

**RUSH ZONING BOARD OF APPEALS
REGULAR MEETING
APPROVED MINUTES
DECEMBER 13, 2007**

A regular meeting of the Rush Zoning Board of Appeals was held on December 13, 2007 at the Rush Town Hall, 5977 East Henrietta Road, and was called to order at 7:00 P.M.

BOARD MEMBERS PRESENT: Mr. Don Van Lare, Chairman
Mr. Robert Weiler
Mr. David Eddy
Mr. Dan Taylor
Mrs. Amber Corbin

OTHERS PRESENT: Mr. Chris Martin, Corneles Engineering
Ms. Julia Lederman, 500 Wardell Road
Mr. Dan Woolaver, 5639 East Henrietta Road
Mrs. Darlene Pilarski, Deputy Town Clerk

INFORMAL DISCUSSION:

Chris Martin, Corneles Engineering representing Mr. Al DiMaria for a proposed 5 lot Subdivision to be located on Middle Road. 4 of the 5 lots will require width variances.

Chris presented his updated site plans. The lots would each have there own individual driveways and the lots would vary in size from seven to ten acres totaling just under forty four acres. Many perk tests have already been done and conditions are favorable. Chris stated that a variance would be needed for the front set back on Lots two, three, four and five. Mr. Van Lare explained that the Zoning Board is reluctant to grant variances when the property is undeveloped. Mr. Van Lare suggested a cul de sac to assist in lowering the need for a front variance on the proposed lots. If long driveways were considered, pull offs would likely be required as well as drainage requirement from the Department of Environmental Conservation. The Zoning Board expressed their disfavor of the five individual driveways. Chris and the Zoning Board Members discussed the idea of the cul de sac further and questioned if the road setback is measured on the arc or a straight line (Mr. Van Lare will research the answer and let Chris Martin know). Chris asked the Zoning Board if he reduced the number of lots and made it a cul de sac, would the Zoning Board consider giving a small variance on one of the lots. The Zoning Board did not object to that idea.

PUD (Planning Unit Development) Concept.

Mr. Van Lare states that the Zoning Board has been asked by the Town Board to look at the PUD. Mr. Van Lare would like to know the inclination of the proposal that prompted this and to see what the proposed PUD looks like. There is discussion as to the size of the Development, wet lands involved, flood plains, drainage, power supply and a question of

lands set aside for recreation. Comments need to be in writing by the end of January. Mr. Van Lare instructs the Zoning Board Members to examine the PUD documents and bring written comments to the January 10th meeting. The Clerk will compile and make copies for the Town Board Members.

APPROVAL OF MINUTES:

The Minutes of October 11, 2007 were reviewed.

Mr. Weiler made a Motion to approve the Minutes of October 11, 2007 as submitted.

Mr. Taylor seconded the motion and the Board Members polled:

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| Roll: | Mr. Van Lare | abstained | |
| | Mrs. Corbin | aye | |
| | Mr. Taylor | aye | |
| | Mr. Eddy | aye | |
| | Mr. Weiler | aye | carried. |

There were no further discussions and the Meeting was adjourned at 8:10 P.M.

Respectfully submitted,

Meribeth Palmer
Clerk