

Chairperson Bavis called the regular meeting of the Planning Board to order at 7:30PM. Members present were Chairperson Bavis, Rick Johnson, Lou Villanova, and Dennis Landry. Also present were Norm Druschel, Building Inspector; and Michael Simon, Engineer for the Town (LaBella Engineering). Elaine Leasure, Planning Board member, was present at the meeting and arrived at 7:35pm. Phil Williamson, Code Enforcement Officer, was absent from the meeting.

Chairperson Bavis asked the Board if there were any corrections that needed to be made regarding the minutes of August 12, 2019. There were no issues brought forward. Rick Johnson made a motion, seconded by Lou Villanova, to accept the minutes of the August meeting as written. Chairperson Bavis abstained since he was not present at the August meeting. All other members were in favor. Motion carried.

Chairperson Bavis addressed the first item on the Agenda:

**1. Extension of the approvals that were granted by the Town of Walworth Planning Board on June 10, 2018 for Orchard View Estates-Section 6-Phases A & B. Property is zoned R-Residential.**

Chairperson Bavis read the letter from Michael Ritchie, P.E. of Costich Engineering, D.P.C.:

Planning Board  
Town of Walworth  
3600 Lorraine Drive  
Walworth, NY 14568

RE: Orchard View Estates – Section 6 – Phases A & B  
Request for Extension of Approvals

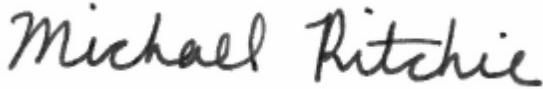
Dear Planning Board Members:

On behalf of our client, Orchard View Development, LLC, with offices at 2160 Church Street, P.O. Box 569, Walworth, NY 14568, we respectfully request that this project be placed on the October 15<sup>th</sup> Planning Board Agenda for an Extension of the Approvals that were granted by the Town of Walworth Planning Board on June 10, 2018. This extension and re-dating of the mylar will allow the developer to file the Plat Maps with the Wayne County Clerk.

The Site Plan, as previously approved and signed, still conforms to and is in compliance with all State, and Town of Walworth laws, rules and regulations.

Should you have any questions or require any additional information, please contact us.

Sincerely,  
COSTICH ENGINEERING, D.P.C.



Michael Ritchie, P.E.

Michael Ritchie came forward to speak before the Board. Mr. Ritchie said Orchard View Developers request to extend the approvals given in 2018 to allow them to file the maps with the county, turn the property into buildable lots, and then development can begin in the spring of 2020. Chairperson Bavis said that any approvals given will have to contain the same conditions as the previous approval. Mr. Ritchie said there are no changes.

Chairperson Bavis asked the Board if they had any questions. There were no issues brought forward.

Planning Board member Elaine Leasure joined the meeting.

Ms. Leasure read the proposed Resolution, provided by Michael Simon, Engineer for the Town. Mr. Simon stated that the Resolution is the identical resolution that the Board approved in 2018 with the addition of the last WHEREAS statement.

TOWN OF WALWORTH  
APPROVAL RESOLUTION  
ORCHARD VIEW ESTATES PHASES 6A and 6B  
Teresa Drive

October 15, 2019, at the Town Hall in said Town, Planning Board member \_\_\_\_\_ moved adoption of the following resolution; Planning Board member \_\_\_\_\_ seconded the motion:

WHEREAS, an application has been made for final subdivision approval for phases 6A and 6B of the development commonly known as Orchard View Estates Subdivision in the Town of Walworth, and

WHEREAS, the overall preliminary subdivision plan for Orchard View Estates Subdivision was approved on June 10, 2002, and

WHEREAS, the application was referred to the Town Board as it relates to dedication of open space, and, at their meeting on January 4, 2018, the Town Board made certain recommendations relating to such open space, and

WHEREAS, the application was referred to the County Planning Board, the application has been reviewed by the Town Engineer, and a public hearing was duly noticed and held in relation to such application, and

WHEREAS, the Walworth Planning Board granted Final approval for Orchard View Estates for Phases 6A and 6B on April 9, 2018, and

WHEREAS the Final approval for the Phase 6A and 6B has lapsed and the approval needs to be re-certified by the Planning Board,

NOW, THEREFORE, BE IT RESOLVED, that such application for final subdivision for Orchard View Estates Phases 6A and 6B of the Orchard View Estates Subdivision is hereby re-certified, subject to the following conditions:

- 1) prior to issuance of any building permits, all necessary easements, including, for example, for water, sewer and drainage, be offered to the Town in a form acceptable to the Town Attorney and Town Engineer, and
- 2) prior to the issuance of any building permits relating to the phases subject of this approval, that a Phase 1 Environmental Site Assessment be completed by the applicant for the open space area to be dedicated to the Town and any issues identified therein be resolved to the Town Engineer's satisfaction, and
- 3) prior to the issuance of any certificates of occupancy relating to the phases subject of this approval, the lands proposed to be used as open space and dedicated to the Town are cleaned of all junk, garbage and other related materials and hazardous materials (not including vegetative debris) to the satisfaction of the Town Engineer and the Town Building Department, and
- 4) that the paths/ means of access off of Alexandra St. and Tracey Ln. to the lands proposed to be dedicated and used as open space be surface treated with stone dust, grass pavers or some other similar treatment acceptable to the Town Engineer, all prior to the issuance of any certificates of occupancy for homes on lots adjacent to the proposed paths/ means of access, and
- 5) prior to the issuance of any certificates of occupancy relating to the phases subject of this approval, that the duly cleaned and inspected lands to be used as open space be offered to the Town for dedication, and
- 6) that the issues set forth in the Town Engineer's letter dated April 3, 2018, be addressed to the Town Engineer's satisfaction, as follows:
  - a) Items 1, 2, 4 and 9 shall be addressed prior to the issuance of any building permits relating to the phases subject of this approval,
  - b) Items 3, 5 and 7 shall be addressed prior to any signatures being issued in relation to this approval, and
  - c) that item 8 be addressed prior to signatures, including that detailed drawings be provided to the Town Engineer's satisfaction, and
- 7) that a drainage district be formed to encompass the entire development comprising the Orchard View Estates Subdivision, including the issuance of necessary easements, all to the Town Attorney's and Town Engineer's satisfaction, and all prior to the issuance of any certificates of occupancy relating to the phases subject of this approval.

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 15<sup>th</sup> day of October, 2019 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: , 2019

\_\_\_\_\_  
Town Clerk

Mr. Simon said that this resolution relates to his comment letter of April 3, 2018:

April 3, 2018

Mr. Gene Bavis, Planning Board Chairman  
Planning Board members  
Town of Walworth  
3600 Lorraine Drive  
Walworth, NY 14568

RE: Planning Board – Final Subdivision Application  
Orchard View Estates - Section 6 – Phases A & B  
LaBella Project No. 212141.092

Dear Mr. Bavis and Planning Board Members:

Based on our review of the Engineers Report and Final Plans of the Orchard View Estates, Section 6A

and 6B submitted on March 14, 2018 by Costich Engineering, we offer the following comments for your consideration, and we would be happy to discuss the following with you at your upcoming meeting.

1. Access to Proposed Town Land. We ask the applicant to provide a means of surface treatment for the access to lands to be dedicated to the Town of Walworth.

2. Marking of Proposed Town-owned Land. LaBella suggests the applicant provide additional physical markers on every other property corner of the proposed Town-owned land, as well as additional markers along the access lanes so as to delineate the boundary. Based on further consideration a 6"x6" post with a mitered edge, with a placard designating the open space could be used.

3. Street Lighting. We ask the applicant to provide lighting details mentioned in letter dated March 14, 2018.

4. Swales. We ask the applicant to better define and deepen the swales on the Northern and Eastern property lines to avoid runoff onto adjacent properties. Catch basins/yard inlets should be installed at every third lot to collect stormwater runoff.

5. Letter of Credit. Provide an estimate for the Letter of Credit. Per Section 1.3.3, "Upon receiving approval of a particular subdivision section and/or site plan, the Applicant's Licensed Professional Engineer shall submit an "Engineer's Estimate for Letter of Credit.

6. Roadway Slope. LaBella acknowledges the slope of the roadway does not meet Town Code, and that this was previously approved during the preliminary site plan approval process. Both Town Staff and legal counsel concur that these road standards fall within the previous Preliminary Plan approvals.

7. Driveway Slope. The maximum driveway slope allowed by Town Code is 5.0%. There are a number of lots that appear to have driveway slopes greater than 5.0% and should be adjusted accordingly.

8. Water Main. The applicant should continue to work with the Town and Wayne County Water and Sewer Authority for the connection of the water main to Walworth Ontario Road. This will be one of the conditions of final approval and should be included in the Letter of Credit.

Thank you for the opportunity to review the application on your behalf. Please feel free to call us if you have any questions.

Respectfully submitted,

LaBella Associates  
Michael A. Simon  
Project Manager

cc (via e-mail): Daniel Brocht, Costich Engineering, P.C.  
Donald Young, Esq., Boylan Code  
Martin Aman, Wayne County Water and Sewer Authority

Mr. Ritchie said that he has this letter.

Elaine Leasure made a motion, seconded by Rick Johnson, to adopt the Approval Resolution. Chairperson Bavis asked the Board if they had any questions. There were no issues brought forward.

Roll Vote:	Chairperson Bavis	Aye
	Rick Johnson	Aye
	Elaine Leasure	Aye
	Lou Villanova	Aye
	Dennis Landry	Aye

Motion carried.

Mr. Druschel asked if the Board will put a time frame on this approval. Ms. Leasure made a motion, seconded by Mr. Johnson, to amend the Resolution to say that it is good for 1 year from today, October 15, 2019. All members were in favor. Motion carried.

Chairperson Bavis addressed the second item on the Agenda:

**2. Concept discussion by Russell Godown for proposed dog training facility, parking lot and driveway located at 3430 Daansen Road. Property is zoned R-Residential.**

Russell and Glenna Godown came forward to speak before the Board. Ms. Godown said they are proposing to use an existing barn for a dog training facility with 10-12 people per class 3 times a week. Ms. Godown said there is an existing driveway and parking area that they will improve by adding stone. Chairperson asked how large the existing barn is. Per Glenna, the barn is 63' x 44' and fully insulated with heated radiant floor, and they plan to add a bathroom. Mr. Johnson asked if the dogs will be receiving obedience or personal protection training. Ms. Godown said they will receive obedience training, not personal protection training. Ms. Godown said the majority of the training will be inside, but some will be outside of the building with no barking; and most of the training will be done from 5pm to 9pm during the week and from 9am to 1pm on

Saturdays. Mr. Druschel said this application is for a Home Occupation, Major Category A and the property owners have more than the 5 acres necessary for this Home Occupation.

Chairperson Bavis asked the Board if they had any more questions. There were no more issues brought forward.

Chairperson Bavis addressed the third item on the Agenda:

**3. Concept discussion by Nancy Sclamo for proposed 2 Lot Subdivision of property located at 4712 Route 350. Property is zoned RR1-Rural Residential.**

Nancy Sclamo and Thomas Keyes, co-executors of the property at 4712 Route 350, came forward to speak before the Board. Mr. Keyes said that he and Ms. Sclamo would like to subdivide the properties into 2 lots. Mr. Keyes said the property is under a conservation easement and can be subdivided. Mr. Keyes said that the property east of Route 350 will be about a 20-acre lot and the property west of Route 350 will be about a 108-acre lot. Ms. Sclamo said the 108-acre lot will also include a land-locked 4-acre parcel, and the conservation easement will follow with both parcels. Chairperson Bavis said Ms. Sclamo and Mr. Keyes can submit a formal application as co-executors.

Chairperson Bavis addressed the fourth item on the Agenda:

**4. Concept discussion by Terry Beardsley for proposed 3-lot subdivision of property at 4817 Lewis Road. Property is zoned RR1-Rural Residential.**

Chairperson Bavis asked if anyone was present to represent Terry Beardsley. Nobody came forward to represent Terry Beardsley.

Chairperson Bavis asked if there was any other business to be brought before the Board. There was no more business brought forward.

Chairperson Bavis adjourned the meeting at 8:00PM.

Respectfully submitted,

Barbara Goulette, Clerk