

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

Chairperson Landry asked the Board if there were any corrections that needed to be made regarding the minutes of June 12, 2023. Mr. Flye made a motion, seconded by Mr. Villanova, to accept the minutes of the June 10, 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 came forward to speak before the Board. 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.

Lou Villanova made a motion, seconded by Doug Flye, to accept the Western Wayne final Approval Resolution as written.

**TOWN OF WALWORTH
FINAL APPROVAL RESOLUTION
WESTERN WAYNE AMBULANCE
2178 CHURCH STREET**

At a meeting of the Planning Board of the Town of Walworth held on the 10th day of July 2023, at the Town Hall in said Town, Board member _____ moved adoption of the following resolution; Board member _____ seconded the motion:

WHEREAS, the Planning Board of the Town of Walworth has reviewed the proposed action to construct a 2800+/- square foot building addition and five new parking spaces at the above noted address, as shown on map prepared by BME Associates dated May 19th, 2023 , and;

WHEREAS, Planning Board has previously completed the State Environmental Quality Review (SEQR) process and granted preliminary approval, therefore;

BE IT RESOLVED, that the Planning Board hereby grants Final site plan approval for the Western Wayne Ambulance building addition on Church Street.

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 10th day of July, 2023 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: 2023

(SEAL)

Town Clerk

Roll Vote: Chairperson Landry Aye
Doug Flye Aye
Lou Villanova Aye

Motion carried.

Chairperson Landry addressed the second item on the agenda:

2. Application of Edward Hawkins of 920 Kuttruff Road for approval of a 2-lot Subdivision at 4104 Cream Ridge Road, Town of Walworth, and County of Wayne. Property is zoned R-Residential. (Public Hearing)

Edward Hawkins of 920 Kuttruff Road came forward to speak before the Board.

Doug Flye made a motion, seconded by Lou Villanova, to open the public hearing. All members were in favor. Chairperson Landry opened the public hearing at 7:20PM.

Mr. Hawkins said his son would like to buy the property that he proposes to subdivide. Chairperson Landry asked where they will access the back property. Mr. Hawkins said it will be accessed from Cream Ridge Road and there is access from Bills Road so it will not be landlocked.

Chairperson Landry asked if there were any comments from the Board and Town staff. No issues were brought forward. Chairperson Landry asked if there were any comments from the public. No issues were brought forward. Doug Flye made a motion, seconded by Lou Villanova, to close the public hearing. All members were in favor. Chairperson Landry closed the public hearing at 7:05PM.

Doug Flye made a motion, seconded by Lou Villanova, to accept preliminary and final approval of the Hawkins Subdivision as written.

**TOWN OF WALWORTH
PRELIMINARY and FINAL RESOLUTION
HAWKINS SUBDIVISION
CREAM RIDGE and BILLS ROAD**

At a meeting of the Planning Board of the Town of Walworth held on the 10th day of July 2023, at the Town Hall in said Town, Board member _____ moved adoption of the following resolution; Board member _____ seconded the motion:

WHEREAS, the Planning Board of the Town of Walworth has reviewed the proposed action to subdivide an existing 15.98 acre parcel, Tax I.D. number 61114-00-473909 into 2 new parcels, the first parcel will be 1.805 acres and the second 14.175 acres as shown on map prepared by Green Land Surveying, PLLC dated June 14th, 2023 , and;

WHEREAS, the Planning Board has reviewed Part 1 of State Environmental Quality Review (SEQR) Short Environmental Assessment Form (EAF) completed by the Applicant and;

WHEREAS, the Planning Board has completed Part 2 & 3 of the EAF therefore;

BE IT RESOLVED, that the Planning Board has determined that the proposed action is an “Unlisted Action” as defined under SEQR and based on the information and supporting documentation provided by the applicant and Town staff, the Board determined that the proposed action will not result in any significant environmental impacts.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Preliminary and Final approval for the Hawkins Subdivision fronting on both Cream Ridge and Bills Road.

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 10th day of June 2023 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: 2023

(SEAL)

Town Clerk

Roll Vote: Chairperson Landry Aye
 Doug Flye Aye
 Lou Villanova Aye

Motion carried.

Chairperson Landry addressed the third item on the agenda:

3. Application of Jacob Finewood of 3349 Evergreen Circle for approval of a 2-lot Subdivision at 230 Haley Road, Town of Walworth, and County of Wayne. Property is zoned RR-1A - Rural Residential 1A. (Public Hearing)

Mike Greene of Greene Land Surveying, PLLC came forward to speak before the Board on behalf of Jacob Finewood.

Lou Villanova made a motion, seconded by Doug Flye, to open the public hearing. All members were in favor. Chairperson Landry opened the public hearing at 7:06PM.

Mr. Greene said he received the comment letter from Mike Simon of LaBella Associates dated July 7, 2023 and responded on July 10, 2023:

July 7, 2023

RESPONSE: 7/10/23

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

RE: Finewood Subdivision and Site Plan Review
 230 Haley Road, Walworth, NY 14568
 LaBella Project No. 212141.174

Dear Mr. Landry and Planning Board Members:

LaBella Associates has reviewed the applicant subdivision and site plan submitted by Greene Land Surveying, dated June 16, 2023.

This application is proposing to subdivide the parcel with Tax I.D. No-61116-00-153316 owned by Joanne L. and Scott N. Martin. The existing lot is approximately 39.727 acres in size. This application is for preliminary plat, final plat and site plan approval. The proposed subdivision would create two lots designated as R-5A (36.339 ac.) and R-5B (3.388 ac.) Further, lot R-5B would be transferred to Jacob and Jenna Finewood. This project is located in Zone RR-1A.

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) This project proposes a shared driveway connection to Haley Road.

In the event the subdivided parcel is ever sold, a shared/reciprocal access agreement must be authorized by the existing owner and the owners of the proposed lot as part of this subdivision approval.

A 30 FOOT UTILITY & INGRESS/EGRESS EASEMENT WAS SHOWN ON THE SUBDIVISION PLAN. WE HAVE LABELED IT ON THE SITE PLAN FOR YOUR USE.

- 2) Permitted principle uses for Zone RR-1A requires the following:

- A. (1) Single Family dwellings must have a minimum of 2,000 SF of living area.

Please show the area of the dwelling and the garage as separate areas with the square footage noted. It appears that the dwelling footprint is approximately 1,800 SF.

THE TWO STORY DWELLING WILL BE APPROXIMATELY 2500 SF, WELL ABOVE THE MINIMUM OF 2000 SF. THIS IS SHOWN ON THE SITE PLAN AS NOTE No. 2.

F. (4) For lots from two acres to five acres, the relationship between depth and width shall not exceed 2.5 to 1, with a minimum width at the front setback line of 250 feet; however, in cases of minimum deviation from the requirements set forth herein, the depth-to-width ratio allowable and the minimum width at the front setback line shall be determined by the Planning Board, at the Planning Board's discretion, after considering drainage, topography, vegetation patterns, geological formations, lot shape and dimension and taking into consideration the harmonious development of the community in the interest of good planning and the public health, safety and general welfare of the neighborhood and the community.

The depth to width ratio is currently 2.71 to 1. Please obtain planning board approval for this minor adjustment.

A WAIVER FROM THE DEPTH TO WIDTH RATIO REQUIREMENT WILL BE REQUESTED FROM THE PLANNING BOARD.

- 3) Within the SEAF Part 1, numbers 9, 10 and 11 were not completed.

Please update the SEAF to include this information.

QUESTIONS 9, 10, AND 11 HAVE BEEN ANSWERED AND ARE PART OF THIS LETTER.

- 4) 13.a states that the site contains a regulated waterbody, however no reference to this water body is shown on the plans or is contained in the submittal letter.

The applicant should provide this information on the site plan.

FOUR MILE CREEK IS LOCATED 625 FEET +/- FROM THE SOUTH WEST CORNER OF THE PROPOSED GARAGE. THIS TIE DISTANCE HAS BEEN ADDED TO THE PLAN.

- 5) This project will require water service connection to Wayne County Water and Sewer Authority (WCWSA).

This connection must be shown within the subdivide parcel property.

THE WATER SERVICE CONNECTION IS SHOWN WITHIN THE PROPOSED EASEMENT. ACCORDING TO THE OWNER, THE BEDROCK IS QUITE SHALLOW IN THE AREA IN FRONT OF THE PROPOSED HOUSE.

- 6) The electrical service to the existing home is located on the proposed subdivided parcel.

Please show how both properties will be provided electrical service. Also, this existing underground electric line will require a 10' easement.

A PROPOSED 20 FOOT WIDE ELECTRICAL EASEMENT HAS BEEN SHOWN AROUND THE EXISTING TRANSFORMER. RG&E TYPICALLY HAS AN EASEMENT OVER THE LINE FROM THE POLES TO THE TRANSFORMER.

- 7) The north deep test pit shows bedrock 16" below the surface. This places the sanitary lateral in direct conflict with this elevation.

Please verify this information and adjust the sanitary lateral as needed.

THE DEEP HOLE IN THE LOCATION OF THE WASTEWATER TREATMENT FACILITY SHOWS THE BEDROCK IS 36 INCHES DEEP. THE DEEP HOLE WITH 16 INCHES TO BEDROCK IS 80 FEET AWAY FROM THE CLOSEST PART OF THE SEPTIC SYSTEM.

8) The Agricultural Data Statement notes the transfer of 2.5 acres from the owner to the applicant.

Please update this area to be consistent with the Subdivision application.

THE AGRICULTURAL DATA STATEMENT HAS BEEN REVISED TO THE CORRECT ACERAGE.

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

Sincerely,

LaBella Associates



Michael A. Simon, Senior Project Manager

Mr. Greene said the property owners propose to subdivide a lot for their children, and they will utilize the existing driveway with a 30-foot ingress egress, and a utility strip out to the road. Mr. Greene said the plan shows the easements for the utilities and driveway.

Chairperson Landry said the width versus the length is a half of percent less than the requirement, but the Board is not concerned with this. Mr. Greene said 2 deep hole tests were done, one for the house and one for the septic, and they were witnessed by Mr. Druschel.

Chairperson Landry asked if there were any comments from the Board and Town staff. No issues were brought forward. Chairperson Landry asked if there were any comments from the public. No issues were brought forward. Doug Flye made a motion, seconded by Lou Villanova, to close the public hearing. All members were in favor. Chairperson Landry closed the public hearing at 7:11PM.

Lou Villanova made a motion, seconded by Doug Flye, to accept the revised SEQR.

Roll Vote:	Chairperson Landry	Aye
	Doug Flye	Aye
	Lou Villanova	Aye

Motion carried.

Doug Flye made a motion, seconded by Lou Villanova, to accept preliminary and final approval of the Finewood Subdivision and Site Plan as written.

**TOWN OF WALWORTH
PRELIMINARY and FINAL RESOLUTION
FINWOOD SUBDIVISION and SITE PLAN
HALEY ROAD**

At a meeting of the Planning Board of the Town of Walworth held on the 10th day of July 2023, at the Town Hall in said Town, Board member _____ moved adoption of the following resolution; Board member _____ seconded the motion:

WHEREAS, the Planning Board of the Town of Walworth has reviewed the proposed action to subdivide an existing 39.727 acre parcel, Tax I.D. number 61116-00-153316 into 2 new parcels, the first parcel, R-5A, will be 36.339 acres and the second, R-5B, 3.388 acres as shown on map prepared by Green Land Surveying, PLLC dated June 16th, 2023 , and;

WHEREAS, the applicant proposes to construct a single family residence on parcel R-5B, and;

WHEREAS, the Planning Board has reviewed Part 1 of State Environmental Quality Review (SEQR) Short Environmental Assessment Form (EAF) completed by the Applicant and;

WHEREAS, the Planning Board has completed Part 2 & 3 of the EAF therefore;

BE IT RESOLVED, that the Planning Board has determined that the proposed action is an "Unlisted Action" as defined under SEQR and based on the information and supporting documentation provided by the applicant and Town staff, the Board determined that the proposed action will not result in any significant environmental impacts.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Preliminary and Final approval for the Finewood Subdivision and Site Plan located on Haley Road.

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 10th day of June 2023 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: 2023

(SEAL)

Town Clerk

Roll Vote:	Chairperson Landry	Aye
	Doug Flye	Aye
	Lou Villanova	Aye

Motion carried.

Chairperson Landry asked if there is any other business to come before the Board.

Michael Mcewen of 4058 Cream Ridge Road came forward to speak before the Board. Mr. Mcewen asked what the Town plans are for solar farms. Mr. Malafeew said the Walworth Town Code has a size limitation on ground-mounted solar panels of 1,000 square feet, and solar farms are not allowed.

Diane Mcewen of 4058 Cream Ridge Road came forward to speak before the Board. Ms. Mcewen is concerned with farm land being used for wind mills and solar farms.

Doug Flye made a motion, seconded by Lou Villanova, to adjourn the meeting. All members were in favor. Chairperson Landry adjourned the meeting at 7:17 PM.

Respectfully Submitted,

Barbara Goulette, Clerk