

Parma Town Board meeting held on Tuesday, July 16, 2013 at the  
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

**ATTENDANCE**

	Supervisor	Carmey Carmestro
	Councilperson	James Smith
	Councilperson	Gary Comardo
	Councilperson	James Roose
	Councilperson	Tina Brown
	Building Inspector	Jack Barton
	Highway Supt.	Brian Speer
Absent	Recreation Director	Steve Fowler

**OTHERS IN ATTENDANCE**

Helen Ives, Carol Kluth, Nancy Kuhn, Patrick Buskey, Art Cosgrove, Martin Philipponne, Esq., Mike Wyant, Harold Wyant, Scott Copey and other members of the public who did not sign in.

**CALL TO ORDER**

Supervisor Carmestro called the meeting to order at 7:05 p.m. and lead those present in the Pledge of Allegiance to the Flag, followed by a moment of silence. Emergency exit procedures were noted and that the meeting was being recorded.

**MINUTES JUNE 18, 2013**

**RESOLUTION NO. 167-2013** Motion by Councilperson Smith, seconded by Councilperson Roose, to accept the Minutes of the June 18, 2013 Town Board meeting with a spelling correction to Farmington Lawn Care, Inc.

Motion carried: Aye 5 Nay 0

**TOWN CLERK REPORT**

The Town Clerk report for June has been submitted and filed.

The Rochester Disc Golf Club has asked for use of the disc golf course, the parking lot area of the VFW and to be able to have a 10'x10' pop up tent for registration for a tournament on September 14<sup>th</sup> and 15<sup>th</sup>. It has been confirmed there will be no food or vendors and they will provide a Certificate of General Liability Insurance as they have done in the past. The Town Board was in agreement to allow and wanted to be sure it was understood that all access would be from the VFW parking area so as not to conflict with anything else going on in the Park.

A letter of resignation has been received and filed from Mary Greenwell from her Court Clerk position.

The Clerk informed the Town Board that representatives have been in the area from Southwestern Advantage. Numerous towns have been approached about soliciting and two different individuals have come to this office. This is the company that we have had problems with in the past. The Clerk wanted to make the Board aware of their presence and that she has discouraged them from applying as we have denied them in the past. There was discussion on what had happened previously and it was suggested that an informational release be provided to the public.

The confirmation letter for the filing of Local Law #3-2013 pertaining to residency for the Special Police, Court Officer Attendants and Peace Officers has been received from the Department of State.

Notification was also received from the Monroe County Legislature Planning and Economic Development Committee that there will be a public hearing held at 5:00 pm on Monday, July 29, 2013 at the legislative chambers. They are seeking public input on parcels to be added to agricultural districts. One of the parcels is 116 acres at 5161 Ridge Road West in Parma and owned by the estate of Joseph Verhulst.

### **HIGHWAY DEPARTMENT REPORT**

Supt. Speer reported the walls have been poured and backfilled for the salt shed. The rafters/trusses are expected to go up next week. He noted that they will also be doing some drainage work as part of the project.

### **AMENDMENT TO AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS - 2013**

Supt. Speer reported he is requesting to amend the Highway Agreement. The cost to finish Pease Road is considerably more than he had planned due to incorrect estimates. He felt this will make a better road. The overall dollar amount will remain the same because the work on Dunbar Road will not be done this year. He felt it is likely that they will have to do culvert work on Dunbar as well and it would be better to wait and do it all at once.

**RESOLUTION NO. 168-2013** Motion by Councilperson Smith, seconded by Councilperson Comardo, to amend the Agreement for Expenditure of Highway Moneys for 2013 – Permanent Improvements to read:  
*Pease Road (from Ridge Road to Ogden Parma TL Road). Mill the outside 4' on the west side and replace with 3" of dense binder. True and Level with paver and adjust driveways, a distance of 1.06 miles, a sum not to exceed \$155,000.*

Motion carried: Aye 5 Nay 0

### **HIGHWAY DEPARTMENT AUTHORIZATION TO PURCHASE PICKUP TRUCK**

Supt. Speer reported that four bid packets were requested by potential bidders;

however, only one bid was received. The bid received was from Doan Chevrolet in the amount of \$17,500.

Councilman Smith asked if the bid was advertised and opened as required. The Town Clerk confirmed it was. Supervisor Carmestro asked if the price included a warranty. Supt. Speer said there was not an extended warranty and thought he might look into having it rustproofed.

**RESOLUTION NO. 169-2013** Motion by Councilperson Smith, seconded by Councilperson Brown, to approve the purchase of a 2005 Chevrolet Silverado from Doan Chevrolet per the bid opening on July 15, 2013 for \$17,500 with funding to come from the B Fund surplus.

Motion carried: Aye 5 Nay 0

Supt. Speer provided information on options for the purchase of equipment. While attending the Association of Towns Highway School, he learned about how some other municipalities purchase equipment. He provided a summary of sales tax revenues for the Town. He suggested using 50% of the surplus sales tax revenues (sales tax received over what was budgeted to be received) to purchase highway equipment. He also provided lease quote information from First Niagara on their leasing program and noted quotes would have to be obtained from other banks if this was a direction the Board would like to move forward with. He felt this was an alternative to using up the B Fund surplus when equipment was needed. He wanted to know if the Town Board was interested in pursuing this and if so he will provide more specific information regarding it.

Supervisor Carmestro clarified that Supt. Speer would be getting information from Teitsworths and another organization to show us the advantages of purchasing on lease versus buying outright. Councilperson Smith noted this is something to look into but not something we have done in the past. Supt. Speer noted it was done once with the purchase of an excavator. He would like to know if the Town Board would like him to garner more information on the lease to own option. He would give the Board a list of the equipment he has now and some of the things he would like to purchase. He would like to see a program set up for varied replacement to get the most out of the funding allotted and tie it into the expected use of the equipment.

Councilperson Comardo indicated he was ok with learning more about this and would also like to hear about the other side of this option. He would like to hear pros and cons of lease to own and in particular, from entities that do not have a financial interest in having the Town using their lease agreements and why or why not other municipalities use or do not use these options.

### **BUILDING DEPARTMENT REPORT**

Mr. Barton reported the monthly report for June has been completed and submitted. There were 164 inspections done by the Building Department, Code Enforcement, and Fire Marshal. He reported the Doan Chevrolet project is close to receiving a conditional Certificate of Occupancy as there are still some items to be addressed. They are hoping

to get it this Friday. Mr. Barton explained Mr. Prince has spent a great deal of time working on this due to the size of the project, has been doing a portion at a time with the contractor and generating punch lists for what needs to be addressed.

Mr. Barton updated the Town Board on the status of the property owners that have tapped into the Pure Waters' sanitary sewer on Dunbar Road unbeknownst to anyone. This came to light when a neighbor looked into tying in because their septic system is failing. Monroe County and Pure Waters have both responded to Mr. Barton's inquiries and they feel it will be at the discretion of the Town Board as to whether a district should be created or they can tie in as out of district users. He has contacted the Town Attorney since it has been some time since we have had to do this. He will be checking that the agreements are current and address what needs to be covered. Anyone coming in as an out of district customer will be responsible for their costs associated with doing so. It will also address that if a public sewer comes through in the future, these users would be obligated to abandon the private and tie into the public and pay for the public. He will confirm the language, and will propose a sit down with the property owners. The next step would be to have the block of four properties fill out applications. He is hoping to get this done fairly soon and will keep the Board abreast of the status.

### **RECREATION DEPARTMENT REPORT**

Mr. Fowler was not able to attend the meeting. Liaison Brown reported that the Commission had met at the Fire Hall and were provided a tour. Enrollment for the playground program was over 250 participants. There is a \$5.00 increase in this year's fee, so revenue is expected to be up.

### **BUSINESS ITEMS**

#### **RAY WAGER, CPA – AUDIT REPORT FOR FISCAL YEAR END DECEMBER 31, 2013**

Supervisor Carmestro introduced David Rizzari, Senior Manager at Raymond F. Wager, CPA, P.C. who coordinated the annual audit for fiscal year-end 2012. Mr. Rizzari reported the audit resulted in a clean unqualified opinion. He explained that this means they were presented fairly with generally accepted accounting principles. Through the testing performed, they found no fraud and no irregularity as it pertains to the accounting recorded on the accounting system. A Financial Executive Summary was provided to the Board with information on each fund's Balance Sheet and Revenue and Expense Summaries as compared to budget. This is intended as a tool for the Board to understand where the Town stands by Fund and how we did on the revenue and expense sides compared to what was budgeted. The management letter audit findings included minor procedural items. These and the financial statements were reviewed in detail with Supervisor Carmestro and Finance Director Mary Gavigan. The report of the Town Clerk and Receiver of Taxes identified the procedures used and one very minor finding in the report. A corrective action plan was issued in response.

Mr. Rizzari noted the equity sections of each Balance Sheet show the fund balances for each fund and are broken out by undesignated, appropriated (what was used to reduce taxes) and reserves (set up for specific purposes). He explained the Town has very limited reserves that are modestly (emphasis added) funded and that the Town should continue as part of the long range financial plan to set aside funds in reserves. He noted with revenue streams drying up and the tax cap it will be difficult to maintain the level of services residents expect and are accustomed to seeing. There are many different kinds of reserve accounts the Town can establish and they are basically the means for a municipality to save for specific purposes and act as a safety net. There were no questions from the Town Board.

**PUBLIC HEARING**  
**TOWN CODE CHANGES – ACCESSORY APARTMENTS**

Supervisor Carmestro opened the public hearing on amendments to the Parma Town Code pertaining to Accessory Apartments at 7:35pm. It was noted that the following legal notice was published in the Suburban News and posted as required.

**LEGAL NOTICE**  
**TOWN OF PARMA**

The Parma Town Board has scheduled a public hearing on proposed Local Law #5-2013 to review proposed changes to Parma Town Code Chapter 165 Zoning, Section 76 Accessory Apartments. The public hearing will be held at the Parma Town Hall, 1300 Hilton-Parma Corners Rd., Hilton, New York on July 16, 2013 at 7:30 p.m. at which time persons in favor of or opposed to said local law may be heard. Copies of the proposed local law are on file at the Parma Town Clerk's office and will be available on the Town website ([www.parmany.org](http://www.parmany.org)) for public inspection.

Dated: June 21, 2013  
Town of Parma  
Donna K. Curry, Town Clerk

Mr. Barton noted the intent of this amendment was to address the way the current code is written and to allow accessory apartments that would be outside the footprint of the primary structure. Proposed revisions have been posted on the website and available for public viewing. This was sent to Monroe County Planning and Development for review and there were no comments returned. (*Copy attached as Schedule C*) There was one letter received from attorney Martin Philippone.

Mr. Philippone was present and addressed the Town Board. He felt the Town Board would be setting absolute limits and that the Zoning Board would not step outside of whatever boundaries are established here. He was not in agreement with the area limitations. He felt that the requirement of "...not to exceed 35% of total floor area of the principal building or 550 sq. ft., whichever is greater." might be suitable if attached to the main house where there could be shared features. But it would not be sufficient for any kind of "quasi-independent living" in a separate structure as in his client's case. Using the proposed criteria, his client could only have 875 sq. ft. for the accessory

structure. He felt this would not provide adequate space for a reasonable quality of life that would provide more than one bedroom, a kitchen and a bathroom that would likely have to be handicap accessible. He felt that 1,000 sq. ft. was a more reasonable amount of space and would allow for the dynamics of moving from primary structure to the accessory structure or vice versa.

Councilperson Roose asked for clarification on if the 35% was for accessory and attached structures. Mr. Barton responded yes. He asked if the 35% was already in our code. Mr. Barton responded yes. Supervisor Carmestro asked if the majority of towns in Monroe County were at this number. Mr. Barton noted he did not research individual towns but did bring this up with Barb Johnston who works for Stuart Brown Associates and assisted the Town in creating the current code. Ms. Johnston informed him the reasoning for the 35% size restriction was intended to distinguish an accessory apartment within an existing dwelling from a two-family dwelling. She noted the 35% restriction is fairly common and did not characterize it as arbitrary but a maximum of 45% of the floor area of the principal building might also be reasonable if the Town Board thinks it is. She noted that special permits go before the Zoning Board and there may be some areas where a larger scenario might be appropriate. She did not feel it represents a major change to the proposed amendment.

Councilperson Smith noted the way it is written it does not limit for any specific zoning area from having an accessory apartment. He felt that under some circumstances this could be excessive, especially for lakefront property.

Mr. Barton noted this was looked at and it was felt it would be discretionary to the Zoning Board of Appeals. When the request goes before the Zoning Board, they would determine what the impact would be to the neighborhood and could determine the approval or denial. It would still be a case by case basis. A site plan would be needed, set back requirements would need to be met and any other applicable zoning requirements would have to be met or receive a variance.

Councilperson Comardo asked for confirmation that an application would have to be renewed every two years and restricted to the intended purpose indicated in the application which would be for family members. Mr. Barton confirmed this and noted the wording was being amended to family members.

Councilperson Brown wanted to confirm the Town will now be authorized to go in and inspect at the termination of a special use permit and that the kitchen area would be removed so the area could not be rented as an apartment in the future. Provisions have been added requiring inspections at the time of application, renewal (every two years) and at such time it was no longer being used for this purpose. Mr. Barton confirmed this. If someone were to request a larger structure, they would have to apply for a special permit and an area variance.

There was discussion on increasing to 45% and reversing the wording to maximum instead of minimum. Mr. Barton noted when he asked Ms. Johnston where the 35% came from he included the 45% suggestion made by Mr. Philipponne so she would

understand the reason behind the question. Her response was to where and why the 35% was used and that it would be at the Town Board's discretion to change to 45%.

Councilperson Brown asked how the Zoning Board felt about the proposal. Mr. Barton noted they are were aware of the first proposed revisions; from the ones he heard back from, they like current proposal as compared to the first proposal; and they are not aware of any increase ( i.e. 45%). There was further discussion and debate on what the Zoning Boards could approve. The conclusion was that once the Town Board sets the parameters then the Zoning Board works within them and can grant relief from them. The proposal submitted to them by Mr. Philipppone's client was for a separate structure and the current code only addresses attached structure. The Zoning Board did not feel they could address this issue until the Town Board determined if a separate structure could be considered an accessory apartment. Councilperson Brown asked if there had ever been any over the 35% approved for the attached structures. Mr. Barton could recall two on the spot and confirmed there have been prior requests to the Zoning Board. Councilperson Brown noted the wording could be left the way it is proposed (35% or 550 sq. ft. whichever is greater) and the Zoning Board could grant relief.

Pat Buskey questioned the economics of this. Building a small accessory structure is costly. He was concerned that any fixtures removed for an inspection could be replaced and the structure used again. He does not want to see single family residential property become multi-family property.

Mr. Philipppone felt that it would not be a multi-family structure because it would be blood family. He also stated it was less expensive to remodel an existing structure than building a structure. In the case of Mr. Philipppone's client, the cost to remodel the detached structure would be less that building an addition to his client's existing home. Mr. Philipppone reiterated his position that the Zoning Board would not act outside the parameters of what is specified in the code. Supervisor Carmestro noted that reason the Zoning Board felt they could not address that request was because the request was for a separate and not an attached structure. Mr. Barton confirmed this and noted it had nothing to do with percentages.

Mr. Buskey noted that when the building is no longer being used for the approved use it is not going to go away even if the kitchen and other parts are removed. He wanted clarification on if it would become an accessory use building at that point. Mr. Barton indicated it would become an accessory structure. Mr. Buskey noted an accessory structure would require a variance. When the Zoning Board approves accessory structures it is done before a structure is built. He stated the owner could be forced tear down the structure; take 200 feet off; or be forced to apply for a variance to a structure where that scenario already exists.

The public hearing was closed at 8:10 p.m. and Supervisor Carmestro asked Board members for their input.

Supervisor Carmestro asked the Board for their comments. Councilperson Roose indicated he was ok with increasing the maximum size to 45% as long as the Zoning

Board can restrict it for more densely populated areas. He felt if the Town Board goes to the lower percentage, it will be difficult for the Zoning Board to stretch farther from the code. He thought the decision should be made here so they do not feel they are going too far out of the box. Councilperson Smith stated he was uncomfortable with secondary structure and was not in favor of allowing a completely stand-alone structure. Councilperson Comardo was in favor of renovating the secondary structure and increasing the footprint. He felt it is another option for supporting extended families. He stated he understands the downside but felt the Zoning Board of Appeals is there to exercise control on a case by case basis and that it is worth going down that road. Councilperson Brown stated she was in favor with the way it is currently written at 35%. Supervisor Carmestro stated he was in agreement for attached accessory apartments but not with free standing structures. He felt we would lose control over how they would be used.

The Board moved on to review SEQR. It was noted that this has previously been identified as a Type 1 action. Board members acknowledged that they had received and reviewed Part 1. The Board moved to Part 2 of SEQR and reviewed and answered all the questions. *(See Schedule D at end of minutes)*

**TOWN OF PARMA**  
**TOWN BOARD RESOLUTION ISSUING THE NEGATIVE DETERMINATION**  
**OF ENVIRONMENTAL SIGNIFICANCE FOR PROPOSED REVISIONS TO**  
**THE PARMA TOWN CODE**

**RESOLUTION NO. 170-2013** Motion by Councilperson Comardo, seconded by  
Councilperson Brown,

WHEREAS:

1. The Parma Town Board (hereinafter referred to as Town Board) has reviewed the Environmental Assessment Form and narrative for the adoption of amendments to the Parma Town Code that apply to all residential zoning districts and would allow accessory apartments in accessory structures as well as within the principal residential structure and eliminate the requirement that the occupant of the accessory apartment be elderly or infirm.
2. The Town Board has considered the Environmental Assessment Form and narrative and the proposed Negative Determination of Environmental Significance.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Town Board declares that the actions to adopt amendments to the Parma Town Code will not have a significant adverse effect on the environment.
2. The Town Board further declares that the reasons supporting this negative declaration include:
  - a. Compared with the criteria listed in Section 617.11 of SEQR regulations, all indications are that the proposed action will not cause substantial adverse change in community character, aesthetics, design and natural features; and,
  - b. Review of the proposed zoning amendments, as well as the Environmental Assessment Form and narrative, has indicated that the proposed zoning



amendments will not have a significant adverse impact on the environment of the Town of Parma.

3. The Supervisor is directed to sign page 1 of the Full Environmental Assessment Form to indicate that a Negative Determination of Environmental Significance has been issued.
4. The Town Clerk is directed to file a copy of the Negative Determination of Environmental Significance and Attachment thereto in the Town Office and with the NYS Department of Environmental Conservation.

ROLL CALL VOTE:	Councilperson Smith	Aye
	Councilperson Comardo	Aye
	Councilperson Roose	Aye
	Councilperson Brown	Aye
	Supervisor Carmestro	Aye

Motion carried.

Supervisor Carmestro read a proposed resolution on whether to approve the proposed amendments to the Accessory Apartments section of the Town Code. There was discussion clarifying the wording for paragraph E and it was determined that this vote was on the wording as it had been proposed provided (no changes). Mr. Barton noted that previous discussion included what would be reverted back. The proposal they are voting on will require that the kitchen and the bathroom will have to be removed for both the attached and stand-alone structures. There is an exception if in the attached structure these can remain if access is unhindered.

**TOWN OF PARMA**  
**TOWN BOARD RESOLUTION TO ADOPT LOCAL LAW #4**  
**AMENDMENTS TO THE PARMA TOWN CODE**

**RESOLUTION NO. 171-2013** Motion by Councilperson Comardo, seconded by Councilperson Roose,

1. The Parma Town Board has received a final draft of proposed amendments to the Parma Town Code applying to all residential zoning districts that would allow accessory apartments in accessory structures as well as within the principal residential structure and eliminate the requirement that the occupant of the accessory apartment be elderly or infirm.
2. Appropriate public notice of the proposed amendments to the Parma Town Code was made, as well as referral to the Monroe County Planning Department for review and comment; and
3. The Parma Town Board has considered comments made by the public and interested agencies at the Public Hearing held on July 16, 2013; and
4. The Parma Town Board, as the only involved agency, has completed the Environmental Review of the adoption of said Code revisions and issued a

"Negative Declaration" of significance, pursuant to the State Environmental Quality Review (SEQR) regulations; and

NOW THEREFORE BE IT RESOLVED THAT:

1. The Parma Town Board hereby adopts the above described amendments to the Parma Town Code.
2. The Clerk is directed to notify the Monroe County Planning Department of this action and to file the appropriate notices as required by NYS law.
3. This resolution shall take effect immediately.

ROLL CALL VOTE:	Councilperson Roose	Aye
	Councilperson Smith	Nay
	Councilperson Comardo	Aye
	Councilperson Brown	Aye
	Supervisor Carmestro	Nay

Motion carried.

**PUBLIC HEARING**  
**5064 RIDGE ROAD WEST PUBLIC HYDRANT DISTRICT**

Supervisor Carmestro read the following legal notice to establish the 5064 Ridge Road West Public Hydrant District. It has been published in the Suburban News on June 2, 2013 and posted as required.

**Town of Parma Legal Notice**  
**Public Hearing for Establishment of the 5064 Ridge Road West**  
**Public Hydrant District**

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE TOWN BOARD OF THE TOWN OF PARMA ON July 16, 2013 AT 8:00 PM AT THE PARMA TOWN HALL, 1300 HILTON PARMA CORNERS ROAD, HILTON, NEW YORK, AT WHICH TIME; ALL PERSONS INTERESTED WILL BE HEARD TO CONSIDER THE FOLLOWING:

A Petition has been filed by the property owner located within the Town of Parma to establish a Public Hydrant District of the Town of Parma to be known as, the 5064 Ridge Road West Public Hydrant District described in Schedule A and a map has been prepared by Razak Associates relating to the facilities, improvements and services in a portion of the Town of Parma, wherein the 5064 Ridge Road West Public Hydrant District is proposed to be established, and such Petition, description and map has been duly filed in the office of the Town Clerk of the Town of Parma. The full text of said Petition and map shall be available for inspection at the Parma Town Clerks Office during normal business hours. Interested parties may contact the Town Clerk at 392-9461.

**Schedule A**

**PROPOSED DESCRIPTION FOR PUBLIC HYDRANT DISTRICT**  
**PROPERTY LOCATED AT TAX ACCOUNT NUMBER 072.01-1-40**

All that tract or parcel of land situate in the Town of Parma, County of Monroe, and State of New York being part of Town Lot 12 in Township 4 of the Triangular Tract and being more particularly described as follows:

Beginning at a Point in the northerly right of way line of Ridge Road West (N.Y.S. Rte. 104, 99.00' feet wide right of way) at a distance of 908.25' feet westerly, as measured in said northerly right of way line, from westerly right of way line of Parma Corners Hilton Road, thence;

1. Southerly, forming an angle of 96 °29' 13" in the southeast quadrant, a distance of 50.23' feet to the centerline of Ridge Road West, thence;
2. Westerly, and along the centerline of said Ridge Road West, and forming an interior angle of 96 °29' 13" with Course 1, a distance of 180.01' feet to a point, thence;
3. Northerly, and forming an interior angle of 83 °30'47" with Course 2, a distance of 981.12' feet to a point, thence;
4. Easterly, and forming an interior angle of 96 °18'53" with Course 3, a distance of 179.93' feet to a point, thence;
5. Southerly, and forming an interior angle of 83 °41'07" with Course 4, a distance of 930.18' feet to the Point of Beginning, containing 3.82+ acres as measured to the right of way line of Ridge Road West

Mr. Barton provided background on how this request came about. During a modification to a site plan for a change to the use of a structure on the property, it was identified that the structure would not meet the fire code requirements of being within 400 feet of a fire hydrant. The applicant had the option to install a sprinkler system or add a public hydrant to meet the code. The applicant chose to pursue the public hydrant option which was less cost prohibitive. The Water Authority requires a public hydrant district for this to occur. The applicant will pay for hydrant, installation costs and annual maintenance fee; hence, the reason for the special district. The hydrant will be installed in the right of way and on the Water Authority's main line on Ridge Road.

Supervisor Carmestro noted this was referred to Monroe County Planning and Development. A response was received from Monroe County Planning and Development indicating they had reviewed the application and had no comments. A response was also received from Monroe County Water Authority. They concurred with the Town of Parma acting as lead agency for this project and requested that plans and specifications be developed in accordance with MCWA standards when addressed as part of the review and approval process.

Supervisor Carmestro opened the public hearing for public comment at 8:40 p.m. There were no comments. The public hearing was closed at 8:41 p.m. It was noted this was identified as an unlisted action and that the Town Board has reviewed Part 1 of the Short Environmental Assessment Form and proceeded to review Part 2. *(See Schedule E at end of minutes for SEQR, Monroe County Planning and Development and Water Authority responses)*

**SEQR DETERMINATION REQUEST TO CREATE**  
**5064 RIDGE ROAD WEST PUBLIC HYDRANT DISTRICT**

**RESOLUTION NO. 172-2013** Motion by Councilperson Smith, seconded by Councilperson Roose, after reviewing the Short Environmental Assessment Form and

other relevant information for the request to create the 5064 Ridge Road West Public Hydrant District; the Town Board of the Town of Parma determines that the proposed rezoning will have no significant adverse impact on the area and therefore the Town Board issues a negative declaration.

Motion carried: Aye 5 Nay 0

**ESTABLISH 5064 RIDGE ROAD WEST PUBLIC HYDRANT DISTRICT**

*(See Schedule B at end of minutes for Order Establishing the District)*

**RESOLUTION NO. 173-2013** Motion by Councilperson Comardo, seconded by Councilperson Brown, to approve the creation of the 5064 Ridge Road West Public Hydrant District per the Order Establishing the District.

Motion carried: Aye 5 Nay 0

**PUBLIC HEARING - RIGHT TO FARM LAW**

Supervisor Carmestro opened the public hearing for the creation of the Right to Farm Law at 7:35 p.m. The following legal notice was read. This was published in the Suburban News and posted as required.

**LEGAL NOTICE  
TOWN OF PARMA**

The Parma Town Board has scheduled a public hearing on proposed Local Law #4-2013 to be known as the "Right to Farm Law of the Town of Parma". The public hearing will be held at the Parma Town Hall, 1300 Hilton-Parma Corners Rd., Hilton, New York on July 16, 2013 at 8:30 p.m. at which time persons in favor of or opposed to said local law may be heard. Copies of the proposed local law are on file at the Parma Town Clerk's office and will be available on the Town website ([www.parmany.org](http://www.parmany.org)) for public inspection.

Supervisor Carmestro asked for comments. Scott Copey explained that many municipalities have created Right to Farm Laws. It is intended as a statement of intent by the Town administration with the purpose of the law being to declare the Town as farming Community. It provides the framework for resolving disputes pertaining to agricultural related concerns such as smells, dust, noise and similar issues through the Town's Zoning Board and the County's Agricultural and Farmland Protection Board.

Mr. Barton noted it will make new residents moving into the Town aware that this is a farming community and you should expect that you will experience various kinds of noise, smells, etc. Pat Buskey noted it provides protections for existing farms. Brian Speer inquired how these people would be notified. Mr. Barton explained that site plans will have a statement that this property is located within/near a farm. This will be incorporated within the subdivision plans and would be followed through with the Planning Board when an applicant comes in for approval. This will expand on what the Board has already been doing. Councilperson Smith noted this will be especially helpful

when a house is built around dormant farmland and then the farmland starts to be farmed again and the new resident was not expecting that this could happen. The law protects farmers but will not protect the farmer that is not using good farming practices. The law will be good for everyone. Mr. Barton noted feedback was received from Robert King late yesterday suggesting we put more into our law. He noted Agricultural and Markets can only act as an advisor/mediator in an agricultural district and asked that we provide our own definitions rather than referring to state definitions. There was discussion on tabling the public hearing so that these areas could be tightened up. It was decided to push the continuation of the hearing out to September. There was discussion on whether it should be republished. It was felt because we are not closing the public hearing and just adjourning and reconvening on September 17, 2013; there would be no reason to re-advertise.

**RESOLUTION TO TABLE THE CONTINUATION OF THE PUBLIC HEARING  
ON THE RIGHT TO FARM LAW**

**RESOLUTION NO. 174-2013** Motion by Councilperson Roose, seconded by Councilperson Brown, to table the public hearing on the Right To Farm Law and reconvene at the September 17, 2013 Town Board meeting.

Motion carried: Aye 5 Nay 0

**BUSINESS ITEMS - CONTINUED**

**NEW YORK STATE RETIREMENT REPORTING RESOLUTION**

**RESOLUTION NO. 175-2013** Motion by Councilperson Brown and seconded by Councilperson Comardo,

BE IT RESOLVED, that the Town of Parma hereby establishes the following as standard work days for the following elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)- maximum days reported is20)
<b>Elected Officials</b>					
Town Clerk	Donna K. Curry	7	01/01/2010 – 12/31/2013	N	26.65**
Board Member	James Smith	7	01/01/2012 – 12/31/2015	N	6.17
Board Member	Tina Brown	7	01/03/2013 – 12/31/2013	N	1.44
<b>Appointed Officials</b>					
Receiver of Taxes	Donna K. Curry	7	01/01/2012 -12/31/2012	N	
Conservation Board	Michael White	7	01/01/2013 – 12/31/2014	N	.36

See Town Clerk this appointment is renewed annually

Member Dog Control Officer	Arthur Fritz	7	01/01/2013 – 12/31/2013	N	7.74
Planning Board Member	Robert Pelky	7	01/05/2012 – 12/31/2017	N	.40
Zoning Board of Appeals Secretary	Carrie Webster	7	01/01/2013 – 12/31/2013	N	1.30

\*\*the maximum number of days that can be reported to the New York State Retirement System is 20

Motion carried: Aye 5 Nay 0

**HILTON APPLE FEST REQUEST FORM**

Supervisor Carmestro reported a request has been received from the Apple Fest Committee for use of a gator and four to five picnic tables October 4<sup>th</sup> through the 7<sup>th</sup>. It was noted during previous discussions about allowing use of the Town’s gators, that the Board felt the newest gator would not be loaned out. During tonight’s discussion the Board agreed the older gator could be used provided the Parks Department does not need it on those days and was alright with use of the picnic tables.

**RESOLUTION NO. 176-2013** Motion by Councilperson Smith, seconded by Councilperson Comardo, to allow the Hilton Apple Fest Committee to use the older of the Town’s two gators and four or five picnic tables for the 2013 Apple Fest from October 4<sup>th</sup> through the 7<sup>th</sup>.

Motion carried: Aye 5 Nay 0

**THIRD QUARTER HEALTH SAVINGS ACCOUNT PAYMENT**

**RESOLUTION NO. 177-2013** Motion by Councilperson Roose, seconded by Councilperson Comardo, to authorize the payment of the third quarter Health Savings Account payment to First Niagara Bank in the amount of \$47,025.

Motion carried: Aye 5 Nay 0

**BUDGET TRANSFERS**

BUDGET TRANSFERS			Jul-13			
ACCT #	FROM DESCRIPTION	AMT.	ACCT #	TO DESCRIPTION	AMT.	REQUESTED
AOO571711042500	MAINTENANCE SUPPLIES	9,114.35	AOO571711021000	EQUIPMENT PARKS	9,114.35	SMITH
AOO516199040000	MISC CONTINGENCY	5,360.96	AOO571711021000	EQUIPMENT PARKS	5,360.96	GAVIGAN
AOO570731049542	YOUTH THEATER	175.00	AOO570731049732	BASKETBALL CAMP	175.00	FOWLER
		14,650.31			14,650.31	

**RESOLUTION NO. 178-2013** Motion by Councilperson Smith, seconded by Councilperson Brown, to approve transfers as submitted.

Motion carried: Aye 5 Nay 0

Supervisor Carmestro thanked Supt. Speer for having staff pick up and work on fixing the Jacobson mower.

**PETER TASSEY - ADDRESSES ON CLEARVIEW AND LIGHTHOUSE BEACH**

Supervisor Carmestro reported a letter has been received from Peter Tassej which he would like read. In summary, Mr. Tassej expressed his disappointment in the Board's decision to change the addresses of two neighboring residents from 18 and 20 Clearview Avenue to 2 and 4 Lighthouse Beach Road and the Town Board's unwillingness to respond to or address his previous challenges of that decision. He felt there was no substantive reason for the property owners to make the request and for the Town Board to approve it. He was also appalled by the complete lack of response. He referenced Town Board minutes from May 4<sup>th</sup> and 18<sup>th</sup> of 2010 when the requests were discussed and the decision was made to change the names of the addresses. Mr. Tassej felt there was no hardship suffered by either party. He noted that the other documents such as public utilities, DMV and voter registration referred to by Mr. Kesselring were created by Mr. Kesselring himself when he furnished each of those agencies with his address, which at the time did not exist. Mr. Tassej noted the following problems created by the approval and his objections. The letter was closed with his request for reconsideration of the Board's prior decision on this matter.

Supervisor Carmestro reviewed what had happened at prior meetings in 2010. There was a lengthy discussion which included: the Hilton Parma Fire Department was not in favor of this when presented; 911, Hilton Parma Fire Department, Lakeshore Fire Department (they are the backup) and Monroe Ambulance should be contacted if this is going to be reconsidered, this would be a name change and a number change, Clearview Avenue shows on Google maps, some Town Board members were not aware of subsequent requests for this to be changed back, and the difficulty in identifying where the properties are if you are looking for Lighthouse Beach Road.

Councilperson Smith noted he has gone out to the location and researched information on the web. He was surprised to find the bed and breakfast still lists Clearview Avenue on the web. He felt at the time they had a legitimate business reason but it appears they have not changed their advertising. In looking at Mr. Kesselring's property, a small sticker on his mailbox indicates the Lighthouse Beach address.

Supt. Speer noted you cannot get to these two properties on Lighthouse Beach Road; you can only access these properties from Clearview Avenue. Years ago at the very end of Lighthouse Road you turned on to Lighthouse Beach Road and it went along the lakeshore. Where the road was then is now in the lake.

There was further discussion resulting in the Board being in agreement to reconsider the prior decision. The Board asked Mr. Barton to contact the agencies noted and get there input on the name of these two addresses.

## **PUBLIC FORUM**

Supervisor Carmestro opened the public forum to anyone who wished to address the Board. There was no response.

## **LIAISON REPORTS**

\*\*Councilperson Brown reported everything she had during the Recreation Report regarding the Recreation Commission.

It was noted the dog kennel arrangement was working very well with Hamlin and that they have a very effective adoption program.

\*\*Councilperson Comardo reported the Zoning Board of Appeals had six actions. All applied for one or more area variances and one for a special permit. The resulting action was that one was tabled, one was withdrawn, two were denied and two were approved. Code Enforcement provided a year to date summary of issues. There were 110 issues were reported, of which 78 have been closed. Most of the issues have been property maintenance related. Fifteen have been since our last meeting.

\*\*Councilperson Smith reported the park is slowly getting out from under all the water and they are happy to have the Jacobson mower back.

## **GASOLINE METER – PARKS DEPARTMENT**

He noted that one of the issues that came up indirectly from the state audit is that there are a variety of vehicles that use gasoline from the Park's tank but there is no tracking on usage for each piece of equipment. He has developed a log to be used when putting fuel in a vehicle. Councilperson Brown asked who else uses this tank. Councilperson Smith responded that only the Parks Department. This will provide better accountability on gasoline usage and assist in identifying maintenance issues and provide data for making equipment decisions. He recommended the purchase of a gas meter at a cost of \$574.50 and will include installation.

**RESOLUTION NO. 179-2013** Motion by Councilperson Smith, seconded by Councilperson Comardo, to authorize the purchase of a gas meter for the Parks Department at a cost of \$574.50.

Motion carried: Aye 5 Nay 0

The Historical Society will be holding their August 19<sup>th</sup> meeting at the Historical building. It will be a picnic and a head count is needed. Everyone is asked to bring a covered dish and hot dogs, utensils and strawberry shortcake for dessert.

\*\*Councilperson Roose reported there were two auto dealers on Ridge Road that received approval for their site plans.



\*\*Supervisor Carmestro reported invitations are being sent for the grand opening of the new Doan Chevrolet building on August 28, 2013. He also reported he spoke to the Hamlin Supervisor about the Assessor Agreement. They have agreed to our Board's request to cover the cost fifty-fifty. Hamlin would like to see an estimate of what it will cost this year. An estimate will be provided and updated when numbers for health benefits and retirement are available. This will need to be reviewed each year along with any pay increases. He also discussed breaking up the schedule so that the Assessor is there for three days and here for two and then the opposite the next week. They are looking for accountability for when he is at each municipality. It would be a three year contract.

### **WARRANTS**

**RESOLUTION NO. 180-2013** Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve payment of AOO General Fund bills, in the amount of \$91,679.76.

Motion carried: Aye 5 Nay 0

**RESOLUTION NO. 181-2013** Motion by Councilperson Comardo, seconded by Councilperson Smith, to approve payment of BOO Part Town Fund bills, in the amount of \$16,308.48.

Motion carried: Aye 5 Nay 0

**RESOLUTION NO. 182-2013** Motion by Councilperson Smith, seconded by Councilperson Roose, to approve payment of DAO Highway, Townwide Fund bills, in the amount of \$859.78.

Motion carried: Aye 5 Nay 0

**RESOLUTION NO. 183-2013** Motion by Councilperson Roose, seconded by Councilperson Brown, to approve payment of DBO Highway, Part Town Fund bills, in the amount of \$60,714.05.

Motion carried: Aye 5 Nay 0

**RESOLUTION NO. 184-2013** Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve payment of HDO Town Bridges Fund bills, in the amount of \$4,159.81.

Motion carried: Aye 5 Nay 0

**RESOLUTION NO. 185-2013** Motion by Councilperson Comardo, seconded by Councilperson Smith, to approve payment of HHO Salt Shed Fund bills, in the amount of \$3,386.64.

Motion carried: Aye 5 Nay 0

**RESOLUTION NO. 186-2013** Motion by Councilperson Smith, seconded by Councilperson Roose, to approve payment of SDO Townwide Drainage Fund bills, in the amount of \$511.20.

Motion carried: Aye 5 Nay 0

**RESOLUTION NO. 187-2013** Motion by Councilperson Roose, seconded by Councilperson Brown, to approve payment of TAO Trust & Agency Fund bills, in the amount of \$917.95.

Motion carried: Aye 5 Nay 0

The total to be paid is \$178,537.67.

**RESCIND 4658 RIDGE ROAD WEST REZONING RESOLUTIONS**

Supervisor Carmestro explained that two motions were done to approve the rezoning of 4658 Ridge Road West

**RESOLUTION NO. 188-2013** Motion by Councilperson Brown, seconded by Councilperson Comardo, to rescind Resolutions 149-2013 and 150-2013 approving the rezoning of 4658 Ridge Road West from Light Industrial to Highway Commercial.

Motion carried: Aye 5 Nay 0

**SEQR DETERMINATION**  
**REQUEST TO REZONE 4658 RIDGE ROAD WEST FROM**  
**LIGHT INDUSTRIAL TO HIGHWAY COMMERCIAL**

**RESOLUTION NO. 189-2013** Motion by Councilperson Comardo, seconded by Councilperson Brown, After reviewing the Short Environmental Assessment Form and other relevant information for the request to rezone 4658 Ridge Road West from Light Industrial to Highway Commercial; the Town Board of the Town of Parma determines that the proposed rezoning will have no significant adverse impact on the area and therefore the Town Board issues a negative declaration.

Motion carried: Aye 5 Nay 0

**REZONE 4658 RIDGE ROAD WEST FROM LIGHT INDUSTRIAL TO**  
**HIGHWAY COMMERCIAL**

**RESOLUTION NO. 190-2013** Motion by Councilperson Smith, seconded by Councilperson Roose, to approve the rezoning of 4658 Ridge Road West, Tax Account # 072.02-2-9, from Light Industrial to Highway Commercial.

Motion carried: Aye 5 Nay 0

A motion was made by Councilperson Comardo to adjourn the meeting at 9:15 p.m. and numerous seconds. All were in favor.

Respectfully submitted,

Donna K. Curry  
Parma Town Clerk

**SCHEDULE A**  
**Exhibit A**

All that tract or parcel of land situate in the Town of Parma, County of Monroe, and State of New York being part of Town Lot 12 in Township 4 of the Triangular Tract and being more particularly described as follows:

Beginning at a Point in the northerly right of way line of Ridge Road West (N.Y.S. Rte. 104, 99.00' feet wide right of way) at a distance of 908.25' feet westerly, as measured in said northerly right of way line, from westerly right of way line of Parma Corners Hilton Road, thence;

1. Southerly, forming an angle of  $96^{\circ} 29' 13''$  in the southeast quadrant, a distance of 50.23' feet to the centerline of Ridge Road West, thence;
2. Westerly and along the centerline of said Ridge Road West, and forming an interior angle of  $96^{\circ} 29' 13''$  with Course 1, a distance of 180.01' feet to a point, thence;
3. Northerly, and forming an interior angle of  $83^{\circ} 30' 47''$  with Course 2, a distance of 981.12' feet to a point, thence;
4. Easterly, and forming an interior angle of  $96^{\circ} 18' 53''$  with Course 3, a distance of 179.93' feet to a point, thence;
5. Southerly, and forming an interior angle of  $83^{\circ} 41' 07''$  with Course 4, a distance of 930.18' feet to the Point of Beginning, containing  $3.82_{\pm}$  acres as measured to the right of way line of Ridge Road West

**SCHEDULE B**

At a regular meeting of the Town Board of the Town of Parma, in the County of Monroe, New York, held at the Parma Town Hall, 1300 Hilton Parma Corners Road, on July 16, 2013

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In the Matter of the Establishment of 5064 Ridge Road West Public Hydrant District in the Town of Parma, County of Monroe, New York.

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**ORDER  
ESTABLISHING  
DISTRICT**

WHEREAS, a map, plan and report relating to the establishment of the proposed 5064 Ridge Road West Public Hydrant District prepared by Razak Associates, PLLC duly licensed civil engineers of the State of New York, in a manner and in such detail as has been determined by this Town Board, has been duly filed with the Town Clerk in accordance with the requirements of article 12 of the Town Law; and

WHEREAS, Resolution was duly adopted by this Town Board on June 18, 2013, reciting the filing of said map, plan and report, the improvements proposed, the boundaries of the proposed district, the proposed method of financing, the fact that the map, plan and report describing the same were on file in the Town Clerk's Office for public inspection, and stating all other matters required by law to be stated, and specifying July 16, 2013 as the date, at 8:00 p.m. on said day as the time, at the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York 14468 as the place where this Town Board would meet and consider said map, plan, and report, and to hear all persons interested in the subject thereof, concerning the same and to take such action thereon as is required or authorized by law; and

WHEREAS, such order was duly published and posted as required by law; and

WHEREAS, a hearing on said matter was duly held by said Town Board on July 16, 2013 at 8:00 p.m. on said day, in the Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York 14468; and

WHEREAS, pursuant to said petition, it is the intention of the Petitioner(s), as sole owner(s) of all the taxable property in said public hydrant district, to construct said water hydrant and appurtenances, there will be no town funds expended,

WHEREAS, the said Petitioner shall be responsible for all fees to be charged annually for the inspection and maintenance of said water hydrant and appurtenances, which is currently \$200.00, and

Now, after due deliberation, it is

**RESOLVED AND DETERMINED:**

- a. That the Notice of Hearing was published and posted as required by law, and is otherwise sufficient;
- b. That all property and property owner(s) within the proposed district are benefited thereby;
- c. That all property and property owner(s) benefited are included within the limits of the proposed district;
- d. That it is in the public interest to establish said district; and be it further

**RESOLVED AND DETERMINED:**

That the establishment of the proposed district as set forth in said map, plan and report be approved; that the improvements herein mentioned be constructed by the Petitioner(s); and such district shall be known and designated as "5064 Ridge Road West Public Hydrant District" and shall be bounded and described as set forth in Exhibit A attached hereto and made a part hereof; and be it further

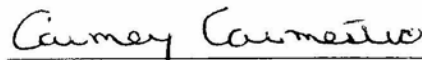
RESOLVED AND DETERMINED:

That the public hydrant for said district is to be constructed by Petitioner(s), owner of the Exhibit A premises, wholly at its own expense, and it has offered to convey the same without cost to the Town of Parma, that the cost of connecting the same with the Monroe County Water Authority shall be borne by the properties benefited thereby; and be it further

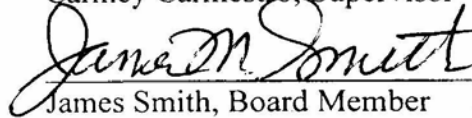
RESOLVED AND DETERMINED:

That the Town Clerk be, and hereby is, authorized and directed to file a certified copy of this Resolution in the Office of the Clerk of Monroe, which is in the County in which the said Town of Parma is located, and in the Office of the State Department of Audit & Control, Albany, New York State, within ten days after the adoption of this Resolution, pursuant to the provision of section 195 of the Town Law.

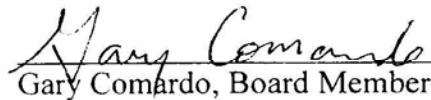
Dated: July 16, 2013



Carmey Carmestro, Supervisor



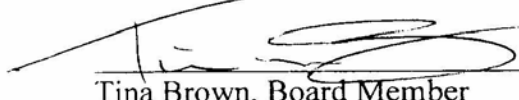
James Smith, Board Member



Gary Comardo, Board Member



James Roose, Board Member



Tina Brown, Board Member

SCHEDULE C



**Department of Planning and Development**  
Monroe County, New York

**Maggie Brooks**  
*County Executive*

**Judy A. Seil**  
*Director*

**To:** Town of Parma Town Board  
**From:** Renee Casler, Planner II  
**Date:** July 2, 2013  
**Subject:** Local Law #5 -2013 - Amend Chapter 165 Section 1767 Accessory Apartments  
MCDP&D Response to Development Review Referral (PM13-13Z)

**Review Authority and Response:**

General Municipal Law:  Section 239-m (Zoning)  
 Approval  Modification  Disapproval  Comment  No Comment

Section 239-n (Subdivision)  
 Approval  Modification  Disapproval  Comment  No Comment

County Charter:  Section C5-4.A (Airport)  
 Approval  Approval with Conditions  Disapproval

Section C5-4.C (Advisory Review)  
 Approval  Modification  Disapproval  Comment  No Comment

**Referred to the Development Review Committee (DRC)** (If yes, DRC Project Review Report attached):  
 Yes  No

**MCDP&D Comments:**

The Monroe County Department of Planning and Development has reviewed this application and does not have any comment. Please refer to the attached Project Review Report for the complete list of Development Review Committee comments.

If you have any questions regarding this review, please contact me at (585) 753-2026 or [rcasler@monroecounty.gov](mailto:rcasler@monroecounty.gov).

**Attachment**

xc: Development Review Committee

PROJECT REVIEW REPORT  
Monroe County Development Review Committee

August 22, 2013

Subject: Attachment to File PM13-13Z

The Monroe County Development Review Committee (DRC) has reviewed the subject application and has identified the following points that require appropriate action PRIOR TO SUBMISSION OF FINAL PLANS FOR APPROVAL.

(NOTE: The letter in parentheses following each comment identifies the DRC member listed at the bottom of the page making the comment. Questions should be addressed to the appropriate DRC agency.)

1. The following agencies reviewed this project and have no comments. (A, B)
2. This project was not sent to the following agencies for review. Applicants should verify with these agencies that they do not have jurisdictional requirements for this project. (C, D)

(A) - Monroe County Department of Health, Jeff Kosmala, 753-5470

(B) - Monroe County Department of Transportation, Thomas Cesario, 753-7711

(C) - New York State Department of Environmental Conservation, Division of Environmental Permits, 226-5400

(D) - New York State Department of Transportation, David Goehring, 272-3300

SCHEDULE D

14-16-2 (9/95)-7c

617.20

SEQR

**Appendix A**  
**State Environmental Quality Review**  
**FULL ENVIRONMENTAL ASSESSMENT FORM**

**Purpose:** The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible to allow introduction of information to fit a project or action.

**Full EAF Components:** the full EAF is comprised of three parts:

**Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.

**Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.

**Part 3:** If any impact is Part 2 is identified as potential-large, then Part 3 is used to evaluate whether or not the impact is actually important.

**DETERMINATION OF SIGNIFICANCE - Type 1 and Unlisted Actions**

Identify the Portions of EAF completed for this project:     Part 1     Part 2     Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore a **negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.\***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared.**

\* A Conditioned Negative Declaration is only valid for Unlisted Actions

**Adoption of revisions to the Parma Town Code regarding Accessory Apartments**

Name of Action

**Parma Town Board**

Name of Lead Agency

Carm Carmestro

Print or Type Name of Responsible Officer in Lead Agency

*Carm Carmestro*

Signature of Responsible Officer in Lead Agency

Supervisor, Town of Parma

Title of Responsible Officer

Signature of Preparer (if different from the responsible officer)

Date



**PART 1 - PROJECT INFORMATION**  
**Prepared by Project Sponsor**

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION <b>Adoption of revisions to the Parma Town Code regarding accessory apartments</b>		
LOCATION OF ACTION (include Street Address, Municipality and County) <b>Town of Parma</b>		
NAME OF APPLICANT/SPONSOR <b>Town of Parma</b>	BUSINESS TELEPHONE <b>585) 492-4560</b>	
ADDRESS <b>P.O. Box 728, 1300 Hilton-Parma Corners Road</b>		
CITY/PO	STATE	ZIP CODE
NAME OF OWNER (if different)	BUSINESS TELEPHONE	
ADDRESS		
CITY/PO <b>Hilton</b>	STATE <b>NY</b>	ZIP CODE <b>14468</b>
DESCRIPTION OF ACTION <b>The Parma Town Board proposes to amend Town Code provisions relating to accessory apartments. The proposed amendments would allow accessory apartments in accessory structures as well as within the principal residential structure and eliminate the requirement that the occupant of the accessory apartment be elderly or infirm.</b>		

Please Complete Each Question Indicate N.A. if not applicable

**A. SITE DESCRIPTION**

Physical setting of overall project both developed and undeveloped areas.

1. Present land use:  Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Other

2. Total acreage of project 27,650 acres. (approximate) **Entire Town**

APPROXIMATE ACREAGE*	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	_____ acres	_____ acres
Forested	_____ acres	_____ acres
Agricultural (Includes orchards, cropland, pasture, etc.)	_____ acres	_____ acres
Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)	_____ acres	_____ acres
Water Surface Area	_____ acres	_____ acres
Unvegetated (Rock, earth or fill)	_____ acres	_____ acres
Roads, buildings and other paved surfaces	_____ acres	_____ acres
Other (Indicate type) _____	_____ acres	_____ acres

3. What is predominant soil type(s) on project site? HI-Hilton Loam, CI-Collamer Silt Loam, Od-Odessa Silt Loam, Lockport
- a. Soil drainage:  Well drained 70 % of site  Moderately well drained 20 % of site  
 Poorly drained 10 % of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System?  
90% of Town's land area \_\_\_\_\_ acres (see 1 NYSR 370).

4. Are there bedrock outcroppings on project site?  Yes  No  
 a. What is depth to bedrock? Varies (in feet) **Outside of the Ridge Road corridor, all areas of the Town have depth to bedrock greater than six feet.**

5. Approximate percentage of proposed project site with slopes:  0-10% 95 %  10-15% 4 %  
 15% or greater 1 %
6. Is project substantially contiguous to or contain a building, site, or district, listed on the State or the National Registers of Historic Places?  Yes  No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks:  Yes  No
8. What is the depth of the water table? Varies (in feet)
9. Is site located over a primary, principal, or sole source aquifer?  Yes  No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area?  Yes  No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?  
 Yes  No According to David C. Woodruff, NYSDEC Region 8 (1998)  
Identify each species Black tern, Pirate perch, Lake Chubsucker, Pawpaw
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)  
 Yes  No Describe Lake Ontario shoreline
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?  
 Yes  No If yes, explain Active: Town Park and at schools and Village of Hilton facilities.  
Passive: on private lands and along streams and Lake Ontario Shoreline
14. Does the present site include scenic views known to be important to the community?  
 Yes  No
15. Streams within or contiguous the project area:  
a. Name of Stream and name of River to which it is tributary Major streams: West Creek and Otis Creek tributaries to Salmon Creek, a tributary to Braddock Bay/Lake Ontario; Black Creek and Northrup Creek, tributaries to Long Pond/Lake Ontario; Buttonwood Creek tributary to Braddock Bay/Lake Ontario; East Creek tributary to Lake Ontario
16. Lakes, ponds, wetland areas within or contiguous to project area:  
a. Name PM-1 to PM20, OG-1, OG-2, GR-1, Lake Ontario b. Size (in acres) > 500 acres
17. Is the site served by existing public utilities?  Yes  No  
a) If Yes, does sufficient capacity exist to allow connection?  Yes  No  
b) If Yes, will improvements be necessary to allow connection?  Yes  No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  
 Yes  No Northwest Agricultural District
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR617?  
 Yes  No
20. Has the site even been used for the disposal of solid or hazardous wastes?  Yes  No  
(See Narrative)

**B. PROJECT DESCRIPTION** **Not Applicable (Project is not site-specific) – See Narrative**

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- a. Total contiguous acreage owned or controlled by project sponsor \_\_\_\_\_ acres.
- b. Project acreage to be developed: \_\_\_\_\_ acres initially; \_\_\_\_\_ acres ultimately.
- c. Project acreage to remain undeveloped \_\_\_\_\_ acres.
- d. Length of project, in miles \_\_\_\_\_ (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed \_\_\_\_\_ %.
- f. Number of off-street parking spaces: Existing \_\_\_\_\_; Proposed \_\_\_\_\_
- g. Maximum vehicular trips generated per hour \_\_\_\_\_ (upon completion of project)?
- h. If residential: Number and type of housing units:  
One-Family \_\_\_\_\_ Two Family \_\_\_\_\_ Multiple Family \_\_\_\_\_ Condominium \_\_\_\_\_  
Initially \_\_\_\_\_  
Ultimately \_\_\_\_\_
- i. Dimensions (in feet) of largest proposed structure \_\_\_\_\_ height, \_\_\_\_\_ width, \_\_\_\_\_ length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? \_\_\_\_\_ ft.

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? \_\_\_\_\_ tons/cubic yards.
3. Will disturbed areas be reclaimed?  Yes  No  
a. If yes, for what intended purpose is the site being reclaimed? \_\_\_\_\_  
b. Will topsoil be stockpiled for reclamation?  Yes  No  
c. Will upper subsoil be stockpiled for reclamation?  Yes  No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? \_\_\_\_\_ acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?  Yes  No
6. If single phase project: Anticipated period of construction \_\_\_\_\_ months, (including demolition).
7. If multi-phased:  
a. Total number of phases anticipated \_\_\_\_\_ (number).  
b. Anticipated date of commencement phase 1 \_\_\_\_\_ month \_\_\_\_\_ year (including demolition).  
c. Approximate completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year.  
d. Is phase 1 functionally dependent on subsequent phases?  Yes  No
8. Will blasting occur during construction?  Yes  No
9. Number of jobs generated: during construction \_\_\_\_\_ after project is completed \_\_\_\_\_
10. Number of jobs eliminated by the project \_\_\_\_\_
11. Will project require relocation of any projects or facilities?  Yes  No If yes, explain \_\_\_\_\_
12. Is surface liquid waste disposal involved?  Yes  No  
a. If yes, indicate type of waste (sewage, industrial, etc.) and amount \_\_\_\_\_  
b. Name of water body into which effluent will be discharged \_\_\_\_\_
13. Is subsurface liquid waste disposal involved?  Yes  No Type \_\_\_\_\_
14. Will surface area of an existing water body increase or decrease by proposal?  Yes  No  
Explain \_\_\_\_\_
15. Is project or any portion of project located in a 100 year flood plain?  Yes  No
16. Will the project generate solid waste?  Yes  No  
a. If yes, what is the amount per month \_\_\_\_\_ tons.  
b. If yes, will an existing solid waste facility be used?  Yes  No  
c. If yes, give name \_\_\_\_\_, location \_\_\_\_\_  
d. Will any wastes not go into a sewage disposal system or into a sanitary landfill?  Yes  No  
e. If Yes, explain \_\_\_\_\_
17. Will the project involve the disposal of solid waste?  Yes  No  
a. If yes, what is the anticipated rate of disposal? \_\_\_\_\_ tons/month.  
b. If yes, what is the anticipated site life? \_\_\_\_\_ years.
18. Will project use herbicides or pesticides?  Yes  No
19. Will project routinely produce odors (more than one hour per day)?  Yes  No
20. Will project produce operating noise exceeding the local ambient noise levels?  Yes  No
21. Will project result in an increase in energy use?  Yes  No  
If yes, indicate type(s) \_\_\_\_\_
22. If water supply is from wells, indicate pumping capacity \_\_\_\_\_ gallons/minute.
23. Total anticipated water usage per day \_\_\_\_\_ gallons/day.
24. Does project involve Local, State or Federal funding?  Yes  No  
If Yes, explain \_\_\_\_\_

25. Approval Required:				Submittal	
	Yes	No	Type	Date	
City, Town, Village Board	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Adoption of Code Revisions</u>	<u>July 2013</u>	
City, Town, Village Planning Board	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	
City, Town Zoning Board	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	
City, County Health Department	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	
Other Local Agencies	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	
Other Regional Agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Advisory Review per 239-m by County Planning Department</u>	<u>July 2013</u>	
State Agencies	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	
Federal Agencies	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	

**C. Zoning and Planning Information**

- Does proposed action involve a planning or zoning decision  Yes  No  
If Yes, indicate decision required:  
 zoning amendment  zoning variance  special use permit  subdivision  site plan  
 new/revision of master plan  resource management plan  other \_\_\_\_\_
- What is the zoning classification(s) of the site? AC, RR, MD, HD, & WF.
- What is the maximum potential development of the site if developed as permitted by the present zoning?  
N/A Proposed Action is not site specific
- What is the proposed zoning of the site? No changes proposed to zoning classifications of land
- What is the maximum potential development of the site if developed as permitted by the proposed zoning?  
N/A Proposed Action is not site specific
- Is the proposed action consistent with the recommended uses in adopted local land use plans?  Yes  No
- What are the predominant land use(s) and zoning classifications within a 1/4 mile?  
\_\_\_\_\_
- Is the proposed action compatible with adjoining/surrounding land uses within a 1/4 mile?  Yes  No
- If the proposed action is the subdivision of land, how many lots are proposed?  
a. What is the minimum lot size proposed? \_\_\_\_\_
- Will proposed action required any authorization(s) for the formation of sewer or water districts?  Yes  No
- Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?  Yes  No  
a. If yes, is existing capacity sufficient to handle projected demand?  Yes  No
- Will the proposed action result in the generation of traffic significantly above present levels?  Yes  No  
a. If yes, is the existing road network adequate to handle the additional traffic?  Yes  No

**D. Information Details**

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

**E. Verification**

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Town of Parma Date \_\_\_\_\_  
Signature Carmey Camerino Title: Supervisor

**If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.**

**Part 2 - PROJECT IMPACTS AND THEIR MAGNITUDE**  
Responsibility of Lead Agency

**General Information** (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable**? The reviewer is not expected to be an expert environmental analyst.
- The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

a. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be any impact.

b. **Maybe** answers should be considered as **Yes** answers.

c. If answering **Yes** to a questions then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If the impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.

d. Identify that an impact will be potentially large (column 2) does not mean that it is also necessarily significant. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.

e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.

f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in PART 3.

**IMPACT ON LAND**

1. Will the proposed action result in a physical change on the project site?  
 NO       YES

**Examples** that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- Construction on land where the depth to the water table is less than 3 feet.
- Construction of paved parking area for 1,000 or more vehicles.
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- Construction that will continue for more than 1 year or involve more than one phase or stage.
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e. rock or soil) per year.
- Construction or expansion of a sanitary landfill.
- Construction is in a designated floodway.

Other impacts: \_\_\_\_\_

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)  
 NO       YES

• Specific land forms: \_\_\_\_\_

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

**IMPACT ON WATER**

3. Will the proposed action affect any water body designated as protected?  
(Under Articles 15, 24, 25 of the Environmental Conservation Law, EC)  
 NO  YES

**Examples** that would apply to column 2

- Developable area of site contains a protected water body
- Dredging more than 100 cubic yards of material from channel of a protected stream.
- Extension of utility distribution facilities through a protected water body.
- Construction in a designated freshwater or tidal wetland.
- Other impacts: \_\_\_\_\_

4. Will proposed action affect any non-protected existing or new body of water?  
 NO  YES

**Examples** that would apply to column 2

- A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.
- Construction of a body of water that exceeds 10 acres of surface area.
- Other impacts: \_\_\_\_\_

5. Will proposed Action affect surface or groundwater quality or quantity?  
 NO  YES

**Examples** that would apply to column 2

- Proposed Action will require a discharge permit.
- Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.
- Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.
- Construction or operation causing any contamination of a water supply system.
- Proposed Action will adversely affect groundwater.
- Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.
- Proposed Action would use water in excess of 20,000 gallons per day.
- Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to the natural conditions.
- Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.
- Proposed Action will allow residential uses in areas without water and/or sewer services.
- Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing water treatment and/or storage facilities.
- Other impacts: \_\_\_\_\_

6. Will proposed action alter drainage flow or patterns, or surface water runoff?  
 NO  YES

**Examples** that would apply to column 2

- Proposed Action would change flood water flows.

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No



- Construction activity would excavate or compact the soil profile of agricultural land.
- The proposed action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land
- The proposed action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g., cause a farm field to drain poorly due to increased runoff).
- Other impacts: \_\_\_\_\_

**IMPACT ON AESTHETIC RESOURCES**

11. Will proposed action affect aesthetic resources?  NO  YES  
 (If necessary, use the Visual EAF Addendum in Section 617.21, Appendix B.)

**Examples** that would apply to column 2

- Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.
- Proposed land uses, or project components visible to users or aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource
- Project components that will result in the elimination or significant screening of scenic views known to be important to the area.
- Other impacts: \_\_\_\_\_

**IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES**

12. Will Proposed Action impact any site or structure of historic, pre-historic or paleontological importance?  NO  YES

**Examples** that would apply to column 2

- Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.
- Any impact to an archaeological site or fossil bed located within the project site.
- Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.
- Other impacts: \_\_\_\_\_

**IMPACT ON OPEN SPACE AND RECREATION**

13. Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?  NO  YES

**Examples** that would apply to column 2

- The permanent foreclosure of a future recreational opportunity.
- A major reduction of an open space important to the community.
- Other impacts: \_\_\_\_\_

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change	
• Construction activity would excavate or compact the soil profile of agricultural land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• The proposed action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• The proposed action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g., cause a farm field to drain poorly due to increased runoff).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Other impacts: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>IMPACT ON AESTHETIC RESOURCES</b>				
11. Will proposed action affect aesthetic resources? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (If necessary, use the Visual EAF Addendum in Section 617.21, Appendix B.)				
<b>Examples</b> that would apply to column 2				
• Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Proposed land uses, or project components visible to users or aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Project components that will result in the elimination or significant screening of scenic views known to be important to the area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Other impacts: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES</b>				
12. Will Proposed Action impact any site or structure of historic, pre-historic or paleontological importance? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES				
<b>Examples</b> that would apply to column 2				
• Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Any impact to an archaeological site or fossil bed located within the project site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Other impacts: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>IMPACT ON OPEN SPACE AND RECREATION</b>				
13. Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES				
<b>Examples</b> that would apply to column 2				
• The permanent foreclosure of a future recreational opportunity.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• A major reduction of an open space important to the community.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
• Other impacts: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No



**IMPACT ON CRITICAL ENVIRONMENTAL AREAS**

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6 NYCRR 617.14(g)?  NO  YES

List the environmental characteristics that caused the designation of the CEA.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Examples** that would apply to column 2

- Proposed Action to locate with the CEA?
- Proposed Action will result in a reduction in the quantity of the resource?
- Proposed Action will result in a reduction in the quality of the resource?
- Proposed Action will impact the use, function or enjoyment of the resource?
- Other impacts: \_\_\_\_\_  
 \_\_\_\_\_

**IMPACT ON TRANSPORTATION**

15. Will there be an effect to existing transportation systems?  NO  YES

**Examples** that would apply to column 2

- Alteration of present patterns of movement of people and/or goods.
- Proposed Action will result in major traffic problems.
- Other impacts: \_\_\_\_\_  
 \_\_\_\_\_

**IMPACT ON ENERGY**

16. Will proposed action affect the community's sources of fuel or energy supply?  NO  YES

**Examples** that would apply to column 2

- Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.
- Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.
- Other impacts: \_\_\_\_\_  
 \_\_\_\_\_

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

**NOISE AND ODOR IMPACTS**

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?  NO  YES

Examples that would apply to column 2

- Blasting within 1,500 feet of a hospital, school or other sensitive facility.
- Odors will occur routinely (more than one hour per day).
- Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.
- Proposed Action will remove natural barriers that would act as a noise screen.
- Other impacts: \_\_\_\_\_

**IMPACT ON PUBLIC HEALTH**

18. Will Proposed Action affect public health and safety?  NO  YES

Examples that would apply to column 2

- Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.
- Proposed Action may result in the burial of "hazardous wastes" in any form (i.e., toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)
- Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids.
- Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.
- Other impacts: \_\_\_\_\_

**IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD**

19. Will proposed action affect the character of the existing community?  NO  YES

Examples that would apply to column 2

- The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.
- The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.
- Proposed Action will conflict with official adopted plans or goals.
- Proposed Action will cause a change in the density of land use.
- Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- Development will create a demand for additional community services (e.g. schools, police and fire, etc.)
- Proposed Action will set an important precedent for future projects.
- Proposed Action will create or eliminate employment.
- Other impacts: \_\_\_\_\_

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

20. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts?  NO  YES

If any action in Part 2 is identified as a potential large impact or if you cannot determine the magnitude of impact, proceed to Part 3

**Part 3 -- EVALUATION OF THE IMPORTANCE OF IMPACTS**  
Responsibility of Lead Agency

**Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.**

**Instructions**

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

To answer the question of importance, consider:

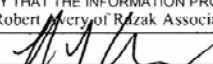
- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

(Continue on attachments)

SCHEDULE E

617.20  
**Appendix C**  
**State Environmental Quality Review**  
**SHORT ENVIRONMENTAL ASSESSMENT FORM**  
 For UNLISTED ACTIONS Only

**PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)**

1. APPLICANT/SPONSOR Rich Ricotta	2. PROJECT NAME 5064 Ridge Road
3. PROJECT LOCATION: Municipality <u>Town of Parma</u> County <u>Monroe</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>5064 Ridge Road Parma, New York 14559</u>	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Construction of a one story metal clad building for the use of car repairs as well as other site associated improvements. The client also looks to establish a new Hydrant District within the Town of Parma.	
7. AMOUNT OF LAND AFFECTED: Initially <u>0.90</u> acres    Ultimately <u>0.90</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If No, describe briefly <u>Proposed use complies with the Highway Commercial Zoning District</u>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: <u>General Business Zoning District.</u>	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals: <u>Town of Parma-Site Plan Approval, MCWA-Water Design Approval</u>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Robert Avery of Ruzak Associates (Sponsor)</u> Date: <u>5-24-13</u> Signature: 	

**If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment**

**PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)**

<p>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? <span style="float: right;">If yes, coordinate the review process and use the FULL EAF.</span>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</p> <p>C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly.                  No, this project involves installing an additional fire hydrant within the Ridge Road right of way.</p> <p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly.                  No, the area is currently developed.</p> <p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly.                  No, the project area is currently maintained as right of way for Ridge Road (Route 104)</p> <p>C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly.                  No, the area is currently commercial in nature and the placement of a fire hydrant will not adversely effect the area.</p> <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.                  No, the area is currently serviced with water and the installation of a fire hydrant will not adversely effect future development.</p> <p>C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.                  No, there have been no adverse effects identified with this project.</p> <p>C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.                  No, none have been identified.</p>
<p>D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <span style="float: right;">If Yes, explain briefly:</span></p>
<p>E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <span style="float: right;">If Yes, explain briefly:</span></p>

**PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which <b>MAY</b> occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action <b>WILL NOT</b> result in any significant adverse environmental impacts <b>AND</b> provide, on attachments as necessary, the reasons supporting this determination.	
Town of Parma Town Board	
_____ Name of Lead Agency	_____ Date
Carmey Carmestro _____ Print or Type Name of Responsible Officer in Lead Agency	Town Supervisor _____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (If different from responsible officer)

Reset



**Department of Planning and Development**  
Monroe County, New York

**Maggie Brooks**  
*County Executive*

**Judy A. Seil**  
*Director*

**To:** Town of Parma Town Board  
**From:** Renee Casler, Planner II  
**Date:** July 2, 2013  
**Subject:** Variance for Public Hydrant  
5064 Ridge Road West  
MCDP&D Response to Development Review Referral (PM13-11Z)

**Review Authority and Response:**

General Municipal Law:  Section 239-m (Zoning)  
 Approval  Modification  Disapproval  Comment  No Comment  
 Section 239-n (Subdivision)  
 Approval  Modification  Disapproval  Comment  No Comment  
County Charter:  Section C5-4.A (Airport)  
 Approval  Approval with Conditions  Disapproval  
 Section C5-4.C (Advisory Review)  
 Approval  Modification  Disapproval  Comment  No Comment

**Referred to the Development Review Committee (DRC)** (If yes, DRC Project Review Report attached):  
 Yes  No

**MCDP&D Comments:**

The Monroe County Department of Planning and Development has reviewed this application and does not have any comment. If you have any questions regarding this review, please contact me at (585) 753-2026 or [reasler@monroecounty.gov](mailto:reasler@monroecounty.gov).

xc:  
Mel Schroeder, Army Corps of Engineers  
Razak Associates  
Anna Ricotta

Parma Town Board  
July 16, 2013

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**MONROE COUNTY WATER AUTHORITY**  
P.O. Box 10999 • 475 Norris Drive • Rochester, New York 14610-0999  
Phone: (585) 442-2000 Fax (585) 442-0220

June 28, 2013

Donna K Curry  
Parma Town Clerk  
PO Box 728  
Hilton, NY 14468

Re: Lead Agency Request for SEQR – 5064 Ridge Road West Hydrant District  
Town of Parma

Dear Ms. Curry:

The Monroe County Water Authority concurs with the Town of Parma acting as Lead Agency for the above referenced project. Attached is an initial checklist of items that the Monroe County Water Authority requests be addressed as part of our review and approval process for this project. Given that the level of detail presented is only conceptual in nature, this list is preliminary and may be added to, as more detailed plans are presented.

If you have any questions regarding this letter, please contact me at 442-2000.

Sincerely,

Tod Ferguson, P.E.  
Technical Support Supervisor

tf/hy  
Attachment

xc: S. Savage, P.E.



Monroe County Water Authority

**SEQR REVIEW**

Date: 6/28/13

Project: 5064 Ridge Road West Hydrant District

Town: Parma

**ITEM**

	<b>Address in SEQR Review</b>	<b>Required for MCWA Approval</b>
1. Plans and specifications shall be developed in accordance with MCWA standards and submitted for review and approval.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Water demand projections (domestic, industrial and fire-flows) shall be presented.	<input type="checkbox"/>	<input type="checkbox"/>
3. Hydraulic calculations shall be submitted.	<input type="checkbox"/>	<input type="checkbox"/>
4. For any facility outside of a public R.O.W., prepare and submit easement documents.	<input type="checkbox"/>	<input type="checkbox"/>
5. Master metering will likely be required for this project.	<input type="checkbox"/>	<input type="checkbox"/>
6. Looping of the water system will be required.	<input type="checkbox"/>	<input type="checkbox"/>
7. Backflow issues must be addressed, including submission of the Engineer's Report.	<input type="checkbox"/>	<input type="checkbox"/>
8. Additional comments:	<input type="checkbox"/>	<input type="checkbox"/>