

**RUSH PLANNING BOARD
REGULAR MEETING
MINUTES OF MARCH 21, 2017**

A regular meeting of the Rush Planning Board was held on March 21, 2017 at the Rush Town Hall, 5977 East Henrietta Road and was called to order at 7:00 PM.

PRESENT: John Felsen, Chairman
Don Sweet, Member
Rick Wurzer, Member
Shivaun Featherman, Deputy Town Clerk

ABSENT: John Morelli, Vice Chairman

EXCUSED: Phil D'Alessandro, Building Inspector
Scott Strock, Member

OTHERS PRESENT: Dan Woolaver, Councilperson, Town Board Liaison
Todd Ewell, Town Engineer
Dan Holtje, Land Surveyor

Chairman Felsen welcomed all to the March Planning Board meeting.

PUBLIC HEARING:

Application 2017-04P by Daniel Holtje, agent for Anthony Mugnolo, requesting Subdivision approval to subdivide 1.61 acres from an existing lot located at 445 Five Points Road and add it to an existing lot located at 200 Honeoye Falls Five Points Road. There is no building proposed. Properties are zoned Residential-30.

Daniel Holtje explained that Mark Reed bought the property at 200 Honeoye Falls Five Points Road ((Lot R-2A) and had already spoken with Mr. Mugnolo (owner of 445 Five Points Road, Lot R-2B) about purchasing 1.61 acres. Mr. Reed wants to expand his property for gardening. Mr. Holtje stated that he has addressed Town Engineer Ewell's comments and the changes will be on the Mylar. He did not bring updated maps tonight in case the Planning Board had changes.

Chairman Felsen read into the record the comments of:

-  The Rush Board of Fire Commissioners
-  Monroe County Department of Planning & Development

The Conservation Board did not submit a review as their March 2, 2017 meeting was cancelled due to the lack of a quorum.

Chairman Felsen opened the floor for public comment and asked anyone speaking to state their name and address for the record. There were no comments.

With no further questions or comments, Chairman Felsen declared the public hearing closed.

DECISIONS:

Chairman Felsen made a motion **WHEREAS**; this Board has examined **Application 2017-04P** by Daniel Holtje, agent for Anthony Mugnolo, requesting Subdivision approval to subdivide 1.61 acres from an existing lot located at 445 Five Points Road and add it to an existing lot located at 200 Honeoye Falls Five Points Road. There is no building proposed. Properties are zoned Residential-30; and the maps and other materials which were filed with the application, including the Short Environmental Assessment Form (Short EAF); and

WHEREAS, the proposed action is a Type II Action under the State of New York SEQRA laws requiring no further action by this Board.

Board Member Sweet seconded the Motion, and the Board polled:

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

Chairman Felsen made a Motion to grant preliminary Subdivision approval of examined **Application 2017-04P** by Daniel Holtje, agent for Anthony Mugnolo, conditioned upon:

1. The applicant completing the items outlined in Town Engineer Ewell's comments.

Board Member Wurzer seconded the Motion and the Board polled:

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

Chairman Felsen made a Motion to waive the final Subdivision approval for **Application 2017-04P** by Daniel Holtje, agent for Anthony Mugnolo, conditioned upon:

1. The applicant meeting the conditions of the preliminary Subdivision approval.

Board Member Sweet seconded the Motion and the Board polled:

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

BOARD BUSINESS:

In preparation for declaring itself Lead Agency for Application 2017-03P by Glenn Thornton, agent for Jim Casey of Comet Flasher, Inc., for a public hearing on April 25, 2017, the Board reviewed the Full Environmental Assessment Form submitted by Glenn Thornton and also passed the following Resolution:

**SEQRA RESOLUTION OF THE PLANNING BOARD OF
THE TOWN OF RUSH FOR THE
COMET FLASHER RELOCATION PROJECT**

Chairman Felsen made a Motion **WHEREAS**, Comet Flasher, Inc. has submitted a site plan application to the Planning Board of the Town of Rush (the "Planning Board") for a project involving the relocation of their headquarters and construction of three mixed use buildings at property located at 7575 West Henrietta Road in the Town of Rush, New York (Tax No. 212.04-1-29) (the "Project"); and

WHEREAS, Part 1 of a Full Environmental Assessment Form for the Project has been prepared in compliance with Article 8 of the Environmental Conservation Law and 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA"), copies of which are attached as Exhibit "A" and incorporated herein by reference; and

WHEREAS, the Planning Board must comply with SEQRA prior to taking action on the site plan application for the Project; and

WHEREAS, the Planning Board desires to act as Lead Agency for the Project in connection with the SEQRA process; and

WHEREAS, SEQRA requires that an entity that is willing to fulfill the role of Lead Agency notify the applicable governmental agencies and other interested parties of its intent to act as Lead Agency and to solicit their comments and objections, if any.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Clerk of the Planning Board is authorized and directed to notify applicable governmental agencies and other interested parties of the Planning Board's intent to act as Lead Agency in connection with the SEQRA review required for the Project, and such notice shall invite applicable agencies and others to comment in accordance with SEQRA regulations in this regard; and.

2. Pursuant to applicable SEQRA procedure, in the event that no other agency objects during the requisite 30-day time period, the Planning Board shall act as Lead Agency.

The adoption of the foregoing Resolution was moved by Chairman John Felsen, seconded by Board Member Rick Wurzer, and duly put to vote, which resulted as follows:

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

With no further business, it was agreed by common consent that the meeting be adjourned at 7:25 pm.

Respectfully submitted,

Shivaun Featherman
Deputy Town Clerk