

West Bloomfield Planning Board Meeting

July 20, 2005

PRESENT: Chrmn. Gripe, John Champlin, Todd Campbell, Scott Harman,
Dick DelVecchio, Bob DeSanctis and Scott Storke, CEO

ABSENT: Andrea Scott

ALSO PRESENT: Dave Kent, Joe Spezio, Alina Spezio, Ed Werdein, Steve Diehl,
Alice Domville, Wayne Schultz, Steve Wilkinson and Art Babcock

7:35PM - Chrmn. Gripe opened the meeting and asked the Clerk to read the Legal
Notices for tonight's Public Hearings.

PUBLIC HEARINGS:

Elam/Route 5 & 20 Mine - Joe Spezio was present and addressed the board. He noted that new maps had been submitted. Todd Campbell asked how big the fuel storage tanks were? Joe replied that he had a couple tanks that held approx 1,000 to 2,000 s gallons and a couple that held approx 5,000 to 6,000 gallons. John Champlin asked if there was any kind of containment around the tanks? Joe stated that they were not contained at all and also added that DEC has been on the site many times and did not note any problems or issue any violations. He agreed that it would be a good idea to put something around the areas where the tanks are located and noted that he would take care of the problem. Scott Harman asked when the board could expect this to be completed? Joe replied that he would try to have it completed by Thanksgiving. Chrmn. Gripe asked about all the debris and trees around the fencing. Again, Joe noted that he would take care of getting it cleaned up. Scott Harman pointed out that Sue Keister had signed the application for the Special Use Permit and asked Joe if she was an employee of Elam Sand & Gravel? Joe replied that she used to be an employee but has formed her own company now and is working as a consultant for Elam. Scott Harman advised Joe that the application had to be signed by an officer of the company. Joe stated that he did not have a problem signing the application but noted that Sue has been signing them for years and even the DEC did not have a problem with it. Chrmn. Gripe noted that there was some scrap metal and tires that needed to be recycled also. Joe agreed and noted they have been working on it and have already cleaned up the area considerably. There were no further questions and Public Hearing was closed at 7:55PM.

Elam/Conn Road Mine - John Champlin noted that, per the inspection report from Larsen Engineers, when Scott Storke and Tim Rock went out to the Conn Road facility, they noted ATV tracks all around the Mine. He asked Joe if he would consider fencing around the Mine? Joe replied that he has a real problem with ATV's and Snowmobiles. He explained that he has posted signs up but nothing seems to stop these people.

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Joe was very adamant about not putting up fencing around this mine. He stated that he would like to find a way to get the Sheriff's Department involved. Scott Harman wanted it noted for the record, it is the position of the Planning Board that they recommend fencing around the Conn Road Mine. Chrmn. Gripe asked how many "posted signs" Joe had around the property or where they were located. Joe replied that he wasn't sure where the posted signs were located. There was also some discussion about an erosion channel in an area of the mine. Joe stated that he had a bull-dozer on site and they would fill it in. Scott Harman again noted that this application had to be signed by Joe or an officer of the company. No further questions or comments and Public Hearing closed at 8:00PM.

Tower Lake Estates - Steve Wilkinson from Fraser Willey was present and passed out revised maps noting the conservation overlay. He advised the board members that he received a copy of the letter that Larsen Engineers had sent to the Planning Board and was happy to see that Tim Rock had also suggested a drainage district for this project. Steve also noted that he is aware of the concerns expressed by Highway Superintendent David Good and they are working on the matter. Bob DeSanctis asked Steve if they had a list of Agencies that had already signed off on this project? He replied that the only items they are waiting for is the Dam Permit (from DEC) and the Realty Subdivision Approval (from DOT). Todd Campbell asked Steve for his opinion of a Home Owners Association versus a Town Drainage District? Steve replied that he agrees with Tim Rock at Larsen Engineers that a Drainage District would be best for all those concerned. Chrmn. Gripe noted the comments from the Ontario County Planning Board for the record. There were no other questions and Public Hearing closed at 8:15PM.

REGULAR MEETING:

Elam/Route 5 & 20 Mine - John Champlin noted that Joe Spezio has agreed to send a letter to the DEC asking them to notify the Planning Board prior to Elam's Bond being released, upon completion of the reclamation process. Joe had a copy of the letter with him and gave Scott Storke a copy for the file. A motion was made by John Champlin to approve Elam's modified SUP for the Route 5 & 20 Mine per the following conditions:

- This Approval shall include all conditions of the existing Special Use Permit.
- Elam shall notify the Planning Board prior to Bond being released, as noted in letter that was hand carried by Joe Spezio and given to Scott Storke for the file.
- Application for SUP must be signed by an officer of Elam Sand & Gravel.
- SUP shall run concurrent with DEC Permit

Dick DelVecchio seconded the motion, with ayes by all, & motion carried.

Modified SUP for Route 5 & 20 Mine Approved per the above conditions.

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Elam/Conn Road Mine - A motion was made by Dick DelVecchio to approve Elam's SUP for the Conn Road Mine per the following conditions:

- This Approval shall include all conditions of the previously approved SUP.
- Posted Signs must be properly installed and Posted at all times.
- Application for SUP must be signed by an officer of Elam Sand & Gravel.
- SUP shall run concurrent with DEC Permit

John Champlin seconded the motion, with ayes by all, and motion carried.

SUP for Conn Road Mine Approved per the above conditions.

Tower Lake Estates - The Planning Board completed the SEQRA process and Chrmn. Gripe signed accordingly and asked if any of the members would like to make a motion for a negative declaration of SEQRA. "So moved" replied Dick DelVecchio. Todd Campbell seconded the motion, with ayes by all, and motion carried. Scott Storke noted that a copy of the paperwork from the SEQRA process has to be forwarded to all the involved Agencies. Scott Harman made a motion to approve the final Plat on this Subdivision, per the following conditions:

- Fraser Willey is granted approval by DEC
- A Homeowners Association be created in order to maintain all necessary items located within the Subdivision, such as Ponds, Water Drainage, etc.
- The Town reserves the right to create a Drainage District at any point in the future, if it is deemed necessary.
- Prior to commencement of Construction, Final Approval from DEC and DOH must be obtained on this project.

John Champlin seconded the motion, with ayes by all, and motion carried.

Tower Lake Estates Subdivision Approved per the above conditions.

NEW BUSINESS:

Alice Domville was present and suggested that the Town Board provide a Speaker System as it would make it much easier to hear what was being discussed at Town meetings. Chrmn. Gripe agreed that was a good idea and noted that he would speak to the Town Supervisor about it.

Steve Diehl was present and advised the Board members that he had recently purchased land on County Road 65 (from Phil Sacchitella). He was advised that he would be in the Honeoye Falls-Lima School District.

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Mr. Diehl later found out the land he purchased is in the Bloomfield School District. He explained to the Board members that he would like his children to attend the Honeoye Falls-Lima School District and had come here tonight to seek their advise on purchasing a small piece of land in the Honeoye Falls-Lima School District. Ed Werdein, who was also present, has offered to sell Mr. Diehl a small piece of property (approximately 50 Sq. Ft.) located in the HFL School District. The Chrnm. advised Mr. Diehl that, before he goes any further, he should check with the HFL School District to make sure that if he were to purchase this 50 Sq. Ft. piece of property, they would indeed allow his children to go to school there. Mr. Diehl noted that his Attorney has already checked into this and he was advised that his children would be permitted to attend HFL Schools. Mr. Diehl asked what the procedure was for buying this small piece of land? Would it be considered a Subdivision? A Land Transfer only? Would he have to provide maps? Would a Public Hearing be required? There was another discussion between the board members as they tried to decide the best way to handle this matter. The Chrnm. advised Mr. Diehl that it would be best if this matter were handled as a Subdivision. He would need to provide a map showing the piece of land being added to his property. An application must be submitted and a Public Hearing would have to be held. The Chairman noted that, upon approval, he would sign the maps and Mr. Diehl would have to take them to Ontario County to be filed. Chrnm. Gripe also advised Mr. Diehl that he must combine the new Deed with his existing Deed.

OLD BUSINESS:

Tom Tenny - (5) Lot Subdivision.... Dave Kent was present and passed out revised maps for the board to review. Topography was added and all Signature lines were removed, with the exception of the Planning Board Chairman and the Town Attorney. The Attorney's signature line was added as there is going to be a shared driveway and the board advised Mr. Kent at the last meeting that they would like Dave Anderson to review the Driveway Agreement. However, Dave Kent noted that Mr. Tenny has not sold any of the parcels yet so there is currently no Driveway Agreement. There was no house location shown on the map, no details of the alternate Septic System that would be required (as the land did not perk) and the verbiage on the map noted Land Transfer Only. Art Babcock explained to the Board members that Mr. Tenny did not want to act as a developer for this project and provide Site Plans for each of the lots, as this would create a hardship for him. A very lengthy discussion ensued between the board members again as to whether or not this application should be treated as a Subdivision or a Land Transfer Only. The SEQRA form was filled out accordingly and Bob DeSanctis made a motion to declare a negative declaration. John Champlin seconded the motion, with ayes by all, and motion carried. There was further discussion on whether or not the board members considered the (5) parcels noted on the Subdivision map as building lots. The members agreed that the map

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submitted for approval at tonight's meeting (on behalf of Tom Tenny) included much more information than maps that were submitted only a year ago for Land Transfer only. Dick DelVecchio made a motion to approve the (5) Lot Subdivision Application, as submitted by Tom Tenny, for transfer of property only and waive all Subdivision requirements including, but not limited to, location of House, Septic Design and issues relevant to Drainage and Erosion control, on the condition that Engineering Details must be submitted for Approval prior to a Building Permit being issued. John Champlin seconded the motion, with ayes from Chrmn. Gripe, Todd Campbell and Bob DeSanctis. There was one nay from Scott Harman. Motion carried with (5) ayes and only (1) nay.

May Minutes - Motion to approve May minutes was made by Scott Harman, seconded by John Champlin, with ayes by all and motion carried. **May Minutes Approved.**

June Minutes were tabled until the next meeting.

10:30PM - There was no further business to come before the board and Chrmn. Gripe adjourned meeting.

Respectfully Submitted,

Debbie MacDowell,
Clerk