

TOWN OF KENDALL
PLANNING BOARD
MEETING MINUTES

February 24, 2009 – 7:00 p.m.

CALL TO ORDER: Chairman Gray called the meeting to order at 7:10 p.m.

ROLL CALL, MEMBERS:

Paul Gray, chairman	- present
Tom Cole	- absent
Phil D'Agostino	- present
Joyce Henry	- present
Walt Steffen	- absent

ALSO PRESENT:

Paul Hennekey, Deputy Code Enforcement Officer
Larry Gursslin, Code Enforcement Officer
Marianne Wilson, Recording Secretary

Stephen Ackley, 4357 McAllister Drive, Holley

Paul noted that Walt and Tom are both ill; Phil is detained at work and will arrive late.

Stephen Ackley introduced. He wishes to apply for a one-lot subdivision to construct a new home on Center Road on west side, south of Woodams Tree Farm. He requests a special meeting to expedite the process. It was agreed to hold a public hearing on March 10. Plans previewed and discussed.

Discussion with Mr. Jennings from 16705 Banner Beach Rd. His concern is with Lot #1 which has been purchased by developers who want to subdivide the property into 2 building lots. He wonders if the town would agree to their proposal, should the buyers apply for variances. Concerns are with impact on view and closeness of proposed new structures. He has expressed concerns to Supervisor Gillman. It was noted that minimum frontage for building lots in waterfront district is 100 ft; anything less would require a public hearing. Notification process for public hearings was explained. Mr. Jennings was advised that Home Owner Associations are not a legal entity in Kendall. Paul suggested that Mr. Jennings talk with the Zoning Board of Appeals. He was provided contact information.

Paul has spoken with Jim Bensley, OCPB regarding subdivisions. Other towns in Orleans County review all applications for subdivision; this prevents creation of non-conforming lots and land-locked parcels. There was discussion regarding most common reasons to sub-divide.

CODIFICATION: Paul reminded those present that Thursday night's Town Board meeting will include a presentation of the Codification System. He is asking that all members make an effort to attend. NYS has assistance available on its website.

EAGLE CREEK MARINA: At this point, CEO Gursslin arrived and provided copies of letter dated 2/10/2009 from Mr. Freemesser in response to Larry's letter of 1/23/2009. Paul reviewed the history he has been researching of ECM since its original conception in May 2004. Copies of November and December 2004 minutes were distributed. Phil arrived at 8:30 p.m. Much discussion followed.

TOWN OF KENDALL
PLANNING BOARD
MEETING MINUTES

It is understood the parking lot must be hard pack but not necessarily paved; no striping required. Larry states NYS law requires handicap parking be black-top or concrete. There is still no official, stamped drawing of the north shore parking area. Larry agreed to have a check-off list prepared by the March 10 meeting of requirements for a temporary Certificate of Occupancy. This board needs a definition of a ship's store and limitations regarding sale of packaged alcoholic beverages to the general public. Larry recommends holding a public hearing to present a proposal for a change of use for Mr. Freemesser's newest plan for the ship's store. Joyce has researched on-line and cannot find a legal definition of a ship's store. Yacht clubs do not offer convenience store amenities. Mr. Freemesser has altered his plans to install coolers without seeking approval. Larry will formulate his response letter and review it at the March 10 meeting.

CODE ENFORCEMENT: Mr. Harrigan on Bald Eagle Dr. has complained regarding neighbor's arborvitae blocking his lake view. Don Hofer submitted a proposal to the Town Board to rezone the former Morton Cold Storage property; it is with the town's attorney now; OCPB will review next; then, back to the Town for a public hearing.

TRAINING: Paul states that Pam Rowles, chair of Zoning Board has inquired about combining boards and having the town's attorney come on-site for pertinent training. What topics would help this board? Explanation of major sub-divisions and process for long form SEQR would help.

MINUTES: January 27 minutes were reviewed. Joyce moved to accept with minor changes; seconded by Phil. Passed unanimously.

CODIFICATION: Reminder of Thursday night presentation to Town Board. Paul and Phil will not attend OCPB in order to hear the presentation. It was noted that Bart Joseph has placed minutes from Zoning, Planning and Town Boards on website.

ORLEANS COUNTY PLANNING BOARD: Agenda for this Thursday will be training opportunities for 2009; NYS DEC guidelines for bird and bat studies at wind energy sites.

NEXT MEETING: Tuesday, March 10, 7:00 p.m. Public hearing for Mr. Ackley will be at 7:00 p.m. Eagle Creek Marina will be the only other topic. Marianne will submit notices to Hamlin Herald.

ADJOURNMENT: Joyce moved to adjourn. Seconded by Phil. Adjourned at 10:04 p.m.

Respectfully submitted,

Marianne Wilson
Recording Secretary