

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

Tuesday, June 12, 2018 – 7:00 p.m.

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

Also present: Kenneth Price, 16865 Kenmor Road, Kendall, NY, Town 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 SIDE SET-BACK VARIANCE – TAX ID #33.-1-47.12

Chairman Bolton opened the public hearing at 7:01 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, June 12, 2018 at 7:00 p.m. at the Kendall Town Hall, 1873 Kendall Road, to consider the application of Kenneth Price, 16865 Kenmor Road, Tax ID #33.-1-47.12. Applicant seeks a variance for construction of a pole barn with a side setback of 20'. Applicant is requesting a variance of 5' from Article V, Section 265-23E requiring a 25' side setback. 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

Mr. Price explained to the board when he built his house he centered it on the property frontage which left him with a little less than 50' of setback from the house. He would like to build the pole barn right behind the house, if he would have to go with the 25' setback he would have to tuck it 7' in behind the house, it would not allow him to put two doors in the front of the barn that he really needs to have to utilize the barn the he wants to. Mr. Price expressed to the board even with a 20' setback he would be tucking it back in 2' but the door is going to be 4' in from the edge so he will have a straight shot in from the door. The house is in front, the septic is sufficiently far enough away and he has an existing sidewalk he plans on butting up against as close as he can, which will give him 2' extra behind the house so he can build a 30' wide barn that he feels he needs.

Chairman Bolton closed the public hearing at 7:06 p.m.

The Zoning Board members discussed the appropriate criteria for the variance, they reviewed all the documents submitted by the applicant. Dan Mattle motioned to approve the variance,

seconded by Becky Charland. All in favor. Chairman Bolton asked for a roll call vote with the following results:

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|-------------------------------|-----------------|-------|
| 18VAR5(Price)-ROLL CALL VOTE: | Dan Mattle | - aye |
| | Becky Charland | - aye |
| | Shad Speer | - aye |
| | Chair. Bolton | - aye |
| | Fletcher Rowley | - aye |

APPROVAL GRANTED: For a side set-back of 20' for construction of a pole barn requested variance of 5' from Article V, Section 265-23E requiring a 25' side setback.

TOWN BOARD UPDATE:

Town Board Liaison Newell told the board construction for the water project will be starting on Norway Road soon. Project has been approved for the roof repair to the town hall and town garage, the town is just waiting for the money from the grant.

CODE ENFORCEMENT UPDATE:

CEO Hennekey told the board a Lake Shore resident had concerns regarding another town resident renting out their home on a weekly basis, he questioned if that was legal. CEO Hennekey told the board a few years ago he thought he read, you cannot have a business on a private road, and he can't seem to locate where he read that in the town code, he will continue to look.

APPROVAL OF MINUTES:

Minutes from the May 8, 2018 meeting submitted by Recording Secretary Bakutis were reviewed. Shad Speer motioned to approve the minutes as presented, seconded by Patrick Bolton. All in favor.

ADJOURNMENT:

Shad Speer made a motion to adjourn, seconded by Fletcher Rowley. All in favor. Meeting adjourned at 7:28 p.m.

NEXT MEETING:

Tuesday, July 10, 2018 at 7:00 p.m.

Respectfully Submitted,

Tammy Bakutis
Recording Secretary