

TOWN OF KENDALL
PLANNING BOARD
MEETING MINUTES

Tuesday, August 28, 2007 – 7:00 p.m.

ROLL CALL: Members:

Bob Nelson, Chairman	- present
Tom Cole	- absent
Phil D'Agostino	- present
Paul Gray	- absent
Walt Steffen	- present

ALSO PRESENT:

Scott Hardenbrook, Code Enforcement Officer
David Schuth, Town Board representative
Marianne Wilson, recording secretary

Dave Matt, 129 S Union St, Spencerport
Rebecca and Jeffrey Fisher, 2331 Norway Rd

CALL TO ORDER: The meeting was called to order by Chairman Nelson at 7:02 p.m.

APPROVAL OF MINUTES: Minutes of July 24, 2007 were reviewed. Phil moved they be accepted as corrected. Seconded by Walt. All in favor.

PUBLIC HEARING: 7:15 p.m. To consider application 07SUB03 by Rebecca and Jeffrey Fisher for a one lot subdivision of parcel 44.-1-63.1, north of 2331 Norway Rd. Criteria for making a decision were reviewed. The design is very well completed. Reference Section 6.400 Preliminary Plan. The short environmental assessment form has been completed. There are no easements. Scott has signed off. Phil moved the public hearing be closed. Seconded by Walt. All in favor.

Walt moved the application be accepted and approved as presented. Seconded by Phil. No further discussion. Unanimously carried by roll call vote.

SUBDIVISION: 07SUB01 revision. Dave Matt, engineer representing the Keo's. The property is in a flood plain. The basement must be elevated above the flood plain on lot 1. The Keos are living in the existing house on lot 2. No response from Orleans County Health department re: the septic system. Their engineer must sign off, but is away. They have proposed that MCWA run a water line to lot 1; if denied, they will drill a well. Lot 2 has water main frontage but is not connected yet. The district can be extended 500 feet beyond the water line in either direction. Will attempt a public hearing on September 25, 2007. Publication deadline is noon September 16, 2007.

CORRESPONDENCE: Letter from Ken DeRoller re: survey on Gionta property on Ed Rose Shores. They propose to subdivide into 2 lots. Scott has reviewed it with the applicants. Current requirements are for minimum 100 foot road frontage for a building lot. Property line extends to edge of private road. There has been no proposal to convert to public road. Question as to whether they can meet the minimum and accommodate septic systems. Water is on south side of road in right of way. Lot size is dependent upon number of bedrooms. Scott says the next step is with OCHD. If the perk test fails, they will refer to a licensed engineer to design a septic system that fits the lot. It is in the coastal erosion

zone: must do an evaluation. Bob will contact Maureen Werner, paralegal from Klafehn and Heise with questions and concerns.

CODE ENFORCEMENT: Kevin Noon approached Scott re: transporting soil from his property in Kendall to the site of his landscape business in Hamlin. States it is not for resale, but for growing medium for nursery plants. Requests a variance. Scott explained it would require a Special Use Permit, if the Zoning Board first granted a variance. Scott read the ordinance to Kevin that states it would be considered excavation and mining, which is not allowed. Any resident has the right to appeal.

Harold and Bev Kludt bought the Ayotte property on Lakeshore Rd to build a new home.

EAGLE CREEK MARINA: The marina is for sale at \$5.2 million.

MET TOWERS & MORATORIUM: There is no update at this time, as Tom is absent.

WIND ENERGY ORDINANCE: All members have a copy. Bob requests each take responsibility to refine a section and return to the table with proposals at the next meeting. Need full attendance. It has been one full year since this project was undertaken. Bob will request help with areas in which this board needs expertise. Walt will look up sites to visit: likely to be in Pike. Phil raised question as to how the \$400 per day fine was achieved for violations; there was discussion. Also discussed distances from property lines.

DAVE SCHUTH, TOWN BOARD: The wind energy moratorium extension has been filed with the Secretary of State. It extends to 12/14/2008. Dave thanks Bob for all his help with the moratorium process.

The Town Board is strongly in favor of accepting both Norway Heights and Banner Beach roads into the town highway system. Each will be dedicated when all details are complete. All property owners must be in agreement.

NEW BUSINESS: Bob proposes hosting a dinner meeting at his home. All members and significant others/spouses invited. Contact his wife regarding dish to pass. Meet at 6:00 p.m. There will be no work session in September.

ADJOURNMENT: Phil moved the meeting be adjourned. Seconded by Walt. All in favor. Motion carried. Meeting adjourned 8:50 p.m.

Next meeting will be September 25.

Respectfully submitted,

Marianne Wilson
Secretary