

TOWN OF PARMA PLANNING BOARD
October 17, 2016

Members present:	Chairman	Tod Ferguson
	Executive Secretary	Dennis Scibetta
		Bob Pelkey
		Mark Acker
		Mike Reinschmidt
		Mike Ingham

Public Present: Kris Schultz (Schultz Associates).

Meeting started at 7:00 pm.

COTINUING BUSINESS

VerHulst Subdivision One Lot Site Plan 415 Wilder Road
Kris Schultz reviewed the plans for this one Lot site plan with the Board.

The following signatures were on the plan:

1. Monroe County Health Department – September 30, 2016
2. Monroe County Department of Transportation – October 17, 2016
3. Monroe County Water Department – September 28, 2016
4. Town engineer – October 3, 2016

Chairman Tod Ferguson stated that he visited the site on the way to the meeting.

The Board reviewed SEQR for this site:

Using information from Part 1, the Planning Board answered questions 1 through 11 on Part 2. The Board determined that this proposed site is listed as a type two unlisted action under the SEQR requirements.

Using the Part 2 tools, the Planning Board determined that there would be no impact to the environmental resources evaluated in Questions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11. These were all checked as "no or small impact may occur" on Part 2.

VerHulst Subdivision continued:

As a result of the project design the Planning Board has determined that significant adverse impacts are unlikely to occur and will not require preparation of an environmental impact statement.

A motion was made by Mike Ingham and seconded by Mike Reinschmidt to grant a negative declaration for this application. Motion carried unanimously 5-0.

A motion was made by Mike Reinschmidt and seconded by Mark Acker to grant final approval for this application. Motion carried unanimously 5-0.

NEW BUSINESS

Ferrante Subdivision 8 lots 204 & 206 Ogden Parma Townline Road
Kris Schultz presented to the Board conceptual plans for an eight lot subdivision on these properties.

Mr. Schultz stated that the property is located on the north side of Ogden Parma Townline Road. That this site is very deep and that 50% or more of the north side of the site has designated and federal regulated wetlands. The developer will be concentrating the development on the south side of the property. The soil test has been done with the Monroe County Health Department and the site will be serviced by public water. Mr. Schultz stated that Lot 8 has some additional land for a jog in the road and then reviewed the reason for this with the Board.

Mr. Schultz stated that the site distance survey had been completed and there was adequate site distant and that all the wetlands had been delineated.

Mr. Schultz stated that he would like to get the plans out to the conservation Board and all the referral agencies for their review and comments.

Mr. Schultz stated that they're looking for a 40 foot setback and that they are considering this subdivision in article 278 (cluster). .2016Mr. Schultz stated the proposed plans have the septic systems in the backyards and by having a 40 foot front setback it will leave more room behind the homes for the septic systems.

A discussion was held in regards to lot eight.

Ferrante Subdivision continued:

Chairman Tod Ferguson asked if the road will be a private drive. Mr. Schultz stated it will be a parkway road with a hammerhead turnaround. A discussion followed on the design of the road.

Mr. Ingham asked if any building will be taken place within the buffer zone of the wetlands. Mr. Schultz stated no but lots 5, 6 and 7 will include the wetlands.

Mr. Reinschmidt asked if the Town Highway Superintendent had seen the plans. Mr. Schultz stated he had not but he has designed the road per the Town supervisors requirements previously set out by the Town Highway Superintendent on the parkway road around the corner.

Mr. Ingham asked what class of wetlands was on the property. Mr. Schultz stated both federal and DEC.

Chairman Ferguson asked if there were any wood lots on the property. Mr. Schultz stated there was one to the north.

Chairman Ferguson asked if Lot 1 was set up to be a corner lot. Mr. Schultz stated it was.

A discussion followed on plowing of the road and on qualifying this application as an article 278 and if the applicant would need to go to the Zoning Board of Appeals asking for the 40 foot setback.

Mr. Ingham asked what the sump pump discharge was set out on lot number seven. Mr. Schultz stated it was the sump pump from the home and that it would discharge into the pond.

The Board agreed conceptually with the plans and stated that Mr. Schultz could send out to conservation Board and referral agents.

MISCELLANEOUS151 & 155 Ferguson Dr.Property Split/Merge

Mr. Schultz presented to the Board a plan showing a 30' x 199.02' parcel being split from 155 Ferguson Dr. and merged with 151 Ferguson Dr.

151 & 155 Ferguson Dr. continued:

The existing 151 Ferguson Dr. (tax account number 9.18-1- 33.1) to be an L shape parcel with the existing home having a 27 foot setback from the west property line. The existing 155 Ferguson Dr. (Tax account number 9.18-1- 33.2) to be a 170.74' x 199.02' rectangle parcel with an existing pole barn. Both parcels are currently conforming parcels and by splitting the 30' x 199.02' parcel from 155 Ferguson Dr. emerging with 151 Ferguson Dr. both parcels will still be conforming lots.

The rear setback of the existing home located on 151 Ferguson Dr. will be 57 feet from the west property line if the request is granted.

Motion was made by Mike Reinschmidt and seconded by Bob Pelkey to approve the split of the 30' x 199.02' parcel of land from 155 Ferguson Dr. Motion carried unanimously (5-0).

Motion was made by Mike Reinschmidt and seconded by Bob Pelkey to approve the merge of the 30' x 199.02' parcel of land into 151 Ferguson Dr. Motion carried unanimously (5-0).

North Parma Station acceptance of lead agency
Chris Schultz asked that the Board except lead agency for this application.

Chairman Ferguson asked if any responses had been received by the Town from other agencies requesting to be lead agent for this application. Mr. Scibetta stated that it has been more than 30 days and he has not received any communications from the other agencies.

Motion to accept lead agency for SEQR review was made by Bob Pelkey and seconded by Mark Acker. Motion carried unanimously (5-0).

1682 Hilton Parma Corners Road informal presentation
The applicant has asked to be placed on the November 3 meeting agenda.

28 Moul Rd. Expansion of existing building
Stacey & Todd Edgcombe were present at the meeting this evening in regards to their application before the Zoning Board of Appeals for expansion of their existing 2480 sq. Ft. building located on 28 Moul Rd. Mrs. Edgcombe stated that they are applying to the Zoning Board of Appeals for relief of the currently allowed size of building. The applicant's wishing to expand the existing building to 3200 sq. ft.

28 Moul Rd. continued:

Mr. Scibetta stated that the building was constructed in 1990 prior to the zoning law change in 1998. At the time of construction the building was conforming with all zoning laws. He also stated that the owners of the property keep both this lot and their home at 153 Payne Beach Rd. and immaculate condition.

The applicant stated that they do not wish to combine both lots at this time.

A discussion followed regarding Town law section 165 – 91. Mr. Scibetta stated that he has sent this request to the Town attorney and she has reviewed the Town law as well as the request and agrees with Mr. Scibetta that at the time the building was constructed it was an existing allowed use. Mr. Scibetta stated that in order for the Zoning Board of Appeals to take action on this application it is required under Town law that the Planning Board review and give direction.

Chairman Ferguson asked if this is a commercial enterprise. The applicant stated that they are using it to store their commercial vehicles which they use in their commercial business and the prior owner used it for the same use.

A lengthy discussion followed on this application.

Mr. Pelkey asked if the expansion of this building would be a substantial change. Mr. Scibetta stated no, not in this case because of the law set out in 1990, there were no limitations on the size of the building and it could be put on a vacant parcel of land without a primary residence.

Mr. Scibetta stated that he has a verbal agreement from the Town attorney that this expansion of up existing building was allowed. Chairman Ferguson asked if the Town attorney had placed that in writing. Mr. Scibetta stated that he will get it in writing.

Chairman Ferguson asked if any maintenance was done on the equipment in the building. The applicant's stated "none".

Chairman Ferguson asked if there was an office in the building. The applicant stated no.

A further discussion was held on Town laws section 165 – 89 and 165 – 91.

A discussion was held in regards to the lot, if there were any ponds or wetlands on the property and what affect the proposed expansion would have on drainage of the site.

After a lengthy discussion the Board **agreed that a recommendation should be sent to the Zoning Board of Appeals that upon recommendation from the Town attorney they agree that the proposed expansion of the existing building is a legal use and should be allowed.**

There being no further business, **a motion was made by Mark Acker and seconded by Bob Pelkey to end the meeting at 8:01 pm. Motion carried unanimously 5-0.**

Respectfully submitted,

Maureen L. Werner

Maureen L. Werner,
Recording Secretary