

TOWN OF PARMA
PLANNING BOARD
JUNE 16, 2008

Members present:

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

Public Present: Adam Freeman (Land Tech), Gary Comardo (TB), David Woodward, Karen Woodward, Marshall Kinz, Robert Fitzgerald (Avery Engineering), Robert Crowley, Kris Schultz (Schultz Assoc.) And Tony Perrotta.

Meeting started at 7:01 p.m.

PUBLIC HEARING

King Hamlin Parma Subdivision 4 Lots 566 Hamlin Parma Town Line Road
Rob Fitzgerald presented to the Board the plans for this application.

Chairman Ed Fuierer read the legal notice for this application.

Mr. Fitzgerald reviewed the plans with the Board. The homes will be serviced by sanitary sewers, public water, have been delineated for wet lands and that they are working on getting the permit from the DEC to do work in the wet land buffer zone.

Chairman Ed Fuierer read the following correspondence from the following referral agencies:

1. Town Engineer: 08/21/2007
2. Mo. Co. Department of Planning & Planning: 7/26/2008 & 3/31/2008

Chairman Ed Fuierer opened the Public Hearing.

PUBLIC COMMENTS:

Bob Crowley - 364 Peck Road

-Asked if the Monroe County Health Department had been notified of this application.

Mr. Fitzgerald reviewed with the public how plans are reviewed by the referral agencies and stated that yes the Health Department has seen these plans.

-Asked if the DEC and Health Department have been notified that this property was

King Hamlin Parma Subdivision Continued:

Apple Orchard and has the property been tested for arsenic?

Mr. Fitzgerald stated that they have been notified.

-Stated that this property is an old apple orchard and the property needs to be tested for arsenic.

Mr. Fitzgerald stated that the Health Department is the controlling agency for this and they are the agency that makes the decision on what tests need to be done.

Bob Crowley stated that he was forced to have the test done on his subdivision because it was an old orchard and it has cost him over a half million dollars to remediate the soil at his subdivision and he wants all property in the Town that was an apple orchard at one time to be tested. Mr. Crowley did state that he had no opposition to this subdivisions but he wants all subdivision to be held to all the same standards.

A lengthy discussion was held on the fact that this property was an old apple orchard and that Mr. Crowley feels that all property that were apple orchards should be tested for arsenic.

BOARD COMMENTS:

Tod Ferguson asked Mr. Fitzgerald if the Health Department had been notified if this was an old orchard. Mr. Fitzgerald stated that they were aware of it, it was listed on the DRC and then he reviewed with the Board and audience what typically happens when they submit an application to the Health Department.

Rick Holden asked if there had been any communication between the Health Department and the Building Department in regards to this application. Jack Barton stated that the Health Department was notified when the referral form was submitted and he had sent letters to the Health Department stating that the Planning Board was going to accept Lead Agency on this SEQR action. Monroe County Dept of Planning and Development and the Water Authority were the only two agencies to respond.

Mr. Holden stated that he wants to make sure that the Health Department is aware that this property was at one time an apple orchard and inquired if the Fire Department had seen these plans. Mr. Barton stated that he believes this project was were started prior to the Town sending plans to the Fire Department for review, so he does not believe they have seen them.

A discussion was held on the Fire Protection Standards.

Chairman Ed Fuierer asked that Mr. Barton get in contact with the Health Department to make sure that they are aware that this property is an old apple orchard and that they view the site as such.

Mr. Ferguson asked if the Conservation Board had any comments regarding the apple orchard issue. Mr. Barton read the Conservation Board's recommendation.

King Hamlin Parma Subdivision Continued:

A discussion was held regarding the fact that the Health Department needs to have the same rules for all applications when the property is an old orchard.

Mr. Ferguson stated that he was having trouble entertaining a SEQR decision when he was not sure if the Health Department was aware that this site was an old apple orchard. The rest of the Board agreed.

Chairman Ed Fuierer closed the public hearing.

CONSERVATION BOARD:

The Conservation Board recommended a negative declaration with conditions as stated in their recommendation letter.

Jack Barton reviewed with the Board letters from Monroe County DRC (5/7/2008) and Monroe County Water Authority (4/28/2008) stating that they consent to have the Planning Board accept Lead Agency for this application.

The Board reviewed Part II of SEQR and answered all the questions.

After a review of the application, **A motion was made by Tod Ferguson and seconded by Rick Holden to declare the Planning Board as Lead agent for the SEQR review on this application and recognize that 30 days have passed since notification was sent to all the other referral agencies and that only Monroe County DRC and Monroe County Water Authority were the only two referral agencies to respond, to recognize this application as a COORDINATED review and that this application was already recognized as a unlisted action under SEQR. The Planning Board has reviewed part 1 and part 2 of the EAF and after its careful review of the relevant information issues a negative declaration. Motion carried unanimously 5-0.**

A motion was made by Tod Ferguson and seconded by Tim Harner, to grant preliminary approval of this site plan upon the following conditions: the Health Department reviews this site as an old apple orchard, the Fire Department reviews the plans and the Engineer supply the Town with a copy of the letter that clears the site of any endangered species and SHPP0. Motion carried unanimously 5-0.

CONTINUING BUSINESS

30 Lighthouse Road

Site Plan

Adam Freeman presented to the Board revised plans for this site and reviewed the plans with the Board. Mr. Freeman stated that he has reviewed with the Building Department the status of this property being in a water district and this property is indeed already in a water district.

test holes) and they have no problem with this, they have added a second driveway and the proposed home is approximately 1/2 of million dollars.

Mr. Barton passed out a copy of the approved plans for the Board to compare with the proposed plans.

Mr. Barton asked Mr. Schultz if he had check with the Highway Superintendent in regards to the proposed second driveway cut. Mr. Schultz stated that he had and he had no issue with it.

A motion was made by Rick Holden and seconded by Tim Harner to approve the revised location of the home and the revised plans as presented to the Board at tonight's meeting. Motion carried unanimously 5-0.

Sandalwood Subdivision

Jack reviewed with the Board this application and that fact that six (6) months have expired since the Board granted a conditional final approval.

After reviewing the application the Board asked Mr. Barton to advertize for a Public Hearing on this application for the next meeting.

Hess

5028 Ridge Road

Mr. Barton passed out a copy of a letter from the Town Engineer to Chairman Ed Fuierer dated 6/11/2008 in regards to this application.

Mr. Barton stated that NYS DOT did not approve of the proposed drainage for this site, that they would not allow discharge into the roadside culvert and that applicant has now redesigned the drainage for this site per NYS DOT's directive.

A discussion was held on the drainage of this area.

The Board, after reviewing the new proposed drainage, told Mr. Barton that they will require another Public Hearing to be held on the new drainage plans for this application prior to their entertaining final approval.

A motion was made by Tod Ferguson and seconded by Tim Harner to approve the minutes of the June 6, 2008 meeting after the dated was changed from June 5, 2008 on the minutes to June 6, 2008. Motion carried unanimously 5-0.

Mr. Barton reviewed with the Board the visit to the Codes Council in Albany in regards to the

Miscellaneous Continued:

proposed Fire Protection Standards. Mr. Barton stated that they were denied but that they were revising the application and reapplying to the State and would keep the Board informed.

There being no further business **a motion was made by Bob Pelkey and seconded by Tim Harner to end the meeting at 8:34 p.m. Motion carried unanimously 5-0.**

Respectfully submitted:

Maureen L. Werner
Recording Secretary