

**TOWN OF KENDALL
PLANNING BOARD
MEETING MINUTES**

February 23, 2021 at 7:00 p.m.

ATTENDANCE:	Chair. Andrew Kludt	- present
	Jeff Conte	- present
	Phil D'Agostino	- present
	Steve Catone	- absent
	Patty Pfister	- present

Also present: Code Enforcement Officer Hennekey and Recording Secretary Bakutis.

Chairman Kludt called the meeting to order at 7:16 p.m.

APPROVAL OF MINUTES:

Minutes from the February 25, 2020, November 24, 2020 and January 26, 2021 meetings submitted by Recording Bakutis were reviewed.

- February 25, 2020: Jeff Conte moved to accept the minutes as amended, seconded by Phil D'Agostino. All in favor.
- November 24, 2020: Jeff Conte moved to accept the minutes as amended, seconded by Phil D'Agostino. All in favor.
- January 26, 2021: Jeff Conte moved to accept the minutes as presented, seconded by Phil D'Agostino. All in favor.

NEW BUSINESS:

Chairman Andrew Kludt announced tonight will be his last meeting. He will be stepping down due to personal matters. The board wishes him well and he will be missed.

CEO Hennekey distributed four (4) letters, all of which are attached:

1. February 19, 2021, letter from James R. Bensley, Director of the County Planning Board – RE: 21-08 Request for Area Variance (21-08A) and Site Plan Review and Special Use Permit (21-08B) for Commercial Solar Facility on West Kendall Rd. (tax parcel identification number 31.00-2-27) in Residential/Agricultural District.
 - a) The letter explains that the February meeting of the CPB was canceled due to an insufficient number of agenda items for action. Due to the time restriction for the CPB to render a decision within the thirty (30) days of receipt of any such complete application in the absence of any agreement to extend this period, the “clock” will obviously expire before the next regularly-scheduled CPB meeting. Stating the Town of

Kendall may take final actions of its choosing on referral 21-08 at its earliest convenience without deference to a CPB recommendation.

2. January 13, 2021, David Valesky, Deputy Commissioner for the Department of Agriculture and Markets regarding alternative sites for the NYSERDA stating that The Department had determined that reasonable and practicable alternative sites exist within Orleans County and in close proximity to the proposed site.
3. February 17, 2021, Max Joel, NY-Sun Team Lead, in response to NYS Department of Agriculture and Markets addressed to Commissioner Richard Ball. In conclusion of the letter stating, Accordingly, NYSERDA hereby rejects the Commissioner's alternative proposal and mitigation based upon the above detailed comparison between its proposed action and the Commissioner's alternative. The letter states the reason for the rejection.
4. February 23, 2021, Justin Niederhofer, Deputy Director of The County of Orleans Emergency Management Office addressed to CEO Dan Strong in regard to NEXtera Energy, Kendall DG Solar, Project #2020-098.1. He says, after reviewing the plans for the proposed solar project located on the Munzert property in the Town of Kendall, some safety concerns were identified within the proposed plans. He proceeds to outline the concerns with recommended resolutions.

The board reviewed and had discussion regarding reasonable and practicable alternatives sites existing in Kendall and different scenarios for the current project site. CEO Hennekey will forward the email from R. Ball to B. Harper. Board member Conte suggested to member Pfister to discuss combiner boxes with Brian, they are boxes placed at the end of about every five (5) rows of the solar panels. The boxes take up extra space.

CODE ENFORCEMENT UPDATE:

No new business. Update on Kevin Noon, he needs to have an application started regarding selling of building lots near the bus garage.

ADJOURNMENT:

Jeff Conte made a motion to adjourn, seconded by Phil D'Agostino. Meeting adjourned at 8:22 p.m.

NEXT MEETING:

March 23, 2021 at 7:00 p.m.

Respectfully Submitted,

Tammy Bakutis
Recording Secretary