

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

Deb Amsler made a motion, seconded by Karel Ambroz to approve the minutes of the July 12, 2010 meeting as written.

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

Motion carried.

Chairman Ruth reminded those present that the purpose of the meeting was a Worksession to discuss general concept and there would not be the opportunity for public comment. A formal public hearing will be held and announced at a future date and that would be the time to ask questions and raise concerns.

**1. Concept discussion by Cathy Ewing for subdivision of property located at 3680 High Street. Property is zoned: Hamlet**

Cathy Ewing, owner of the property located at 3680 was present, along with her daughter. Ms. Ewing stated that she would like to subdivide off the north corner of her property so that she could give a parcel to her daughter to build a home. A sketch of the property was provided. The total acreage is 3.66 acres. The subdivided parcel would have approximately 100 ft. of road frontage and go straight to the back property line. Ms. Ewing stated that she wasn't sure of the exact depth, but thought it was over 200 feet. Public water and sewer are available. Gene Bavis commented that he did not foresee any problem with sight distance.

Gene Bavis questioned if Ms. Ewing would be seeking approval for the subdivision and site plan at the same time. She stated she was unsure at this time, but she realized she would eventually need to have a site plan done.

Phil Williamson stated that the applicant should make a written request to the Board to grant a waiver of normal subdivision procedure and approval requirements at a regularly scheduled Planning Board meeting. The proposed subdivision could then be handled administratively and no public hearing would be necessary.

**2. Concept discussion by Mike Green for subdivision of property located at Red Fox Circle. Property is zoned: RR-1**

Mike Green, currently residing in Ontario and owner of the property was present to speak to the Planning Board. The Board was in receipt of a copy of the site plan prepared by James H. Missell and Associates, 900 Jefferson Road, Rochester, NY 14623, dated 2/9/2010. Mr. Green explained that Lots 17, 18, 19 and 20 on Red Fox Circle are now one parcel. He would like to subdivide Lot 17 (1.044 acres) off of that larger parcel. The owner of Lot 15, Jason Meath would like to purchase Lot 17 to combine with his lot. He would like to use Lot 17 as part of his backyard as he does not want anyone building directly behind his home.

Phil Williamson stated that if Lot 17 and 15 are combined, there could be no future subdivision, because of access and the fact that each lot would not meet the zoning requirement for a building lot. Mr. Williamson read Town Code §Section 180-24: Access to structures. Every building hereafter erected or moved shall be on a lot bordering on a public street or with access to any approved private street and all structures shall be so located on lots as to provide safe and convenient a access for servicing, fire protection and required off-street parking.

Mr. Green also explained that he previously combined two ½ acre lots (Lot 21 and 22) and is currently building a home on what is now a 1.105 acre lot (Lot 21) where is will reside. Presently there is a hammerhead turnaround that has a temporary easement for snow removal. Part of the approval process for Lot 21 was that the turnaround be extended to the west to lot 20. The turnaround size was 22 ft wide by 140 ft. long. A temporary easement was required.

Norm Druschel commented that the map showing the easement has been filed with the County, but does not include a written easement description. The easement description would also need to be filed with the County, after being approved by both the Town Engineer and Town Attorney.

Further complicating the issue is the fact that after talking with the potential developer's engineer it was found that the easement extension to lot 20 was not owned by Mr. Green. Mr. Green stated that he is working with his attorney and a separate deed has been written. Phil Williamson said that he had communicated with Mr. Green's attorney and although the deed has been written there has not been any transfer of title, therefore no subdivision could take place until Mr. Green actually owns the land where the easement is. Phil Williamson advised Mr. Green that his attorney should contact Denise Munson, Town Attorney to iron out all the legal issues involved with the easement.

Recently, a meeting was held with Mike Frederes, Norm Druschel, Carl Hewing and Dave Starr (Parrone Engineering) to discuss the private drive.

As a result of that meeting, a letter from Carl Hewing to Chairman Ruth, dated July 15, 2010 was sent. The letter was read:

"In February of 2010 a site plan was approved for a residence on two lots noted on assessors maps a parcel 21 (APN 834728 and 22 (APN 845727). The two lots were located at the end of a dedicated street, but, had no frontage on that street. The Town did request easements for access and snow removal but did not require additional dedication or construction of a road to public standards. Staff elected to defer that dedication or construction of a road to public standards. Staff elected to defer that requirement until such time as further development was done on the rest of the property.

It has been brought to our attention that multiple parties are contemplating further development of the adjacent lots. We recommend to the Board that one of the conditions for further development of the property is to require construction and dedication of a fully improved street extension and cul-de-sac, designed to meet the Town standards and able to facilitate snow removal, service by emergency vehicles as well as school buses. This existing water main should be extended to service proposed development according to the standards of Wayne County Water and Sewer."

Discussion ensued regarding the common drive with hammerhead versus a dedicated cul-de-sac. Michael Green stated that he did not want to have to build a cul-de-sac as he had been "guided" all along that the turn-around was okay and the cost to build the cul-de-sac would be prohibitive and a hardship. Carl Hewings stated that the turnaround was approved prior to any plans for further development. The point was made that there are sometimes problems with hammerheads, such as difficulty having a spot to push the snow, people parking in the hammerhead and mailboxes being knocked down. After more discussion back and forth, Chairman Ruth commented, "It is clear that there are engineering issues that we can't solve tonight."

The Board concurred that they had no problem with subdividing Lot 17 off of the larger parcel as long as all the legal issues were resolved and a solution to the street access can be reached that is satisfactory to all parties. Input from the Highway Dept., Water Authority and Fire Department need to be considered. At that time an application and subdivision map would be needed and a public hearing could be held.

### **3. Concept discussion by Don Lewis, project engineer for proposed Red's Campground to be located at 4500 Boynton Road. Property is zoned: RR-1 Residential.**

Don Lewis, project engineer for A.E.Y. Enterprises, Inc., 3051 Daansen Road, Walworth was present to discuss the proposal for a campground to be located at 4500 Boynton Road, south of Smith Hill Road. A concept site plan entitled, "Red's Campground" dated July 7, 2010 was prepared by A.E.Y. and available to the Board. The Healds, developers for the project were also in attendance as were many Town residents.

Mr. Lewis gave the Board a general overview of the project. The total acreage is approximately 80 acres. Presently, the developer and future owner Kevin Heald maintains the property for the owner (Jim Norton of northern England) and uses the property to grow pine trees and other agricultural uses. The property is a combination of woods, open meadow and federal and state wetland to the north. At the current time they are trying to put together some proposals from a couple to wetland biologists to do a wetland delineation to determine the exact boundary of the wetland and the proposed 100 ft. buffer area. FEMA maps indicate that the property is not located in the Flood Plain and is not on the list of environmentally sensitive areas. All future development will be outside the wetland and buffer. The DEC has walked the property with the Healds.

The proposed campground will consist of 231 sites with a combination of seasonal and daily use campsites. Some will have full hook-ups (sanitary, water and electric) and other just water with use of bathroom facilities. The project proposal will be in three phases (Phase 1 – 129 sites, Phase 2 – 53 sites, Phase 3 – 49 sites). Additional buildings near the gate include a camp office, store, recreational pavilion, laundry and maintenance shed. The proposal also calls for five one-acre residential building lots along Boynton Road in front of the campground.

Mr. Lewis stated that the layout was designed in accordance with the Town of Walworth, Local Law 5, 2010. Campgrounds and Recreational Vehicle Parks (Schedule A). The goal is disturb little of the existing wooded area and to maintain as many hardwoods as possible. There will be two large areas for open recreation on either end of the park.

The three proposed ponds will serve as stormwater management ponds, but will also provide recreation for fishing and possibly paddleboats. All ponds will be constructed incorporating NYSDEC stormwater pollution prevention plan requirements. There will not be swimming in the ponds, but there will be a swimming pool on the property.

Mr. Lewis stated that there is public water on Boynton Road just north of the property. They have met with the Water Authority and they are okay with extension of the water main (approximately 2,000 ft.) the cost to be paid for by the developer. A recent flow test has been conducted and water pressure and times are adequate for the project. Boynton Road does not have public sewers so all in-ground septic systems will be designed to comply with NYS DEC recommendations and health codes.

Mr. Lewis stated that a traffic engineer would be employed. He commented that campsites typically do not have a peak volume in the a.m. and p.m. as in a subdivision, when residents are traveling back and forth to work. Traffic at a campsite is more likely to be throughout the day, with no true peak. There is data to substantiate that and will be provided in the long EAF form.

A licensing agreement between with the owners and the town will be renewed yearly.

Don Lewis invited the Board to ask questions and give input.

Chairman Ruth questioned how many acres of wetland. Mr. Lewis responded that the wetland is approximately 17 acres and there is a 100 ft. buffer beyond that. Discussion ensued about the 100 ft. setback along Boynton Road. Chairman Ruth commented that at the Town Board public hearing concern had been raised about visibility from the road and residents would have appreciated a deeper setback. Mr. Lewis stated that the nearest building was a maintenance shed that is tucked in the woods and out of sight. The store is approximately 300 ft. from the road. Mr. Heald is considering transplanting additional pine trees in front to further buffer the area. Chairman Ruth also advised that the engineer should be prepared to address the resident's concerns about noise and traffic issues.

Chairman Ruth asked if the ponds are there now? They are not and will have to be constructed. Gene Bavis questioned the depth of the ponds? The ponds would have to be at least 5 or 6 feet deep to sustain life and conform to DEC standards. Chairman Ruth stated that safety issues must be considered when developing ponds. It was suggested that access to the pond should have a gentle grade and perhaps cattails or other vegetation along the perimeter should be considered to discourage young children from wandering. When questioned, Mr. Lewis said that the DEC encourages, but does not require that ponds are fenced.

Karel Ambroz questioned if there had been any discussion with the Town as to extension of the water district? Mr. Lewis stated that he had only spoken with the Water Authority at this point. Mrs. Heald stated that she had a brief discussion with the Town about it.

Carl Hewing, town engineer advised Mr. Lewis that when the EAF Long Form is submitted, a Supplemental Report should also be included. Carl Hewing provided the engineer with the outline of items that that should be included in the report. Chairman Ruth read the outline to those present and stated that copies could be made available to interested parties.

Chairman Ruth stated that with the many large vehicles, campers and boats that will be traveling Boynton Road, he would like to see the speed limit reduced from the current 50 mph. Karel Ambroz commented that 8 years ago the Town went through the proper channels and managed to get the speed limit reduced from 55 mph to 50 mph, but people still exceed the speed limit. The comment was made that it is difficult to enforce and may result in the residents of Boynton Road being ticketed. The Town Board must submit a petition to the State of New York Department of Transportation in order for this to happen. Chairman Ruth stated that he still felt lowering the speed limit would be a good idea and since this can be a long and difficult process, the time to begin dialog is now, not after a campground is already built.

Norm Druschel, building inspector stated that all roads in the park would need to meet construction standards and the width must be adequate to accommodate emergency vehicles.

Gene Bavis asked about the timeline for the project. Mr. Lewis stated that he would like to have everything ready for a public hearing on Tuesday, October 12, 2010. The application and plans would need to be submitted by September 10<sup>th</sup> with an advertising deadline September 24<sup>th</sup> in order for the public hearing to be in October.

Chairman Ruth adjourned the meeting at 8:55 p.m.

Gail Rutkowski, Clerk