

Gene Bavis, Chairman called the regular meeting of the Planning Board to order at 7:30 P.M. Members present were Chairman Gene Bavis, Rick Johnson, Deborah Amsler, Karel Ambroz and Marlene Hall (alternate). Member Elaine Leasure was absent. Also present was Phil Williamson, Code Enforcement Officer, Norm Druschel, Building Inspector, Suzi Mance, Planning Board Liaison.

Rick Johnson made a motion, seconded by Karel Ambroz to approve the minutes of February 10, 2014 as written. Motion carried.

1. Application of Ted Wicks for Home Occupation – Major Category B, to operate a horse-boarding stable and training facility at property located at 4240 Ontario Center Road, approximately 2 miles north of intersection of Route 441 and Route 350. Property is zoned: RR-1 – Rural Residential -1 acre (Public Hearing).

Ted Wicks, Salt Road, Penfield was present. He explain that he has made an offer to purchase the property at 4240 Ontario Road to operate a horse boarding and training facility to be called Pinnacle Farms LLC that will operate basically the same as the Landmark Stables currently owned by Amy Johnson.

Mr. Wicks presented to the Board some minor modifications to the existing Landmark Stables Home Occupation, Major-Category B Permit.

- The parcel size is 42.647 acres
- The hours of operations will be 8:00 A.M. – 8:00 P.M. (seven days a week)
- Would like to expand the employees to 3.
- The number of people using the facility at any one time varies, but typically there would be less than twenty(20) cars and six(6) horse trailers
- Within two years would like to offer up to four (4) horse shows annually, with less than 100 participants. Additional parking would be available in the pastures (no parking on the street)
- Would like to request a larger sign, preferably 4 ft. x 8 ft.

A sketch of the proposed layout of the property was shown to the Board. The future 5-year plan includes clearing some land for additional pastures, adding an outdoor ring, new trails and reconfiguring the parking area.

Chairman Bavis asked Phil Williamson if the requested modifications conform to the zoning regulations? Phil Williamson said that current Home Occupation, Major – Category B states:

- The occupation, business or profession does not employ more than one person on the premises who does not reside on the premises; 180-43.1 (f)

Phil Williamson stated that one of the proposed changes to the zoning law is to increase the number of employees to five. The Town Attorney is working with the Town staff and reviewing the next set of changes prior to coming before the Town Board for approval. Chairman Bavis requested that the Planning Board would like to see the proposed changes prior to them coming before the Town Board for a public hearing.

- One home occupation sign not exceeding 30 inches by 30 inches in area per dwelling 180-40.1(e)

A larger sign would require a variance from the Zoning Board of Appeals.

Karel Ambroz asked several questions of the applicant. Would there be any additional access points onto Ontario Center Road? Mr. Wick said that there would not be. There will not be a tack shop. Mr. Wick also said that he operates a horse boarding/training facility in Penfield on Salt Road.

Marlene Hall asked if the current zoning regarding the number of employees would be a problem. Mr. Wicks said that he did not think he would need additional employees for 2 or 3 years, and by that time the proposed zoning changes would probably be in effect.

Chairman Bavis opened the public hearing.

There was no public comment.

Karel Ambroz made a motion, seconded by Rick Johnson to close the public hearing. Motion carried.

Rick Johnson made the following motion, seconded by Deb Amsler:

Having received an application of Home Occupation Major – Category B at 4240 Ontario Center Road, for the purpose of operating a horse-boarding staboe and training facility and after hearing all parties wishing to speak for or against the request, I move the request for a Home occupation Major – Category B be granted because it does meet the criteria set forth in the definition of Home Occupation Major category B in Section 180-43.1D(2): Occupation Major, Category B.

1. The property is in full compliance with the provision of Chapter 180 of the Municipal Code of the Town of Walworth.
2. The occupational use is incidental, secondary and/or subordinate to the use of the dwelling unit for residential purposes.
3. No other Home Occupation, Major-Category A or Home Occupation, Major-Category B is conducted on the premises.
4. The proposed Home Occupation, business or profession will not employ more than one (1) person on the premises who does not reside on the premises.
5. The hours of operation are 9:00 A.M. – 9:00 P.M. (seven days a week)
6. Mr. Wicks stated at the April 14, 2014 public hearing that the parcel was 42.647 acres; however, the tax map #63115-00-196117 shows the parcel to be 40.42 acres.
7. Manure is to be spread according to Town Code regulations.
8. There shall be a maximum of thirty (30) horses boarded on the property.
9. The number of people using the facility at on time varies, but typically there are less than twenty (20) people at any one time.
10. There will be parking for twenty (20) cars and six (6) horse trailers on the property as shown on the map.
11. Riding lesson will be taught at the facility.
12. There will be up to four (4) horse shows annually. Expected participants to be less than 100. Additional parking would be available in the pastures.
13. There will be no sale of goods, such as tack equipment on the premises.
14. The proposed Home Occupation is not advertised by a sign over 30" x 30" in area and not more than six (6) feet above grade or ground levels, and is otherwise in full compliance with Chapter 180-40E(1). A larger sign would need the approval of the Zoning Board of Appeals.
15. The Fire Marshal or Building Inspector shall certify that the structure or structures are safe for the proposed use of the property.
16. Screening and buffering must remain as it is on the date the Home Occupation was granted.

Roll Vote:	Rick Johnson	Aye
	Marlene Hall	Aye
	Gene Bavis	Aye
	Deb Amsler	Aye
	Karel Ambroz	Aye

Motion carried.

2. Concept discussion of Marilyn Pietrasante for 2-lot Simple Realty Subdivision to subdivide house and one acre from total acreage of 40 acres. Property is located at 310 Atlantic Avenue. Property is zoned: RR-1: Rural Residential – 1 acre.

Samuel and Marilyn Pietrasante were present and said that they currently have their home at 310 Atlantic Avenue for sale and would like to sell it with one acre and retain the remaining 39 acres. The 39 acres is being used as farmland at this time. There is a separate access that the farmer uses.

Chairman Bavis asked if a survey map had been done, and Mrs. Pietrasante said that she had contacted a local surveyor, but it wasn't done yet.

Chairman Bavis told the applicants that they need to make sure that all the utilities, septic system driveway, etc. are on the one acre to be subdivided. Mrs. Pietrasante said that all the buildings would be on the one acre residential parcel. Chairman Bavis stated that any barns housing animals would need to be 100 ft. from any property line. Mrs. Pietrasante said that the only barn on the property had burned and was no longer there. The Board viewed a tape location map of the property.

The Board concurred that they did not see any issues with the simple realty subdivision. The next step would be to submit a formal application and subdivision map and schedule a public hearing.

3. Other

Suzi Mance reminded the Board of the Code of Ethic Training to be presented by Donald Young, Town Attorney on Monday, April 21st at the Town Hall at 5:30 P.M.

Suzi Mance reported that Rick Johnson and she had recently attended a SEQR Training presented by Wayne County that was very informative and shared the information with the Planning Board.

Chairman Bavis adjourned the meeting at 8:22 P.M.

Gail Rutkowski, Clerk