

TOWN OF KENDALL
PLANNING BOARD
MEETING MINUTES

Tuesday, January 23, 2007 - 7:30 p.m.

CALL TO ORDER: Chairman Nelson called the meeting to order at 7:28 p.m.

ROLL CALL, MEMBERS:

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

ALSO PRESENT:

David Young, resident
Scott Hardenbrook, Code Enforcement Officer
David Schuth, town board representative
Marianne Wilson, secretary

APPROVAL OF MINUTES: Minutes from the December 12 meeting were read and corrected. A motion by Tom Cole to accept minutes as corrected was seconded by Walt Steffen. All in favor. Motion carried.

SCOTT HARDENBOOK: Introduced resident David Young, 1608 West Kendall Rd, whom he asked to attend regarding request to subdivide vacant land on West Kendall north of Carr Road. Mr. Young wishes to sell approximately 2.5 acres to a neighbor and a second parcel of approximately 4 acres to another party for possible home construction. Discussion followed regarding maintenance of right of way and required 200 foot frontage for the building lot to be sold. As this is an unimproved building lot, approval of this board is not required at this time. If the new owner(s) wish to build, they will need to seek board approval. Mr. Young was referred to the county for transfers of ownership.

EAGLE CREEK MARINA: Also presented by Scott Hardenbrook. Discussion regarding concerned neighboring resident who inquires regarding small tool shed near Lake Ontario State Parkway fence. Distance from the fence must be at least 5 feet. No permit was issued. Mr. Hardenbrook advised James Freemesser that a permit is required. This structure does not appear on marina plans submitted to Planning Board. Only structures appearing on the submitted plan are approved. Also, a second shed on the peninsula is to be removed when the ground is sufficiently frozen, so James Freemesser informed Scott in conversation today. Tom Cole has requested a copy of the plan. Mr. Freemesser says he is finalizing the plan and will likely bring it to the next Planning Board meeting. Copies provided of Eagle Creek Marina letter dated December 6, 2006 distributed in regards to treatment of concrete wall.

Scott Hardenbrook met with Bob Nelson, chairman of Planning Board yesterday regarding permitting process for Coastal Management structures. All applications by residents of the Town of Kendall must be signed off by this board as being consistent with LWRP. Scott has the complete package from New York State. Bob Nelson questions use of 8 gauge wire gabions for erosion control. Tom Cole questions

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the code in LWRP. Discussion as to whether gabions can be considered structural or non-structural. Tom Cole says a letter to Eagle Creek Marina from NYS Civil Engineering Office defines gabions as non-structural. He suggests that a definition be added to the ordinance for future consistency.

OLD BUSINESS:

EAGLE CREEK MARINA: Copies of December 6, 2006 letter distributed regarding the block wall. Tom Cole and Bob Nelson will formulate letter of response.

CODIFICATION: One member needed to study indepth and follow through. Cost is approximately \$8,000. The system allows rapid search of all permits, ordinances, etc. Town of Holley is in conversion process. It takes several years to complete. Initial start-up is very involved, but all departments within the town benefit from the system. Tom Cole suggests tabling the project until wind energy/meteorological tower ordinance is completed. Tom Cole moved the project be tabled for discussion in six months; seconded by Phil D'Agostino. Passed unanimously.

RESIDENT MR. HALLIGAN: Will be mailed minutes from December 12 meeting. Bob Nelson will provide a cover letter with the December minutes.

CORRESPONDENCE:

COUNTY PLANNING BOARD minutes shared.

DAVE SCHUTH: The Town Board recognizes Chris Congdon's service to the Planning Board. Phil D'Agostino has been appointed as her replacement. Paul Gray has been reappointed. The Town Board expresses gratitude to Tom Cole for serving as chairman and to Bob Nelson for replacing Tom. New York State training requirements being reviewed by David Schuth. In brief, the Town Board defines the policy.

BOB NELSON: May attend a training seminar given by Niagara/Orleans counties.

PAUL GRAY: County Planning Board is seeking a spokesperson to talk about wind energy.

NEW BUSINESS:

METEOROLOGICAL TEST TOWERS: Need an objective method of analyzing the subject so that the board can move forward. Town of Gaines' Planning Board selected as reference material to review: copies distributed. Orleans County requests response in six months, which is approaching. All members will review in-depth and bring input to a special workshop dedicated to this subject on February 13 at 7:00 p.m.

FUTURE MEETINGS:

It was agreed to change meeting times to 7:00 p.m. instead of 7:30 p.m., effective with the next meeting.

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ADJOURNMENT: Motion by Tom Cole to adjourn; seconded by Walt Steffen. All in favor. Meeting adjourned 9:30 p.m.

NEXT MEETING: Tuesday, February 27, 2007 at 7:00 p.m.

Respectfully submitted,

Marianne Wilson, secretary
Town of Kendall Planning Board