**Present:** Scott VanAken, Steve Buerman, John Boeckmann, Lee Sanders, Julie Vanderwall, Jefferey Flower, Julie Vanderwall, Board members. Stuart Gwilt, Chairman, Steve DeHond Code Enforcement Officer, and Nichole Ruggles secretary.

**Absent:** none

**Also, present:** Peter Sarks for James Herberle’s behalf

**Application # 4637-22**: Submitted by Walter Winianrczyk for James Herberle who is requesting subdivision on approval to create a flag lot on property located at 3815 State Route 96, tax map# 32.00-2-36.100 in an R-1 district pursuant to Chapter 325 Section 325-19-E.

Stuart Gwilt, Chairman reviewed the hearing notice. At this time the board reviewed the survey map. Stuart read the Ontario Counties comments as stated below.

1. What plans for remaining area of parcel?
2. How may lots can be served off a private road/driveway and what are development standards for a private road?

Project area on the east side of CR 96 and involves a 3.86-acre lot with a home and barn. The proposed lot includes 25’ of frontage on CR 96. The proposed access, however is via a 20’ access and utility easement using the existing gravel driveway on the existing lot. The project includes grading so that stormwater drains to an existing drainageway that flows east across the parent parcel. The Town of Manchester allows flag lots in the A-1 Agricultural district if adjacent land is not in a common ownership -see 325-19E-1. The parent lot has 280’ of frontage which is not sufficient to meet the 175’ lot width requirements for 2 standard lots.

According to OnCor, the property and adjacent properties are in Ontario County Agricultural District #1 and not constrained by steep slopes, wetlands, or floodplains.

1. The referring body should consider whether road frontage and a potential future additional driveway are desirable at this location. NYS statute allows local planning boards authorized to review subdivisions to approve lots without frontage on a public road if adequate access arrangements (such as the proposed easement) are in place.
2. Desirable driveway/road connection spacing on a collector road with speed limit of 45 mph or higher is 440’ including roads and driveways on both sides of the road.

Peter: No other additions or plans at this time, I cannot speak for them but what I have are the current plans.

Scott VanAken: Why are they subdividing?

Steuart Gwilt: Where are the water lines?

At this time the board had many discussions back and forth with Peter while reviewing the survey map.

Steve Buerman: Are two parcels being divided or just one? Many questions regarding the survey map confusion, we should have the map clarify if they are subdividing one or two lots and where the boundary lines are.

Peter: Good question, I am not sure? More review of the map with the board members.

Scott VanAken: This should be clarified for the ZBA too.

Stuart Gwilt: We must send this to the ZBA, and they will have the same questions and they do not allow flag lots in a R-1 district.

Steve Buerman: We would also need more information on the driveway and any future plans for the property.

Lee Sanders: Reviewing the survey map, where is the property line? There are some definite questions around this.

Stuart Gwilt: Any other questions?

Peter: Is there approval for this property?

Stuart Gwilt: No, we cannot approve a flag lot, state law. This must go to the ZBA that is held on December 6th. All the questions need to be answered at that time for any decision to be made.

**Previous Minutes:**

A motion was made by Lee Sanders to approve the meeting minuets, which took place on May 17, 2022. Motion was seconded by Jeffery Flower. All voted “Aye.” Motion carried.

At this time the meeting was stopped at 7:22pm.

Respectfully submitted,

Stuart Gwilt Nichole Ruggles

Planning Board Chairman Recording Secretary