

Chairperson Larry Ruth called the regular meeting of the Town of Walworth Planning Board to order at 7:30 P.M. Members present were Elaine Leasure, Larry Ruth, Deborah Amsler and Karel Ambroz. Gene Bavis was absent. Also present was Phil Williamson, Code Enforcement Officer and Thomas Yale, Planning Board Liaison.

Karel Ambroz made a motion, seconded by Elaine Leasure to approve the minutes of the April 13, 2009, with the following correction: Item 3. Roll Vote: Elaine Leasure should be listed present (Aye) and Deb Amsler was absent.

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

Motion carried.

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

The Board was in receipt of a letter from Laurence E. Heininger, P.E., dated March 8, 2009 requesting the Planning Board extend the preliminary approval for Rolford Heights Section 5 and 6 for another six-month period. This will be the 6<sup>th</sup> extension.

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

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

Motion carried.

**2. Concept discussion by Conrad Russell for subdivision & site plan of property located at 1879 Sherburne Road. Property is zoned: R**

Art Babcock, Babcock Land Surveying and Planning, Bloomfield, NY was present to represent Conrad Russell owner of the property located at 1879 Sherburne Road. The intent is subdivide the existing 5.0 acre parcel into two lots. Lot 1, with the existing residence, would be approximately 2.2 acres and Lot 2 would be approximately 2.8 acres. Mr. Russell intends to build a new home for himself on the 2.8-acre parcel.

Conrad Russell originally appeared before the Planning Board in June 2007. At that time, a map prepared by Mr. Newton Gowdy was presented to the Board. A public hearing was held and the Board granted subdivision plan approval with the understanding that site plan approval is not contingent upon the subdivision approval. There were concerns about sight distance from the driveway entrance that still needed to be addressed. Since that time, Mr. Gowdy has retired and the subdivision map was never filed with Wayne County. Mr. Babcock was hired and has prepared both a plat plan and site plan for Lot 2. Mr. Babcock stated, "The lot dimensions have changed slightly, but the layout is similar". Mr. Babcock stated that there would be a shared entrance that both lots would utilize. Chairman Ruth questioned if a driveway agreement would be needed. Phil Williamson stated that any agreement would be between the homeowners and not a concern of the Planning Board.

Karel Ambroz questioned Mr. Babcock as to whether he had discussed the sight distance of the driveway with the Town Engineer. Mr. Babcock indicated that he had an informal discussion with Carl Hewings and based on that discussion, he has presented the subdivision map and site plan to the Town Engineer for his review.

Elaine Leasure questioned, "Is there any part of the existing driveway that meets the required sight distance?" Mr. Babcock commented, "We went up and down all the frontage and the existing entrance is the best location. The sight distance required is 325 feet and the driveway location is only off by 5 or 6 feet." Mr. Babcock further commented that the existing driveway has been used for many years without any problems.

The Board members concurred that they had no problems with the concept as long as the Town Engineer reviewed the map and was satisfied that all issues regarding sight distance have been addressed.

Elaine Leasure questioned whether there was any vegetation between the two houses. Mr. Babcock described the property as "park-like" and stated that the existing trees and landscaping form a natural barrier between the two lots.

Gail Rutkowski, Clerk stated that a formal application and fee must be submitted, prior to advertising for a public hearing.

**3. Concept discussion by Marlene Scofield for possible Special Use Permit to operate a mini storage facility to be located at 2275 Walworth-Marion Road. Property is zoned: B-1 (Refer to 180-14C(3)(g)).**

Mr. Thomas Yale, realtor was present, along with Ms. Marlene Scofield who is considering the purchase of land located at 2275 Walworth-Marion Road. The 1.2-acre parcel, currently owned by Joseph Englert, is a flag lot with access off of Walworth-Marion Road, east of the Plaza. The Board was in receipt of a drawing showing the lot and the surrounding lands and photographs of the property taken from various angles.

Mr. Yale explained the Marlene Scofield would like to open a mini storage facility; a business that would be in keeping with the permitted uses in a B-1 district (Town Code Section 180-14). The parcel is flat, with a mainly gravel surface, that would lend itself to this type of business. A special use permit would be required. He further commented that this would be a "non-invasive project" and would generate little traffic. A similar, but larger facility with 200 units located in Farmington, averages only 2 visitors per day. A six-foot fence would be installed around the entire parameter of the parcel. An access gate at the base of the flag would be controlled with a key-pad type device. Low-impact type lighting would be installed. Hours of operation would 6:00 A.M. to 10:00 P.M.

Mr. Yale stated that he would be looking for guidance regarding setback requirements for the two buildings. Discussion ensued and Phil Williamson referred to Town Code 180-14(E)(3) that talks about percentage of lot coverage. "All commercial buildings, parking areas and paved areas shall not cover more the 75% of the area of the lot". Mr. Williamson stated that it would be his interpretation that a storage facility would fall under this ruling. Front setback would not be an issue as the other businesses, such as the Walworth Post Office are closer than 50 ft. generally required in a Business District. Mr. Yale stated that 20 feet between the buildings would allow adequate space for vehicles to maneuver. Parking spaces are designated along the western property line.

Karel Ambroz questioned whether there would be an office at the site. Ms. Scofield answered, "No, the business will be run from my home". Tom Yale stated that there would not be any sales on the site, only storage.

The Board was agreeable to the concept.

**4. Concept discussion by Raymond Zientara for possible Special Use Permit to operate an auto repair shop at 787 Plank Road. Property is zoned: Hamlet**

Mr. Raymond Zientara was present along with prospective tenant, Nickolas Fedorkiv, who desires to prepare and sell used cars from the 787 Plank Road location. Mr. Fedorkiv commented that initially he would be using only one-half of the building, with the possibility of opening the other half in the future if business warranted.

The Planning Board asked the Code Enforcement Officer to request legal opinion regarding the legality of this type of business (used vehicle sales/repairs) in a Hamlet district. Mr. Zientara will be advised when the Town Attorney has given such opinion. The Planning Board did not have a problem with this type of business.

Phil Williamson will also research Special Use Permit at the location that have been issued previously.

Elaine Leasure made a motion, seconded by Deb Amsler to adjourn the meeting.

Chairman Ruth closed the meeting at 8:15 P.M.

Gail Rutkowski, Clerk