

TOWN OF KENDALL  
PLANNING BOARD  
MEETING MINUTES

Tuesday, January 4, 2012 – 7:00 p.m.

CALL TO ORDER: Chairperson Paul Gray called the meeting to order at 7:00 p.m.

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

ALSO PRESENT:     Daniel Gaesser, Supervisor  
                             David Schuth, Town Board Representative  
                             Paul Hennekey, Code Enforcement Officer  
                             Kevin Banker, Zoning Board of Appeal - Chair  
                             Allen Lofthouse, 2191 Center Road  
                             Beverly Lofthouse, 2191 Center Road  
                             Bonnie Ann Briggs, 16739 Lakeland Beach  
                             Bob King, 14 Huffer Rd, Hilton  
                             Dan Wegman, 710 Latta Rd Rochester 14612  
                             David Wegman, 710 Latta Rd Rochester 14612  
                             Jon Wegman, 710 Latta Rd Rochester 14612  
                             Matthew Tomlinson, Marathon Engineering  
                             Amy Richardson, Recording Secretary

APPROVAL OF MINUTES

Minutes from November 22, 2011 were reviewed. Phil D’Agostino moved to accept the minutes with corrections, seconded by Bruce Newell, all in favor.

CHAIRMAN REMARKS

Paul Gray discussed the new book containing a compilation of the zoning regulations and said that it had been accepted by the Town Board on November 21, 2011. He discussed the contents of the book and the editing complications that occurred during the compilation of the zoning regulations. He noted that one local law would be added to the book at a later date. Discussion took place about the correct date for a local law in the zoning regulations book. Amy Richardson said she would contact the state to find out the date of the most recently filed version of the law. Bruce Newell requested a historical overlay and wetland map be added to the zoning regulations book. Paul Gray said the wetlands were a separate document and that an overlay district map was never created. He said he would take note of Bruce’s request.

Paul Gray was reappointed to the Planning Board and will continue on as chairperson.

TOK SUPERVISOR GAESSER OPENING REMARKS

Supervisor Daniel Gaesser commented on how the Wegman Group project would be increasing the workload of all the Town of Kendall Board Members. He discussed the need of the Zoning Board, Planning Board and Town Board’s involvement of the Wegman Group project. He said the board members would need to be familiar with

requirements of the Coastal Erosion Law, the Local Waterfront Revitalization Program and the LWRP. He mentioned that one of the programs indicates a tight time schedule to accomplish the legally required reviews and report. Supervisor Gaesser summarized Coastal Erosion Law, the Local Waterfront Revitalization Program and the LWRP. He urged the board members to remove emotions, remain neutral and objective while reviewing factual information. He said the overall goal should be to render an opinion on whether the proposals presented by the Wegman Group meet the Town of Kendall's current ordinances, the LWRP and local laws. Supervisor Gaesser said that at the January 17, 2012 Town Board meeting a resolution would be established, naming the Town Board as the lead agency for the SEQR process. He said he received a letter from the Wegman Group attorney requesting that zoning of the Salvation Army property be changed from Waterfront Residential to Waterfront Development. He asked the Planning board to study the impact of the requested zoning change. Supervisor Gaesser said he had requested the services of the town attorney to direct the Town of Kendall in a correct legal course of action.

Daniel Gaesser discussed the new ownership of the Eagle Creek Marina and said work would need to be done to facilitate a new Special Use Permit for the project.

#### WEGMAN GROUP PRESENTATION

Mr. Wegman gave a presentation discussing the proposed plans and details to build a three season community on the Salvation Army property located at 19 Countyline Road. Mr. Tomlinson of Marathon Engineering distributed an Expanded Environmental Assessment and Preliminary Engineers Report. He also presented a Preliminary Site and Subdivision Plan for the Cottages at Troutburg. He discussed the SEQR, the request for a zoning change of the property, the information provided in the Expanded Environmental an Assessment and Preliminary Engineers Report and the Preliminary Site and Subdivision Plan for the Cottages at Troutburg. Mr. Thomas said that more details pertaining to the utilities and services for the structures will be added as they continue the design process. He said he would be coordinating with the Town of Kendall appointed engineer. Mr. Thomas discussed the features of the property and said they limited the crossings and impact on the property's wetlands.

#### OPEN DISCUSSION BETWEEN PB, TB & WEGMAN GROUP

Discussion took place about the distance of two-way roads and the signage on the property. Mr. Thomas said that two-way roads will be 18 feet and one way roads will be 12 feet. He said signs on the property would be used to make the drivers aware of one and two way roads. The board was told to feel free to submit questions in writing to the Wegman Group. Discussion took place about garbage pick-up and mail. Mr. Wegman said the garbage would be brought by the resident to a building where the garbage would then be picked up by a garbage truck. The mail would be delivered to gang mailboxes where residents would pick it up. Kevin Banker asked if non-residents of the Camps at Troutburg would be able to purchase memberships. Mr. Wegman said they did not have an answer at this time, but the access gate was mainly to restrict traffic. Discussion took place about the facilities provided for the residents of the Camps at Troutburg and employment opportunities. Discussion took place about access to the waterfront by the public. Mr. Wegman said that waterfront access would be limited to the residents of the Camps at Troutburg. Discussion took place about the property ownership and gate access to the community. It was decided that The Wegman Group would give a presentation to the Zoning Board on January 10, 2012. Paul Gray discussed the need for variances for buildings under the size of 768 square feet. Mr. Wegman said that they were aware of the regulations and that they do plan on having buildings under the size of 768 square feet. Kevin Banker said that the Zoning Board would need to know how many of the buildings

would be under the size of 768 square feet. Discussion took place about the size and location of the cottages. Discussion took place about drainage and retaining ponds. Discussion took place about skirts around the cottages. Mr. Wegman said there would be skirts around the cottages. Discussion took place about the next steps for the Camps at Troutburg.

#### DISCUSSION OF NEXT MEETING DATES

It was decided that a Planning Board workshop would occur on January 10, 2012. Discussion took place about the next Planning Board meeting on January 24, 2012

#### TOWN BOARD REMARKS

David Schuth said Paul Gray was reappointed to the Planning Board and will continue on as chairperson and Kevin Banker was reappointed to the Zoning Board and will continue on as chairperson. He said that Paul Hennekey was appointed as the Code Enforcement Officer and that there is now a vacancy for Deputy Code Enforcement Officer. The Town Clerk will be advertising for the Deputy Code Enforcement Officer position. The advertisement will request that letters of intent and resumes be submitted by January 30, 2012. Discussion took place about the appointing process. David Schuth thanked all those involved for their reappointments and reconsiderations. He thanked Amy Richardson, Paul Gray and Bruce Newell for the work they did on the Zoning Regulations Book. David Schuth discussed providing all board members with hard copies of the LWRP and said he would be emailing links to the LWRP site to all the board members. Discussion took place about the LWRP and the involvement of the county and surrounding towns. Discussion took place about the regulations of other towns that have three season communities.

#### CEO REPORT

Paul Hennekey discussed trying to locate Special Use Permits and the conditions on those Special Use Permits for Croby's and the Verizon cell tower. Discussion took place about the shared use of cell towers and bonds. Discussion took place about the Wegman Group's engineered drawings and the site plan for the Cottages at Troutburg property. Discussion took place about buildings and accessory structures on the site plan.

#### CPB REPORT

Bruce Newell said the Orleans County Water and Soil conservation district requested that planning board members check the elevations on building site plans. Discussion took place about drainage. Bruce Newell read the residential construction data between the years of 2000 and 2010. Bruce discussed the area and use variances presented to the Orleans County Planning Board. Discussion took place about the Town of Gaines dissolving their Planning Board.

#### NEXT MEETING

Tuesday, January 24, 2012

ADJOURNMENT: Bruce Newell motioned to adjourn. Seconded by Jeff Conte, all in favor. Adjourned at 8:50 pm.

Respectfully submitted,

Joyel Miesner  
Recording Secretary