

**TOWN OF KENDALL
PLANNING BOARD
MEETING MINUTES**

Tuesday, January 22, 2019 at 7:00 p.m.

Attendance: Chair. Andrew Kludt - present
Jeff Conte - present
Phil D'Agostino - present
John Hughes - present

Also present: Town Board Liaison Newell, Code Enforcement Office Hennekey and Recording Secretary Bakutis.

Chairman Kludt called the meeting to order at 7:01 p.m.

NEW BUSINESS:

1. Dollar General - Chairman Kludt informed the board that Dollar General will be approaching the board to request the sale/exchange of propane tanks outside of the store. The original site plan was not approved for this, the representatives for the store will have to come before the board to discuss this and possibly amend the original site plan and be reviewed by the board.
2. Cole property - Chairman Kludt will speak to the property owner Shawn Cole to see if he is still interested in moving forward with the rezoning of the property, if so Chairman Kludt will make a formal recommendation to send the application for rezoning to the Kendall Town Board and the town board will then send it to Orleans County Planning and Development. CEO Hennekey recommends the owners clear the piles of dirt that are located on the property. CEO Hennekey also reminded Andrew that excavating and mining is not an allowed use in the general district. Andrew will speak with Shawn to see if he would still like to move forward with the rezoning. Property owner is thinking of clearing the lot and planting trees for a nursery in the future.
 - a. Chairman Kludt asked the board members if they were in favor of a formal recommendation being sent to the County Planning and Development for the Cole property on Peter Smith Rd., Tax ID#20.-1-10.11 to be rezoned. John Hughes moved to forward the formal recommendation to the County Planning and Development, seconded by Phil D'Agostino. All in favor.
3. Bald Eagle Marina – Owner, Anna and General Manager, Sue Oschmann spoke with Chairman Kludt about renting out the third floor of the building for nightly rentals. The owner would like to rent to people coming to the marina who intend to go out on charter boats or would like to enjoy what the marina has to offer. This summer they plan on renting out kayaks and paddle boats and hopefully attract visitors from out of town traveling with a boat or local boaters and anyone wanting to enjoy the lake who may want to stay there. Andrew researched and spoke with individuals including Jim Bensley about it. As far as Andrew can tell, there is nothing really in the Town of Kendall's codes, he found under permitted uses in the waterfront development district section line C reads; "Mixed uses and facilities that are consistent with the above uses in which are approved by the planning board as being consistent with the LWRP". If you look at the above uses you will see marina, boat services, charter boats, all those types of uses. Chairman Kludt feels it is a vague statement for mixed uses. Jim Bensley felt that it would be

classified as a mix use to promote tourism because it is on the marina, you would get a lot of people there utilizing the boats and the marina itself. Jim recommended that Andrew speak with the zoning board and the town attorney, because the zoning board has all jurisdiction as far as interpreting the codes. Andrew attended the January 8, 2019 zoning board meeting and gave them an update. Andrew also spoke with the Town Attorney Andrew Meier, who agreed with Jim Bensley, and his interpretation after reviewing the codes was that it does seem to fall under the permitted uses and is allowed, but he recommends getting the zoning boards opinion. Chairman Kludt passed out copies of references he made to the LWRP to review with the board. The site plan for the marina will most likely have to be amended.

4. Fire Department – The Kendall Fire Department is exploring the possibilities for a telecommunications tower for the emergency response (Emergency Services for Orleans County) would like to place a tower on the fire department property. The firemen are in favor of it because it will help them with communications. They attended the last county board meeting and gave a presentation which included a map showing the areas of low coverage in Orleans County. They applied for and received a grant for 5.6 million dollars. The cost is 1.3 to 1.5 million per tower site. Currently they are figuring what sites would be best. The size is 180 feet tall free standing by 75 square foot print on the bottom.

5. Open seat on the board - There are two to three applications for the vacant seat on the board. All applicants are meeting with the town board for interviews.

APPROVAL OF MINUTES:

Minutes from the November 27, 2018 meeting submitted by Recording Secretary Bakutis were reviewed. John Hughes moved to accept the minutes as amended, seconded by Phil D'Agostino. All in favor, except member Jeff Conte who abstained, he was not present.

ADJOURNMENT:

Jeff Conte made a motion to adjourn, seconded by John Hughes. All in favor. Meeting adjourned at 8:34 p.m.

NEXT MEETING:

Tuesday, February 25, 2019 at 7:00 p.m.

Respectfully Submitted,

Tammy Bakutis
Recording Secretary