### TOWN OF PARMA PLANNING BOARD JUNE 15, 2009

Members Present:

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

Public Present: Rod Prodonovich (Pyramid Network Service), Daryl Maslanka and Jim Roose

Meeting started: 7:03 pm

#### PUBLIC HEARING

1086 Ogden Parma Town Line RoadCo-Location on Existing TowerChairman Ed Fuierer read the Legal Notice.

Rod Prodonovich reviewed with the Board the application to place an additional antenna array on the existing cell tower at this location.

Chairman Ed Fuierer read the following correspondence:

- 1. Monroe County Department of Planning and Development letter dated 5/20/2009
- 2. Town Engineer letter dated 5/15/2009

Chairman Ed Fuierer opened the public hearing.

Public Comments: None

#### **Board Comments:**

A discussion was held on the fact that the application was for the antenna array and the expansion of the compound area.

Chairman Ed Fuierer asked they are going to be expanding the tower. Mr. Prodonovich stated that they are not.

Tod Ferguson asked if the engineer had a sound study for the proposed generator on site. Mr. Prodonovich stated that they will be adding that in the future and when they are ready to install the generator they will return to the town for a permit for that. He did have a sound study on the

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1086 Ogden Parma continued:	

proposed generator and passed that out to the Board for their review. Mr. Prodonovich stated that the noise level will be 50 decimeters at a distance of 23 feet and that when it is in place the generator will be run for a half hour a week just to make sure that it works, so that in an emergency they will be assured that the generator will run.

Mr. Prodonovich stated that this study is for the exact equipment that they proposing but not site specific.

A discussion was held on who will be responsible for any damages done to the site during construction. Mr. Prodonovich stated that the contract with contractor states that the contractor will be responsible for any repairs that need to be done to the site.

Chairman Ed Fuierer asked if there were any other generators on site. Jack Barton stated that there is already generators presently on site.

Tim Harner asked if there has been any complaints about the existing tower. Mr. Barton stated that there has been none.

Chairman Ed Fuierer closed the Public Hearing.

A small discussion was held on SEQR for this application. Mr. Barton reviewed with the Board that they had given SEQR determination for the original application for this site and that an additional SEQR determination was not needed for this application.

After reviewing the plans, a motion was made by Rick Holden and seconded by Tim Harner to grant preliminary approval for this application. Motion carried unanimously 5-0.

After a discussion as to the fact that no other signatures were needed on the site plan and if the Board should consider granting final approval at tonight's meeting, **a motion was made by Tod Ferguson and seconded by Bob Pelkey to grant final approval for this application. Motion carried unanimously 5-0.** 

#### **CONTINUING BUSINESS**

King Hamlin-Parma Subdivision3 Lots566 Hamlin Parma Town Line RoadJack Barton reviewed with the Board the fact that the Building Department, the Town HighwaySuperintendent and Fire Marshal all met with the engineer for this application last Monday. Theengineer was still in final negotiation the County Pure Water Department and Water Authority.That they have requested to be put on the next meetings agenda.

4621 Ridge Road West

Commercial Site Plan

Mr. Barton stated that the maintenance agreement on the proposed pond had yet to be resolved.

#### PLANNING BOARD 4621 Ridge Road West continued: No one was present for this application.

The Board reviewed the proposed screening on the property and the surrounding property.

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A discussion was held regarding the activity on the site. Mr. Holden stated that there was a lot of activity at the site, a lot of fresh graded areas within the last month. Mr. Holden questioned if the Building department should put a stop work order on the property. Mr. Barton stated that the Building department issued a stop work order on 4/28/2009.

After reviewing the activity at the site and erosion control that has been placed on the property, Mr. Barton stated that he would make a site visit sometime this week.

#### **MISCELLANEOUS**

#### 1010 Clarkson Parma Town Line Road

Daryl Maslanka, owner and engineer presented to the Board a letter from himself to the Board dated 6/8/2009. Mr. Maslanka stated that due to the economic issues he would not be able to start building the home until next year but would like to keep moving on the development of the site. He is looking to put in the proposed pond, finish the utilities and put in the dry hydrant. Mr. Maslanka shared with the Board where he was presently in the development of the site. He is looking for a six month window to finish the project.

Rick Holden asked if the Town had received any complaints about the property. Mr. Barton stated that there was none. Mr. Maslanka explained that the has put in the drain culvert and after the major event in January this year it seem to work properly. He spoke with the neighbor and he stated that yes he had water in his yard but seemed to clear up quicker with the new culvert.

Mr. Barton reviewed with the Board why he had directed Mr. Maslanka to make an application to the Board for a site development permit, as what he is requesting to do does not fall within the regulations of the issued filled permit and wanted the Board to review before the Building department issued any site development permit.

The Board agreed that they had no problem with the granting of a site development permit for the applicant to do the work he is proposing to do.

## A motion was made by Tim Harner and seconded by Bob Pelkey to grant permission to the Building Department to issue a Site Development Permit for 6 months for application. Motion carried unanimously 5-0.

#### 134 Collamer Road

Rick Holden stated that he did a site visit. Mr. Holden stated when he arrived at the site a truck was parked in front of the building and it was not in the road, that he spoke with the prior owner of the property and they stated that the home was occupied as tenant housing on and off in the past, that the home is an eye sore to the neighborhood and it might look better if the applicant was allowed to proceed with the improvements. Mr. Holden stated that he was concerned about

# PLANNING BOARD-4-June 15, 2009134 Collamer Road continued:the side setback being only 2.8 feet, would like to see an easement agreement with the neighborso that if repairs need to be made they could be with out issues.

Jack Barton stated that the applicant is looking for the Zoning Board of Appeals to approve a Pre-Existing Non-Conforming status. Mr. Barton stated that the building was built prior to 1940 and that applicant would have to prove that building was continually occupied as a residency and not vacant for any twelve month period. A discussion was held on non-conforming use issues, a review of the area and use of the building.

The Board then went over the issues that they would like Mr. Barton to put in to a letter to the Zoning Board of Appeals. Mr. Barton stated that he would draft the letter and send it out to all the Board members for the approval prior to submission to the Zoning Board of Appeals.

## A motion was made by Tim Harner and seconded by Tod Ferguson to approve the minutes of June 4, 2009 as presented. Motion carried unanimously 5-0.

Chairman Ed Fuierer reviewed the following correspondence with the Board:

1. Great Lake News - Summer 2009 issue

Tim Harner and Rick Holden gave a review of the last Open Land/Farm Land committee meeting.

A quick review of fill permits was done and the length of time the Board felt was appropriate to allow a fill permit to be open.

There being no further business, a motion was made by Bob Pelkey and seconded by Tod Ferguson to end the meeting at 8:16 pm. Motion carried unanimously 5-0.

Respectively submitted,

Maureen L. Werner Recording Secretary