

**TOWN OF KENDALL PLANNING BOARD  
MEETING MINUTES**

**Tuesday, May 28, 2024 at 7:00 p.m.**

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

Also present: Ryszard Jurzysta, 17284 Sand Rd., Town Board Liaison Jennings, Code Enforcement Officer Hennekey and Recording Secretary Bakutis.

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

**OLD/ACTIVE BUSINESS:**

Chairman Newell briefed board members on the following:

- a) There will be a training opportunity on June 11<sup>th</sup>, 5-9 pm, an email went out to all.
  - 1. Topics will include Comprehensive Master Plans, County Planning Board Review Process and a Q/A session on any topic.
- b) Chairman Newell checked on the status of the Farm and Ag Plan and Comprehensive Master Plan and has nothing to report at this time.

**NEW BUSINESS:**

- a) Discussion took place between Mr. Jurzysta and the board. He expressed to the board the type of business he owns, which he mainly produces products for local farmers such as bins, repair slats and decking and sells a lot of lumber. He also sells to the public. Mr. Jurzysta would like to build a 30'x 60' barn on the north side of the existing metal pole barn. Mr. Jurzysta tells the board his plan is to go out 60 feet from the north side of the barn, possibly add on or build a separate building, depending on whichever is feasible and cost effective. He has gotten quotes and is leaning towards a new full metal building. The issue he is facing is his neighbor Mr. Bart Joseph's property would fall within that space so he would need a variance. Mr. Jurzysta expressed to the board the rest of his property lines should be fine where they are because he obtained land from Partyka's to move his property line over so he would not need variance's and somehow this property line was overlooked. CEO Hennekey told the board Mr. Jurzysta's building needs to be 50 feet from the adjacent zoning district, it's currently about 35 feet. Chairman Newell advised Mr. Jurzysta to go before the Zoning Board for a variance, he will need a site plan showing where he would like the building and the dimensions of that building, it also must show the property lines which is the reason he needs the variance. Chairman Newell advised him to have the application in by June 27<sup>th</sup> to have a public hearing at the July 9<sup>th</sup> Zoning Board meeting. The County Planning Board will have to review the application due to the fact the traffic enters from Sand Rd. and exits on Rt. 18 which is a state road. It was suggested to Mr. Jurzysta to acquire a letter from Mr. Joseph stating he would be ok with the building being within so many feet of his property line.

- b) The application for Randy Braun for a minor subdivision was not complete. Until Mr. Braun has the property surveyed, he doesn't really know where he is going to do the subdivision going further south on the property. He is on the south side of Roosevelt Hwy. between Center Rd. and W. Kendall Rd. Chairman Newell told him to come back with a complete application showing the actual property boundaries and showing he will meet all code requirements.

**CODE ENFORMCENMENT UPDATE:**

No new business.

**TOWN BOARD UPDATE:**

In the absence of Town Board Liaison Jennings Chairman Newell briefed the board of a discussion he had today with Town Supervisor Cammarata regarding a request to construct a mobile home in town. Chairman Newell expressed to the board our code does not allow mobile homes to be built just anywhere, it reads only in a defined mobile home park along with preexisting mobile homes being allowed. Chairman Newell says the Town is being challenged under new New York State regulations the town cannot ban mobile homes, there can be regulations in place to control appearance, age, placement on a lot, etc. CEO Hennekey informed the board in 2018 Governor Cuomo put in place an executive law (the executive law is designed for affordable housing) saying towns must recognize mobile homes as a single-family residence in any district within the town that allows residents, meaning its residential. Supervisor Cammarata would like the board to look at the code regarding mobile homes and put in place any codes that may need to be put in place beyond what is normally defined already in the code.

**DISCUSSION: (DEC-NEW WETLAND DEFINITIONS)**

Chairman Newell is bringing this up to the board because he feels it may impact this area in the future. He tells the board down at Chautauqua Lake, Region 9, there is a lot of activity around new definitions for wetlands.

**APPROVAL OF MINUTES:**

Minutes from the April 30, 2024 meeting submitted by Recording Secretary Bakutis were reviewed and amended.

**COUNTY PLANNING BOARD UPDATE:**

No new business.

**ADJOURNEMENT:**

Mindy Zyra made a motion to adjourn, seconded by Jon Gainer. All in favor. Meeting adjourned at 7:53 p.m.

**NEXT MEETING:**

Tuesday, June 25, 2024 at 7:00 p.m.

Respectfully Submitted,

Tammy Bakutis  
Recording Secretary