

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 Christopher Paap. Also present were Norm Druschel, Building Inspector; and Phil Williamson, Code Enforcement Officer. Wesley Pettee, Engineer for the Town (LaBella Engineering) was not present. Due to the COVID-19 pandemic and to comply with CDC social distancing, the meeting was held at the Walworth Town Hall, accessible live to the public.

Chairperson Johnson asked the Board if there were any corrections that needed to be made regarding the minutes of July 12, 2021. Chairperson Johnson said there are typographical errors which have been addressed with the clerk and will be corrected. Ms. Leasure made a motion, seconded by Mr. Villanova, to accept the minutes of the July meeting. All members were in favor. Motion carried.

Chairperson Johnson addressed the first item on the agenda:

1. Application of Faith Wilbert for Preliminary and Final Approval for a 2-lot Subdivision and Site Plan for the property located at 4867 County Line Road, Town of Walworth, County of Wayne. Property is zoned RR1-Rural Residential 1. (Public Hearing)

Chairperson Johnson said this application was given preliminary approval at the previous meeting and then sent to the Wayne County Planning Board for their review. Chairperson Johnson said the Wayne County Planning Board letter stated the County referred it back to the Town to be handled as a local matter.

Mr. Landry made a motion, seconded by Ms. Leasure, to open the public hearing. Chairperson Johnson opened the public hearing at 7:03PM. Chairperson Johnson asked if there were any comments from the public. No issues were brought forward. Ms. Leasure made a motion, seconded by Mr. Landry, to close the public hearing. Chairperson Johnson closed the public hearing at 7:04PM.

Chairperson Johnson said the comments made by Mr. Pettee have been addressed and the Preliminary Subdivision Resolution was approved at the July 12th meeting.

Chairperson Johnson submitted the Final Subdivision Resolution, and Preliminary and Final Site Plan Resolution provided by Wesley Pettee, Engineer for the Town as written.

**TOWN OF WALWORTH PLANNING BOARD
FINAL SUBDIVISION APPROVAL RESOLUTION
WILBERT SUBDIVISION, 4867 COUNTY LINE ROAD**

At a meeting of the Town of Walworth Planning Board held on the 9th day of August 2021, Board member _____ moved adoption of the following resolution; Board member _____ seconded the motion:

WHEREAS, the Town of Walworth Planning Board (the "Planning Board") received a subdivision application and site plan application on or about June 18, 2021 for the property located at 4867 County Line Road, and the applicant is seeking to subdivide 6.91 acres into two lots, where Lot 1 would be approximately 1.41 acres and Lot 2 would be approximately 5.59 acres as shown on map prepared by Greene Land Surveying, dated June 17, 2021; and

WHEREAS, the Planning Board issued Preliminary Subdivision Approval at the July 12, 2021 Planning Board meeting and referred the subdivision application to the Wayne County Planning Board pursuant to Section 239-n of the General Municipal Law; and

WHEREAS, the Wayne County Planning Board responded in a letter dated August 4th, 2021 indicating the project would "have no intermunicipal or countywide impact", and recommended the referral "be returned to the Town to be handled as a local matter"; and

WHEREAS, the Planning Board issued a SEQRA Negative Declaration at the July 12, 2021 Planning Board meeting; Now, therefore,

BE IT RESOLVED, the Planning Board hereby issues Final Approval of the Wilbert Subdivision application.

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 12th day of July, 2021 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: 2021
(SEAL)

Town Clerk

**TOWN OF WALWORTH PLANNING BOARD
PRELIMINARY and FINAL SITE PLAN APPROVAL RESOLUTION
WILBERT SITE PLAN, 4867 COUNTY LINE ROAD**

At a meeting of the Town of Walworth Planning Board held on the 9th day of August 2021, Board member _____ moved adoption of the following resolution; Board member _____ seconded the motion:

WHEREAS, the Town of Walworth Planning Board (the "Planning Board") received a subdivision application and site plan application on or about June 18, 2021 for the property located at 4867 County Line Road, and the applicant is seeking to develop a single-family residence on Lot 2 as depicted on a map prepared by Greene Land Surveying, dated June 17, 2021; and

WHEREAS, the Planning Board referred the site plan application to the Wayne County Planning Board pursuant to Section 239-m of the General Municipal Law; and

WHEREAS, the Wayne County Planning Board responded in a letter dated August 4th, 2021 indicating the project would "have no intermunicipal or countywide impact", and recommended the referral "be returned to the Town to be handled as a local matter"; and

WHEREAS, the Planning Board issued a SEQRA Negative Declaration at the July 12, 2021 Planning Board meeting; Now, therefore,

BE IT RESOLVED, the Planning Board hereby issues Preliminary Approval and Final Approval of the Wilbert Site Plan application, subject to the following condition:

1. That comments from LaBella Associates dated July 12, 2021 be addressed to the satisfaction of the Town Engineer.

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 12th day of July, 2021 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: 2021
(SEAL)

Town Clerk

Dennis Landry made a motion, seconded by Christopher Paap, to accept Final Resolution for the Wilbert Subdivision and the Preliminary and Final Resolution for the Wilbert Site Plan.

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

Roll Vote:	Chairperson Johnson	Aye
	Lou Villanova	Aye
	Elaine Leasure	Aye
	Christopher Paap	Aye
	Dennis Landry	Aye

Motion carried.

Chairperson Johnson addressed the second item on the agenda:

2. Application of Linda Pinaire of 1439 Hennessey Road for Preliminary and Final Approval for a 3-lot Subdivision and Site Plan for the property located at 1439 & 1463 Hennessey Road, Town of Walworth, County of Wayne. Property is zoned RR1-Rural Residential 1. (Public Hearing)

Don Lewis of D.H. Lewis Engineering PLLC representing the property owners Linda Pinaire and Ann Stokes came forward to speak before the Board. Mr. Lewis said the property owners propose to subdivide their properties to create a third parcel to sell to Ms. Pinaire's son so he can build a house. Chairperson Johnson said the property borders Ontario so this application will need to go before the Wayne County Planning Board.

Ms. Leasure made a motion, seconded by Mr. Landry, to open the public hearing. Chairperson Johnson opened the public hearing at 7:07PM. Chairperson Johnson asked if there were any comments from the public.

Ms. Pinaire came forward to speak before the Board. Ms. Pinaire asked why the application needs to go before the Wayne County Planning Board since her property does not border the Ontario town line. Chairperson Johnson said the property at 1439 Hennessey Road is within 500 feet of the Ontario town line.

No more issues were brought forward. Ms. Leasure made a motion, seconded by Mr. Landry, to close the public hearing. Chairperson Johnson closed the public hearing at 7:09PM.

Chairperson Johnson said the SEQR lists 11 items in which there is no or small impact and the proposed action will not result in any significant adverse environmental impact. All members were in favor. The motion carried.

Ms. Leasure asked if the comments in the letter dated August 6, 2021 would be addressed. Chairperson Johnson said the engineer on this project will address the comments with Wesley Pettee of LaBella Associates, DPC.

August 6, 2021

Mr. Rick Johnson, Planning Board Chair
Planning Board Members
Town of Walworth
3600 Lorraine Drive
Walworth, NY 14568

**RE: Pinaire Subdivision and Site Plan
LaBella Project No. 212141.146**

Dear Mr. Johnson and Planning Board Members:

LaBella Associates has reviewed the proposed subdivision and residential site plan for the property at 1439 Hennessey Road. Our understanding is that proposed Lot 3 would be created via carving out an area of two existing parcels. We offer the following summary of our findings and observations, and we would be happy to discuss these items in more detail at your upcoming Planning Board meeting.

1. County Referral. We note that the parent parcel (Tax Map No. 62116-00-624685) appears to be within 500-feet of the municipal boundary. Our understanding is that this proximity would trigger the need to refer the application to the Wayne County Planning Board pursuant to GML, Section 239-n. We defer this decision to the Town's Zoning/Code Enforcement Officer.

2. General Plan Note 12, Wetland. We suggest the applicant’s design professional consider modifying the note that currently states “*The project does not lie within a wetland limit*”, as the NYS DEC Environmental Resource Mapper identifies an NWI Riverine Wetland (R2UBH) that traverses Lot R-1 and Lo3. This is also a DEC Class C Stream, per the mapper. We also ask the applicant to clarify whether any state or federal permitting would be required for the proposed 2-inch water service crossing of the stream/riverine wetland.

3. General Note 10. Our understanding is the Town of Walworth does not have a Water Superintendent. We suggest that the following language be removed from the note “*by the water superintendent*”.

4. Temporary Topsoil Stockpile. LaBella notes that the temporary topsoil stockpile is located on Lot R3, which is not the lot that is intended to be constructed upon. We ask the applicant whether there is a need for a temporary access easement for this configuration.

5. Proposed Access and Utility Easement. We suggest the proposed access and utility easement (PAUE-1) currently depicted on the Site and Utility Plan, also be depicted on the Subdivision Plat with bearings and distances.

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

Respectfully submitted,
LABELLA ASSOCIATES, D.P.C.
Wesley A. Pettee, AICP
Senior Planner

Chairperson Johnson asked if there were any comments from the Board. No more issues were brought forward. Dennis Landry made a motion, seconded by Chris Paap, to accept Preliminary Resolution for the Pinaire Subdivision and Site Plan.

Roll Vote:	Chairperson Johnson	Aye
	Lou Villanova	Aye
	Elaine Leasure	Aye
	Christopher Paap	Aye
	Dennis Landry	Aye

Motion carried.

Chairperson Johnson addressed the third item on the agenda:

3. Concept discussion by Benjamin Miller of 5018 Ontario Center Road for Subdivision at 5018 Ontario Center Road, Town of Walworth, and County of Wayne. Property is zoned RR1-Rural Residential 1.

Benjamin Miller came forward to speak before the Board. Mr. Miller said he proposes to divide his 14-acre flag lot and section off 5 acres for his brother-in-law to build a home in the southeast corner and that would leave his property as a 9-acre rectangle lot.

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

Chairperson Johnson said the Board recommends the applicant submits an application with engineered maps to get on the Walworth Planning Board agenda. Chairperson Johnson said this application will also need to go before the Wayne County Planning Board for review before final approval.

Chairperson Johnson asked if there was any other business to come before the Board. No more issues were brought forward. Mr. Landry made a motion, seconded by Mr. Paap, to adjourn the meeting. All members were in favor. Chairperson Johnson adjourned the meeting at 7:14 PM.

Respectfully Submitted,
Barbara Goulette, Clerk