

**RUSH PLANNING BOARD  
REGULAR MEETING  
MINUTES OF JUNE 15, 2010**

A regular meeting of the Rush Planning Board was held on June 15, 2010 at the Rush Town Hall, 5977 East Henrietta Road and was called to order at 7:30 P.M.

**MEMBERS PRESENT:** John Felsen, Chairman  
Scott Strock  
Rick Wurzer  
Don Sweet  
Meribeth Palmer, Deputy Town Clerk  
**Excused:** John Morelli

**OTHERS PRESENT:** Bill Riepe, Town Board Liaison  
Gerry Kusse, Code Enforcement Officer  
Todd Ewell, Town Engineer  
Lee Hankins, Developer and Resident  
James Glogowski, Land Surveyor  
Richard Knapp, Resident  
Amber Corbin, Resident  
Joe Ardieta, Engineer  
Doug Waltman, Resident

**APPROVAL OF MINUTES:**

The Minutes of May 18, 2010 were reviewed.

Rick Wurzer made a motion to accept the minutes of May 18, 2010.

Scott Strock seconded the motion and the Board Members polled:

Roll: John Felsen            aye  
      Rick Wurzer            aye  
      Scott Strock            aye            carried.

**PUBLIC HEARING:**

**Application 2010-02P** by Lee Hankins acting as agent for DS Builders of WNY, Inc., requesting subdivision and site plan approval to subdivide a 1.5 acre parcel into 2 lots. Existing single family dwelling will remain on lot 1. A new single family dwelling is proposed for lot 2. Property is located at 7997 West Henrietta Road in an R-30 zoning district.

Developer Lee Hankins and Land Surveyor James Glogowski presented revised subdivision and site plans to the Planning Board. Both lots conform to the town of Rush zoning requirements. Perk testing showed that a modified raised bed septic system will be required. The new lot will be served by public water. A three bed room house is proposed for the parcel. Due to the lot size of each parcel, Chairman John Felsen requested that the square footage of each lot be indicated on the plans. The existing culvert will be inspected by Monroe County Department of Transportation and will be brought up to current standards. If the culvert is defective it will be replaced.

John Felsen read the comments and questions from the Rush Conservation Board. The Conservation Board wanted to know if the driveway culvert on the plans the same as the existing culvert. At this time the culvert is the same. The Conservation Board also wanted to know if there is an expansion area for the proposed septic system. It is not on the plans at this time, it will be added to the final plans.

John Felsen read the comments from the Monroe County Department of Planning and Development into the record.

*Don Sweet joined the meeting at 7:50 pm.*

John Felsen read all review comments from Town Engineer Todd Ewell.

It was noted that Lee Hankins will be purchasing Lot 2 pending Planning Board approval.

Resident Richard Knapp stated for the record that he has no objection to the application.

Resident Doug Waltman provided a letter for the Planning Board that Chairman Felsen entered into the record. Mr. Waltman expressed concerns regarding development in the area. The Planning Board explained that although the proposed lot is small, it is within the Town of Rush zoning requirements.

With no further comments John Felsen declared the Public Hearing Closed.

**INFORMAL DISCUSSION:**

Engineer Joseph Ardieta appeared on behalf of Robert Wolfe to discuss a possible site plan for the property located at 199 Stonybrook Road.

Mr. Ardieta provided a preliminary concept of the site plan for the board. Mr. Ardieta stated that the delineated stream will require them to move the proposed leach bed to the north and re-perk the area. Disturbance area will be approximately 50,000 square feet. The driveway will maintain a 4 to 5 percent slope. A 30 inch culvert will be proposed due to the potential for soil erosion. The

proposed dwelling will be a two bedroom home. The Planning Board stated that wetlands exist on this parcel and should be indicated on the map. The board also mentioned the possibility of issues with quality and quantity of well water.

**DECISIONS:**

John Felsen made a Motion **WHEREAS**; this Board has examined **Application 2010-02P** by Lee Hankins acting as agent for DS Builders of WNY, Inc., requesting subdivision and site plan approval to subdivide a 1.5 acre parcel into 2 lots. Existing single family dwelling will remain on lot 1. A new single family dwelling is proposed for lot 2. Property is located at 7997 West Henrietta Road in an R-30 zoning district. Preliminary plot review of the proposed site plan 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 SEQRL laws requiring no further action by this Board.

Scott Strock seconded the motion and the Board Members polled:

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

John Felsen made a Motion to grant preliminary site plan approval for **Application 2010-02P** conditioned upon:

1. The applicant meeting the requirements set forth by Town Engineer Todd Ewell.
2. The applicant adding to the plans tax account numbers and property owners to the south.
3. The applicant meeting the requirements of the Monroe County Department of Planning and Development Review Committee including the minimum 10 foot set back of the existing septic system from any property line.
4. The applicant correcting the elevations surrounding the house.

Rick Wurzer seconded the motion and the Board Members polled:

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

John Felsen made a Motion to wave the final subdivision and site plan hearing for **Application 2010-02P** condition upon the applicant obtaining approvals from Town Engineer Todd Ewell, Monroe County Department of Transportation, Monroe County Department of Public Health and the Monroe County Water Authority.

Don Sweet seconded the motion and the Board Members polled:

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

With no further business, a motion was made by John Felsen and agreed by common consent that the meeting be adjourned at 8:50 PM.

Respectfully Submitted,

Meribeth Palmer  
Deputy Town Clerk