

Prior to the start of the worksession, Colleen Donovan from the DEC made a presentation about implementation of the MS4 program for members of the Planning Board, the Town Board and several member of the community who were present.

In the absence of Chairman Larry Ruth, Gene Bavis called the Planning Board Worksession to order at 8:00 P.M. Members present were Gene Bavis, Elaine Leasure and Deborah Amsler. Members absent were Larry Ruth and Karel Ambroz. Also present was Phil Williamson, Code Enforcement Officer, Norm Druschel, Building Inspector and Carl Hewings, Town Engineer.

Phil Williamson stated that although the minutes of the March 19, 2008 worksession were approved at the last meeting on April 14, 2008, after listening again to the tape the suggestion was made to clarify the minutes by making the following changes:

Page 684 (Paragraph 2, line 4). Add the following three words, "Mr. Pullen stated," to the sentence "This is a simple way to deal with the drainage issue and recommended by the DEC."

Page 684. Insert the following paragraph immediately after paragraph 2. Karel Ambroz asked, "Do you have a Plan B?" Mr. Pullen stated. "No, I don't. Any Plan B, C, D or E will be more expensive for the developer and not practical for the site."

Deb Amsler made a motion, seconded by Elaine Leasure to approve the amended minutes to include the above-mentioned changes.

Roll Vote:	Gene Bavis	Aye
	Elaine Leasure	Aye
	Larry Ruth	Absent
	Deborah Amsler	Aye
	Karel Ambroz	Absent

Motion carried.

Elaine Leasure made a motion, seconded by Deb Amsler, to approve the minutes of April 14, 2008 as written.

Roll Vote:	Gene Bavis	Aye
	Elaine Leasure	Aye
	Larry Ruth	Absent
	Deborah Amsler	Aye
	Karel Ambroz	Absent

Motion carried.

1. Recertification of Site Plan for Lot 2 of the Ratcliffe Subdivision located at 299 Jacobs Road, east of County Line Road. Also, discussion of the detached garage. Property is zoned: RR-1.

Mark Macaluso owner of the property was present. At a previous worksession, Mr. Macaluso explained that he was about to begin construction of a modular home and wanted to know if could convert the 12' x 28' structure currently on the property into a garage, instead of building a 1½-car attached garage. The existing structure has 334 square feet, 16 square feet short of what is required.

Phil Williamson stated that he had consulted with the town attorney and the Planning Board can waive the requirement for an attached garage, but the applicant needs to seek a variance from the Zoning Board of Appeals to allow a garage less than the 350 square foot required by zoning law.

Secondly, the applicant is seeking recertification of the Site Plan for Lot 2 of the Ratcliffe Subdivision. Phil Williamson stated that an updated survey map, dated April 21, 2008 shows the existed structure. The Board is also in receipt of a letter from Shelley Associates, dated April 8, 2008 that certified that the site plan, as previously approved, still conforms and is in compliance with all stated Town of Walworth laws, rules and regulations, with the recommendation to increase the size of the septic tank to 1,250 gallons for a 3 bedroom house or 1,500 gallons for a 4 bedroom house.

The Board did not have any further questions or concerns.

I move, that we recertify the site plan for Lot 2 of the Ratcliffe Subdivision located at 299 Jacobs Road and that we waive the requirement for an attached garage.

Roll Vote:	Gene Bavis	Aye
	Elaine Leasure	Aye
	Larry Ruth	Absent
	Deborah Amsler	Aye
	Karel Ambroz	Absent

Motion carried.

2. Concept discussion of Michael DeMareo for a Special Use Permit to operate a Used Auto Sales business at property located at 2241 Walworth-Marion Road. Property is zoned: B-1.

Michael DeMareo, owner of the property explained that in May 2007 he was granted a Special Use Permit to operate an Auto Sales Shop to be called Wayne County Auto Sales located at 3719 Walworth-Palmyra Road. After making extensive renovations to the building he now apparent that the lot is too small for his business and therefore he has purchased the property across the street at 2241 Walworth-Marion Road, formerly called C & C Auto. Mr. DeMareo would like to operate the same type of business at the new location as he is currently.

Elaine Leasure asked if he would be operating out of both locations? Mr. DeMareo said, "No."

Gene Bavis stated that the Planning Board was comfortable with the way the Special Use Permit was issued to the previous owner of C & C; with the number of hours and the number of cars, etc. In was his opinion that unless there were considerable objections from the public, that a similar proposal would be acceptable to this Board. Elaine Leasure concurred.

Elaine Leasure asked if he would be doing any repair work? Mr. DeMareo answered, "No, just simple doll-up and detail work."

Phil Williamson stated that we would pull the C & C Special Use file to see how many cars were allowed for their Special Use Permit. Gene Bavis stated that as long as he did not exceed the number of cars allowed on the C & C Auto's Permit he did not foresee any objections.

Michael DeMareo stated that he had already completed the application for a Special Use Permit. Phil Williamson stated that the next step is to advertise for a public hearing at the May 12, 2008 regularly scheduled meeting.

Deb Amsler complimented Michael DeMareo on the renovations he made to the building at 3719 Walworth-Marion Road and wished him continued success at the new location.

3. Concept discussion of Daniel Kummerow for 3-Lot Subdivision of property located at 244 Whitney Road. Property is zoned: RR-1.

Daniel Kummerow, owner of the property was present to discuss plans he has to develop the next section of the Kummerow Subdivision (Section 3). Mr. Kummerow presented a rough sketch showing the layout of the property he owns along Whitney Road. He explained that Section 2 has four lots, with houses sold on Lots 1, 3 and 4. Lot 2 is an approved lot but is not currently sold. Mr. Kummerow explained the he is now ready to develop Section 3 (Lot 5, Lot 6 and Lot 7). The sketch also showed future development of 32 acres he owns in an agricultural district and rents out to area farmers. As the housing market is slow, he does not intend to develop the remaining land at this time, although he may in the future.

Mr. Kummerow also wanted input from the Board on whether Lot 5 and Lot 6 should have a shared drive or separate driveways? Both Lots have about a 350 ft. flag. Deb Amsler questioned the reasoning behind having a shared driveway? Mr. Kummerow explained that he thought it would be more visually appealing from the roadway to have fewer driveway cuts.

Gene Bavis said the Planning Board usually discourages shared drives, but at times that is the only or most practical solution. Mr. Bavis stated, "If you decide to request a shared drive, it will be necessary to have a legal driveway agreement drawn up so both parties know where they stand." Mr. Kummerow stated that he is leaning toward separate driveways to avoid any complications. Gene Bavis stated that road frontage is adequate for separate drives, but suggested that Mr. Kummerow check with Mike Frederes as to whether having so many curb cuts along Whitney Road would present any problems.

Gene Bavis explained that the next step would be to have some preliminary perk and deep-hole tests done.

Gene Bavis said that it was his recollection that there had been a drainage issue on one of the previous lots and concern by some of the neighbors, and questioned whether that issue had been resolved. Mr. Kummerow acknowledged that there is a low-laying area and a creek that runs through Lot 2 that occasionally overflows. Water is an issue during heavy rains, but not a big problem. Mr. Kummerow further stated that there is a flood plane on the map that cannot be built on. Section 3 is quite a distance away and the proposed houses will be situated on the highest elevation of the lots, so Mr. Kummerow did not foresee drainage being a problem in Section 3.

The Board did not have any further questions or concerns.

Gene Bavis adjourned the meeting at 8:20 P.M.

Gail Rutkowski, Clerk