

TOWN OF KENDALL
ZONING BOARD OF APPEALS
MEETING MINUTES

Tuesday, October 12, 2010 – 7:00 p.m.

CALL TO ORDER: Board Chair Kevin Banker called the meeting to order at 7:07 p.m.

ROLL CALL: Kevin Banker, chair - present
 Gay Smith - present
 Pamela Rowles - present
 Tony Cammarata - present
 Patrick Bolton - present

ALSO PRESENT: David Schuth, Town Board Representative
 Joyel Miesner, Recording Secretary
 James Gaylord, 2369 Petersmith Road

APPROVAL OF MINUTES: Minutes from August 10, 2010 were reviewed. Pam moved to accept. Seconded by Gay. Kevin called for a roll call vote, with the following results:

Pamela Rowles - Aye
Patrick Bolton - Aye
Gay Smith - Aye
Tony Cammarata - Aye
Kevin Banker - Abstained

WIND ENERGY SYSTEM

Kevin discussed the Akeys wind energy system and said that the planning board granted the request for the Special Use Permit. Kevin mentioned that the planning board used the drafted minutes from the August zoning meeting to verify the ground clearance variance granted by the zoning board. Pam asked if the Akeys had purchased the land for the wind energy system. Dave responded that he did not know if the land was purchased yet. He said that the Akeys site plan was approved pending property purchase and the establishment of the design. Discussion took place about the purchase of the land for the Akeys wind energy system. A discussion took place about planning board and zoning board requirements and procedures.

ZONING BOARD CHANGES

Pam said that she would not be renewing her seat on the zoning board. Pam said she hoped her notice would give the board the opportunity to have a replacement by January first. Pam was thanked for her service. Kevin and Dave talked about recommending eligible candidates for the zoning board to the town board. Kevin mentioned that he would be willing to step down as chair if someone else would like the position.

FALL TRAINING

Dave discussed the upcoming the Genesee/Finger Lakes Regional training session on Friday November 19th. Kevin said board members that have already acquired their training hours for this year could attend this training session and apply the hours to next year. Discussion took

place about the training sessions the board members had attended this year. Kevin passed out magazines that contained information on zoning and planning regulations and case studies.

TOWN BOARD REMARKS

Dave discussed the 2011 budget and the procedures that will take place to finalize the budget. Kevin questioned whether or not this year's budget would contain a tax rate increase. Dave said this year's budget would not contain a tax rate increase. Dave said the NYS retirement fund had gone up astronomically. Discussion took place about how the budget will be affected by the NYS employee retirement fund and health insurance increases. Dave said that no committee had taken an increase and said that it was greatly appreciated by the town board and the taxpayers. He said he believed that some full time employees would receive minimal pay increases. Dave said the town is in great financial shape but it has taken hard work by the board to accomplish this.

Dave said the planning board is looking at the regulations for the lakefront and hamlet moratorium for accessory structures greater than 900 square feet. He said he would be presenting a resolution for a six-month extension on the moratorium. Dave discussed the process of obtaining a extension for the moratorium. Dave said the moratorium would also include regulations for fencing. Discussion took place about lakefront assessments.

Dave discussed the report on codification. David said that the document pointed out any deficiencies and areas that needed improvement in the zoning regulations. He described the process for making changes to the codification document. Discussion took place about the steps and cost of the codification process. Discussion took place about town verse state regulation precedence. Mr. Gaylord asked if the agricultural law is checked before decisions were made. Dave responded that the company completing the codification process compares the regulations to NYS agricultural laws. Kevin said the town attorney also assures that regulations are in agreement with the NYS agricultural laws. Mr. Gaylord said discrepancies might be found. Kevin explained the codification process. Discussion about the codification process continued.

NEXT MEETING

Tuesday November 9, 2010 at 7:00 pm

ADJOURNMENT: Pam motioned to adjure. Seconded by Pat. All in favor. Adjourned at 7:59 pm.

Respectfully submitted,

Joyel Miesner
Recording Secretary