

Mason Site Plan Continued:

timing of the meetings the application was placed with the Zoning Board of Appeals before the Board had a chance to see the plans. And that the Board should note to the applicant that if he sends out the plans to the referral agencies prior to the Zoning Board of Appeals decision on their application, they are still liable for all charges incurred, even if their application is denied by the Zoning Board of Appeals.

The Board agreed to have the plans referred to the Zoning Board of Appeals for their review and decision as to the variances needed and that the owner should be aware that if he sends out the plans to the referral agencies prior to the Zoning Board of Appeals decision on their application, they are still liable for all charges incurred, even if their application is denied by the Zoning Board of Appeals.

MISCELLANEOUS4768 Ridge Road WestLandscape Plan

Mark Collichio was present to represent the owner of this property.

Jack Barton stated that he had sent a letter to Mr. Collichio in the beginning of August. The letter noted that the site work that had been done to the property was well beyond what the Board saw as a fill permit and that the building department felt that they should come before the Planning Board and supply the Board with a Landscaping Plan for the property.

A sketch of the landscaping was submitted for the Board's review.

Mr. Barton explained to the Board that the Building Department has been on site and advised the applicant that erosion control was needed and showed them where it needed to be put. Mr. Barton stated that the erosion control was installed but that it needed to be maintained, which it had not been maintained.

Mr. Collichio stated that what the Board saw on the plans what they felt was needed and was mainly for the neighbors.

Todd Thomas - 349 Dean Road, asked the Board if he could speak in regards to this application. The Board agreed to hear him

Mr. Thomas stated that he was upset that the woods on this property was clear cut without any permits and now the people passing along Ridge Road have a direct line of sight into his yard and home and that the noise level has increased tremendously since the woods were clear cut. Before you could barely hear the traffic noise of Ridge Road, now it sounds like they are in his front yard.

4768 Ridge Road Continued:

Steve Aprilano asked if the whole site had been cleared.

Mr. Barton stated that it had been.

Mr. Thomas stated that he feels that his house value has now depreciated and is worried about the drainage from this site now effecting his property and that he is very disappointed in the whole situation. Would like to have a buffer zone put in between the two properties.

Chairman Ed Fuierer reviewed the proposed plans with Mr. Thomas.

Chairman Ed Fuierer asked about the size of the proposed berm. Mr. Collichio stated that it will be the height of the root ball.

Mr. Thomas stated that if the berm was put in as proposed he didn't feel that he would have an issue with it.

Mr. Thomas then stated that he had spoken with Tony Collichio prior to the clear cutting of the property and that Mr. Collichio had assured him that he was not going to clear cut the property.

Chairman Ed Fuierer assured Mr. Thomas that if the applicant had brought in plans to clear cut the entire property the Board would have reviewed it and looked at the effects on his property.

Edward Perry - 348 Dean Road - owner of property directly across from Mr. Thomas. Asked if they would have any say in the proposed berm that would be put in. That he would like to see 10 foot trees and a couple foot berm put in. The Board would not believe the difference in noise level at their homes since this property was clear cut.

Chairman Ed Fuierer asked Mr. Thomas what the difference in runoff has been since the clear cutting. Mr. Thomas stated that there was some difference.

Mr. Collichio stated that there is a pipe under Ridge Road that discharges in the center of this property and that they are planning of pitching the property to a swale in the middle of the property.

Mr. Thomas asked where the water would go if this site is further developed. Chairman Ed Fuierer stated that if and when that happens the developer will have to bring plans to the Board and a detention pond will have to be incorporated into those plans.

A discussion was held on the swale.

4768 Ridge Road Continued:

Chairman Ed Fuierer asked if there were any further plans for landscaping besides what was on these plans. Mr. Collichio stated that there was none.

Chairman Ed Fuierer stated that there needed to be some vegetation put in place to hold the dust down. Mr. Collichio stated that he knew it had to be seeded.

Jack Barton asked if they were working with the engineer in regards to the site. Mr. Collichio stated that he was not that there was nothing further to work out.

Chairman Ed Fuierer stated that there was issues to be worked out because this is effecting the neighbor's property.

Ed Perry asked if the Town had thought about the effect on traffic once this site is developed, that sometimes you have to wait 5 to 10 minutes to get out of Dean Road. A small discussion was held on this.

Tod Ferguson asked how big the parcel was. Jack Barton stated that it was 2.67 acres.

Mr. Ferguson then went on to explain that because they have disturbed over an acre of land, Federal, State and local law call for a SWPPP to be prepared and submitted to the Town. The SWPPP application also involves inspections of the property until such time that vegetation has grown on the disturbed areas. And that actually the owner/developer of this property has violated Federal law, that this is not just about clearing the property. This is a serious issue in regards to grading, properly seeding the property and erosion control on the property.

A review of the SWPPP procedures were discussed.

A discussion was held in regards to the neighbor's disappointment that the owner/developer of the property was not present at tonight's meeting.

Tod Ferguson stated that the little drawing was inadequate and the response of the owner/developer was inadequate. That the owner needs to get in contact with his engineer, prepare a SWPPP and plans and bring them back to the Board for review. He didn't feel that the owner would want the DEC showing up and giving out fines.

Chairman Ed Fuierer stated that he would like to see a higher berm, that a root ball on a 6 foot tree is 2 feet and that he would also like to see more trees. The issue of drainage also needs to be addressed.

A discussion was held on what the Board will be requiring for the next meeting and the time line for the next meeting.

4768 Ridge Road Continued:

Mr. Collichio tried to get the Board to tell him exactly what the Board wanted for the berm and the trees.

Chairman Ed Fuierer stated that they would like to see a higher berm with taller trees on the berm. Jack Barton stated that they owner will have to take into consideration that if the berm is too high the trees wont take, that they should contact a professional landscaper to see what would be feasible for this situation.

Mr. Thomas stated that he appreciated that the Board realized that this is a serious issue and that as long as the final product is done right he will not have a problem.

The Board again reviewed what they wanted to see at the next meeting from the applicant.

904 Hilton Parma Corners Road

Jack Barton stated that he talked to the developer at the end of June regarding the fact that the fill permit was about to expire for this application and the developer stated that he was approximately 2 weeks from completion.

Mr. Barton stated that it is two months later and that there has been no further work done to the site and that it is almost complete but it still needs a little more fill to be completed as well as some grading work.

Mr. Barton contacted the developer and explained that the fill permit will need to be renewed and the additional fees paid. The developer asked for an extension of the permit.

Tod Ferguson asked if any seeding needed to be done before the fall. Mr. Barton stated that he did not think so, that the site was in much better shape this year then it was last year.

Mr. Barton reviewed with the Board what he saw at the site on his last site visit.

After a short discussion, a motion was made by Tod Ferguson and seconded by Tim Harner to extend the fill permit for 90 days from the last expiration dated. Motion carried unanimously 4-0 (Bob Pelkey absent).

A motion was made by Steve Aprilano and seconded by Tim Harner to approve the minutes of the August 5, 2010 meeting. Motion carried unanimously 4-0 (Bob Pelkey absent).

Jack Barton reviewed with the Board the situation that was going on with West Creek Subdivision and the proposed roadway. A discussion was held on what the Town could do to correct this issue at hand.

A discussion was also held on a subdivision regarding the developer taking a lot from the subdivision and making a memorial park for his late daughter and what effects this would have on the subdivision.

There being no further business, a motion was made by Tod Ferguson and seconded by Steve Aprilano to end the meeting at 7:56 pm. Motion carried unanimously 4-0 (Bob Pelkey absent).

Respectively submitted,

Maureen L. Werner

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Recording Secretary