

**RUSH PLANNING BOARD
REGULAR MEETING
MINUTES OF NOVEMBER 17, 2009**

A regular meeting of the Rush Planning Board was held on October 20, 2009 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
Scott Strock
Rick Wurzer

Excused: John Morelli

OTHERS PRESENT: Richard Anderson, Town Board Liaison
Gerry Kusse, Code Enforcement Officer
Tom Doupe, Town Board member, Resident
Lisa Sluberski, Town Board member, Resident
Gerald Dietz, Property owner
Alan Clayton, Resident

APPROVAL OF MINUTES: The Minutes of October 20, 2009 were reviewed.

John Felsen made a motion to approve the Minutes of October 20, 2009.

Don Sweet seconded the motion and the Board Members polled:

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

PUBLIC HEARING:

Applicant Gerald Dietz appeared before the Planning Board to request permission to re-subdivide 2 acres of his property located at 790 Rush West Rush Road, to be conveyed to an existing adjacent property owner. The Planning Board stated that the Town will require an easement for the stream running through the property to be re-subdivided. The easement needs to include 20 feet from top of bank with a metes and bounds description. The property owner stated that his intent for the remaining land is for building a single family dwelling. The property owner is also proposing an additional easement for the purpose of accessing the land without crossing the stream. The map presented was not complete and will have to be updated for final approval. The applicant will also be required to fulfill requirements set forth by Todd Ewell, Town Engineer and requirements from the Monroe County Department of Planning and Development Review Committee.

John Felsen declared the Public Hearing Closed.

Chairman John Felsen was excused for the remainder of the meeting.

INFORMAL DISCUSSION:

Clough Harbour proposals:

Planning Board members responded to the question regarding the acceptance of the Clough Harbour proposals for updating the Site Development Detail and Comprehensive Plan. The Planning Board stated that they are in favor of accepting the Site Development Detail proposal.

The Planning Board would like to meet with Clough Harbour's Principal Planner, Walter Kalina one more time before making a final decision on the Comprehensive Plan proposal.

Memo from Gerry Kusse, Code Enforcement Officer.

The Planning Board discussed recommendations by Gerry Kusse for incorporating required road construction inspection procedures as part of the application approval process. It was discussed that a list of inspection procedures be provided to applicants as a supplement to site plan applications that include proposed road construction. Also a suggestion was made that applicants be required to receive signed, dated inspections at key phases of the road construction process by the Town Engineer, Code Enforcement Officer and Highway Superintendent to ensure proper construction.

Todd Ewell has submitted a detailed development/materials estimate as a guide for the estimate submitted by the proposed contractor for the construction of Madelyns Way. Mr. Ewell also included recommendations for the applicant's required letter of credit. This information will be forwarded to the applicant by Deputy Clerk Palmer.

DECISIONS:

Application 2009-08P by Gerald Dietz requesting to re-subdivide 2 acres from a 46.3 acre lot. The 2 acres are to be conveyed to the existing adjacent property owner. Property is located at 790 Rush West Rush Road. Property is located in an R-30 Zoning District.

Don Sweet made a Motion **WHEREAS**; this Board has examined **Application 2009-08P** by Gerald Dietz requesting to re-subdivide 2 acres from a 46.3 acre lot. The 2 acres are to be conveyed to the existing adjacent property owner. Property is located at 790 Rush West Rush Road. Property is located in an R-30 Zoning District. Preliminary review of the proposed re-subdivision 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.

Rick Wurzer seconded the motion and the Board Members polled:

Roll:

Don Sweet	aye	
Scott Strock	aye	
Rick Wurzer	aye	carried.

Don Sweet made a Motion to grant preliminary subdivision approval for **Application 2009-08P** by Gerald Dietz conditioned upon:

1. The applicant submitting to the Town of Rush a 20 foot stream easement from top of bank on each side of the stream described by metes and bounds.
2. The applicant meeting the requirements set forth by Todd Ewell, Town Engineer.
3. The applicant meeting the requirements set forth by the Monroe County Development Review Committee and obtaining approval from the Monroe County Department of Transportation.

Rick Wurzer seconded the motion and the Board Members polled:

Roll:

Don Sweet	aye	
Scott Strock	aye	
Rick Wurzer	aye	carried.

Don Sweet made a Motion to wave the final re-subdivision hearing conditioned upon the Applicant meeting the requirements of the preliminary approval.

Scott Strock seconded the motion and the Board Members polled:

Roll:

Don Sweet	aye	
Scott Strock	aye	
Rick Wurzer	aye	carried.

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

RUSH PLANNING BOARD
NOVEMBER 17, 2009

Respectfully Submitted,

Meribeth Palmer
Deputy Town Clerk