

TOWN OF PARMA PLANNING BOARD

MAY 7, 2009

Members Present: Chairman Ed Fuierer
Executive Secretary Jack Barton
Tod Ferguson
Tim Harner
Rick Holden

Member Absent: Bob Pelkey

Public Present: David Matt (Schultz Associates), Rob Fitzgerald(Avery Engineering),
Marshall King(King Family Construction) and Mike O'Neil (O'Neil-
Rodak Land Surveyors).

Meeting started: 7:06 pm

CONTINUING BUSINESS

King Hamlin-Parma Subdivision 566 Hamlin Parma Town Line Road

Jack Barton stated that it has been six months from the granting of preliminary approval on this application. By Town Subdivision Requirements it calls for the application to come back before the Board to decide whether they would like the application to have another public hearing or if the application can continue on with the approval process from the preliminary approval granted six months ago.

Rob Fitzgerald stated that the owner of this property has already lost two (2) sales of lots on this subdivision and they have a contract on the proposed lot #2 of this subdivision but if they can't have the home built by the end of August they will lose that contract also. Mr. Fitzgerald stated that they are working with the Health Department to get the issues with the arsenic taken care of. Mr. Fitzgerald stated that it has been a long and drawn out process because this is relatively new issue and the Health Department does not really have standard process in place. Mr. Fitzgerald stated that he believes that this issue has been resolved and they now have a plan to handle the arsenic issue.

Chairman Ed Fuierer asked if the soil will be retested after the top soil is stripped. Mr. Fitzgerald stated that there will be retesting done, it is all part of the soil management plan that they have in place with the Monroe County Health Department. Mr. Fitzgerald reviewed the proposed plan with the Board.

Rick Holden asked where the berm will be. Mr. Fitzgerald pointed out on the second page of the plans, on the grading plan where they will be placing the berm.

Mr. Barton asked if the DEC had been involved in developing the proposed soil management

King Hamlin Parma Subdivision continued:

plan. Mr. Fitzgerald stated that they were not that it went through the Health Department and then explained why the DEC was not involved and the long and lengthy process they have gone through to get to this point.

Tod Ferguson asked if any of the run off from this site will be effected by the arsenic soil. Mr. Fitzgerald stated that all the run off from this site is contained on site.

Chairman Ed Fuierer asked if the adjoining property was an orchard also. Mr. Fitzgerald did not believe so, he thought it was farmed land.

Mr. Holden asked if they will be stripping all of the topsoil or just lot #2 to start with. Mr. Fitzgerald stated that they will be stripping the entire site, the owner feels that it makes no sense to just do one lot at a time, they want to get it all done at one time.

Chairman Ed Fuierer asked if there were any other changes to the plans. Mr. Fitzgerald stated that they did have to add a catch basin per the County but that was the only other change.

Mr. Barton asked Mr. Fitzgerald if they had located on the plans were the wetland signs will posted on the property. Mr. Fitzgerald stated that they are going to place them along the common property line and then pointed on the plans where they plan to post the signs. He thought that he had marked them on the plans but it was not labeled. Mr. Fitzgerald stated that the will place that on the plans.

Mr. Holden asked if there will be an easement over the berm, so that it can be maintained if necessary. Mr. Fitzgerald stated that they will be putting in a restriction on the deed to that lot stating that the berm can not be disturbed. A discussion followed on this and what has been done at the other subdivision in the Town that has the same issue with arsenic.

Mr. Barton stated that the driveway needed to be stationed. Mr. Fitzgerald stated that he would do that.

Mr. Holden asked if the Fire Marshal had reviewed the plans. Mr. Fitzgerald stated he had and that they have designed the plans to their requirements.

A discussion was held by the Board as to whether they want to have a new public hearing on this application. The Board agreed that because there were no major changes to the plans, the Town Engineer has reviewed the proposed soil management plan and proposed berm, and that the only public concern at the first public hearing was that of the arsenic from the former orchard had been addressed, no new public hearing was needed.

A discussion was then held on what needed to be done by the applicant to get on the next agenda.

MISCELLANEOUS111 Crimson Woods CourtPond Proposal

Dave Matt stated that the owner of this property wanted to put a pond in, that the creek that runs through the property has a lot of sediment, with a silt sink and a pump to pump some of the water up to a landscaped waterfall. A discussion was held on why the stream was so full of sediment.

Mr. Barton stated that he had spoken with Kris Schultz and that the Town would be requiring this proposed plan will have to be seen by the Town Engineer because of the redirection of the drainage.

A discussion was held on whether the body of water was a creek or tributary to a creek and whether a easement will be around the entire pond or just on that portion of the creek/tributary that is effected by this proposal.

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

5560 Ridge Road WestFill Permit

Dave Matt presented to the Board plans to fill a portion of this property. Mr. Matt stated that the owner of this property is now in negotiations to purchase the neighboring property. Mr. Matt stated that both of the adjacent properties slope into this property. Mr. Matt stated that the drainage of this site runs north from the road and that the owner would like to fill in the slopes.

After reviewing the proposed plans, Chairman Ed Fuerier asked if the pond on the plans was existing. Mr. Matt stated that it was not, it was proposed and they will be using the fill from this pond to fill the property with.

A discussion was held on the fact that the proposed pond was half on the highway commercial zoned property and half on the rural residential zoned property.

Mr. Holden asked if any additional fill be being brought in. Mr. Matt stated that they will be getting approximately half of the fill from the pond and the other half will have to be brought in.

Tim Harner asked what impact this filling will have on the adjacent properties. Mr. Matt stated it will have none. They are proposing swales on both property lines to direct the water to the back of the property and to keep the drainage from this property on this property.

Mr. Barton asked if they will be proposing any stone check dams. Mr. Matt stated that they would not be because it was not that steep but if the Town would like them he can put them in. A discussion was held on if stone check dams would be needed. It was decided that a note would be placed on the plans that in the future if the dams were needed the owner would put them in.

5560 Ridge Road continued:

Mr. Barton stated that the owner needs to know that once this area is filled he cannot start using it for storage or a display area. He will need to come back to the Board for approval of any alteration to the approved site plan for this property.

Mr. Ferguson asked what the time table was for this project. Mr. Matt stated that the owner wants to start immediately so he can have it done as soon as possible. Mr. Ferguson stated that the Board would not want to see this filling project to lag over a couple of years. Mr. Matt stated that the owner wants to get it stabilized right away and get it seeded as he runs his business here and he wants to make it look nice.

A discussion was held on the proposed leach field on the plans. Mr. Matt stated that they are not proposing a leach field at this time. That he put this on the plan because that area has already been tested and he did not want the area to be disturbed in case that in the future they would like to put one in.

A motion was made by Tim Harner and seconded by Tod Ferguson to grant a 90 day fill permit for this property per the plans presented at tonight's meeting with the addition of the note that check dams will be put in if required in the future by the Town. Motion carried unanimously 4-0 (Bob Pelkey absent).

Trimmer Road Subdivision363 & 367 Trimmer Road

Mr. Barton passed out a letter from the owner of these properties, dated 4/22/2009, requesting an update on the final approval granted by the Planning Board on September 2, 2004.

The Board reviewed the plans. A discussion was held on whether the easement, that was required for this subdivision, had been filed.

A motion was made by Rick Holden and seconded by Tim Harner to table this request until the owner can submit proof that the easement has been filed in the Monroe County Clerk's Office. Motion carried unanimously 4-0 (Bob Pelkey absent).

138 & 144 Ogden Parma Town Line RoadProperty Split/Merge

Mike O'Neil presented to the Board plans to move the property lines of these two properties.

Mr. O'Neil stated that the owner is planning on selling the smaller home but wants to keep the majority of the property with his home.

The plans show 144 Ogden Parma Town Line Road to presently be a one acre parcel and 138 Ogden Parma Town Line Road to be 3.2 acres. With the proposed split and merge "144" will be 3.594 acres and "138" will be .459 acres. The zoning of these properties is medium density residential.

Mr. Barton stated that by splitting and merging the properties as proposed the Board will not be creating any violations.

133 & 144 Ogden Parma Town Line Road continued:

A motion was made by Tod Ferguson and seconded by Tim Harner to approve the split and merge of these two properties as shown on the plans presented to them at tonight's meeting. Motion carried unanimously 4-0 (Bob Pelkey absent).

A motion was made by Rick Holden and seconded by Tod Ferguson to approve the minutes of April 2, 2009 as presented. Motion carried unanimously 3-0 (Bob Pelkey absent and Tim Harner absent from 4/2/2009 meeting).

There being no further business, a motion was made by Rick Holden and seconded by Tod Ferguson to end the meeting at 8:00 pm. Motion carried unanimously 4-0 (Bob Pelkey absent).

Respectively submitted,

Maureen L. Werner
Recording Secretary