

Chairperson Landry called the regular meeting of the Planning Board to order at 7:00PM. Members present were Chairperson Landry, Lou Villanova, and Patricia Marini. Also present were Norm Druschel, Building Inspector; Phil Williamson, Code Enforcement Officer; and Michael Simon, Engineer for the Town (LaBella Engineering). Planning Board members Christopher Paap and Elaine Leasure were 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.

Ms. Marini made a motion, seconded by Mr. Villanova, to amend the agenda by deferring to a future meeting item 4, Modification of Subdivision of Lehrwood Estates Subdivision Section 1, and item 6, Application of Gerber Homes for Preliminary approval of a 59-lot Subdivision at 3553 West Walworth Road. All members were in favor.

Chairperson Landry asked the Board if there were any corrections that needed to be made regarding the minutes of January 10, 2021. Ms. Marini made a motion, seconded by Mr. Villanova, to accept the minutes of the January meeting. All members were in favor. Motion carried.

Chairperson Landry addressed the first item on the agenda:

1. Application of JCW Land Surveying of 2449 Magog Road, Palmyra, NY for Final Approval for a 2-lot Subdivision for the properties located at 3742 Walworth-Ontario Road and 2275 Walworth-Marion Road, Town of Walworth, and County of Wayne. Property is zoned Business. (Public Hearing)

Chairperson Landry said this application was referred to the Wayne County Planning Board and Wayne County referred this application back to the Town to be handled as a local matter.

Ms. Marini made a motion, seconded by Mr. Villanova, to open the public hearing. Chairperson Landry opened the public hearing at 7:04PM. All members were in favor. Chairperson Landry asked if there were any comments from the public. No issues were brought forward. Ms. Marini made a motion, seconded by Mr. Villanova, to close the public hearing. Chairperson Landry closed the public hearing at 7:05PM. All members were in favor.

Patricia Marini made a motion, seconded by Lou Villanova, to accept final approval for the Joseph Englert Subdivision.

**TOWN OF WALWORTH PLANNING BOARD
PRELIMINARY and FINAL SUBDIVISION APPROVAL RESOLUTION
ENGLERT SUBDIVISION, 3742 WALWORTH-ONTARIO ROAD**

At a meeting of the Town of Walworth Planning Board held on the 14th day of February 2022, 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 on or about December 15, 2021 for the property located at 3742 Walworth-Ontario Road and 2275 Walworth-Marion Road, and the applicant seeks to adjust the boundary line between parcels 63114-15-644496 and 6344-15-663497, as depicted on the Survey Map dated October 21, 2021 by JCW Land Surveying, conveying approximately 0.165-acres from Tax Map No. 63114-15-663497 to Tax Map No. 63114-15-644496; and

WHEREAS, the application is subject to review by the Wayne County Planning Board pursuant to Section 239-n of the General Municipal Law, and the Wayne County Planning Board provided a letter dated February 2, 2022 indicating the project would "have no significant inter-community or countywide impact", and provided several recommendations for the local planning board's consideration; and

WHEREAS, the Planning Board classifies this action as a Type II Action in accordance with Section 617.5 Paragraph (c)(16) of the State Environmental Quality Review Act ("SEQRA") regulations, and said classification concludes the SEQRA process; Now, therefore,

BE IT RESOLVED, the Planning Board hereby issues Preliminary and Final Approval of the Englert 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 14th day of February, 2022 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: 2022

(SEAL)

Town Clerk

Roll Vote: Chairperson Landry Aye
Lou Villanova Aye
Patricia Marini Aye

Motion carried.

Chairperson Landry addressed the second item on the agenda:

2. Application of Carlyle Darron of 2141 Sherburne Road for Final Approval for a 2-lot Subdivision for the property at 3615 Baker Road, Town of Walworth, County of Wayne. Property is zoned PD-Planned Development. (Public Hearing)

Chairperson Landry said this application was referred to the Wayne County Planning Board and Wayne County referred this application back to the Town to be handled as a local matter.

Mr. Villanova made a motion, seconded by Ms. Marini, to open the public hearing. Chairperson Landry opened the public hearing at 7:06PM. All members were in favor. Chairperson Landry asked if there were any comments from the public.

Mr. Druschel said he witnessed perc tests at this location about 2 weeks ago and the subdivision is acceptable.

Lou Villanova made a motion, seconded by Patricia Marini to accept final approval for the Carlyle Darron Subdivision.

**TOWN OF WALWORTH PLANNING BOARD
PRELIMINARY and FINAL SUBDIVISION APPROVAL RESOLUTION
DARRON SUBDIVISION, 3615 BAKER ROAD**

At a meeting of the Town of Walworth Planning Board held on the 14th day of February 2022, 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 on or about December 16, 2021 for the property located on the west side of Baker Road, Tax Parcel 62114-00-508310, and the applicant seeks to subdivide 1.561-acres off from the 42.273-acre parcel, as depicted on the Subdivision Plan of Land Owned by Carlyle G. Darron, 3615 Baker Road, dated December 15, 2021 by Greene Land Surveying, PLLC; and

WHEREAS, the application is subject to review by the Wayne County Planning Board pursuant to Section 239-n of the General Municipal Law, and the Wayne County Planning Board provided a letter dated February 2, 2022 indicating the project would "have no significant inter-community or countywide impact", and provided several recommendations for the local planning board's consideration; and

WHEREAS, the Planning Board classifies this action as an Unlisted Action in accordance with the State Environmental Quality Review Act ("SEQRA") regulations, and based on the information and supporting documentation provided by the applicant and Town staff, the Planning Board determines that the proposed action will not result in any significant adverse environmental impacts; Now, therefore,

BE IT RESOLVED, that the Planning Board hereby issues a Negative Declaration of environmental significance; and

BE IT FURTHER RESOLVED, the Planning Board hereby issues Preliminary and Final Approval of the Darron 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 14th day of February, 2022 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: 2022

(SEAL)

Town Clerk

Roll Vote: Chairperson Landry Aye
Lou Villanova Aye
Patricia Marini Aye

Motion carried.

Chairperson Landry addressed the third item on the agenda:

3. Application of John Biuso of 4137 Downs Road for Preliminary and Final Approval for a 2-lot Subdivision for the property at 4137 Downs Road, Town of Walworth, County of Wayne. Property is zoned RR1-Rural Residential 1. (Public Hearing)

Ms. Marini made a motion, seconded by Mr. Villanova, to open the public hearing. Chairperson Landry opened the public hearing at 7:07PM. All members were in favor.

Alfred LaRue, N.Y.S.P.L.S., of McMahon LaRue Associates came forward to speak before the Board on behalf of John Biuso. Mr. Larue said the applicant proposes to divide land from the neighboring golf course and adding it to his property.

Chairperson Landry asked if there were any questions. Mr. Druschel said the property was subdivided years ago and they are just putting it back onto the property at 4137 Downs Road.

Ms. Marini made a motion, seconded by Mr. Villanova, to close the public hearing. Chairperson Landry closed the public hearing at 7:08PM. All members were in favor.

Lou Villanova made a motion, seconded by Patricia Marini to accept preliminary and final approval for Biuso Subdivision.

**TOWN OF WALWORTH PLANNING BOARD
PRELIMINARY and FINAL SUBDIVISION APPROVAL RESOLUTION
BIUSO SUBDIVISION, 4137 DOWNS ROAD**

At a meeting of the Town of Walworth Planning Board held on the 14th day of February 2022, 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 on or about January 19, 2022 for the property located at 4137 Downs Road, and the applicant seeks to purchase approximately 5.66-acres currently owned by Greystone Golf Course, LLC, which adjoins their current property, Tax Map No. 62114-00-798970, as depicted on the Biuso Subdivision map drawn by McMahan LaRue Associates, dated January 19, 2022; and

WHEREAS, the Planning Board classifies this action as a Type II Action in accordance with Section 617.5 Paragraph (c)(16) of the State Environmental Quality Review Act ("SEQRA") regulations, and said classification concludes the SEQRA process; Now, therefore,

BE IT RESOLVED, the Planning Board hereby issues Preliminary and Final Approval of the Biuso 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 14th day of February, 2022 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: 2022

(SEAL)

Town Clerk

Roll Vote: Chairperson Landry Aye
Lou Villanova Aye
Patricia Marini Aye

Motion carried.

Chairperson Landry addressed the fourth item on the agenda:

4. Modification of Subdivision of Lehrwood Estates Subdivision Section 1, Mildahn Road, Town of Walworth, and County of Wayne. Property is zoned R- Residential. (Public Hearing)

Chairperson Landry said this application has been postponed.

Chairperson Landry addressed the fifth item on the agenda:

5. Re-approval of Final Plans of Lehrwood Estates Subdivision Section 2, Mildahn Road, Town of Walworth, and County of Wayne. Property is zoned R- Residential. (Public Hearing)

Matt Tomlinson of Marathon Engineering came forward to speak before the Board. Mr. Tomlinson said there has not been any changes to this plan since it was approved by the Planning Board. Mr. Tomlinson said there was a delay at the NY State Health Department, so they were not able to get the plans filed with Wayne County within the required 62 days. Mr. Tomlinson is requesting a reapproval or redate of the plans from the Walworth Planning Board.

Chairperson Landry said this hearing is open for public comment. Chairperson Landry said there is a request to make changes to Lehrwood Estates Subdivision Section 1 and asked Mr. Tomlinson to be cognizant of that with Section 2. Mr. Tomlinson said the modification to Section 1 was brought to the Planning Board by the home builder, not the developer, and he represents the developer, and modifications are not anticipated.

Chairperson Landry asked if there were any questions. No more issues were brought forward. Ms. Marini made a motion, seconded by Mr. Villanova, to close the public hearing. Chairperson Landry closed the public hearing at 7:11PM. All members were in favor.

Mr. Simon said the resolution is to redate not to reapprove the Final Plans of Lehrwood Estates Subdivision Section 2. Lou Villanova made a motion, seconded by Patricia Marini, to redate the Final Plans of Lehrwood Estates Subdivision Section 2.

**TOWN OF WALWORTH PLANNING BOARD RESOLUTION
FOR LEHRWOOD ESTATES, SECTION 2, FINAL SUBDIVISION APPROVAL**

At a meeting of the Planning Board of the Town of Walworth held on the 14th day of February, 2022, at the Town Hall in said Town, Board member _____ moved adoption of the following resolution; Board member _____ seconded the motion:

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 50 residential lots on approximately 55.4-acres at or about Mildahn Road commonly known and referred to as “Lehrwood Estates Subdivision, Section 2” (the “Application”); and

WHEREAS, as part of such Application, the Applicant requested approval to proceed as a cluster subdivision pursuant to Section 180-18 of the Walworth Town Code, which cluster request was conditionally approved by the Walworth Town Board during the time of Preliminary Subdivision consideration; and

WHEREAS, the Planning Board has received comments from the Town Engineer, LaBella Associates, dated July 9, 2021; and

WHEREAS, the Planning Board has received and fully reviewed all application materials, documents and other information relevant to the Application, and finds that the Application is in general conformance with the overall approved preliminary subdivision; and

WHEREAS, 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; and

WHEREAS, the Planning Board issued a SEQRA Negative Declaration during the overall preliminary subdivision application process; and

WHEREAS, on July 12, 2021, the Planning Board conditionally approved the Final Subdivision Section 2 Application, but sufficient time has passed such that said approval has since expired; and

WHEREAS, the applicant has re-applied seeking the same approval, with the same plans and the same project as approved on July 12, 2021, essentially requesting a “re-date” of the approved plans.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby re-approves the Final Subdivision Section 2 Application, as depicted on the Final Section-2 Plans for Lehrwood Estates Subdivision, prepared by Marathon Engineering, dated May 20, 2021, subject to the following conditions:

1. That all those conditions and requirements a part of the Walworth Town Board’s cluster subdivision approval resolution be satisfied as required therein; and
2. That all engineering comments dated submitted by the Town Engineer on July 9, 2021 be satisfied to the Town Engineer’s satisfaction; and
3. That all comments by the Town’s highway department be satisfied to the satisfaction of the Town Highway Superintendent; and
4. 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
5. That all required improvement districts, including, but not limited to, a sewer district, a sidewalk district and a lighting district, be properly formed and implemented to the satisfaction of the Town Engineer and the Town Attorney; and
6. That all open space be preserved to the satisfaction of the Town Engineer and Town Attorney, including pursuant to proper easement(s); and
7. That all Codes, standards and requirements applicable to the Application be complied with, unless specifically waived, varied or otherwise formally dispensed with; and
8. That, with respect to parks and recreational facilities, the Planning Board finds and directs as follows:
 - A. That the proposed subdivision will increase the population of the Town of Walworth and will create additional need and/or further demand for recreational facilities within the Town; and
 - B. The Parks and Recreation Master Plan of 2019 (the “Rec Plan”) provides that the Town’s growth rate indicates a demand for continued enhancement of the quality and quantity of parks and recreational facilities in Town (p. 14); and
 - C. The Building Department has advised that the Town continues to issue numerous building permits year after year for residential homes, thus also indicating growth within the Town and continued demand for parks and recreation facilities; and
 - D. The Rec Plan clearly finds that there is a need for “expansion of our parks, our trails and indoor facilities in the Town of Walworth and expansion . . .” (at p. 8), including:

- a. A strategy focusing on a number of improvements to existing parks (pgs. 8-9 of the Rec Plan); and
 - b. The development of outdoor recreational facilities, including athletic field, picnic areas, etc. (p. 24); and
 - c. The development of indoor facilities (p. 24); and
- E. While the Rec Plan does allow for land acquisition (but only in the north, center and west of Town), its primary focus is the improvement and development of its existing parklands, including that the Town shall seek a fee in lieu of parkland equal to \$650.00 per new residential lot to fund such improvements; and
- F. Given the above, the proposed development supports a proper case for requiring that a park or parks be suitably located for playgrounds or other recreational purposes within the Town pursuant to Town Law Section 277(4); and
- G. The Town currently has a number of acres of parklands that are undeveloped, and it appears that additional vacant or minimally developed parklands would not be suitable in addressing the Town's parks needs; and
- H. Given the above, including the size and location of the particular land involved in this application, as well as given the fact that the Rec Plan calls for improved parks, including outdoor and indoor recreational facilities, the Planning Board finds that a suitable park cannot be located on the subject lands or is otherwise not practical, and thus, a sum of money (commonly known as a parks and recreation fee) shall be provided in lieu thereof; and
- I. Such sum of money in lieu thereof shall be equal to \$650.00 per residential lot included in the subject subdivision, per the Rec Plan, which sum shall be deposited into a trust fund to be used by the Town exclusively for park, playground or other recreational purposes; and
- J. Per the above, 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, as set forth herein, such monies being due prior to the issuance of a building permit.
- K. That comments from Jason Monroe, Wayne County Water and Sewer Authority, submitted on July 12, 2021 via e-mail be addressed, where said comments include the following:
- 1. Individual water service taps should avoid being constructed under driveways planned for proposed lots on the opposite side of the road;
 - 2. A watermain easement will need to be provided for the wet tap and axillary piping crossing Lot 30 at the Plumbgrass Run and Mildahn Road intersection; and
 - 3. A 3-way valve will be required at the Plumbgrass Run and Verbena Lane.

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 February, 2022 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: 2022

(SEAL)

Town Clerk

Roll Vote:	Chairperson Landry	Aye
	Lou Villanova	Aye
	Patricia Marini	Aye

Motion carried.

Chairperson Landry addressed the sixth item on the agenda:

6. Application of Gerber Homes of 1260 Ridge Road, Ontario, NY 14519 for Preliminary approval of a 59-lot Subdivision at 3553 West Walworth Road, Town of Walworth, and County of Wayne. Property is zoned R-Residential. (Public Hearing)

Chairperson Landry said this application has been postponed.

Chairperson Landry addressed the seventh item on the agenda:

7. Application of Tim Verschage of Verschage Ventures LLC for Preliminary and Final approval for a Multi-Family Housing Site Plan for the property at 3713 Walworth Road, Town of Walworth, County of Wayne. Property is zoned Hamlet. (Public Hearing)

Mr. Villanova made a motion, seconded by Ms. Marini, to open the public hearing. Chairperson Landry opened the public hearing at 7:13PM. All members were in favor.

Tim Verschage of Verschage Ventures LLC came forward to speak before the Board. Mr. Verschage said he is seeking approval for parking spaces at 3713 Walworth Road. Mr. Verschage submitted a plan showing the required 9 parking spots and room for 2 more spots. Mr. Druschel said the applicant will put 3 garage doors on the garage shown in the plan which provides 3 parking spaces, and the applicant will make it structurally sound. Mr. Druschel said the garage is permitted for parking since it is required to be at least 15 feet from the living structure, and it is close to 35 feet from the living structure. Mr. Simon said that LaBella's comments in the letter dated February 14, 2022 were addressed:

Mr. Dennis Landry, Planning Board Chair
Planning Board Members
Town of Walworth
3600 Lorraine Drive
Walworth, NY 14568

**RE: Versage Site Plan
LaBella Project No. 212141.154**

Dear Mr. Landry and Planning Board Members:

LaBella Associates has reviewed the site plan drawing (Parking Plan) provided by MRB Group, dated December 29, 2021 for 3713 Main Street Apartment Building. We offer the following summary of our observations for your consideration and would be happy to discuss in further detail at your upcoming meeting.

1. Easement to Walworth-Penfield Road. We ask the applicant to confirm whether there is an access easement on the property described as being now, or formerly owned by Kenneth Palermo along the driveway that provides access to 3713 Main Street. There is a note on the site plan indicating "*See reservation. The right to have & maintain driveway L. 387 P. 57*".

2. Parking Spaces in Barn. We ask the applicant to confirm that the three parking spaces depicted to be within a barn will be accessible to vehicles. We are not aware of whether the existing barn would facilitate access to these parking spaces.

3. Snow Storage. The applicant should describe where they anticipate snow storage would be in the event of snow events requiring snow plowing or snow removal.

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
cc (via e-mail): Norm Druschel, Building Inspector, Town of Walworth
Phil Williamson, Code Enforcement Officer, Town of Walworth
Barbara Goulette, Clerk, Town of Walworth

Chairperson Landry asked if there were any questions. No more issues were brought forward. Ms. Marini made a motion, seconded by Mr. Villanova, to close the public hearing. Chairperson Landry closed the public hearing at 7:17PM. All members were in favor.

Lou Villanova made a motion, seconded by Patricia Marini, to accept preliminary and final approval for the Verschage Site Plan.

**TOWN OF WALWORTH PLANNING BOARD
SITE PLAN APPROVAL RESOLUTION
VERSAGE SITE PLAN, 3713 MAIN STREET**

At a meeting of the Town of Walworth Planning Board held on the 14th day of February 2022, 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 site plan application for the property located 3713 Main Street , Tax Parcel 63114-15-606442, and the applicant seeks provide parking for the apartment building, as depicted on the site plan by MRB Group, dated December 29, 2021; and

WHEREAS, the Planning Board classifies this action as Type II in accordance with the State Environmental Quality Review Act ("SEQRA") regulations, specifically Section 617.5 Paragraphs (c)(9) and (18), and classification as a Type II action concludes the SEQRA process; Now, therefore,

BE IT FURTHER RESOLVED, the Planning Board hereby issues Preliminary and Final Approval of the Versage Site Plan 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 14th day of February, 2022 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: 2022

(SEAL)

Town Clerk

Roll Vote: Chairperson Landry Aye
Lou Villanova Aye
Patricia Marini Aye

Motion carried.

Other business: Chairperson Landry said Wayne County Planning Board sent a letter dated February 13, 2022 in which Wayne County referred the application of Daniel Kummerow of 121 Beverly Drive, Rochester, NY 14625 for Final Approval for a Subdivision and Site Plan for the property located at 304 Whitney Road back to the Town to be handled as a local matter. Chairperson Landry said this application received final approval at the Walworth Planning Board meeting on January 10, 2022 under municipal law§ 180-48 C: Referral to County Planning Board.

Chairperson Landry asked if there was any other business to come before the Board. No more issues were brought forward. Mr. Villanova made a motion, seconded by Ms. Marini, to adjourn the meeting. All members were in favor. Chairperson Landry adjourned the meeting at 7:19PM.

Respectfully Submitted,

Barbara Goulette, Clerk