

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 were Phil Williamson.

Gene Bavis stated that there was a correction to the Planning Board minutes of May 14, 2007. Application 1. (Fifth paragraph) – Mr. Richard “Hall”, should be corrected to read, Mr. Richard “Hull”.

Gene Bavis made a motion, seconded by Elaine Leasure to approve the minutes of May 14, 2007 as corrected.

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

Motion carried.

1. Discussion of Vincent & Jennifer Flannery for Home Occupation, Major – Category B for a horse boarding – training operation located at 4836 Lincoln Road. Property is zoned: RR-1.

Vincent Flannery, 4838 Lincoln Road was present to discuss the application. Mr. Flannery stated that they have been operating a Horse Boarding/Training facility for almost 9 years. The property has a horse stable with the capacity to board 25 horses and a separate indoor riding arena for training and lessons. Mr. Flannery explained that they were not aware that they needed a Home Occupation, Major – Category B permit until Phil Williamson brought it to their attention.

Mr. Flannery provided a rough sketch of the barns and property as it pertains to his business. The Board questioned Mr. Flannery and he responded to the following:

- How many acres in the parcel?
There are 30.98 acres and there is ample room for pasture and ample room to spread manure.
- What are the hours of operation?
Seven days a week from approximately 8:00 A.M. – 8:00 P.M.
- Do you operate horse shows?
No we don't do shows. Primarily, instructors come and give lessons.
- Do you sell any tack equipment?
No we don't sell any equipment.
- Is there an area designated for parking of motor vehicles other than yours?
Parking is between the arena and horse barn
- Are there any employees other than person residing on the property?
No employees other than us.
- How many people use the facility at one time?
Typically there are no more than 15 people at any one time. Occasionally we give educational tours of the facility, and on those occasions there may be a few more people.
- Would there be more than 10 cars on the property at anyone time?
Usually, no.
- How many horse trailers are parked on the property?
There are five horse trailers that belong to the boarders.

Phil Williamson stated that the previous owners operated a similar operation, but they never had a Home Occupation – Major Category B. He also explained that the Flannery's have owned the property since 1999. The arena roof collapsed in 2004 and was the structure was replaced, but the size, shape and location of the building are the same as the original. Phil Williamson stated that operation complies with the criteria established for a Home Occupation – Major Category B as established in Section 180-43.1(A).

Phil Williamson further stated that the Fire Marshall and Building Inspector must certify that the structures and proposed use comply with the New York State Uniform Fire Prevision of Building Code.

Phil Williamson stated that the next step would be to complete the application and advertise for a public hearing.

2. Concept discussion of Fran DeLooze for subdivision of land, located at 4777 County Line Road. Property is zoned: RR-1.

Fran DeLooze of 4777 County Line Road was present to discuss the plan to subdivide his property. He explained that the existing parcel is 23.86 acres and he would like to subdivide the parcel and sell the home where he currently lives with 10.3 acres and build a ranch home for himself on the remaining 13.6 acres of the property.

Mr. DeLooze stated that the setbacks are at approximately 140 feet from County Line and 140 feet from Kennedy Road. He would like the driveway to access onto Kennedy Road. Mr. DeLooze stated that this would be the only house on Kennedy Road.

Gene Bavis questioned how far the shed is from the proposed property line? Mr. DeLooze responded that it is a 15-foot side setback and is in compliance with Town Code.

Gene Bavis stated that since Mr. DeLooze intends to build on the property eventually, that it would be his recommendation that subdivision and site plan approval be done in one step to save on time and expense. Phil Williamson concurred with Gene Bavis. Mr. Bavis also suggested preliminary soil and perk tests be completed prior to proceeding further.

Phil Williamson stated that he has recent conversations with Carl Hewings of Parrone Engineering regarding the process of obtaining subdivision approval and he would share the guidelines with Mr. DeLooze. Mr. Williamson stated that this meeting is an informational session and that the concept drawing should show topographic information and that preliminary soil and perk tests be completed to make sure the land will perk.

Phil Williamson questioned the time frame? Mr. DeLooze stated that he if he is able to sell his home by August or September of this year, he would like to break ground in April of 2008.

Chairman Ruth stated that the Board does not have any problems with the proposed subdivision and recommended that Mr. DeLooze keep in contact with Mr. Williamson to guide him through the process.

3. Concept discussion of Craig & Betsy Kota for 2-Lot Subdivision, located at 120 Mildahn Road. Property is zoned: R.

Karen Kosten of Civil Solutions, Penfield was present to represent the applicants, Craig & Betsy Kota. Ms. Kosta provided an aerial map of the proposed subdivision to the Board.

Ms. Kosten explained that the property is 12.88 acres and is located on Mildahn Road, 950 east of County Line Road. Mr. and Mrs. Kota live on the adjacent property to the west. They would like to divide the 12.88 acres into two building lots. Their neighbor, David Ragaisis on Mildahn Road is interested in purchasing a 1.3 acres triangular piece that would be annexed to the property to provide a buffer area between his home and the other two building lots.

Chairman Ruth questioned, "Wouldn't this be a 3-Lot Subdivision?" Phil Williamson responded, "Yes, it would be a 3-Lot subdivision".

Preliminary perk tests have been conducted and final tests will be scheduled in the near future. The topographical survey has been completed.

Gene Bavis questioned the width of the access to the two building lots. Ms. Kosta responded that it would be 60 feet. Gene Bavis questioned, "Would you be dividing that in half?". Ms. Kosten responded, "Instead of making each drive 30 feet, they would like to make one driveway 20 feet and the other 40 ft. This is because of the topography of the land and the existence of a drainage ditch on the west side of the property. Ms. Kosten added that the Kota's prefer having two separate driveways and are not interested in a common drive. Gene Bavis stated that she may want to consider driveways that are 25 ft and 35 ft. Ms. Kosten stated that adjustments can be made, as she is in the preliminary planning stages.

Gene Bavis made the suggestion of having the first part of the driveway off of Mildahn Road being a shared drive before the point that it would split off into two separate driveways. Chairman Ruth stated that a driveway agreement would need to be drawn up. Chairman Ruth added that it was his feeling that a shared driveway should be avoided if at all possible.

Elaine Leasure asked the length of the driveway. Ms. Kosten replied that they would be 600-650 feet in length. Phil Williamson stated that driveways 500 feet or longer would require a variance from the Zoning Board. Phil Williamson stated that the Town Attorney should be consulted in regard to legal issues involved in the length of the driveway and from what point it should be measured.

Gene Bavis questioned, "Is your intention to do the subdivision and site plan approval at the same time?" Ms. Kotten answered, "Yes, that is the plan".

Phil Williamson stated that Ms. Kosten should come back before the Planning Board at another worksession to provide a map with topographical details.

The Board did not have any problems with what has been presented at this time.

4. Discussion of Edmund Jones for Special Use Permit to operate an auto sales shop at 2320 Walworth-Marion Road. Property is zoned: B-2

Edmund Jones was present to discuss the application for a Special Use Permit. Mr. Jones explained that his parents own Med-Co Machine at 2320 Walworth-Marion Road and it will continue to operate as a machine shop. Mr. Jones is seeking to lease the front portion of the building as office space for his whole car sales business.

The business will primarily be an internet-based business selling higher end automobiles about 2-7 years old. Part of the parking lot will be used to show the cars to prospective buyers. Six parking spaces have been designated on the map; although initially he envisions only have one to three cars at any one time. Showings will be primarily by appointment.

Gene Bavis questioned, "Will there be any inside space for vehicles?" Mr. Jones replied, "No, just office space."

Pete Schillaci questioned, "Will you be doing paint or doll-up work on the vehicles?" Mr. Jones answered, "I have arranged for "Wayne County Automotive" which is located next door to do any such work on the vehicles".

Chairman Ruth questioned whether space would need to be designated for customer parking? Phil Williamson explained that the Town law would require only one space for Mr. Jones personal vehicle, based on the square footage of 200 square feet of office space or less. The machine shop has 23 parking spaces along the side of the building and only uses about 3 spaces; so ample parking is available on the premises.

Gene Bavis questioned if there would be a sign. Mr. Jones answered that he may put a sign in the window of the office, but he does not intend to have a sign near the road.

A state dealer license through DMV must be displayed on the building. Mr. Jones stated that he must obtain the Special Use Permit prior to applying for the dealer license. Phil Williamson stated that one of the conditions of approval should be that he does obtain a New York State Dealer License.

The Board did not see any problems with the application and recommended moving forward to advertise a public hearing for the Special Use Permit.

5. Discussion of Janet O'Brien, 115 Knollwood Drive for a 2-Lot Realty subdivision. Property is zoned: RR-2.

Janet O'Brien, 115 Knollwood Drive was present to discuss subdividing 6.3 acres of land off of the original parcel, located approximately 1,075 feet from County Line Road, north of Atlantic Avenue. Mrs. O'Brien stated that in September 2006 she subdivided another lot (Lot #1) off of the parcel and now she is coming before the Board to subdivide the piece of land adjacent to it (Lot #2).

Janet O'Brien provided a map to the proposed subdivision, prepared by Joseph Leoni, Land Surveyor of East Rochester.

Gene Bavis asked, "Have preliminary perk tests been done on Lot 2?" Mrs. O'Brien answered, "No, the prospective buyer understands that perk test and site plans will be their responsibility."

Gene Bavis stated that it is advisable to have preliminary perk tests completed prior to subdivision to make sure that the land will be usable to the buyer. Chairman Ruth responded that although that is advisable, it is not required until site plan approval is given. This is an issue to be worked out between the seller and the buyer.

Gene Bavis questioned whether there were any problems with driveway access. Phil Williamson stated that this State DOT would make that determination.

Discussion ensued about future plans for the rest of the property. Mrs. O'Brien stated that their residence is on the South side of Atlantic and they plan to continue to live there. They hope to subdivide the farmhouse off of the property, along with some land, and will be coming before the Planning Board with a third request for a subdivision in the near future. A fourth building lot of approximately 3 acres is also anticipated.

Phil Williamson stated that the map must be approved by the Town Engineer prior to coming before the Planning Board for approval. The application would also need to go to the County as it is on a County Road.

Chairman Ruth adjourned the meeting at 8:37 P.M.

Gail Rutkowski, Clerk