Chairperson Landry called the regular meeting of the Planning Board to order at 6:30PM. Members present were Chairperson Landry, Christopher Paap, Patricia Marini, Lou Villanova, and Doug Flye. Also present were Brett Malafeew, Code Enforcement Officer, Darren Arrington, Building Inspector and Jacob Zoghlin, Attorney for the Town (Underberg & Kessler LLP).

Chairperson Landry asked the board to make a motion on last month's minutes for July 13th. Doug Flye made a motion, seconded by Lou Villanova, to accept the minutes for July 13th Planning Board minutes. Patricia Marini abstained. All were in favor. Motion carried.

Chairperson Landry addressed the first item on the agenda:

1. **Application of William and Kelly Waters for approval of a Site Plan for property at 4305 Cream Ridge Road, Town of Walworth, County of Wayne, Zoned RR-1.**

Kevin Tung from Green Land Surveying came forward to speak to the Board on behalf of the Applicant. Mr. Tung said they are proposing a single-family residential home on one lot that includes another home on the same lot, as well as an existing barn and a standard septic system. Chairperson Landry said this is one lot, not subdividing. Mr. Tung said that is correct.

Chairperson Landry asked if anyone else on the board had any questions. No issues were brought forward.

Christopher Paap made a motion, seconded by Patricia Marini to open the public comment. All members were in favor.

Judith Markowski of 4403 Cream Ridge Road came forward. Ms. Markowski asked if it is still one lot. Chairperson Landry said yes, it is proposed as one lot. Ms. Markowski asked if it was sold to a non-member of that family, would it have to split. Chairperson Landry stated right now we look at is one lot and if they come back to subdivide, that would a different conversation.

Ms. Markowski asked if the son is in the house up front, and they sold the other one to someone else would they subdivide. Code Enforcement Officer said they can have multiple residents on one lot per code. Ms. Markowski asked how do you tax that. Code Enforcement Officer said it's a question for the accessor. Ms. Markowski said the map that she looked at looks like it was two separate. Code Enforcement Officer said it must be able to be divided off, this board rules whether it can be divided off or not, and they wouldn't approve it if it can't be divided off.

Chairperson Landry asked if anyone would like to speak on this. No issues were brought forward.

Christopher Paap made a motion, seconded by Patricia Marini to close public hearing. All members were in favor. Chairperson Landry closed the public comment at 6:34PM.

Doug Flye made a motion, seconded by Christopher Paap to vote to approve the resolution and the SEQR as submitted.

TOWN OF WALWORTH PLANNING BOARD RESOLUTION

WILLIAM & KELLY WATERS – 4305 CREAM RIDGE ROAD

SITE PLAN APPLICATION (RESIDENTIAL)

ZONING DISTRICT – RR-1 (RURAL RESIDENTIAL 1)

SEQR & SITE PLAN APPROVAL RESOLUTION

WHEREAS, the Town of Walworth Planning Board (hereinafter referred to as Planning Board) is considering a Single-Stage Site Plan approval for construction of a single family home within the RR-1 Zoning District and detailed on Site

Plans titled "Plan of Land to be developed by William & Kelly Waters", dated July 13, 2026, prepared by Greene Land Surveying, PLLC, and all other relevant information submitted as of August 10, 2026 (the current application); and

WHEREAS, the Planning Board completed a formal review of the proposed development in compliance with the implementing regulations of the State Environmental Quality Review Act (SEQRA), and

WHEREAS, the Planning Board classified the above referenced Action to be a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

WHEREAS, the Planning Board has determined that the site plan application is compliant with Section 180-22 "erection of more than one principal structure on a lot" of the Town of Walworth Town Code; and

NOW, THEREFORE, BE IT RESOLVED, the Planning Board hereby issues **Final Approval of the Site Application,** subject to the following conditions:

1. Site Plan Approval with conditions specified herein is valid for a period of 180 days from today to February 6, 2027. Once all conditions of Site Plan Approval have been met and shown on revised drawings including the revision dates, the Planning Board Chairperson will then sign the Site Plans.
2. All comments identified by Town Staff are to be sufficiently addressed to the satisfaction of the Town prior to signatures being affixed to the site plan.
3. All comments by Wayne County Water and Sewer Authority (WCWSA) are to be sufficiently addressed to the satisfaction of the WCWSA prior to signatures being affixed to the site plan.

The above resolution was offered by ___*Doug Flye*__ and seconded by __*Chris Paap*__ at a meeting of the Planning Board held on Monday, August 10, 2026. Following discussion thereon, the following roll call vote was taken and recorded:

Chairperson Landry – Aye

Christopher Paap – Aye

Lou Villanova – Aye

Doug Flye – Aye

Patricia Marini – Aye

Motion carried.

Chairperson Landry addressed the second item on the agenda:

2. Application for Norbut Solar Farms, LLC for approval of a modification on Site Plans and Special Use Permit at 1045 Kuttruff Road, Town of Walworth, County of Wayne, zoned RR-1.

Victor Ciaccia from Norbut Solar Farms with Michael Gevski from one of their engineer associates came forward. Mr. Ciaccia explained they applied about a month ago for an amendment to their site plan approval and special use permit. Mr. Ciaccia said it is the same project layout the board approved with the exception of the battery storage component and the associated features that have been removed. Mr. Ciaccia said they have been able to cut about 1,200 panels from the project. Mr. Ciaccia said to his understanding the board wants to make a referral to the county and return for the September board meeting to hopefully get approval for these amendments.

Chairperson Landry stated you will be removing the main waterline too going down to it. Mr. Ciaccia said yes, that's correct because that's the only requirement.

Chairperson Landry asked if anyone else on the Board has any questions. No one on the Board had any.

The Town Attorney asked if and when you make it to the town board, you'll provide the updated decommissioning estimate. Mr. Ciaccia said yes, he thinks there's been some confusion because they included an updated estimate with their application, he is happy to talk with Lance Brabant, the Town Engineer about that.

Chairperson Landry said we will not move forward on this until it comes back from county.

Patricia Marini made a motion to open public comment, seconded by Doug Flye. All members were in favor.

Chairperson Landry asked if anyone would like to speak to this. No issues were brought forward.

Doug Flye made a motion, seconded by Lou Villanova to close public comment. All members were in favor. Chairperson Landry closed the public hearing at 6:38PM.

Christopher Paap made a motion, seconded by Patricia Marini to send this off to the county. All members were in favor.

Motion carried.

Chairperson Landry addressed the third item on the agenda

3. **Application of Calder Homes Remodeling for approval of a Sign location in the Town of Walworth at 1 Country Club Drive, Macedon NY, County of Wayne. Property is zoned PD-Planned Development. (Comment Session)**

Jason Calder came forward to speak to the Board. Mr. Calder said last month the board's question was how many lumens the sign is, it's 800 for a 60-watt light bulb, same as any exterior door in the neighborhood.

Chairperson Landry said that it does say, in our code, that we should have the ability to cut this down 50%, which I don't know how you can cut down a 60-watt lightbulb 50%.

Chairperson Landry asked the board if we can give him an exemption on that 60-watt bulb going down to a 30-watt bulb.

Doug Flye made a motion to exempt them from cutting it down from 60-watts to 30-watts, seconded by Lou Villanova. All members were in favor.

Chairperson Landry said he knows there was a bit of discrepancy as far as the sign having three different fonts being there's only two allowed, but it looks like it's for three different things. Chairperson Landry said that being the case, it is allowed to have three different fonts on this.

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

Chairperson Landry asked the board to open public comment. Christopher Paap made a motion, seconded by Patricia Marini to open public comment. All members were in favor.

Edward Raynor of 3290 Fairway 6 came forward. Mr. Raynor notified the board that the impression about lumens may relate to the interior part of the sign, but there are three additional exterior lights, which are by far exceeding 60 watts Mr. Raynor stated he has photographs of if necessary. Mr. Raynor noted that the lights can be on up until after midnight and the exterior lights are on after midnight, which the conditions are not being reduced 50%. Mr. Raynor notified the board that

the size of the sign is not appropriate and there is one sign with three fonts and not three signs. Mr. Raynor said he read the intended motion, and this board cannot negate the need for a waiver for the lighting as it stands now.

Phil Williamson of 727 Wood Hill Drive came forward. Mr. Williamson suggested the board research and then discuss their findings with professionals and consultants before continuing with the application of Calder Homes and Remodeling to replace the existing sign. Mr. Williamson questioned why the town accepted the reimbursement, consulting fee form with Jason Calder falsely identifying himself as the owner. Mr. Williamson notified the board of clerical errors on the legal notice and agenda stating they are factually flawed.

Mr. Williamson informed the board the sign was put up on May 25th, it advertises three businesses, using numerous fonts, and by introducing at Windward Lake confirmed the intent to broader develop a strategy for the 196.112 acres of the entire property, which in his opinion should be elevated and reviewed as a core component of the entire development plan.

Sherry Kearns of 1224 Fairway 18 came forward. Ms. Kearns informed the board she attended the July meeting in which the board asked Mr. Calder to keep his lights turned off. Chairperson Landry said he only asked Mr. Calder not to light the back light and if Ms. Kearns looks back at the last meeting, it was only not to illuminate the sign.

Chairperson Landry asked if anyone would like to speak to this. No issues were brought forward.

Chairperson Landry asked the board to close public comment. Christopher Paap made a motion, seconded by Lou Villanova to close public comment. All members were in favor.

Doug Flye made a motion, seconded by Christopher Paap to vote to approve the Calder sign as submitted.

TOWN OF WALWORTH PLANNING BOARD RESOLUTION

CALDER SIGN PERMIT APPLICATION - ZONING DISTRICT – PDD

CALDER SIGN APPLICATION – 1 COUNTRY CLUB DRIVE, WALWORTH, NY

SEQR NEGATIVE DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE &

SIGN PERMIT APPROVAL RESOLUTION

WHEREAS, the Town of Walworth Building Inspector (hereinafter referred to as the "Building Inspector") has received an application for a sign permit application (hereinafter referred to as the "Application") for approval of a Sign at 1 Country Club Drive, Town of Walworth, County of Wayne, State of New York, Tax Map Number 62113-00-221926 (the "Property"), which is located within the Town's PD-Planned Development zoning district, with particulars specified in the application materials on file with the Town, from applicant Jason Calder (hereinafter referred to as the "Applicant");

WHEREAS, the Town Building Inspector referred said Sign Application to the Town of Walworth Planning Board for determination pursuant to Town Code Section 143-2(D);

WHEREAS, the Town of Walworth Planning Board (hereinafter referred to as the "Board") has received the Application, which generally includes a request for permission to replace an existing sign with a new sign at the entrance of the Property at 1 Country Club Drive, and discussed said Application at the July 13, 2026 Planning Board meeting;

WHEREAS, following the July 13, 2026 meeting, the Planning Board requested and received additional information from the Application concerning the aforementioned Signed Permit Application;

WHEREAS, the Planning Board discussed said Application at the August 10, 2026 Planning Board meeting; and

WHEREAS, the Planning Board has carefully identified, considered and taken a hard look at all potential environmental impacts of the Application, as well as the application as a whole.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board has considered the Application and all relevant information, and finds that, it is an Unlisted Action under SEQRA; and, be it further

RESOLVED, that the Planning Board finds that, as it pertains to the SEQR Short EAF Part 2, all items identified are found to have "No, or Small Impact," including for all those reasons set forth in the record of the Planning Board, and that such SEQR Short EAF Part 2 be issued in accordance with such findings; and, be it further

RESOLVED, that, as per the above, the Application and Project will not result in any significant adverse environmental impacts, that a Negative Declaration of Environmental Significance is hereby issued, and that the Short EAF Part 3 be completed and signed in accordance with such Negative Declaration; and, be it further

RESOLVED, that, in relation to the Sign Permit Application, the Planning Board has carefully considered all relevant documentary, testimonial, and other evidence submitted, including but not limited to the Application materials, as well as any other relevant information submitted, and in consideration the same, and in consideration each of the criteria/factors for the granting of the requested Sign Application, including as set forth herein, the Board hereby waives any remaining submittal requirements, and hereby issues approval of the Sign Application, subject to the following conditions:

1. All outstanding comments by the Town, including but not limited to any by the Town Engineer and the Town Code Enforcement Officer, are to be sufficiently addressed to the satisfaction of the Planning Board Chairman prior to erection of the Sign or issuance of any building permit associated therewith.
2. Sign permit approval with conditions specified herein is valid for a period of a time specified in the Town of Walworth Code.
3. Upon addressing any conditions and obtaining signatures, the Town shall be timely informed of the satisfaction of such conditions. And, be it further

RESOLVED, that, to the extent the proposed Sign Permit Application exceeds any remaining sign requirements in the Town Code, the Planning Board finds that strict compliance with such requirements may cause extraordinary and unnecessary hardships; that waiver of such requirements will not be detrimental to the public health, safety or general welfare or have any effect of nullifying the intent and purpose of the site plan submission, the Official Map, the Town's Comprehensive Plan or this article; and so the Planning Board waives such additional sign requirements under Town Code §151-20.

The above resolution was offered by ***Doug Flye*** and seconded by ***Chris Paap*** at a meeting of the Planning Board held on August 10, 2026. Following discussion thereon, the following roll call vote was taken and recorded:

Chairperson Landry - Aye

Patricia Marini - Aye

Doug Flye - Aye

Lou Villanova - Aye

Christopher Paap – Aye

Christopher Paap made a motion, seconded by Patricia Marini to close the Planning Board meeting. All members were in favor. Chairperson Landry closed the meeting at 6:50pm

Respectfully Submitted,

Kennahdy Williams, Clerk