

TOWN OF KENDALL
PLANNING BOARD
MEETING MINUTES

Tuesday, July 10, 2007 – 7:00 p.m.

ROLL CALL: Members:

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

ALSO PRESENT:

Scott Hardenbrook, Code Enforcement Officer
David Schuth, Town Board representative
Marianne Wilson, recording secretary
Donn Pritchard, Town Councilman
Dan Gaesser, Town Councilman
William Vick, Supervisor

CALL TO ORDER: The meeting was called to order by Chairman Nelson at 7:00 p.m.

APPROVAL OF MINUTES: Minutes of June 26, 2007 meeting were reviewed. Tom moved they be accepted as presented. Seconded by Paul. All in favor. Motion carried.

CORRESPONDENCE: Orleans County Planning Board letter of acceptance, with conditions and/or stipulations, for J & R Fruit Farm application 07SP05 for 2 farm labor camps. TOKPB has 30 days to make final determination. OCPB recommends providing off-road parking for possible future change of use, to be determined by TOKPB; exterior lighting at outside doorways; occupancy rate as per DOH.

PUBLIC HEARING: 7:15 p.m. for decision on Application 07SP05, J & R Fruit Farm (Heberle) for 2 farm labor camps at 17255 & 17247 Lakeshore Road, according to Article 7, Section 708 and related sections of the TOK Ordinance. Paula Reis represents applicants. No other public attendees in regards to this matter. Application has been reviewed twice here, and approved by OCPB. Department of Labor inspected Thursday and will inspect at least 15 days prior to occupancy. There will be no vehicles, as transportation must be provided by the farmer, as per H2-A program. Paul Gray inquired regarding use of the 3rd mentioned apartment. Paula states it is occupied by year-round employees. Heberles are able to accept the terms set down by OCPB. Advertising in local paper for help produced no responses. Twelve laborers expected from Jamaica. Phil moved to close the hearing. Seconded by Tom Cole. All in favor.

EAGLE CREEK MARINA: Site Plan Review up for discussion with attending Councilmen. Mr. Freemesser has requested additional funds in recent meetings with Councilmen. The Board requests clarification on Planning Board concerns: lack of a stamped, signed final plan; no final approval on fire inspection; north shore plan. Councilmen will reinforce this board's demands. Scott told Mr. Freemesser to meet with Fire Chief Mike Kludt regarding concerns regarding lack of space for emergency vehicles, particularly ladder trucks to access third floor in event of fire. Albion Fire Chief Eric Bradshaw has seen the plans and doubts there is sufficient room.

BILL ANDERSON, PREVIEW SUBDIVISION APPLICATION 07SUB02: Concerning 50 acre parcel at 2313 Kendall Rd. Proposes to build new house behind existing business, requiring separate septic system: plan is approved and stamped copy forthcoming. Existing structure will be for business use only. Scott thought this board needed to hold a hearing, as a new septic system is required. Subdivision granted last year on September 26, 2006. There will be one mailing address and one driveway; thus it remains a home business, to be relocated from current Norway Rd location. Existing structure is approved as a home with a business. Tom Cole made the motion that this board does not need to hold another hearing on this matter, as there is now a detached structure for business use, once the new home is completed. Seconded by Paul Gray. Further discussion on drainage and new septic system. If the septic system were to be relocated more than 100 feet from original plan, approval would be required by this board. Approved by unanimous roll call vote.

DECISION REGARDING J & R FRUIT FARM 07SP05: Paul Gray states it was a struggle to get this application passed by the county: The faxed application was difficult to read; no details were provided regarding apartment 3; plans were not drawn to scale and difficult to conceptualize; incomplete dimensions, especially building heights. OCPB former practice of photographing sites before hearings was helpful. Discussion on the proposed \$60 fee and the process of collection to reinstate that practice.

Tom moved to approve the application, with additional information on building heights, and that all criteria be met, as stipulated by OCPB. Seconded by Paul Gray. No further discussion. Approved by unanimous roll call vote.

MET TOWER PROPOSED ORDINANCE: Dave reports that it was considered by OCPB. It was approved, with concerns outlined in a report received by Dave. Copies provided. They impress upon this board that all data collected by Met Towers will be foible. Discussion ensued. It is recommended that distances be clarified, as well as who would be responsible for notification for all associated public hearings. It will be presented to Town Board this Thursday night for vote, in preparation for sending to New York State for grant application.

EAGLE CREEK MARINA: Slated for discussion at Thursday's Town Board meeting. Discussion with Supervisor regarding unresolved issues: 1) Greatest concern is emergency vehicle accessibility. In the event of a fire involving the third floor, Kendall Fire Chief would contact Albion or Brockport for a ladder truck. Albion Fire Chief, based on plans, expresses concerns regarding limited access. Changes to original plan, specifically conversion of 3rd floor mezzanine to full 3rd floor use, required more parking spaces, which reduced the size of fire lanes. 2) Unstamped, unsigned final plan for the north shore. Bob's letter of April 26, 2007 to Mr. Freemesser outlined these issues of noncompliance. Rick Seaman has been unavailable for follow up, due to illness; so Scott told Mr. Freemesser to follow up with Fire Chief Mike Kludt.

ADJOURNMENT: Tom moved the meeting be adjourned. Seconded by Phil. All in favor. Motion carried. Meeting adjourned 9:42 p.m.

Next scheduled meeting is July 24.

Respectfully submitted,

Marianne Wilson
Secretary