

**RUSH PLANNING BOARD
REGULAR MEETING
APPROVED MINUTES
MARCH 20, 2007**

A regular meeting of the Rush Planning Board was held on Tuesday, March 20, 2007 at the Rush Town Hall, 5977 East Henrietta Road and was called to order at 7:30 P.M.

MEMBERS PRESENT: John Felsen, Chairman
John Morelli
Don Sweet
Rick Wurzer

EXCUSED: Al Simon

OTHERS PRESENT: Gerald Kusse, Code Enforcement Officer.
Tom Doupe, Town Board Member
Todd Ewell, Clough Harbour & Associates, Engineer for the Town of Rush
Dan Noble, 7020 East River Rd
Sean Noble, 7072 East River Rd
Michael Perry, 209 Overland Trail
Stu Chait, 234 Hill St, Rochester
Mark Gorvanz, 530 Summit Pt Drive, Henrietta
Robert Pearce, 6009 East Henrietta Rd

Mr. Felsen introduced the newest Member to the Planning Board, Mr. Rick Wurzer and Mr. John Morelli as the new Deputy Chairman to the Planning Board.

APPROVAL OF MINUTES:

The Minutes of December 19, 2006 were reviewed. Mr. Felsen made a motion to approve the Minutes of December 19, 2006 as amended. The following change was made:

On Page 2, last paragraph, remove the word “identified” from the first sentence.

On Page 3, second paragraph of Public Hearing for Harris Communications, second sentence, change to read” Harris had other technical people available”. 3rd paragraph, change to read “and a prefabricated equipment shelter”, change the word sight to read “site”, add to the hours of operation 8:00AM to 5:00 PM.

On page 4, last paragraph, change the word retainer to “retaining”.

On page 5, 3rd paragraph, change 4th sentence to read, “The points of access and low probability that permission could be obtained to cross the Lehigh Valley Trail were a concern”. Change the last sentence of that paragraph to read “The idea of the village concept was attractive to the Board Members”. Change the 4th paragraph to read “After a

lengthy discussion it was suggested that future proposals contain fewer homes, not building north of the linear trail and that traffic impact and the access points for the project be reassessed.

Mr. Morelli seconded the Motion and the Board Members were all in agreement.

PUBLIC HEARING:

Application 2007-01 P by Sean Noble for Revised Site Plan approval to change the position of the house. Property is located at 7072 East River Road. Property is located in an R-30 Zoning District.

Mr. Dan Noble provided the Board Members with an updated map of the Site Plan showing the house to be facing East River Road instead of running parallel with the stream. There was a lengthy discussion regarding the construction of the retaining walls, the type of material to be used as well as the wall height. There were to be no changes to the septic system. The design of the wall is to be submitted and approved by the Engineer for the Town of Rush before a Building Permit will be issued for the construction. Field inspections of the walls construction will be preformed by the Engineer for the Town of Rush

Mr. Felsen read comments from:

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

The Board Members and the Applicant discussed the above comments.

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

INFORMAL DISCUSSION:

Mike Perry - Howlett property located on Rush West Rush Road. Proposing a traditional neighborhood development with a village setting. This proposal will require re-zoning of the property.

Mr. Mike Perry, Mr. Stu Chait and Mr. Mark Grovanz presented the changes to the concept plan they had submitted to the Board Members on December 19, 2006. The plan shows development to the south of the linear trail. The lot totals are: 135 single family lots with a lot size of 60 feet wide by 120 feet deep & 108 - 2 story condominiums. The alley concept had been eliminated from the plan. The road width will be 24 feet with 12 feet on each side for parking bringing the total to 48 feet wide curb to curb.

The overall project site specifics are:

Overall site – 130 acres
Floodway area – 37 acres
Trail easement area – 5 acres
Total build able area – 88 acres

South of the Lehigh Valley Trail – 57 acres
Proposed # of lots/units – 135 lots, 22 acres
108 Condo – Townhouse, 5 acres
Proposed green space – 5 acres
Approximate Right of Way – 25 acres

The main entrance for this project would be on Rush West Rush Road, with additional road cuts if needed. A mixed use development may be submitted as part of the overall plan containing 2 or 3 story buildings containing retail space on the first floor with apartments on the 2nd and or 3rd floors. A Homeowners Association would be formed for the overall project.

The waste water treatment plant would be located on the north side of the trail. There was a lengthy discussion regarding the probability of Monroe County giving approval to cross the trail. Mr. Perry stated that he had done research and found an easement dating back to 1886 given to the Buffalo Geneva Railroad which allowed access to cross the trail. This easement has been transferred to each owner up to the present. Current Zoning for the parcel would need to be addressed; Planned Urban (unit) Development Zoning and Multiple Dwelling Zoning were discussed. Mr. Felsen suggested that Mr. Perry talk to the Zoning Board of Appeals regarding the rezoning of the parcel.

The impact of traffic from the subdivision to the intersection of East Henrietta Road and Rush West Rush Road was discussed.

The waste water treatment plant operating costs were discussed as well as the cost of the possibility of connecting to the closest sewer system. These approximate costs included the home owner's yearly fees as part of their association maintenance contracts.

The Board Members suggested that before Mr. Perry returns to the Planning Board for further discussions, a traffic study should be done for the project, and an informal presentation of the plan be given at a joint meeting of the Planning Board Members, Town Board Members and Zoning Board of Appeals Members.

Application 2005-21 P - Duane & Debbie Stevens Site Plan

Mr. Felsen informed the Board Members that the Site Plan map for Duane & Debbie Stevens (property location, 7272 West Henrietta Road) could not be signed due to the fact that conditions #1 & #9 were not completed as required by Planning Board approval

letter dated October 6, 2006. The map will be sent back to the Carmichael Agency for completion.

DECISIONS:

Mr. Felsen made a Motion **WHEREAS**; this Board has examined **Application 2007-01 P** by Dan & Sean Noble for Revised Site Plan and the maps and other materials which were filed with the Application, 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.

Mr. Morelli seconded the motion and the Board polled:

Roll:	Mr. Felsen	aye	
	Mr. Morelli	aye	
	Mr. Sweet	aye	
	Mr. Wurzer	aye	carried.

Mr. Felsen made a Motion to grant approval of the revised Site Plan conditioned upon:

1. The Applicant submitting a design by a professional engineer for the proposed boulder retaining walls and obtaining the approval for the design from the Engineer for the Town of Rush before the Code Enforcement Officer issues a building permit.
2. The Applicant complying with the requirements of the Engineer for the Town of Rush.
3. The Applicant complying with the requirements of Monroe County Department of Planning & Development.

Mr. Sweet seconded the motion and the Board polled:

Roll:	Mr. Felsen	aye	
	Mr. Morelli	aye	
	Mr. Sweet	aye	
	Mr. Wurzer	aye	carried.

There were no further comments and the meeting was adjourned at 10:00 P.M.

Respectfully submitted,

Darlene M. Pilarski
Deputy Town Clerk