

Chairman Larry Ruth called the meeting to order at 7:33 p.m. Members present were Gene Bavis, Elaine Leasure, Larry Ruth and Pat Stark. Peter Schillaci was absent. Also present were Paul Russell, Phil Williamson, Norm Druschel, Gail Rutkowski.

Pat Stark made a motion, seconded by Elaine Leisure to dispense with reading of the legal notice.

Motion carried.

Gene Bavis made a motion, seconded by Pat Stark to approve the Planning Board minutes of October 19, 2005 as presented.

Motion carried.

1. Application of Edward Robertson for preliminary and final residential site plan approval located approximately 2,060' west of Route 350 on the north side of Atlantic Avenue. Property is zoned RR-2.

Fred Shelley from Kreiling Associates was present and stated that the applicant is seeking site plan approval for a single, residential lot located at 1689 Atlantic Avenue. Mr. Shelley stated that the present drainage swale that runs east and west drains slow. Once the swale is graded properly there should be no adverse concern to neighboring properties.

Paul Russell stated the culvert under the existing drive needs to be lowered, to allow proper drainage.

Elaine Leasure questioned what the total drop of the drainage swale is from the start to where it turns the corner. Fred Shelley responded that it was approximately 2 to 3'.

Phil Williamson questioned whether the Fire Department had been notified. The Fire Department has been notified, and no comment has been received.

Chairman Ruth stated that the County has been notified and recommended approval of preliminary and final site plans.

Chairman Ruth opened the public hearing.

Terry Maxwell – 1651 Atlantic Avenue

Mr. Maxwell explained that there is no culvert at the roadside and water running east on Atlantic Avenue is diverted from the highway onto his property. Currently, water from the Maxwell pasture land drains onto the proposed parcel. There are low areas that hold water and Mr. Maxwell questioned his options. Mr. Shelley suggested contacting an Attorney to enter into an easement agreement with the site owner.

Paul Russell stated that the applicant must properly deal with drainage on his property, and cannot create an adverse effect to any neighboring parcels. The applicant does not have any responsibility to correct current problems to adjacent properties.

Gene Bavis suggested contacting the County Highway Dept. to see if consideration would be given to placing a culvert under the driveway at the roadside. Paul Russell said he would contact the County.

Cynthia Fisher – 1669 Atlantic Avenue

Ms. Fisher stated the proposed site is very wet. The topography of the land is flat and doesn't drain properly. Ms. Fisher had further concerns about the leach fields.

Paul Russell stated that the leach field has been designed correctly. The site has 2-3' of permeable soil and clay below the soil. The leach field is several hundred feet from other houses, and meets all requirements.

Chairman Ruth questioned the minimum distance a leach field must be from a well. Paul Russell stated the minimum distance is 100'. The site is serviced by public water.

Cynthia Fisher presented pictures, which showed the location of her property in relation to the proposed site and expressed concern with privacy between the two parcels.

Paul Russell stated that planting conifers would provide an excellent buffer. The recommendation would be to plant conifers 3' to 4' tall, spaced 8 to 10' apart, in two staggered rows.

Patty Maxwell – 1651 Atlantic Avenue

Mrs. Maxwell stated she is concerned with the safety of her horses that drink water from the wet area in the pasture.

There was no further public comment.

Elaine Leasure made a motion, seconded by Gene Bavis to close the public hearing.

Motion carried.

Gene Bavis made a motion, seconded by Pat Stark that the action be classified as the unlisted action.

Motion carried.

Gene Bavis made a motion, seconded by Elaine Leasure that after reviewing the Full/Short Environmental Assessment Form submitted by the applicant, all the criteria to determine whether or not there is a significant impact on the environment as set forth in 6 NYCRR part 617.7c, the comments from the public and after a hard look has been made by the Board at all possible environmental impacts and more particularly, finding there is no substantial adverse change in existing air quality, ground or surface water, quality or quantity, traffic or noise; no substantial increase in solid waste production; no substantial increase in potential for erosion, flooding, leaking or drainage problems; that there are no significant adverse impacts on municipal facilities/services; that there is no material conflict with the communities current plans or goals as officially approved or adopted; that there is no change in the use or intensity of use of land including agricultural, open space or recreational resources or in its capacity to support existing uses; that the granting of applicants application will not encourage or attract a larger number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action; and the project will not impair historical or archeological resources or wildlife or natural resources, I would like to move in regard to the pending application that the action is one that will not have significant adverse impact on the environment and that a Negative Declaration be declared.

Roll Vote:	Gene Bavis	Aye
	Elaine Leasure	Aye
	Larry Ruth	Aye
	Pat Stark	Aye
	Paul Schillaci	Absent

Motion carried.

Elaine Leasure made a motion, seconded by Gene Bavis that the plat plan be approval granted.

In order to impose recreation fees, the Planning Board must evaluate the present and anticipated future needs for park and recreation facilities in the Town of Walworth based upon projected population growth to which the particular subdivisions will contribute. The population in the Town of Walworth is growing at a fast rate, that over the last several years, the Town has issued numerous building permits per year for new homes, that the master plan of the Town indicates that there is a major demand for new parks, playgrounds, baseball fields, soccer fields and other recreational facilities and that in the immediate neighborhood of the proposed subdivision there is a need for additional facilities Based upon this need for new parks, playgrounds, baseball fields, soccer fields and other recreational facilities:

I move that the Board find (1) that a proper case exists for requiring the developer to show on the plat a park or parks suitably located for playgrounds or other recreational purposes; and (2) that a suitable park or parks of adequate size cannot be properly located in any such plat or is otherwise not practical. Therefore, a parks and recreation fee, in lieu of construction of a park within the subdivision, shall be assessed on each lot in an amount established by the Town Board and same shall be paid prior to the issuance of a building permit and said requirement for the payment of parks and recreation fee shall be noted on the plat.

Subject to the following conditions,

1. A revised site plan including the cross section, be submitted.
2. The applicant will plant conifers between the northeast corner of the Fisher property line and the proposed site for a privacy buffer. The conifers are to be 3-4' in height, approximately 8-10' apart in two staggered rows.

Roll Vote:	Gene Bavis	Aye
	Elaine Leasure	Aye
	Larry Ruth	Aye
	Pat Stark	Aye
	Peter Schillaci	Aye

Motion carried.

2. Other:

Chairman Ruth stated the Walworth postmaster, who lives in Rolford Heights expressed concerns about drainage and the water pressure at his property.

Paul Russell stated that he will look into the drainage concerns on existing sections of Rolford Heights.

Paul Russell stated the water pressure problem stems from the builder using 3/8" piping, instead of a larger pipe. Paul will request the hydraulic analysis from the builder's engineer for future construction. The water pressure problem within existing residences is between the homeowner and the builder.

Paul will advise the postmaster the reason for the water pressure problem.

Chairman Ruth adjourned the meeting at 8:29 pm.

Karen J. Ambroz, Clerk