

Chairperson Johnson called the regular meeting of the Planning Board to order at 7:00PM. Members present were Chairperson Rick Johnson; Lou Villanova; Elaine Leasure; Dennis Landry; and Marlene Hall. Also present were Norm Druschel, Building Inspector; Michael Simon, Engineer for the Town (LaBella Engineering); Phil Williamson, Code Enforcement Officer; and Susie Jacobs, Walworth Town Supervisor. Due to the COVID-19 pandemic and to comply with CDC social distancing, the meeting was held at the Walworth Town Hall and via video and phone 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 August 10, 2020. Ms. Leasure made a motion, seconded by Ms. Hall, to accept the minutes of the August meeting. All other members were in favor. Motion carried.

Chairperson Johnson addressed the first item on the Agenda:

1. Application of Jennifer Buchiere of 1253 Fairport Road, Fairport, NY for Preliminary and Final Approval of a 2-Lot Subdivision for the property located at 576 Plank Road, Town of Walworth, County of Wayne. Property is zoned Hamlet. (Public Hearing)

Jennifer Buchiere of 1253 Fairport Road, Fairport, NY came forward to speak before the Board. Chairperson Johnson said this application was discussed at the previous meeting on August 10, 2020 and then the application was sent to the Wayne County Planning Board, and the Board took input from the community. Chairperson Johnson asked if there were any comments from the Board. No issues were brought forward.

Mr. Simon said there was concern from a neighbor about contamination on this property that may come up when an application comes before the Board for a site plan, but this is a simple subdivision of property so at this time there is no issue.

Chairperson Johnson read the proposed Final Approval Resolution, provided by Michael Simon, Engineer for the Town.

**TOWN OF WALWORTH
FINAL APPROVAL RESOLUTION
BUCHIERE SUBDIVISION
PLANK ROAD**

At a meeting of the Planning Board of the Town of Walworth held on the 14th day of September 2020, at the Town Hall in said Town, Board member _____ moved adoption of the following resolution; Board member _____ seconded the motion:

WHEREAS, the Planning Board of the Town of Walworth has reviewed the proposed action to subdivide Tax Map Number 61116-00-555013, as shown on map prepared by Robert Morris, LS. dated July 15, 2020. The existing 20.42+/- acre parcel will be subdivided into two new parcels, the first parcel being 2.57+/- acres, and second parcel – 17.85 acres, and;

WHEREAS, the Planning Board has completed the State Environmental Quality Review (SEQR) process and determined that the proposed action will not result in any significant environmental impacts;

THEREFORE BE IT FURTHER RESOLVED, that the Planning Board hereby grants Final Subdivision approval for the Buchiere Subdivision with the following conditions;

1. All consultant and Planning Board comments and be addressed prior to plan signatures.
2. Map is duly filed in the Wayne County Clerk’s Office.
3. All comments noted within the NYS DEC letter dated August 7, 2020 will be complied with prior to any development on the newly created lots.
4. A parks and recreation fee shall be assessed for each lot created in the amount currently established by the Town Board and same shall be paid prior to the issuance of a building permit.

Upon being put to a vote, the resolution was _____. AYE _____ NAY _____

STATE OF NEW YORK:

COUNTY OF WAYNE: ss

TOWN OF WALWORTH:

I, Aimee Phillips, Town Clerk of the Town of Walworth, Wayne County, New York, DO HEREBY CERTIFY that I have compared the foregoing resolution duly adopted by the Planning Board of the Town of Walworth on the 14th day of September, 2020 with the original thereof now on file in my office, and the same is a correct and true copy of said resolution and of the whole thereof.

DATED: 2020

(SEAL)

Town Clerk

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Phil Williamson
Town of Walworth
Via email

August 7, 2020

Re: 576 Plank Rd Subdivision Application

Dear Mr. Williamson:

This letter is regarding a Subdivision Application that has been submitted to the Town of Walworth for the 576 Plank Rd parcel. The application proposes subdividing the 20.427-acre parcel to a 17.85-acre lot and a 2.57-acre lot. It appears the 2.57-acre lot will be developed in the future. The exact location of that proposed parcel is unknown.

Please be aware that 576 Plank Rd is currently an Inactive Hazardous Waste Disposal Site (IHWDS) listed as Class 3 meaning contamination does not presently constitute a significant threat to public health or the environment. In addition, there are specific requirements associated with developing IHWDS sites (see <https://www.dec.ny.gov/chemical/76250.html> for more information.)

The Department requests that you share any further documents regarding this proposal to Danielle.miles@dec.ny.gov. If you have any questions, please contact me at 585-226-5349 or by email.

Sincerely,
Danielle Miles
Project Manager
cc: David Pratt, NYSDEC

Mr. Landry made a motion, seconded by Ms. Hall, to adopt the Final Approval Resolution as written.

Roll Vote:	Chairperson Johnson	Aye
	Lou Villanova	Aye
	Elaine Leasure	Aye
	Marlene Hall	Aye
	Dennis Landry	Aye

Motion carried.

Chairperson Johnson addressed the second item on the Agenda:

2. Application of Steven Smith for Preliminary and Final approval to construct a pond at 1150’ west of the intersection of Whitney and Lincoln Road, Town of Walworth, and County of Wayne. Property is zoned RR1-Rural Residential 1. (Public Hearing)

Steve Smith of 45 Royal view Drive, Rochester, NY 14625, and owner of the property in this application came forward to speak before the Board. Mr. Smith said the purpose of the pond is he needs fill dirt to bring the house pad up so the dirt will not be leaving the property.

Mr. Landry asked if the pond will be 9 feet deep as per the plans submitted to the Board. Mr. Smith said he does not think it will need to be 9 feet deep. Mr. Landry asked if the applicant will have a gradual slope around the pond. Mr. Smith said he will have the slope more gradual than what is shown in the plans. Mr. Landry and Chairperson Johnson said they would need to see the plans changed. Mr. Landry asked Mr. Smith if the pond will have a liner and how will he maintain the pond to prevent it from becoming a swamp. Mr. Smith said it will not have a liner and it will have a swale in and out of the pond. Mr. Simon said a pond should have at least a 3 to 1 slope, and a 4 to 1 slope is will be a more gradual slope and safer. Mr. Smith said the pond is in the very back corner of the property about 300 feet from the house.

Chairperson Johnson asked if there were any more comments from the Board. No more issues were brought forward.

Chairperson Johnson recommended that the engineer for the applicant does a better drawing that shows what the applicant actually plans to do, and then the Board can review the revised drawing at the next Planning Board meeting. All members were in favor.

Chairperson Johnson addressed the third item on the Agenda:

3. Other: Extension of the approvals that were granted by the Town of Walworth Planning Board on October 15, 2019 for Orchard View Estates-Section 6-Phases A & B.

Anthony Evans of Orchard View Development came forward to speak before the Board. Ms. Leasure asked if anyone who buys this property would have to abide by all of the approvals given for the property. Chairperson Johnson said that is his understanding. Chairperson Johnson said the Planning Board approved the subdivision plat of Section 6-Phases A & B and the plats have been filed with Wayne County, thus the Town’s understanding is that the subdivision approval has been finalized and there should be no further need for an extension at this time. Chairperson Johnson said if the property is sold, the new owner would have to comply with the current approvals or have new site plans approved by the Planning Board. Mr. Williamson agreed. Mr. Evans asked why he did not need this extension approval. Mr. Williamson said he did not need another extension because he filed the plat plan with Wayne County.

Chairperson Johnson asked if there was any other business to come before the Planning Board. Mr. Landry made a motion, seconded by Mr. Villanova, to adjourn the meeting. All members were in favor. Chairperson Johnson adjourned the meeting at 7:44PM.

Respectfully Submitted,
Barbara Goulette, Clerk