

Chairperson Michael Kunzer called the regular meeting of the Zoning Board of Appeals of the Town of Walworth to order at 7:00 PM. Members present: Michael Kunzer, Becky Appleman, Emily Kunz, and Marlene Hall. Phil Williamson, Code Enforcement Officer was also present. Member absent: Charles Buss.

Chairperson Kunzer asked if there were any corrections to the minutes of December 3, 2018. No issues or concerns were brought forward. Becky Appleman made a motion, seconded by Emily Kunz, to approve the minutes of December 3, 2018 as presented. All members were in favor. Motion carried.

Chairperson Kunzer addressed the first and only item on the Agenda.

1. Application of Josette Montebella seeking an area variance regarding a Home Occupation Major (Category B) at 420 Haley Road. The Planning Board of the Town of Walworth granted the request for a Home Occupation Major (Category B) with a condition that prior to starting the Home Occupation Major (Category B) an area variance must be granted by the Zoning Board of Appeals of the Town of Walworth. The applicant seeks relief from Section 180-43.1 (1) Home Occupation, Major (Category B). Property is zoned RR1 District-Single Residential. (Public Hearing)

Chairperson Kunzer reminded the public and Board that we are at this meeting to consider and discuss only the size of the applicant’s lot and what she is requesting relief from in her application. Chairperson Kunzer said this is an application for an area variance, not a use variance.

Chairperson Kunzer opened the public hearing at 7:04 PM.

Chairperson Kunzer asked the Board members if they read the application and binders provided by the applicant. The Board members said they read through the application and binder. Chairperson Kunzer asked the applicant if she had anything to add beyond what is in the binder. Ms. Montebella said she had nothing to add.

Chairperson Kunzer asked if there were any comments from the public.

John Pier of 428 Haley Road came forward to speak before the Board. Mr. Pier said the applicant does not have a decent size lot of at least 5 acres so as not to affect the neighbors with this Home Occupation. Mr. Pier said other dog boarders have larger lots where neighboring houses aren’t close so the neighbors aren’t affected by the sound from the kennels. Mr. Pier said the proposed kennel will be close to their lot line so he will be close to the barking dogs.

Chairperson Kunzer asked if there were any more comments from the public. There were no more issues brought forward. Chairperson Kunzer closed the public hearing at 7:08 PM.

Chairperson Kunzer said the Planning Board was under the impression the applicant had 4.921 acres so they placed the condition on the Home Occupation Major (Category B) that the applicant needs to apply for a variance. Chairperson Kunzer said the survey map done by Jamie C. Wolcott, PLS and the Deed from Wayne County written according to a survey map done by C. Newton Gowdy state Ms. Montebella owns 5 acres. Ms. Appleman said that the Deed states she owns 5 acres so the applicant does not need a variance. The other Board members said they agreed. Chairperson Kunzer said that there is no need to grant or deny this variance.

Becky Appleman made a motion, seconded by Marlene Hall, that no action is required by the Zoning Board to either grant or deny the application for an area variance.

Roll Vote:	Chairperson Kunzer	Aye
	Becky Appleman	Aye
	Marlene Hall	Aye
	Emily Kunz	Aye

Motion carried.

Chairperson Kunzer asked if there was any other business before the Board. No other issues were brought forward. Chairperson Kunzer adjourned the meeting at 7:12 PM.

Respectfully Submitted,

Barbara Goulette, Zoning Board Clerk