

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

Tuesday, May 9, 2017 – 7:00 p.m.

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

Also present: William Brice, Kendall, NY (brother of applicant Richard Brice), 17289 Kenmor Rd., Kendall, NY, William Anderson, 2249 Kendall Rd., Kendall, NY, Code Enforcement Officer Hennekey and Recording Secretary Bakutis.

Chairman Bolton called the meeting to order at 7:04 p.m.

CEO UPDATE:

CEO Hennekey said he had no updates. He did tell the board he spent a couple of hours with the DEC, Army Corps and Legislators this afternoon pertaining to the flooding and coastal erosion.

PUBLIC HEARING FOR VARIANCE – TAX ID #33.2-1-11

Chairman Bolton opened the public hearing at 7:15 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 Tuesday, May 9, 2017 at 7:15 p.m. at the Kendall Town Hall, 1873 Kendall Road, to consider the application of Richard Brice of 17289 Kenmor Road, Tax ID #33.2-1-11. Applicant seeks a variance of 49-feet from Article V Section 265-23 requiring a 90-foot front set-back for construction of a handicap ramp. All persons wishing to speak will be heard at this time. Application is on file in the Town Clerk's Office.

Patrick Bolton
Chair. Zoning Board of Appeals

Mr. William Brice, brother of the applicant, explained to the board that he was going to be representing Richard. He told the board his brother has cancer and does not get around very well; hence his brothers reason to apply for a variance for the handicap ramp. It will be a permanent structure. Board member Rowley asked if they had given any thought of a temporary ramp. William said his brother carries an oxygen tank and it swings around a little so his brother prefers a solid permanent structure. He said his brother is pretty set in his ways and wants a wood structure. The structure will be up to code, twelve to one slope with railings.

Chairman Bolton closed the public hearing at 7:19 p.m.

The Zoning Board members discussed the appropriate criteria for the variance and reviewed the documents submitted by the applicant. Fletcher Rowley motioned to approve the variance, seconded by Patrick Bolton. All in favor. Chairman Bolton asked for a roll call vote with the following results:

#17VAR1 (Brice) – ROLL CALL VOTE:	Dan Mattle	- aye
	Becky Charland	- aye
	Shad Speer	- aye
	Chair. Bolton	- aye
	Fletcher Rowley	- aye

APPROVAL GRANTED: For a variance of forty-nine feet from Article V Section 265-23 requiring a ninety-foot front set-back for construction of a handicap ramp.

PUBLIC HEARING FOR VARIANCE – TAX ID #43.-2-51.1

Chairman Bolton opened the public hearing at 7:30 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 Tuesday, May 9, 2017 at 7:30 p.m. at the Kendall Town Hall, 1873 Kendall Road, to consider the application of William Anderson of 2249 Kendall Road, Tax ID #43.-2-51.1. Applicant seeks a variance for construction of a livestock fence eight-foot in height which exceeds the restrictions of Article VI Section 265-36. All persons wishing to speak will be heard at this time. Application is on file in the Town Clerk's Office.

Patrick Bolton
Chair. Zoning Board of Appeals

Chairman Bolton gave the applicant a chance to tell the board why he is seeking a variance. Bill told the board he wants to extend the existing fence going further to the south and headed east and behind the existing pens. Chairman Bolton told the board he did stop by the property today and he feels the fence won't be visible from the road. He said it was mostly in a wooded area and the fence is also see through. The holes in the fence gather down more tightly than his current fence, which will help keep the fawns in. The fence is a woven mesh. Bill told the board that the NYS DEC requires a nine-foot fence, but they allow all deer farmers to install an eight-foot fence.

Chairman Bolton closed the public hearing at 7:41 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, seconded by Becky Charland. All in favor. Chairman Bolton asked for a roll call vote with the following results:

17VAR2 (Anderson) – ROLL CALL VOTE:	Dan Mattle	- aye
	Becky Charland	- aye
	Shad Speer	- aye
	Chair. Bolton	- aye
	Fletcher Rowley	- aye

APPROVAL GRANTED: For variance of construction of an eight-foot in height livestock fence from Article V Section 265-23 requiring a ninety-foot front set-back.

ADJOURNMENT:

Shad Speer made a motion to adjourn, seconded by Fletcher Rowley. All in favor. Meeting adjourned at 7:47 p.m.

NEXT MEETING:

Tuesday, June 13, 2017 at 7:00 p.m.

Respectfully Submitted,

Tammy Bakutis
Recording Secretary