

TOWN OF PARMA PLANNING BOARD

MAY 4, 2017

Members present:

Chairman Tod Ferguson
Executive Secretary Dennis Scibetta
 Bob Pelkey
 Mike Reinschmidt
 Mike Ingham

Member absent:

Mark Acker

Public present:

Edmund S. Martin (Land Tech), Matthew Vander Brooke, Rachel
Clar, Olivia Leo Shane Ayer

Meeting started: 7:01 pm

A motion was made by Mike Reinschmidt and seconded by Bob Pelkey to approve the meeting minutes from the April 17, 2017, as presented. The motion was carried unanimously 4-0 (Mark Acker absent).

PUBLIC HEARING

56 Parma Center Road

Site Plan

Chairman Ferguson read the legal notice for this application.

Edmund Martin presented the plans for this application to the Board. Mr. Martin reviewed the following with the Board:

- Site has proposed inground septic system – 32 feet from west property line
- 2200' driveway
- Public water
- Federal wetland on site not within project limits
- Have provided building department with agricultural data statement
- Stream on property is outside project limits

Mr. Reinschmidt stated that the engineer needs to designate the wetlands on the plans even though they are outside the project limits.

Chairman Ferguson opened the public hearing.

Public comments:

56 Parma Center Road continued:

None

Chairman Ferguson closed the public hearing.

Chairman Ferguson then reviewed SEQR part 2 for this application.

A motion was by Mike Reinschmidt: that after reviewing the project under the standards set out by Section 617 of the New York State Environmental Quality Review Act, I make a motion to classify this action as a type 1 action under SEQR. Bob Pelkey seconded the motion. Motion carried unanimously (4-0, Mark Acker absent).

Mike Reinschmidt then made the following motion: Upon completion of Part 2 of the short Environmental Assessment form as set out by New York State Law, the Board has determined that this project will not result in any significant adverse environmental impacts and makes a motion to grant a Negative Declaration for this project. Bob Pelkey seconded the motion. Motion carried unanimously (4-0, Mark Acker absent).

A motion was made by Bob Pelkey and seconded by Mike Reinschmidt to grant preliminary approval for this application. Motion carried unanimously (4-0, Mark Acker absent).

CONTINUING BUSINESS

753 Manitou Road

Solar Facility

Matt Vander Brooke presented this application to the Board. Mr. Vander Brooke reviewed with the Board and the audience the plans and the project. Mr. Vander Brooke stated that his company had just “turned on” two sites, like this application, last week.

Mr. Vander Brooke stated that there are 450 potential customers that will be served by this site.

Mr. Vander Brooke stated that the EPOD has been mapped out and placed on the plans and the turnaround has been adjusted.

Mr. Vander Brooke then showed pictures of the site to show the visual effect on the surrounding properties, there were 3 different views and the pictures show the proposed site with just trees planted for screening, as well as, with the proposed plantings placed

753 Manitou Road continued:

on a berm.

Mr. Ingham asked what would happen if one of the proposed trees that are planted for screening would die. Mr. Vander Brooke stated that they would replace the deceased trees.

Mr. Ingham stated that the property is surrounded by Ash trees, which we know will die out due to the Ash Bore problem, when they do eventually die out the property to the South will be exposed, how do they plan to screen that property? Mr. Vander Brooke stated that they plan to put in screening and he could put that on the plans. Mr. Vander Brooke stated that the farmer is going to continue farming around the arrays.

Mr. Ingham then asked about the drainage, presently it drains down the middle of the property and then to the north. Mr. Vander Brooke stated that the present drainage will be maintained.

Chairman Ferguson asked about the property to the North, looking south from that property will there be any visual impact from this project? Mr. Vander Brooke stated that he spoke with Fisher Engineers and they had stated that there will be no visual impact on this property, this project is 500 feet from the northern property line.

Mr. Vander Brooke stated that they have approvals from RGE & NYSEG.

Chairman Ferguson asked about the property to the West, what is the visual impact of this project on that property. Mr. Vander Brooke stated that he did not believe that they had Fisher look at that because of the distance. Mr. Vander Brooke stated that they can supply this information. Chairman Ferguson reminded Mr. Vander Brooke that the Board had requested that at the last meeting. That the Board cannot visualize this from the proposed plans.

Mr. Scibetta then pulled up the property on Google Earth so that the Board can review. It appears that property is heavily wooded along the creek.

Chairman Ferguson stated that the Town would like a conservative easement over the wood along the north property line.

A discussion was held in regards to the FEMA zone x on the property.

Mr. Reinschmidt would like to see the berm with trees. A discussion was held on the height of the berm.

A motion was made to grant preliminary approval, with the berm to be the height as shown on the plans prepared by Fisher Associates, dated 3/2/2017 and that a conservation easement is to be given to the Town of Parma as above stated, was made by Bob Pelkey and seconded by Mike

753 Manitou Road continued:

Ingham. Motion carried unanimously (4-0, Mark Acker absent).

MISCELLANEOUS

4742 Ridge Road West

Change in Use

David Dyminski and Tim Wantke, the proposed new tenant, were present for this application. Looking to put in a small animal rescue.

Chairman Ferguson asked if there was going to be any outside storage of animals.
Mr. Wantke stated that there would not be.

Chairman Ferguson asked what kind of animals will be kept in the building.
Mr. Wantke stated small mammals, injured or orphaned.

Chairman Ferguson then asked about how the tenant was going to dispose of the animal waste and of any deceased animals.

Mr. Wantke stated that deceased animals will be disposed of at a private property landfill and that there will be minimal animal waste, they use disposable towels like the ones used at veterinary hospitals.

Mr. Wantke explained that this property will be used as a short term care facility.

Mr. Pelkey asked what the max number of animals will be held at the facility at one time.

Mr. Wantke stated no more than 20. Mr. Wantke went on to state that this rescue center was currently operating out of a residence on East Wautoma Road, that there was no noise associated with the running of the center, it provides the community with a needed service and is a 501(c)3 Not-for-Profit Corporation.

Mr. Reinschmidt asked if there were any restrictions on the permit that the center has from the DEC.

Mr. Wantke stated that it was a "rehab" license and it was basically the center's decision and that they stick with rabbit, squirrels, possums and small fawns. They don't go any larger than that. That the center is more of a triage site for animals and usually the smaller animals are bottle fed by volunteers until they are old enough to be released back into the wild.

Mr. Ingham asked if the center will be staffed 24/7 while there are animals on site.

Mr. Wantke stated that it will not but there is someone there a lot of the time, the staff is all volunteer.

Mr. Reinschmidt asked what the actual name of the not-for-profit was.

Mr. Wantke stated WNY Wildlife Service

4742 Ridge Road West continued:

Mr. Reinschmidt asked how this not-for-profit is funded.

Mr. Wantke stated it is all volunteers and donations, that they are not allowed to charge for services but they are allowed to solicit for donations. Mr. Wantke then went on to describe their services and projects that they are working on for the future.

Mr. Pelkey asked if they are working with any veterinarian.

Mr. Wantke stated that they work with several in the area.

Mr. Ingham asked where the center released the wildlife.

Mr. Wantke stated on DEC private property and do a "soft" release of animals.

Chairman Ferguson asked Mr. Scibetta if the Town would be able to regulate this site if it became a nuisance (odors and noise). Mr. Scibetta then reviewed the Town Code which directly addressed this type of business. Mr. Scibetta stated that there would be no veterinarian on site so the applicant would have to go to the Zoning Board of Appeals and make an application.

Mr. Pelkey asked if there would be any drugs on site.

Mr. Wantke states some antibiotics, any other drugs would be administer at the vet's office, and animals are taking to the vet's office.

Mr. Reinschmidt was concerned with rabies and asked if all the volunteers were vaccinated against that.

Mr. Wantke stated that they don't work with animals which are rabies vector species and they only work with juvenile animals not adults.

Mr. Scibetta stated that this application should be sent to the Town Attorney for their review and also to the Zoning Board of Appeals for their review.

A lengthy discussion then followed on which area of the Town would have the proper zoning for this type of operation. The Board was not sure that this site was an appropriate site for this type of center.

Mr. Scibetta stated that he would get this sent out to the Town Attorney for a legal interpretation and then get the information to the applicant.

McNaulty property on Rt. 259

Mr. Scibetta gave the Board an update on this property and stated that the Town and County were both looking at legislatively rezoning this property to general commercial, which would buffer the neighboring residential property from the highway commercial property at the "four corners." The County is now the owner of this property.

Mr. Scibetta stated that if the rezoning goes forward the Planning Board will be asked for a recommendation. A discussion followed on this and **the Board agreed that they would recommend rezoning to general commercial.**

North Parma Station:

Mr. Scibetta stated that they were in the process of rezoning this property.

General Town business:

Mr. Scibetta reviewed with the Board the water issue within the Town due to the large rainfall and the high lake levels.

There being no further business, Mike Reinschmidt made a motion to end the meeting at 8:13 pm, Mike Ingham seconded the motion. Motion carried unanimously. (4-0 Mark Acker absent).

Respectfully submitted,

Maureen L. Werner
Recording Secretary