

**TOWN OF PARMA
PLANNING BOARD
JANUARY 2, 2014**

Members present:

Chairman
Executive Secretary

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

Public Present: Kris Schultz (Schultz Associates) Kevin Brongo, and Mike Schaffron (LaBella Associates).

Meeting started at 6:58 p.m.

PUBLIC HEARING

1880 N. Union Street

Commercial Site Plan

Chairman Ferguson read the public notice.

Mike Schaffron stated:

1. that the Zoning Board of Appeals has granted a Special Use Permit for the site.
2. That on December 4th he met with the Town Engineer and representatives from the building department at the site. They walked the site and found the ditch to the northeast which was in good condition with some fallen trees.
3. The Board had requested that a stone check damn be put in, the plans show a stone check damn with a pipe leading out to the perimeter ditch.
4. The ditch runs from south to north.
5. He has added silt fencing on the east side of the site.
6. That there are federal wetlands to the north but they are not being disturbed.
7. 300 feet from this site's property line is a parcel that is in an agricultural district.

8. He has added the agricultural district note to the plans.

Chairman Ferguson reviewed the following correspondence:

1. Letter from Monroe County Department of Planning and Development dated November 27, 2013.
2. Letter from the Fire Marshal dated November 27, 2013.
3. Letter from Town Engineer dated December 16, 2013.

Chairman Ferguson asked if there will be and disruption off site and if monumentation will not need to be checked. Mr. Schaffron stated that Chairman Ferguson was correct.

A small discussion was held on the site visit.

Chairman Ferguson opened the public hearing.

Public comments: None

Chairman Ferguson closed the public hearing.

Chairman Ferguson stated that he would like to see the wetlands labeled on the overall plans before the Board entertains a request for final approval.

Jack Barton stated that the Conservation Board had a few questions. They would like the Board to verify what the total acreage that is being disturbed. Mr. Schaffron stated it is less than a half acre. And if there was a pedestrian or bike route near the site. Mr. Schaffron stated that there was on the state highway.

The Board then 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 an 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.

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.

Walnut Grove Estates Subdivision Continued:

8. That after the last meeting with the Conservation Board he is now proposing 5 trees per lot. The owner is not happy with 5 trees per lot and would like to have the Board members give their opinion as he would like to have less trees per lots.

Mark Acker asked if the plans showing the proposed trees was submitted to the Town Highway Superintendent for his review. Mr. Schultz stated that it was and he has asked that the trees be placed outside the right-of-way.

Mr. Acker asked if the plans show what type of trees the owner is proposing to plant. Mr. Schultz stated that on the back page the tree species are listed and he took them from the Town standards.

Bob Pelkey asked if it would be one of each tree. Mr. Schultz stated that it would be left up to the homeowner because that way the homeowner will be happy and trees will not be disturbed.

Chairman Tod Ferguson stated that the plans say 2 trees per lot. Mr. Schultz stated that yes the original plans stated 2 the notes now say 5.

Discussion was held on what the plans actually set out for the number of trees per lot.

Mr. Barton stated that the Conservation Board looked at the fact that the property contained a wood lot and that a lot of the trees are being proposed to be taken down, that granted, the value was not great but there was a large number of trees and that the Board was looking for trees of value to replace the trees being removed.

The Board reviewed the trees listed in the Town standards.

Mr. Schultz stated that he was frustrated because there was no set procedure. He would like to see one tree per lot and some additional trees on lot 5, that two trees in front yard may work but is hesitant at setting number.

Kevin Brongo stated that at his project in Gates, when he put trees in found that the trees were either pulled out or cut down. Homeowners tend to remove trees they don't like or want, trees are usually removed to put in decks/pools and that potential home buyers find trees to be a nuisance.

Mike Reinschmidt asked if any trees are being left and if so where will they be. Mr. Schultz stated that there will be trees left along the back lot line.

A discussion was held on why the owner did not clear cut the property prior to coming to Boards. Mr. Schultz again expressed his frustration with the length of time it has taken to get to this point. Mr. Schultz stated that trees are important and would like the Boards comments.

Walnut Grove Estates Subdivision Continued:

Mr. Reinschmidt questioned why there was no integrated site plan showing the trees on the site, that was completed by a qualified arborist. He is looking for a plan showing what type of trees are currently on site and the values of these trees certified by an arborist.

A lengthy discussion followed on the fact that there was only a report and no plans showing the trees on site and the values of the trees. Mr. Schultz stated that representatives from the Conservation Board were on site when the forester was there.

Chairman Ferguson asked if the right-of-way is extended to 66 feet and the trees placed there would that effect the plans/set backs? Mr. Schultz stated that it would.

Chairman Ferguson stated that he was just trying to propose ways to protect the trees. Mr. Schultz stated that if trees of value are picked there is a better chance of them staying, there was no real easy answer and hopefully with this plan the owner will be able to discuss with the homeowner.

Steve Aprilano asked if the trees will be placed after finished grade. Mr. Schultz stated yes.

Mr. Pelkey asked how long before the trees will be in place. Mr. Schultz stated maybe 5 years can not really say need to sell the lots and build the homes.

Chairman Ferguson asked if there is any basis for the number of trees that the Conservation Board is asking for. Mr. Barton stated that he did not have that information as he was not at the Conservation Board meeting when it was discussed.

A discussion was held on the number of trees proposed. Mr. Schultz stated that he would like to do two trees in the front yard and give the homeowner choice for additional tree. Mr. Brongo stated he only wants to put up two trees because once you give the homeowner a choice it opens up a "can of worms."

Mr. Acker asked if the trees depicted on plans are shown as full grown. Mr. Schultz stated no, when put in.

After a lengthy discussion it was decided that the engineer would add to the plans a conservation easement on the back of lots 4 & 5 (Chairman Ferguson had pointed out on the plans where he would like to see the radius of the easement) and two trees will be put in per lot and trees will be placed around the pond.

A discussion was held on the fact that Mr. Brongo had promised the owner of 189 and 209 Webster Road that he would place trees in their back yards to block their homes.

Walnut Grove Estates Subdivision Continued:

The Board stated that they will require that a note be added to the plans stating that trees are to be added to these back yards and shall be parallel with the proposed road.

Mr. Schultz stated that he has submitted application to SHIPO and is awaiting their response.

Chairman Ferguson opened the public hearing.

Public Comments: None

Chairman Ferguson closed the public hearing.

Conservation Board: Mr. Barton stated that the Board recommended a negative declaration based upon the Planning Board making a final decision on the tree issue.

A motion was made by Mike Reinschmidt and seconded by Bob Pelkey to grant a negative declaration for this unlisted action. Motion carried unanimously 5-0.

A motion was made by Steve Aprilano and seconded by Bob Pelkey to grant preliminary approval for this application with the following stipulations:

- 1. The note be added to the plan in regards to trees being planted on 189 and 209 Webster Road.*
- 2. Note two on the plans be reworded.*
- 3. That a note be added to the plans that at least 40 trees be planted on the property, this includes trees planted on 189 and 209 Webster Road, at least 2 trees are to be planted in the front yard of each home, in a 10 feet wide conservation easement which shall be contiguous with the right-of-way and the balance of the 24 trees to be place around the pond and on 189 and 209 Webster Road (the trees placed on 189 and 209 have to be salt tolerant and do not have to be trees set out in the Town standards).*

Motion carried unanimously 5-0.

CONTINUING BUSINESS212 DEAN ROAD SUBDIVISION2 LOTS4704 Ridge Road West

Mr. Schultz presented these plans to the Board for final approval.

The following signatures were on the plans:

1. Town Engineer - 12/17/13
2. Monroe County Health Department - 12/19/13
3. Monroe County Water Authority - 12/17/13

Jack Barton stated that a minor change was made to the mylar today. The drainage ditch at the road flows to the north and the arrow on the plans pointed south and the elevation was not the bed of the swale but actually the bank of the swale. The engineer did provide additional elevations at bed of creek to show quite a bit of drop 385.7 to 382.7.

A motion was made by Bob Pelkey and seconded by Steve Aprilano to grant final approval for this application. Motion carried unanimously 5-0.

MISCELLANEOUS

Welch Estates Subdivision 1761 & 1769 Manitou Road

Kris Schultz presented to the Board plans showing the south lot line of 1761 being moved south 30 feet at the west property line, squaring off the property. Movement of line creates a triangular shape piece of lot 1769 being transferred to 1761.

A discussion was held on the leach fields for each parcel. Jack Barton presented the original site plans dated 2/2/89 to the Board for their review.

A motion was made by Mike Reinschmidt and seconded by Mark Acker to approve the shifting of the property line as set out on the map. Motion carried unanimously 5-0.

A motion was made by Steve Aprilano and seconded by Mike Reinschmidt to approve the December 17, 2013 meeting minutes as presented. Motion carried unanimously 5-0.

There being no further business, a motion was made by Mark Acker and seconded by Steve Aprilano to end the meeting at 8:40 pm. Motion carried unanimously 5-0.

Respectfully submitted,

Maureen L. Werner,
Recording Secretary