

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

Tuesday, October 9, 2012 – 7:00 p.m.

CALL TO ORDER: Board Chair Kevin Banker called the meeting to order at 7:01 p.m.

ATTENDANCE: Kevin Banker, Chair - present
Patrick Bolton - present
Tony Cammarata - present
Fletcher Rowley - present
Gay Smith - present

ALSO PRESENT: David Schuth, Town Board Representative
Paul Hennekey, Code Enforcement Officer
Tammy Bakutis, Recording Secretary

APPROVAL OF MINUTES: Minutes from September 11, 2012 were reviewed. Patrick Bolton moved to accept minutes with corrections. Seconded by Gay Smith, all in favor.

TOWN BOARD REMARKS

Town Board Representative Schuth brought board up to date on Troutburg project. Stating that Kendall's Town Engineer, Zoning, Supervisor Gaesser and Town Board Rep. Schuth and the Wegman Group have been going over every bit of the project so that they can come to an agreement on everything that has to be decided on. One of the Planning Boards decisions to the Wegman Group is a recommendation of structure size (318 sq. ft.) which is one of the smallest residential structures, road widths will also be discussed. Eventually a resolution will have to be passed to accept everything that was put into new book and everyone is do away will old binders regarding Troutburg project. Town Board Representative Schuth reminded board of upcoming training session going to be held on November 16, 2012 in Batavia. Town Board working on budget. Town Clerk presented Tentative Budget to Town Board last Tuesday, October 2, 2012. There will be no raises for Town, Planning or Zoning Boards. There will be a Preliminary Budget Hearing open to the public to be held Tuesday, October 30, 2012.

DISCUSSION

Paul Hennekey and Board Members discussed a few projects; Mavis project/restaurant, per Paul Hennekey nothing going on with that. The Marina, new owners are progressing, cleaning it up. They haven't proposed any other changes in use of property. New house construction on Knapp Shores-Thompson Drive intersection, east side of house, five (5) foot fire code.

CEO REPORT

Paul discussed 16021 W. Lomond Pkwy., property owner Bruce Zaretsky. Owner would like to put up a 4 foot fence on lake shore side of property. Article 2, Letter B states no fence should be erected higher than three (3) feet that connects or joins lake shore; join meaning to be close to or contact with. Discussion took place on particulars of property. Owner needs to go for variance.

Paul discussed a subdivision request for property on Peter Smith Road. Paul said owners started this process in July. Owners request was to go before the Planning Board to subdivide property, which has two (2) houses on it. Cant divide the two properties and actually make compliance. This is a frontage issue. All properties on Peter Smith Road now have public water, which means now they only require 140 foot frontage if rezoned. Chairman Banker would like letter of intent from either the Planning or Town Board. Property owner has to go for variance request for actual application pursuant to Article 8 will be area variance. A public hearing was tentatively set for October 23, 2012.

NEXT MEETING

Tuesday, November 13, 2012 at 7:00 p.m.

ADJOURNMENT

Gay Smith motioned to adjourn. Seconded by Tony Cammarata. All in favor.
Adjourned at 7:58 p.m.

Respectfully Submitted,

Tammy Bakutis
Recording Secretary