

Chairman Larry Ruth called the meeting to order at 7:31 P.M. Members present were Gene Bavis, Elaine Leasure, Larry Ruth, Deborah Amsler and Peter Schillaci. Also present were Phil Williamson and Carl Hewings of Parrone Engineering.

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

Deb Amsler made a motion, seconded by Pete Schillaci to approve the minutes of April 9, 2007.

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

Motion carried.

1. Application of Steven Azzano for preliminary and final 2-lot subdivision approval for property located at 5185 Lincoln Road, south of Haley Road. Property is zoned: RR-1 (Public Hearing).

Steven Azzano of 1633 Brick House Road was present to discuss the application. He explained that the intent is to subdivide the 1.224 acres with the farmhouse, garage and barn from the remaining acreage. At the March 21st worksession he was asked to present a concept plan on how he would like to configure the remaining land for future development. Mr. Azzano presented a map of the property, prepared by C. Newton Gowdy, L.S. of Lyons, showing the 2-lot subdivision and dashed lines showing the preliminary concept. Since the worksession, two additional lots have been added to the back of the property.

Carl Hewings, Town Engineer stated that the map does not show any topography. Phil Williamson clarified that this is a simple realty subdivision and there is no site plan, therefore topography is not needed. Mr. Azzano stated that perk tests and soil tests are presently underway. Chairman Ruth stated, "Do you understand that if we subdivide, we are not saying the concept plan as presented is feasible. At this time, we are only acting on the 2-lot subdivision." Mr. Azzano stated that he understood.

Gene Bavis stated that he felt that subdividing the parcel as proposed would not be detrimental to future development and he would support the subdivision. However, he was not sure that the concept plan as presented would be workable and recommended further discussion with the Board prior to investing much more effort into developing the plan.

Chairman Ruth opened the public hearing.

Mr. Richard Hull, 590 Haley Road stated that his property is adjacent to the rear lots of Mr. Azzano and he was interested in looking at the concept drawing regarding the remaining land. He briefly looked at the map and understood that it was a concept only.

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

Pete Schillaci made a motion, seconded by Deb Amsler that the preliminary and final plat plan approval be granted.

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

Motion carried.

Chairman Ruth stated for the record that Mr. Azzano should provide a clean mylar for signatures showing only the two lots; the 1.224 acres that is being subdivided and the remaining parcel. All dashed lines showing the concept for future development should be removed. The map should include signature lines for the Planning Board Chairperson, Building Inspector, Zoning Officer and Town Engineer.

2. Application of Michael DeMareo for Special Use Permit to allow existing building and property located at 3719 Walworth-Palmyra Road, at the corner of Route 441 and Walworth-Palmyra Road, to be used for auto sales, as previously approved on June 12, 2006. Property is zoned B-1 (Public Hearing).

Chairman Ruth stated that on June 12, 2006 a Special Use Permit was granted to Louis Packard of C & L Auto Sale, to operate a used auto sales. Phil Williamson stated that Mr. Packard encountered some difficulties and in the end decided not to purchase the property.

The new applicant, Michael DeMareo, 4732 Williamson Road, Marion was present to discuss the application. Mr. DeMareo currently owns Wayne County Automotive located down the hill from the post office on Walworth-Palmyra Road. He stated that he recently purchased the property being discussed and has already obtained a building permit and begun renovations to improve the appearance of the building and expand his business. The second location will be used primarily to show higher end vehicles.

Phil Williamson stated that Mr. DeMareo has been given a copy of the Special Use Permit, granted on June 12, 2006 for his review. Pete Schillaci questioned whether he accepted all the conditions of the Special Use Permit. Mr. DeMareo stated that he accepted the conditions of the Special Use Permit previously granted on June 12, 2006, as written.

Phil Williamson added that he has never received any complaints about Wayne County Automotive and described it as a very clean operation. He would not anticipate that the second location would be any different.

Phil Williamson also said that the application does not have to go back to Wayne County, as there were no objections to the Special Use Permit granted on June 12, 2006 and the conditions remain the same for this applicant.

Gene Bavis asked if both locations would be under the same license? Mr. DeMareo answered that both would be under the same license, but he will need to complete an application with the State of New York for a second location.

Larry Ruth opened the public hearing.

There was no public comment.

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

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

Motion carried.

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

After a complete and thorough review of the Application for a Special Use Permit for Michael Demareo/Wayne County Auto Sales we find the application in conformance with Town Code and can be approved with conditions. I move approval of this application subject to the following conditions:

- The hours of operation: 10 A.M. – 6 P.M. Monday – Thursday
 10 A.M. – 5 P.M. Friday
 10 A.M. – 2 P.M. Saturday
 Closed Sundays and Major Holidays
- Property to be maintained in a neat and orderly manner by the applicant.
- No wrecked cars on the premises.
- No mechanical repairs, oil changes or painting of autos.
- All right-of-ways must be kept open.
- Maximum number of cars on property will be 12 (includes 2 spaces designated for employees/customers, plus 2 spaces inside the building for display vehicles)
- No toxic or hazardous materials stored on property.
- Sign as permitted by Town Ordinance.
- Copy of Dealer License needs to be on file and sign posted on building.
- Shall comply with all state and local and local laws.
- This Special Use Permit will be subject to review for violation or change of circumstance.
- The Special Use Permit is issued to the Applicant and not the Owner of the property.
- Applicant will acknowledge that he has read and understands the conditions and agrees to abide with the above conditions.

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

Motion carried.

A copy of the Special Use Permit will be sent to Mr. DeMareo to be signed and returned to Planning Board Clerk and filed in the Town Clerk’s office. A copy will also be placed in the Planning Board file.

Pete Schillaci made a motion, seconded by Deb Amsler to adjourn the meeting.

Chairman Ruth adjourned the meeting at 7:50 p.m.

Gail Rutkowski, Clerk