

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

**Tuesday, January 13, 2015 – 7:00 p.m.**

**CALL TO ORDER:** Chairman Bolton called the meeting to order at 7:04 p.m.

<b>ATTENDANCE:</b>	Chair. Patrick Bolton	- present
	Fletcher Rowley	- present
	Becky Charland	- present
	Kevin Banker	- absent
	Shad Speer	- present

Also present: Planning Board Chairman Andrew Kludt, Code Enforcement Officer Paul Hennekey and Recording Secretary Bakutis.

**APPROVAL OF MINUTES:** Minutes from the November 11, 2014 meeting submitted by Recording Secretary Bakutis were reviewed. Shad Speer motioned to accept the minutes as presented, seconded by Chair. Bolton.

**COUNTY PLANNING BOARDS RECOMMENDATION FOR THE BIERSTINE PARKING VARIANCE:**

Zoning Referrals to the County Planning Board:

**14-31 KENDALL** Request for Area Variance (14-31A), Site Plan Review and Special Use Permit (14-31B) for Bed and Breakfast at 2038 Peter Smith Rd. in Residential/Agricultural (RA) District.

	<u>Required</u>	<u>Proposed</u>	<u>Amount of Variance</u>
Off –Street Parking Setback	90 ft.	+ 38 ft.	+ 52 ft.

**CPB RECOMMENDATION for 14-31B:** The County Planning Board carried by all voting members the **APPROVAL** of where the parking was allowed on the premises with the following conditions:

1. There shall be adequate room for internal turnaround for all residents’ and customers’ vehicles at times of peak demand, so that vehicles will not have to back out onto Peter Smith Rd., as determined by the Kendall Planning Board.
2. The Kendall Planning Board shall be satisfied that there is sufficient parking capacity for all residents’ and customers’ vehicles at times of peak demand.
3. The location of freestanding signage, if any, shall not obstruct the sight lines of vehicles attempting to exit the property, in the judgment of the Kendall Planning Board.
4. All other required permits and licenses shall be obtained prior to the commencement of business, including but not limited to any from the Public Health Department.

**ZB VOTE ON THE BIERSTINE/FRONT PARKING VARIANCE REQUEST – TAX ID #31.0-1-17.12**

With the approval from the County Planning Board, Zoning Board Chairman Bolton and the Zoning Board members proceeded to vote for the parking variance request. Chairman Bolton read the public notice at 7:06 p.m.

Notice is hereby given that a public hearing will be held by the Zoning Board of Appeals of the Town of Kendall on Tuesday, November 11, 2014 at 7:40 p.m. at the Kendall Town Hall, 1873 Kendall Road, to consider the application of Ronald Bierstine, 2038 Peter Smith Road, Kent New York 14477, Tax ID #31.0-1-17.12. Applicant is seeking a variance to allow for front parking for a Bed and Breakfast. Relief is being sought from Article VII, Section 722F. Property is zoned Residential Agriculture. All persons wishing to speak will be heard at this time. Application is on file in the Town Clerks Office.

Patrick Bolton  
Chairman, Zoning Board of Appeals

Shad Speer motioned to approve the variance, seconded by Fletcher Rowley. Chairman Bolton and the Zoning Board voted with the following results:

<b>14VAR4 (Bierstine) – ROLL CALL VOTE:</b>	Chair. Bolton	- Yea
	Fletcher Rowley	- Yea
	Shad Speer	- Yea
	Becky Charland	- Yea

**Approval granted.**

**NEXT MEETING:**

February 10, 2015 at 7:00 p.m.

**ADJOURNMENT:**

Chair. Bolton motioned to adjourn, seconded by Shad Speer. All in favor. Meeting adjourned at 7:13 p.m.

Respectfully Submitted,

Tammy Bakutis  
Recording Secretary