

**TOWN OF KENDALL
PLANNING BOARD MEETING MINUTES
TUESDAY, DECEMBER 18, 2013 - 7:00 P.M.**

Chairman Gray called the meeting to order at 7:05 p.m.

Attendance: Chairman Paul Gray	- present
Joyce Henry	- present
Jeff Conte	- present
Raymond Wenzel	- present
Andrew Kludt	- present

Also present: Eileen R. Grah, 16930 Kenmore Road, Kendall, NY 14476, Code Enforcement Officer Hennekey and Recording Secretary Bakutis.

TOWN BOARD UPDATE:

Town Board Liaison Dave Schuth was absent so Chairman Gray gave Town Board update.

- There was an open hearing for Water District #5 to extend water to the Cottages at Troutburg. LaBella Associates (Town Engineer) is recommending that this be the first water extension to be done, the extension to provide two (2) twelve inch water main taps for the Troutburg Project. There are currently 80 cottages available to tie into these taps and will grow to a final count of 400 cottages. This will leave the Wegman Group with most of the cost upfront.
- Supervisor Daniel Gaesser gave his final meeting speech thanking all of his board members and the success they have had.
- Planning Board Chairman Gray was acknowledged for his 27 years of service to the Town of Kendall Planning Board and 28 years of service to the County Planning Board and a reception was held at the end of the meeting.
- The Town Board spoke about the codification and they are going to try to get the final version of it back by the end of the month and adopt it at December 30, 2013 meeting. It should be a simple adoption of General Code, there is no change in text for zoning ordinance, and all of the text changes have already been approved by previous open hearing meetings. The board is working on also getting a PDF electronic file of the General Code for the Town of Kendall website. It still needs to be determined if there needs to be a public hearing to adopt the New General Code.
- Orleans County Representative Ken Rush also gave his last presentation and thanked everyone.

ORLEANS COUNTY PLANNING BOARD UPDATE:

Chairman Gray gave Orleans County Planning Board update.

- A status of CPB Appointments for each municipality was given.
- Adoption of the 2014 meeting calendar was completed and list distributed.
- Zoning Referrals were as follows:

- 13-39 Medina – Area Variance and site plan review for medical offices in existing building at 11360 Maple Ridge Road in General Business District and Maple Ridge Overlay District.
- 13-40 Gaines – Site Plan Review and Special use permit for Co-Op in existing building at 14462 Ridge Road in Commercial District. (Approved)

PUBLIC HEARING AND SITE PLAN REVIEW FOR A ONE LOT SUB DIVISION:

Chairman Gray opened the public hearing at 7:15 p.m. He read the public notice.

Please take notice that the Planning Board of the Town of Kendall, Orleans County New York will hold a public hearing on the application of Eileen Grah for approval of a one lot sub division to build a primary residence at her property located at 16930 Kenmore Road, Kendall. Said hearing will be held the 18th day of December 2013 at 7:15 p.m. at the Kendall Town Hall, 1873 Kendall Road, Kendall, New York. All persons wishing to speak on this matter will be heard at this time. The application is on file in the Town Clerk's Office.

By Order of Paul Gray
Town of Kendall Planning Board Chairman

Chairman Gray handed out pictometry of the site, tax map and the SEQR review form to the members of the PB for their review and use.

Following the Subdivision section of the zoning ordinance under minor subdivision paragraph 2.203 - not more than 4 lots on any street or road requirement, Preliminary site plan requirements under paragraph 6.400 meeting requirements listed.

Chairman Gray gave the applicant Eileen Grah a chance to speak and explain to the board why she is seeking approval of a one lot subdivision to build a single family residence on the property at 16930 Kenmore Road, Kendall, NY. There was some discussion regarding the house number which was determined when she went for electric for the barn. There is a barn, shed and well on the site already. The road frontage is 215 feet meeting the requirement and total 30+ acres. The intent is to connect to the public water at the street. The County Health Department has approved a septic system for the three bedroom residence already. There is Yantee creek that runs through the property and Eileen's drive has 2 36" dia culverts allowing the creek below, there is a secondary 18" dia culvert for creek overflow.

Chairman Gray asked for a motion to close the public hearing. Raymond Wenzel motioned to close public hearing, seconded by Andrew Kludt. The public hearing was closed at 7:46 p.m.

Chairman Gray and the Planning Board reviewed the criteria for this application and all paperwork that was submitted to the board. The Planning Board conducted a review of the zoning ordinances and the subdivision regulations for a one lot subdivision. Review set a couple of conditions for approval as follows: The culverts need to be able to allow weight of fire truck access back to the residence, and clearance/width of driveway and cut back of trees for fire truck access back to residence.

Member Joyce Henry motioned to approve the application for the one lot subdivision with driveway meeting all New York State fire codes, and seconded by Raymond Wenzel.

Chairman Gray called for a roll call vote with the following results:

ROLL CALL: Jeff Conte - aye
Raymond Wenzel - aye
Joyce Henry - aye
Andrew Kludt - aye
Chair Paul Gray - aye

Motion carried, One Lot Subdivision granted.

CODE ENFORCEMENT REPORT:

CEO Hennekey gave the board an update on Heberle's farm stand and with the adjusted ordinances it will be clearer for review and approval when the time comes, Heberle's are not in hurry to move forward. Paul Gray, Raymond Wenzel and Paul Hennekey met with Frederick Stone and Amy Herold to go over all of the requirements and paperwork. Mr. Stone and Ms Herold need to go for a variance from the Zoning Board of Appeals for relief of setback requirements for a kennel special use permit. As per the recent survey completed by neighbor the existing fence was on neighbor's property and needed to be moved, when we met this fence has been moved. He also gave an update on Mr. Stones case regarding the dog kennel, he hasn't heard from him.

APPROVAL OF MINUTES:

Minutes from the November 26, 2013 meeting submitted by Recording Secretary Bakutis were reviewed. Jeff Conte moved to accept minutes with corrections, seconded by Raymond Wenzel, all in favor.

NEW BUSINESS:

With a copy of SEQR form from Eileen Grah application the planning board reviewed the new SEQR form that is to be used for type of content and required information.

ADJOURNMENT:

Andrew Kludt Made motion to adjourn, seconded by Joyce Henry; all in favor. Meeting adjourned at 9:00 pm.

Respectfully Submitted,
Tammy Bakutis
Recording Secretary