

**TOWN OF KENDALL
PLANNING BOARD
MEETING MINUTES**

Tuesday, September 25, 2018 – 7:00 p.m.

Attendance: Chair. Andrew Kludt - present
Jeff Conte - present
Phil D'Agostino - present
John Hughes - present
Mike Roth - present

Also present: Sean and Angela Cole, Ian E.W. Penders, Esq., Town Liaison Newell, Code Enforcement Officer Hennekey and Recording Secretary Bakutis.

Chairman Kludt called the meeting to order at 7:01 p.m.

Sean and Angela Cole came in accompanied by their Attorney, Ian Penders, to discuss with the board what they must do to move forward to obtain a special use permit for a business operating on their property located at 1500 Peter Smith Road. Chairman Kludt informed them they will have to go to the Zoning Board first to get a variance, because it is not an allowed use at their location. Attorney Penders told the board he was here to help his clients get through this process and he also mentioned he had viewed the July meeting minutes and read his clients were cited for some code violations. He would like his clients to be complying, so they can continue to work on the property. He explained to the board what he understood after meeting with the towns' prosecutor, CEO Hennekey and Strong, to his understanding his clients would have to come before the Planning Board knowing they will get denied for a special use permit and then will have to go before the Zoning Board of Appeals.

The Town of Kendall Planning Board members agreed to send the application to the Zoning Board of Appeals.

APPROVAL OF MINUTES:

Minutes from the September 25, 2018 meeting submitted by Recording Secretary Bakutis were reviewed. Jeff Conte motioned to accept as presented, seconded by John Hughes. All in favor.

Planning Board member Mike Roth announced he will be resigning from the board because he is moving to Batavia. He will probably be able to stay with the board for about six more months until they find a replacement. He will be missed.

CODE ENFORCEMENT UPDATE:

CEO Hennekey told the board he will be sending an application for a subdivision to the zoning board. The property owners own both lake view and lakefront property on Bald Eagle Drive. The property is a combined lot as of now and it has 85 feet, the owners would like to take the lake view side off and they would like to sell it as a building lot. The code calls for 100 feet for a building lot. The owners will need to go for a variance. CEO Hennekey told the board if it was previously separated they wouldn't have to go for the variance.

ADJURNMENT:

Jeff Conte made a motion to adjourn seconded by John Hughes. All in favor. Meeting adjourned at 7:37 p.m.

NEXT MEETING:

Tuesday, October 23, 2018 at 7:00 p.m.

Respectfully Submitted,

Tammy Bakutis
Recording Secretary Bakutis