

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, Norm Druschel, Building Inspector and Carl Hewings, Town Engineer.

Gene Bavis 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 August 20, 2008 as presented.

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

Motion carried.

1. Application of Shawn T. Haak for review of pond permit for property located at 3891 Boynton Road at the corner of Boynton Road and Wal-Marion Road (Lot #9 Fields Crossroad Subdivision). Property is zoned: RR-1.

Shawn Haak was present. Carl Hewings has reviewed the Pond Plan for Lot 9 of the Fields Crossroads Subdivision, prepared by Donald Lewis of Schultz Associates, Spencerport, NY, originally dated 6/3/2008 and revised 8/4/08. Carl Hewings stated that the comments in his letter to Mr. Lewis of July 10, 2008 had been addressed to his satisfaction. The pond complies with Town Code Section 180-44.4b which states that the pond must be 100 ft. from the property line and the open water surface area must be less than 12, 000 square feet and no more than 36" deep. The proposed pond is less than 4,000 square feet and complies with the depth requirement.

Carl Hewings stated that the only condition placed on the approval would be that the downstream side of the slope be landscaped with vegetation (ground cover).

The Board had no concerns.

Gene Bavis made a motion, seconded by Karel Ambroz to approve the pond permit.

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

Motion carried.

Shawn Haak questioned if there were any further steps he needed to take prior to digging the pond? Phil Williamson stated that all the paperwork is complete, but Norm Druschel should do a final inspection after the pond is constructed and the landscaping is established.

2. Request of Mr. Joseph DiGravio for waiver of normal subdivision procedures and approval requirements for 2-Lot Realty Subdivision of 39.8 acres located on the east side of Walworth-Ontario Road, approximately 1,700 feet north of Walworth-Marion Road. Property is zoned: RR-1.

Mike Kunzer, surveyor for Joseph DiGravio was present representing the applicant. The Board was in receipt of a map entitled, DiGravio Subdivision (Plat Map) prepared by Land Tech Surveying & Planning, P.L.L.C. Rochester, NY dated July 15, 2008. The total property is 39.67 acres that will be subdivided into two parcels; 33.42 acres (Lot 1) and 6.25 acres (Lot 2).

A letter from Land Tech Surveying, signed by Joseph R. DiGravio, dated August 8, 2008 requesting a waiver from the normal subdivision procedure under section 151-6 of the Town Code was presented to the Board. The matter can then be handled administratively.

Gene Bavis asked if there were any plans to develop the property at this time? Mike Kunzer responded that there were no plans. Gene Bavis stated, "You of course understand that by dividing these lots, it may or may not work for future development." Mr. Kunzer said that he understood.

The Board had no further concerns.

Karel Ambroz made a motion, seconded by Elaine Leasure, to approve the Waiver of Normal Subdivision and Approval Requirements (per 151-6 of Subdivision of Land)

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

Motion carried.

3. Request of Orchard View Estates for waiver of normal subdivision procedures and approval requirements for the addition of a 1.583-acre parcel from Steven Douglass to Orchard View Estates. Property is located east of future lots 322 and 323. Property is zoned: R.

Tony Evan, developer of Orchard View Estates was present to discuss the application. The Board was in receipt of a map, entitled Plan of Land to be Conveyed to Orchard View Development, LLC, prepared by Marques & Associates, P.C. Land Surveying & Engineering, Rochester, NY dated October 4, 2007. The map showed the addition of a 1.583-acre parcel from Mr. and Mrs. Steven Douglass to Orchard View Estates. The parcel is east of future Lots 322 & 323 of Orchard View Estates.

A letter, dated August 7, 2008 requesting a waiver from the normal subdivision procedure and approval requirements under section 151-6 of the Town Code was presented to the Board.

Chairman Ruth read a letter the Wayne County Planning Department, dated August 28, 2008.

"At its meeting on August 27, 2008 the Wayne County Planning Board reviewed the following referral (Preliminary/Final Subdivision Plan – addition of parcel) and determined them to have no intermunicipal or countywide impact. The Board recommended this referral be returned to the Town to be handled as a local matter."

The Board had no further concerns.

Phil Williamson stated that this is simply adding a parcel of real estate and there were no plans to develop the parcel. The matter can be handled administratively. A mylar of the subdivision map with appropriate signature block must be filed with the County.

Gene Bavis made a motion, seconded by Deb Amsler, to approve the Waiver of Normal Subdivision and Approval Requirements (per 151-6 of Subdivision of Land)

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

Motion carried.

4. Request of Orchard View Estates for waiver of normal subdivision procedure and approval requirements to move the north property line of Lot 208 (3843 Teresa Lane) 8.10 feet toward the north reducing lot 209 and increasing the size of lot #208 (Orchard View Estates Phase II A). Property is zoned: R.

Tony Evan, developer of Orchard View Estates was present to discuss the application. The Board was in receipt of a map entitled Resubdivision of Lots 208 & 209, prepared by Marques & Associates, P.C. Land Surveying & Engineering, Rochester, NY dated August 22, 2008. The map shows the relocation of the north property line (Lot 209) 8.10 ft. toward the north reducing the lot size of 209 and increasing the lot size of 208.

A letter, dated August 7, 2008 requesting a waiver from the normal subdivision procedure and approval requirements under section 151-6 of the Town Code was presented to the Board.

Chairman Ruth read a letter the Wayne County Planning Department, dated August 28, 2008.

“At its meeting on August 27, 2008 the Wayne County Planning Board reviewed the following referral (Preliminary/Final Subdivision Plan – relocation of lot lines) and determined them to have no intermunicipal or countywide impact. The Board recommended this referral be returned to the Town to be handled as a local matter.”

Phil Williamson stated that the approval could be handled administratively. A mylar of the subdivision map with appropriate signature block must be filed with the County.

The Board had no further concerns.

Deb Amsler made a motion, seconded by Elaine Leasure, to approve the Waiver of Normal Subdivision and Approval Requirements (per 151-6 of Subdivision of Land).

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

Motion carried.

Gene Bavis made a motion, seconded by Elaine Leasure to adjourn the meeting.

Chairman Ruth adjourned the meeting at 7:46 P.M.

Gail Rutkowski, Clerk