

Chairman Ruth called the regular meeting of the Town of Walworth Planning Board to order at 7:31 P.M. Members present were Gene Bavis, Elaine Leasure, Larry Ruth, Deborah Amsler and Karel Ambroz. Also present was Phil Williamson, Code Enforcement Officer and Norm Druschel, Building Inspector.

Gene Bavis made a motion, seconded by Elaine Leasure, to approve the minutes of December 10, 2007 as written.

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

Motion carried.

1. Application of Homer Sass for Waiver of Procedure and Approval Requirements for simple realty subdivision of property located at 5569 Walworth-Ontario Road to correct survey error on the original subdivision map, approved on September 10, 2007. Property is zoned: RR-1.

The Board was in receipt of a letter from Homer Sass, dated January 11, 2007 requesting a waiver of procedure and approval requirement to correct an error in the road frontage on the original subdivision map, approved on September 10, 2007. The waiver is being requested in order to take whatever steps are legally required to correct the problem.

The Board did not have any problems with the request for a waiver and there was no further discussion.

Elaine Leasure made the following motion, seconded by Gene Bavis:

Having received a written request for a waiver of normal subdivision procedure and subdivision approval (per 151-6 of SUBDIVISION OF LAND; SITE Plan Review) for the following, correction of survey error on Sass Property 5569 Walworth-Ontario Rd, I move for the waiver of normal subdivision procedure and subdivision approval based upon the Board finding:

- (1) The proposed subdivision will result in two lots, parcels, plots or sites.
- (2) The proposed subdivision will not result either of the two lots, parcels, plots or site, by reason of the subdivision, being in violation of Chapter §180, Zoning.
- (3) The proposed subdivision will not in any possible situation, result in any lot, parcel, plot or site contiguous to the subdivided property being in violation of Chapter §180, Zoning or Town Construction Specifications and Design Standards. The Board, in its consideration of there criteria, may assume that each of the subdivided lot, parcels, plots or site:
 - (a) Will or may in the future be owned by the owner of a contiguous lot, parcel, plot or site: and/or
 - (b) Will or may not in the future be combined into one tax account number with a contiguous lot, parcel, plot or site.

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

Motion carried.

2. Application of Wanda Manasserri for Waiver of Subdivision and Approval Requirements for 2-lot Realty Subdivision of property located at 477 & 493 Penfield Road, west of West Walworth Road. Property is zoned: R

Chairman Ruth stated that Mrs. Manasserri, co-executrix of the Estate of her father, Edward C. Crane had appeared before the Board on December 10, 2007 to discuss subdividing the property, located at 477 and 493 Walworth-Penfield Road, just west of West Walworth Road intersection. The property presently has two homes on approximately 5 acres of land, and she is seeking a simple realty subdivision to separate each house on its own parcel.

The Board was in receipt of a letter from Mrs. Manasserri, dated December 18, 2007 requesting a waiver of normal subdivision procedure and approval requirements to allow the matter to proceed administratively instead of through a public hearing. The Board did not have any problems with the request for a waiver and there was no further discussion.

Gene Bavis made the following motion, seconded Deb Amsler:

Having received a written request for a waiver of normal subdivision procedure and subdivision approval (per 151-6 of SUBDIVISION OF LAND; SITE Plan Review) for the following, correction of survey error on Sass Property 5569 Walworth-Ontario Rd, I move for the waiver of normal subdivision procedure and subdivision approval based upon the Board finding:

- (1) The proposed subdivision will result in two lots, parcels, plots or sites.
- (2) The proposed subdivision will not result either of the two lots, parcels, plots or site, by reason of the subdivision, being in violation of Chapter §180, Zoning.
- (3) The proposed subdivision will not in any possible situation, result in any lot, parcel, plot or site contiguous to the subdivided property being in violation of Chapter §180, Zoning or Town Construction Specifications and Design Standards. The Board, in its consideration of there criteria, may assume that each of the subdivided lot, parcels, plots or site:
 - a. Will or may in the future be owned by the owner of a contiguous lot, parcel, plot or site: and/or
 - b. Will or may not in the future be combined into one tax account number with a contiguous lot, parcel, plot or site.

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

Motion carried.

3. Concept discussion of Marc and Donna White for Special Use Permit to operate a kitchen and bath showroom, to be called Whitewood Kitchens and Baths, Inc.; to be located at 2263 Wal-Marion Road. Property is zoned: B-1.

Marc and Donna White, Penfield were present to discuss their intent to rent space in the plaza located at 2263 Wal-Marion Road owned by Joseph Englert to operated a kitchen and bath showroom and are seeking a Special Use Permit. The Whites explained that they are a family business and have been installing kitchens and baths for approximately 25 years. Previously the business has operated out of their home, but the business has grown and they would now like to open a showroom where they can meet with prospective clients to review their needs and display kitchen and bath cabinetry, countertops and fixtures. The Whites explained that they would like to have three or four full kitchen displays for clients to look at. Kitchen appliances (stoves, refrigerators, etc.)

would be on display, but not functional. The Whites will not sell appliances, but would supply a list of outside vendors.

Mr. White explained that the business is well established and most of their new customers are referrals from past loyal customers. He does not anticipate a large volume of walk-in business, and anticipates that most business would be by appointment; although there will be regularly scheduled hours that the showroom will be open each week.

Discussion ensued about the showroom hours. Phil Williamson suggested that the Special Use Permit should be inclusive of all the hours that clients may want to schedule appointments, therefore eliminating the need to return to the Planning Board for modification in the future. After some discussion, the Whites agreed that the hours Monday through Sunday 7:00 A.M. to 10:00 P.M. would meet their needs for flexibility.

Karel Ambroz questioned if there would be any retail sales? Mrs. White stated that all products (cabinets, countertops and fixtures) would be shipped directly to the customer's home, thereby eliminating deliveries and vehicles at the showroom location. Mrs. White said, "We may sell some small kitchen related accessories, such as a line of teapots at the showroom, but certainly no large appliances or anything of that nature."

Phil Williamson stated that he had no problems with the concept and the business is keeping with the character of other local businesses in the area. The showroom would be located in a commercial district. Norm Druschel stated that he has also discussed the proposal with the Whites and all fire and safety issues are in compliance.

Phil Williamson stated that Norm has reviewed the parking situation and no additional parking spaces are required, beyond what is currently in place at the plaza.

The Board had no further concerns.

Phil Williamson stated that the next step would be to complete an application and advertise for a public hearing.

4. Application of Matt Pfeffer to extend approval for Lot #3 of the DeVolder Subdivision, located at 5234 County Line Road. Property is zoned: RR-1.

There was no one present to discuss the application.

Chairman Ruth was in receipt of a letter from David Matthews, dated December 17, 2007. The letter explained that the Pfeffers recently purchased the lot and they are planning to construct their new home in the spring of 2008. They wish to extend the original approval for one year to allow them to start construction when the weather permits. The letter further certified that the site plan, as previously approved, still conforms and is in compliance with all State and Town of Walworth laws, rules and regulations.

Gene Bavis made a motion, seconded by Karel Ambroz to extend the site plan approval for 5234 County Line Road for a period of 12 months from January 14, 2008.

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

Motion carried.

Karel Ambroz made a motion, seconded by Gene Bavis to adjourn the meeting. Motion carried.

Chairman Ruth adjourned the meeting at 7:49 P.M.

