

Chairman Larry Ruth called the regular meeting of the Town of Walworth Planning Board to order at 7:34 P.M. Members present were Gene Bavis, Larry Ruth, Elaine Leasure, Deborah Amsler and Karel Ambroz. Also present was Norm Druschel, Building Inspector, Phil Williamson, Code Enforcement Officer and Carl Hewings, Town Engineer.

Elaine Leasure made a motion, seconded by Gene Bavis to dispense of the reading of the formal legal notice. Motion carried.

Deb Amsler made a motion, seconded by Elaine Leasure to approve the minutes of November 8, 2010 as presented.

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

Motion carried.

1. Continuation of the public hearing for the application of Pyramid Network Services, LLC for Special Use Permit for AT & T to co-locate their antennas on the existing tower and place their equipment in the existing lease area. Property located at 82 Bills Road. Property is zoned: R. (Public Hearing).

Chairman Ruth stated that this was a continuation of a public hearing from last month. Taylor Kline and Mark Kulik representative of Pyramid Network Services were present. AT & T is seeking a special use permit to co-locate their equipment at 192 feet. This will be the sixth co-location on the tower owned by Crown Castle. Ground equipment will be housed in a shelter at the base of the tower. At the November public hearing, there were several issues that needed to be addressed prior to issuance of the Special Use Permit.

Phil Williamson reported that he had met with the applicant after the November meeting and "all the information that was lacking and requested was supplied to us and we are satisfied that it is in complete condition to be approved." (A Supplemental certification letter from Vertical Structures, Inc., dated December 13, 2010 that addressed the various wind speed conditions considered in the analysis of the Tower and a Post Modification Inspection Report prepared by Vertical Structures, dated November 19, 2010, stating that the configuration, material and/or workmanship of the modification to the tower are installed in accordance with the Contract Documents and no deficiencies were found (Passed). Both documents are filed in the Planning Board file.

There were no comments from the public.

Gene Bavis made a motion, seconded by Karel Ambroz to close the public hearing. Motion carried.

Gene Bavis made a motion, seconded by Deb Amsler to approve the Special Use Permit for AT&T to co-locate on the cell tower at 82 Bills Road.

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

Motion carried.

2. Application of Amanda Pontarella for Site Plan Approval & Home Occupation, Major B for dog training facility located at 5151 Lincoln Road. Property is zoned RR-1. (Public HearThe property is in full compliance with the provisions of Chapter 180 of the Municipal Code of the Town of Walworth.

Dave Matthews of Shelley Associate was present to represent the applicant, Amanda Pontarella. The Board was in receipt of a Site Plan entitled, "Final Site Plan for Family Dog Obedience Facility", prepared by David Matthew of Shelley Associates. The project includes the construction of a 7,000 square foot pole barn building; the back half of the building will be used for the property owner's personal use, including storage of personal property and the front half will be used for a dog training facility, specializing in dog obedience. The water supply shall be installed according to the Wayne County Water and Sewer Authority regulations. There will be an on-site wastewater treatment system incorporated into the existing septic system. Mr. Matthew reported that he had appeared before the Board at a worksession and there were no major concerns at that time.

Chairman Ruth questioned if there would be any overnight boarding of dogs and whether there would be any sales of equipment? Mr. Matthews responded that there would not be any overnight boarding or sales. The business is strictly dog training.

Karel Ambroz questioned whether the storage would also be for rent or lease? Mr. Matthew answered that the space would not be for lease; only for storage of personal yard equipment, snowmobiles, motorcycles, etc.

There were no further questions from the Board.

Chairman Ruth opened the public hearing.

There was no public comment.

Karel Ambroz made a motion, seconded by Deb Amsler to close the public hearing. Motion carried.

Karel Ambroz made a motion, seconded by Gene Bavis to approved the Home Occupation, Major-Category B with the following conditions:

1. The occupational use is incidental, secondary and/or subordinate to the use of the dwelling unit for residential purposed
2. No other Home Occupation, Major-Category A or Home Occupation, Major-Category B is conducted on the premises.
3. Hours of Operation: Monday-Saturday 9 A.M. – 9 P.M.
4. The Home Occupation is a dog training center, specializing in dog obedience. Class duration is typically one hour in length with 3-6 dogs per class.
5. At no time shall dogs be boarded overnight.
6. The parking area will accommodate seven vehicles including one handicap, van accessible parking space.
7. Sign as allowed by Town Zoning Ordinance shall be erected at the driveway entrance.
8. Site lighting will be kept to a minimum with dark sky compliant fixtures at the entrance access as shown on the site plan.
9. Applicant acknowledges and understands the conditions of the Home Occupation and agrees to abide by all terms and conditions therein, by signing and retuning one copy to the Town of Walworth Building Office.
10. Site plan entitled "Family Dog Obedience Facility", prepared by David Matthews of Shelley Associates, P.E., L.S., P.C., Engineers and Land Surveyors, date 11/1/2010, revision 12/09/2010 shall remain as part of the permanent record in the Planning Board file.

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

Motion carried.

3. Planning Board Lead Agency Declaration for the pending application regarding the Twilight Valley RV Resort Project located on Boynton Road. Property is zoned: RR-1.

Karel Ambroz addressed Chairman Larry Ruth, "Being I live on Boynton Road, I will recuse myself from any discussions and votes on the Twilight Valley RV Resort Project. Thank you Mr. President."

Phil Williamson informed the Board that all interested and/or involved agencies had been notified and responded in writing that they had no objection to the Walworth Planning Board declaring itself lead agency in the environmental review process for the Twilight Valley RV Resort Project. Copies of the written responses are in the Planning Board file.

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

I move, that the Planning Board declare itself Lead Agency in the matter of the Twilight Valley RV Resort Project, located on Boynton Road.

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

Motion carried.

Phil Williamson stated that by the end of the week all supplemental information to the Full Environmental Assessment Form would be entered on the website and placed in The Town Clerk's Office for public review. At the January 10th meeting, all written comments will be given to the Applicant. The 14-step timeline for the required process to meet SEQR for Twilight Valley RV Resort will also be available for public review on the website and in the Town Clerk's Office. Responses from the applicant addressing the SEQR concerns will be due back to the Planning Board by February 7, 2011. Phil Williamson reminded the Board that this is the timeline is a "critical path" of the steps that need to be taken to SEQR requirements; however, the timeline may have to be adjusted if something comes up that requires more time.

The date for the public hearing on the site plan cannot be established until the determination of significance has been made. The County Planning Board will also have to review the SEQR documentation prior to determination of significance.

Chairman Ruth questioned, "At the January 10th meeting, will the public have the opportunity to asked questions from the floor?" Carl Hewing told the Board that you do not have to have a public hearing for the SEQR. Gene Bavis further remarked, "While it is not required for us to have a public hearing for SEQR I think it is prudent to give the public an opportunity to give us written input. That may take care of some of the concerns. Phil Williamson told the Board that the Chairman could decide to allow public comment from the floor at the January 10th meeting on matters related to SEQR only, even though it is not required.

Gene Bavis made a motion, seconded by Elaine Leasure to approve the tentative timeline for the Twilight Valley RV Resort.

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

Motion carried.

4. Request for waiver of subdivision approval for the application of David R. Johnson to subdivide .714 acres from parcel owned by Leigh Wilde to be conveyed to David Johnson at 3880 Ontario Center Road, approximately 1960 ft. from Route 441. Property is zoned: R.

Applicant, David Johnson was present. Mr. Johnson is in the process of purchasing 0.714 acres from property owner, Leigh Wilde to be merged with his own property. Mr. Johnson appeared before the Board at the October 12th meeting and the Board had no problem with the concept. The Board was in receipt of a subdivision map prepared by, Robert F. Morris III, P.L.S., 104 Sherman Parkway, Newark, NY, entitled, "Subdivision of Lands owned by and to be conveyed David R. & Sharon M. Johnson", dated 10/22/10, revised 12/6/2010.

Carl Hewings Town Engineer stated that he was satisfied that the comments in the December 2, 2010 letter to Robert Morris have been addressed.

The Board was also in receipt of a formal application and a letter from Mr. Johnson, dated 10/28/2010 requesting a waiver of procedure and approval requirement to allow the matter to proceed administratively. An affidavit signed by Leigh Wilde is on file allowing Mr. Johnson to request the waiver.

The Board had no further concerns.

Gene Bavis made the following motion, seconded by Karel Ambroz:

Having received a written request for a waiver of normal subdivision procedure and approval (per 151-6 of SUBDIVISION of LAND) for the following, David Johnson, property located at 3880 Ontario Center Road, I move for the waiver of normal subdivision procedure and approval with condition that subdivision plans shall be reviewed and subject to approval by the Code Enforcement Officer and Town Engineer in accordance with the conditions of the Town Code.

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

Motion carried.

5. Application of Daniel Merrick for preliminary & final site plan approval for property located at 3290 County Line Road. Property is zoned: R.

Daniel Merrick, owner of the property was present to answer questions from the Board. The Board was in receipt of a site plan entitled, "Site Plan for Single Family Home for Daniel Merrick", prepared by Joseph A. Pullen, P.E., 651 Rookery Way, Macedon, NY 14502, dated September 3, 2010.

Chairman Ruth opened the public hearing.

There was no public comment.

Gene Bavis made a motion, seconded by Elaine Leasure to close the public hearing. Motion carried.

Gene Bavis made the motion, seconded by Elaine Leasure to grant preliminary and final site plan approval with the following conditions:

- 1) All comments in the November 23, 2010 are addressed to the satisfaction of the Town Engineer.
- 2) 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 recreational purposes including the acquisition of property.

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

Motion carried.

6. Other - Concept discussion of John Crosby for simple realty subdivision of property located at 4336 Boynton Road. Property is zoned: RR-1.

John Crosby was present and explained that he would like to subdivide a flaglot approximately one acre from the total acreage of 28 acres on Boynton Road so that his mother could build a residence next to his. The subdivided property would be at the southwest corner and not visible from the road. A rough sketch was presented to the Board.

The Board discussed with the applicant the minimum width of access right-of-way for residential lots (Section §180-34). Gene Bavis explained to the applicant that installing a driveway longer than 250 feet would require a 35 ft. width. Mr. Bavis suggested that the Mr. Crosby consider a wider driveway, as there is adequate acreage to do so. Perk tests will also need to be done.

The Board had no further concerns and concurred that the concept was acceptable.

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

Chairman Ruth adjourned the meeting at 8:10 P.M.

