

**TOWN OF KENDALL
PLANNING BOARD
MEETING MINUTES**

Tuesday, August 25, 2020 at 7:00 p.m.

ATTENDANCE:	Chair. Andrew Kludt	- present
	Jeff Conte	- present
	Phill D’Agostino	- present
	Steven Catone	- absent
	Patty Pfister	- present

Also present: Town Board Liaison Newell via phone call, Code Enforcement Officer Hennekey and Recording Secretary Bakutis.

Chairman Kludt called the meeting to order at 7:04 p.m.

DISCUSSION REGARDING A NEW LOCAL LAW:

Chairman Kludt informed the board that the town board will be voting on a new local law to adopt a “Brush, Weeds, and Trash Law of The Town of Kendall.” The purpose of this chapter to promote public health by removal of fire and health hazards by requiring the owners of land in the Town of Kendall to cut, trim or remove brush, grass, rubbish, weeds, trash or scrap tires therefrom. The Town of Kendall Town Board will File a Local Law with the New York State Department, Secretary of State. The Planning Board will get comments together for the Town Board on the matter. Bruce Newell joined the meeting via telephone and he explained to the members that this law is not the intent to try to cover any issues with junk yards, or even the abandonment of houses, the intent here is to solely address over grown lawns and bushes, etc., that make the owners property unsightly. The second matter that was discussed was rental properties, B&B’s, and VRBO’s (vacation rental sights). There have been complaints from neighbors of loud noise coming from these rental sites. Right now, the Town Board is in the early stages of managing complaints from some neighbors of these rental properties.

SOLAR PROJECT UPDATE:

Patty gave the update to the board; saying that the two solar projects will be split and the applicants only want to move forward with the W. Kendall Rd. project for now because of all the problems with the DEC regarding wetlands, etc. Patty will forward the information to the town engineers, Ken DeSpencer and LaBella’s. Patty proceeded to tell the board our engineers had a lot of questions for their engineers and there was a big delay, our engineers spoke to them at the end of April and did not get any response until July, there had been a lot of back and forth. At this point our engineers have five big issues that they want the project engineers to address, they are as follows:

1. Decommissioning Plan - Our engineers want a completely new plan.
 - a) More writing and narrative.
 - b) Amount of the bond and how does the town have access to it, also what will be the escalation of the bond.
 - c) Current photos of the site prior to construction so when it is time to put it back in its original state there is proof of what that current state was originally.
 - d) Landscape Plan, size and density, kind and how many.
 - e) Battery energy storage system.
 - f) Life of the batteries is only 15 to 20 years whereas the solar last 30 years, what will the plan be for battery replacement.
 - g) Fire protection and fire training renewed every two years for turnover in our fire department.
 - h) No feedback on SWPP, our engineers had pages of questions and are still waiting for a response.
 - i) Historic and archaeological compliance was questioned. Our engineers want to know how the project is going to stay in NYS compliance.

Patty told the board NextEra engineers will try to get back to ours by September 1, 2020. She believes they will try to turn it around in two weeks so we can possibly do something by our next meeting. The engineering firm has not done part 2 or 3 of the SEQR yet, they will once they get their questions answered, then the whole application can go to code enforcement for review. Then it can go to the County Planning Board for their review prior to the Town of Kendall Planning Boards public hearing. Until our engineers and our board agree that it is a complete application we are not going to move forward and send it to the County Planning Board.

CODE ENFORCEMENT UPDATE:

Property owner on W. Kendall Rd. at the Murray town line owns about 1200 feet of frontage. The owner would like to sell off around 300 feet for a subdivision.

Chairman Kludt asked for a motion for approval of the subdivision. Phil D'Agostino motioned to approve the subdivision, seconded by Jeff Conte.

APPROVAL OF MINUTES:

Minutes from the June 23, 2020 meeting submitted by Recording Secretary Bakutis were reviewed. Patty Pfister moved to accept the minutes as amended, seconded by Jeff Conte. All in favor.

ADJOURNMENT:

Patty Pfister made a motion to adjourn, seconded by Jeff Conte. All in favor. Meeting adjourned at 8:17 p.m.

NEXT MEETING:

Tuesday, September 22, 2020 at 7:00 p.m.

Respectfully Submitted,

Tammy Bakutis
Recording Secretary