

Chairman Larry Ruth called the meeting to order at 7:32 P.M. Members present were Gene Bavis, Elaine Leasure, Larry Ruth, Deborah Amsler and Peter Schillaci. Also present was Phil Williamson, Code Enforcement Officer.

Gene Bavis made a motion, seconded by Deb Amsler to approve the minutes of July 9, 2007 as written.

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

Motion carried.

1. Discussion of Angelo Affronti for Modification of Home Occupation- Major, Category B to operate a small excavating business at 656 Jacobs Road. Property is zoned: RR-1

Angelo Affronti of 656 Jacobs Road was present to discuss the modification of Home Occupation – Major Category B to operated a small excavating business at 656 Jacobs Road. He explained that the business has grown since the original resolution was granting on April 13, 1998 and he is now seeking a modification. Specifically, Mr. Affronti would like to increase the number of trucks on the property from two to six.

Angelo Affronti stated that during the last few months he has made significant improvements to the property including the addition of a berm with evergreens planted on top to serve as a visual shield. The trucks have also been moved to the back of the property, so they are less visible from the road. Deb Amsler commented that she has driven by the property and it looks very nice. Pete Schillaci agreed that Mr. Affronti has done a nice job cleaning up the property. Angelo Affronti provided photos of the improvements to the Board.

Elaine Leasure questioned, "How often do the trucks go in and out of the property?" Mr. Affronti stated, "Usually only once in the morning and then they return at night." Elaine Leasure asked, "So they are not continually in and out all day?" Mr. Affronti answered, "No. "There has been a little more activity the past few weeks due to the work on the berm."

Chairman Ruth questioned what the hours of operation stated on the original resolution. Phil Williamson read from the resolution, "Work started between 6:30 a.m. and 7:30 a.m. when the trucks usually left the premises and generally they return to the premises between 5:00 p.m. and 6:00 p.m. Gene Bavis asked, "Is that pretty much how it is?" Mr. Affronti answered that this is generally how it is.

Gene Bavis commented that a possible objection may be the beeping noise when backing up the trucks and asked if Mr. Affronti parks the trucks so they can just drive out in the morning and not back up. Mr. Affronti answered, "Yes." He further stated that all the truck exit the property to the east.

Phil Williamson stated, "You are aware that you may not employ more than one person on the premises who does not reside on the premises?" Mr. Affronti answered, "Yes. Occasionally there is a mechanic present at the site, but he is not there all the time."

Phil Williamson asked whether Mr. Affronti would be planting more trees. Mr. Affronti stated that he had planted 35 trees, 10 feet apart, and they would fill in as they grew. He hadn't planned on additional trees.

Chairman Ruth stated, "As I understand it, the only modification you are asking for is to increase the number of trucks." Mr. Affronti answered, "Yes." Gene Bavis asked, "Is the request for six trucks or will it be more than six?" Mr. Affronti replied, "It is for six."

Phil Williamson pointed out that the stockpile may be stored on the premises during the non-construction season during the winter. Mr. Williamson stated that there could be no sale of stock (topsoil, etc.) and Mr. Affronti stated he understood.

Phil Williamson stated that Mr. Affronti would need to complete an application and a public hearing would be advertised. The application deadline for the September 10th meeting is August 10th.

2. Concept discussion of Homer Sass for a 2-Lot Realty subdivision located at 5569 Walworth-Ontario Road. Property is zoned: RR-1.

Greg Matzan, of 2087 Leno Road, Palmyra was present representing Homer Sass, owner of the property. Mr. Matzan explained that Mr. Sass owns two adjacent parcels, 5569 and 5547 Walworth-Ontario Road. The Sass residence at 5547 Walworth-Ontario Road is situated on a 3.67 acres parcel. The adjacent parcel at 5569 Walworth Ontario Road has a farmhouse situated on 59.4 acres. The 59.4 acre- parcel includes 14.4 acres across the street. Mr. Sass intends to reconfigure the two parcels. He would like to subdivide the farmhouse and approximately 1.5 acres. The remainder of the land he would then join with the 3.67 acres where he presently resides resulting in a parcel that would be approximately 61.4 acres. Greg Matzan showed two rough sketches to the Board; the first showing the existing lot line configuration and the second showing the proposed configuration.

The 1.5-acre parcel measures 200 ft. x 345 ft. excluding a little jog (25 ft. x 45 ft). Gene Bavis questioned why there was a jog. Mr. Matzan stated that the Sass' wanted to retain use of a path in that location. Deb Amsler stated that she would like to see cleaner lot lines. Discussion ensued about possible ways to clean up the lot lines, yet meet the minimum 1-acre lot size requirement. Deb Amsler suggested that the front road frontage could be shortened to 175 ft. and the path would then be on the other parcel. Mr. Matzan explained this was not possible because there was an existing driveway that Mr. Sass would like to include with the farmhouse.

Mr. Matzan was also concerned about an existing structure (garage) behind the house and meeting rear setback requirements. Phil Williamson explained that the primary structure must be 40 feet from the rear property line, but any accessory buildings only need to be five feet from the rear property line.

Gene Bavis questioned the location of the septic system. Mr. Matzan answered that it was on the north side of the house, but would need to be replaced. Chairman Ruth stated that perk tests should be done prior to subdivision.

Elaine Leasure questioned whether the larger lot went with the property across the road. Mr. Matzan answered that it did.

The application will also need to be referred to the County for their review as it is within 500 feet of the Town of Ontario.

The Planning Board approved of the concept.

3. Concept discussion of Subdivision of James Bauerschmidt's parcel located at 4880 Tiffany Road to be combined with adjoining property of Benjamin Stopka located at 4870 Tiffany Road. Property is zoned: RR-1.

Ben Stopka of 4870 Tiffany Road was present to discuss the 2-Lot Realty Subdivision. Mr. Stopka explained that he would like to purchase property owned by his neighbor, James Bauerschmidt's, and combine it with his own existing parcel of 0.82 acres. Mr. Bauerschmidt remaining parcel with his residence would measure approximately one acre. Ben Stopka provided a rough sketch of his proposal.

Discussion ensued about the width-to-depth ratio. The frontage is 108 feet and must remain so. Pete Schillaci stated that it may be necessary to move the lot line of Mr. Bauerschmidt's parcel further back to achieve the one acre, as the Planning Board would not approve a substandard size lot. Gene Bavis stated that the one-acre minimum lot size must be measured from the right-of-way. Chairman Ruth stated that as long as the subdivided parcel meets the one-acre requirement, the Planning Board did not have any further concerns. The applicant is ready to proceed forward by submitting a formal application along with engineered drawings. The deadline for submitting plans is August 10th to be on the agenda for September 10th meeting.

Chairman Ruth adjourned the meeting at 8:05 PM.

Gail Rutkowski, Clerk

