

**TOWN OF PARMA**  
**PLANNING BOARD**  
**APRIL 3, 2014**

Members present:

Chairman

Tod Ferguson

Executive Secretary

Jack Barton

Steve Aprilano

Bob Pelkey

Mark Acker

Mike Reinschmidt

Public Present: Edmund S. Martin (LandTech), Bob Prince, Mike Schaffron (LaBella Associates), and Jacquelyn Murray, Esq.

Meeting started at 7:03 p.m.

CONTINUING BUSINESS

5019 Ridge Road West Commercial Site Plan

Mr. Barton stated that the Surveyor had called and asked that this application be placed on the Board's Next agenda due to a death in his family.

NEW BUSINESS

1880 N. Union Street Commercial Site Plan

Jacquelyn Murray stated that the owner of the property is planning on replacing the 180' existing tower, which has been there for many years, with a new tower. That upon inspection of the tower for placement of new microwave dishes it was found that the existing tower is deteriorating and the owner would like to replace it with a new tower. They are looking to put up the new tower and then take down the existing tower, they need to keep the current tower to keep their business up and running during the construction of the new tower. The proposed tower is to be of the same design as the existing tower and the same height but 20 feet west of the current tower. The new tower will actually "redesign" the site as there will be less improvements, there will no longer be an outside equipment building. The equipment stored in outside building will now be located in the larger building on site. Ms. Murray reviewed the submitted plans and stated that the site already has an approved plan and is requesting that the Board treat this application as a modification to an existing site plan.

1880 N. Union Street Continued:

Mike Schaffron stated that they will be replacing the existing tower "in kind", same type and same height, base will be surrounded by fence, same as is there now which is 7 foot with 3 chain barbed wire at top, stone on ground, small foot print, erosion control is shown on plans, temporary access road is being proposed, there is little change to the impervious surface, the small outside equipment building will be gone, there are wetlands on the site but a long distance away from the construction, No change to aesthetics of site, no noise will be created by the tower and no lights will be required on the tower per the FAA.

Mark Acker questioned if the new tower was going to be higher, thought original application was for a higher tower. Mr. Schaffron stated that proposal is off the table due to budget constraints but they do anticipate that in the future a higher tower will be needed so they will be constructing the base to support a 15 foot extension. The Board reminded the applicant that if they do wish to extend the tower in the future they will have to come back to the Board for approval. The applicant stated that they understood.

Ms. Murray explained why the extension may be needed in the future. The utility company is putting in place a microwave dish system that will transmit information from the site to an office at another location. But it will be several years for these upgrades.

Bob Pelkey reviewed with the applicant that this application is for a 180 foot tower which will be structurally built to support a 195 foot tower. Mr. Schaffron stated that was correct.

A discussion was held on the proposed temporary driveway. Mr. Schaffron stated that it will only be used during the construction of new tower and demolition of old tower and then will be removed.

Mike Reinschmidt asked Mr. Schaffron to add erosion control around the temporary driveway.

Mark Acker asked if the plans show a 180 foot fall zone around the proposed tower. Mr. Schaffron stated it does. A discussion followed on the fall zone and Mr. Schaffron stated that if the tower fell there is a possibility that it could fall within the wetlands and they would then have to get permits from the DEC to clean up the site.

Mark Acker questioned the distance from the original tower, Mr. Schaffron stated it was 20 feet but it appears to be 60 feet on the plans. Mr. Schaffron stated he will put the distance on the plans.

Chairman Ferguson asked what the applicants feel this application is under SEQR. Ms. Murray stated that this is a Type II classification, Replacement in Kind.

1880 N. Union Street Continued:

A discussion followed on how this application fit within the Type II classification. The Board agreed that this application falls under SEQR § 617.5(c)(2), Type II actions.

Mr. Schaffron asked for conditional approval pending the revision requested by the Board.

Chairman Ferguson explained to Mr. Schaffron that the Planning Board does not grant conditional approvals, except in limited situations, and that the Board will require that he bring in the revised plans before they can grant approval of the plans.

*A motion was made by Mike Reinschmidt and seconded by Bob Pelkey to acknowledge this application as a Type II action under SEQR §617.5(c)(2) and that upon presentation to the Board of revised plans, distance placed on plans as to distance of new tower to old tower and that erosion control added around the temporary driveway the Board will entertain a request for approval. Motion carried unanimously 5-0.*

Profeta Subdivision                      Section 2                      147 Dean Road

Ed Martin presented to the Board plans to subdivide a 2.045 +/- acre parcel from tax account number 57.04-1-1.12, 147 Dean Road currently 39.732 acre parcel. Mr. Martin stated that the new parcel is being proposed to have a single family home, 4 bedrooms, and the home will be serviced by a septic system, public water and existing driveway.

Mike Reinschmidt asked if Chris Profeta was the sole owner of this property. Mr. Martin stated no, that he owned the property with other family members.

Mr. Reinschmidt then asked if Mr. Martin was aware that the Heth's owned a small lot of land on the south west corner of their property located at 141 Dean Road and contiguous with the property owned by the Bauer's at 143 Dean Road. Mr. Martin stated he was not and a discussion followed.

The Board reviewed with Mr. Martin the following:

147 Dean Road (TA#: 57.04 -01-01.12) is presently land locked but does have access to Dean Road over 141- B Dean Road (TA#057.02-2-29.21) said parcel has several ingress and egress access agreements filed in the Monroe County Clerk's office granting access over the parcel to several other parcels.

That 141-B is a stand alone parcel which already serves as access to Dean Road to 141-A Dean Road (vacant land) (TA# 057.02-2-29.23), 141 Dean Road (TA #057.02-2-29.22), 143 Dean Road (TA#057.02-2-29.3) and 147 Dean Road.

This proposal will add another lot to be served by the flag lot which is against Town Code.

Profeta Subdivision Continued:

A lengthy discussion followed on the situation with missing parcel on the map and what can be done to eliminate issue.

Jack Barton asked if the owner of the property had any future plans for the remaining 37 acres. Mr. Martin stated that perhaps in the future more lots but right now he has no plans.

Bob Prince, Fire Marshal, was present at the meeting and stated that there are no distance to hydrants shown on the plans and if there is more than 600 feet to a hydrant that will create an issue. A discussion followed on this.

A discussion was held on placement of bump-outs in the driveway.

Jack Barton also stated that per Town Code when determining the front of the lot, it is the front lot line will be the line closest to the public road, so the orientation will have to be to Dean Road and the minimum set back has to be 75 feet.

Chairman Ferguson also reminded Mr. Martin that if owner wants to develop the rest of property he will have to make sure he has enough space to put in a road.

Mr. Barton stated that the Town did receive a letter from the neighbors attorney who is opposing their access to Dean Road. If the owner would like a copy of the letter he can stop in to the Town Hall and fill out a freedom of information form. It would probably be in the owners best interest to work with the neighbors.

Mr. Martin asked the Board if he could get the application scheduled for a public hearing.

The Board all agreed that they were not comfortable with the plans as presented and that the issues set out above need to be addressed before they would entertain conceptual approval.

440 Moul RoadHouse elevation Adjustment

Ed Martin stated that this site plan was approved back in 2010 for a single family home to be serviced by septic and well. The owner is now just starting to construct the home and has found that a walk out basement is very expensive and would like to modify the house elevations to modify the house plans.

The proposed modification will lower the base floor and garage elevations 3 feet. The grading is a positive drain from the proposed home.

Mr. Barton passed out copies of a letter from Land Tech to the Town dated 3/31/2014 in regards to this application.

440 Moul Road:

There is a pond on the original plan which will no longer be needed for fill and therefor will not be constructed. Mr. Martin stated that this property had challenging and unusual grading at the corner of the home near the proposed septic.

A discussion was held on the fact that this was the "wet section" of Moul Road and the Board questioned if the owner really wanted to go down 3 feet. A discussion followed on the grading.

Steve Aprilano asked how much sand was in the proposed leach. After a small discussion it was decided that on the original plans it stated 22".

Mr. Barton stated that the Town Engineer has looked at these proposed plans and he sent an email stating that he has no concerns with these plans.

After reviewing the originally approved plans it appears that the elevation on the original plans is different than the plans presented to the Board today and if you use the originally approved plans the home will only be lowered by a 1/2 of a foot.

After a lengthy discussion on these plans Mr. Martin stated that the owner is not sure if his going to go with this plan or still go with the walk out basement. Another discussion followed on this.

The Board stated that they agreed with these plans for lowering the elevation of the home as presented and removal of proposed pond from plans. But until the owner decides which plan he is going to go with they will not make a motion on these plans. Once the decision has been made to go with this plan, the Board asked Mr. Martin to bring them back in and the Board would make a motion on them.

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*A motion was made by Mike Reinschmidt and seconded by Steve Aprilano to approve the March 6, 2014 meeting minutes as presented. Motion carried unanimously 4-0. (Bob Pelkey absent from 3/6/2014 meeting)*

Jack Barton passed out mail to the Board.

Mr. Barton stated that tonight would be his last Board meeting with the Planning Board that he is retiring from the Town at the end of the month.

Chairman Ferguson expressed to Mr. Barton the Boards gratitude for all the work Mr. Barton has done for them over the years, that has been a pleasure working with him and that everyone on the Board wishes him all the best of luck in his future endeavors.

Mr. Barton stated at this time the Town Board has not yet appointed a replacement for his position but Bob Prince has offered to step in and take over until one is appointed. Mr. Barton reviewed with the Board what he gone over with Mr. Prince to date.

Mike Reinschmidt reviewed the SEQR seminar he attended with the Board.

Mr. Barton reviewed with the Board the need to address EPODs at conceptual.

*There being no further business, a motion was made by Mike Reinschmidt and seconded by Mark Acker to end the meeting at 8:10 pm. Motion carried unanimously 5-0.*

Respectfully submitted,

Maureen L. Werner,  
Recording Secretary