

Chairperson Landry called the regular meeting of the Planning Board to order at 7:00PM. Members present were Chairperson Landry, Lou Villanova, Christopher Paap, Patricia Marini, and Doug Flye. Also present were Norm Druschel, Building Inspector; Michael Simon, Engineer for the Town (LaBella Engineering); Donald Young Attorney for the Town (Young Law of WNY); and Brett Malafeew, Code Enforcement Officer.

Chairperson Landry asked the Board if there were any corrections that needed to be made regarding the minutes of October 10, 2023. Ms. Marini made a motion, seconded by Mr. Flye, to accept the minutes of the October 10, 2023 meeting. Chairperson Landry abstained since she was not present at the October meeting. All other members were in favor. Motion carried.

Chairperson Landry addressed the first item on the agenda:

1. Application of Michael Callarama of 4068 Cream Ridge Road for approval of a Subdivision and Site Plan at 392 Mildahn Road, Town of Walworth, and County of Wayne. Property is zoned R-Residential (Daycare Overlay). (Public Hearing)

Patricia Marini made a motion, seconded by Doug Flye, to open the public hearing. All members were in favor. Chairperson Landry opened the public hearing at 7:01PM.

Michael Callarama of 4068 Cream Ridge Road came forward to speak before the Board. Chairperson Landry said he spoke with Don Lewis of D.H. Lewis Engineering PLLC, the applicant's engineer, and everything seems to be in order. Chairperson Landry said the comments from LaBella Engineering have been answered.

Chairperson Landry asked if there were any comments from the Board. No issues were brought forward. Chairperson Landry asked if there were any comments from the public. No issues were brought forward. Patricia Marini made a motion, seconded by Doug Flye, to close the public hearing. All members were in favor. Chairperson Landry closed the public hearing at 7:02PM.

Christopher Paap made a motion, seconded by Lou Villanova, to accept the SEQR and Resolution as written.

**TOWN OF WALWORTH
FINAL RESOLUTION
MILDAHN/AQUINO SUBDIVISION and SITE PLAN
MILDAHN ROAD**

At a meeting of the Planning Board of the Town of Walworth held on the 13th day of November 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 the existing 4.72+/- acre site at the corner of Mildahn Road and Gananda Parkway, Tax Map Number 61114-00-329107, into three (3) parcels. Lot 1 will be .684 +/- acres, Lot 2 will be 3.025 +/- acres, and Lot 3 will be 1.014 +/- acres. All the lots are proposed with the construction of new homes

as show on a maps prepared by D.H. Lewis Engineering dated September 15, 2023.

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 Final Subdivision and Site Plan approval for the Mlildahn/Aquino Subdivision and Site Plan located at the corner of Mildahn Road and Gananda Parkway.

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 13th day of November 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
	Patricia Marini	Aye
	Christopher Paap	Aye

Motion carried.

Chairperson Landry addressed the second item on the agenda:

2. Application of Bradca Properties, LLC of 1241 Ridgeway Ave, Rochester, NY for approval of a Subdivision and Site Plan at 4520 County Line Road, Town of Walworth, and County of Wayne. Property is zoned RR1-Rural Residential 1. (Public Hearing)

Doug Flye made a motion, seconded by Patricia Marini, to open the public hearing. All members were in favor. Chairperson Landry opened the public hearing at 7:03PM.

Kevin Tung of Greene Land Surveying, PLLC came forward to speak before the Board on behalf of Bradca Properties, LLC. Mr. Tung said the applicant proposes to subdivide a 5.8-acre parcel from a 7-acre parcel and build a single-family home.

Mr. Simon said he did not receive a written response from Greene Land Surveying to his comments in the letter dated November 7, 2023 which are somewhat minor in nature, so it does not need to hold up this application.

November 7, 2023

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

RE: Bradca Subdivision and Site Plan Review
4520 County Line Road, Walworth, NY
LaBella Project No. 212141.184

Dear Mr. Landry and Planning Board Members:

LaBella Associates has reviewed the applicant Subdivision Plan, dated October 19, 2023 and Site Plan, dated October 16, 2023, both prepared by Greene Land Surveying, PLLC. This application is proposing to subdivide an approximate 5.9 acre parcel from an existing parcel approximately 6.9 acres in size, with a Tax I.D. No-61115-00-111454 that is owned by Bradca Properties, LLC. It is further proposed that a new single-family residence be constructed on this 5.9 acre parcel. The existing lot is Zoned RR-1 and meets the land use requirements in Section 180- RR-1 District: Single-Family Residential.

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) The electrical and water services for the proposed residence should be included on the site plan with any area of disturbance included within the limits of disturbance.
- 2) The Town typically requires a deep hole in the area of the home construction, this should be coordinated with the Building Department.
- 3) All Fire Code requirements should be noted on the plans, this should be coordinated with the Building and Zoning Department:
 1. Verify driveway pull off and turnaround areas.
 2. Hydrant location and coverage.

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, Civil Regional Leader

cc (via e-mail): Barbara Goulette, Clerk, Town of Walworth
Greene Land Surveying, PLLC
Bradca Properties, LLC

Mr. Simon said he needs a couple of things revised on the map. Mr. Druschel said he witnessed 2 deep hole tests on this property. Mr. Simon said the water and electric service need to be shown on the plan, and there should be pull off and turnaround areas. Mr. Tung said he will show these on the final plan. Mr. Tung requested the LaBella comment letter be sent to Greene Land Surveying since he is not sure they received it.

Chairperson Landry asked if there were any comments from the Board. 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 7:08PM.

Christopher Paap made a motion, seconded by Doug Flye, to accept the SEQR and Resolution based on comments from LaBella.

**TOWN OF WALWORTH
FINAL RESOLUTION
BRADCA SUBDIVISION and SITE PLAN
COUNTY LINE ROAD**

At a meeting of the Planning Board of the Town of Walworth held on the 13th day of November 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 the existing 6.9+/- acre lot, Tax Map Number 61115-00-111454, into two (2) parcels. Lot A will be 1.0 acres with an existing single family home and barn, Lot B will be 5.9 +/- acres, as shown on a map prepared by Greene Land Surveying dated October 19, 2023 and;

WHEREAS, the applicant is proposing to develop a new single family home on Lot B as shown on a map prepared by Greene Land Surveying dated October 16, 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 SEQRA 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 Final Subdivision and Site Plan approval for the Bradca Subdivision and Site Plan located on County Line 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 13th day of November 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
	Patricia Marini	Aye
	Christopher Paap	Aye

Motion carried.

Chairperson Landry addressed the third item on the agenda:

3. Application of Robert Marlowe of 135 Gilbert Drive, Rochester, NY for approval of a Site Plan at VL Cream Ridge Road, Town of Walworth, and County of Wayne. Property is zoned RR1-Rural Residential 1. (Public Hearing)

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 7:08PM.

Robert Marlowe and Kevin Tung of Greene Land Surveying, PLLC came forward to speak before the Board.

Mr. Simon addressed the comments in his letter dated November 7, 2023.

November 7, 2023

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

RE: Marlowe Site Plan Review
Cream Ridge Road, Walworth, NY
LaBella Project No. 212141.183

Dear Mr. Landry and Planning Board Members:

LaBella Associates has reviewed a site plan submitted by Greene Land Surveying, PLLC, dated September 7, 2023. This application proposes to construct a single family home and out building on an existing parcel, Tax I.D. No-61115-00-441213 that is being developed by Robert Marlowe. The existing lot is Zoned RR-1 and meets the land use requirements in Section 180- RR-1 District: Single-Family Residential.

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) The deep hole test location is not shown, there should be one in the septic area and one in the area of the home.
- 2) The finished floor elevation is show as 521.7' on the schedule of elevations but is shown as 524.0'
- 3) The electrical services for the proposed residence should be included on the site plan with any area of disturbance included within the limits of disturbance.
- 4) Signature lines for the Town Engineer and Planning Board Chair should be added to the plans.

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, Civil Regional Leader

cc (via e-mail): Barbara Goulette, Clerk, Town of Walworth
Greene Land Surveying, PLLC
Robert Marlowe

Mr. Simon said this lot was created as a subdivision of the New Life Bible Church earlier this year, and asked if the subdivision was filed with Wayne County. Mr. Tung said it was filed and it will be referenced on the final site plan map. Mr. Simon said the deep hole and perc tests were witnessed by Mr. Druschel. Mr. Tung requested the LaBella comment letter be sent to Greene Land Surveying since he is not sure they received it.

Chairperson Landry asked if there were any comments from the Board. 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 7:12PM.

Christopher Paap made a motion, seconded by Doug Flye, to accept the SEQR and Resolution based on comments from LaBella.

**TOWN OF WALWORTH
FINAL RESOLUTION
MARLOWE SITE PLAN
CREAM RIDGE ROAD**

At a meeting of the Planning Board of the Town of Walworth held on the 13th day of November 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 develop a single family home with an out building consisting of 7.5 acres on Cream Ridge Road, Tax Map Number 61115-00-441213, as show on a map prepared by Greene Land Surveying dated September 17, 2023.

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 Final Site Plan approval for the Marlowe Site Plan located on Cream Ridge 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 13th day of November 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
	Patricia Marini	Aye
	Christopher Paap	Aye

Motion carried.

Chairperson Landry addressed the fourth item on the agenda:

4. Application of Scott Kolczynski of Wayne County Public Works Department for a waiver of the normal subdivision procedure and approval per Chapter 151-6 at 1870 Route 441, Town of Walworth, and County of Wayne. Property is zoned Hamlet.

Michael Donalty, Town of Walworth Supervisor, came forward to speak before the Board. Mr. Donalty said he has been in communication with Wayne County and Scott Kolczynski and stated that the applicant is looking for a waiver of the subdivision procedure and is willing to accept any conditions the Board may put on it. Mr. Donalty said the Town has no opposition to the waiver, and the property has been surveyed. Chairperson Landry said the SEQR and map of the subdivision would need to be submitted.

Chairperson Landry asked if there were any comments from the Board. No issues were brought forward.

Chairperson Landry addressed the fifth item on the agenda:

5. Concept discussion by Daniel Huntington of BW Solar for a proposed commercial solar farm at 4041 Canandaigua Road, Town of Walworth, and County of Wayne. Property is zoned R-Residential.

Daniel Huntington of BW Solar came forward to speak before the Board. Mr. Huntington said he presented this project to the Town Board last year, and he has detailed site plans to present to the Planning Board. Mr. Huntington said his goal is to submit a complete application to the Planning Board for the December Planning Board meeting.

Chairperson Landry said according to Walworth Town Code 180-43.5, this is not allowed in that area so at this time there is nothing that the Planning Board can do to move on this. Mr. Huntington said he will potentially be asking for an area variance for the limit on how large the solar project could go, or possibly a zoning change, and he would take it to the Zoning Board. Chairperson Landry said the Planning Board cannot move on this until the applicant goes to the Zoning Board, and he said he will need to follow up with the Engineer for the Town. Chairperson Landry said this does not seem to fit the neighborhood. Mr. Huntington said he understands there is concern about changing the look and feel on that road,

and he said the solar field needs to be located at a position along the power line. Mr. Young said it is challenging to consider a preliminary application for something that is not allowed. Mr. Huntington said he is going to ask for variances.

Chairperson Landry addressed the sixth item on the agenda:

6. Concept discussion by Christian Brunelle of Sonbyrne Sales, Inc. for a proposed Byrne Dairy Retail Store and Fueling Facility at 1828 Penfield-Walworth Road, Town of Walworth, and County of Wayne. Property is zoned Hamlet.

Christian Brunelle, Executive Vice President of Byrne Dairy, came forward to speak before the Board. Mr. Brunelle said Sonbyrne Sales, Inc. is under contract to purchase 1828 Walworth-Penfield Road contingent upon approval of a Special Use Permit. Mr. Brunelle said the property is 2.78 acres. Mr. Brunelle said the proposed hours of operation are 5AM to midnight. Mr. Brunelle said the store is proposed to be located to the front of the site because of the topography of the property and will have 4 pumps with 8 fuel positions, 30 parking spaces, a drive around the store for deliveries, 2 curb cuts, underground DEC compliant storage tanks, and a dumpster enclosure. Mr. Brunelle said a Traffic Study, and SWPPP will be done, and there is a 20-foot sewer easement on the property. Mr. Brunelle said the lighting will be dark sky-friendly compliant, the free-standing signs will be 20 feet high and not electric, and the 2 building signs will be illuminated. Mr. Brunelle said sewers are available to go to the property, and he will leave as much brush as possible for buffering.

Chairperson Landry said he would like to see the sewers come down Route 441 and connect to the Hamlet, and also a sidewalk to connect to the Hamlet. Mr. Brunelle said there is a large right-of-way there with the County.

Mr. Villanova said he is concerned that the corner of Route 350 and Route 441 has a lot of accidents. Mr. Brunelle said the traffic study will go back 3 years and pull accident history, and the traffic engineer will have to review every accident. Ms. Marini said she likes the layout of the concept.

Chairperson Landry asked if there were any comments from the Board. No issues more were brought forward.

Mr. Brunelle said he will submit a complete application to the Planning Board for the December Planning Board meeting.

Patricia Marini made a motion, seconded by Doug Flye, to adjourn the meeting. All members were in favor. Chairperson Landry adjourned the meeting at 7:42 PM.

Respectfully Submitted,

Barbara Goulette, Clerk