

**TOWN OF KENDALL PLANNING BOARD
MEETING MINUTES**

Tuesday, August 13, 2024 at 7:00 p.m.

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

Also present: Donna and Dale Faulkner, 17296 Sand Rd, Bart Joseph, 1853 Countyline Rd, Ryszard Jurzysta, 17284 Sand Rd, Town Board Liaison Jennings and Recording Secretary Bakutis.

Chairman Newell called the meeting to order 7:02 p.m.

Chairman Newell and the board started the review of the application because the public hearing cannot start until 7:05 p.m.

FINAL BOARD ACTION ON NATHANIEL GUSTKE’S APPLICATION FOLLOWING THE COUNTY PLANNING BOARD REVIEW - HOME BUSINESS – TAX ID #10.-1-18.1

Per County Planning Board’s Review: The applicant seeks a Site Plan Review and Special Use Permit to operate a home business (firearm sales) located at 1250 Center Road. The applicant will offer sales of transfer of web sales of firearms, sales of ammunition, accessories and general sporting goods. The applicant was licensed as a dealer in firearms and gunsmithing in Monroe County and is in “good standing” with the Bureau of Alcohol, Tobacco Firearms, and Explosives (AFT). The applicant stated that the business will operate from the residence. Additionally, a private parking area of 768 sq. ft. will also be available for customers of the home business. Due to the nature of the business several safety and security measures will be utilized (see attached official report from the CPB).

CONDITIONS:

- Absolutely no discharge of firearms on the property.
- All business transactions will take place within the confines of the building.
- Advertising signage will adhere to the home occupation sign requirements per the Town of Kendall Zoning Code.
- Hours will be “by appointment only” between the hours of 8 a.m. and 9 p.m.

Jeff Conte made a motion to approve the application for a Site Plan and Special Use Permit of Nathaniel Gustke to operate a Home Business of firearm web sales at 1250 Center Road, Seconded by Jon Gainer. All in favor

FINAL BOARD ACTION ON RYSZARD JURZYSTA APPLICATION FOLLOWING THE COUNTY PLANNING BOARD REVIEW - HOME BUSINESS – TAX ID #33.4-1-19.11

Per County Planning Board’s Review: Area Variance - The Applicant is building a commercial structure within 50 feet of a residential lot line. The Applicant is requesting setback relief of the 50 feet setback requirement mentioned in the Town of Kendall Zoning Code. The Applicant is requesting a variance of 20 feet from the residential lot line rather than the required 50 feet.

Site Plan Review – The Applicant is requesting an Area Variance and Site Plan Review to construct a 30’x 60’ commercial structure. Once completed the structure would be the new location of their home business that is growing at a rapid pace. The business builds large storage bins for produce and other items out of wood. The structure will not connect to public water and public or private wastewater systems. New York State Parks, Recreation, and Historic Preservation determined that the project site does not contain any items or structures that would be eligible to be listed on the State Register of Historic Places. The proposed parcel does not contain any species of animal, or associated habitats that are listed by the State or Federal government as threatened or endangered. According to SEQR, the parcel is not within a 100-year floodplain. See attached official report from the CPB).

CPB RECOMMENDATION 24-19A:

APPROVAL

The proposed building is going to be constructed to be aligned with the existing structure on the property. To do so, the variance is needed, due to the oddly shaped adjacent parcel. Due to the shape of that parcel, the applicant is requesting the variance.

CPB RECOMMENDATION 24-19B:

APPROVAL

Ensure that the structure is built according to the New York Building Codes. Due to the products being produced in the structure, it would be beneficial to have some feedback from the local fire department of Orleans County Emergency Management (OEM), due to the amount of flammable material in the structure. (Dry Wood, and Wood Dust)

TOWN OF KENDALL CONDITIONS:

- Operating hours 8:30 a.m. – 5:00 p.m., Monday – Friday.
- Fence and/or natural barrier for visual and noise reduction.
- Building insulation for noise reduction.

Jon Gainer made a motion to approve the application for a Site Plan Review of Ryszard Jurzysta with conditions being met, seconded by Jeff Conte. All in favor

OLD/ACTIVE BUSINESS:

Chairman Newell briefed board members on the following:

- a) Comprehensive Master Plan.
 1. Steering Committee.
 2. Consultant Selection.
- 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.
- c) In process research – Update Code for Mobile Homes and Update Code for large lakefront and lakeview lots.
- d) Gun sales in Hamlet, 1796 Kendall Road.

CODE ENFORMCENMENT UPDATE:

No new business.

TOWN BOARD UPDATE:

- Ambulance
- Water Project 11 – We will get the USDA Funding.
- Curtis Field
- Community Solar

PUBLIC COMMENT:

Dale and Donna Faulkner had some questions and Chairman Newell addressed them.

APPROVAL OF MINUTES:

No prior minutes to review due to Recording Secretary Bakutis attending tonight's zoning board meeting.

COUNTY PLANNING BOARD UPDATE:

None

ADJOURNEMENT:

Jeff Conte made a motion to adjourn, seconded by Jon Gainer. All in favor. Meeting adjourned at 8:15 p.m.

NEXT MEETING:

Tuesday, September 24, 2024 at 7:00 p.m.

Respectfully Submitted,

Tammy Bakutis
Recording Secretary