

Chairman Larry Ruth called the meeting to order at 7:35 P.M. Members present were Gene Bavis, Elaine Leasure, Larry Ruth, Deborah Amsler and Peter Schillaci. Also present were Phil Williamson, Norm Druschel, and Carl Hewing, Parrone Engineering.

Pete Schillaci made a motion, seconded by Deb Amsler to dispense with the formal reading of the legal notice.

Motion carried.

Pete Schillaci made a motion, seconded by Deb Amsler to approve the minutes of June 21, 2007 as written.

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

Motion carried.

1. Application of Janet O'Brien for preliminary and final 2-lot realty subdivision approval for property located at 115 Knollwood Drive. The property to be subdivided is located on the north side of Atlantic Avenue and west of County Line Road. Property is zoned RR-1 (Public Hearing).

Janet O'Brien was present to discuss the application. Mrs. O'Brien stated that there had been no changes since the last worksession.

The Board was in receipt of a letter from the County, dated June 29, 2007 that stated, "At it regular meeting on June 27, 2007 the Wayne County Planning Board reviewed the above referenced referral and recommended approval of the preliminary/final subdivision plan with the following conditions: 1) This and any future lot should be configured to guarantee that driveway sight distance will meet American Association of State Highway Transportation Officials recommendations and 2) future plans for the remainder of the land should be determined (This appears to be the second "one-lot-subdivision that has been reviewed)."

The Board members concurred that the sight distance was adequate.

When questioned about future plans for the remainder of the lands, Janet O'Brien stated that this had been discussed at the May worksession and there would be only two more lots. Chairman Ruth stated that that it would be the Board's preference, as well as Wayne County, that both lots are subdivided at the same time.

Chairman Ruth opened the public hearing.

There were no comments from the public.

Pete Schillaci made a motion, seconded by Deb Amsler to close the public hearing.

Motion carried.

Pete Schillaci made the following motion, seconded by Deb Amsler:

I MOVE, that the preliminary and final 2-Lot Realty Subdivision be approved as presented.

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

Motion carried.

2. Application of William Calder for preliminary and final 2-lot Realty Subdivision approval for property located at 1504 Plank Road, at the intersection of Plank and Lewis Roads. Property is zoned RR-1. (Public Hearing).

Craig Eckert and Jess Sudol of Passero Associates were present to represent the applicant, William Calder. Mr. Eckert stated that they were first met with the Board in November 2006 for concept review. Originally they had considered a 4-Lot Subdivision, but they have changed the plan to a 2-Lot Realty Subdivision. After perk tests were conducted, the decision was made to

install a raised fill system for septic. Mr. Eckert stated that all comments from the Town Engineer were addressed.

The Board was in receipt of a letter from the County, dated June 28, 2007 that stated, "At it regular meeting on June 27, 2007 the Wayne County Planning Board reviewed the above referral and determined it to have no intermunicipal or countywide impact. The Board recommended the referral be returned to the Town to be handled as a local matter."

Gene Bavis questioned, "Is the property served by public water?" Mr. Eckert answered, "Yes."

Chairman Ruth opened the public hearing.

There were no comments from the public.

Pete Schillaci made a motion, seconded by Deb Amsler to close the public hearing.

Motion carried.

Pete Schillaci made the following motion, seconded by Deb Amsler:

I MOVE, that the preliminary and final 2-Lot Realty Subdivision be approved as presented.

Roll Vote:	Gene Bavis	Aye
	Elaine Leasure	Aye
	Larry Ruth	Aye
	Deb Amsler	Aye
	Pete Schillaci	Aye

Motion Carried.

Phil Williamson stated that the Town Engineer and Code Enforcement Office could approve the Site Plan administratively.

3. Request of Fran DeLooze for Waiver of Normal Subdivision Procedure and Approval requirements for a 2-Lot subdivision located at 4777 County Line Road. Property is zoned: RR-1.

Fran DeLooze, owner of 4777 County Line Road was present to discuss the application. Mr. DeLooze explained that he has received a purchase offer on his house and would like to get the subdivision approved so he could proceed with the closing. The Planning Board was in receipt of a letter from Mr. DeLooze, dated June 14, 2007 requesting a waiver of procedure and approval requirements for a two lot residential subdivision, per local law 151-6. Phil Williamson stated that he had consulted the Town Attorney who verified that a waiver of Normal Subdivision Procedure and Approval Requirements was appropriate.

The application will be sent to the County for review at their next meeting.

Pete Schillaci made the following motion, seconded by Deb Amsler: I MOVE that we waive the normal subdivision procedure and refer the project to the Code Enforcement Office and Town Engineer for review and approval.

Roll Vote:	Gene Bavis	Aye
	Elaine Leasure	Aye
	Larry Ruth	Aye
	Deb Amsler	Aye
	Pete Schillaci	Aye

Motion Carried.

Phil Williamson stated that the Town Engineer and Code Enforcement Office could approve the Site Plan administratively.

4. Application of Derek Herring for Special Use Permit to operate an auto repair shop at 2249 Walworth-Marion Road. Property is zoned: B-1 (Public Hearing).

Derek Herring was present to discuss the application for Special Use Permit. Mr. Herring explained that the business would be run per the same conditions of the original approval granted to Mr. Ronald Wildey to Operate an Auto Repair Shop, granted on May 12, 1997. Mr. Herring intends to lease the building from Mr. Wildey. Mr. Herring stated that the business would be called DC Automotive. He assured the Board that a clean appearance is of utmost importance and junk cars would not be stored on the premises.

The Board was in receipt of a letter from the County, dated June 29, 2007 that stated, "At its regular meeting on June 27, 2007, the Wayne County Planning Board reviewed the above referenced Special Use Permit and recommended approval."

Gene Bavis reminded the applicant that when he gets his license that a copy must be filed with the Town. Mr. Herring stated that he understood.

Phil Williamson clarified a concern that had been raised at the June 23 worksession as to DEC involvement and possible gas residue on the property. Mr. Williamson stated that there had been some confusion and there was not a concern with this property, but instead it was another property nearby.

There were no further concerns by the Board.

Chairman Ruth opened the public hearing.

There were no comments from the public.

Elaine Leasure made a motion, seconded by Pete Schillaci to close the public hearing.

Motion carried.

Pete Schillaci made a motion, seconded by Elaine Leasure to approve the Special Use Permit to operate an auto repair shop at 2248 Walworth-Marion Road subject to the same conditions as the approval originally granted on May 12, 1996. The conditions are:

1. Hours of operation:

7 AM – 9 PM	Monday – Friday
7 AM - 9 PM	Saturday
	No Sundays or Legal Holidays*

*New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving or Christmas (with the exception of cars being towed to or from the premises on a 24 hour, 7 day a week basis).
2. No more than 3 repairable vehicles on the property for a period not to exceed 10 working days.
3. Minimum of 4 designated parking spaces for customers.
4. Waste disposal in accordance with State and Local codes for removal of waste.
5. 4 x 6 ft. sign approved in its present location as per sketch on file from previous owner.
6. DMV repair shop license to be on file in the Planning Board file.
7. All materials and parts will be stored inside.
8. No wrecked vehicles to be stored on the premises.
9. This Special Use Permit shall be subject to review for violation or change of circumstance.
10. Applicant acknowledges he has read and understands the conditions and agrees to abide by them by signing and returning one copy to the Town Office.

Motion carried.

Mr. Herring brought to the attention of the Board that there has been an ongoing problem at the garage with unknown persons dropping off tires during the night. Mr. Herring explained that it the State charges \$2 a tire to dispose of them, which could be quite costly if this happens repeatedly.

Phil Williamson stated that this was not a Town issue and suggested he notify the Sheriff's Department who could keep an eye on the property. It was also suggested that motion lighting could be a deterrent.

Elaine Leasure made a motion to adjourn the meeting, seconded by Pete Schillaci.

The meeting was adjourned at 8:20 PM.

Gail Rutkowski, Clerk