

APPROVED

A Public Hearing before the Zoning Board of Appeals of the Town of Williamson was held on December 18, 2008, in the Town Conference Room at 8:00 P.M.

The following members were:

Present: Jay Peters, Chairman
Kurt Allman
Leigh Furnal
Ernie Norton
Bruce Akins

Absent: None

Also in attendance: Marko Disisto, Jack Moore, Joi Ann Kinley, Joe Mitchell and Stephen Haywood, Assessor/Zoning Officer.

The minutes of the November 20, 2008, meeting were submitted for approval. A motion was made by Kurt Allman and seconded by Leigh Furnal to approve the minutes as submitted. Motion carried.

There were no Notice of Actions for this month.

Agenda Items:

Continuation of Appeal No. 747 – First Presbyterian Church of Williamson. A request for a special use permit to operate a not-for-profit youth coffee house. Property owned by Donald Camp, Paula Priest and Raymond Luke Cino and located at 4100 Ridge Road.

The members of the Presbyterian Church has asked for a continuance for this variance because members were unable to attend tonight's meeting because of prior commitments. After Board consideration, Bruce Akins made a motion to table Appeal No. 747 until the January, 2009, meeting. Leigh Furnal seconded the motion. Upon roll call vote, all voted in favor of the motion.

Appeal No. 748 – Joi Ann Kinley of Mitchell Auto Brokers Inc. A request for a special use permit for a clubhouse use in a C-2 zone. Property is owned by Corner Quick Stop, Inc. and is located at 4346 Route 104, Williamson.

Joi Ann appeared before the Board and explained that they have made an area separate from the used car business where they gather to eat and talk with family and friends. That area is currently set up with tables and chairs. Chairman Peters asked Steve Haywood why a permit was needed for this purpose. Steve Haywood referred the Board to the definition of a "clubhouse" in the Williamson Code Book. Mr. Haywood stated that the use schedule requires all "clubhouse" uses within a C-2 zone must file for a special use permit. Leigh Furnal asked how many people they would entertain at any one time. Ms. Kinley indicated that 27 people had attended a birthday party there. They also stated that they thought there

would be a maximum of 45 people at any one time. Questions were asked to Mr. Haywood as to the maximum square foot allowable for each person for the area in question. Mr. Haywood stated that for the 24' x 28' area they wish to use, 15 feet per square foot per person is allowed with a maximum of 45 people for the area in question. Leigh Furnal asked if they had a scheduled time for their family meetings. They replied that they are currently meeting on Mondays for breakfast.

The Board raised a question as to the type of sewer on the property. It has a private septic system.

Ernie asked about parking and where the parking would be located and how many at one time do they anticipate. Mr. Mitchell indicated that he thought somewhere around 25-30 cars and parking would be west of the "clubhouse". He also stated that at this time he only sells between 4-5 cars at a time. Mr. Haywood indicated that a parking plan would need to be submitted to the Planning Board for their review.

The Board brought up a situation in the Town of Ontario where an individual had a clubhouse in a residential area and how this might be similar in nature.

Chairman Peters asked if there was any public input. Jack Moore spoke and said he has not had the best dealings with Mr. Mitchell. Mr. Moore claims that Mr. Mitchell was claiming some of his property as his own. He also stated that Mr. Mitchell has brought in two RV's and they have had bon fires. Mr. Moore also stated that Mitchell was dumping garbage on Marc Disisto's property. Chairman Peters indicated this was more of a code enforcement issue and that questions should be raised pertaining to the matter at hand.

Ernie Norton questioned whether the shed where the stove and sink are located meets code and whether sprinklers are required. Steve Haywood indicated that he has not seen the setup and could not comment and said sprinklers are not required in this case.

Ernie Norton motioned to refer Appeal No. 748 for a special use permit to the Planning Board for their review. Bruce Akins seconded the motion. Upon roll call vote, all voted to refer said variance to the Planning Board.

There being no further business, a motion was made by Ernie Norton to adjourn the meeting. Kurt Allman seconded the motion. The meeting was adjourned at 8:20 P.M.

Respectfully submitted,

Paula Dathyn
Secretary
Zoning Board of Appeals