

**TOWN OF KENDALL
PLANNING BOARD
MEETING MINUTES**

Tuesday, April 27, 2021 at 7:00 p.m.

ATTENDANCE: Chairperson Patty Pfister - present
 Jeff Conte - present
 Phil D'Agostino - present
 Steve Catone - absent

Also present: Bob McGregor, 1909 W. Kendall Rd., Code Enforce Office Hennekey and Recording Secretary Bakutis.

Chairwoman Pfister called the meeting to order at 7:04 p.m.

DISCUSSION REGARDING THE SOLAR PROJECT ON W. KENDALL RD.:

Items discussed:

- Variance – The road variance was denied at the meeting held on March 23, 2021.
- Updates as of 4/27/2021, the developer has asked for a 60-day extension to come up with another possible solution. Chair. Pfister ran it by the Town Lawyer Andrew Meyer and his response was as follows: If he consents the time to render a final decision it may take us past the 62-day time period, this is ok if the developer requested it, in any event failure to act within 62 days would not result in “automatic approval.” The attorney for the developer contacted me to advise that they are still exploring options since the variance was denied, hence the basis for request for additional time. The choice is up to the PB, but if the applicant requests an extension, they are usually granted in most cases.
- Engineers feel they can come back with a new application at some point in the future within the 60-days or less and start the whole process over again. The board feels they still have to find a way to get back to the site, they need to find road frontage and right now they do not meet the criteria for the driveway.

A phone call was made to Brian Harper, NextEra Energy, to find out what their plans are if granted the 60-day extension. He told the board they were hoping to reach an agreement with the Furness's. In conversation with Brian, Jeff expressed his hesitation regarding the 60-day extension, he's wondering if it would make a difference if they had the extra time. Brian responded by saying another option would be going back along the railroad easement, going to the Army Corp with a more comprehensive plan of what they wanted to do. Phil pointed out that would also need a variance, Brian agreed.

Jeff Conte made a motion to move the regular scheduled meeting for Tuesday, May 25, 2021 at 7:00 p.m. to Tuesday, May 18, 2021 at 7:30 p.m. to decide on the W. Kendall Rd project, seconded by Phil D'Agostino. All in favor.

Center Road Project: The board reviewed the application and site plan for the Center Rd. project. The project is deemed complete by the engineer's standpoint, although they have submitted a document with outstanding items on it for the PB to consider. The board reviewed the plans and held a discussion. Pattie Pfister made a motion to send the application and site plan to the County Planning Board, seconded by Jeff Conte. All in favor.

NEW BUSINESS:

- Supervisor Cammarata has asked the board to review the New York State Cannabis Law in regard to a retail location in town and give their feedback.
- Short term rentals – There has been a lot of activity down on lake shore/view properties and neighbors are complaining. There is a citizens committee to try to address short term rentals. (Bald Eagle Dr., Lakeland Beach Rd., Banner Beach Rd. Norway Heights, Thompson Dr.) Input and suggestions from the planning board would be appreciated.
- Vacant seat.

CODE ENFORCEMENT UPDATE:

CEO Hennekey has two subdivision applications for the boards review:

1. Kevin Lapp, 1647 Norway Rd. (Mary Lapp Living Trust) Tax # 33.-1-6. Seeking subdivision approval.
2. Ron Tomasino, 15722 Bridge Rd., Tax # 20.-1-8.12. Seeking subdivision approval of a 44.5 acre parcel.

Phil D'Agostino made a motion to approve the two subdivision applications, seconded by Jeff Conte. All in favor.

CEO Hennekey informed the board the Kendall Inn property has a new owner that would like to run a new business out of the building. She is interested in purchasing and refurbishing boats to sell and would also like to lease out the apartments upstairs. She would like to come in for an informal meeting to discuss this further with the board. He also informed the board of a property owner who would like to come in to discuss subdividing his property located on Rt. 18.

APPROVAL OF MINUTES:

Minutes from the March 23, 2021 meeting submitted by Recording Secretary Bakutis were reviewed. Jeff Conte moved to accept the minutes as amended, seconded by Phil D'Agostino. All in favor.

ADJOURNMENT:

Jeff Conte made a motion to adjourn, seconded by Phil D'Agostino. Meeting adjourned at 9:23 p.m.

NEXT MEETING:

Regular scheduled meeting rescheduled for Tuesday, May 18, 2021 at 7:30 p.m.

Respectfully Submitted,

Tammy Bakutis
Recording Secretary