

TOWN OF PARMA PLANNING BOARD

JANUARY 5, 2012

Members Present:

Chairman
Executive Secretary

Ed Fuierer
Jack Barton
Bob Pelkey
Tod Ferguson
Tim Harner
Steve Aprilano

Public present: Monica Griffiths, Shannon Munson, Timothy Allen, Lee McMann, Ray Helfrich, Adam Freeman (Land Tech), Dan Schum, Esq., Jim Roose (TB), Dennis Webb, Form Tiar, Chris Zimmermann, Kris Schultz (Schultz Associates), Kara Balewick, Sharon Corcoran, Mark Korddrick and Zach Harris.

Meeting started: 7:04 pm

PUBLIC HEARING

5049 Ridge Road West

Commercial Site Plan

Chairman Ed Fuierer read the legal notice.

Mr. Schultz gave a quick update and review of the plans for the Board and public.

Mr. Schultz passed out a rendering of what the final building will look like. Mr. Schultz stated that this was a unique site because a good portion of the site has already been develop.

Chairman Ed Fuierer read the following correspondence:

1. Department of Planning and Development September 9, 2011
2. Town Engineer September 6, 2011 & November 28, 2011
3. Fire Marshal August 15, 2011
4. Spencerport Fire Department email dated 9/7/2011

Mr. Schultz and Mr. Laber reviewed with the Board what they have done to the plans to address each of the comments and concerns. Mr. Laber also stated that per comment #7 of the Town Engineers letter they have hired a traffic engineer.

Mr. Barton reminded the engineers that if there is a plan to transport any fill material from this site at another site in Parma, the applicants will need to apply for a fill permit for that site.

5049 Ridge Road Continued:

Chairman Ed Fuierer opened the public hearing.

PUBLIC COMMENTS: None

Board Comments:

Tod Ferguson asked if the applicants are proposing to have any road side signage? Mr. Schultz stated that currently the signage will all be on the building. They may want a pole sign at a later date but they submit a separate application.

Mr. Barton stated that the Conservation Board had a question regarding the storage facility behind the existing building and concerns with security with this facility. The owner of the site stated that presently they store waste oil and antifreeze in this facility and have a gate on the facility but once the new building is completed all of this will be stored in the new building.

Mr. Barton then reviewed with the Board the Conservation Board's comments and stated that they have recommended to the Board a Negative Declaration for this unlisted project.

Mr. Barton also stated that the engineers will need to submit the storm water maintenance agreement for the pond and the legal descriptions for the easements for the Town Attorney to review before they are filed.

Mr. Barton stated that the Fire Marshal has started a review of the revised site plan and may have additional comments, one of which will be before the need of additional signage to direct the fire department to the fire departments connections.

A discussion was held on the location of the septic systems on the adjoining properties.

Chairman Ed Fuierer closed the public hearing.

The following motion was made by Tod Ferguson and Seconded by Tim Harner: The Planning Board has classified this proposal as an unlisted action under SEQR. The Planning Board has reviewed parts 1 and 2 of the Environmental Assessment Form (EAF) submitted by the applicant and any other relevant areas of environmental concern submitted for this proposal. Compared with the criteria listed in section 617.11 of SEQR regulations, all indications are that the proposed action will not cause substantial adverse change in community character, aesthetics, design and natural features. Based on its review, the Planning Board has determined that the action will not have a significant adverse impact on the environment of the Town and hereby issues a Negative Declaration. Motion carried unanimously. 5-0

A motion was made by Tod Ferguson and seconded by Bob Pelkey to grant Preliminary approval for this application. Motion carried unanimously 5-0.

NEW BUSINESS

5408 Ridge Road Commercial Site Plan

Dan Schum, Esq., stated that he was representing the owner of this property and explained to the Board as to why this application for an amendment to the site plan was before them. Mr. Schum stated that the owner has a major account with the car rental agencies for collision repairs.

Mr. Schum reviewed with the Board the size of the property and the fact that there were 4 "buildings" on the property that do not have building permits or certificate of compliance.

Mr. Schum then went on to describe each building and what was stored in each building;

Building #1 is a skeleton of a tractor trailer box with a wood floor.

Building #2 is a free standing texture 211 building.

Building #3 is a box of a six (6) wheeler and is used to hold machinery that is needed but used infrequently.

Building #4 is stick built and is used for storage.

Mr. Schum stated that his client had indicated to him that building #1 has been on the property since the early 90's and building #2, 3 and 4 are newer.

Mr. Schum stated that some of the buildings are also in violation of the Town's set back requirements.

A discussion was held on the buildings and their construction.

A discussion was held on the Town's Code which states that no vehicle parts may be left in open storage. The issue is whether the skeleton of the tractor trailer box is a vehicle part.

A discussion was held on the fact that this site was not a preexisting non-conforming use

A discussion was held on the Zoning district that the site is located in and the setbacks that are required for the Highway Commercial District.

A discussion was held on the screening of the site.

Mr. Barton stated that the existing home has a setback of 31 feet from the right-of-way and the homeowner is proposing to put an addition to the back of the home. The addition will still be within the 75 feet setback area. Per the Town Code the homeowner will have to make an application to the Zoning Board of Appeal for an expansion to a pre-existing non-conforming structure.

A discussion was held on the property.

Mr. Barton stated that the Planning Board is required to review the application and send their comments to the Zoning Board of Appeals for consideration at their meeting. The application is before the Zoning Board of Appeals on January 19, 2012.

After reviewing the site and the proposed addition, the Board agreed that there would be minimal impact to the neighborhood and that saw no issue with the application. Mr. Barton stated that he would put the Boards comments in a formal letter to the Zoning Board of Appeals and forward them to the Board members for their approval prior to sending them on to the Zoning Board of Appeals.

A motion was made by Tim Harner and seconded by Bob Pelkey to accept the of the December 19, 2011 minutes as presented. Motion carried unanimously 5-0.

A discussion was held on the appointment of Mr. Harner's replacement. Mr. Barton stated that Michael Reinschmidt was formally appointed to the Planning Board at the Town Board's meeting Tuesday night. Mr. Harner stated that it has been his privilege to serve the Town of Parma as a member of the Planning Board and stated that it was a privilege to serve with the other Board members and wished the newest member, Mr. Reinschmidt, best of luck in his new position.

The Board then reviewed the proposed section one of the Town Development Regulations and gave Mr. Barton their comments and proposed revisions.

There being no further business, a motion was made by Steve Aprilano and seconded by Tod Ferguson to end the meeting at 9:04 pm. Motion carried unanimously 5-0.

Respectfully submitted,

Maureen L. Werner
Recording Secretary