

Chairperson Ruth called the regular meeting of the Town of Walworth Planning Board to order at 7:31 P.M. Members present were Gene Bavis, Elaine Leasure, Larry Ruth, Deborah Amsler and Karel Ambroz. Also present was Phil Williamson, Code Enforcement Officer and Norm Druschel Building Inspector.

Karel Ambroz made a motion, seconded by Elaine Leasure, to dispense with the formal reading of the legal notice.

Roll Vote:	Gene Bavis	Aye
	Elaine Leasure	Aye
	Larry Ruth	Aye
	Deborah Amsler	Aye
	Karel Ambroz	Aye

Motion carried.

Elaine Leasure made a motion, seconded by Deb Amsler, to approve the minutes of September 8, 2008, with the correction of the name "Tony Evan" that should be "Tony Evans" that appeared twice on page 710.

Roll Vote:	Gene Bavis	Aye
	Elaine Leasure	Aye
	Larry Ruth	Aye
	Deborah Amsler	Aye
	Karel Ambroz	Aye

Motion carried.

1. Application of Gananda Partnership/Home Leasing, LLC for modification of pond permit for property located south of 3531 Canandaigua Road. Property is zoned: PD – Planned Development. (Public Hearing).

Chairperson Ruth opened the public hearing.

Jeff Leenhouts explained that he is coming before the Board seeking modification to the original approval of the pond that was granted on March 10, 2008. The proposal is to add a second pond near the barn, primarily to regulate water level. A 4-inch storm pipe will feed water from the smaller pond to the larger pond, thus increasing the viability of the pond in case of draught conditions.

Phil Williamson reported that on October 6, 2008 the Zoning Board of Appeals granted an area variance for the size and depth limitations of open water ponds. The intended use of the pond, as a source of passive recreation, including fishing, necessitates that the pond is larger than 12,000 square feet and deeper than the 36" allowed under current zoning.

The Board was in receipt of letter from Carl Hewings, Town Engineer, to Phil Williamson dated September 22, 2008 that stated:

"We have reviewed the plans submitted by BME Associates for the Gananda Partnership Pond with last revision dated September 9, 2008.

1. The design Engineer should provide a letter from utility companies giving permission to encroach on their easement.
2. Design Engineer should provide stormwater calculations for all outlet control structures.
3. Design Engineer should provide detail showing size and type of stone to be placed at the end of outlet structures
4. Design Engineer should design recreational pond according to the specification of New York State Department of Environmental conservation Division of Water Guidelines for Design of Dams, the proposed pond appears to hold over 3 acre-feet of water and is 10-feet high.
5. A copy of the Notice of Intent (NOI) must be submitted to the NYSDEC and Town of Walworth.
6. The plan should clarify location of the property line at the southwest corner of the proposed pond location.
7. Design Engineer should provide EAF short form, also the Design Engineer should provide topography to include the west side of existing drainage ditch.

Elaine Leasure questioned whether the purpose of the pond is the same as previously approved? Mr. Leenhouts responded, "Yes, this pond is primarily for private recreational use."

Karel Ambroz questioned whether the residents of the proposed Gananda Senior Housing Facility would also be using the Gananda Pond site. Mr. Leenhouts responded that at this time, it is for private use, but that may be a possibility in the future, as the concept is still evolving and they are keeping their options open.

Karel Ambroz questioned the location of the baseball. Mr. Leenhouts stated that a baseball field is proposed north of the pond. Karel Ambroz expressed concern that children could conceivably wander onto the property, so he would like to see road access to the pond for emergency vehicles.

There was no one present from the public.

Gene Bavis made a motion, seconded by Deb Amsler to approve the pond modification, contingent upon satisfying the 7 items of the letter of September 22, 2008 to the satisfaction of the Town Engineer.

Roll Vote:	Gene Bavis	Aye
	Elaine Leasure	Aye
	Larry Ruth	Aye
	Deborah Amsler	Aye
	Karel Ambroz	Aye

Motion carried.

Karel Ambroz made a motion, seconded by Elaine Leasure to adjourn the meeting.

Chairman Ruth adjourned the meeting at 7:45 P.M.

Gail Rutkowski, Clerk