

TOWN OF KENDALL  
ZONING BOARD OF APPEALS  
MEETING MINUTES

Tuesday, January 20, 2009 – 7:00 p.m.

CALL TO ORDER: Chairperson Pam Rowles called the meeting to order at 7:00 p.m.

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

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

MINUTES: Minutes from October 22, 2008 were presented. As it is not possible to form a quorum to vote on these minutes, they were adopted with one minor change. Minutes from November 18, 2008 were presented. Kevin moved to accept them as written; seconded by Mike. All in favor. There was no meeting in December, 2008.

PUBLIC HEARING: None scheduled this month.

NEW BUSINESS: Pam provided copies of the press release published by Town of Hamlin in regards to Supreme Court action on wind energy law. Discussion followed. Dave noted that Town of Kendall followed a different process in drafting its wind energy law.

Meetings: Regularly scheduled monthly meetings are listed in the town’s published schedule. Only changes to the meeting schedule will be published, to cut costs.

Unlicensed Vehicle Surveys: Discussion as to whether this board will conduct. Pam will check with Supervisor Gillman and CEO Larry Gurrslin. Paul asked why this board performs that task. Answer: it was done to assist the former CEO who appreciated the extra “eyes” in the community. The CEO followed through with letters to the cited property owners; many responded promptly. Discussion of benefits. It was noted that NYS law allows only 1 unlicensed vehicle – the definition being anything that requires registration, including trailers. Surveys are usually completed by the April meeting and turned over to the CEO.

TOWN BOARD REPRESENTATIVE: ZBA Vacancy: Dave notes that due to an open position since Chuck Patt stepped down at the end of 2008, a legal notice will appear in the next 2 issues of the Hamlin Herald; letters of interest accepted through February 9. Paul and Dave have both mentioned it to individuals. New pay rate is \$810 for board members and \$1,010 for chairperson.

CODE ENFORCEMENT: Paul reports that Matt Kludt called to discuss possible installation of a grain elevator. Paul states that he must consult NYS laws regarding agricultural construction. There will likely be need for a public hearing due to the proposed height.

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Property Clean Up: Orleans County is progressing with clean up of the former Union Hall at the 4 corners. The burned house north of the old garage: Larry sent a letter to Lyle Colburn, owner at the time of the fire. It was noted that it has since been sold to Dennis Steffen. Discussion as to possibilities/intended uses for the property.

EAGLE CREEK MARINA: Update requested. Paul states construction continues, though not at a rapid rate. Larry Gursslin sent a letter to Mr. Freemesser regarding definition of a ship's store and requesting planned hours of operation.

TRAINING: The town's attorney has offered to be available for a training session on applicable topics. Dave is unsure of the hourly rate, but it was felt that opening it up to Planning and Town Board members would make for affordable training, especially with the new reimbursement rate of \$0.55 per mile. Topics this board would like to cover: Lakefront properties – LWRP supersedes town ordinance. Kevin states there are discrepancies between town and state laws. Mike also states there are issues with measuring property lines on lakefront properties: from what point are measurements taken. Paul noted a building permit has recently been denied on Thompson Drive as the owner wants to build too close to the ROW. Kevin states that ROWs need to be preserved for future road expansion and to retain emergency vehicle access.

ADJOURNMENT: Kevin moved to adjourn; seconded by Mike. All in favor. Meeting adjourned at 8:00 p.m.

NEXT MEETING: Tuesday, February 9 at 7:00 p.m.

Respectfully submitted,

Marianne Wilson  
Recording Secretary