

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

Chairperson Bavis asked the Board if there were any corrections that needed to be made regarding the minutes of June 10, 2019. Chairperson Bavis said the phrase "upon receipt of additional information" should be added to the motion to Modify the Special Use Permit. All members were in favor.

Chairperson Bavis addressed the first item on the Agenda:

1. Modification of Special Use Permit for the Links at Greystone at 1400 Atlantic Avenue, Town of Walworth, and County of Wayne. Property is zoned RR1-Rural Residential 1.

Alex Odenbach, General Manager of the Links at Greystone, came forward to speak before the Board. Mr. Odenbach said he is requesting final approval for the Modification of the Special Use Permit to add the snow tubing operation to the existing golf course Special Use Permit. Mr. Odenbach said the hours of operation for holidays will be from 9am – 10pm as listed on Attachment 1.

Attachment 1:

Greystone Golf Course referred to as Stonewall Golf Course in the Special Use Permit granted be the Town of Walworth Planning Board at their meeting held on August 18, 1993 and the granting at their regular meeting held on July 8, 2019 the modification of the Special Use Permit to include Snow Tubing activities contingent upon the following:

1. Final approval of the site plan by the Town of Walworth Planning Board.
2. Final approval of the Wayne County Planning Board.
3. Agreed hours of operation shall be 4pm – 10pm Monday through Friday
4. Agreed hours of operation shall be 9am – 10pm Saturdays.
5. Agreed hours of operation shall be 9am – 7pm Sundays.
6. Agreed hours of operation shall be 9am – 10pm Holidays.
7. Agreed hours of operation shall be 9am – 10pm Christmas Day and New Years Day.
8. Lighting for the snow tubing hill will not remain on more than ½ hour after the agreed hours of operation.
9. Agreed that the snow making and grooming activities may be during day light and evening hours dependent upon temperature and weather conditions.

I have read and understand the above conditions and agree to conduct the Snow Tubing activities at Greystone Golf Course in compliance with them.

Filed in the Office of the Walworth Town Clerk and Planning Board file of Greystone Golf Course.

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

Ms. Leasure read the proposed Resolution, provided by Dan Brocht, Engineer for the Town:

**TOWN OF WALWORTH
SPECIAL USE PERMIT RESOLUTION
LINKS at GREYSTONE
SNOW TUBING PARK SITE PLAN
1400 ATLANTIC AVENUE**

At a meeting of the Planning Board of the Town of Walworth held on the 8th day of July 2019, 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 develop a Snow Tubing Park at 1400 Atlantic Avenue, Tax Account # 62115-00-616205, as shown on the Map prepared by Costich Engineering dated April 19, 2019, last revised June 12, 2019 and;

WHEREAS, at their June 10th, 2019 meeting the Planning Board determined that the proposed action is an "Unlisted Action" as defined under SEQR and based on the information and supporting documentation provided by the applicant, the Board determined that the proposed action will not result in any significant environmental impacts;

WHEREAS, at their June 10th, 2019 meeting the Planning Board granted Preliminary and Final Site Plan approval to the Links at Greystone Snow Tubing Park;

BE IT RESOLVED, that the Planning Board grants approval to revise the existing Special Use permit for The Links at Greystone, originally granted on August 26, 1993, to include the proposed use of a snow tubing park under the resolution as approved by the Planning Board at their June 10th, 2019 meeting with the following conditions;

1. Hours of operations will be as shown on attachment 1.

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

STATE OF NEW YORK:
COUNTY OF WAYNE: ss
TOWN OF WALWORTH:

I, _____, 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 ___ day of July, 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

(SEAL)

Town Clerk

Elaine Leasure made a motion, seconded by Rick Johnson, to adopt the Preliminary and Final 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.

Chairperson Bavis addressed the second item on the Agenda:

2. Application of Robert DeBree of 686 Development, LLC for Preliminary and Final Approval for a Site Plan for the property located at 686 Route 441, Town of Walworth, and County of Wayne. Property is zoned B-Business. (Public Hearing)

Chairperson Bavis said we will postpone this application since Robert DeBree or a representative for Robert DeBree is not present at this meeting.

Chairperson Bavis addressed the third item on the Agenda:

3. Application of Paul DeMinck Preliminary and Final Approval for a Two Lot Subdivision for the property located at 5232 Fosdick Road, Town of Walworth, and County of Wayne. Property is zoned RR1-Rural Residential. (Public Hearing)

Paul DeMinck of 5184 Fosdick Road came forward to speak before the Board. Mr. DeMinck said this is an estate settlement and he would like to divide 2 acers of land that include the house at 5232 Fosdick Road from the remaining farmland of the property. Mr. DeMinck said he is also proposing to separate 5 acres of land that include his house at 5184 Fosdick Road from the remaining farmland of that property and then merge both parcels of farmland. Mr. Landry asked if there would be access to the back property. Mr. DeMinck said the plan shows a 35' wide access to the back property but on advice from his engineer he will adjust it to a 50' wide access. Mr. Brocht said the legal right of way would need to be a 60' wide access if this property is subdivided for residential purposes in the future. Mr. DeMinck agreed to change the access to 60' and his property will remain 5 acres by moving his rear property line back.

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

Mr. Williamson said the Preliminary and Final Resolution could be done at this meeting with the condition that the engineer make the changes discussed by the Planning Board.

Chairperson Bavis said the SEQR lists no or small impact and states the proposed action will not result in any significant adverse environmental impact. Ms. Leasure said the SEQR and application need to be updated to say 3-lot subdivision instead of 2-lot subdivision since the properties will result in 3 lots. Mr. Brocht said the SEQR needs to be updated as discussed in his letter of July 3, 2019 comment 4:

July 3, 2019

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

RE: DeMinck Subdivision
Fosdick Road
LaBella Project No. 212141.116

Dear Mr. Bavis and Planning Board Members,

LaBella Associates reviewed the subdivision plan dated 06/13/2019 for the above referenced project as prepared by Gambino Surveying, and offer the comments below:

General Comments:

1. The property is currently 60.6 acres with 2 lots roughly split into equal areas. The proposal includes the creation of 3 new lots consisting of 1.7 acres, 5.2 acres and 53.6 acres. It would be helpful if the lots were labeled "Lot 1, Lot 2 and Lot 3".
2. The plans infer that the Tax Account numbers as shown are for the newly created lots, this should be clarified that they are in fact for the 2 existing lots.
3. We would recommend that the road frontage for the remaining lands be a minimum of 60 feet for possible future development.
4. For the record/file on Part 1 of the Short EAF the "Brief Description of Proposed Action" should be completed; #1. Should be checked "No"; #3a is 60.6; 3b is 0; 3c is 60.6; #5 a&b should be checked "Yes" ; and #7 should be checked as "No".

We will send a copy of this directly to the applicant's Surveyor and will work with them to clarify any of the above comments. Please contact our office with any questions you may have in this regard.

Respectfully submitted,

LaBella Associates



Daniel P. Brocht
Sr. Project Manager

CC Via Email: Gambino Surveying

Ms. Leasure read the proposed Resolution, provided by Dan Brocht, Engineer for the Town:

**TOWN OF WALWORTH
PRELIMINARY & FINAL APPROVAL RESOLUTION
DEMINCK SUDIVISION
5184 and 5232 FOSDICK ROAD**

At a meeting of the Planning Board of the Town of Walworth held on the 8th day of July 2019, 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 the property at 5184 and 5232 Fosdick Road, as shown on map prepared by Gambino Surveying dated June 13, 2019. A 60.6+/- acre parcel will be subdivided into three lots, the first being 1.8 +/- acres, the second being 5.2 and the remaining lands, being 53.6+/- acres. and;

WHEREAS, Planning Board has reviewed Part 1 of State Environmental Quality Review (SEQR) Short Environmental Assessment Form (EAF) completed by the Applicant and;

WHEREAS, the Planning Board has completed Part 2 & 3 of the EAF therefore;

BE IT RESOLVED, that the Planning Board has determined that the proposed action is an "Unlisted Action" as defined under SEQR and based on the information and supporting documentation provided by the applicant, the Board determined that the proposed action will not result in any significant environmental impacts.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Preliminary and Final Subdivision approval for the DeMinck Subdivision with the following conditions;

1. All consultant and Planning Board comments and map adjustments be addressed prior to plan signatures.
2. Map is duly filed in the Wayne County Clerks Office.

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 8th day of July, 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

(SEAL)

Town Clerk

Elaine Leasure made a motion, seconded by Rick Johnson, to adopt the Preliminary and Final Approval Resolution.

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

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

Motion carried.

Chairperson Bavis addressed the fourth item on the Agenda:

4. Concept plan by Guy Elvito for proposed Subdivision and Site Plan at 5201 Ontario Center Road for house and dump truck business. Property is zoned RR1-Rural Residential 1.

Guy Elvito of 5120 Ontario Center Road came forward to speak before the Board. Mr. Elvito said he and his son are planning to purchase a piece of property, approximately 20 acres, with an existing pole barn to keep his equipment and landscaping material. Chairperson Bavis asked Mr. Elvito if he is planning on building a house on the property. Mr. Elvito said he may build a house in the future. Mr. Williamson said this application would fall under a Home Occupation (Major Category B). Chairperson Bavis explained to Mr. Elvito that in order to approve this application, he or his son would need to have their principle dwelling on the property, and the Home Occupation would be need to be deemed not to have a major impact on the neighborhood.

Mr. Elvito asked if his son lived on the premises, would the proposal would qualify for a Home Occupation Permit. Chairperson Bavis said it should and Mr. Elvito should follow up with Mr. Williamson to verify it.

Chairperson Bavis addressed the fifth item on the Agenda:

5. Concept plan by Tiffany Paine and Steven Cirrincione for proposed welding art business at 3618 Baker Road. Property is zoned R-Residential.

Tiffany Paine and Steven Cirrincione of 3618 Baker Road came forward to speak before the Board. Ms. Paine said the property is 10 acres, and she and Mr. Cirrincione are proposing to build a pole barn and use it as an art studio for an art welding business. Chairperson Bavis asked if they will have a retail showroom. Mr. Cirrincione said it will not be a retail business, and he may have minimal traffic with deliveries of supplies and some customers meeting him on the property to consult on the artwork. Mr. Williamson said this would be considered a Home Occupation (Category B) and they would need to complete a site plan for the Planning Board to review. Ms. Leasure asked if there will be a sign in front of the property. Mr. Cirrincione said there is no plan to place a sign on the property. Chairperson Bavis said the Board doesn't have an issue with the concept and it is a no impact activity to the neighborhood.

Chairperson Bavis asked if there were any more comments from the Board, Mr. Simon, Mr. Williamson or Mr. Druschel. There were no more issues brought forward.

Chairperson Bavis adjourned the meeting at 8:15PM.

Respectfully Submitted,

Barbara Goulette, Clerk