

Chairperson Ruth called the regular meeting of the Town of Walworth Planning Board to order at 7:32 P.M. Members present were Gene Bavis, Elaine Leasure, Larry Ruth, Deborah Amsler and Karel Ambroz. Also present was Phil Williamson, Code Enforcement Officer.

Gene Bavis made a motion, seconded by Gene Bavis to approve the minutes of October 22, 2008 as presented.

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

Motion carried.

1. Estate of Sidney Schoenwald requests a waiver of subdivision and approval requirement to subdivide 6 acres from total acreage of 93.6 acres, located at 4952 School House Road. Property is zoned: RR-1.

There was no one present to discuss the application. At the previous work session on October 22, 2008, Nicholas Schoenwald, son the late Sidney Schoenwald spoke about the plan to subdivide six acres with the existing house from a total acreage of 93.6 acres, located at 4952 School House Road.

The Board was in receipt of a letter from Nicolas Schoenwald, dated November 6, 2008 requesting a waiver of subdivision and approval requirements to allow the matter to proceed administratively. An Affidavit signed by Justin Schoenwald, Administrator of the Estate of Sidney Schoenwald is on file allowing Nicholas Schoenwald to request the waiver.

The Board did not have any further concerns.

Gene Bavis made the following motion, seconded by Deb Amsler:

Having received a written request for a waiver of normal subdivision procedure and approval requirements (Per 151-6 of Subdivision of Land) for the following, Estate of Sidney Schoenwald, property located at 4952 School House Road, I move for the waiver of normal subdivision procedure and approval with the condition the subdivision plans shall be reviewed and subject to approval by the Code Enforcement Officer and Town Engineer in accordance with the conditions of this chapter.

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

Motion carried.

2. Extend Preliminary Approval for Rolford Heights Sections 5 & 6 that was originally granted on May 8, 2006, for another six-month period (5th extension). Property is zoned: R

The Board was in receipt of a letter from Laurence E. Heining, P.E., dated October 26, 2008 requesting the Planning Board extend the preliminary approval for Rolford Heights Section 5 and 6 for another six-month period. This will be the 5th extension.

Karel Ambroz made a motion, seconded by Deb Amsler to extend preliminary approval for Rolford Heights Section 5 and 6 for another six-month period from November 8, 2008 to May 8, 2009.

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

Motion carried.

3. Discussion of Steve Azzano for revised concept plan for a 4-lot Subdivision located on Lincoln Road (west side 1800 ft. north of Plank Road). Property is zoned: RR-1.

Steve Azzano owner of the property was present. He explained that Newt Gowdy, prepared the original maps for the 10-lot and the revised 9-lot subdivision of the property being discussed. Mr. Joseph Pullen, P.E. was hired to do the drainage study of the property. Mr. Azzano explained that since Mr. Gowdy has retired, he has retained Mr. Pullen to complete the entire project. A revised concept map for a 4-lot subdivision prepared by Mr. Mr. Pullen, dated October 1, 2008 was presented to the Board.

Mr. Azzano explained that because of maintenance issues with the rain gardens for the 9-lot subdivision and costs involved with the retention ponds, etc. it would not be feasible for him to move forward in that direction. Therefore, he has decided to scale back on the project and just develop four lots, each less than 5-acres.

Karel Ambroz questioned whether there were plans to develop the back of the property? Mr. Azzano responded that there were no plans to develop the 15 acres of back land at this time.

Gene Bavis commented that the 16 ft. access driveways to Lot #3 and #4 does not conform to current town code.

Phil Williamson stated that Carl Hewings, Town Engineer had not reviewed the revised plan and that access right of way is an engineering issue that would be addressed in the review process. At this time, Mr. Azzano is only seeking concept approval for a 4-lot subdivision.

Gene Bavis commented. "I don't have any problem with the concept of a 4-lot subdivision, but I do have a problem with the access being too narrow." Mr. Bavis also commented that he would be opposed to going before the Zoning Board to seek a variance for minimum width of access right-of-way, stating the importance of having adequate room to maneuver emergency vehicles, and to provide enough space for driveway and utilities access.

Phil Williamson read from the town code §180-34. The minimum width of the access right-of-way for residential lots shall be as follows, unless specifically waived by the Planning Board:

Minimum Length of Access (feet)	Width per Lot (feet)
0 to 250	20
251 to 500	35
over 500	60

Gene Bavis commented that the minimum lot width in an RR-1 district is 250 feet and Lots #1 and #2 are substantially less than that.

Phil Williamson stated that there was a misprint in the current town code and the minimum lot width should be 100 feet, same as the RR-2 district. Since the 250 feet requirement was enacted as law, the 250 feet requirement stands until the next revision

is adopted. Gene Bavis asked if there was a time line for the next revision. Mr. Williamson responded that changes have been typed, but have yet to be approved by the Town Board. It will probably be after January 1st, as there are a few additional changes to be made. Mr. Williamson commented that it is possible that by the time the applicant is ready for preliminary and final approval the changes will have been enacted and the narrower lots would be in compliance, but at this time the concept map does not conform to code as it is currently written.

Phil Williamson stated that in the event that the changes have yet to be enacted, the applicant could request a variance from the Zoning Board of Appeals for minimum lot width.

The Planning Board members concurred that that did not have any problem with the concept of a four-lot subdivision, based on the knowledge that the Town Code is being revised.

4. Approval of the 2009 Planning Board Calendar

Elaine Leasure made a motion, seconded by Deb Amsler to approve the 2009 Planning Board Calendar.

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

Motion carried.

Karel Ambroz made motion, seconded by Elaine Leasure to adjourn the meeting.

Chairman Ruth adjourned the meeting at 8:02 P.M.

Gail Rutkowski, Clerk

