

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

Thursday, July 20, 2017 – 7:00 p.m.

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

Also present: Code Enforcement Officer Hennekey and Recording Secretary Bakutis.

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

PUBLIC HEARING FOR VARIANCE – TAX ID#9.-1-18.111

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 Thursday, July 20, 2017 at 7:15 p.m. at the Kendall Town Hall, 1873 Kendall Road, Kendall, New York, to consider the application of Joseph Tomasino, of 16183 Lakeshore Road, Tax ID#9.-1-18.111.

Applicant seeks relief from Article V Section 265-22 E, requiring side and rear setbacks of 30 feet in the Residential-Agricultural (RA) District. Applicant is requesting a variance of 13 feet from the side and 20 feet from the rear for the construction of a garage addition.

Patrick Bolton
Zoning Board of Appeals Chairman

Chairman Bolton gave the applicant a chance to explain to the board why he was seeking a variance. Mr. Tomasino told the board the previous owners; father and son, Joe Rodrigues and John Rodrigues, had the garage the way it is now and it was originally staked out wrong. The applicant Mr. Tomasino said he had to come in for a variance to purchase the house. He purchased his house from John Rodrigues and his neighbors purchase their house from Joe Rodrigues. This will be his fourth variance regarding this property. Mr. Tomasino said he would like to put an addition onto the existing garage. The garage is not attached to the house; it is actually seven feet away from the house. The size of the addition is 26 feet by 40 feet.

The garage will not impact the existing driveway. Mr. Tomasino said he maintains the driveway for himself and the adjoining neighbor. The driveway was paved in 2016 and he and the neighbor shared the cost of having it paved. The overhead doors will face the south. Mr. Tomasino said when the construction of the garage is finished their will be a rear set-

back. Mr. Tomasino stated his neighbors Joe and Ann are fine with the addition on the garage.

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 documents submitted by the applicant. Becky Charland motioned to approve the variance, seconded by Dan Mattle. All in favor. Chairman Bolton asked for a roll call vote with the following results:

17VAR3(Tomasino)-ROLL CALL VOTE:	Becky Charland	- aye
	Dan Mattle	- aye
	Shad Speer	- aye
	Chair. Bolton	- aye
	Fletcher Rowley	- aye

APPROVAL GRANTED: For a variance of 13 feet from the side and 20 feet from the rear for the construction of a garage addition.

APPROVAL OF MINUTES:

Minutes from the June 13, 2017 meeting submitted by Recording Secretary Bakutis were reviewed. Shad Speer motioned to accept the minutes as presented, seconded by Pat Bolton. All in favor.

A discussion took place amongst the board members about the Town Board revisiting the code regarding permits for charter services and marinas; and they decided to move forward and revise the law for who should hold the permit.

CODE ENFORCEMENT UPDATE:

CEO Hennekey told the board he received an application for solar on Bald Eagle Drive. The owner would like to put the panels on the south side of an existing barn; they would be roof and ground mounted. The barn is on a separate parcel from the house, which would be non-conforming. His question to the board is would this be an allowed use.

ADJOURNMENT:

Shad Speer made a motion to adjourn, seconded by Pat Bolton. All in favor. Meeting adjourned at 7:42 p.m.

NEXT MEETING:

Tuesday, August 8, 2017 – 7:00 p.m.

Respectfully Submitted,

Tammy Bakutis
Recording Secretary