

**TOWN OF PARMA PLANNING BOARD  
OCTOBER 16, 2006**

Members Present:

Chairman  
Executive Secretary

Ed Fuierer  
Jack Barton  
Bob Pelkey  
Rick Holden  
Tod Ferguson  
Tim Harner

Public present: Kris Schultz (Schultz Associates), Don Kessler, Laurie Way, Chris Monahan, Courtney Monahan, Nick Montanaro, Pat Brady, Barb Twentymon, Kay Twentymon, Michael Pavone, Craig Newhouse and Jim Smith (TB).

Meeting started: 7:05 pm

**CONTINUING BUSINESS**

Kessler Subdivision 5 Lots 1641 Hilton Parma Corners Road

Nick Montanaro presented to the Board a revised subdivision map for this property. Mr. Montanaro introduced Don Kessler, the property owner, to the Board.

Mr. Montanaro stated that the plans before the Board this evening were the same plans that he presented to the Board at the October 5, 2006 meeting. Mr. Montanaro also stated that he had reviewed the Town "rules" and did not see any restrictions that would prevent Mr. Kessler from subdividing this lot in to five lots. Again he explained that he was not involved in the original subdivision of this property back in 2004.

Jack Barton stated that he did have discussions with Don Kessler in regards to the subdivision of the property back in 2004 and there was a site plan that had "penned" in lots, showing the owners future plans for the property and there were 4 or 5 proposed lots. Mr. Barton stated that he remember speaking with Mr. Kessler as to his future plans of getting more than two lots out of this property. And at that time they discussed Mr. Kessler putting in a "parkway road".

Mr. Kessler stated that he remember telling the Board at one of the meetings in 2004 that he had plans for further lots on this property.

Mr. Barton passed out copies of the Zoning Board of Appeals 6/15/2006 minutes and the Planning Board minutes from 4/19/04, 3/4/2004 and 8/7/2003.

Chairman Ed Fuierer stated to Mr. Kessler that if he was to apply for the 5 lots he will need to put in a "parkway road" or a dedicated road. Mr. Kessler stated that he plans on putting a "parkway road".

Rick Holden asked where Mr. Kessler was planning on constructing the "parkway road". Mr. Kessler stated that it will be where the present driveway is located.

Kessler Subdivision Continued:

Chairman Ed Fuierer explained what a “parkway road” was according to Town of Parma standards.

Mr. Barton gave Chairman Ed Fuierer the comments from Larsen’s Engineering, dated 02/16/2004, and the comments from Monroe County dated 01/29/04 and 01/23/2004. These comments were the comments received from the referral agencies when the application for subdivision of this property was approved in 2004.

Chairman Ed Fuierer read each of the comments to the audience.

Chairman Ed Fuierer reviewed the Zoning Board of Appeals minutes in which they granted the variances for this property. Chairman Ed Fuierer stated that there was nothing in the Planning Board minutes concerning the driveway and that he knows that the neighbors are concerned with the dust but there are no requirements in the Town that a driveway be paved.

A discussion was held on the construction of a “parkway road”.

Mr. Holden asked if the Town has a requirement as to when the “parkway road” has to be constructed on a 5 lot subdivision. Mr. Barton stated that in the past they have issued building permits when the road has been boxed out and stone has been put in as long as there is access to each lot but before a C of O is issued the road must be paved.

Chairman Ed Fuierer asked if the owner had any plans to black top the driveway. Mr. Kessler stated that as soon as the work is done in the back the road will be black topped. Mr. Kessler stated that he did not want to black top the road until the work was done in the back because of the weight of the equipment that will be needed to do the work. It would be ridiculous to black top the driveway and then have all that heavy equipment go over it and have to re-pave it after the homes were completed. Mr. Kessler stated that he understood the neighbor’s complaints about the dust. He has a similar situation where he lives. He has put down the “fabric” and stone beyond the 700 foot mark.

Tod Ferguson asked if Mr. Kessler had a projected date when the road would be paved. Mr. Kessler stated that he hoped to have the house started in 2007 so it should be late 2007 or early 2008.

A discussion was held on which lot was to be developed next. Mr. Kessler stated his home will be located on lot #5 and he plans on constructing the home on lot #1, for his parents, next.

Craig Newhouse - 1691 Parma Corners Road

Is it his understanding that the comments that Chairman Ed Fuierer read aloud previously were for the 2 lot subdivision that was approved in 2004 and what will happen with the driveway now that it is a 5 lot subdivision.

Chairman Ed Fuierer explained what the difference is between a driveway and a “parkway road”.

A discussion was held regarding the drainage of the site.

Kessler Subdivision Continued:

Michael Pavone - 1641 Hilton Parma Corners Road

-Asked what are the chances of getting 259 "dug out"? Stated that the roadside ditches do not drain well. Chairman Ed Fuierer stated that he should probably call NYS DOT, as this was a State road and they are the ones who maintain the road side ditches.

-Wanted to know if there was any way that "we" can get the State to do that? Mr. Barton told Mr. Pavone that he could call the State DOT, Politicians, and could even come to a Town Board meeting ask the Board if they can help with the situation.

Discussion was held on the drainage along 259.

Chris Monahan - 1633 Hilton Parma Corners Road

-asked the Board that if one of the lots had to sold to someone other than a family member would that change anything with the plans. Chairman Ed Fuierer stated that it would not, it did not matter who owned the property they would have to abide by the homeowner's association rules that will be set up for this subdivision.

A discussion was held on the formation of the homeowner's association and how the rules apply to the property owners.

Laurie Way - 1657 Hilton Parma Corners Road

-questioned the Board that if there was someway that they could require that Mr. Kessler put in the pond that he was discussing about earlier if it was determined that the pond would improve the drainage of area. Chairman Ed Fuierer stated that the pond will not only benefit the drainage of the area but will benefit Mr. Kessler, this is where he will get the fill he needs to construct his home on lot 5. Chairman Ed Fuierer also stated that lot 5 has already been approved with a pond and that he would have to construct the pond per the plans. That was part of the approval of the original subdivision.

-questioned if the Board could force Mr. Kessler to finish up the pond if he ran out of money and doesn't develop the property as proposed.

A discussion was held on the pond and the placement of the pond on lot 5.

Craig Newhouse asked what the size of the pond will be. Mr. Montanaro showed the audience the approve site plans and where the place of the pond would be and the approximate size of the pond.

Mr. Montanaro then stated that all of these issues would be addressed when he brought the plans in for site plan approval, at this time he was just in front of the Board to get the lot lines of the five lots fixed.

Chairman Ed Fuierer stated to the Board that when the applicant comes in for site plan approval he will have to prove to the Board and the referral agencies that he is not making the drainage of the area worse

Kessler Subdivision Continued:

but actually keeping it the same or improving it in some way.

Tim Harner stated that when the Zoning Board of Appeals granted the variances to Mr. Kessler they took into consideration all of the comments of the neighbors. The Planning Board has control over most of those issue and at the time Mr. Kessler comes in for site plan approval the Planning Board will be able to address the concerns of the neighbors.

Mr. Holden stated that he felt Mr. Kessler was aware of the neighbors thoughts and concerns regarding this subdivision of land and that when Mr. Kessler comes in for site plan approval he can better address those concerns on the plans and that the Planning Board will have control of the site during the approval process.

After a short discussion, a motion was made by Tim Harner and seconded by Tod Ferguson to grant the subdivision of this property into 5 unapproved lots (the Board did not grant site plan approval on the lots and the plans will have to be brought back in for site plan approval before building permits can be issued), as shown on the plans presented to the Board at tonight’s meeting. Motion carried unanimously 5-0.

NEW BUSINESS

King Subdivision

Lot 4

Alder Beach Road

Kris Schultz presented to the Board plans for a 2.792 acre lot. Mr. Schultz stated that this was a continuation of the subdivision of this property. Mr. Schultz then reviewed with the Board the previously subdivided lots from this large parcel. Mr. Schultz stated that this lot will be serviced by the “service road” for Alder Beach Road and that Alder Beach Road is a private drive and this property is not part of the association that maintains that Road so they will have to place the driveway cut on the “service road”. The proposed home will be serviced by public water and a full raised system.

Mr. Schultz pointed out to the Board that there are two Federal wetlands on the property and showed where they were depicted on the map. Mr. Schultz then stated that in the future there maybe some work with the DEC to get a “walkway” over the wetland closest to the lake so that the property owner can reach the lake by staying on their own property. Mr. Schultz stated that they have had the wetlands professionally delineated.

A discussion was held regarding the placement of the proposed septic system over a wetland. Mr. Schultz reviewed with the Board the Federal standards of being allowed to disturb less than .10 of an acre of wetland without having to get approval.

A discussion was held on the elevation of the basement.

Jack Barton stated that Mr. Schultz’s office has filled out the single lot subdivision form and submitted that to the Building Department but this site plan requires and additional form, Split-Merger form, and that they need to fill this out and submit it to the Building Department for this site approval.

King Subdivision Continued:

Tim Harner asked if the owner has any future plans for the rest of the property. Mr. Schultz stated that he does and that he is looking to get a couple more lots on the north side of the "service road" and 3 to 4 lots on the south side of the "service road". But this shouldn't be in for a couple of years.

A discussion was held on flood proofing the basement and if there were any precedents for putting in several sump pumps in a basement. Mr. Schultz has stated that he will be highly recommending that if a basement is put in the home that the put in at least two sump pumps and a back up generator is installed in the home.

The Board agreed to have the plans sent out to the referral agencies for the comments and concerns.

MISCELLANEOUS

Chairman Ed Fuierer read the following correspondence:

1. Rural Futures - September/October addition.

Rick Holden again stated that he has procured three seats at the Planning Future for Farms seminar on 11/9/2006. Tim Harner, Chairman Ed Fuierer and Rick Holden will be attending this seminar.

**Bob Pelkey made a motion to accept the October 5, 2006 minutes with the following correction: the motion on page two under Kessler Subdivision should read as follows: A motion was made by Rick Holden and seconded by Tod Ferguson to table the applications to establish lot lines for this property until the Board has a chance to review the minutes from 2002 and the County's comments from 2002 in regards to this application. Motion carried 3-1, Rick Holden, Tod Ferguson and Bob Pelkey Aye and Chairman Ed Fuierer nay(Tim Harner absent). Rick Holden seconded the motion. Motion carried unanimously 4-0 (Tim Harner absent from 10/5/2006 meeting).**

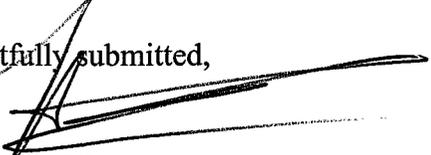
Jim Smith had the following updated from the Town Board:

1. The owners of the property to the east of the Dollar General on Ridge Road are looking to get the zoning changed on the properties up to the home before the car dealership to Highway Commercial. A discussion was held on this.
2. That in the latest addition of the Suburban News his opponent stated that there was a proposal for a soccer complex before the Town Board. Mr. Smith wanted the Planning Board to know that no such proposal has been presented to the Town Board and there is no proposal for a soccer complex before the Town Board. A discussion followed on this.

Rick Holden stated that one of the Politicians from the Village of Hilton had spoke with him about the fact that the Village was looking to annex more property behind Unionville Station into the Village from the Town. A discussion was held on this.

There being no further business, a motion was made by Tim Harner and seconded by Tod Ferguson to end the meeting at 8:09 pm. Motion carried unanimously 5-0).

Respectfully submitted,



Maureen L. Werner  
Recording Secretary