

Chairman Larry Ruth called the work session of the Walworth Planning Board to order at 7:32 P.M. Members present were Elaine Leasure, Larry Ruth, Deborah Amsler, Peter Schillaci. Gene Bavis arrived at 7:40 P.M. Also present were Norm Druschel, Phil Williamson, Paul Russell, and Supervisor Plant.

1. Application of Daniel Keyes for Waiver of Normal Subdivision Procedures for 2-lot subdivision located at 4712 Ontario Center Road approximately 1/2 mile from Atlantic Avenue and Plant Road. Property zoned: RR-2.

Phil Williamson stated that the application is being filed to meet requirements for the preservation of farmland process. The governmental agency requires that the property be subdivided so the residence is in one parcel and the vacant land is in the other parcel. The recommendation is to subdivide the property down the middle of Rt. 350, using the same property lines. Each parcel would have a separate tax account number and both parcels would be in the farmland preservation district.

Paul Russell stated that from an engineering standpoint there is no reason the Waiver of Normal Subdivision Procedures should not be granted.

Elaine Leasure made a motion, seconded by Pete Schillaci to approval the Waiver of Normal Subdivision Procedures, as presented.

Roll call vote:	Gene Bavis	Absent
	Elaine Leasure	Aye
	Larry Ruth	Aye
	Deborah Amsler	Aye
	Peter Schillaci	Aye

Motion carried.

2. Application of Robert & Carol Davies for Waiver of Normal Subdivision Procedures for 2-lot subdivision located at 4336 Boynton Road - one mile south of Smith Hill. Property zoned: RR-2.

Robert Davies was present and explained that the property is approximately 43 acres and was previously two separate parcels until 2004, when the parcels were merged together for tax purposes. Mr. Davies stated that he has a party interested in buying the smaller parcel and wishes to subdivide the property into two parcels. Mr. Davies is requesting the Planning Board waive the normal subdivision procedures.

Phil Williamson stated that the re-subdivision would be exactly like it was before and there would be no change in the boundaries. There were no further comments by the Board.

Peter Schillaci made a motion, seconded by Gene Bavis, to approve the Waiver of Normal Subdivision Procedures, as presented.

Roll call vote:	Gene Bavis	Aye
	Elaine Leasure	Aye
	Larry Ruth	Aye
	Deborah Amsler	Aye
	Peter Schillaci	Aye

Motion carried.

Elaine Leasure made a motion, seconded by Gene Bavis to approve the Planning Board minutes of December 12, 2005. Motion carried.

3. Discussion of Proposed Subdivision of the Estate of Florence Dippel property located on Route 350 in the Town of Walworth. Property zoned: RR-2

Cynthia Kukuvka, Attorney representing the Estate of Florence Dippel was present. Ms. Kukuvka stated that there is approximately 50 acres of land remaining in the estate that is essentially landlocked. The property will be divided into three parcels. One parcel will be transferred to Donald Dippel, another will be transferred to Kenneth Dippel and the final parcel will be transferred to Timothy Dippel. The property will no longer be landlocked, as it would be attached to existing parcels that have access to the road.

Pete Schillaci questioned whether the framed building shown on the map remains. Ms. Kukuvka stated that the building is part of property owned by Andrew Dippel, and not part of the estate. Andrew Dippel has assumed responsibility for the parcel and is working with the town with regard to zoning requirements.

Cynthia Kukuvka stated that there would be a formal application submitted prior to the deadline for the March 13 meeting.

Cynthia Kukuvka questioned whether additional maps would be needed. Paul Russell requested two additional maps. Gene Bavis asked if there would be any changes to the map. Ms. Kukuvka said no.

4. Discussion of Proposed subdivision of A-1 Mini Storage located on Rt. 441. Acorn Valley Ltd. Inc. owns the property to the west of the A-1 Mini Storage, Inc. Mr. Harold Greenlee, president of Acorn Valley is looking to develop the Acorn Valley property into an industrial commercial park. The Plan is to add the A-1 property to the Acorn Valley property to further this development. Mr. Greenlee is also President of A-1. Property zoned: B-2.

Cynthia Kukuvka, Attorney representing the applicant was present. Tom Fromberger of MRB Group was also present.

Cynthia Kukuvka explained that Harold Greenlee owns property on Rt. 441 that adjoins property that is owned by A-1 Mini Storage, of which Mr. Greenlee is President. Mr. Greenlee has spoken with the Planning Board about future development of an Industrial Park on this property. Mr. Greenlee is proposing a 2-lot subdivision of the A-1 mini storage property, which will allow for the transfer of 33 acres of the A-1 property to the Acorn Valley property. This proposal would allow for eastern entrance onto Route 441 as well as the present western access onto Route 441.

Tom Fromberger of MRB Group presented a conceptual plan of the proposed subdivision to the Planning Board.

Gene Bavis questioned what the sight distance is to the second entrance. Tom Fromberger stated that it is approximately 550-600' from the peak of the hill. Paul Russell, Town Engineer stated that this second entrance to the Industrial Park is essential. Paul further commented that he does not foresee any problems from an engineering standpoint.

Larry Ruth asked about sewers in the area. Paul Russell stated that during the Fall of 2005, the Town attempted a joint program with Macedon to build public sewers in this area. Macedon denied the application, so that project has been put on the back burner. There is no viable plan for sanitary sewers at this time. Cynthia Kukuvka recognizes that the development of an Industrial Park is contingent upon public sewers.

Cynthia Kukuvka stated that the 2-lot subdivision is a separate issue from development of the Industrial Park.

Pete Schillaci asked how many lots were in the concept plan. Mr. Fromberger stated that there would be 30 individual lots.

Paul Russell explained that the Industrial Park subdivision would be a single entity. Site plans for the individual lots would need individual Board approval.

Cynthia Kukuvka stated that there would be an application submitted prior to the deadline for the March 13 meeting. There were no further concerns from the Board.

5. Other – General discussion of proposed subdivision & In-law Apartment of Donald Boone of 4037 Walworth-Ontario Road & Robert Halm of 4025 Walworth-Ontario Road. Property Zoned: RR-2.

Donald Boone of 4037 Walworth-Ontario Road and his father Robert Halm of 4025 Walworth-Ontario Road were present. Mr. Boone stated that he would like to build an in-law apartment for his parents onto his existing single-family home located at 4037 Walworth-Ontario Road. Mr. Boone presented a rough sketch of the layout.

Larry Ruth asked what the requirement would be for the leach field and septic system. Paul Russell stated that the applicant would have to submit a site plan showing the design for approval.

Mr. Boone explained that the garage of the main house would connect by a breezeway to the in-law apartment.

Phil Williamson reviewed the Code Requirements under 180-11, RR-2 Districts: Single-Family Residential. The following regulations shall apply in all RR-2 Districts:

A. Permitted principal uses are:

- (1) One family dwellings. A one-family dwelling may contain two living areas including two kitchens and two or more bathrooms, provided that:
 - (a) The living areas within the dwelling are part of one residence;
 - (b) The two living areas within the dwelling have access to each other.
 - (c) The dwelling contains only one main entrance; and
 - (d) The dwelling has one street and one mailing address.

Discussion ensued regarding the interpretation of the zoning code and whether Mr. Boone's request complies with the Code.

Mr. Boone explained that he was unable to connect the in-law apartment directly to the main house because of the placement of the septic system. Phil Williamson asked if he has considered converting the existing garage into living space and relocating the garage. Mr. Boone said he had considered it, but it would be more expensive, and decided against it. Mr. Boone stated that he could put an L-shaped hallway in the garage to connect the two living spaces.

Larry Ruth stated that that Mr. Boone should refine his drawing for legal interpretation. Phil Williamson suggested that Mr. Boone meet with Norm Druschel, Building Inspector, to get his input in developing a detailed drawing.

Mr. Boone stated that once the in-law apartment is built, Mr. Halm would like to sell his present home. Phil Williamson stated that the minimum lot size is one acre. Mr. Boone asked how deep the lot would need to be if he sold off 135' of road frontage. Peter Schillaci calculated the lot and stated that it would be approximately 323' deep. Gene Bavis stated that this would be slightly out of compliance with the 2.5 to 1 length to width ratio, but the applicant could apply for a waiver. Gene Bavis did not foresee a problem granting the waiver, as long as other requirements for subdivision were met.

Mr. Boone questioned the exact size of his lot and further stated that here seems to be a discrepancy between the tax map and the survey map. Gene Bavis responded that they are not always the same; the size recorded on survey map is what is actually owned.

Mr. Boone stated that he would work with Norm Druschel to submit a design that would meet zoning requirements. There were no further questions by the Board.

Larry Ruth stated that Supervisor Plant has set up a time for the Planning Board to meet with Art Williams, the Town Attorney on Friday, January 20th at 10:00 a.m. at the Town Offices and encouraged all Planning Board members to attend.

Larry Ruth adjourned the meeting at 8:44 p.m.

Gail Rutkowski, Clerk