

TOWN OF KENDALL
PLANNING BOARD
MEETING MINUTES

Tuesday, April 24, 2007 – 7:00 p.m.

CALL TO ORDER: Chairman Nelson called the meeting to order at 7:02 p.m.

ROLL CALL, MEMBERS:

Bob Nelson, chairperson	- present
Tom Cole	- present
Phil D'Agostino	- present
Walt Steffen	- absent
Paul Gray	- present

ALSO PRESENT:

Dave Schuth, Town Board representative
Robert L. Wilson, resident, 1351 Center Road
Marianne Wilson, secretary

SCOTT HARDENBROOK: Introduced Bob Wilson who proposes application for Special Permit for Farm Labor Camp. DOH has inspected and approved conversion of half an existing barn. It is considered expansion of existing labor camp, as it is on the same property though a separate structure. The existing labor camp is grandfathered under the ordinance. Scott says the law does not address additions to labor camps. Bob Wilson: Conversion of half a 30x50sf barn: approximately 1500sf total. He has enlisted Jeff Miller as contractor. DOH and DOL both overseeing the process. Scott has already inspected the site. It is on the same land parcel and same well. Scott: it falls under Sec 640 of the ordinance for nonconforming structure. The existing labor camp was expanded a few years ago. DOH will allow up to 8 occupants in the proposed space. The other half will be used for storage. Safety concerns discussed. New expansion will house H2-A workers. The existing camp houses a family and a couple men.

Paul moved the Planning Board recommend Bob Wilson file for Special Permit process. Tom seconded the motion. No further discussion. All in favor. Public hearing will be held May 8.

Gary Kludt's Special Permit application for Farm Labor Camp was previewed. Occupancy to be from mid-May to November by a family of 5 who are well known in the community. Phil moved the application be recommended for public hearing. Paul seconded. No further discussion. All in favor. Public hearing to be held May 8.

Motion made by Phil to hold a Special meeting on May 8 starting 7:00 p.m. Seconded by Tom. All in favor. Kludt hearing to be held at 7:15 p.m. Wilson hearing at 7:30 p.m.

SCOTT HARDENBROOK – J&R Fruit Farm (Joe and Robert Heberle) Special Permit application must go to OCPD first, possibly May 24. Scott will have them appear here for preview for completeness on May 8. Proposed site is on the farm at Lakeshore Rd near Rte 272.

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MET TOWERS – First public hearing will be held Thursday. The law requires two hearings. Discussion on land use ordinance versus local law. It will be presented to OCPD as part of the process. Paul will be in attendance at that meeting. Discussion regarding transmission of power generated by turbines. Nearest existing sites are Hamlin and Waterport. Bethany is a good model.

EAGLE CREEK MARINA – Copy of recent document sent to Mr. Freemesser. Also copy of letter from Tom Cole to Mr. Freemesser dated 11/8/2006 which outlined 7 changes in plans submitted 10/19/2006 vs original plans. Each of the 7 items will be reviewed. Drawings just received today from new engineering firm, Meagher. First engineering firm was fired. Parking spaces increased from 193 to 244 to accommodate added space on 3rd floor which was originally to be a mezzanine: 25% increase in parking space. Discussion regarding fire lanes and turn-around space for emergency vehicles. Questions regarding number of handicap parking spaces required. Scott will check to see if the wooden structure on the peninsula has been removed, as directed. Discussion regarding definition of temporary seasonal structures described in #4 in the 11/8/2006 letter. Lighting is still not shown in drawings. This Board needs a dated set of drawings of the lakeshore project as noted in item #6. Septic system configuration is a BIOCLERE effluent system with 3 holding tanks, opening to the swale area. Scott will have Rick Seaman review the plans for fire codes in terms of emergency access. He will ask Rick to document all requirements. Need documented plan for landscaping the jersey block, as Mr. Freemesser has decided not to stucco.

Tom moved that Bob prepare a document stating this Board's investigation finds need for a sketched plan of the following: 1) fire department representative review fire lanes and turning radii; 2) stamped drawings for north lakeshore project.

Scott will inspect items #1 and #3. All agree to item #2. Item #7 references grading and erosion plan.

The Planning Board does not consider these drawings to be a major change, other than the septic system which was mandated by NYS. A copy of the SPDES permit is on file. It will not need to be resubmitted to OCPD.

DAVE SCHUTH – Mr. Ras and Mrs. Balka have submitted a letter requesting property classification change. It is under the Town Board's jurisdiction. Scott says this would be spot zoning and that is illegal, as it requires 5 acres minimum. These properties are in the LWRP zone. The letter was addressed to Kevin Banker, chairman of Zoning Board of Appeals. Kevin needs to refer it to the attention of the Town Board. They wish to change from water front development to rural residential.

The Town Board extends compliments to the Planning Board for their efforts on the MET Tower proposal. It is effective and efficient. This was a proactive approach.

TRAINING – Minor changes have been made to the proposed resolution. Dave does not know if the Golisano talk was okayed by the Town Board. There is a Regional Local Government Workshop on Friday May 11. For any wishing to attend the deadline is May 3.

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Zoning Board approved a 2nd floor replacement on a property on Lomond Shores. The Daubney's pool fence variance was approved as being a non-intrusive, non-visual barrier that meets NYS pool fencing requirements. The Lynches were granted a 30 ft setback variance.

Tom moved the meeting be adjourned. Seconded by Paul. All in favor. Meeting adjourned at 9:50 p.m.

Respectfully submitted,

Marianne Wilson
Secretary, Planning Board