

Parma Town Board meeting held on Tuesday, June 3, 2008 at the  
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

### **ATTENDANCE**

Supervisor	Richard Lemcke
Councilman	Kenneth Blackburn
Councilman	Carm Carmestro
Councilman	Gary Comardo
Recreation Director	Steve Fowler
Building Inspector	Jack Barton
Absent:	
Councilman	James Smith
Highway Supt.	Brian Speer

### **OTHERS IN ATTENDANCE**

Gavin Brownlie, Laurel Schultz, John Corzine, Bobbie Corzine, Lydia McPhall, John Schultz, Gene DeMeyer, Michael Weldon, Sr., Dennis deGraad, Deb Rieke, Gerald D. Benton, John R. Chart, Aaron Camp, Janet and George Heinrich, Carol Kluth, Ron Bourret, Leonard W. Parzynski, Joyce R. Stell, Kevin and Cynthia Sanger, Dave Wright, Donna and Richard La Force, Valerie Maslowski and other unidentified members of the public.

### **CALL TO ORDER**

Supervisor Lemcke called the meeting to order at 6:45 p.m. and lead those present in the Pledge of Allegiance to the Flag, followed by a moment of silence. Supervisor Lemcke thanked those in attendance for their patience as we were waiting for correspondence from our attorney. He noted emergency exit procedures.

### **PUBLIC FORUM**

Supervisor Lemcke asked if there was any citizen present who would like to address the Town Board on any topic not on the agenda.

Gavin Brownlie represented residents of West Creek Drive. The front open area around the pond and to the south of West Creek Drive has become overgrown and is not maintained by the developer. It was noted that the residents are asking for assistance from the Town in maintaining and landscaping this open area and are willing to work with the Town. Concern was also expressed that there was no stop sign. There was discussion on the multiple developers, the use of dollars earmarked for topping the road and completion of shoulders and swales and whether there would be any that could be used for this purpose. A punch list produced last fall was sent to the owner's engineer but there was no response. Mr. Barton will provide the Town Board with a map of the site plan showing the entrance to identify the right of ways. Supt. Speer will be asked to look at the front ditch and the residents were asked to submit a sketch of what they have in mind before the next meeting.

### **PUBLIC INFORMATION SESSION FOR ZONING TYPE PLANNED DEVELOPMENT-SENIOR RESIDENTIAL DISTRICT**

Supervisor Lemcke opened the informational session regarding the proposed new zoning type, Planed Development – Senior Residential (PD-SR). He noted that this is not an official public hearing but is more in line with a public forum and the purpose was to share information and answer questions about this type of zoning. He explained the format of the meeting and noted that this was a rough draft. It was not intended to be a discussion on sewers or any specific site. Currently, the Town does not have any senior residential type of zoning district. This type of

zoning and development exists within the Village of Hilton but not outside the village. He reviewed key points of the draft wording for this type of zoning.

The purpose of this type of zoning district is to provide a variety of senior oriented housing and to regulate land use and a development framework that is not available or can be obtained under conventional zoning. It would promote community senior housing that that would utilize homeowner and condominium associations, deed restrictions and other regulatory procedures. Some of the items noted for this type of zoning included; there must be at least 15 acres of land, the applicant would have to apply and receive conceptual site plan approval from the Planning Board before consideration would be given by the Town Board and would be subject to all the development rules we have now.

Permitted types of proposed residential uses include but are not limited to single family, twin homes, townhouse dwellings and multiple residence buildings. Recreation and open space would be scaled to serve the residents of the district. Examples of permitted accessory residential uses would include decks, gazebos, garages, community center and a private club house for the private non commercial use of the residents. Examples of permitted non residential uses given were health care profession related offices, accountants, real estate offices and small neighborhood convenience stores. Special permitted use examples were adult day care, child care, nursery schools, homes for the aged and nursing homes.

Supervisor Lemcke explained the format for questions and answers. He also explained this was not intended to be a discussion on sewers and that sewers would be an issue for approval before the Planning Board and that the discussion was to be on the PD-SR district. Questions were taken from the audience.

Bernice Heck asked why if this was a senior community a day care would be allowed. The response explained that it would be a special permitted use that could be allowed, it did not necessarily mean that there would be and the Town Board could eliminate it as one of the special permitted uses.

Lydia McPhall wanted to know what density is proposed. Supervisor Lemcke responded that the average house size would be 1120 sq. ft. and a lot would be 4800 sq. ft. which would be roughly a 50x100 foot lot. It was noted that this is similar to what is in Unionville. She also expressed that she was not in favor of a nursery school and doctors and health related offices. She would be in favor of personal care types of commercial business. It was noted by Supervisor Lemcke that it is not the intention of the Town Board to create "2 villages". The central business district should be in the village. The issue of a daycare and/or nursery school will be reviewed by the Town Board.

John Chart asked for clarification that this is a completely new proposal and the North Parma Station concept has been removed. Supervisor Lemcke responded that this is 2 separate items. The discussion tonight was for a zoning type to be allowed anywhere in the Town. It was noted that other developers have expressed interest in this type of zoning. Mr. Chart asked to present the Town Board with a petition requiring a 75% majority to pass anything. Supervisor Lemcke indicated that this was premature and would be appropriate after a public hearing and before a vote. Tonight is just questions and answers about a proposed type of zoning not the North Parma Station proposal. Supervisor Lemcke was willing to accept and distribute the petition to the Town Board Mr. Chart withdrew the petition on the premise that it was intended for the proposed North Parma Station. It was determined that the appropriate time would be when the zoning was approved and a proposal for North Parma Station was submitted.

Mr. Chart inquired if traffic could be discussed at this point. It was noted that this would be discussed as a Planning Board issue.

There was discussion on whether spot zoning would be an issue for this type of zoning. It was noted that the Town Attorney would be consulted and that an answer to whether it would be an issue is not know this evening.

Cindy Sanger repeated her understanding of what is being proposed; this being to create a proposal to have senior citizen residential zoning for anywhere in Parma. Supervisor Lemcke

agreed that this was true if the criteria were met. She also wanted clarification that sewers would be required for that kind of density. Supervisor Lemcke indicated that sewers would be a requirement. There was discussion on locations being next to the Village and the potential for a developer to build a sewage treatment plant. Supervisor reiterated that this questioning is specific to a proposal of construction and noted that there are options for sewers such as gravity and forced main. Mrs. Sanger stated that she is not in favor.

John Chart expressed concern for lack of information on proposed density. Supervisor Lemcke reiterated the proposed lot size of 4800 sq. ft. and that until an actual proposal was received which provided specific information such as the number of roads, open space and the number of houses on an acre it would be impossible to be more specific.

Mr. Chart asked what the next step is after this meeting. Supervisor Lemcke indicated that the Town Board would consider hiring Stuart Brown Associates to write a final draft, based on Town Board comments which would take into consideration those heard tonight. The draft would come back to the Town Board for review and a public hearing would be set.

Mr. Chart questioned whether there was really a need. He noted Unionville Station is not completely built out after 10 years. Supervisor Lemcke shared that there are other developers potentially interested in this type of zoning for north of the Village and out East Avenue. It is the developer's risk if the property takes one or many years to develop.

Mr. Chart referred to comments made by the Supervisor during a Chamber of Commerce meeting. He stated his opinion that the Supervisor should not make his opinions public as it indicates that his mind is already made up. Supervisor Lemcke replied that he addresses the Chamber on the state of the Town each year. During that meeting he expressed that Senior Development is an asset to the community and that it benefits business and residents. He also noted that he is 1 of 5 votes and that all vote their own views.

Aaron Camp expressed concern for traffic flow on Route 259 if this type of zoning was approved and applied to the property to the south of the Village on the west side of Route 259. Supervisor Lemcke responded that traffic would be addressed by the Planning Board. The developer would be asked to provide a traffic study. There was discussion on enforcement of traffic issues by local law enforcement and whether the signal light at the corner of Burritt Road and Route 259 has helped or been a detriment.

Lynn (last name not understandable) expressed concern that there would be only one way in and out. Supervisor Lemcke responded that this would also be addressed by the Planning Board and does not fall under the zoning. The Town does have requirements for cul-de-sacs.

Dave Wright wanted to clarify his understanding that currently there is no Senior Housing zoning code, that the Town is trying to establish one and that there is a requirement of 15 acres for this type of zoning. He also wanted to know how many parcels within the Town could be developed for this purpose. Supervisor Lemcke referred to the North Avenue and East Avenue sites. Jim Zollweg, the Town's GIS Coordinator and it was estimated that 40 parcels could be developed. Mr. Wright stated he attended the traffic needs study meeting and understands East Avenue handles 33% of the traffic coming into the Village and South Avenue 31%. He understands the need for this type of zoning and wondered how it would impact traffic depending on location. Jim Zollweg will develop a plan that shows where this type of zoning could be passed on current zoning.

Ron Bourret wanted to know if this zoning is approved what the potential is for others to come. Supervisor Lemcke responded that the numbers would be driven by need. A comparison was made to the number of supermarkets needed. If the need is there to support multiple supermarkets then developers will want to build. There is no way for the Town to tell whether more than one could succeed.

David O'Keefe expressed that more senior housing development is an advantage in particular with respect to school taxes. Supervisor Lemcke commented that senior housing does present advantages. They do not add children, tend to have more disposable income, are active in government, the biggest voting group and offer stability. On the cost side additional expenses

such as senior programs, fire protection and road maintenance were mentioned. The advantage with regard to school taxes is that more people would be sharing the cost without the impact of additional students.

Kevin Sanger expressed that he did not want it in his backyard and does not like having to look at the current senior development. He wanted to know if the association fee residents would pay would lessen the taxes that they pay. Supervisor Lemcke responded that the fee is for services they receive; such as mowing and maintenance. Plowing might also be included if the roads were not dedicated to the Town and possibly sidewalks. Supervisor Lemcke noted that roughly half of the people that move into this type of housing are Town residents that are downsizing and want to be near family. There was discussion on developers obtaining land and starting the development process; individuals deciding to move here and not wanting any more development; and the open space process that is looking at preserving open land, particularly farmland. It was noted that the mechanics were not available to purchase open land that are available now. There was discussion on property owner's rights to pursue use of their land

Mr. Chart expressed that Parma is turning into Greece and that we have to say no if we want to keep a rural community. He noted that the parcel behind his house is the last piece of space on the west side of Route 259 before Burritt Road. There was discussion on property owner's rights to pursue use of their land, the right to make an application and property owners knowing what their zoning is when they purchased their property. There was concern expressed about Fairfield Place and work was started but has not progressed.

An unidentified female speaker was not opposed to senior housing but felt that Burritt Road was developed enough and would prefer single family homes that condominiums.

Bobby Corzine indicated that she did not have an opinion one way or the other and wanted to know why 5,000 square feet was chosen. Supervisor Lemcke indicated that it was density driven, average for other communities and mimics Unionville Station.

An unidentified female speaker inquired if multiple level buildings with apartments would be allowed. Supervisor Lemcke responded yes it would be an allowed use. She did not feel it should be allowed.

An unidentified male speaker asked if the type of structure would fall under planning or zoning. Supervisor Lemcke responded that the structure specific decisions would fall under the Planning Board.

Mark Coleman expressed that he would like to see more green space, doesn't like lights and enjoys the wildlife that surrounds his home.

A representative from Stuart Brown Associates was in the audience to observe and note the comments of the discussion for the draft. Supervisor Lemcke reviewed the next steps: most likely Stuart Brown Associates will be approved to assist the Town in developing the draft and be presented in 4-6 weeks. Next a second public forum and advertising for a public hearing would occur. The advertisement would indicate that it was for a public hearing to consider the adoption of Planned Development – Senior Residential zoning. It was noted that copies of proposed zoning could be made available on the website and that it may take 2-3 months before the zoning is put to vote.

Supervisor Lemcke asked if there were any other questions. There being none the information session was closed at 7:50 p.m. and a short recess followed. The meeting reconvened at 7:57 p.m.

### **MINUTES – MAY 20, 2008**

**RESOLUTION NO. 154-2008** Motion by Councilman Carmestro, seconded by Councilman Blackburn, to accept the Minutes of the May 20, 2008 meeting.

Motion carried: Aye 4 Nay 0 Absent: Councilman Smith

### **TOWN CLERK REPORT**

The Town Clerk's report for the month of May has been submitted. The VFW Summary has been completed and will be given to the Town Board. The 2008 Town and County Tax cycle has ended for local collections. The surrender is being completed and will be turned into Monroe County at the end of the week.

### **HIGHWAY DEPARTMENT REPORT**

Supt. Speer was not present at the meeting so there was no report.

### **BUILDING DEPARTMENT REPORT**

Mr. Barton reminded the Town Board that he will be attending the Code Council meeting on Wednesday June 11<sup>th</sup> in Albany for their review of the Fire Protection Standards which were added to the Town's design criteria earlier this year.

Mr. Barton informed the Town Board that work is being done for the easement to allow access from Clearview Avenue to the Town Park. Rich Maier is working on the description and encompasses the 45 degree angle the path takes. He should have it next week. The Town Attorney will review and the property owner will be contacted to verify all is a go. At that time it will be presented to the Town Board for approval.

### **FLOOD DAMAGE PROTECTION**

The deadline is approaching to send our draft to FEMA for the local law regarding Flood Damage Protection. Mr. Barton reviewed and explained the optional language suggestions. He focused on four areas of wording that the Town Board should consider for inclusion in the proposed local law for flood damage protection. These include compensatory storage, repetitive damage, cumulative substantial improvement, and critical facilities. The Town Board must approve the wording. There was discussion about what would happen if the Joint Commission adjusted the lake levels. Mr. Barton indicated that adjustments would have to be made to reflect the changes. This will be on the agenda for the next meeting.

### **DEED FOR ROAD DEDICATION** **CARRIE MARIE LANE SECTION THREE AND SECTION FOUR-A**

**RESOLUTION NO. 155-2008** Motion by Councilman Blackburn, seconded by Councilman Carmestro,

**WHEREAS**, certain parcels of land located in the Salmon Creek Subdivision, Section 3 and Section 4-A, more particularly described on Exhibit "A" attached hereto, has been offered for dedication to the Town of Parma (the "Town") for highway purposes by V. Ventimiglia and Sons, Inc. (the "Owner") of said land as shown on a map of Salmon Creek Subdivision, Section 3 and Section 4-A, filed in the Monroe County Clerk's Office in Liber 316 of Maps, page 41 and Liber 323 of Maps, page 83 respectively, and

**WHEREAS**, the Town Engineer has recommended acceptance of said parcel for dedication for highway purposes and the roadway having been completed in accordance with the Town specifications, and

**WHEREAS**, the Town Attorney has ordered a fee title insurance policy relating thereto,

**NOW THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Parma in regular session duly convened herein agrees to accept the deed of dedication on the said

road, to be known as Carrie Marie Lane and directs the Town Clerk to record the same in the Monroe County Clerk's Office.

Motion carried: Aye 4 Nay 0 Absent: Councilman Smith

## **RECREATION DEPARTMENT REPORT**

Mr. Fowler had no specific report. Councilman Carmestro inquired as to the results of Mr. Fowler's meeting with the Greater Rochester Housing Foundation. Mr. Fowler reported that it was a very positive meeting. The discussion focused on their specific mission to provide grant opportunities and the potential for future collaboration. They were impressed with the Town's ability to take care of residents through the services we offer. On the negative side, he noted, the foundation does not involve themselves with capital projects.

## **PARKS DEPARTMENT**

Joe Petricone reported that Fiber Group has been contacted to order material for the playground surface areas. There was discussion on having the tennis courts resurfaced, painted and striped. A patch job was done 2 years ago. He estimated that the cost would be between \$18,000 and \$21,000 to do the complete job. There was discussion whether roof shingles should be put on the donated miniature Doctor/Dentist office which is stored behind the Meeting House. The result of the discussion was that the building should only be made safe and secured; but no additional improvements. Mr. Petricone stated that the newly purchased equipment are being used and expressed that it was needed and appreciated. The historical marker sign will be placed in front of the Town Hall behind the seating bench.

Councilman Carmestro asked if there had been any follow up to availability of skate park ramps that belong to a local resident who previously owned a skate park which is now closed. Mr. Petricone was not aware but will follow up. There was additional discussion about a skate park he visited on Honeoye Lake and an article in a recreation magazine regarding skate parks which use permanent masonry.

## **BUSINESS ITEMS**

### **PHONE PAYMENT**

Payment has been received from Mr. Radke. It was noted that there has been additional inappropriate use. There was discussion on what is considered appropriate use for all departments, what features should be available, when are employees notified that they have charges and if parts of this topic should be addressed in executive session. This will be discussed further at the next meeting and when Supt. Speer is present since some of the discussion pertains to his department.

## **MISCELLANEOUS**

### **RENEWAL OF MONROE COUNTY CONSOLIDATED PLAN CONSORTIUM**

The Town has been notified of our option to renew participation in Monroe County's Consolidated Plan Consortium for the period of October 1, 2008 through September 30, 2011. This offers participation in the Community Development Block Grant (CDBG) and HOME Investment Partnerships Program. The Town Board was in agreement to continue the membership.

## **REFERENDUM**

Information was gathered on what would be needed to have a referendum for a new Community Center/Library. A letter has been received from the Town Attorney summarizing that the authority to conduct a referendum is determined by statute and in order to be held it

must fall within the specific purposes. A referendum for a new Community Center/Library can not take place until the Town plans are more definite and the Town Board approves a specific project. The cost for a referendum was estimated at \$2600.

## **INFORMATIONAL ITEMS**

### **MONROE COUNTY WATER AUTHORITY (PLANNING BOARD)**

Supervisor Lemcke has spoken with Ed Marinetti and council for Monroe County Water Authority. They have previously reviewed for another Authority employee and concluded there was no conflict of interest for a Planning Board member who is also employed at the Water Authority.

### **2008 HAZARDOUS WASTE PROGRAM**

A notice has been placed in the Suburban News for this year's Hazardous Waste Pickup. Appointments for Parma residents are being take through the Highway garage and the pick p is being held at the Hamlin Highway Garage this year.

### **JOINT MEETING**

It is the Town's turn to host the next joint meeting with the Village. The Town Clerk will contact the Village to establish a time.

### **CEMETERY REPAIR**

Supervisor Lemcke reported that John Toal and Fran Maier have been doing repairs to gravestones and cleaning up the seven older cemeteries in our Town. They need supplies, in particular washed stone and Sakrete. They have been using their own money to pay for materials. Supervisor Lemcke noted that Sakrete was available on state contract, was purchased through the Town of Parma and delivered to his business where it can easily be accessed especially on weekends when they need to get materials. They will keep track of what they are taking.

Councilman Blackburn seemed to think that there might be funding from the state for historical cemetery repair. Supervisor Lemcke will have the Finance Director research. He also noted that these gentleman are working to have all of the older cemeteries repaired by the end our bicentennial year in August of 2009 and a tremendous amount of work has been done on those completed so far.

### **MISCELLANEOUS**

Supervisor Lemcke noted that the Finance Director provided sample reports from the accounting software package that is being reviewed.

The Town has been contacted by an Italian citizen who has an interest in Parma, Italy and discovered that we are celebrating our bicentennial. He has written an article about us and posted it on his blog.

### **LIAISON REPORTS**

\*\*Councilman Smith was absent so there was no report.

\*\*Councilman Comardo reported that there had been no Planning Board meeting since the last meeting but he will be attending this week's meeting. He did not have anything to report for the Parks Department.

\*\*Councilman Carmestro reported that he was unable to attend the last Library Board meeting. Code Enforcement has been busy with enforcement issues and will be looking at reports generated from the computer software. They both attended court tonight for Mr. Antonucci's appearance. If expected payments are defaulted on, Mr. Antonucci will be expected to make full reparation with no adjustment.

\*\*Councilman Blackburn reported that he attended the Recreation Commission meeting and there was discussion on the proposed community center, a field house and debate for a trail way.

### **OTHER BUSINESS**

#### **PROFESSIONAL SERVICES PROPOSAL - STUART I. BROWN ASSOCIATES, INC.**

The proposal for professional services for the review and adoption of the proposed zoning type Planned Development – Senior Residential (PD-SR) was discussed.

**RESOLUTION NO. 156-2008** Motion by Supervisor Lemcke, seconded by Councilman Blackburn, to enter into agreement with Stuart I. Brown Associates, Inc., not to exceed \$2,000.00, for professional services for review and adoption of the proposed zoning type Planned Development – Senior Residential (PD-SR).

There was also discussion on having zoning without infrastructure; if this type of zoning were approved it is not technically assigned until reviewed by the Planning Board; and it is an overlay district and these can only be assigned to areas with certain existing zoning types. In this case a rural residential zoning would not allow this type of overlay. The property would have to be rezoned to a higher density and then the overlay could be requested. The Town would approve the overlay, the Planning Board approves the site plans and then the zoning takes effect.

Motion carried: Aye 4 Nay 0 Absent: Councilman Smith

There being no further business brought before the Town Board, Councilman Carmestro made a motion to adjourn the meeting at 8:56 p.m., seconded by Councilman Blackburn and all were in favor.

Respectfully submitted,

Donna K. Curry  
Parma Town Clerk