

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

Tuesday, January 8, 2019 – 7:00 p.m.

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

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

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

APPROVAL OF MINUTES:

Minutes from the October 9, 2018 meeting submitted by Recording Secretary Bakutis were reviewed. Shad Speer moved to accept the minutes as presented, seconded by Fletcher Rowley. All in favor.

NEW BUSINESS:

Chairman Andrew Kludt came in to discuss Bald Eagle Marina with the zoning board members. He told the board the owners of the marina, along with Sue Oshman, told him they would like to attend a planning board meeting to inquire about the idea of renting out the third story of the building above the restaurant for nightly rentals. Andrew looked into the town code and after researching found there is nothing pertaining to lodging in the water front development district. Andrew pointed out there is something in the Kendall code for bed and breakfast for a conditional use located under special use permit, but there are certain lines in the code that aren't very clear. He brought it to the attention of Jim Benzley, Orleans County Planning Board, and Jim told Andrew it would be up to the Kendall Zoning Board to interpret the definition of nightly rentals. Andrew also informed the board he had sent a message to the town attorney to verify that this was the case, to see which board has the actual decision on how to interpret the lines in the town code, he has not heard back as of today. If it does not fit into the Town of Kendall's codes, the marina would have to get a use variance. Andrew asked the board members if they can do the research and discuss who has the actual interpretation and give him an answer by the time the planning board meets for their meeting in February. Andrew will also research the LWRP prior to the planning boards February meeting. The Zoning Board of Appeals will do the research and give the Planning Board their interpretation by the February meeting.

ADJOURNMENT:

Shad Speer mad a motion to adjourn, seconded by Patrick Bolton. All in favor. Meeting adjourned at 7:42 p.m.

NEXT MEETING:

Tuesday, February 12, 2019 at 7:00 p.m.

Respectfully Submitted,

Tammy Bakutis
Recording Secretary