

**PUBLIC HEARING
SPECIAL USE AUTHORIZATION
PATRICIA VER PLANK**

The Public Hearing scheduled to be held on Thursday, October 25, 2001 at the East Palmyra Fire Hall, East Palmyra, NY, to consider the application of Patricia VerPlank, 2335 Palmyra-Marion Road, Palmyra, for a special use authorization to have a cabinet business on her property was called to order by Town Supervisor David C. Lyon at 8:00 PM.

Those present at this public hearing, in addition to the Town Board, members, included:

Harlin Tyler	East Palmyra Fire Dept.
Elizabeth DeWitt	East Palmyra
Beth Hoad	East Palmyra
Pat VerPlank	Palmyra
Sylvia Lyon	Palmyra
Harry Wilkins	East Palmyra
Tony Caster	East Palmyra
Roy Wilck	East Palmyra
Jim Milliman	East Palmyra
Betsy Lewis – Courier-Journal	
Bob Grier – Code Enforcement Officer	
Nelson F. Cook – Highway Superintendent	

The legal notice was read by the Town Clerk.

Supervisor Lyon asked Ms. VerPlank to explain to those present what she wants to do. Ms. VerPlank explained that she has displays of both kitchen and bath cabinets and a few craft things to decorate the kitchen and bath. She is going to work by appointment only, so there will not be a problem with traffic or parking.

Supervisor Lyon asked for any comments either for or against this application. Michael Lambrix asked if she should have "craft store" on her application too. Robert Grier told him this would be considered "accessories" and would be allowable.

Supervisor Lyon again asked if there were any comments regarding this application. There being none, he asked that the clerk read the recommendation from the Palmyra Planning Board into these minutes.

The following is a excerpt from the October 9, 2001 minutes of the Town of Palmyra Planning Board:

DATE: October 12, 2001
TO: Beverly Hickman, Town Clerk
FROM: Petra Anderson, Planning/Zoning Clerk
RE: Patricia VerPlank

At the October 9th meeting, the Town Planning Board reviewed the application for Patricia VerPlank for special use permit to operate a home business. The Board recommends approval of the application as submitted with the condition that there be no outside storage. Also I have attached the recommendation from the Wayne county Planning Board.

The following recommendation was received from the Wayne County Planning Board:

Robert Grier, ZEO
T. Palmyra
1180 Canandaigua Road
Palmyra, NY 14522

Re: Patricia VerPlank
2335 Palmyra-Marion Road
Tax Map Reference No: 33112-00-226717
Use Variance

Dear Bob:

At its regular meeting on September 26, 2001, the Wayne County Planning Board reviewed the above referenced referral and recommended Approval of the Use Variance. There is concern relating to the site distance available at the driveway and Jeffrey Road intersection. Site distance information was unavailable. However, it appears site distance to the west "up the hill", may not meet AASHTO standards. Should the site distance be substandard or questionable, the Town may want to explore safer access alternatives. It also appears that an ag data statement needs to be submitted with the referral.

If you have any questions regarding this determination, please don't hesitate to contact me.

Sincerely,
Bret DeRoo
Sr. Planner

Supervisor Lyon asked if there were any questions or comments regarding this application. Michael Lambrix asked about the site distance "up the hill." Robert Grier told him the site distance was not a problem.

Supervisor Lyon asked Mr. Grier about the As Data statement. Mr. Grier told him it does not apply in this instance.

Again Supervisor Lyon asked if there were any more questions or comments regarding this application. There being none, he declared this public hearing closed at 8:08 PM.

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REGULAR MEETING OF THE TOWN BOARD

The regular meeting of the Town Board, Town of Palmyra, scheduled to be held on Thursday, October 25, 2001, at the East

CALL TO
ORDER

Palmyra Fire Hall, Whitbeck Road, East Palmyra (Town of Palmyra), NY, was called to order at 8:08 PM by Town Supervisor David C. Lyon.

PLEDGE OF ALLEGIANCE

Supervisor Lyon led those present in the Pledge of Allegiance to the Flag.

ROLL CALL

Upon roll call, the following board members were present:

- Town Supervisor - David C. Lyon
- Town Board Members - David Nussbaumer
- Lynne Green
- Michael Lambrix
- James Welch

COMMUNICATIONS

- 1. Genesee/Finger Lakes Regional Planning Council – Floodplain & Stormwater Workshop
- 2. Time-Warner proposed Franchise Renewal Agreement
- 3. Wayne County Planning Board- Workshop for Landlords
- 4. VFW Membership Dinner Invitation – Dec. 8 at 6PM

MTN TO APV THE MINUTES OF THE 09/27/2001 MTG

David Nussbaumer moved to approve the minutes of the September 27, 2001 Town Board meetings as submitted.

Seconded by: Lynne Green Carried: Unanimously

REPORTS OF STANDING COMMITTEES

Tourism and Development Committee – Lynne Green, Chairman

Lynne Green stated that she did not have a report at this time.

HIGHWAY SUPERINTENDENT UPDATE

Highway Committee – David Nussbaumer, Chairman

- 1. Mr. Nussbaumer asked Mr. Cook, Highway Superintendent to report on what his department was working on at the moment. Mr. Cook said that they are finishing up off jobs

and getting the barns and the supplies ready for the winter months.

2. Time-Warner contract

TIME-WARNER
CONTRACT

David Nussbaumer reported that with the input from all of the towns and villages involved in the new contract with Time-Warner, we have ended up with the most comprehensive contract in the state. He was very pleased with the result of the joint-effort.

Planning Committee – James Welch, Chairman

CEO UPDATE

1. Code Enforcement Officer Update

CEO Robert Grier provided the board with his monthly report and said that he has spent a great deal of time on inspections for the new mobile home park

Zoning Committee – Michael Lambrix, Chairman

MTN TO APV
SPECIAL AUTH
FOR P. VERPLANK
TO OPERATE A
KITCHEN AND
BATH DESIGN AND
SALES BUSINESS
ON HER
PROPERETY

1. Special Use Authorization, Pat VerPlank – Subject Of Public Hearing

Michael Lambrix moved the following resolution:

WHEREAS, on the 25th day of October 2001, a Public Hearing was held by the Town Board of the Town of Palmyra at 8:00 PM at the East Palmyra Fire Hall, Whitbeck Road, Palmyra, NY, Wayne County, to consider the application of Patricia VerPlank, 2335 Palmyra-Marion Road (NYS Rt. 21), Palmyra, for Special Authorization to operate a kitchen and bath design and sales business.

WHEREAS, the findings of fact as determined by the Town Board, were as follows:

1. The applicants intend to provide a service for the community.
2. The strict application of the provisions of the ordinance would deprive the applicants of the reasonable use of

the land and building for which the special use is sought.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Palmyra does approve a Special Use Permit to Patricia VerPlank with the following conditions:

1. All State and Local codes governing the proposed kitchen and bath design business are met before and during the life of this permit.
2. The property is in compliance with all State and Local Building and Zoning codes.
3. That the applicant notify the Town of Palmyra of any proposed changes in the status of this Special Use Permit.
4. That an inspection of the property before operations commence to insure code compliance takes place.
5. annual inspection by the Town of Palmyra is conducted.
6. This Special Use Permit is limited to Patricia VerPlank only and is not transferable to future owners.
7. This Special Use Permit including Special Conditions, must be agreed to and signed by the applicant in the presence of the Town Clerk or duly authorized Deputy within 10 business days of approval.
8. Special use Permit will also be subject to conditions of original application dated August 29, 2001

Seconded by: David Nussbaumer Carried: Unanimously

MORRISON'S
CHECK
RECEIVED

Michael Lambrix also wanted to inform the board members

that Tom Morrison had given the Town a check as of October 9, 2001.

AGENDA ITEMS

ASSESSOR'S
MONTHLY
REPORT

1. Assessor's monthly report

A written report was given to each Board member.

2. Town Clerk petty cash fund

Beverly Hickman, Town Clerk, explained to the board, that she needs to have a sum of money (petty cash) to be kept in her checking account to cover such things as bad checks etc. At the moment, that account goes back to a zero balance after end of the

month checks are written leaving nothing to cover a bad check and making her account over-drawn. David Nussbaumer moved to approve \$100 be placed into the Town Clerk's checking account to cover bad checks etc.

MTN TO APV
\$100 PETTY
CASH TO BE
ADDED TO THE
TOWN CLERK'S
CHECKING
ACCT

Seconded by: Michael Lambrix Carried: Unanimously

3. Typewriter quotes

The typewriter in the Town Clerk's Office is about on it's last leg and needs to be replaced. Three quotes for new typewriters were presented to the Board along with several repair bills from the last couple of years on the existing typewriter. David Nussbaumer moved to purchase a new typewriter for the Town Clerk's Office at a cost not to exceed \$360.00.

MTN TO APV
THE
PURCHASE OF
TYPEWRITER
FOR THE
TOWN CLERK'S
OFFICE

Seconded by: Lynne Green Carried: Unanimously

4. Declare present typewriter surplus

David Nussbaumer moved to declare the Brother typewriter presently in the Town Clerk's Office as surplus and for same to be placed in the auction in the spring of 2002.

MOTION TO
DECLARE THE
PRESENT
TYPEWRITER
SURPLUS
EQUIPMENT

Seconded by: James Welch Carried: Unanimously

5. November meetings

Supervisor Lyon reminded those present that the November 8, 2001 meeting is a public hearing regarding the preliminary budget at 7:30 PM at the Town Hall. The regular November meeting will be held on the 29th and that will also be 7:30 PM at the new Town Hall.

REMINDER OF
DATES OF THE
NOVEMBER
MEETINGS

At this time, Nelson Cook, Highway Superintendent, thanked the EMT's from the East Palmyra Fire Department for their quick response when his Deputy fell off the truck and broke his collar bone. He said their help was very much appreciated.

HIWY SUPER
THANKED
THE EMT'S
FOR THEIR
QUICK
RESPONSE
WHEN HIS
DEPUTY WAS
HURT

Following a review of the claims and expenditures submitted for payment, David Nussbaumer moved to approve payment of same with totals shown on Abstract 26 as follows:

MTN TO APV
APYMENT OF
VOUCHERS

Voucher #'s	Totals
2113 – 2207	\$129,714.58

Seconded by: Michael Lambrix Carried: Unanimously

(Supervisor Lyon abstained on voucher #2144)

MTN TO
ADJOURN

Michael Lambrix moved to adjourn this meeting of the Town Board.

Seconded by: David Nussbaumer Carried: Unanimously

Respectfully submitted,

Beverly E. Hickman
Town Clerk