

Acting Chairperson Leasure called the special meeting of the Planning Board to order at 1:00PM. Members present were Acting Chairperson Elaine Leasure; 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). Chairperson Landry, Planning Board Member, recused himself from the meeting.

Chairperson Leasure addressed the item on the agenda:

Application of Bradley Kennedy of K2 Brewing, Inc. for a Special Use Permit to operate a craft brewery/restaurant/events center at 4320 Canandaigua Road, Town of Walworth, and County of Wayne. Property has been conditionally rezoned to B:General Business. (Public Hearing)

Chairperson Leasure said this meeting is being held because at the regular scheduled Planning Board Meeting the Board was unable to act on a resolution since they were waiting for Wayne County Planning Board to make a comment about the permit of K2 Brewing for a craft brewery, restaurant, and small event center for private parties at 4320 Canandaigua Road, Walworth. Chairperson Leasure said the required time period has now elapsed, and the Walworth Planning Board has received no comment from the Wayne County Planning Board, so the Board is ready to move forward with a resolution to approve the Special Use Permit.

Christopher Paap made a motion, seconded by Patricia Marini, to open the public hearing. All members were in favor. Chairperson Leasure opened the public hearing at 1:01PM. No issues were brought forward. Patricia Marini made a motion, seconded by Christopher Paap, to close the public hearing. All members were in favor. Chairperson Leasure opened the public hearing at 1:02PM.

Patricia Marini made a motion, seconded by Lou Villanova, to approve the resolution as written.

Resolution for Approval of a Special Use Permit Relating to K2 Brewing for a Craft Brewery/Restaurant/Small Event Center for Private Parties at 4320 Canandaigua Rd., Walworth, NY

WHEREAS, K2 Brewing, Inc. (the "Applicant") has submitted an application to the Walworth Planning Board which seeks a Special Use Permit relating to the operation of a combination Craft Brewery/Restaurant/Small Event Center for Private Parties at the property at 4320 Canandaigua Rd., Walworth, NY (the "Property", also commonly known as the former Freewill Elementary School), all as more fully detailed in their application materials on file with the Town Clerk; and

WHEREAS, as lead agency for purposes of the NY State Environmental Quality Review Act ("SEQR"), the Walworth Town Board duly completed an environmental review of the Project and issued a negative declaration on October 6, 2022; and

WHEREAS, on October 6, 2022, the Town Board approved a rezoning on the subject Property to B District, conditioned upon:

- Setbacks to existing residentially zoned properties, including for roads, parking and structures, shall be a minimum of 50 feet for side setbacks and 100 feet for rear setbacks (or greater if the then-current Code so provides), except for those roads, parking areas and structures existing at the time of this approval which are closer than said setbacks, in which case lesser setbacks reflecting the actual placement of the same shall apply; and
- The subsequent approval by the Planning Board of the Special Use Permits associated with the development, which approvals must be obtained no later than one year from adoption of this Resolution; and

WHEREAS, the applicant proposes to re-use the existing building at the Property for the proposed use; and

WHEREAS, the proposed Craft Brewery/Restaurant/Small Event Center for Private Parties use apparently contemplates a brewery which would include the brewing and production of beer, associated retail sales of K2 brewery merchandise such as clothing and hats, and associated office space related to the brewery; the operation of a taproom with a full-service food kitchen and bar, and the hosting of private parties, including potentially including the use of themed game rooms such as corn hole, ping pong, etc.; and

WHEREAS, in relation to the Special Use Permit application, the Walworth Planning Board has carefully considered all relevant documentary, testimonial, and other evidence submitted, including but not limited to the Special

Use Permit application materials, as well as any information submitted by the Town's consultants, including its Engineers, correspondence and oral testimony from the public, Town residents, various State, County and local agencies, and other information, and the Planning Board makes the following findings:

- Harmony: The subject parcel is in an area that is in harmony with the use proposed, including given its proximity to higher traffic roads, its proximity to other properties the uses of which are consistent with the intensity and nature of the proposed use, and given that the property's historical use has been that of a public school, which is of a similar or greater intensity than the proposed use. The structure has currently been in place for years and will be re-purposed and re-used for the proposed use, and, as such, raises no harmony issues. Moreover, the proposal is squarely consistent with the Property as rezoned, which permits restaurants and eating establishments as well as other uses similar in nature; and
- Public Health, Safety and Welfare: The proposal will make use of a large, abandoned building, avoiding the need to develop other green space, open space or farmlands, consistent with the Comprehensive Plan's vision to protect agriculture, green and open spaces. Moreover, it will avoid any significant adverse impacts and satisfy special use permit requirements, including for all those reasons set forth on the record, and as set forth in the Town's SEQR negative declaration, which is expressly incorporated herein and made a part hereof.

NOW, THEREFORE, BE IT, RESOLVED, that in consideration of the aforementioned findings, and in consideration each of the criteria for the granting of the requested special use permit, including as set forth herein, the Walworth Planning Board hereby approves the Applicant's Special Use Permit Application for the operation of a combination Craft Brewery (including retail for K2 Merchandise)/Restaurant/Small Event Center for Private Parties; and be it further

RESOLVED, that said approval is hereby conditioned upon the following:

1. Setbacks to existing residentially zoned properties, including for roads, parking and structures, shall be a minimum of 50 feet for side setbacks and 100 feet for rear setbacks (or greater if the then-current Code so provides), except for those roads, parking areas and structures existing at the time of this approval which are closer than said setbacks, in which case lesser setbacks reflecting the actual placement of the same shall apply.
2. The approval by the Planning Board of a Site Plan for the proposal, including addressing the stormwater management, grain silo, signage, the wastewater treatment system (including approval by the Town Engineer of the design of the same), any additional parking, etc., within nine months of approval of this Special Use Permit.

Roll Vote:	Chairperson Leasure	Aye
	Patricia Marini	Aye
	Lou Villanova	Aye
	Christopher Paap	Aye

Motion carried.

Chairperson Leasure 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 Mr. Paap, to adjourn the meeting. All members were in favor. Chairperson Leasure adjourned the meeting at 1:02PM.

Respectfully Submitted,

Barbara Goulette, Clerk