

TOWN OF KENDALL
PLANNING BOARD
MEETING MINUTES

Tuesday, July 27, 2010 – 7:00 p.m.

CALL TO ORDER: Chairperson Paul Gray called the meeting to order at 7:07 p.m.

ROLL CALL:	Paul Gray, chair	- present
	Tom Cole	- absent
	Jeff Conte	- present
	Phil D'Agostino	- present
	Joyce Henry	- present

ALSO PRESENT: David Schuth, Town Board Representative
Joyel Miesner, Recording Secretary
Bruce Newell, 17141 Norway Heights
Robert Malin, 17085 Norway Heights

APPROVAL OF MINUTES

Minutes from June 22, 2010 were reviewed. Jeff moved to accept with corrections.
Seconded by Joyce.

WINDMILL REQUEST UPDATE

Paul Gray said that code enforcement had sent referrals regarding the Akeys wind energy system to the county planning board for both the zoning board and planning board. Paul passed out a preliminary site map of the Akeys property provided by Wind Tamer. He read through the wind energy worksheet and discussed the items on the worksheet. Paul Gray discussed the July 13th zoning meeting and discussed the distance from the fall zone to the nearest neighboring property. He said the distance is 503 feet based on the preliminary site map and it appeared that a variance will not be required. Discussion took place about the measuring of the fall zone to the nearest neighboring property. Paul discussed the bond required to have a wind energy system. He suggested having the bond be a condition for the approval of the Akeys wind energy system. Paul continued to read through the required conditions mentioned on the wind energy worksheet. It was decided that four conditions that have not been met at this time would need to be met before the Akeys are able to begin construction of the wind energy system. The four conditions required by the planning board will be that the Akeys must be owners of the property they are trying to purchase, they must take out a bond, they will need to acquire liability insurance and they will need a survey done. If the conditions are not met a permit will not be issued. Phil made a motion to proceed with the wind energy case. Seconded by Joyce, all in favor.

CPB COMMENTS ON WIND ENERGY REFERRALS

Paul Gray read the comments made by the county planning board about the Akeys wind energy project. He said the CPB's recommendation was for the approval of the variance and for approval of the wind system with the following conditions, the Kendall planning board should be satisfied that the wind energy system can accommodate maximum wind speed or shut down on such occasions to prevent structural damage. Paul said that wind energy system has an electric brake and manual shut out. The CPB said that comprehensive requirements for the wind energy system under the Kendall zoning

ordinance should significantly protect adjoining properties The CPB commended the Town of Kendall on the strait forward wind energy worksheet.

REPORT FROM CODE ENFORCEMENT

Paul Gray discussed lots on lake property that could be built on. Discussion took place about those lots on the lake.

TOWN BOARD REMARKS

Dave discussed the public hearings presented by the town board regarding the Storage Container Regulation and Junk Yard Regulation. Dave mentioned that there were many people in attendance. Dave discussed comments made at the public meeting. Dave discussed and dismissed comments about aerial photos being taken of properties in the Town of Kendall. Dave said the town board would be discussing Storage Container Regulation at the next workshop. Discussion took place about the Storage Container Regulation. Discussion took place about the Junk Yard Regulation and NYS regulations. Paul Gray discussed Pictometry software being offered to various towns by the county. He said this software contains detailed aerial photos of property. He said the photos are five years old.

CPB REPORT

Paul Gray mentioned that the CPB discussed the Akeys wind energy system and a used car sales lot in Medina. Phil mentioned that the CPB denied a rezoning for a beauty salon. He discussed the Town of Holley and their comprehensive plans for down town and the canal area. Phil said that NYS plans to slowly eliminate outdoor woodstoves by 2020. Discussion took place about outdoor woodstoves and NYS outdoor woodstove regulation.

MORATORIUM ON STRUCTURES

Paul Gray passed out sections 500 through 568 of the moratorium. A work session began on the moratorium. Paul Gray passed out the working draft of the fence ordinance. He read information that was recently added to the fence ordinance. Discussion took place about fence heights and materials used on lake property. Discussions took place about pools, vistas, septic system placement and accessory structures on lake property.

NEXT MEETING

Tuesday, August 24, 2010 at 7:00 pm

ADJOURNMENT: Joyce motioned to adjourn. Seconded by Phil, all in favor. Adjourned at 10:02 pm.

Respectfully submitted,

Joyel Miesner
Recording Secretary