

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

Tuesday, July 10, 2018 – 7:00 p.m.

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

Also present: Edward N. LaDue III, 2067 Kendall Rd., Town Board Liaison Newell, Code Enforcement Officer Hennekey and Recording Secretary Bakutis.

Chairman Bolton called the meeting to order at 7:00 p.m.

PUBLIC HEARING FOR VARIANCE (18VAR6) – TAX ID #32.20-1-25

Chairman Bolton opened the public hearing at 7:01 p.m. He read the public notice:

Notice is hereby given that public hearing will be held by the Zoning Board of Appeals of the Town of Kendall on Tuesday, June 12, 2018 at 7:00 p.m. at the Kendall Town Hall, 1873 Kendall Road, to consider the application of Edward LaDue, 2067 Kendall Road, Tax ID #32.20-1-25. Applicant seeks a variance of 7-feet from Article VI, Section 265-45 requiring a 15-foot setback for an above ground swimming pool. All persons wishing to speak will be heard at this time. Application is on file in the Town Clerk's Office.

Patrick Bolton
Chair, Zoning Board of Appeals

The applicant explained to the board why he was seeking the variance of 7-feet. Mr. LaDue told the board his septic is behind the house. The pool will be in the southeast corner, near the backside of the neighbors shed.

No public comment.

Chairman Bolton closed the public hearing at 7:08 p.m.

The Zoning Board members discussed the appropriate criteria for the variance; they reviewed all the documents submitted by the applicant. Fletcher Rowley motioned to approve the variance, seconded by Chairman Bolton. All in favor. Chairman Bolton asked for a roll call vote with the following results:

18VAR6 (LaDue) – ROLL CALL VOTE:	Dan Mattle	- aye
	Becky Charland	- aye
	Shad Speer	- aye

Chair, Bolton - aye
Fletcher Rowley - aye

APPROVAL GRANTED: Variance unanimously approved 5-0 for a 7' side setback to allow for installation of an above ground swimming pool.

APPROVAL OF MINUTES:

Minutes from the June 12, 2018 meeting submitted by Recording Secretary Bakutis were reviewed. Shad Speer moved to accept the minutes as presented, seconded by Becky Charland. All in favor.

CODE ENFORCEMENT UPDATE:

- A Lakeshore resident called in wanting to know if renting out their home was legal; supposedly there is a neighbor renting out their house. CEO Hennekey said he looked at the code and there is nothing that he can find that says it is not legal to rent out your residence/personal property.
- Property owner on Peter Smith Road has been sited for court. Owner wanted to start a business on the property but has not followed through with the application.

ADJOURNMENT:

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

NEXT MEETING:

Tuesday, August 14, 2018 at 7:00 p.m.

Respectfully Submitted,

Tammy Bakutis
Recording Secretary