

**TOWN OF KENDALL PLANNING BOARD
MEETING MINUTES**

Tuesday, January 23, 2024 at 7:00 p.m.

ROLL CALL:	Chairman Bruce Newell	- present
	Jeff Conte	- present
	Phil D’Agostino	- present
	Jon Gainer	- present
	Mindy Zyra	- present
	Andrew Kludt, Alt.	- present

Also present: Adare Korn, Creek Rd., Michael Maxon, W. Kendall Rd., Town Board Liaison Jennings, Code Enforcement Officer Hennekey, Deputy Code Enforcement Officer Strong and Recording Secretary Bakutis.

Chairman Newell called the meeting to order 7:00 p.m.

PUBLIC HEARING FOR A MINOR SUBDIVISION – TAX ID #33.-1-28.3 and #44.-1-2.1

Chairman Newell opened the Public Hearing at 7:01pm. He read the public notice:

Notice is hereby given that a public hearing will be held by the Planning Board of the Town of Kendall on Tuesday, January 23, 2024 at 7:00 p.m. at the Kendall Town Hall, 1873 Kendall Road, to consider the application of Jill Williams, 17112 Roosevelt Highway for a minor subdivision of Tax ID parcels 33.-1-28.3 and 44.-1-2.1 for construction of a single-family residence. Property is zoned Rural Residential (RR). All persons wishing to speak will be heard at this time. A copy of the application is available for review at the Town of Kendall Clerks Office.

Chair. Bruce Newell
Town of Kendall Planning Board

The board discussed the application along with CEO Hennekey and DCEO Strong. Drainage and the perk test could determine the placement of the new house. DCEO Strong suggested putting a condition stating no additional dwelling can be sold on a specific parcel, owner would be able to sell land to a neighbor, but an additional dwelling would not be allowed unless additional road frontage is added. A restriction will be put in place regarding the location of the new dwelling. Andrew suggested keeping the building lot of the new structure behind the current dwelling because there seems to be no other location for a new build due to neighboring properties.

No public comment.

Chairman Newell closed the public hearing at 7:14 p.m. The board will revisit the application after further discussion tonight.

PUBLIC HEARING FOR A MINOR SUBDIVISION – TAX ID #43.-2-22.11

Chairman Newell opened the Public Hearing at 7:15 p.m. He read the public notice:

Notice is hereby given that a public hearing will be held by the Planning Board of the Town of Kendall on Tuesday, January 23, 2024 at 7:10 p.m. at the Kendall Town Hall, 1873 Kendall Road, to consider the application of Margaret Coonrod, 16892 Creek Road for a minor subdivision of Tax ID parcel 43.-2-22.11. Property is zoned

Residential Agriculture (RA). All persons wishing to speak will be heard at this time. A copy of the application is available for review at the Town of Kendall Clerks Office.

Chairman Bruce Newell
Town of Kendall Planning Board

Neighbor, Adare Korn, told the board she attended the meeting to get some clarification on what exactly is being subdivided. After receiving the information, she said she had no issues with the application.

Chairman Newell closed the public hearing at 7:28 p.m.

PUBLIC HEARING FOR A SPECIAL USE PERMIT AND SITE PLAN – TAX ID #20.-2-11.1

Chairman Newell opened the Public Hearing at 7:29 p.m. He read the public notice:

Notice is hereby given that a public hearing will be held by the Planning Board of the Town of Kendall on Tuesday, January 23, 2024 at 7:20 p.m. at the Kendall Town Hall, 1873 Kendall Road, to consider the application of Michael Maxon, 1387 W. Kendall Road, Tax ID #20.-2-11.1. Applicant seeks approval for a Special Use Permit and Site Plan application to operate a home business (equipment rental). Property is zoned Residential Agriculture (RA). All persons wishing to speak will be heard at this time. A copy of the application is available for review at the Town of Kendall Clerks Office.

Chairman Bruce Newell
Town of Kendall Planning Board

Chairman Newell asked if anyone would like to speak or had any questions or concerns. Adare Korn asked what type of business it is, Michael answered, and she proceeded to ask what type of equipment was for rent, Michael addressed the question. Further discussion between the board and the applicant and the board would like the following conditions to be met.

Special Use Permit Conditions:

1. Equipment is to be stored inside or back by the barn/lean to area when on the property.

Site Plan Conditions:

1. If the business got big enough that it became well beyond a home business, there is no guarantee the Special Use Permit would renew in five years. The town does want the business to be successful and if it is the business will have to relocate.

Chairman Newell closed the public hearing at 7:40 p.m.

Chairman Newell called the regular meeting to order at 7:40 p.m.

ROLL CALL: Chairman Bruce Newell	- aye
Jeff Conte	- aye
Phil D’Agostino	- aye
Jon Gainer	- aye
Mindy Zyra	- aye
Andrew Kludt, Alt.	- aye

Discussion on Williams minor subdivision conditions:

1. Regarding future sales, make buyers aware of the purchase of a flag lot that there may be stricter conditions moving forward with the sale.
2. The right of way going into the rear lot should be maintained regularly.
3. Future dwelling to be built 90-feet from neighbor's property line. Without the code being changed cannot stipulate anything outside the normal code or what code reads.

The board agreed to table the application until they can get more input from the applicant.

Margaret Coonrod Minor Subdivision:

Jeff Conte motioned to approve the application of Margaret Coonrod for the application of a one lot subdivision, seconded by Jon Gainer. Chairman Newell asked for a roll call vote with the following results:

ROLL CALL VOTE:	Phil D'Agostino	- aye
	Jon Gainer	- aye
	Chair. Newell	- aye
	Mindy Zyra	- aye
	Jeff Conte	- aye

Motion passed.

Michael Maxon Special Use Permit and Site Plan:

Jeff Conte motioned to approve the application of Michael Maxon for the application of a Special Use Permit and Site Plan, seconded by Phil D'Agostino. Chairman Newell asked for a roll call vote with the following results:

ROLL CALL VOTE:	Phil D'Agostino	- aye
	Jon Gainer	- aye
	Chair. Newell	- aye
	Mindy Zyra	- aye
	Jeff Conte	- aye

Motion passed.

APPROVAL OF MINUTES:

Minutes from the October 24, 2023 and November 28, 2023 meetings submitted by Recording Secretary Bakutis were reviewed. Jon Gainer motioned to approve the minutes as amended, seconded by Mindy Zyra. All in favor.

OLD/ACTIVE BUSINESS:

Chairman Newell gave an update on the Farm & Ag Plan and Comprehensive Master Plan, they are still waiting the grant money to come through, it can take up to three or more months.

TOWN BOARD UPDATE:

- Two new Local Laws, 1&2, were passed with state mandated changes to existing laws governing property tax exemptions and limits for residents over 65 years of age and for those that are physically disabled.
- Curtis Park - Transfer of the six and a quarter acre park from the Morton Fire Department to the Town of Kendall is almost complete, waiting for the town attorney to finalize the transition. Once this is completed, Councilwoman Barbara Flow will chair and ad-hoc committee of any residents who wish to participate to recommend to the town board for possible used of this property.
- A resolution was passed that permits the town to invest surplus funds with New York classes a New York State Municipal Investment Company, which is a company that produces high yield money market funds.
- Requirements of a study based on the town's fleets energy consumption usage over at the highway department, the reports were generated and were accepted and approved for a \$10,000 grant.

CODE ENFORMCENMENT UPDATE:

No new business.

COUNTY PLANNING BOARD UPDATE:

No update for the Town of Kendall.

ADJOURNEMENT:

Mindy Zyra made a motion to adjourn, seconded by Jeff Conte. All in favor. Meeting adjourned at 8:06 p.m.

NEXT MEETING:

Tuesday, February 27, 2024 at 7:00 p.m.

Respectfully Submitted,

Tammy Bakutis
Recording Secretary