

**TOWN OF PARMA**  
**PLANNING BOARD**  
**SEPTEMBER 5, 2013**

Members present:

Chairman  
Executive Secretary

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

Public Present:      Chris Antoniou

Meeting started at 7:01 p.m.

968 Parma Center Road

Mr. Antoniou is the owner of property at 968 Parma Center Road. Mr. Antoniou stated that he has had nothing but problems with the owner of 952 Parma Center Road since he purchased the property.

Mr. Antoniou stated the following:

- He has not yet done the tile around the yard per the plan
- He has not yet removed the fence per the plan
- He is a contractor and done new construction for the past 7 years
- The neighbor has standing water on his property because he needs fill on his property
- He needs to rip out the fence, per the plans, to put in the tile
- The neighbor has been nothing but problems and has threatened him
- That the fence the neighbor claims to be his is actually 2 and a half feet on his property, that he is planning on ripping it out next week so that he can get the tile and utilities put in per the plan.

Jack Barton stated:

-The neighbor had wanted to be here when Mr. Antoniou was here but Mr. Antoniou had not returned any of Mr. Barton's inquiries as to if he would be in attendance at tonight's meeting so Mr. Barton did not contact the neighbor to be here tonight.

-He spoke with engineer and he stated that the fence was on Mr. Antoniou's property.

968 Parma Center Road continued:

Mr. Barton passed out a letter from Schultz Associates dated 9/5/2013 and a copy of the approved site plans.

Mr. Aprilano pointed out that the plans have a note on them that set out that the wire fence is to be removed. A discussion followed on the fence.

Mr. Barton confirmed with Mr. Antoniou that the tile was part of the project. Mr. Antoniou stated that it was but he has not gotten it installed yet.

Mr. Barton stated that he spoke with Mr. Matt of Schultz Associates in regards to the pond. Mr. Matt stated that the pond as constructed is not the size of the pond on the plan. Mr. Antoniou agreed that the pond still needed to be enlarged to meet the size set out on the plans.

The Board asked what was the original reason for the designing the pond? Did he intend to get the fill for the property from the pond? Mr. Antoniou stated that the neighbor had complained about the water and the pond was designed to help with the drainage of the site.

A discussion was held on if the owner could deviate from the size of the approved pond size. Mr. Barton stated that it was possible but the owner would have to go back to the Engineer to get new calculations on drainage.

Chairman Ferguson asked how long until final grading would be done on the property. Mr. Antoniou stated a month and a half.

Another discussion was held on the fence and what Mr. Antoniou should do. The Board suggested that Mr. Antoniou confirm what portion of the fence was on his property and that should be the portion of the fence that he takes down. Mr. Antoniou stated that he would write the neighbor a letter letting him know that he intends to remove the fence from his property and that he would verify with his surveyor where the fence was on his own property. Mr. Antoniou also stated that it is his intention to put up another fence.

Mr. Barton reviewed with Mr. Antoniou that the Town does require permits for fences and then reviewed a portion of the Town's Codes and Regulations in regards to fences and suggested to Mr. Antoniou that he contact the Building Department to confirm that the fence he would like to put in will conform to the Town Code.

968 Parma Center Road continued:

The Board asked Mr. Barton to write a letter to the neighbor to review with him what site improvements still need to be completed on the project and that the owner is anticipating the project to be completed within a month and a half.

A discussion was held on what has been done on the property and what still needs to be done on the property.

## NEW BUSINESS

NYSEG - 833 MANITOU ROAD Mr. Barton stated that NYSEG has an application before the Zoning Board of Appeals to replace the existing lightning mast, 40', with a 70' lightning mast.

Mr. Barton stated that he had spoken with the applicant's Attorney in regards to this application. The following items were discussed:

- the new mast will be within the same compound, not outside the compound as originally shown on the plans.
- the new mast will be 5 feet higher than the power lines.

The application before Zoning Board of Appeals is for variances for height and for setback.

Mr. Barton stated that the Building Department will require engineering designs before any permits are issued and that the disclosure submitted to the Town stated that there would be data collectors on this lightning mast. A discussion followed on the data collectors.

A discussion was held on if a variance was needed for the original 40 foot lightning mast.

Mr. Barton stated that light industrial does allow towers for accessory use.

A discussion was held on the tower itself.

The Board stated that they would like to see the proposed plans to review and comment on.

Mr. Barton reviewed the following items with the Board:

- Agenda for next meeting
- Short form SEQR changes. Chairman Ferguson asked if it could be conveyed to the Engineers that the Board would like to see part one of this form prior to the scheduled hearing so that the Board can review prior to the public hearing and entertaining a motion for SEQR.

**A motion was made by Bob Pelkey and seconded by Steve Aprilano to approve the August 19, 2013 meeting minutes as presented. Motion carried unanimously 3-0 (Mark Acker and Mike Reinschmidt absent from August 19, 2013 meeting).**

There being no further business, a motion was made by Mark Acker and seconded by Mike Reinschmidt to end the meeting at 7:32 pm. Motion carried unanimously 5-0.

Respectfully submitted,

Maureen L. Werner,  
Recording Secretary