

# TOWN OF PARMA PLANNING BOARD

## AUGUST 6, 2009

Members Present:

Chairman  
Executive Secretary

Ed Fuierer  
Jack Barton  
Rick Holden  
Tim Harner  
Bob Pelkey  
Tod Ferguson

Public Present: Nick Montanaro, Kris Schultz (Schultz Associates), Jim Roose (TB) and Rich Maier (Maier Land Surveying).

Meeting started: 7:02 pm

### NEW BUSINESS

Kessler Subdivision 1643 Hilton Parma Corners Road -Lot 1

Nick Montanaro stated to the Board that this subdivision was given final approval back in 2006, but they are only looking to build on lot on of the 5 lot subdivision. Mr. Montanaro stated that the Health Department has already been to lot one and done the perc tests. The original subdivision map was shown to the Board.

The conceptual plans show the driveway going to the private drive and not on to Hilton Parma Corners Road as originally approved in 2006. Mr. Barton stated that this creates a problem because it will cause 4 driveways to be on a private drive, which is not allowed in the Town Code. A maximum of three private drives can be on a private drive per Town Code. Mr. Barton stated that lot one of this subdivision does has access to Hilton Parma Corners Road.

A lengthy discussion was held on this issue and several options were discussed with the engineer.

The Board agreed that after the changes were made to the plans, after the engineer discussed the options with the owner, he could send them out to the referral agencies for their comments and concerns.

### MISCELLANEOUS

1195 & 1201 West Avenue Property Merge

Jack Barton presented to the Board a letter from the owner of these two properties asking that they be merged into one tax account number.

1195 West Avenue is 185' x 498.04' and is tax account number 031.02-2-15.

1205 West Avenue is 100' x 40.44' and is tax account number 031.02-2-16.

1195 & 1205 West Avenue continued:

Jack Barton stated that if the Board agrees to merge these two properties they will be eliminating two non-conforming lots and making one conforming lot.

After a small discussion **a motion was made by Tim Harner and Seconded by Bob Pelkey to approve the merging of tax account numbers 031.02-2-15 and 031.02-2-16 into one tax account number. Motion carried unanimously 5-0.**

949 Hilton Parma Corners RoadFill Permit

Kris Schutlz explained to the Board that the owner of this property also owns the property to the north, which is currently under construction (Unionville Station). He has run out of room on the property to the north to store the top soil and other soil from the construction until such time that it is needed for the final grading.

Mr. Schutlz stated that the soil will be transported by truck through the proposed stub on the Unionville Station property to the property to the south. Mr. Schutlz then explained that there would be little change to the grade of the property to the south, showed the Board on the plans where the plan to put erosion controls and that he has already sent this plan to the Town Engineer for his comments and concerns but has not yet heard back from him.

A discussion was held on the proposed silt fence and the placement of same on the proposed plans. The Board requested that the proposed pile be moved a little to the south to allow the silt fencing to be placed on the other side of the swale. Mr. Schutlz stated that they will actually be cutting this swale to keep all the drainage on site.

Mr. Holden asked what the planned hours of operation were for this filling project and if the Board should not set some out. Mr. Barton stated that the Town Code actually sets out working hours and acceptable levels of noise.

The Board questioned Mr. Schutlz if the material brought on to the property to the south was going to be brought back to the property to the north. Mr. Schutlz stated that yes it was and it would mostly be the topsoil that was brought back.

**Motion to grant a fill permit for 90 days was made by Bob Pelkey and seconded by Tod Ferguson. Motion carried unanimously 5-0.**

5560 Ridge Road WestFill Permit renewal

Mr. Barton stated that the owner of this property, John Caseman, had stopped by the building department office during the day and requested that his fill permit be renewed. Mr. Barton stated that Mr. Caseman has not started any work on site yet.

A discussion was held on the status of this fill permit.

**A motion was made by Bob Pelkey and seconded by Tim Harner to grant a 90 day extension to this fill permit with all the original terms and conditions still in place. Motion carried unanimously 5-0.**

304 Curtis Road

Jack Barton explained to the Board that the owner of this property needs to apply to the Zoning Board of Appeals for an expansion of a Non-Conforming Use.

Mr. Barton explained the history of the property. Mr. Barton stated that a survey was brought into the Town several years back showing a property line between the two homes. When in actuality, both homes are on the same tax account parcel. The survey map that was submitted was not correct. The owner now is applying for a building permit for an addition to one of the homes. At which time the Building Department did research on the property and found the issue of two homes on one property with no variance from the Zoning Board of Appeals for a Non-Conforming Use.

Mr. Barton explained to the Board that per Town Code they must comment and report to the Zoning Board of Appeals when a request is entered for an expansion of a Non-Conforming Use.

After a lengthy discussion the Board stated that they would like to see the lot subdivided as shown on the survey map supplied to the Town, that they felt that this was a much cleaner way of correcting the issue.

352 & 348 Bennett Road

Rich Maier presented to the Board a map of these properties and explained to the Board that the owner of the properties lived out of town. Mr. Maier then showed the Board the map of the two properties and explained the situation that he found when he surveyed the property. Mr. Maier stated that the barn that was built for 348 Bennett Road was constructed on the property located at 352 Bennett Road.

Mr. Maier stated that he is looking to split the property located at 352 and merge part of that property with property at 348 Bennett Road (as shown on the plans presented to the Board at tonight's meeting) but by doing this he will create one MORE less non-conforming lot and one LESS non-conforming.

Mr. Barton stated that by doing that the owner will need to get variances for width and area for 352 Bennett Road.

After a lengthy discussion **a motion was made by Tim Harner and seconded by Tod Ferguson to deny the application for a split and merge of these properties and direct that the applicant apply to the Zoning Board of Appeals for the variances that will be needed for this application. Motion carried unanimously 5-0.**

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**A motion was made by Bob Pelkey and seconded by Rick Holden to approve the minutes of July 20, 2009 as presented. Motion carried unanimously 5-0.**

A review of the status of the King Hamlin-Parma Town Line Road subdivision was held.

There being no further business, **a motion was made by Tod Ferguson and seconded by Tim Harner to end the meeting at 8:16 pm. Motion carried unanimously 5-0.**

Respectively submitted,

Maureen L. Werner  
Recording Secretary