

TOWN OF PARMA
PLANNING BOARD
NOVEMBER 19, 2012

Members present:

Chairman
Executive Secretary

Tod Ferguson
Jack Barton
Steve Aprilano
Bob Pelkey
Mike Reinschmidt
Mark Acker

Public Present: Michael Ritchie (Costich Engineering), John Clark (DDS), Tim Harris (DDS), Kris Schultz (Schultz Associates) and Jim Roose (TB).

Meeting started at 7:04 p.m.

PUBLIC HEARING

266 Collamer Road

Site Plan

Chairman Tod Ferguson read the legal notice.

Tim Harris presented to the Board plans for this application. Mr. Harris reviewed the proposed plans with the Board.

Chairman Tod Ferguson read the following comments from the referral agencies:

1. Monroe County Planning and Development, dated 10/4/2012
2. Town Engineer comments dated 9/19/2012 & 11/1/2012.

Chairman Ferguson stated that there appears to be a lot of fill being proposed for this site and asked the engineer if they had the Town "fill note" on the plans. Mr. Harris stated that he did not. A copy of the Town's "fill note" was given to Mr. Harris and Chairman Ferguson requested that it be placed on the plans.

Chairman Ferguson opened the public hearing.

Public Comments:

None

Chairman Ferguson closed the public hearing.

A discussion was held in regard to the fill on the site and if the applicant was planning on filling prior to getting a building permit. Mr. Barton stated that if they are

Mr. Schultz passed out a letter from his office dated 11/19/2012, which outlined the major issues with the site.

Mr. Schultz reviewed with the Board how he proposes to phase the original plans. He stated that the owner needs to finish a few items to complete phase one of the proposed plan, he will need to finish installing the partially installed improvements.

Mr. Schultz then reviewed with the Board the site visit where testing of the brightness of the installed lighting on the site was conducted. Mr. Schultz stated that the lighting engineer was on site for this test. There are only two of the proposed five lights installed. When the lights were tested they were within the approved tolerance level per the light meter.

Mr. Barton stated that everyone at the site visit were very surprised that the lights were within the tolerance level, as they are very bright. Mr. Schultz stated that to check that the meter was working properly they check the reading of an on coming car's head lights and it registered the correct number for car lights.

Mr. Pelkey asked if there were more lights installed last year? Mr. Schultz stated that there were not but stated that he believes that the lights were not turned or titled correctly last year.

Mr. Schultz stated that he feels the phased plan is the best path to take, as all concerns can be addressed as they come up.

Mr. Shultz then addressed the stone path. He stated that test holes were done on the path. The path is approximately 460 feet in length from the edge of payment to base of hill. There is a 100 foot, approximate, long stretch at the base that needs to have an additional 3 inches of stone. This has been noted on the plans, but has not been completed as of tonight's meeting. Mr. Schultz stated that the path is required to be 12 feet in width and as it was constructed it is an average of 15 feet in width. Mr. Schultz stated that the spaces immediately in front of the path, in the parking lot, needs to be marked with no parking markings.

Mr. Schultz then stated that the fire line has been posted. That the owner had tried several different ways to post the required signs but in the end he followed the original plan of placing the signs on post and placing them around the building, as required. The signs are 40 feet or less apart and run down building, per original plan, all the way around building.

Mr. Schultz then stated that the entrance ramp has been corrected. The building department was still checking to see if a "dimple" pad is required.

4618 Ridge Road Continued

Mr. Schultz stated that the Hill top fence has been corrected; chicken wire fence has been added to both sides of the rail fence.

SWPPP inspections are being done and the inspections have been submitted to the Town. The owner was able to get top soil from the construction site down the road and has top soiled the slope and it is green and stabilized. There are still areas that are eroding but nothing is discharging from the site.

Chairman Ferguson asked if the entire silt fence was in tact. Mr. Schultz stated that it was and that some has been removed but where it is still required the silt fence is in place.

As to the sanitation, he has provided the Town calculations on the existing septic system and has looked at the water consumption for the site since it was built and calculated the peak use of the system. The present leach bed has a capacity of 2 to 3 times the required capacity for peak use. The issues inside are being addressed and he is working with the architect and client to resolve the issues. Mr. Barton stated that the State Building Code does not allow permanent placement of porta potties on site. Mr. Barton stated that the Building Department has been emailing the architect in regards to the architect's contention that the facilities in the building are adequate for the maximum capacity of the building. The Town has asked the architect to supply fact and data to support this opinion.

A lengthy discussion was held on the number of fixtures in the building and the required amount for the occupancy capacity of the site.

Mr. Barton stated that he is trying to make arrangements with Monroe County Soil to arrange a meeting at the site, as they have asked to be included in the next town visit to the site.

Mr. Barton stated that he has a concern with the site:

-the slope north of field 2, it is dropping off with the rain and migrating towards the pond and the silt fence has a lot of silt backed up against it. He is not sure what needs to be done to reinforce it. Mr. Schultz stated that the ultimate fix is to get growth on the slope.

Chairman Ferguson asked if the building department has any questions or concerns with the phasing plan. Mr. Barton stated that he would ask that the Board set out exactly what the applicant needs to have done for each phase of the plan. And that the Board make sure that the applicant knows that the Board is just looking at approving phase one and two and before he can start phase three he will have to come back before the Board.

Mark Acker asked if the filling for phase two is completed. Mr. Schultz stated that it is .

A discussion was held on items that need to be completed:

- stone path needs to be finished
- western portion of field two, cover is still not established.
- temporary dirt road to west is silting and needs to be stabilized.

Mr. Schultz agreed that there were a lot of areas that were not stabilized and need to be corrected.

Chairman Ferguson stated that phase four should look like a flag and should encompass the temporary road, with its removal and covering with grass upon completion of construction of the site.

Mr. Reinschmidt asked when phase one would be closed. Mr. Schultz stated that when the stone road has been completed and erosion of site is taken care of.

A discussion was held on how the Board would like to proceed.

-Mr. Barton asked if the Board members could go to the site and walk the site. Mr. Schultz stated that he would be able to meet any member at the site if they like. If he is not available he would send a member of his staff.

The Board wanted to make sure that the engineer passed on to the owner that if the Board approves the phased plan SWPPP reports will still be required.

After a lengthy discussion, a motion to table the application until the next meeting and to extend the fill permit until December 6, 2012, was made by Bob Pelkey and seconded by Steve Aprilano. Motion carried unanimously 5-0.

5018 Ridge Road and 798 Hilton Parma Corners Road

Kris Schultz presented to the Board the plans on this site for discussion.

Mr. Schultz stated that they have received approval from the Zoning Board of Appeals to extend the Special Use permit to the property to the south that is being merged with the property on Ridge Road. The sign for this site will be mounted on the building. The Town Engineer has done his final review of the site. That he is looking for a determination of SEQR for this site, so he can clear up any outstanding issues. There were no neighbors at the Zoning Board of Appeals meeting. He is looking to be able to get preliminary and final approval at the next meeting. The plans show that the building @ 5018 Ridge Road West will be hooked up to the new septic on the property to the north and the health department will not review this proposal without a SEQR determination.

5018 Ridge Road and 798 Hilton Parma Corners Road Continued:

Mr. Barton stated that the Conservation Board did do a site visit and had questions. A member of Schultz Associates's staff was at their meeting and answered their questions.

Chairman Ferguson questioned Mr. Schultz on the following:

- grease and oil separator
- parking spaces in right-of-way

Mr. Schultz stated that they will be doing limited amount of repairs on site, only doll up work, any major work will be taken across the street where there is a full garage. That the parking spaces are pre-existing but can bring back out of right-of-way, that DOT has looked at it and has only asked to have curb "bumpers" put in. Mr. Barton stated that he has nothing from DOT yet. Mr. Schultz stated that he would forward the email he received from DOT. Mr. Schultz did state that DOT has required that none of the old entrances be re-opened. The plans show 68 parking spaces and the Zoning Board of Appeals sets out that the maximum amount of spaces is 74.

Mark Acker asked if they will be filling. Mr. Schultz stated very little.

A discussion was held on the request to give SEQR determination prior to the Public Hearing. Chairman Ferguson stated that it is a policy of the Town to give SEQR determination at public hearing and that he wants the engineer to understand that if the Board agrees to give the SEQR determination at tonight's meeting they would not be changing their long standing policy.

Mr. Barton stated that the Conservation Board had recommended a negative declaration.

Mr. Schultz presented to the Board that the owner is strapped for time with this project and with the project across the street and needs the space to put his inventory while constructing the new dealership building. That they had tried to get the public hearing on the agenda for tonight's meeting but were not able to meet the time deadline. He is asking for the Boards to consider this request to help the business owner.

After a discussion, a motion was made by Steve Aprilano and seconded by Bob Pelkey to recognize this application as a unlisted action under SEQR and to grant a negative declaration for this project. The Board is noting that the Engineer showed good cause for deviating from the Town's long standing policy of addressing SEQR at the public hearing and that by granting SEQR at this meeting the Board has no intention of changing its long standing policy of addressing SEQR at the public hearing. Motion carried unanimously 5-0.

A discussion was held on the development regulations. It was agreed that the Board would like Mr. Barton to set up a meeting with the Town Engineer so that the Board can go over the regulations with the Engineer.

A motion was made by Mike Reinschmidt and seconded by Mark Acker to accept the minutes from the November 1, 2012 meeting as presented. Motion carried unanimously 3-0 (Bob Pelkey and Steve Aprilano absent from November 1, 2012 meeting).

There being no further business, a motion was made by Mike Reinschmidt and seconded by Steve Aprilano to end the meeting at 8:10 pm. Motion carried unanimously 3-0.

Respectfully submitted,

Maureen L. Werner
Recording Secretary