

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

Tuesday, November 12, 2013 – 7:00 p.m.

CALL TO ORDER: Gay Smith called the meeting to order at 7:07 p.m.

ATTENDANCE:	Kevin Banker, Chair.	- absent
	Patrick Bolton	- present
	Tony Cammarata	- present
	Fletcher Rowley	- present
	Gay Smith (Temporary Chair.)	- present

Also present: Charles H. Whitfield – 15705 Carr Road, William J. and Barbara E. Bilyk, Rich Colonna, 130 West Avenue, Albion, NY, Town Board Liaison Schuth, Code Enforcement Officer Hennekey, and Recording Secretary Bakutis.

APPROVAL OF MINUTES: Minutes for the October 8, 2013 meeting submitted by Recording Secretary Bakutis were reviewed. Fletcher Rowley motioned to accept the minutes as presented. Seconded by Patrick Bolton, all in favor.

PUBLIC HEARING FOR SPECIAL USE PERMIT – TAX ID 20.00-1-21

Gay Smith (Temporary Chair.) opened the public hearing at 7:15 p.m. She 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, November 12, 2013 at 7:15 p.m. at the Kendall Town Hall, 1873 Kendall Road, to consider the application of Bill and Barb Bilyk, property owners of 15634 Bridge Road, Kent, NY 14477, Tax Map Number 20.00-1-21. Applicants are seeking a variance request to erect a pole barn on the property without a principal structure. Relief is being sought from Article V, section 510. All persons wishing to speak will be heard at this time. Application is on file in the Town Clerks Office.

Kevin Banker
Chair., Zoning Board of Appeals

Gay Smith gave the applicant Mrs. Bilyk a chance to speak and explain why she and her husband are seeking approval of a variance request to erect a pole barn on the property located at 15634 Bridge Road without a principal structure. Mrs. Bilyk stated when they purchased the property they were told by the realtor they could build a pole barn without a primary structure. They have a newer 35' RV and a couple of antique motorcycles; all are of

great value and would like to keep them out of the weather, along with the equipment they use to maintain the property. Gay Smith closed the public hearing at 7:30 p.m.

PUBLIC HEARING FOR SPECIAL USE PERMIT – TAX ID 20.-1-13.1

Gay Smith (Temporary Chair.) opened the public hearing at 7:30 p.m. She 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, November 12, 2013 at 7:15 p.m. at the Kendall Town Hall, 1873 Kendall Road, to consider the application of Charles and Carolyn Whitfield, 489 Vintage Lane, Rochester, NY, regarding the property at 15705 Carr Road, Kendall, NY 14476, Tax ID 20.-1-13.1.. Applicant is seeking a variance of 49' (27' set-back) for a kennel building. Relief is being sought from Article VII, section 712c, requiring a 75' set-back. All persons wishing to speak will be heard at this time. Application is on file in the Town Clerks Office.

Kevin Banker
Chair., Zoning Board of Appeals

Gay Smith gave the applicant a chance to speak and explain why they are seeking this variance request. Mr. Whitfield stated they would like the kennel to house the cats for the remainder of their lives. There are approximately 20 cats now and they have no interest in expanding the colony. They are all neutered and spayed, feed and watered and do have annual vaccinations and checkups. There is always someone available on the property to take care of them. Gay Smith closed the public hearing at 7:47 p.m.

The Zoning Board members discussed the appropriate criteria for each variance and reviewed the documentation submitted by the applicants and voted with the following results:

13VAR7 (Bilyk) – Gay Smith asked for a motion to vote. Tony Cammarata made a motion for the Kendall Zoning Board of Appeals to vote on the request for the secondary structure; relief from article V, section 510. Gay Smith called for a roll call vote with the following results:

ROLL CALL: Tony Cammarata - No
 Patrick Bolton - No
 Gay Smith - No
 Fletcher Rowley - No

Variance request from Bill and Barb Bilyk for a principal structure located at 15634 Bridge Road, Kent, NY 14477 was denied by the Kendall Zoning Board of Appeals.

13VAR6 (Whitfield) - Gay Smith asked for a motion to vote. Fletcher Rowley motioned to accept the variance of 49' for a kennel building located at 15705 Carr Road, seconded by Patrick Bolton. All in favor. Public hearing closed at 8:24 p.m.

ADJOURNMENT:

Fletcher Rowley made motion to adjourn meeting, seconded by Patrick Bolton. All in favor.
Meeting adjourned at 8:25 p.m.

NEXT MEETING:

Tuesday, December 10, 2013 at 7:00 p.m.

Respectfully Submitted,

Tammy Bakutis
Recording Secretary