

TOWN OF PARMA PLANNING BOARD

DECEMBER 19, 2011

Members Present:

Chairman
Executive Secretary

Ed Fuierer
Jack Barton
Bob Pelkey
Tod Ferguson
Tim Harner
Steve Aprilano

Public present: Doug Miller, Rick Lemcke, Steph Confer, Erika Lang, Cody Loomis, Justin Contestabih Nicole Patterson, Mikayla Zongni, Bradley Whittemore, Gary Comardo (TB), and Carm Carmestro (TB)

Meeting started: 7:06 pm

MISCELLANEOUS

4618 Ridge Road West

Fill Permit Extension

Doug Miller passed out a letter dated 2/19/2011. Mr. Miller reviewed the letter with the Board and apologized for missing the last meeting.

Jack Barton stated that he had made a site visit earlier today.

Mr. Miller then reviewed with the Board what departments had been to the site to date: Department of Labor, DEC, Fire Department & COMIDA.

Mr. Barton stated that these were the concerns he had from his site visit today:

- Site lighting was not all in, Mr. Miller stated that the lighting on the hill was in and that he needed to generate revenue to get the rest of the lighting in.
- The catch basins along the front.
- paving not complete, Mr. Miller stated that because of the time of the year it was impossible to pave at this time.
- Fencing for hill, Mr. Miller said that there is temporary fencing, again he needed to generate revenue to complete.
- The proposed pond, as set out on the approved site plan. A lengthy discussion followed on this. Mr. Miller stated that he is proposing to use the existing pond. That he made snow previously for 10 minutes and does not feel that he needs the proposed pond to be put in at this time, this is again a financial issue and will eventually put the pond in, this is phase one to get things going.
- Fill Permit issue. Mr. Miller stated that filling was stopped 2 months ago and that he has been struggling with the Town, he believes that this project is good

4618 Ridge Road Continued:

for the community, he has spent a lot of money to fight for the variances and that everything so far has been a fight with the Town.

Mr. Barton stated that he walked the sight with Mr. Miller this morning and that they talked about the side fencing. Mr. Barton also stated that the weekly SWPPP inspections were not being done and that the SWPPP noted on the last report that the Town stated that the inspections could go to monthly inspections. Mr. Barton stated that the Town has not signed off on going to monthly inspections. And that these inspections are required by Code.

Mr. Barton also stated that he had reviewed with Mr. Miller what improvements need to be completed, some were close to be completed and others were not in place. Mr. Barton stated that all of these improvements are on the approved site plan and will need to be completed before the Town sign off on the completion of the project. Mr. Barton also stated that he has discussed with Mr. Miller that if he wanted to make changes to the approved plans or to do the approved plans in phases he would have to come back to the Board and they would have to approve the changes.

A lengthy discussion followed.

Mr. Barton stated that he has spoken with the DEC and that they were satisfied that the fly ash was taken care of and that they had no control over the proposed storm water management system and would not comment on that.

A lengthy discussion followed.

Mr. Barton stated that he had spoken with Dave Walker, Captain of the North Greece Fire District, who stated that there has been no official visit to the site by the Fire Department.

A lengthy discussion followed.

A discussion was held on the fencing that was proposed to run along the west side of the tubing hill.

A discussion was then held in regards to the proposed pond. Mr. Miller stated that the proposed pond was designed to supply enough water to make snow for the tubing hill but the existing pond seems to be sufficient to supply the water. Mr. Barton stated that he would like the Engineer to supply the Town with the calculation that the existing pond is large enough to meet the storm water detention requirements. The Board agreed. Mr. Miller stated that he had emailed that to Mr. Prince. Mr. Barton stated that he has not seen that email but will look to see if it was received.

4618 Ridge Road Continued:

Mr. Miller stated that he still had 500 more feet of property to the north and that the property was huge and that none of the runoff from his site leaves his property.

Chairman Ed Fuierer asked Mr. Miller how much water he needs to make snow and if there is not enough water what will happen? Mr. Miller stated that if he had to he could have water brought in but right now he does not have the funds to do that and he then explained how much water he needed.

Chairman Ed Fuierer then went over the items on the letter that Mr. Miller had passed out.

Mr. Miller then stated that the Department of Labor was the State Department in control of the site because the tubing hill was considered an amusement park ride and that they had been to the site and signed off on the site. That they still have to come back and inspect and sign off once the tube "lanes" were established before he could open.

Mr. Miller questioned what fencing the Board was asking about, he stated that the Department of Labor did not require fencing along the side but he would put up temporary railing on side.

A lengthy discussion followed on this.

Tim Harner asked if the insurance company had been out to the site and did they have any recommendations or conditions before they issued insurance? Mr. Miller stated that they had been there and that he also had workers compensation. A lengthy discussion followed on the fact that Mr. Miller had previously sold insurance and the insurance that he had in place on the property was the proper insurance.

Mr. Miller then stated that he wants to finish the plans as approved but at the present time he did not have the capital to finish the project. Another discussion was held on revising the plans and the process that Mr. Miller would need to go through to get that done.

Chairman Ed Fuierer stated that there seems to be concerns with the split rail fence at the top of the tubing hill. Mr. Miller stated that the Department of Labor mandates that he has 2 people at the top of the hill.

A lengthy discussion followed on this.

Tim Harner asked if there was an age or height restriction for the tubing hill?

Mr. Miller stated that the Department of Labor had none for the tubing hill and that all "guests" will be required to sign a waiver.

4618 Ridge Road Continued:

Mr. Harner then asked if there was a requirement for an adult to be with children under 16. Mr. Miller said no requirement.

Steve Aprilano stated that he thought that there might be an issue with the fence if kids were sitting on it and they got pushed and with only two attendants that might happen. Mr. Miller then stated that he has spent 4 days at a tubing hill in Canada that he is modeling this project after, that company is helping him step by step to get his project up and running, and explained how the Canadian tubing hill works.

Bob Pelkey asked what type of lighting was in place on the hill. Mr. Miller stated that there is lights at the top of the hill shining down the hill. They are not in place as of today, but will be in tomorrow. They were being delivered tomorrow.

Mr. Pelkey asked if there will be any additional lighting. Mr. Miller stated that there will not, just what is on the approved plans but if after the hill is up and running and they find they need more lighting, he will bring in Admar lighting.

Tim Harner asked if emergency vehicles will be able to get to the bottom of the hill. A lengthy discussion followed on this and how far down an ambulance will be able to get, who was going to be plowing the access way and if a fire truck would be able to access the bottom of the hill if necessary.

A discussion was held in regards to the catch basins in the parking lot. Mr. Miller assured the Board that it would be done, that he did not do things half way and that he had been working on the items that were required for the variances.

A discussion was then held on the paving of the parking lot.

Chairman Ed Fuierer asked if Mr. Miller knew how much dirt was over the stone. Mr. Miller stated that he was no expert but there was a good amount.

Tim Harner asked Jack Barton procedurally what is needed for the Town to issue a Certificate of Occupancy. Mr. Barton stated that a certificate of occupancy is not required to be issued, the Town will sign off when there has been a final inspection and the site meets the approved site plans.

Mr. Miller stated that he does not believe that there is big difference between his parking lot, without the pavement, and the farm down the road that allows its customers to park on the grass. Mr. Miller stated that he has of Certificate of Occupancy for the building and that the Department of Labor governs the "hill" and they are the department that has to approve before he can open for business. Mr. Miller showed the Board the Certificate that he has received from the Department of Labor and stated that they still have to come back and inspect once the "lanes" are in before he can open.

4618 Ridge Road Continued:

A discussion followed on the requirements of the Department of Labor and it was established by Mr. Miller that every year he will have to pay a fee for the Department of Labor to come out and inspect the property before he can open.

A discussion was held on whether the site plan needed to be amended or how the Board would like to proceed.

Jack Barton confirmed that there were lights at the top of the hill but asked if there will be lighting at the bottom of the hill where the customers will be getting on the "magic carpet". Mr. Miller the lighting on the hill is the same as in the dome and if it is not sufficient he will bring the Admar lighting so that everyone will be safe.

Tod Ferguson asked if the project was almost finished, is it a phased plan or does he just need a couple more years to complete and what as a Town does the Town need in place.

Mr. Miller then gave an overview as to what was done and what still needed to be completed. One of the soccer fields are complete.

Tod Ferguson stated that from a Town's point of view what is needed so that we can work with Mr. Miller and get the tubing hill up and running. A discussion was held on public safety, lack of paved parking, letter of credit, etc.

Mr. Barton again stated per Town Code a final inspection needs to be done of the site and the site will need to be in compliance with the approved site plan.

The Board asked Mr. Miller what his anticipated time frame was for completion of the site. He stated that his plan was to be completed by next year if financially feasible.

Tim Harner stated that had the plans been originally set out in phase, the progression might have been okay, but there was a lot of missing elements to the site plan.

Tod Ferguson stated that the Board was really backed into a corner because the original approved plans were not phased but they were willing to work with Mr. Miller to see what they could do to get him open for business while he completed the work needed at the site.

A lengthy discussion followed on options.

4618 Ridge Road Continued:

A discussion was held on the 12 feet wide gravel path. Chairman Ed Fuierer stated that the Town would need something from the North Greece Fire Department to make sure that they are comfortable with the access to the bottom of the hill or the ability to get an injured person to the top of the hill.

A lengthy discussion was held, again, on Lighting, catch basin, paving of parking lot, landscaping, fencing, the proposed pond, fire lane, the monies spent to date to get to the point they are at now and what the status of the soccer fields are.

After lengthy discussions a motion was made by Tim Harner and seconded by Tod Ferguson, the motion is as follows:

In order to permit the operation of Glacier Ridge until the next regular meeting of the Planning Board (scheduled 1/5/2012); provided:

1. That the Department of Labor permits the operation of the facility;
2. If lighting is not sufficient, temporary lighting will be brought in to light the tubing hill;
3. That the fire department approves of the arrangements for access by emergency vehicles and personnel and approval of the fire lane;
4. Temporary fencing be placed along the west side of the tubing hill;
5. Letter from engineer stating that the existing pond is adequate to service the existing drainage;
6. The landscaping and paving, because of the impossibility of doing at this time of year, the Board will allow till next year to get these two items completed.
7. That until the ground freeze, the weekly SWPPP inspections will continue, at such time that the ground freezes over the SWPPP inspections can go to monthly inspections. The inspections must conform with the Town Code
8. That this approval may be terminated at the next Planning Board meeting unless appropriate actions for the above stated items have been taken.

If all the above stated conditions are met, Mr. Miller can open up and operate the "tubing hill". In spring he will need to address the landscaping and paving items and those items cannot be completed, the Board is requiring Mr. Miller to come back to the Board with a "phased plan" addressing those issues for the Boards approval. Motion carried unanimously 5-0.

A discussion then followed on the fill permit extension for this site.

A motion was made by Tim Harner and seconded by Tod Ferguson to extend the fill permit till April 6, 2012. Motion carried unanimously 5-0.

Ogden Parma Townline Road Subdivision -Lot #7 1126 Ogden Parma Townline Road
Jack Barton stated that the owners of this lot have requested that the Planning Board update the final approval for this lot. The plans were originally approved 5/4/2000.

After reviewing the plans, a motion was made by Tim Harner and seconded by Steve Aprilano to update the final approval for Lot #7 of the Ogden Parma Townline Road Subdivision. Motion carried unanimously 5-0.

A motion was made by Tod Ferguson and seconded by Tim Harner to accept the December 1, 2011 minutes as presented. Motion carried unanimously 5-0.

This being Board Member Tim Harner's last meeting, Chairman Ed Fuierer wanted to thank Tim Harner for his time and service on the Planning Board. His wisdom and dedication to the Board will be missed. The Board and the Town wish Tim the best in his future endeavors.

There being no further business, a motion was made by Bob Pelkey and seconded by Tim Harner to end the meeting at 8:40 pm. Motion carried unanimously 5-0.

Respectfully submitted,

Maureen L. Werner
Recording Secretary