

TOWN OF KENDALL
PLANNING BOARD
MEETING MINUTES

Tuesday, June 28, 2011 – 7:00 p.m.

CALL TO ORDER: Chairperson Paul Gray called the meeting to order at 7:08 p.m.

ROLL CALL: Paul Gray, chair - present
 Jeff Conte - present
 Phil D'Agostino - present
 Joyce Henry - present
 Bruce Newell - present

ALSO PRESENT: Larry Gursslin, Code Enforcement Officer
 Paul Hennekey, Deputy Code Enforcement Officer
 David Schuth, Town Board Representative
 John Rachow P.O. Box 465 Holley
 Joyel Miesner, Recording Secretary

APPROVAL OF MINUTES

Minutes from May 24, 2011 were reviewed. Joyce moved to accept with corrections. Seconded by Phil, all in favor.

SPECIAL USE PERMIT APPLICATION REVIEW

Paul Gray said that David Oschmann had submitted an application for a special use permit for boat repair business in the hamlet. Paul Gray listed the required pieces of information that were turned in with the application. He read Mr. Oschmann's business plan and described the property. Paul Gray said that Mr. Oschmann submitted a zoning referral form to the county planning board. The county planning board recommended that the special use permit be approved with two conditions; the Kendall Planning Board shall determine the extent and nature of any screen to protect the privacy of adjoining residences and any exterior signage shall not obstruct the view of vehicles attempting to exit the property as justified by the Kendall Planning Board. The planning board members decided to move forward on the application. Discussion took place about the possibility of screening the property. Paul Gray passed out the site plan of the property to better discuss property screening. A public hearing was set for July 26, 2011 at 7:15 p.m.

PRE-VIEW OF ONE-LOT SUBDIVISION

Larry gave an over view of his discovery of a property violation. Larry discussed how he and the owner had been working together to make the property in compliance with Kendall zoning code. Larry said John Rachow wished to submit an application to the board for a one-lot subdivision but did not have it completed. Larry hoped to start a dialog between Mr. Rachow and the board to help the process along. Paul Gray described the structure on the property and asked Mr. Rachow if the structure was a living space. Mr. Rachow responded, no it is not. Mr. Rachow gave the board completed applications, house plans and a site plan of the property. Mr. Rachow described the site plan. Paul Gray presented photos to the board of the structure located on the property. Discussion

took place about the septic tank. Mr. Rachow said the septic had a perk test and did not pass. He said he is in contact with an engineer for a raised bed system. Paul Gray explained that the health department approval, a survey and deed to the property were needed for a one-lot subdivision. Paul Gray said Mr. Rachow would need to complete the short form state environmental quality review (SEQR). Discussion took place about the well on the property. Discussion took place about fire equipment access to property. Discussion took place about the property's drainage. Joyce made a motion to set the date for two public hearings for July 26, 2011 at 7:15 p.m. and 7:45 p.m. Paul Gray added a condition requiring a completed application by Mr. Rachow. Seconded by Bruce, all in favor.

TOWN BOARD REMARKS

David said that firework permits had been approved for the Fireman's Carnival on July 9, 2011 and Eagle Creek Marina on July 2, 2011. He said Supervisor Gaesser and Councilman Pritchard planned to visit Eagle Creek Marina for the yearly report. Discussion took place about whether or not Eagle Creek Marina was operational. David said the town board has been investigating the possibility of Transit Road receiving water lines. Discussion took place about the expense of water lines and state grants.

CEO REPORT

Larry discussed a property that code enforcement had recommended be condemned. Larry discussed the property owner's interest in rebuilding on the property. Discussion took place about the possible sale of the property. Larry briefly discussed the town attorney's recommendation for the property. He said the deadline for an encroachment issue to be resolved for a pole barn located on Lakeland Beach was June 30, 2011. Larry discussed the court proceedings for a property where it appears someone is living with out a certificate of occupancy. Larry gave an overview of the comments from the zoning survey. Paul Hennekey discussed the size of a buildable lot on lake front property. He said nonconforming lot must be 75 feet by 175 feet to be a buildable lot. Discussion took place about buildable lots. Larry briefly discussed the possible restaurant on Kendall road and said he had been meeting with the proprietor every other week.

CPB REPORT

Paul Gray handed copies of the county planning board's minutes and agenda to the planning board members. Bruce discussed the referrals that went before the county planning board and what was discussed at the meeting.

NEXT MEETING

Tuesday, July 26, 2011

ADJOURNMENT: Joyce motioned to adjourn. Seconded by Phil, all in favor. Adjourned at 8:28 pm.

Respectfully submitted,

Joyel Miesner
Recording Secretary