	Dan Mattle	- aye
	Becky Charland	- aye

Shad Speer - aye
Chair. Bolton - aye
Fletcher Rowley - aye

Approval granted.

PUBLIC HEARING FOR VARIANCE – TAX ID#31-1-22.12

Zoning Board Chairman Bolton opened the public hearing at 7:30 p.m. He read the public notice:

Notice of hereby given that a public hearing will be held by the Zoning Board of Appeals of the Town of Kendall on Thursday, November 17, 2016 at 7:30 p.m. at the Kendall Town Hall, 1873 Kendall Rd., to consider the application of Alberta Root, 1945 Transit Rd., Tax ID #31-1-22.12. Applicant seeks a variance for a one lot subdivision with (50') fifty feet of road frontage requiring a variance of (90') ninety feet from Article V S265-22. All persons wishing to speak will be heard at this time. Application is on file in the Town Clerk's office.

By Order of Patrick Bolton
Town of Kendall Zoning Board Chairman

Chairman Bolton gave the applicant a chance to explain to the board why she seeks a variance. Mrs. Root told the board that she would like to subdivide her property so her son-in-law and daughter can build a house on that property. She is doing this so they do not run into difficult situations with the family in the future.

Chairman Bolton closed the public hearing at 7:35 p.m.

The Zoning Board members discussed the appropriate criteria for the variance, they reviewed all the documents submitted by the applicant. Shad Speer motioned to approve the variance, contingent on the Planning Boards approval for a one lot subdivision for a single family residence with (50') fifty feet of road frontage requiring a variance of (90') ninety feet from Article V S265-22. Chairman Bolton asked for a roll call vote with the following results:

16VAR? (Root) – ROLL CALL VOTE:

Dan Mattle	- aye
Becky Charland	- aye
Shad Speer	- aye
Chair. Bolton	- aye
Fletcher Rowley	- aye

Approval granted.

PUBLIC HEARING FOR VARIANCE – TAX ID#31-1-22.12

Zoning Board Chairman Bolton opened the public hearing at 7:30 p.m. He read the public notice:

Notice of hereby given that a public hearing will be held by the Zoning Board of Appeals of the Town of Kendall on Thursday, November 17, 2016 at 7:50 p.m. at the Kendall Town Hall, 1873 Kendall Rd., to consider the application of Wayne Robbins,

15915 Ed Rose Shores, Tax ID #9.11-1-18. Applicant seeks a variance for an addition with a front setback of (56') fifty-six feet requiring a variance of (9') nine feet from Article V S265-28 and chapter 5 of the code of the Town of Kendall, and shall also apply to the vista site lines of Article V S265-28. All persons wishing to speak will be heard at this time. Application is on file in the Town Clerk's office.

By Order of Patrick Bolton
Town of Kendall Zoning Board Chairman

Chairman Bolton gave Mr. Robert "Ike" Burr a friend speaking on behalf of the applicant a chance to explain to the board why Mr. Robbins seeks a variance. Mr. Burr told the board that Mr. Robbins is sorry he couldn't be here as he is out of town. Mr. Robbins' is not in good health and would like to turn his home into year-round use an addition so his daughter can move in to help out.

Chairman Bolton closed the public hearing at 8:05 p.m.

The Zoning Board members discussed the appropriate criteria for the variance, they reviewed all the documents submitted by the applicant. Shad Speer motioned to table the application until the next scheduled meeting on Tuesday, December 13, 2016, seconded by Fletcher Rowley. All in favor.

TOWN BOARD UPDATE:

Town Board Liaison gave an update on the parkway.

ADJOURNMENT:

Shad Speer motioned to adjourn, seconded by Fletcher Rowley. All in favor. Meeting adjourned at 7:25 p.m.

NEXT MEETING:

Tuesday, December 13, 2016 at 7:00 p.m.

Respectfully Submitted,

Tammy Bakutis
Recording Secretary