

Chairperson Landry called the regular meeting of the Planning Board to order at 6:30PM. Members present were Chairperson Landry, Patricia Marini, Lou Villanova, Doug Flye, and Christopher Paap. Also present were Norm Druschel, Building Inspector; Brett Malafeew, Code Enforcement Officer; and Kate Powers of LaBella Engineering.

Chairperson Landry addressed the first item on the agenda:

1. Application of Chase Doran and Emma Whitmore for approval of a subdivision at 1869 Penfield Walworth Road, and County of Wayne. Property is zoned R-Residential. (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 6:31PM.

Chairperson Landry asked if there was anyone present to speak to this application. Noone came forward.

Doug Flye made a motion, seconded by Christopher Paap, to close the public hearing. All members were in favor. Chairperson Landry closed the public hearing at 6:31PM.

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

**TOWN OF WALWORTH
FINAL RESOLUTION
DORAN-WHITMORE SUBDIVISION
PENFIELD-WALWORTH ROAD**

At a meeting of the Planning Board of the Town of Walworth held on the 8th day of July 2024, 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 34.4 +/- acre parcel, Tax Map Number 63114-00-163557, into two (2) tax parcels. The first parcel will be 3.822 +/- acres that retains the existing house, and the second parcel would be 30.568 +/- acres as show on a map prepared by Greene Land Surveying dated June 14, 2024 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; now 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 adverse environmental impacts; and

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Final Subdivision approval for the Whitmore Subdivision located on Penfield Walworth Road with the following conditions:

1. That prior to final signature being affixed to the subdivision plan by the Planning Board chairperson, the subdivision plan include a depiction of a location map inset that identifies the general location of the subdivision within the Town; and
2. That the subdivision plan identify the existing setbacks at the existing residential structure.

Upon being put to a vote, the resolution was _____. AYE _____ NAY _____

STATE OF NEW YORK:
COUNTY OF WAYNE: ss
TOWN OF WALWORTH:

I, Jenna Camacho, 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 8th day of July

2024 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: 2024

(SEAL)

Town Clerk

Roll Vote:	Chairperson Landry	Aye
	Lou Villanova	Aye
	Christopher Paap	Aye
	Patrica Marini	Aye
	Doug Flye	Aye

Motion carried.

Chairperson Landry asked the Board if there were any corrections that needed to be made regarding the minutes of June 10, 2024. Patricia Marini made a motion, seconded by Lou Villanova, to accept the June 10, 2024 minutes. All members were in favor.

Chairperson Landry asked the Board if there were any corrections that needed to be made regarding the minutes of April 30, 2024. Patricia Marini made a motion, seconded by Christopher Paap, to accept the April 30, 2024 minutes. All members were in favor.

Chairperson Landry addressed the second item on the agenda:

2. Application of K2 Brewing, Inc. for approval of a Special Use Permit at 4320 Canandaigua Road, Town of Walworth, and County of Wayne. Property is zoned Hamlet. (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 6:33PM.

Adam Cormack, General Manager of K2 Brewing, Inc., and Lori Kennedy of K2 Brewing, Inc. came forward to speak before the Board. Mr. Cormack said the goal is to expand the business to allow outdoor and indoor use.

Chairperson Landry said at the beer garden location in the front of the building, a 20-foot clearance needs to be established around the fire hydrant. Mr. Cormack said they will completely leave the fire hydrant exposed to the outside and maintain access to the inside as well.

Ms. Marini asked how the customers will access the beer garden area. Mr. Cormack said it will be accessed from inside the building. Chairperson Landry said any alcohol consumption needs to be within the beer garden. Mr. Cormack said the long-term vision is to have the beer garden behind a fence, but he wants to know what would be required by the Board. Mr. Malafeew said he thinks this falls under the State Liquor Authority more than the Town, and the beer garden will be part of the existing business if it is a fenced off area. Ms. Kennedy said they plan to fence off one half of the area this year and then next year they hope to fence in the remainder due to the cost of the fencing.

Ms. Marini asked if there is going to be live music in the beer garden. Mr. Cormack said they have live music inside on Wednesdays and Thursdays, and in the future, they propose to have live music outside. Mr. Cormack said the music will stop by 9:30PM at the latest and may be amplified.

Mr. Cormack said the proposed cruise night will be classic cars, and they do not want to disturb the neighbors. Mr. Cormack said the car show will end at 8PM. Mr. Cormack said he will limit the number of cars coming in by having the regular customers use their regular parking area and the cars coming for the show would use the parking in the bus loop and the crescent shaped parking area, and when it's full no more cars will be allowed.

Chairperson Landry said the plan shows the LaCross field being placed in a parking area. Mr. Cormack said that will move or removed when the need for parking comes up, and the athletic fields will be very basic. Mr. Cormack said the disc golf course will be interwoven within the backside property. Mr. Cormack said the corn hole and pickleball court will be outdoors.

Chairperson Landry said special large events such as a fall festival with more than 200 people outside would require a permit from the Walworth Town Clerk. Mr. Malafeew said the capacity in the beer garden falls under the capacity of the existing business in the building.

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

Ms. Kennedy asked what the next step is after this meeting. Chairperson Landry said this property falls within 500 feet of Greystone Golf, and anytime you fall within 500 feet of a public recreation facility the application needs to go before the Wayne County Planning Board.

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 6:55PM.

Mr. Malafeew said the boundary of any existing or proposed County or State Park or any other recreation area needs to be referred to the Wayne County Planning Board. Chairperson Landry asked if this refers to public or private recreation areas. Ms. Marini said that it refers to any type of recreation facility, and it is a recreational facility where the public can attend. Chairperson Landry said Greystone Golf is privately owned. Mr. Flye said the Town Park is a public recreational facility that you do not have to pay to enter, whereas Greystone Golf requires a fee. Chairperson Landry and Mr. Malafeew said the County did not have a definitive answer on this matter when they were consulted. Ms. Marini said the County recommended denial of the rezoning and they never saw the initial special use permit since it was not referred to the County. Ms. Powers said that having the County comments could be beneficial, but it is ultimately this Board that makes the decision.

Chairperson Landry said he did not see a reason to hold up this application and send it to the County. Mr. Flye said he wants it documented that the fence be put in right away, and there will be no amplification of music past 10PM. Mr. Malafeew said he sees no reason to make the stipulation about the music amplification since this would fall under Walworth Town Code 108-3.

Doug Flye made a motion, seconded by Lou Villanova, to approve this Special Use Permit at 4320 Canandaigua Road, with the stipulation that a fence be installed before the beer garden commences.

Roll Vote:	Chairperson Landry	Aye
	Lou Villanova	Aye
	Christopher Paap	Aye
	Patrica Marini	No
	Doug Flye	Aye

Motion carried.

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

Dan Teske of 3947 Walworth-Ontario Road came forward to speak before the Board. Mr. Teske said he heard the DEC was called about the Gerber project. Chairperson Landry said this information has not come to him and it is not on tonight's agenda. Mr. Druschel and Mr. Malafeew said they have not been informed of this and they have not met with the DEC. Mr. Teske said Gerber Homes crossed the wetlands and they clear cut the property. Mr. Malafeew directed Mr. Teske to call the DEC.

Chairperson Landry asked if there was any other business to come before the Board. No more issues were brought forward. Christopher Paap made a motion, seconded by Doug Flye, to adjourn the meeting. All members were in favor. Chairperson Landry adjourned the meeting at 7:06 PM.

Respectfully Submitted,

Barbara Goulette, Clerk