

Chairman Larry Ruth called the meeting to order at 7:45 p.m. Members present were Gene Bavis, Elaine Leasure, Larry Ruth and Peter Schillaci. Pat Stark was absent. Also present were Paul Russell, Phil Williamson, Norm Druschel, Richard Morris and Gail Rutkowski.

Gene Bavis made a motion, seconded by Elaine Leasure to approve the Planning Board minutes of November 14, 2005, as presented. Motion carried. Peter Schillaci abstained.

**1. Application of Prinzipal Homes, Inc. for preliminary subdivision and site plan approval, for a 58-lot subdivision to be known as Phase 5 & 6 of the Rolford Heights Subdivision located south of Route 441 and north of Gananda Parkway. Property is zoned R.**

Dick Morris, Attorney for the Town, explained this meeting is not a public hearing, as the Planning Board has no jurisdiction until the Town Board has held a public hearing to rezone to cluster development.

Dick Morris stated that the cluster development concept must go before the Town Board for approval under Section 278 of the Town Law before moving forward for preliminary and final approval by the Planning Board. Mr. Morris further stated that the application has to be in final form; so all engineering aspects are ready for preliminary approval before going to the Town Board to request cluster development. Essentially the application must be ready to be voted on for preliminary approval.

Larry Heininger from HBMA was present and stated that in response to the July 20, 2005 letter from Paul Russell, revised plans were submitted addressing several concerns. Mr. Heininger stated that he is in receipt of a letter from Paul Russell dated September 28, 2005 that stated that the plans were sufficient for preliminary review. In response to additional concerns, Paul Russell and Mr. Heininger met on December 8, 2005 and an updated set of plans has been delivered to Paul Russell.

Larry Heininger presented a map of Phase 5 and Phase 6 of Rolford Heights that showed the general layout of the development. Mr. Heininger explained that the 12.24 acres of preserved open space would be owned and maintained by the Town of Walworth and available to the residents of the area.

Chairman Ruth read a letter dated December 9, 2005, from the Wayne County Planning Department that stated that preliminary subdivision and site plan will be submitted for County Planning Board review when the plans meet Town Code requirements. The County Planning Board generally supports the cluster concept, but expressed concerns regarding the use and maintenance of preserved open space. Additionally, the steep slope and elevation of the land to be developed raised questions as to whether the municipal water supply is adequate and what storm water and erosion control measures will be taken.

Chairman Ruth questioned Paul Russell about the water pressure problems experienced by current residents at Rolford Heights. Mr. Russell has investigated and found that the homes are plumbed with 3/8" pipe instead of larger piping. Norm Druschel, Building Inspector, confirmed that 3/8" pipe conformed to State Building Code, at the time the houses were constructed. The pressure problem is inside the house.

Mr. Heininger stated that Phase 5 would loop the water main, which will allow flow from two directions and greatly improve delivery pressure.

Richard Morris stated that the EAF long form was not properly completed, as all environmental impacts are not properly identified and no means of mitigation are outlined. Mr. Morris further stated that there was no guarantee that a Negative Declaration would be granted by the Town Board. If the Town Board were to declare a Positive Declaration, it would involve going through the whole SEQR process, with additional expense to the applicant.

Larry Heininger agreed to complete parts 2 and 3 of the EAF long form and provide written discussion about potential impacts on the environment addressing the following issues; steep slopes (erosion), cluster vs. conventional development and water pressure. Larry Heininger stated that the addendum to the EAF form would be in completed form prior to the Town Board meeting on December 15, 2005.

Dick Morris stated the SEQR had to be completed prior to the Town Board acting on the cluster development request. The Town Board would recommend that the Planning Board be declared Lead Agency and proceed forward and schedule a public hearing prior to Preliminary and Final approval.

Peter Schillaci made a motion, seconded by Gene Bavis, to recommend to the Town Board they accept the cluster development concept plan, contingent on providing an addendum to the environmental impact statement prior to the December 15, 2005 Town Board meeting.

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| Roll vote: | Gene Bavis      | Aye    |
|            | Elaine Leasure  | Aye    |
|            | Larry Ruth      | Aye    |
|            | Peter Schillaci | Aye    |
|            | Pat Stark       | Absent |

Motion carried.

**2. Application of Sarah Haberbusch for Waiver of Normal Subdivision requirements for 2-lot subdivision located at 2098 Sherburne Rd. Property is zoned R.**

Dave Matthews of Matthews Consulting was present and stated that the applicant, Sarah Haberbusch owns the 15 acre parcel with a single-family residence. Sarah wishes to sell about 5 acres of land to the adjoining landowner, while retaining 10 acres with the single-family home. Mr. Matthews is requesting the Planning Board Waive the Normal Subdivision Requirements.

Gene Bavis made a motion, seconded by Elaine Leasure, to approve the Waiver of Normal Subdivision Requirements, as presented.

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| Roll vote: | Gene Bavis      | Aye    |
|            | Elaine Leasure  | Aye    |
|            | Larry Ruth      | Aye    |
|            | Peter Schillaci | Aye    |
|            | Pat Stark       | Absent |

Motion carried.

Chairman Ruth adjourned the meeting at 9:06 pm.

