

**RUSH PLANNING BOARD  
REGULAR MEETING  
MINUTES OF JULY 20, 2010**

A regular meeting of the Rush Planning Board was held on July 20, 2010 at the Rush Town Hall, 5977 East Henrietta Road and was called to order at 7:30 PM.

**MEMBERS PRESENT:** John Morelli, Vice Chairman  
Scott Strock  
Rick Wurzer  
Pamela Bucci, Town Clerk

**EXCUSED:** John Felsen, Chairman  
Don Sweet

**OTHERS PRESENT:** Bill Riepe, Town Board Liaison  
Gerry Kusse, Code Enforcement Officer  
Todd Ewell, Town Engineer  
Anthony Mugnolo, Applicant  
Nick Montanaro, Land Surveyor  
Amber Corbin, Resident  
Marianne Rizzo, Resident  
Lucielle S. Fox, Resident

Vice Chair Morelli opened the meeting by introducing the members present as well as Town Clerk Pamela Bucci, as acting recording secretary.

**APPROVAL OF MINUTES:**

There being no quorum to approve the Minutes of June 15, 2010 meeting, Vice Chair Morelli postponed their approval until the following meeting.

**PUBLIC HEARING:**

**Application 2010-03P** by Anthony Mugnolo requesting approval to Re-Subdivide lotR-2B of the Mugnolo Subdivision into 2 lots. Property is located at 445 Five Points Road. Property is located in an R-30 Zoning District.

Anthony Mugnolo stated that he wishes to gift 5 acres of his property located at 445 Five Point Road to his son and his son's wife. The property is adjacent to his other son's property. Subdivision of the property will not create a land lock. The property perks and house plans will be created and submitted at a later date.

Vice Chair Morelli read the following correspondence into the record:

1. Rush Conservation Board – no comment.

2. Monroe County Department of Planning and Development comments dated July 13, 2010 - submitted by Steve Olufsen, Junior Planner.
3. Rush Fire District recommendation letter of July 19, 2010 – bypass in the driveway should be at least 60 feet.
4. CHA, Town Engineer Todd Ewell's comments of July 8, 2010.

Town Engineer Ewell received the revised plans and all issues in question have been addressed.

Mr. Mugnolo requested the procedures on applying for a building permit. Code Enforcement Officer Gerry Kusse answered questions of the applicant stating that once the site plan has been approved by the Planning Board, the Mylar signed by all required parties and filed in the Monroe County Clerk's Office, the applicant presents the approved drawings to the Building Inspector for a permit. A driveway can be installed as soon as the building permit is approved by the Building Inspector.

With no further comments, Vice Chair Morelli declared the Public Hearing closed.

**Application 2010-04P** by Joseph Borrelli requesting site plan approval to construct a single family dwelling on an 18.09 acre parcel located at 199 Stonybrook Road. Property is located in an R-30 zoning district.

Representative Patricia Crelly, Senior CAD Operator from Marques & Associates, presented 8 copies of the revised plans and stated that copies were forwarded to the town engineer.

Vice Chair Morelli informed Ms. Crelly that it was his intention to recommend tabling the application due to the fact that the revisions were not presented prior to the meeting offering the board time to review them.

Ms. Crelly stated that most of the comments received were addressed. The existing utility and well detail information have not yet been received. It has been determined that the Department of Environmental Conservation wetlands are not located within or near the proposed building site and they do not require further action. The wetlands do not extend beyond the railroad bed. A map of the north edge of the railroad bed was provided for viewing purposes.

Mr. Strock discussed the wetland map presented and noted the area at the north end of the property. If that area is to be disturbed, an updated map certified by a qualified professional would be required.

Vice Chair Morelli read the following correspondence into the record:

1. Rush Conservation Board comments dated July 1, 2010.
2. Monroe County Department of Planning and Development comments dated July 13, 2010 submitted by Renee Casler, Planner II.

Mr. Ewell created the initial letter, however, after speaking to Engineer Laurence Heininger of Marques & Associates a revised full size drawing was email to Mr. Ewell which he reviewed and marked with comments. Mr. Ewell suggested meeting with Mr. Heininger directly to review the matters to be addressed regarding wetlands, boundary information that is missing, utility information, grading concerns, line of sight, zoning data and water authority well sign-off. The surveyor must also sign the plan. Agricultural data must be supplied, materials for the culvert identified, sight distance for driveway, an additional swale required, raised bed detail regarding the ditch work, silt fence labeling, fill impact and stabilization, to name a few.

Scott Strock requested that the degree of silt fence required for the slope be addressed.

Engineer Todd Ewell added that Superintendent Steve King must also approve of the plan.

With no further comments, Vice Chair Morelli declared the Public Hearing closed.

#### **DECISIONS:**

John Morelli made a Motion **WHEREAS**, this Board has examined **Application 2010-03P** by Anthony Mugnolo requesting Subdivision and Site Plan approval to Re-Subdivide Lot R-2B of the Mugnolo Subdivision into 2 lots with a single family dwelling proposed for Lot R-2B-B, located at 445 Five Points Road in an R-30 zoning district which consisting of a 5.305 acre lot which will front on Honeoye Falls Five Points Road, for preliminary plat review of the proposed site plan, 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 SEQR laws requiring no further action by this Board.

Scott Strock seconded the motion and the Board Members polled:

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

John Morelli made a motion to table **Application 2010-04P** by Joseph Borrelli requesting site plan approval to construct a single family dwelling on an 18.09 acre parcel located at 199 Stonybrook Road. Property is located in an R-30 zoning district. The reasons for tabling the application are as follows:

1. Incompleteness of the Application
2. Tardiness in the submission of the revised Application which provided inadequate time for the Town Engineer or Board to review the revisions.

The matter will be tabled until the scheduled August 17<sup>th</sup> Planning Board meeting pending discussions between Laurence Heininger and Town Engineer Todd Ewell as well as the applicant obtaining approvals from:

1. Monroe County Department of Public Health
2. Monroe County Department of Transportation
3. Monroe County Water Authority
4. Engineer Todd Ewell, Town Engineer

Scott Strock seconded the motion and the Board Members polled:

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

Vice Chair Morelli requested further items of discussion from Town Clerk Bucci.

Town Clerk Bucci responded with a request that Town Engineer Todd Ewell review and provide updates for the Application packages provided to all applicants.

With no further business, a motion was made by John Morelli and agreed by common consent that the meeting be adjourned at 8:05 PM.

Respectfully Submitted,

Pamela J. Bucci  
Town Clerk