

**RUSH PLANNING BOARD
PUBLIC HEARING
UNAPPROVED MINUTES
FEBRUARY 21, 2006**

A regular meeting of the Rush Planning Board was held on Tuesday, February 21, 2006, at the Rush Town Hall, 5977 East Henrietta Road and was called to order at 7:30 P.M.

MEMBERS PRESENT: John Felsen, Chairman
Don Sweet
Jeff Werner
Al Simon

OTHERS PRESENT: Todd Ewell, Engineer for the Town, Clough Harbour & Associates.
Lisa Fornataro, 2580 Pinnacle Road
Jim Sickles, Sickles Corp.
David & Karis Manning, 399 Jeffords Rd
Jim Parker, Land Surveyor
Carl Foss, Gorsline Real Estate, Inc.
Robert Fashun Ku, Wildwood Country Club
David Wang, Wildwood Country Club
Scott Prior, Wildwood Country Club
Charles Johnson Esq., Honeoye Falls, NY

APPROVAL OF MINUTES: January 17, 2006

The Minutes of January 17, 2006 were reviewed. Mr. Felsen made a motion to approve the Minutes of January 17, 2006 as amended. Mr. Werner seconded the Motion and the Board Members were all in agreement.

PUBLIC HEARING:

Application 2006-01 P by Harold & David Manning for Re-Subdivision / Site Plan approval to re-subdivide 18.7 acres into 5 Lots. There is an existing house on one of the lots. A single family dwelling is planned for each of the 4 lots created. Site Plan approval is requested for Lot # 16. The Lot is located on the southwest corner of Jeffords Road and Pinnacle Road. All property for this application is located south of Jeffords Road and west of Pinnacle Road. Property is located in an R-30 Zoning District.

Mr. Parker described the Manning's proposal of dividing a parcel containing approximately 18 acres into 5 building lots. A single family home is planned for each of the lots. A Variance was granted by the Rush Zoning Board of Appeals on October 13, 2005 for the lot width of no less than 102 feet for Lot # R19C. There was a discussion

regarding the numbering of the lots within the proposed subdivision. The names of property owners listed on the map were corrected.

Mr. Felsen read comments from:

1. Mr. Todd Ewell, Engineer for the Town, Clough Harbour & Associates.
2. Town of Rush Conservation Board.
3. Monroe County Department of Planning & Development, Monroe County Development Review.

The Board Members discussed the above comments.

The Full Environmental Assessment Form #16- D was amended. The Applicant was asked to submit an Agricultural Data Statement for the proposed subdivision to the Town of Rush.

Lisa Fornataro, residing at 2580 Pinnacle Road had concerns regarding adding driveways on Pinnacle Road. The speed limit of 55 mph and sight distance for the driveways is a concern.

There were no further comments and Mr. Felsen declared the Public Hearing closed.

INFORMAL:

Carl Foss, acting as Agent for Mr. James Volpe. Concept plan for property located west of Boulder Creek Drive, entrance will be on Rush Lima Road, east of St. Joseph Church.

Mr. Carl Foss, Mr. Charles Johnson & Mr. Jim Sickles proposed an office complex consisting of multiple buildings with the entrance to the complex being on Rush Lima Road and exiting the traffic onto Thunderidge Drive. The proposal does not comply with the present zoning of the property. The Board Members discussed the proposal and the steps required to re-zone the property. A sanitation system for the proposed office complex and future development was discussed. The Board Members stated that they would like to see the entire proposal including all phases of development, which would include property accessible from Boulder Creek Drive currently, zoned R-30 Residential. The Board Members had concerns for the additional traffic and sewage disposal for the proposed office complex.

Robert Ku, Agent for David Wang owner of Wildwood CC, inquiring about subdividing the property.

Mr. Ku and Mr. Prior proposed a 4 or 5 lot subdivision on Thunderidge Drive. There was a discussion regarding the Federal Wetlands and drainage in the area of the proposed subdivision. The sand filter discharge towards the proposed subdivision area was discussed. The Board Members stated that all areas of concern would need to be addressed to continue with this proposal.

David Swinton STS, 7500 West Henrietta Road, possible revised Site Plan to add trailers to the property.

Mr. Swinton stated that last year, STS Duo Tech had been purchased by Ethox International. They have been asked to close the Henrietta facility located on Summit Point Drive there fore creating the need for more office space at their location at 7500 West Henrietta Road. Mr. Swinton stated that there will be a total of 48 employees, currently there are 37. They wish to add 3 trailers to use for the additional office personal. The Board Members and Mr. Swinton discussed a fire lane around the new trailers. The suggestion of submitting a new site plan for the additional trailers was made.

Mike Perry, Howlett property located on Rush West Rush Road.

Mr. Perry proposed a subdivision of approximately 350 – 400 units / homes. The cost of the proposed homes would be in the range of \$170,000.00. Mr. Perry stated that the project would be a 3 – 4 phase development.

The Board Members discussed:

1. A sewage treatment plant for the project. And the maintenance of the plant.
2. Re-zoning of the property to accommodate multi family dwellings and the request for smaller lot size.
3. Dedicated roads for accessibility to the property.

The Board Members suggested that Mr. Perry speak with the Town Board Members regarding this proposal and the request for the re-zoning of the property.

DECISION:

Mr. Felsen made a Motion **WHEREAS:** this Board has examined **Application 2006-01 P** by Harold & David Manning for Re-Subdivision / Site Plan approval to re-subdivide 18.7 acres into 5 Lots. There is an existing house on one of the lots. A single family dwelling is planned for each of the 4 lots created. Site Plan / Subdivision approval is requested for Lot # 16 from Section 1A. And **WHEREAS**, the maps and other materials which were filed with the application, including the Environmental Assessment form and **WHEREAS**, the proposed action is an unlisted action under the State of New York SEQR laws, and **WHEREAS**, this Board has referred this Application to the Town of Rush Conservation Board for its consideration and recommendations, and **WHEREAS**, the Conservation Boards comments have been addressed, now therefore, **BE IT RESOLVED**, that upon its examination and study of the Environmental Assessment Form and the maps and plans submitted with the Application, this Board determines that the proposed action will not have a significant effect on the environment. The reasons for this determination are that the proposed action cannot reasonably be expected to lead to any of the following consequences:

- A. a substantial adverse change to ambient air or water quality or noise levels or in solid waste production, drainage, erosion or flooding.
- B. The removal or destruction of large quantities of vegetation or fauna, the substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on critical habitat areas, or the substantial affecting of a rare or endangered species of animal or plant or the habitat of such a species.
- C. the encouraging or attracting of a large number of people to a place for more than a few days, relative to the number of people who would come to such place absent the action.
- D. the creation of a material conflict with the Town's existing plans or goals as officially approved or adopted.
- E. the impairment of the character or quality of important historical, archaeological, architectural or aesthetic resources or of existing community or neighborhood character.
- F. a major change in the use of either the quantity or type of energy.
- G. the creation of hazard to human health or safety.
- H. a substantial change in the use, or the intensity of use of land or other natural resources or in their capacity to support existing uses where such a change has been included, referred to, or implicit in an official comprehensive plan.
- I. the creation of material demand for other actions which would result in one of the above consequences.
- J. changes in two or more elements of the environment, no one of which is substantial, but when taken together result in a material change in the environment.

Mr. Werner seconded the motion and the Board polled:

Roll: Mr. Felsen aye
 Mr. Sweet aye
 Mr. Werner aye
 Mr. Simon aye carried.

Mr. Felsen made a Motion to grant preliminary approval for the Re-Subdivision map of Lot # 13 of the Rush Hills Subdivision Section 1, Lot #19 of the Rush Hills Subdivision 2 and Lot #16, #17 & #18 of the Rush Hills Subdivision Section 1A condition upon:

1. The Applicant correcting the lot width of Lot # R19C on Pinnacle Road to comply with the side set back of the existing house located on Lot# R19E.
2. The Applicant correct the property owners name for Lot # 17 of Section 1A from Greene to Kell.
3. The Applicant correct the property owners name for property address 2474 Pinnacle Road from Storm to Ortega.
4. Rip rap being shown at the ends of the curtain drains for Lot# R19A, Lot #R19B & Lot #R19C.
5. The Applicant add to the map the state designation stream identification number.

6. The Applicant must complete and submit to the Town of Rush the Agricultural Data Statement for the Subdivision.
7. The Applicant shall file the Rush Hills Subdivision Section 1A before filing the Re-Subdivision map of Lot # 13 Section 1 and Rush Hills Subdivision Section 2.

Mr. Simon seconded the motion and the Board polled:

Roll: Mr. Felsen aye
 Mr. Sweet aye
 Mr. Werner aye
 Mr. Simon aye carried.

Mr. Felsen made a Motion to waive the final Public Hearing for Subdivision approval condition upon:

1. The Applicant obtaining the approval of the Town of Rush Engineer.
2. The Applicant obtaining the approval of the Monroe County Water Authority.
3. The Applicant obtaining the approval of the Monroe County Department of Public Health.
4. The Applicant obtaining the approval of the Monroe County Department of Transportation.
5. The Applicant obtaining the approval of the Town of Rush Highway Superintendent.

Mr. Werner seconded the motion and the Board polled:

Roll: Mr. Felsen aye
 Mr. Sweet aye
 Mr. Werner aye
 Mr. Simon aye carried.

There were no further comments and the meeting was adjourned at 10.40 P.M.

Respectfully submitted,

Darlene Pilarski
Deputy Town Clerk