

TOWN OF KENDALL
PLANNING BOARD
MEETING MINUTES

-- DRAFT --

August 25, 2009 – 7:00 p.m.

CALL TO ORDER: Chairman Gray called the meeting to order at 7:02 p.m.

ROLL CALL, MEMBERS:

Paul Gray, chairman	- present
Tom Cole	- absent
Phil D'Agostino	- present
Joyce Henry	- present
Walt Steffen	- present

ALSO PRESENT:

Paul Hennekey, Code Enforcement Officer II
Marianne Wilson, Recording Secretary
David Schuth, Town Board representative

APPROVAL OF MINUTES: Minutes from July 29, 2009 were reviewed. Joyce moved to accept with several changes. Seconded by Walt. Phil abstained. All others in favor.

CODE ENFORCEMENT: Discussion of Harper proposed new home. New plans were delivered with structures sited and distances noted, as well as easement deeds. The house will be set back 1000 ft.

Paul Hennekey reports the fire departments have expressed concerns with some new construction that doesn't seem to be monitored. The Morton fire chief told Paul they have no driveway standards. Paul says NYS codes are strict and we need to enforce them. Culverts must be strong enough to hold heavy equipment; tree branches need to provide 15 ft overhead clearance. Emergency equipment is very costly. Paul Gray says he may invite the two fire chiefs in to discuss their needs and concerns. If NYS law is insufficient, we will need additional local law. Larry, Paul and Paul will meet.

Larry Gurslin arrived at this point.

Mr. Wolfe on Bridge Rd wants to build a house on property where a house burned. Research needed as to whether a subdivision is required. Discussion regarding nonconforming structures. Paul Hennekey says fire departments in other towns perform surveys to help with code violations and safety concerns.

Frank Robb property in Kendall Mills: no determination has been made as to cause of the fire, to his knowledge. There was no insurance. Burned house in Kendall hamlet: Owner Marge Steffen said she needed the insurance check before hiring a demolition company. Larry is frustrated with the situation. He has offered to help the fire department with a controlled burn. He is consulting Clarkson town codes to see if we can formulate law to allow the town to seek bids to contract clean up.

EAGLE CREEK MARINA: Final electrical inspection is done. Larry Pratt, Orleans County Health Dept, authorized temporary occupancy – not the system approved by the Planning Board, as it requires a higher volume than the current usage. The original system needs to be redesigned. Jim Freemesser hired a new engineer. Jim is asking Larry what more he needs to do. He says he is working on

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landscaping issues. He is “close”. Larry is trying to be fair yet realistic – 100% of landscaping is not required for a temporary CofO. Boats have finally been removed from behind the boat barn. Larry is currently working on the required number of parking spaces based on partial occupancy. (Larry left.)

TOWN BOARD: Dave reports a training class on SEQR process September 9 and 16. The Hofer application for rezoning is in progress. Public hearings will be scheduled. Dave Hofer states he is not ready to break ground. A Special Use Permit will be required. Morton Fire Company is aware of the plan. The Master Plan needs revising. Dave says the resolution will be worded accordingly. The town’s attorney is preparing the SEQR which will be submitted to OCPB.

Banner Beach Rd: there is concerted effort to have it dedicated into the highway system. The Town is trying to follow the process that is acceptable to all parties. Approximately \$75,000 in materials will be required to bring the road up to code.

Corner store renovations: Grant money is in limbo. There has been no announcement. The owner is waiting to see what the scope of the grant process.

MASTER PLAN: Joyce asks the value of statistics, such as number of residences, gallons of water purchased from MCWA, etc. Discussion followed. Number of water users and gallons used could help to envision future growth demands. It is the last piece of information missing.

ZONING BOARD: A use variance was issued to Donald Short on Bald Eagle Drive to install a residential wind energy system. It should have been referred to OCPB. A use variance is not an area variance. It was annulled last week at the Zoning board meeting, with legal counsel in attendance. Pam Rowles, chair of ZBA, talked with Don Short, as did Paul Gray. Town ordinance covers re-hearing, reversal, and rescinding of decisions. Don could now appeal to the Town Board to change its law.

Paul Gray says he attended Empire Farm Days where numerous wind energy systems were on display. There are government incentives to homeowners, and even greater incentives to farmers, to utilize wind energy. Solar systems were also on display. This board can expect increasing interest in alternative energy systems.

ORLEANS COUNTY PLANNING BOARD: No August meeting.

NEXT MEETING: Tuesday, September 22, 7:00 p.m.

ADJOURNMENT: Joyce moved to adjourn. Seconded by Phil. Adjourned at 9:10 p.m.

Respectfully submitted,

Marianne Wilson
Recording Secretary