

Chairperson Johnson called the regular meeting of the Planning Board to order at 7:05PM. Members present were Chairperson Rick Johnson; Lou Villanova; and Dennis Landry. Also present were Norm Druschel, Building Inspector; Donald Young, Attorney for the Town (Young Law of WNY); and Michael Simon, Engineer for the Town (LaBella Engineering). Elaine Leasure, Planning Board member; Marlene Hall, Planning Board member; and Phil Williamson, Code Enforcement Officer were absent from the meeting. Due to the COVID-19 pandemic and to comply with CDC social distancing, the meeting was held via video conferencing, accessible live to the public.

Chairperson Johnson asked the Board if there were any corrections that needed to be made regarding the minutes of March 9, 2020. Mr. Villanova made a motion, seconded by Mr. Landry, to accept the minutes of the March meeting. All members were in favor. Motion carried.

Chairperson Johnson addressed the first item on the Agenda:

1. Application of Bruce Howlett, Lehrwood Estates, LLC for 1112 E. River Rd., Avon, NY 14414 for Final Approval for 98 Residential Lots known as Lehrwood Estates Subdivision. The property is located on Mildahn Road approximately 1500 feet west of intersection of Mildahn Rd & Gananda Parkway, Town of Walworth, and County of Wayne. Property is zoned R- Residential.

Chairperson Johnson asked Mr. Simon if he had any comments at this time. Mr. Simon said he sent a letter to the Town and the applicant's engineer dated April 7, 2020, and he does not see anything that he and the engineer on the project can not work out. Mr. Simon said that his comments need to be addressed, and the Town Department Heads and Attorney for the Town be satisfied before the plans are signed.

Town of Walworth, Planning Board
3600 Lorraine Drive
Walworth, New York 14568
Proposed Lehrwood Estates Subdivision
Final Phase 1 Plans
241 Mildahn Rd.
LaBella Project No. 212141.106

Dear Planning Board Members:

We have reviewed the Final Phase 1 subdivision plans dated 3/20/2020 and comment responses prepared by Marathon Engineering for the proposed Lehrwood Estates Subdivision at 241 Mildahn Road and offer the following:

1. The conservation easement and wetland buffer markers will be required on the Phase 2 plans.
2. The laterals are labeled on the plans but not shown, these should be added to the plans along with a note that indicates no laterals will be installed under the driveway surfaces.
3. Include sump pump/gravity piping on future plans for Town to review.
4. The applicant should continue to work with Town in order to determine ownership of street lighting. After this is determined, the owner will add/submit necessary details and location of street lighting. It has been agreed street lighting will be located at all of the roadway intersections.
5. The access to the SWMF should be provided directly from Mildahn Road through the Town owned lands. Providing limited access between the homes will cause issues for Town maintenance crews in the future. Stabilized access should be added around the entire SWMF in order for heavy equipment to be used with limited impact to the SWMF banks and nearby state wetland buffer. This will be required with Phase 1 of the development. The plans should indicate the easements that will be included for both of the SWMF.
6. The installation of the sanitary sewer between the homes on Everwild Lane could be challenging and may require new storm sewer installation in this area as well. A note should be added to the plans that if the Town feels it necessary to replace the existing storm sewer it will be completed by the developer. Additionally, future access to this new utility should be discussed with the Town Sewer Department.
7. The sidewalk limits for Turtle Run and Longleaf Lane need to be more clearly labeled on the plans. A sidewalk detail also needs to be added to the detail sheets.
8. The road pavement detail is not clear, the road base and asphalt layers should be clearly listed including 2.5 inches of compacted asphalt binder.
9. It is our understanding that the open cuts on Mildahn Road are being permitted by the Town with the use of stone back fill material and not native material. Please adjust the notes and details on plan sheet C6.3 accordingly.
10. The applicant should have the County Highway Department sign off on the roads section being proposed on Gananda Parkway.
11. Provide 4" underdrain on the gutter detail.
12. Town to review storm check valves during building permit review.
13. The plans should label easement widths, we understand an easement map will be provided in the future.
14. Provide a detail for new SWMF outlet structure.
15. The revised SWPPP should be provided for review.

16. The plan provides a number of temporary sediment basins, once these become filled with sediment and/or stormwater, where is the ultimate disposition, particularly with Basin D and E2. There is close to 50 feet of drop across the site and the Town does not want the sediment entering the road network or the current flow paths that lead to the wetlands. It may be helpful to oversize these temporary facilities.

17. A curtain drain should be considered under the swale along the base of the slope in the back of lots 94-97. The town will not take easement or future responsibility over this drain.

18. Show proposed slope and overland flow protection for the temporary swale entering the SWMF.

19. We are in receipt of the drafts of the district reports for sanitary sewer, lighting and sidewalks. We will review these with the Town representatives and provide comment under separate cover. Town Board Public Hearings will be required for the district formations which can be coordinated with the Town Board, Town Clerk and Town Attorney.

20. We will schedule a meeting (when appropriate) with Town Department heads to go over final details procedures such as filing of the maps and other specific requirements such as the Letter Credit process as well on site observation.

I can be reached via email, msimon@labellapc.com, or on my cell phone at 585-455-3375. Thank you.

Respectfully submitted,
LaBella Associates
Michael A. Simon
Senior Project Manager
Cc Via Email
Rick Johnson, Planning Board Chair
Tim Vendel, Highway Superintendent
Rob Burns, Sewer Superintendent
Barb Goulette, Board Secretary
Donald Young, Esq.
Matt Tomlinson, Marathon Engineering

Chairperson Johnson asked Mr. Simon if the final plan is in substantial agreement with the preliminary plan the Planning Board approved at the March Planning Board meeting. Mr. Simon said there has not been any substantial change except to add more detail. Chairperson Johnson said the final plan is in substantial agreement with the preliminary plan, so it requires no public hearing at this time.

Chairperson Johnson asked if there were any comments from the Board. There were no issues brought forward.

Mr. Landry made a motion, seconded by Mr. Villanova, to grant final subdivision approval to the Lehrwood Estates Subdivision Section 1 as required per the Final Approval Resolution as written and subject to the conditions set forth within.

Chairperson read the conditions included in the Resolution.

RESOLUTION APPROVING FINAL SUBDIVISION PLAT FOR SECTION 1 OF THE RESIDENTIAL SUBDIVISION COMMONLY KNOWN AS “LEHRWOOD ESTATES SUBDIVISION”

Councilperson _____ moved the following Resolution for adoption. Seconded by Councilperson _____, to wit:

WHEREAS, Marathon Engineering has made application on behalf of its client, Lehrwood Estates, LLC (the “Applicant”) to the Town of Walworth to construct a residential subdivision comprising 98 residential lots on a ~76 acre parcel at or about Mildahn Road commonly known and referred to as “Lehrwood Estates Subdivision” (the “Application”); and

WHEREAS, the Applicant has received conditional Preliminary Subdivision approval by the Planning Board and conditional Cluster approval by Town Board; and

WHEREAS, environmental review was completed on the Application resulting in the issuance of a negative declaration by the Planning Board; and

WHEREAS, such Application was referred to the County Planning Board and more than 30 days have passed, and no comment has been received by the County; and

WHEREAS, the Planning Board duly held a public hearing on the Application, and the final subdivision plat is in compliance with and substantially similar to the preliminary plat and, as such, no further public hearings are required; and

WHEREAS, the Planning Board has received and fully reviewed all application materials, documents and other information relevant to the Application, including those comments submitted during public hearing relative to the application; and

WHEREAS, the Planning Board has reviewed the Comprehensive Plan and the Parks and Recreation Master Plan to determine whether a proper case exists for requiring that a park or parks be suitably located for

playgrounds or other recreational purposes within the Town, including an evaluation of the present and anticipated future needs for park and recreational facilities in the Town based on projected population growth to which the particular subdivision plat will contribute.

NOW, THEREFORE, BE IT, RESOLVED, that the Planning Board hereby approves the final subdivision plat for Section 1 of the Application, subject to the following conditions:

1. That in accordance with all findings and for all reasons set forth in the Preliminary Subdivision approval, all of which are hereby incorporated herein and made a part hereof, a fee of \$650.00 per residential lot a part of this subdivision shall be paid to the Town, all in accordance with Town Law Section 277 and in lieu of a set side of parkland, such monies being due prior to the issuance of a building permit; and
2. That all those conditions and requirements a part of the Walworth Town Board’s cluster subdivision approval resolution, all of which are hereby incorporated herein and made a part hereof, be satisfied as required therein; and
3. That all engineering comments submitted by the Town Engineer, all of which are hereby incorporated herein and made a part hereof, be satisfied to the Town Engineer’s satisfaction, including but not limited to those comments issued by letter dated April 7, 2020; and
4. That all comments by the Town’s highway department be satisfied to the satisfaction of the Town Highway Superintendent; and
5. That all sewer infrastructure, including the Everwild and Dewbury Pump Station, be properly installed, upgraded and otherwise suitable to the satisfaction of the Town Engineer and Sewer Superintendent; and
6. That all required improvement districts, including, but not limited to, sewer, sidewalk, water, drainage and lighting, be properly formed/extended/improved and implemented to the satisfaction of the Town Engineer and the Town Attorney, including that proper easements be provided, proper security be posted, and all other requirements be met; and
7. That all open space be preserved to the satisfaction of the Town Engineer and Town Attorney, including pursuant to proper easement(s); and
8. That all Codes, standards and requirements applicable to the Application be complied with, unless specifically waived, varied or otherwise formally dispensed with; and
9. That future Sections of the Application shall require the approval of the Planning Board, and shall also comply with the conditions herein.

Roll Vote: Chairperson Johnson Aye
 Dennis Landry Aye
 Lou Villanova Aye

Motion carried.

Chairperson Johnson adjourned the meeting at 7:19PM.

Respectfully Submitted,

Barbara Goulette, Clerk