

Chairperson Larry Ruth called the regular meeting of the Town of Walworth Planning Board to order at 7:33 P.M. Members present were Gene Bavis, Larry Ruth, Deborah Amsler and Karel Ambroz. Elaine Leasure was absent. Also present was Phil Williamson, Code Enforcement Officer.

Deb Amsler made a motion, seconded by Karel Ambroz to approve the minutes of the July 22, 2009 meeting with the following correction, page 745, line 5 should read "Karel" Ambroz, not "Carl" Ambroz.

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

Motion carried.

1. Continuation of public hearing of William Calder for 1-lot site plan approval for property located at 129 Atlantic Avenue (north side). Property is zoned: RR-1 – Rural Residential (Public Hearing).

Gene Bavis made a motion, seconded by Deb Amsler to continue the public hearing. Motion carried.

The Board was in receipt of a letter from Carl Hewings, Town Engineer dated, July 21, 2009 that stated:

"We have reviewed the revised Site Plan for land developed by Mr. Calder and prepared by Passero Associates for the above referenced project submitted to the Town of Walworth Planning Board for Site Plan approval. All the comments in our July 6, 2009 letter have been adequately addressed. The applicant can submit the plans for signature."

There was no public comment.

Gene Bavis made a motion, seconded by Deb Amsler to close the public hearing.

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

Motion carried.

Deb Amsler made a motion, seconded by Gene Bavis to grant site plan approval with the following condition:

- 1) After reviewing the Site Plan the Town of Walworth Planning Board has determined that a suitable park or parks of adequate size cannot be properly located in any such Site Plan and is otherwise not practical. Therefore, a payment to the Town (the amount having been determined by the Town Board and found in Town Code §Section 180.58 paragraph E.(13) shall be assessed at the time of issuance of a building permit. Said sum shall, be used by the Town exclusively, for neighborhood parks, playgrounds or other recreation purposes including the acquisition of property.

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

Motion carried.

2. Concept discussion by Daniel Kummerow for two-lot realty subdivision of land located at 244 Whitney Road. Property is zoned: RR-1.

Daniel Kummerow owner of the property was present. Mr. Kummerow explained that he tore down an existing home located at 244 Whitney Road and built a new home on the existing foundation. The house presently is located on a 27-acre parcel and he would like to subdivide off the house and one acre from the remaining land, so he can sell the home. Mr. Kummerow also was also seeking input from the Board on his future plans to develop the next Section of property, Section 3 (Lots 5, 6 and 7). A rough map was shown to the Planning Board.

The Board questioned whether lots 5 and 6 (flag lots) would have a shared driveway? Mr. Kummerow said that he had originally considered a shared driveway, but he has made a modification to the preliminary plan for two separate and independent driveways, as there is adequate space available.

Mr. Kummerow explained that Section 2 (Lots 1, 2, 3 and 4) has been previously approved and the only Lot 2 has yet to be built on.

Karel Ambroz stated that he would like to see an overall plan for the entire property, rather than have it come before the Board every time one lot is developed. Mr. Kummerow commented that there are a total of 11 lots and he anticipates the development to take nearly 10 years, as he only average one house per year. He would rather get approval as each site is developed because of the tax implications.

Karel Ambroz questioned which lots were the rental units? Mr. Kummerow responded that none were rental units; as the rental units were further east. Mr. Kummerow told the Board that he would like to keep the land from the 244 Whitney Road house east to the rental units (approximately 12-14 acres) farmland for as long as possible. It is currently in the agricultural district and he rents out the land to others to grow crops. Presently, the plan is to only develop the land from the 244 Whitney Road house west.

There were no further questions from the Board.

The Board was agreeable to subdividing the house and one acre from the remaining property. They also did not see any problems with the concept plan for Section 3 (Lots 5, 6 and 7).

Mr. Kummerow stated that he will proceed to have the house and one acre surveyed and bring it before the Planning Board for subdivision approval.

3. Concept discussion by David Germick to build retail space for lease at 3341 Canandaigua Road. Property is zoned: PD

Gary Steinmiller, owner of the property was present, along with his son-in-law, David Germick who would do the construction. The 1.978 acres piece of property currently has a one-story circular concrete block building housing an insurance office. Mr. Steinmiller commented that he is considering adding a 3,600 sq. ft. addition to the southside (Phase 1) and a 9,600 sq. ft. addition to the northside (Phase 2). A rough sketch was shown to the Board. Another option being considered is to tear down the original structure and build a totally new building.

Chairman Ruth questioned what type of space was being considered? Mr. Steinmiller stated that it would be primarily retail space; perhaps a coffee shop, liquor store, beauty shop. Both gentlemen were open to any suggestions that the Board may have to offer as to what businesses the community would support. Chairman Ruth questioned the Code Enforcement Officer as to whether he has spoken with them about their ideas. Phil Williamson responded, "I have met with them briefly and what they want to do is compliant with what is allowed in a Planned Development." Mr. Williamson also discussed with them the allocation of parking spaces.

Mr. Steinmiller asked the Board what are the Town's thoughts on a liquor store? Gene Bavis commented that a liquor store may draw some negative reaction from residents, but it is a permitted use in the PD zoning. Chairman Ruth stated that the Town currently does not have a liquor store so there would not be any competition in town.

Chairman Ruth suggested conducting a marketing study. "Ames Plaza in Macedon is all but empty and that the Tops Plaza has several place still up for grabs. There seems to that type of space available and before you spend considerable money on it you may want to look into what is needed."

Mr. Steinmiller responded, "We are looking more at convenience types stores, we are not looking to draw from a large area". Karel Ambroz mentioned that "The Gardens" Senior Housing facility is being built next door, so a coffee shop type establishment may be a good fit.

Gene Bavis stated, "My only concern would be whether you can make it attractive looking by adding on to the existing building or whether you need to do something different." Mr. Steinmiller said that he would need to eventually hire an architect to come up with a design.

Phil Williamson suggested looking at the energy efficiency of the present building when considering whether or not to preserve the existing building. Mr. Steinmiller commented, "Whatever I decide to do, I will be sure it looks nice."

The Planning Board was in agreement that they had no problem with the concept. Gene Bavis commented, "The concept goes back to the original PD which was meant to have some retail space in it." Chairman Ruth stated that the Board had no problem with the concept, but the decision as to whether or not to move forward with the plan would ultimately be theirs.

4. Concept discussion of Ray Fletcher of 468 Haley Road to purchase a 10 ft. strip of land from neighbor, located at 482 Haley Road. Property is zoned: RR-1

Mr. Fletcher, 468 Haley Road was present and explained that he would like to purchase a 10 ft. wide strip of land from his neighbor, Antonio Pagan at 482 Haley Road so that he will be able to access the back of his own property. Mr. Pagan owns approximately 3 acres and his house is over 100 feet from the property line. Mr. Fletcher's two-car garage is only 8 feet from the side property line. Purchasing the additional strip would increase the side setback to 18 feet. The strip is approximately 275 feet long. A rough sketch was provided.

Phil Williamson stated that he had spoken on the telephone with Mr. Fletcher and he did not foresee any problems with the subdivision. Phil Williamson only comment was that the 10 ft. strip would need to be merged with the original parcel under one tax account number.

Gene Bavis questioned whether Mr. Pagan would have to file the application? Phil Williamson stated that Mr. Fletcher could file the application, but the Mr, Pagan would need to sign a notarized affidavit.

The Planning Board members agreed to the concept.

Mr. Fletcher was advised that the next step would be to submit a formal application for subdivision of land, along with a subdivision map. A waiver letter can be submitted with the application so that the matter can be handled administratively. Mr. Fletcher was advised to contact Phil Williamson if he had any questions.

5. Other – Senior Housing "The Gardens" Identification Sign

Phil Williamson presented plans for the Planning Board to review for location, setback and design. The plans were prepared by BME Associates, revised 9/29/08. After a short discussion the Planning Board noted the setback for the sign did not meet the minimum 25 feet from the property lines. Chairman Ruth suggested the support detail seemed to overpower the sign and a second look by the developer might be a good idea. Phil Williamson told the Planning Board the developer would be notified of their comments and once revised drawings showing the required setbacks were received a building permit could be issued for the sign.

Chairman Ruth adjourned the meeting at 8:19 P.M.

Gail Rutkowski, Clerk

