

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

Wednesday, July 11, 2023 at 7:00 p.m.

ATTENDANCE:	Chair. Patrick Bolton	- present
	Fletcher Rowley	- present
	Shad Speer	- present
	Dan Mattle	- present
	Reed Heidemann	- present
	Dave Bentley, Alt.	- present

Also present: Town Board Liaison Jennings, Code Enforcement Officer Hennekey, Deputy Code Enforcement Officer Strong and Recording Secretary Bakutis.

Public Attendees:	Annette Cappon	16076 Lomond Shore W.
	Mark and Sandra Schieb	16083 Lomond Shore W.

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

PUBLIC HEARING FOR VARIANCE 23VAR06 (CAPPON) – TAX ID #9.12-1-64.1

Chairman Bolton opened the public hearing at 7:03 p.m. He read the public notice:

Notice is hereby given that a public hearing will be held by the Zoning Board of Appeals of the Town of Kendall on Tuesday, July 11, 2023 at 7:00 p.m. at the Kendall Town Hall, 1873 Kendall Road, to consider the application of Annette Cappon, 16076 Lomond Shore W., Tax ID #9.12-1-64.1. Applicant seeks a 2-foot variance for a 12’x24’ structure with a 3-foot side setback. Seeking relief from Article V, Section 265-28 E (2)(b)(2), requiring a 5-foot side setback. Property is zoned Waterfront Residential (WR). All persons wishing to speak will be heard at this time. A copy of the application is available for review at the Town of Kendall Clerks Office.

Patrick Bolton
Chair, Zoning Board of Appeals

Chairman Bolton explained to Annette that this board reviewed what was given to them and discussed the variance at their last meeting, they feel they know most of the details unless there is anything she would like to add or comments from others that are present. Mark and Sandra Schieb, neighbors to the east of the applicant, told the board they are in favor of her intentions. Chair. Bolton closed the public hearing at 7:05 p.m. Chair. Bolton read the five criteria. Chair. Bolton asked for a motion to approve or not approve the variance. Reed Heidemann made a motion to approve the variance, seconded by Shad Speer. Chair. Bolton asked for a roll call vote with the following results:

ROLL CALL VOTE:	Chair. Bolton	- aye
	Shad Speer	- aye
	Fletcher Rowley	- aye

Dan Mattle - aye
Reed Heidemann - aye

The variance request of Annette Cappon requesting a 2-foot variance for a 12'x 24' structure with a 3-foot side setback, seeking relief from Article V, Section 265-28E (2)(b)(2), requiring a 5-foot side setback has been unanimously approved 5-0.

APPROVAL OF MINUTES:

Minutes from the Tuesday, June 20, 2023 meeting submitted by Recording Secretary Bakutis were reviewed. Reed Heidemann moved to accept the minutes as presented, seconded by Shad Speer. All in favor.

CODE ENFORCEMENT UPDATE:

- CEO Hennekey received an application from a property owner on Thompson Dr., they would like to put a shed in their front yard.

TOWN BOARD UPDATE:

- The Town will be submitting the grant application to Northern Borders for approximately one million dollars to help underwrite the sewer project that's going in, with support letters from Senator's Gillibrand and Ortt, Assemblyman Hawley's office, as well as Orleans County Planning and Tourism and Bald Eagle Marina. The board is optimistic that this will work out and get us close to what we need.
- Picnic tables, benches, and grills have all been ordered for Thompson Park and they will be installed by the highway department.
- Community worship service is back online, it is going to resume on August 6th at the town gazebo and will start at ten o'clock in the morning and the Concordia Lutheran Church will be providing refreshments.
- Arrangements have been made with the Kendall Central School to have a representative come to town hall to accept and process school tax bills so taxpayers will no longer have to mail tax payments to Albany.
- The Town Board unanimously voted to suspend the alcohol open carry law during the fireman's carnival over the next couple of days.

ADJOURNMENT:

Dan Mattle made a motion to adjourn, seconded by Fletcher Rowley. All in favor. Meeting adjourned at 7:13 p.m.

NEXT MEETING:

Tuesday, August 8, 2023 at 7:00 p.m.

Respectfully Submitted,

Tammy Bakutis
Recording Secretary