

TOWN OF KENDALL  
PLANNING BOARD  
MEETING MINUTES

Tuesday, August 23, 2011 – 7:00 p.m.

CALL TO ORDER: Chairperson Paul Gray called the meeting to order at 7:04 p.m.

ROLL CALL: Paul Gray, chair - present  
Jeff Conte - present  
Phil D'Agostino - present  
Joyce Henry - absent  
Bruce Newell - present

ALSO PRESENT: David Schuth, Town Board Representative  
Paul Hennekey, Deputy Code Enforcement Officer  
John Rachow P.O. Box 465 Holley  
Joyel Miesner, Recording Secretary

APPROVAL OF MINUTES

Minutes from July 26, 2011 were reviewed. Phil D'Agostino moved to accept the minutes, seconded by Bruce Newell, all in favor.

REVIEW OF APPLICATION FOR A ONE-LOT SUBDIVISION

Paul Gray gave a brief summary of what had occurred during the public hearing and the Review of the Application. Phil D'Agostino made a motion for the Application Review hearing to be reopened, seconded by Jeff Conte, all in favor. Paul Gray distributed copies of the property's deed, an attorney's letter noting the correct tax map number, and a sewage system permit. Discussion took place about how the tax map number discrepancy occurred. Paul Gray listed the required documents needed for the one-lot subdivision application. Paul noted that all required documents were accounted for. Discussion took place about emergency vehicle access to the dwelling. Paul Gray suggested that conditions be placed on the motion requiring that New York State Fire Code is followed before a building permit can be issued. Jeff made a motion to approve the one-lot subdivision application with the following conditions in accordance with New York State Fire Code:

- Driveways shall provide a minimum unobstructed width of 12 feet and a minimum unobstructed height of 13 feet, 6 inches.
- When driveways are in excess of 500 hundred feet in length and do not exit to another fire apparatus access road or public street, a turn around shall be provided for use by fire apparatus.
- Driveways in excess of 500 feet in length and less than 20 feet in width shall be provided with turnouts along the driveway that are a minimum 20 feet in width for a length of 50 feet in length. The turnouts shall be placed at intervals not to exceed 500 feet along the driveway.
- Driveways, including bridges and other supporting structure of driveways, shall be constructed to support fire apparatus in all weather conditions.

- The design of the driveways, include turning radius and grade, shall facilitate passage of fire apparatus and be approved.

Paul Gray called for a roll call vote, with the following results:

Phil D'Agostino	- Aye
Bruce Newell	- Aye
Paul Gray	- Aye
Joyce Henry	- absent
Jeff Conte	- Aye

#### TOWN BOARD REMARKS

Discussion took place about the expense of water lines with in the Town of Kendall and state grants. Discussion took place about speculations pertaining to the sale of the Salvation Army property. David Schuth briefly discussed codification. Paul Gray said the zoning regulations for Hamlets, Waterfront Development and Waterfront Residential zones had been accepted by the State of New York. David mentioned the previous zoning meeting and gave an overview of the topics discussed. The planning board briefly discussed the allowance of camping on approved and unapproved lots, nonconforming lots on the lake and the zoning board's roadside survey. Discussion took place about accessory structures located on property with out a primary residence. The board examined the definitions for accessory structure and principle building.

#### CEO REPORT

Paul Hennekey discussed the encroachment issue for a pole barn located on Lakeland Beach. He said the contractor would be relocating the barn on the first Sunday in September. A question was asked about a court case involving a property violation on West Kendall Road. Paul Hennekey said the court case had been delayed until the first of October. Discussion took place about specifics of the property violation. Paul Hennekey said the purchase offer had been accepted on a condemned property on Norway Heights and that the new owner plans to demolish the building.

#### CPB REPORT

Paul Gray mentioned that the County Planning Board's meeting for August had been canceled. Bruce Newell discussed a New York State law preventing local ordinances from controlling the instillation of commercial windmills. He said local ordinances can now be overruled by a new state board. Bruce said two of the board members will be local, non-voting members.

#### NEXT MEETING

Tuesday, September 27, 2011

ADJOURNMENT: Phil motioned to adjourn. Seconded by Jeff, all in favor. Adjourned at 10:01 pm.

Respectfully submitted,

Joyel Miesner  
Recording Secretary