

**RUSH PLANNING BOARD
REGULAR MEETING
MINUTES OF MARCH 18, 2014**

A regular meeting of the Rush Planning Board was held on March 18, 2014 at the Rush Town Hall, 5977 East Henrietta Road and was called to order at 7:30 PM.

PRESENT: John Felsen, Chairman
John Morelli, Vice Chairman
Don Sweet, Member
Scott Strock, Member
Rick Wurzer, Member
Shivaun Featherman, Deputy Town Clerk

OTHERS PRESENT: Cathy Frank, Town Board Liaison
James Missell, Land Surveyor
Tom Ragonese, Resident
Lee Hankins, Resident
Katie Becker, Resident
Bradley Blain, Resident
Todd Ewell, Town Engineer

Chairman Felsen welcomed all to the March Planning Board meeting.

APPROVAL OF MINUTES:

The Minutes of February 18, 2014 were reviewed.

Vice Chairman Morelli made a motion to accept the minutes of February 18, 2014 as corrected.

Board Member Sweet seconded the motion and the Board members polled:

Roll:	John Felsen	aye	
	John Morelli	aye	
	Rick Wurzer	aye	
	Don Sweet	aye	
	Scott Strock	aye	carried.

PUBLIC HEARING:

Application 2014-02P by Jim Missell, agent for Bradley Blain, requesting Subdivision and Site Plan approval to subdivide 4.4 acres from a 40 acre parcel. Proposed lot 1 is not an approved building site. Single family dwellings are proposed for lots 2, 3, and 4. Property is located on the north side of Jeffords Road and is zoned R-30.

Mr. Missell appeared on behalf of property owner Mr. Blain. He explained his proposed plan to subdivide 4.4 acres from a 40 acre parcel. All proposed lots are frontage lots. Proposed lot 1 is an unapproved building lot at this time, as the adjoining neighbor will be purchasing the lot. Approval is being requested for lots 2, 3 and 4 as approved building lots. Mr. Missell stated that all four lots have county witnessed perks. The depths of proposed lots 2, 3 and 4 have been extended by 50' to allow room for the leach field and grading. The remaining lands on the eastern end of the property could accommodate another building lot in the future.

Chairman Felsen reviewed the comments from Town Engineer Todd Ewell, Monroe County Development Review Committee, and Monroe County Department of Planning and Development. Chairman Felsen asked if the stream indicated on the map infringes on Mr. Blain's property. Mr. Missell confirmed that there is a stream by the Greenway Trail and some of the stream does run through Mr. Blain's property. Chairman Felsen advised Mr. Missell that it is the policy of the Planning Board and the Town that an easement is granted to the town wide drainage district. The easement needs to be approved by Town Engineer Todd Ewell and the Town Attorney.

There was a discussion regarding wetlands. Mr. Missell stated that he took a portion from the New York State Department of Environmental Conservation Wetland Maps, and it shows that the RU-16 wetland area that was referenced in the Monroe County Department of Planning and Development Review does exist. However, the proposed four (4) lots are well outside of the RU-16 wetland area. Mr. Missell feels they do not need to bring a wetland consultant in. Chairman Felsen agreed but advised it's better to designate it on the map.

Chairman Felsen stated that the Rush Conservation Board reviewed the application and has requested that the applicant clarify wetlands and woodlands on the map. The Conservation Board is asking if fill will be brought in. Mr. Missell stated that fill will be brought in.

With no further questions or comments, Chairman Felsen declared the public hearing closed.

Part 2 – Impact Assessment of the Short Environmental Assessment Form was completed by the Board at this time.

Vice Chairman Morelli made a Motion **WHEREAS**; this Board has examined **Application 2014-02P** by Jim Missell, agent for Bradley Blain, requesting Subdivision and Site Plan approval to subdivide 4.4 acres from a 40 acre parcel. Proposed lot 1 is

not an approved building site. Single family dwellings are proposed for lots 2, 3, and 4. Property is located on the north side of Jeffords Road and is zoned R-30, and the maps and other materials which were filed with the application, including the Environmental Assessment form, and

WHEREAS, the proposed action is a TYPE II action under the State of New York SEQRLaws requiring no further action by this Board.

Board Member Strock seconded the motion and the Board Members polled:

Roll: John Felsen aye
 John Morelli aye
 Rick Wurzer aye
 Don Sweet abstained (conflict of interest)
 Scott Strock aye carried.

Vice Chairman Morelli made a motion to grant preliminary subdivision approval of **Application 2014-02P** by Jim Missell, agent for Bradley Blain, conditioned upon:

1. The applicant addressing the comments of the Town Engineer, the Rush Conservation Board and the Monroe County Department of Planning and Development.

Board Member Strock seconded the motion and the Board Members polled:

Roll: John Felsen aye
 John Morelli aye
 Rick Wurzer aye
 Don Sweet abstained (conflict of interest)
 Scott Strock aye carried.

Chairman Felsen made a Motion to waive the final subdivision hearing for **Application 2014-02P** by Jim Missell, agent for Bradley Blain, conditioned upon:

1. The Applicant obtaining approvals from Town Engineer Todd Ewell, Highway Superintendent Mark David, the Monroe County Department of Public Health and the Monroe County Water Authority.
2. The applicant obtaining a letter from the NYS Department of Environmental Conservation regarding the need for an Article 24 wetland permit or the need to map the wetland.
3. The applicant obtaining a letter from the Army Corp. of Engineers stating that they do not require approval or a permit.

Vice Chairman Morelli seconded the motion and the Board Members polled:

Roll: John Felsen aye
 John Morelli aye
 Rick Wurzer aye
 Don Sweet abstained (conflict of interest)
 Scott Strock aye carried.

BOARD BUSINESS:

Chairman Felsen made a Motion that Code Enforcement Officer Kusse enforce the requirement that the lighting at Exit 11 Auto be turned off in accordance with what the Planning Board approved when the Board approved the Special Permit for Exit 11 Auto to move into the Dorschel property. The Special Permit was approved on March 20, 2012 and stated that the approval of the Special Permit was conditioned upon the lighting plan to be the same as the previous owner Rush Associates LLC (Rick Dorschel). Lights are to be shut off 30 minutes after time of close and security lighting to comply with the lighting requirements of the Rush Town Code. Vice Chairman Morelli seconded the Motion and the Board Members polled:

Roll: John Felsen aye
 John Morelli aye
 Rick Wurzer aye
 Don Sweet aye
 Scott Strock aye carried.

With no further business, it was agreed by common consent that the meeting be adjourned at 8:35 PM.

Respectfully submitted,

Shivaun Featherman
Deputy Town Clerk