**TOWN OF KENDALL**

**PLANNING BOARD MEETING**

**TUESDAY, SEPTEMBER 24, 2013**

Chairman Gray called the meeting to order at 7:03 p.m.

Attendance: Chairman Gray - present

 Jeff Conte - present

 Joyce Henry - present

 Raymond Wenzel - present

 Andrew Kludt - present

Also present: Town Liaison Schuth, Code Enforcement Officer Hennekey, Frederick Stone and Amy Harold, 1716 West Kendall Road and Reporting Secretary Bakutis.

**APPROVAL OF MINUTES:**

Minutes from the July 23, 2013 meeting submitted by Recording Secretary Bakutis were reviewed. Joyce Henry moved to accept minutes as presented, seconded by Jeff Conte, all in favor.

**PRE-APPLICATION REVIEW:**

The application for a special use permit for property owner Frederick Stone located at

1716 West Kendall Road was reviewed by Chairman Gray and the planning board members. The owner would like an allowance to keep more than (4) four dogs. Chairman Gray explained that they would have to meet certain requirements to meet the zoning ordinance. Chairman Gray said it is in (RA) Rural Residential district and does require a formal site plan review. CEO Hennekey explained the process and how to obtain a permit. Planning board explained what will take place at the public hearing and the review of the site plan will be reviewed and if the permit is issued it could have conditions.

**CODE ENFORCEMENT REPORT:**

CEO Hennekey gave update on the Wegman Group. They went to him with an application for construction in the coastal erosion hazard area, because they wanted to place some of their cottages in the hazard zone, there may be legal implications. The state allows for construction in the hazard area if the structure is not permanent. They do have to meet certain criteria. Per Supervisor Gaesser and Town Attorney it was not approved as part of the site plan approval. The plan approved did not include any construction within the coastal erosion hazard zone. The Department of Environmental Conservation documents say that the buildings have to be designed to movable with limited amount if disruption to the buildings use. They are requesting a permit to construct a building in the coastal erosion hazard area that they will not own. This can be a legal matter. Also a road is going in that alters the site plan. Discussion between Wegman’s Lawyer and Spitzer is taking place and they are trying to determine what to do now. Board may have to revisit the SEQRA.

**TOWN BOARD UPDATE:**

Town Liaison Schuth said a County workshop is coming up in Batavia and will take place on Friday, November 15, 2013. He thanked the planning board for their work on the latest zoning changes. The board had two public hearings. Some residents that attended had some concerns with definitions of family day care and commercial day care. The Town Board worked with attorneys and state of regulations they modified the definitions The Town Board did approve it at the last board meeting on codification threw general codes, they have the books all documentation, resolutions ready to go, but this can have them ready for general code. Chairman Gray discussed definitions regarding daycare facilities and local law. Last thing discussed was the review of final approved Town Board changes to zoning ordinance.

**COUNTY PLANNING BOARD REPORT:**

Chairman Gray said there are three (3) agenda items. The first is a drive thru restaurant in Albion. The second is a helicopter landing pad near the Medina Hospital. And the third is a site plan review for a detached storage building in Albion. During the July meeting there was a request for a special use permit for farm labor housing at 13105 Eagle Harbor Road, Gaines, NY. Upcoming this month is the new SEQRA regulations. The county is putting together a training session for local boards. It will take place Wednesday, October 2, 2013, 5 p.m. – 9:30 p.m.

**NEXT MEETING:**

Tuesday, October 22, 2013

**ADJOURNMENT:**

Andrew Kludt made motion to adjourn, seconded by Raymond Wenzel; all in favor. Meeting adjourned at 8:48 p.m.

Respectfully Submitted,

Tammy Bakutis

Recording Secretary