

TOWN OF KENDALL
PLANNING BOARD
MEETING MINUTES

May 8, 2007 – 7:00 p.m.

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

ROLL CALL, MEMBERS:

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

ALSO PRESENT:

Scott Hardenbrook, Code Enforcement Officer
David Schuth, Town Board representative
Marianne Wilson, secretary

Gary Kludt, 1161 West Kendall Rd
Robert L Wilson, 1351 Center Rd
Paula Reis, 17255 Lakeshore Rd
Stephanie Haibach, 1382 West Kendall Rd, student
Michael Paduchak, 1412 Center Rd

APPROVAL OF MINUTES: Minutes from April 24th were reviewed. Tom moved to accept the minutes with amendments. Phil seconded. All in favor. Motion carried.

PUBLIC HEARING – 7:15 p.m. Consideration of application 07SP03 for Gary and Mike Kludt to convert an existing single family residence at 1409 West Kendall Road, tax map no. 20.-2-12.2, to a farm labor camp, pursuant to Article 7, Section 708 and related sections of the Kendall Town Ordinances. The house will be occupied by a single family-30 year migrant residents from mid-May to mid-November. Application is in order, as previewed at April 24 meeting. Copy of DOH approval supplied to the Board. Scott clarified differences between housing all-male laborers vs a family. The house will be vacant in winter. There was no opposition to the request. The hearing was closed. Phil moved the application be accepted as presented. Seconded by Tom. Roll call vote: All in favor. Motion carried.

PUBLIC HEARING – 7:30 p.m. Consideration of application 07SP04 for Bob Wilson Jr to expand an existing labor camp at 1395 Center Rd, tax map no. 21.-1-3.1, pursuant to Article 7, Section 708 and related sections of the Kendall Town Ordinances. Original plan to convert a barn was disapproved by DOH. Now propose to add extension to existing structure to house up to six H2-A laborers. This would bring total occupants to 20, including the current family. Square footage is mandated by the DOH. Occupants will reside May to November. Current family has resided year-round up to this year. Each unit is considered an apartment. There was no opposition to the request. Mr. Paduchak voiced his support of both Kludts and Wilsons. The hearing was closed.

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Phil moved the application be accepted as presented. Paul seconded. Tom requested Bob Wilson to provide set back dimensions for all property lines. Transportation discussed. Roll call vote: All in favor. Motion carried.

SCOTT HARDENBROOK: Introduced Paula Reis representing J&R (Heberle) Fruit Farm. Preparing application for H2-A farm labor camps in 2 separate buildings which exist on 2 separate parcels, with the farm land situated on a 3rd parcel. Assistance provided to Paula in preparing application for Orleans County Planning Board.

MINUTES APRIL 24: Presented as transcript of recorded meeting. Discussion. Tom moved to accepted the minutes as corrected. Paul seconded. Walt abstained. All in favor. Motion carried.

EAGLE CREEK MARINA: Bob had a meeting at Mr. Freemesser's invitation last Friday. He pointed out that only those trees planted on the Balka property line are alive and that all others are dead. Some question as to tampering. Documents state that barrier plantings are to be completed by June 22. Neighbors claim the trees are not as agreed to. There are height restrictions. Discussion as to when Balka's home was constructed vs construction of the boat barn. The Town Assessor addressed a letter to the Planning Board requesting an updated site plan to present to the Board of Assessment Review Grievance Committee on April 22.

CORRESPONDENCE: Bob presented letter from Ag and Farmland Protection Board. In summary, housing development is to be limited in agricultural areas. Some discussion regarding low income housing.

JUNK VEHICLES: Zoning Board of Appeals annual survey completed. Law states more than 2 unregistered vehicles on a property for more than 30 days constitutes a junk yard. The town's attorney is concerned with the wording in the ordinance. New York State property law only addresses motor vehicles. The town's ordinance addresses other types of vehicles. Discussion of contiguous properties that appear to be a single property. Dave Schuth says the supervisor and attorney are working on verbage. Tom suggests Dave consult other town's ordinances; we have copies in the office.

SUBDIVISION: Application by the Keo family on Creek Rd will come up for public hearing in June.

MORTON COLD STORAGE: Property has been purchased by DMD Machine, Don Hofer, who proposes to enclose the existing structure and erect a new machine shop. The completed application will be presented to Scott who will present to supervisor, then to the Planning Board.

TRAINING: Dave clarified that one year carry-over is allowed for credit.

NORWAY HEIGHTS ASSOCIATION: There are 3 options for road conversion in order to turn the road over to the Town of Kendall. Setback issues will come before the Planning Board to prevent formation of nonconforming lots.

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MET Towers: Dave reports the attorney is putting a resolution together to approve the ordinance at the Town Board meeting. It will then go before the Orleans County Planning Board. Bob again says he thinks an extension will be needed on the moratorium.

UNION HALL: The property was never turned over to the Town. The town's attorney was working on that when it unexpectedly came up for auction by the County. Three deeds are involved. The structure is situated approximately 9ft 3inches over the adjacent property line.

PAUL GRAY: Orleans County Planning Board eliminated video taping of meetings due to budget cuts. They would like to reinstate that practice. A draft letter was sent to the towns proposing a \$60 referral fee payable to the county.

Phil moved the meeting be adjourned. Seconded by Tom. All in favor. Meeting adjourned 9:00 p.m.

Next meeting will be May 22.

Respectfully submitted,

Marianne Wilson
Secretary