

**TOWN OF KENDALL
PLANNING BOARD SPECIAL MEETING – 7:00 p.m.
PLANNING BOARD PUBLIC HEARING – 7:08 p.m.
AUGUST 14, 2012**

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

Attendance: Chairman Gray - present
Jeff Conte - present
Phil D'Agostino - present
Joyce Henry - present
Bruce Newell - present

Also present: Town Supervisor Gaesser, Town Board Representative Schuth, Code Enforcement Officers Hennekey and Dan Strong, Dave, Dan and Jon Wegman, W.G. Group Engineer Matt Tomlinson, Matt and Jill Kludt, Tyrone Whitehair, Recording Secretary Bakutis.

Chairman Gray opened meeting explaining what will be discussed. First being Matt Kludt's one lot subdivision and update of Cottages at Troutburg.

OPEN PUBLIC HEARING

Chairman Gray opened public hearing at 7:08 p.m. Started meeting by reading legal notice from Hamlin Herald. Application for a one lot subdivision on land owned by Matthew and Jillian Kludt located on Peter Smith Road, North of Rt.18 East side, Tax ID#31.-2-51.11. Chairman Gray explained the difference between major and minor subdivisions for the Town of Kendall. The application including two surveys, quick claim deed, County Health Department approval, SEQR, tax ID#, and site plan. House will be located south side of lot approx. 500 feet off the road. Joyce questioned on survey map #2 the size of a shed. Chairman Gray explained that the second survey and the shed on the survey belonged to neighboring property which was deeded off about a year ago. Bruce questioned is the house setback far enough that under the fire codes a turn around area is required. Chairman Gray and Code Enforcer Hennekey addressed question, stating yes per current fire code. Bruce also questioned if the electric lines would be above or below ground, Matt answered both. Joyce questioned a drainage line located on the site plan that started at the house and passed near the leech field. Where will the water go? Matt said it is within 2000 feet of Bald Eagle Creek so it will drain thru a pipe into ditches finally to the creek. The septic system has been approved by the Health Department. Per Paul Hennekey this is a drain for basement and foundation water and will use gravity feed. Chairman Gray questioned could drain be routed around leech field at a reasonable distance and Matt said yes and that the drain will be a solid pipe and will not be perforated it's going to be schedule 40, 6 inch pipe, so it wouldn't take in any of the leech field. Dan Strong walked the site today and everything seems to be in order. Per Dan Strong the driveway base is in, some initial markings on property were house is going to go, partial clearing. Chairman Gray used a Pictometry photo of the site to show where house is going to be located on site. Joyce asked if that part of Peter Smith Road has public water, Bruce answered yes.

Chairman Gray asked Dan Strong if he had seen any drainage issues he stated no, nothing of concern.

Chairman Gray asked for any public input regarding the Kludt subdivision. There was none.

Chairman Gray closed Public Hearing at 7:30 p.m. and called the regular meeting to order. Bruce Newell made the motion to close Public Hearing, seconded by Jeff Conte. All in Favor.

Chairman Gray started discussion of Kludt property. He reviewed the two surveys and it does match up to the deed once you take out the Flemming property. We do have all the paperwork: County Health Department, Tax Map, Deed and Applications. He said they are going to have to complete Part 2 of the SEQR. Chairman Gray proceeded to review Part 2 of determination SEQR: Section A - does it exceed any type one threshold? Chairman Gray said no this is an unlisted action. Section B - Will action receive coordinated review as provided for unlisted actions and Part 617.6 If no other negative declarations maybe superseded by another involved agency. What 617.6 is an initial review of the action and establishing lead agency. We are lead agency on this. Section C - environmental esthetics and impact. This is a primary residence and has very little or no impact on the Town of Kendall and it's allowed use in that district. This is a primary residence and has very little or no impact on the Town of Kendall and it's allowed use in that district. This will not have any significant adverse environmental impacts.

This is in the RA district and the sides and the areas front setback etc., 200 feet of road frontage is required in that district, frontage is well over 400 ft., minimum lot size is 60,000 sq. ft. and this is 69.1 acres more than meets requirements of the RA district.

Joyce Henry made motion to approve with a condition that the driveway meet the Fire Access Code requirements, seconded by Jeff Conte; all ayes.

UPDATE ON COTTAGES AT TROUTBURG PROJECT:

Supervisor Dan Gaesser gave an overview on timeline, since Friday, August 3, 2102, when the Town Board received the application for a WPDD from the Wegman Group. At that submission initial review Supervisor Gaesser requested additional information that they submitted Monday, August 6, 2012. Last Tuesday, August 7, 2012 at the Town Board meeting, according to our Local Law for the WPDD the Town Board is in charge with determining whether it is a complete application or not. At the work session it was determined that there were four items that were incomplete. On Friday, August 10, 2012 those four items were submitted. At the work session on Monday, August 12, 2012 the Town Board approved the application as complete and authorized Supervisor Gaesser to refer this application and all the material to the Planning Board for review. He stated at the regular Town Board meeting next Tuesday, August 21, 2012 he will put forth a resolution to establish the Town Board as the Lead Agency for the SEQR review. He has already spoken with legal council and they are prepared to move forward with that task. He asked what is Planning Board and Chairman's desire to do with previous submission

of material; Supervisor Gaesser's only concern was that there might be a site plan that gets utilized that has been outdated. Chairman Gray suggested all could be collected and start fresh. Supervisor Gaesser agreed along with all Planning Board members.

Supervisor Gaesser said there are three (3) components he will be handing out:

- 1) 6 inch white binder labeled Engineer Report & Expanded Environmental Assessment.
- 2) New set of Site Plans.
- 3) 2 inch black binder with supplemental information with twelve categories.

Supervisor Gaesser said according to the WPDD the Planning Board has 62 days to make it's recommendation back to the Town Board, unless it's agreed upon between the developer and the Planning Board to extend that timeline. The SEQR process will be part of the Planning Boards review and that will take some time. Supervisor Gaesser has everything in place to move forward with that process for next Wednesday. Bruce Newell asked how does the time line of our engineering firm tie into that 62 days? Per Supervisor Gaesser that is all part of the review, they are bound to the same 62 days.

Supervisor Gaesser proceeded with meeting by re-introducing the Wegman Group to the Planning Board, which consisted of: Dave, Dan and Jon Wegman and Wegman Group Engineer Matt Tomlinson. Chairman Gray started an overview of the large white binder and basically a summary of the project. Spoke of the contents in the white binder, E.R.E.E.A. which consist of following:

- 1) New Environmental Assessment Form
- 2) Comments and Responses to the SEQR
- 3) Coastal Management Program
- 4) Traffic Data
- 5) Wetland Lineation Report
- 6) Threatening and Endangered Species
- 7) Historical and Archeological Resource
- 8) Water System Modeling Analysis
- 9) Sanitary System
- 10) Storm Water and Pollution
- 11) LWRP Review
- 12) Site Amenities
- 13) Sportive Documentation

Review of E.R.E.E.A. binder ended and review of Supplemental Information black binder began at 8:40 p.m.:

This binder has application under Salvation Army authorizing Wegman group SEQR.
Black Binder Contents:

- 1) Applications that was submitted to Town Board
- 2) Salvation Army
- 3) SEQR Part 1 and Part 2

- 4) Check list from waterfront plan district
- 5) Emergency Services (Morton and Kendall)
- 6) DEC - Sewage Treatment System
- 7) Engineers
- 8) Other Agencies
- 9) Association Rules
- 10) Supplemental Submission
- 11) Signage
- 12) Proposed Building Inventory

Question and answer discussion took place on the appendix's above.

Joyce Henry had a recommendation for the Wegman Group to consider. Since people are not going to own property around their cottage; in theory anyone in the project can walk up very close to a cottage, which can be uncomfortable for some people. Perhaps the Wegman Group can do guidelines for access to the lake or pool water to stay on the road way or walk ways and not cut through what some people are going to perceive as their yards. Because they are going to want more privacy as people will be walking by their windows all day, especially the ones living by the shore. Dave Wegman acknowledged and appreciated the concern.

Discussion took place on lighting plan. Plans show no general lighting on site now, just on certain buildings not in common areas. There will be carriage lighting on cottages, and over storage areas, where it is required. Sheds will be attached to the cottage structure. Each home will have its own, all being the same size, prints show size being 6x10. There will be three (3) big buildings/barns on site for storage for the community, southeast corner near entrance way. There are no trailers or RV's allowed on site, etc. If you have a power boat that will be kept in local marinas the trailer will be in storage barn. Storage units will be open ended for example: kayak storage/for easy access, golf carts, etc. There will be no community storage for holiday, lawn decorations.

Town Board Representative, David Schuth asked has there been significant changes to this package of drawings: Matt Tomlinson said yes there was no grading plans in the previous submittal, so they have taken a look at all the crossings along with the grading of the ponds, the sanitary system has been finalized as well as the water system.

Chairman Gray questioned fencing on west side, Wegman's engineer, Matt Tomlinson's answer was not planning at this time.

Chairman Gray questioned parking; Matt Tomlinson said there is over 1,500 spaces.

Discussion of golf course/carts took place; The only golf carts that will be allowed on site will be purchased through Wegman Group and Jon Wegman is researching whether or not to use gas or electric. Whichever they decide all will be the same.

Chairman Gray asked Wegman Engineer, Matt Tomlinson about C5.4, that there was a

line with x's going across, question asked, is that the edge of the property? Matt said that's the existing chain link fence that runs across property.

Also in question by Chairman Gray; is there going to be any railing on the docks. Per Dave Wegman would like not to have a railing but not sure at this time what will be required. He has the same dock in front of his house for over twenty five (25) years, his is even a little bit higher off of the water and there has never been an issue. His main reason for not wanting a railing is he doesn't want to create anything more for the ice to grab to.

Chairman Gray asked Code Enforcement Officer, Paul Hennekey if he had any questions for the gentleman from the Wegman's Group. Specifically they have been reviewing the fire apparatus codes and the proposed roads on the site plans. According to code, the fire code clearly states that any driveway that services more than four buildings has to be a fire apparatus road. At this time the site plans do not do that. Dan Strong went over widths of roads; the width as indicated on the plans and what the fire code says they should be. Chairman Gray asked CEO's Paul Hennekey and Dan Strong to put together a letter with their concerns and specific code requirements in written form to submit to Planning Board and Wegman Group. They said yes. Dan Strong asked if Wegman Group has made provisions for specific handicap parking spots. Dave Schuth said there was a note to that point on page 3.0 under compliance: that it does not go to the extent of saying exactly where the handicap spots are but based on the buildings and the property usage they would do so accordingly. Matt Tomlinson said because it is a private development there is a certain percentage that they have to be in compliance with. But if someone comes in and says they want a cottage with handicap parking that is when they will provide for it. Also, around common areas, club house, etc. It will be in conformance with requirements for the percentage over a 1000 parking spaces.

Dave Wegman said they would be addressing the roadway issues at a later time. They are pretty adamant about the health and safety of this project and they think the letter of the law is less safe than what has been designed. They also think the letter of the law doesn't include one way driveways. The assumed driveways that the code refers to are two way. But they will continue to work on it together with CEO Paul Hennekey to come up with a solution which will be the safest solution for their customers.

Chairman Gray said next meeting is two (2) weeks away, August 28, 2012
Bruce Newell said he will not be attending, will be out of the country.

Joyce Henry motioned for adjournment, seconded by Jeff Conte; all ayes.
Chairman Gray adjourned the meeting at 9:32 p.m.

Respectfully Submitted,

Tammy Bakutis
Recording Secretary