

Chairperson Landry called the regular meeting of the Planning Board to order at 7:00PM. Members present were Chairperson Landry, Christopher Paap, Patricia Marini, and Doug Flye. Also present were Norm Druschel, Building Inspector; and Brett Malafeew, Code Enforcement Officer and Fire Marshall. Lou Villanova, Planning Board member, was not present.

Chairperson Landry asked the Board if there were any corrections that needed to be made regarding the minutes of May 8, 2023. Mr. Paap made a motion, seconded by Mr. Flye, to accept the minutes of the May 8, 2023 meeting. All members were in favor. Motion carried.

Chairperson Landry addressed the first item on the agenda:

1. Application of Western Wayne Ambulance of 2178 Church Street for approval of a Site Plan for the property located at 2178 Church Street, Town of Walworth, and County of Wayne. Property is zoned B-Business. (Public Hearing)

J. Lincoln Swedrock, P.E. of BME Associates and Cody Szatkowski of Western Wayne Ambulance were present. Mr. Swedrock came forward to speak before the Board. Mr. Swedrock said the applicant proposes adding a 2,800 square foot building addition which will be a garage with offices to the existing building for the Western Wayne Ambulance, an additional 10 Parking spaces, and a new sewer lateral with an oil/water separator. Mr. Swedrock said the disturbance will be less than 1/2 acre, so they are exempt from storm water, but they did provide erosion and sediment control, a short form EAF, building and site plans. Mr. Swedrock stated that he received responses from the Town Engineer and provided written responses back to the Board regarding those comments.

Chairperson Landry said this application will need to go to the Wayne County Planning Board. Chairperson Landry asked if there were any comments from the Board. No issues were brought forward.

Patricia Marini made a motion, seconded by Christopher Paap, to approve the SEQR. All members were in favor.

Christopher Paap made a motion, seconded by Doug Flye, to accept the Western Wayne Preliminary Approval Resolution as written.

Roll Vote:	Chairperson Landry	Aye
	Doug Flye	Aye
	Christopher Paap	Aye
	Patricia Marini	Aye

Motion carried.

Chairperson Landry addressed the second item on the agenda:

2. Application of Lori Kennedy of K2 Brewing, Inc. for approval of a Site Plan for the property at 4320 Canandaigua Road, Town of Walworth, and County of Wayne. Property is Zoned B- Business. (Public Hearing)

Michael Ritchie, P.E. of Costich Engineering, D.P.C. and Lori Kennedy were present. Mr. Ritchie came forward to speak before the Board. Mr. Ritchie said they are requesting site plan approval for the K2 Brewery which they plan to do in 2 phases. Mr. Ritchie said phase 1 will consist of the proposed beer garden in the front lawn area, handicap spaces, tractor trailer turnaround area, silos, coolers, and wastewater treatment for the brewery affluent, and it will be under 1 acre of disturbance. Mr. Ritchie said phase 2 will consist of the addition of parking spaces and there will be over 1 acre of disturbance, so a storm water pond is proposed. Mr. Ritchie said they received comments from LaBella, Engineer for the Town, and responded to LaBella. Mr. Ritchie said percolation tests were done in the septic field and he ran calculations to prove that under phase 1 they can use the septic system as it is, and Chamberlain Septic inspected the septic tank and distribution boxes, and their summary is that it is in working condition. Mr. Ritchie said in regard to the wastewater treatment for the brewery affluent, the wastewater cannot go to the septic system because it would biologically damage how the system works, so the applicant is working with a consultant who specializes in this wastewater fluid and submitted plans to the DEC. Mr. Ritchie said it normally classified as clean water and with a DEC permit it would be discharged into the stormwater sewer system. Ms. Kennedy said the playground is being removed.

Chairperson Landry asked Mr. Ritchie to address the LaBella comments. Mr. Ritchie discussed the comments as written in the Response to Comments letter dated June 9, 2023:

300 State Street – Suite 201
Rochester, New York 14614
Re: K2 Brewing, Inc.
4320 Canandaigua Road
Site Plan Submittal Review
LaBella Project No. 212141.166
Response to Comments

Dear Mr. Simon:

The following are responses to your written comments for the above referenced project. These comments are as enumerated on your letter dated May 31, 2023.

1. Please verify parking requirements (including ADA spaces) for this project in Phase I and Phase II and show on the Site Plan for both phases.

Response: Parking requirements including ADA spaces have been added to the plans.

2. Please provide a NYSDEC SPDES Permit showing the acceptance of the Wastewater Treatment Facility that will be built for this industrial wastewater treatment. Also, please provide the estimated daily effluent flowrate and where this volume will be routed. The SPDES Permit is a condition of approval prior to any Certificate of Occupancy.

Response: A separate consultant was hired to design and permit the brewery wastewater treatment. A design has been completed and will be submitted to the NYSDEC.

3. Please provide documentation from the Fire Marshall that this site is approved for development. This approval should include the review of the three (3) hydrant locations, fire truck routing and turn around areas as needed.

Response: Costich and K2 will coordinate with the Town regarding access to the existing hydrants, fire truck routing and turnaround areas. Fire access will not be significantly impacted by the project and should operate as under existing conditions.

4. Please show a twenty foot (20') easement for the existing Wayne County Water and Sewer Authority (WCWSA) watermain for use by the WCWSA and the Town of Walworth.

Response: A 20' wide easement benefitting WCWSA and the Town of Walworth has been added to the plans. Costich and K2 will coordinate with the Town to have the easement filed.

5. Please provide flow arrows that verify the stormwater paths on the grading and drainage plans as well as any figures included in the SWPPP. These arrows and flow paths should be consistent with the stormwater model in HydroCAD.

Response: Flow arrows as well as additional existing spot elevations have been added to the plan to verify the stormwater paths. The SWPPP has been revised to be consistent with the plans.

6. Please show existing grades lines in grey scale and proposed grade lines as bold. Please review the proposed grade lines for numerical accuracy and tie in locations to existing grades as needed

Response: The phase 1 proposed grades have been made grey scale on the phase 2 grading plan to more clearly indicate that the grading is now existing. The contour lines have been reviewed and revised.

If you have any questions or comments, please feel free to contact our office.

Respectfully,
COSTICH ENGINEERING, D.P.C.
Michael O. Ritchie, P.E.

Mr. Malafeew said he gave the K2 plans to the local fire department for their review. Mr. Ritchie said there are 3 existing fire hydrants on site. Ms. Marini said a hydrant is located inside the beer garden and restricted with a gate. Mr. Ritchie said it can be boxed out and made accessible. Ms. Marini asked if the building is being sprinklered. Ms. Kennedy said they do not need to sprinkle any area they are not using and there will be fire separation between those areas.

Ms. Marini asked what the hours of operation will be. Ms. Kennedy said the proposed hours of operation are noon to 10pm Tuesday, Wednesday, and Thursday; noon to 11pm Friday and Saturday; and 10am to 5pm Sunday. Ms. Kennedy said the beer garden will also be open but there will only be piped music and no bands, and it will not be loud.

Chairperson Landry asked if there were any more comments from the Board and Town staff. No more issues were brought forward. Chairperson Landry asked if there were any comments from the public. No issues were brought forward. Christopher Paap made a motion, seconded by Doug Flye, to close the public hearing. All members were in favor. Chairperson Landry closed the public hearing at 7:20PM.

Resolution for Approval of Phase 1 Site Plan for K2 Brewing Craft Brewery/Restaurant/Small Event Center for Private Parties at 4320 Canandaigua Rd.

WHEREAS, K2 Brewing, Inc. (the “Applicant”) has submitted an application to the Walworth Planning Board seeking site plan approval relating to the operation of a combination Craft Brewery/Restaurant/Small Event Center for Private Parties (the “Project”) 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; and

WHEREAS, the applicant proposes to re-use the existing building at the Property for the proposed use; 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 the subsequent issuance of a Special use Permit for the Project, as well as conditioned upon certain setback requirements; and

WHEREAS, on _____, the Planning Board approved a special use permit for the Project, including for the operation of a combination Craft Brewery (including retail for K2 Merchandise)/Restaurant/Small Event Center for Private Parties, conditioned upon respecting the setbacks required by the Town Board, as well as subsequent site plan approval; and

WHEREAS, the Applicant has provided proposed site plans which detail both a Phase 1 and a Phase 2 of the Project, and this determination deals only with Phase 1, and the proposed Phase 2 will require separate site plan approval prior to proceeding therewith.

NOW, THEREFORE, BE IT RESOLVED, that, in consideration of all relevant criteria for the granting of the requested site plan approval, the Walworth Planning Board hereby approves the proposed Site Plan for Phase 1 only, consistent with the Phase 1 plans on file, including drawing CA110 by Costich Engineering and last dated May 19, 2023, such Phase 1 Site Plan approval subject to the following conditions:

1. That the comments of the Town Engineer, all as set forth in a letter by Labella Associates dated May 31, 2023, be addressed to the Town Engineer’s satisfaction, as follows:
 - a. Comment # “1” be addressed prior to Town signatures on the proposed Phase 1 Site Plan,
 - b. Comment # “4” be addressed prior to Town signatures on the proposed Phase 1 Site Plan,
 - c. Comment # “5” be addressed prior to Town signatures on the proposed Phase 1 Site Plan,
 - d. Comment # “6” be addressed prior to Town signatures on the proposed Phase 1 Site Plan,
 - e. Comment # “3” be addressed prior to the issuance of a building permit, and
 - f. Comment # “2” relative to the wastewater treatment facility be addressed prior to the issuance of any certificate of occupancy, including that all state, county and local approvals associated with the wastewater treatment facility (including a NY DEC SPEDES Permit) be obtained, provided to and accepted by the Town Engineer, all prior to the issuance of a certificate of occupancy for the Project,
2. 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

3. Any other required State, County or local approvals (e.g., a liquor license, NY DOH approval, etc.) be obtained in accordance with law.

Christopher Paap made a motion, seconded by Doug Flye, to accept approval of Phase 1 Site Plan for K2 Brewing Craft Brewery/Restaurant/Small Event Center for Private Parties at 4320 Canandaigua Rd.

Roll Vote:	Chairperson Landry	Aye
	Doug Flye	Aye
	Christopher Paap	Aye
	Patricia Marini	Aye

Motion carried.

Chairperson Landry addressed the third item on the agenda:

3. Concept discussion by Tim Verschage of Verschage Construction LLC for a proposed plan at Beaver Creek Subdivision, Section 7, Town of Walworth, and County of Wayne. Property is zoned PD-Planned Development.

Jeremy Kimble of Vanguard Engineering PC and Tim Verschage came forward to speak before the Board. Mr. Kimble said the applicant proposes to build 8 multi-residential townhomes with 33 units, 11 units per acre density, to be serviced by a 650-foot driveway with a hammerhead at the end. Mr. Kimble said the project will require water main and sewer main extensions, and a New York State DEC compliant SWPPP. Mr. Kimble said they propose a 25-foot setback on all sides, 2 parking spaces per unit, and a substantial landscape buffer to the development on the south. Mr. Kimble said he has not received any correspondence from Bergman Associates regarding the design of the improvements at the Parkway and West Walworth Road.

Chairperson Landry said this is allowed within the Planned Development. Chairperson Landry said he has concerns with the amount of traffic that would be put in here and where visitors' cars will be parked. Mr. Kimble said that additional parking could potentially be accommodated. Mr. Paap asked if the parking spots for each building will be assigned. Mr. Verschage said they can be numbered for each unit.

Ms. Marini asked if Walworth Town code requires garages for townhouses. Mr. Verschage said they are not townhouses, they are apartments. Mr. Kimble said they are up and down apartments in the traditional townhome style, and they will be owned and leased by Mr. Verschage.

Mr. Paap asked if the environmental buffer between the existing houses will be cleared and replanted or if the trees and brush already there will be kept. Mr. Kimble said it depends on the grading required for the proposed buildings. Chairperson Landry asked if the north side will be cleared and replanted. Mr. Kimble said it isn't as feasible to retain the existing buffer because of the swale work that will need to be done.

Mr. Paap asked if there will be patios or decks built on the back of the buildings. Mr. Verschage said there will be concrete patios. Mr. Kimble said Gananda Parkway has a 130-foot right-of-way, and the buildings will be 50 feet from the edge of Gananda Parkway. Mr. Flye asked what the distance is between the exit to the property and the intersection. Mr. Kimble said from the center of the proposed project's intersection to the edge of this intersection is about 125 feet. Chairperson Landry asked the width of the drive. Mr. Kimble said the private drive is 42 feet wide, and the water and sewer main extensions will need to be dedicated easements.

Chairperson Landry said the Board will be waiting for the next phase.

Patricia Marini made a motion, seconded by Doug Flye, to adjourn the meeting. All members were in favor. Chairperson Landry adjourned the meeting at 7:40 PM.

Respectfully Submitted,

Barbara Goulette, Clerk