

Chairperson Landry called the regular meeting of the Planning Board to order at 7:00PM. Members present were Chairperson Landry, Lou Villanova, Christopher Paap, and Patricia Marini. Also present were Norm Druschel, Building Inspector; Phil Williamson, Code Enforcement Officer; Donald Young, Attorney for the Town (Young Law of WNY); and Michael Simon, Engineer for the Town (LaBella Engineering). Planning Board member Elaine Leasure 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 Landry asked the Board if there were any corrections that needed to be made regarding the minutes of February 14, 2021. Mr. Villanova made a motion, seconded by Ms. Marini, to accept the minutes of the February meeting. Christopher Paap abstained since he was not present at the February meeting. All other members were in favor. Motion carried.

Chairperson Landry addressed the second item on the agenda:

- 2. Show cause hearing as to why the Home Occupation should not be revoked for Andriy Tsyunyak of 588 Beaver Creek, Town of Walworth, and County of Wayne. Property is zoned PD-Planned Development. (Public Hearing)**

Chairperson Landry said the Planning Board will not be addressing item 2 on the agenda since the person mentioned is no longer in business.

Chairperson Landry addressed the first item on the agenda:

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

Alfred LaRue, L.S. of McMahon LaRue Associates, P.C., and David Allen representing Gerber Homes came forward to speak before the Board. Mr. LaRue said they are proposing 59 lots on approximately 33 acres in which 14 acres will remain undisturbed. Mr. LaRue said there will be 11 acres of open space which he prefers not to include in the lots with conservation restrictions, but he would like to recommend a park district as an alternative.

Mr. LaRue said View Pointe Drive has been disconnected because there would be a lot of lots with 14 feet of fill. Mr. LaRue said the benefits of the plan are the elimination of dead-end water mains to assist in improving water pressures, and a cut-off swale will be created to take the run-off into the pond. Mr. LaRue said there are 8 lots that are somewhat problematic due to fill so they could wait 4 or 5 years to build on them. Mr. Paap asked which lots will be problematic according to Mr. LaRue. Mr. LaRue said 6 lots on the north side of View Pointe Drive, lots 500-505, lot 618 on Scenic Way, and lot 712 on the unnamed road. Mr. LaRue said they have a lot of dirt to fill in back yards and make them nice.

Mr. LaRue said there are now 16 homes on View Pointe Drive and according to Fire Code the maximum is 30 homes on a dead-end street and the required road width is 26 feet so they will widen the road to 22 feet wide with a 2 ½ foot gutter which makes the road 27 feet wide. Mr. LaRue said he would like a waiver for the length of the road. Chairperson Landry said the Town Code maximum length for the road is 1,000 feet and the maximum is 25 homes on a dead-end street. Chairperson Landry said 2 cul-de-sacs are to be looked at as one length of road as part of the dead-end which is over 2,000 feet long with 56 homes. Chairperson Landry said this is twice what the Town Code allows which will create a bottleneck, and he does not want to set a precedent by approving this waiver. Mr. Villanova agreed with Chairperson Landry. Ms. Marini said she has concerns with setting a precedent. Mr. Paap said he is also concerned.

Mr. Young said the plan doesn't comply with the Town Design & Construction Standards due to the length of a dead-end road going beyond 1,000 feet and the number of houses, and the Planning Board in order to differentiate from those standards would need to permit that. Mr. Young said at this point it doesn't appear that the Planning Board would be inclined to permit a variance or a waiver from the design standards. Mr. Young said the Planning Board is not telling the applicant how to engineer the project, but the Board is declining to issue the waiver so the applicant needs to propose an alternative and the Town will look at it.

Chairperson Landry said as it stands, there is no plan at this time so there doesn't seem to be a reason to open public comment. A Walworth resident submitted the "Petition to Stop the Development of a 59-Lot Subdivision at 3553 West Walworth Road" to the Planning Board.

Chairperson Landry asked if there was any other business to come before the Board. No more issues were brought forward. Ms. Marini made a motion, seconded by Mr. Paap, to adjourn the meeting. All members were in favor. Chairperson Landry adjourned the meeting at 7:22 PM.

Respectfully Submitted,

Barbara Goulette, Clerk