

TOWN OF PARMA PLANNING BOARD
JUNE 3, 2010

Members Present:	Chairman	Ed Fuierer
	Executive Secretary	Jack Barton
		Bob Pelkey
		Rick Holden
		Tim Harner
		Tod Ferguson

Public Present: Don Crowley, Renee Crowley, Bob Crowley, Mary Crowley, Steve Aprilano, Jim Roose (TB), Robert Brenna, James Szalados, Doris Szalados, Jim Smith (TB), B Vance, Charlie Lissow, Bruce Griffin, Lori Griffin

Meeting started: 7:02 pm

PUBLIC HEARING

All Seasons Subdivision, Section 4B 15 Lots Fallwood Terr. & Summertime Trail
Chairman Ed Fuierer read the Legal Notice.

Kris Schultz presented the plans to the Board and reviewed the plans with the Board and the public.

Chairman Ed Fuierer read the following correspondence:

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| 1. | Department of Planning and Development | 5/18/2010 |
| 2. | Town Engineer | 5/05/2010 |
| 3. | Fire Marshal | 5/19/2010 |

Chairman Ed Fuierer opened the Public Hearing.

PUBLIC COMMENTS:

None

BOARD COMMENTS:

None

Chairman Ed Fuierer closed the public hearing.

A motion was made by Bob Pelkey and seconded by Tim Harner to grant Preliminary approval for this application. Motion carried unanimously 5-0.

Kris Schultz asked that the Board grant a formal SEQR determination on this section.

A discussion was held on the fact that overall SEQR was granted to the whole project and that the prior sections did not have to have an additional SEQR determination.

A discussion was held on whether the original overall was determined to be a Type 1 under SEQR. Mr. Schultz stated that he is asking because he needs to present proof to the Health Department that SEQR was issued.

Mr. Schultz read the minutes from the previous meeting that confirmed the overall plans was determined to be a unlisted action and had received a Negative Declaration.

Tod Ferguson made a motion to reaffirm that this project is listed as an unlisted action and that has been granted a negative declaration under SEQR. Tim Harner seconded the motion. Motion carried unanimously 5-0.

CONTINUING BUSINESS

1617 Manitou Road & 4664 Ridge Road West Fill Permit Extension

Charlie Lissow came before the Board to request a 6 month extension to the fill permit for this property. Mr. Lissow stated that he felt that the property was in compliance with the fill permit. Stated that Mr. Barton had been to the site yesterday to inspect the site and that two areas are basically closed and the last area is being filled now. That he has shut down to all haulers except for Kealer Construction. He reviewed that section one has been seeded and it is growing, section two was seeded yesterday and SWPPP inspections are done weekly at the site.

Mr. Barton stated that the check dams need to be cleaned. Mr. Lissow stated that this will be done this summer.

Tod Ferguson asked if the pond needed to be cleaned. Mr. Lissow stated the pond is very clean.

Chairman Ed Fuierer stated that he and Rick Holden were at the site with Mr. Barton for the site inspection and the site looked fine.

Rick Holden asked if there had been any complaints to the Town about the site. Mr. Barton stated that there have been none.

Jack Barton asked if the east side of area two needed to have top soil added. Mr. Lissow stated that it does.

A motion was made by Tod Ferguson and seconded by Bob Pelkey to grant a six month extension to the original fill permit provided that:

1. Top soil be added to the east side of section two as previously discussed.
2. That the check dams get cleaned.
3. That the property be fully seeded by fall.

Motion carried unanimously 5-0.

8 North Shore Drive Review of Yard Grading

Robert Brenna stated that he represented owners James and Doris Szalados, both of whom were present.

Mr. Brenna stated that the elevation map has been filed for this site, that they have hired Crosstown Landscaping to do the landscaping on this site and they are ready to seed the site but wants to make sure before the seeding is done that no there are no questions in regards to the grading of the site.

Jack Barton passed out a copy of the site plan for this site with pictures. The pictures showed the grading of the site.

Chairman Ed Fuierer asked if there were trees and bushes to be planted. Mr. Brenna stated that they were already planted and actually some of the trees were removed because there was just too many.

Mr. Brenna stated that he had spoken with the neighbor's attorney in regard to the issues with the grading and he felt that his client was "happy".

Chairman Ed Fuierer asked if there were any complaints on this application. Mr. Barton stated that there were some but he would like Bob Prince to explain as he has been the one who has been working on this application.

Bob Prince explained that the neighbor has some concern with some of the landscaping and the fact that it may be having a negative effect on his property.

A meeting was held with the landscaper at the site to discuss the concern and the impact the grading may have on the neighbors to the east and west.

Mr. Prince stated that he visited the site after the last major rainfall that we had and he saw no negligible impact on the properties to the east and west.

Charlie Lissow stated that he built the home and that the grading was changed on this site after the neighbors changed their grading so that their runoff was coming on to this site. Mr. Lissow stated that swales were cut along property line and that when he left the site the drainage was working fine. That the lot is 300 feet deep and there may be ponding in the spring.

A discussion was held on the way the lot was originally graded as to the way the lot is currently graded.

Bruce Griffin stated the he owns the property to the east side. He presented pictures to the Board and stated that he was upset with the grading of this site and the way it drains on to his property.

The Board reviewed the pictures with Mr. Griffin. Mr. Griffin stated that at one time the homes and the lots were flush and they are not now.

Mr. Griffin stated that he has no idea what the elevations mean but when it rains hard he has to go out with a sump pump so he can drain the water off his lawn. Mr. Griffin stated that he knows that this construction has had an impact on his yard and he is not pleased with what has happened, he has been there for years and has not had these problems.

Chairman Ed Fuierer asked if the Griffins had a water problem prior to the home being built or did his runoff go to the vacant lot. Mr. Griffin stated that he did have ponding prior to the construction of the home but it is worse now.

Chairman Ed Fuierer asked Mr. Lissow when he did the initial house and grading was their ponding or was the lot draining properly? Mr. Lissow stated that it did, it sheet drained into the lake, but the prior owners put in rock and raised the lot 2 feet which stops the drainage.

A discussion was held on the catch basin that was shown on the new grading plans and if it was installed or if it was just proposed. It was established that it was not installed.

A discussion was held on the grading of all the lots and the gutters on the new home.

Mr. Brenna stated that the gutter has now been connected to the drain pipe and will now drain the gutter to the lake. Mr. Griffin stated that he had concerns with the patio that was put in and how the property seems to slant towards the property line causing the runoff to go into his yard.

8 North Shore Continued:

Mr. Brenna stated that his clients have spent a considerable amount of money to make sure that the property was graded properly and would really like to get the property seeded before the dirt gets swept away and has to be re-graded.

A discussion was held on the underground pipe that is shown on the plan, it was established that the current pipe is 4" but can be expanded to a 8" pipe if necessary.

A discussion was held on the date of the pictures that the Griffins had shown the Board, were they from this year or prior years. The Griffins were not sure but Mrs. Griffin stated that she would check her digital camera and let the Board know.

Mr. Brenna felt that the date of the picture was important because he feels that they were taken prior to the gutter being hook up to the drain.

A discussion was held on the first floor elevation, the proposed and the actual.

Mr. Griffin asked that the Board come to the property so they could view the property.

A discussion was held on the area drainage. Mr. Brenna stated that if the neighbors wanted to grade their yards so that the water ran off into the lake that was their right but he did not feel that it was his place to tell the neighbor what to do.

Rick Holden asked Mr. Brenna if the Town Engineer looked at the property and plans what would his clients be willing to do. Mr. Brenna stated they would like to find out what needs to be done and get it done.

A discussion followed on what the Board felt would be the proper direction to take this application if they would like the Town Engineer to review the plans.

A discussion was held on the swales along the lot lines, if there were break walls on any of the properties. Mr. Lissow stated that the previous owners had placed rocks along the water front and had put in merify behind the rocks which prevents the water from flowing to the lake.

The issue of the drainage when the site was a vacant lot was revisited, the grading that was done and the fact that the owners would like to seed their yard.

Tod Ferguson stated that he did not feel he had enough concrete information, most was just hearsay and that he would like the Town Engineer to look at the site before any decision is made.

Tim Harner agreed that he did not feel there was enough evidence to make a decision.

Another discussion was held on the swales and Mr. Brenna again asked if the Board was okay with his client's seeding their yard.

Discussion was held on what the Board would like to see. Mr. Brenna stated that his clients are willing to do whatever the Town requires.

The discussion about the Board visiting the site was re-visited. It was decided that a few Board members would meet at the site in the morning to review the site.

The discussion about the catch basin was revisited. A discussion was held on what Mr. Griffin was willing to put toward the costs to get the swale along their common property line graded and catch basin put in to elevate some of the problem. Mr. Griffin was not willing to agree to anything at this time.

Mr. Brenna stated that his clients would consent to having the Town Engineer come to the site and review the situation.

Chairman Ed Fuierer asked what the status of the landscaping was and Mr. Brenna stated that it was all done and they are ready to seed the lot.

Mr. Brenna then asked the Board if they would like the site seeded as soon as possible as they were concerned with the loss of graded material. Mr. Brenna acknowledged that if it is determined that the site needs to be re-graded his clients will be responsible for the work and costs associated with re-seeding.

A discussion was held on the landscaping and what company did the landscaping.

A discussion was held on the seeding of the property.

Jack Barton stated that he would put this application on the next meeting agenda. If the issue is resolved by the next meeting they can always remove it.

Mr. Brenna then asked the Board how they would like his clients to proceed, should they seed the site? The Board stated that if the clients were concerned with loss of graded material and they felt that seeding would be beneficial to go ahead, but there was a possibility that they may have to re-grade after the Town Engineer reviews the plan.

MISCELLANEOUS

A motion was made by Rick Holden and seconded by Bob Pelkey to approve the minutes of the May 17, 2010 meeting as presented. Motion carried unanimously 3-0 (Tod Ferguson and Tim Harner Absent from May 17 meeting).

A motion was made by Tod Ferguson and seconded by Rick Holden to approve the minutes of the May 6, 2010 meeting as presented. Motion carried unanimously 4-0 (Ed Fuierer Absent from May 6 meeting).

Jim Smith, as a member of the Town Board, wanted to recognize that this was Rick Holden's last meeting as a member of the Planning Board as he had resigned his appointment. Mr. Smith, on behalf of the Town Board and the Town of Parma, wanted to thank Mr. Holden for his 16+ years of service to the Town and to acknowledge all of the hard work that Mr. Holden has done for the Town of Parma.

The Board also joined with Mr. Smith in recognizing Mr. Holden's years of service and noted that he will be missed.

Jack Barton wanted to also recognize that the Town Board had appointed Steve Aprilano as the new member of the Planning Board.

The Board welcomed Mr. Aprilano to the Board.

There being no further business, a motion was made by Tim Harner and seconded by Rick Holden to end the meeting at 8:13 pm. Motion carried unanimously 5-0.

Respectively submitted,

Maureen L. Werner
Recording Secretary