

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 Michael Simon of LaBella Engineering.

Chairperson Landry asked the Board if there were any corrections that needed to be made regarding the minutes of August 12, 2024. Patricia Marini made a motion, seconded by Lou Villanova, to accept the August 12, 2024 minutes. All members were in favor.

Chairperson Landry addressed the first item on the agenda:

1. Application of Samantha Knapp of 161 Timber Brook Lane, Penfield, NY for approval of a Subdivision and Site Plan at 3965 Downs Road, Town of Walworth, and County of Wayne. Property is zoned RR1-Rural Residential 1. (Public Hearing)

Doug Flye made a motion, seconded by Christopher Paap, to open the public hearing. All members were in favor. Chairperson Landry opened the public hearing at 6:30PM.

Mike Greene of Greene Land Surveying, PLLC came forward to speak before the Board on behalf of the applicant, Samantha Knapp. Mr. Greene said the applicant proposes to build a house on a parcel of land currently owned by her grandfather on Downs Road. Chairperson Landry asked if they have an easement for the water line. Mr. Greene said the applicant’s and Town’s attorney will need to make sure the easement is in place when the parcel is conveyed to the applicant.

Chairperson Landry asked if there were any comments from the Board or the public. No issues were brought 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 6:32PM.

Doug Flye made a motion, seconded by Christopher Paap, to accept the SEQR as written. All members were in favor. Patricia Marini made a motion, seconded by Lou Villanova, to accept the Resolution as written. All members were in favor.

**TOWN OF WALWORTH
FINAL RESOLUTION
KNAPP SUBDIVISION AND SITE PLAN
DOWNS ROAD**

At a meeting of the Planning Board of the Town of Walworth held on the 9th day of September 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 105.6+/- acre parcel, Tax Map Number 62114-00-682761, into 2 new parcels. The first parcel will be 102.6+/- acres and the second will be 3.1+/- acres as shown on a map prepared by Greene Land Surveying dated August 15, 2024 and;

WHEREAS, the Planning Board has reviewed the site plan to construct a single family home on the aforementioned 3.1+/- acre lot as shown on a map prepared by Greene Land Surveying dated August 1, 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 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 Knapp Subdivision located on Downs Road;

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 9th day of September 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

Chairperson Landry addressed the second item on the agenda:

2. Application of Gerber Homes & Additions for approval of a subdivision and site plan at VL Mykola Road with access from Walworth-Ontario Road, Town of Walworth, 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 6:34PM.

Chairperson Landry asked if there was anyone to speak to this application. Daniel Teske Sr. of 3947 Walworth-Ontario Road came forward to speak before the Board. Mr. Teske said he still has not seen a map of the property, and he was not allowed to take a copy of the map. Mr. Teske said he had a confrontation with the Building Inspector which will be taken up with the Supervisor. Mr. Teske said he filed a SEQR to get all of the information and has not received anything. Mr. Teske said one map he saw did not show his house, his well, or his septic, and it only showed the chicken coop. Mr. Teske said there is only 47.5 feet, and there is a 60' water easement. Mr. Teske said this will need to be made a public road. Mr. Teske submitted a petition to the Planning Board signed by all the neighbors, except one. Mr. Teske said anyone that is connected with Gerber Homes should be recused.

Chairperson Landry said this application has not been approved yet; the Board has not received final plans; and it will not be approved at this meeting since there is a lot of work to be done by Gerber. Chairperson Landry said this application was sent to the Wayne County Planning Board and the Walworth Planning Board received their comments. Chairperson Landry said LaBella has given their comments to Gerber and they are waiting for a response from Gerber. Chairperson Landry said the plans are Gerber's plans and are not public plans.

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

Christopher Paap made a motion, seconded by Doug Flye, to adjourn this public comment until next month. All members were in favor. Chairperson Landry adjourned the public hearing until next month at 6:40PM.

Mr. Simon said he sent a letter to the applicant and his engineer on this project and is waiting for responses. Mr. Simon said there are several things that need to be addressed from an engineering standpoint. Mr. Simon said they researched the width of the access, and 47.5 feet was approved by the Town Planning Board and Attorney at the time of the original Orchard View plan. Mr. Simon said a typical road right-of-way is 60 feet, but this did not have 60 feet. Mr. Simon said it will be a private drive and 20 feet plus in width and will not be a through road to Mykola Road.

Chairperson Landry addressed the third item on the agenda:

3. Application of Steve Cooper of 4164 Walworth-Ontario Road for approval of a 3-lot Subdivision at 4164 Walworth-Ontario Road, Town of Walworth, and County of Wayne. Property is zoned RR1-Rural Residential 1. (Public Hearing)

Steve Cooper of 4164 Walworth-Ontario Road came forward to speak before the Board. Mr. Cooper said he would like to subdivide the lot into 3 parcels.

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 6:45PM.

Chairperson Landry said the pond locations are within 20 feet of the property line. Chairperson Landry said the pond on the south is over 12,000 sq ft and needs to be 100' from the property line so the applicant would need a variance for that pond. Chairperson Landry said the pond on the north side of the property is partially on the neighbor's property. Mr. Cooper said he is looking to resolve both issues since he has identified an excavator operator to resolve both issues. Mr. Cooper said he proposes to fill part of the pond on the south side of the property so it will be less than 12,000 sq ft.

Chairperson Landry said until those areas are fixed, the Board cannot give an approval on this application. Mr. Cooper said he would like to be on the Planning Board agenda next month since he plans to have all of this resolved in the next 2 weeks or so.

Christopher Paap made a motion, seconded by Lou Villanova, to table the application. All members were in favor. Chairperson Landry tabled the application at 6:47PM.

Doug Flye made a motion, seconded by Lou Villanova, to adjourn the meeting. All members were in favor. Chairperson Landry adjourned the meeting at 6:47 PM.

Respectfully Submitted,

Barbara Goulette, Clerk