

CHILI PLANNING BOARD  
January 8, 2008

A meeting of the Chili Planning Board was held on January 8, 2008 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Chairperson James Martin.

PRESENT: George Brinkwart, Karen Cox, John Hellaby, Dario Marchioni, John Nowicki, Jim Powers and Chairperson James Martin.

ALSO PRESENT: Chris Karelus, Building Department Manager; David Lindsay, Engineering Representative; Keith O'Toole, Assistant Counsel for the Town; Pat Tindale, Conservation Board Representative; Fred Trott, Traffic Safety Committee Representative.

Dennis Schulmerich, Town Board liaison, was also in attendance.

Chairperson James Martin declared this to be a legally constituted meeting of the Chili Planning Board. He explained the meeting's procedures and introduced the Board and front table. He announced the fire safety exits.

OLD BUSINESS:

1. Application of DePaul Community Services, 1931 Buffalo Road, Rochester, New York 14624, property owner: Rochesters Cornerstone Group & DePaul Community Facility, Inc.; for preliminary subdivision approval of three lots to be known as DePaul Westwood Group Homes (amended to 4 lots) at property located at 3313 Union Street and 50 Union Square Boulevard in PRD zone.

Gary Smith, Dale Hampton and Jillian Conde were present to represent the application.

MR. SMITH: If I can. My name is Gary Smith from Parrone Engineering. I'm here tonight representing DePaul Community Services. With me here tonight is Jillian Conde from DePaul and Dale Hampton from DePaul to answer any operational questions.

I can go over what revisions we have made to the plans based on Boards from the last meeting.

JAMES MARTIN: Would you please do that?

MR. SMITH: What we have revised is -- we have revised the whole subdivision plan. What we have done is there are still two buildings. We have revised the location of the buildings, pulling this Building Number 1 further in a rotation, further away from the Westwood Commons site. The rear portion or the garage portion of the building is pulled away an additional 11 feet. The front portion of the building where the residents actually are is 35 feet, so it is 55 feet instead of the 20 that it originally was.

What we have also done is relocated the parking for this project to basically be directly behind the buildings, as well as providing a secondary access point the Fire Marshal wished for the main access off Union Square Boulevard, which is between the two buildings.

What we have also -- because we have done this, and the requirements in a PRD zone as far as acreage and site coverage, we were also adding additional acreage to the Westwood Commons site. So there is a sliver or triangle of land being added here (indicating) and a triangle piece of land here (indicating) being added. We meet all of the zoning requirements as far as size goes, maximum lot size. We have coverage. Parking and lighting is basically just -- there will be necessary access -- cross-easement easements. This access point is provided for emergency access only as requested by the Fire Marshal.

As you can see, we have extended the landscaping around both on this new Westwood parcel to provide more of a buffer as requested by the Board.

JAMES MARTIN: Okay. Thank you. I know the Town Engineer had some comments. Would you care to address those at this time so we can understand where you are in these particular issues?

MR. SMITH: Yes. I just submitted a letter back to the Town Engineer, as I walked in. Would the Board want me to go through individual comments?

JAMES MARTIN: Would you, please? There is just a few of them.

MR. SMITH: Sure. First one is handicapped parking space and signage will need to be illustrated on the plan. We are showing a handicapped spot here (indicating), adjacent to this house.

Lot lines from the previous submission are still illustrated on sheets C1, C3. This is confusing. The line weights will need to be adjusted and reflected to proposed conditions. We, in fact, did that. Line weights are lighter so you can understand where the subdivision is.

It appears that the required setbacks as per Section 115-12 Chili Town Code are not being met. Previous approvals that we are not aware of may have allowed the reduced setback. As

such, we request that the applicant clarify the reasoning for the indicated setbacks.

Furthermore, the 55-foot setback indicated for the rear Lot 1 is not orientated correctly and its dimension to the wrong lot line needs to be revised. We, in fact, did that. It is not 35. It is 31 on the revised plan.

The project is in a PRD District, and based on Section 115-141(C), there are no dimensional requirements, per se.

It was approved previously. There was an overall preliminary plan approved back in 1997 that indicated a 30 foot front setback and a 5 foot side setback for all lots interior that were bordering on the interior dedicated road, so we're following that. Phase I followed that with the residential, and so we continue that on with this.

JAMES MARTIN: Okay.

MR. SMITH: Request the applicant submit a lighting contour sheet for the poles. We have, in fact, submitted one to the Town Engineer.

Um, the area of disturbance should be indicated on the project stats, located on C1.0.

We're reviewing this project for compliance with the Town's new local law related to construction site storm water pollution prevention and sediment control and we need a submission for notice of intent for the New York State DEC.

We are disturbing 1.78 acres that is indicated on sheet C1.0 and we will comply with the Town's local law for a residential project. So as far as issuing an NOI, we're fully aware that we have to do that.

All storm sewers should be labeled private. We did that.

The Board should satisfy itself the appropriate cross-easement easements are in place. Furthermore, it appears that easements and maintenance agreements will be need to be provided for the storm sewer park (inaudible) Lindsay and encroach upon adjacent properties. We're aware of that and once we receive final approval, we'll have to provide the access parking storm sewer easements and have them filed with the County Clerk's Office.

Request that the applicant's engineer clarify the storm sewer cleanouts. As a cleanout, the pipe for Lot 2 appeared to encroach upon the adjacent property to the north. We, in fact, have moved that and pulled that back closer to the building so it is not on Lot 4.

And notes on the plan indicate sanitary sewer tying into the sanitary man holes, but the plans illustrate connection at the main. The applicant's Engineer will need to clarify this. Our initial submission to Monroe County Pure Water -- or Gates-Chili Ogden Sewer District was the connection into the manholes, but they since have told us that they would not allow that, so we are -- we have revised the plans so we're connecting into the sanitary main.

JAMES MARTIN: Very good.

A couple of questions for the DePaul folks.

The two proposed residences on the site, what will be the occupancy number for each of the two sites?

MR. HAMPTON: One will have six. The other one will have four.

JAMES MARTIN: Six and four?

MR. HAMPTON: Uh-huh.

JIM POWERS: Could you tell me where the nearest fire hydrant is to this project?

MR. SMITH: On this plan, I can't tell you right now.

JIM POWERS: I don't see it anywhere on your map here. I don't know if it is on the Boulevard.

MR. SMITH: It would be on Union Square Boulevard. Well, wait a second. There's a hydrant right here (indicating) in the back of Westwood Commons. Adjacent to the access point in the back.

JIM POWERS: Do you know how many feet that is to the residence from that hydrant, roughly?

MR. SMITH: This is 30 scale. Maybe 100 feet to its closest point.

JIM POWERS: You haven't considered putting one on site there someplace?

MR. SMITH: No.

JIM POWERS: Okay.

MR. SMITH: The buildings will be sprinklered.

JIM POWERS: Okay. Good.

Do you plan on doing any more lighting on this site, other than the two light poles you have at the parking area?

MR. SMITH: There are three light poles. There will be three light poles. That's it. In the parking area only.

JIM POWERS: In the parking area only?

MR. SMITH: Only adjacent lighting would probably be over the entrance doors, like a typical house would have.

JIM POWERS: What about at the road cut there on the Boulevard?

MR. SMITH: No. There is a plan for Union Square Boulevard to have lights all up and down. RG&E is supposed to be doing that. There was a lighting plan set up for that.

JIM POWERS: Do you know if there will be one near that entrance?

MR. SMITH: Do not know.

KAREN COX: You indicated that the auxiliary entrance in the back was for emergency use only. Is there going to be a sign or something that indicates that that is the way -- the intent of the use of the driveway?

MR. SMITH: We could.

KAREN COX: I mean for what it is worth, people don't pay attention to signs, but I mean -- or -- I don't know if it is necessary, but to put a gate in, but if you wanted to discourage people from using that as a second entrance.

MR. SMITH: The thought would be the main, the easiest access point is off of Union Square Boulevard rather than coming through and all of the way back.

KAREN COX: I know. I know. People sometimes don't understand that that is the easiest way, I guess. You know, I would -- I guess I would just ask that -- the operators to keep an eye on whether that --

MS. CONDE: We can train the staff and families.

MR. HAMPTON: One of the advantages is they're both DePaul branches, the adult care and ours, so we have good communications between the different programs.

JOHN NOWICKI: Fire Marshal has looked at it, I assume, checked it all out?

JAMES MARTIN: Yes.

CHRIS KARELUS: Yes.

JOHN NOWICKI: Building codes all met, basically?

CHRIS KARELUS: Yes.

JOHN NOWICKI: Thank you. That is all I have.

GEORGE BRINKWART: Not a lot. Just curious, the wetland adjacent to us, State or Federal?

MR. SMITH: Federal.

GEORGE BRINKWART: No other questions.

DARIO MARCHIONI: Dave [sic], what type architecture will these be?

MR. SMITH: Residential style.

DARIO MARCHIONI: Vinyl siding? Any masonry or anything?

MR. SMITH: Vinyl siding.

MS. CONDE: Ranches.

MR. HAMPTON: Single floor.

JOHN NOWICKI: Similar to the style of the existing --

MS. CONDE: Community, yeah.

DARIO MARCHIONI: It will have a basement, or on a slab?

MR. HAMPTON: They will be slab, I believe, with a small section for the water heaters and the furnaces and those type things, but mostly a slab with -- I believe.

MR. SMITH: It's a partial basement, I believe, with just the utilities down there as far as furnace and water heater. So it is only a small portion of the site.

DARIO MARCHIONI: It will be self-containing, like laundry and the whole thing -- each unit will have its own separate?

MR. HAMPTON: Correct. It will be a full home for the individuals that live there, yes.

DARIO MARCHIONI: What is the square footage of the existing home?

MR. SMITH: I don't know off the top of my head, either.

KAREN COX: They look to be at least 3,000.

MR. HAMPTON: I believe the smaller ones are around three and the larger ones are 36,  
38.

KAREN COX: 3,600?

MR. HAMPTON: Uh-huh.

DARIO MARCHIONI: That's it. Thank you.

JOHN NOWICKI: One quick question for you. Staffing on site, 24/7?

MR. HAMPTON: Correct. 24/7. One on the overnights and larger amounts during the day even.

JAMES MARTIN: Do you provide transportation services?

MR. HAMPTON: Yes, we do.

JAMES MARTIN: And other amenities to your residents?

MR. HAMPTON: Yes. Well, one, it will be a function of staff that work there to help provide transportation, but DePaul has a large Medicaid-funded transportation program and also supply very specific runs for people to pick them up and take them to various places.

KAREN COX: Speaking of that, that did remind me, with the -- like the homes that are serving an older population, we have asked before to have a contract with an ambulance service. I --

MR. HAMPTON: These individuals all happen to be young and healthy. They have already been identified. Part of the process is they become identified first and then proposals are built around their needs. But they're primarily in their 20s, some of them in their mid 30s and physically none of them have any physical disabilities or major health issues.

MS. CONDE: We do do that for medically frail, we often have contractual relationships with medical services.

MR. SMITH: They have it for Westwood Commons.

MR. HAMPTON: We do next-door. We did not believe that would be a necessity for this, but something we could always look at if something should...

JIM POWERS: How many group homes does DePaul have in the North Chili area?

MS. CONDE: One. One.

JIM POWERS: Is that the one on Union?

MS. CONDE: It's the one on Union, yes.

JIM POWERS: Other than DePaul, do you know how many other group homes there are in the North Chili area?

MS. CONDE: Off the top of my head, no, I don't.

DARIO MARCHIONI: I have another question, Gary (Smith). Are these sprinkler systems inside?

MR. SMITH: Yes. They will be sprinklered.

MS. CONDE: Fully sprinklered.

MR. HAMPTON: It makes the most sense, even though it is not required.

JAMES MARTIN: Could you clarify for me now, your emergency medical service, okay, first responder, all right, to the facility next door. Is that Chili Ambulance, or is that Rural Metro? You know, who is your first responder, all right, to any need?

MS. CONDE: You know what, I don't know off the top of my head. Though I'm the Vice President of DePaul, I'm over all of the developmental disabilities and mental health, not over the senior living. So that's a senior living. We can find out for you exactly who the contract is with.

JAMES MARTIN: The reason --

MS. CONDE: I think it was Chili. I think that was part of the agreement when we opened the building.

JAMES MARTIN: The reason we're pursuing this, is there is a growing demand, okay, due to other facilities that are being built in the Town, which is -- to some degree it is taxing the volunteer service, you know, the Chili Ambulance. And we have brought this up on other applications, that it would certainly be beneficial from the standpoint of an application like this if there was a contract or something in place that your first responder, you know, still -- Chili Ambulance still might come, but your first responder would be Rural Metro or whoever you would contract with to provide that particular emergency care service to your facility. You know, it's just been brought to our attention that is a situation that exists in the Town, and you know, in these days it is harder and harder to get volunteer EMTs and all of that, so we're just trying to spread the load a little bit as far as it goes. I would like to put in here I would like you to at least consider --

MS. CONDE: We can reevaluate it, too.

JAMES MARTIN: Assuming emergency medical services to something in addition to the Chili Ambulance.

MS. CONDE: We'll keep monitoring and evaluating it. As Dale (Hampton) said, we don't expect there will be an issue for the community because the people that will live there, they really are young and healthy, but we monitor all of our sites on a monthly basis as it is, so we can keep doing that.

KEITH O'TOOLE: I would just ask that the approval be made conditioned upon attorney's approval for cross-easement easements.

JAMES MARTIN: I have written down provide copies of all pertinent cross-easement agreements to the Assistant Town Counsel and Building Department for approval.

KEITH O'TOOLE: Yes. Thank you. Nothing further.

CHRIS KARELUS: Building Department's have been addressed.

DAVID LINDSAY: Nothing.

JAMES MARTIN: Pat (Tindale), no comments on this one?

PAT TINDALE: The landscape plans look good. I have one question upon looking at this a little more closely. Can someone explain to me the two two-inch maples, two-inch maples all across Union Square Boulevard?

MR. SMITH: Those were street trees that were planted as part of the extension.

PAT TINDALE: Okay. Upon looking at this a little more closely -- okay, that is it.

James Martin made a motion to declare the Board lead agency as far as SEQR, and based on evidence and information presented at this meeting, determined the application to be an unlisted action with no significant environmental impact, and the Board all voted yes on the motion.

James Martin reviewed the proposed conditions with the Board.

DECISION: Unanimously approved by a vote of 7 yes with the following conditions:

1. Pending approval of the Town Engineer.
2. The applicant is to provide copies of all pertinent cross easement agreements to the Assistant Town Counsel and Building Department for approval.
3. The applicant shall pursue emergency medical response alternatives in addition to Chili Ambulance Service.

Note: Final subdivision approval has been waived by the Planning Board.

PUBLIC HEARINGS:

1. Application of Stephen Carozza, owner; P.O. Box 126, Pittsford, NY 14534 for renewal of conditional use permit to allow a paving and landscaping business at property located at 271 Paul Road in L.I. & FPO zone.

No one was present to represent the application.

JAMES MARTIN: First call. We'll set that aside if he is running late.

2. Application of Hillside Crestwood Children's Center, owner; c/o David Howard,. 1183 Monroe Avenue, Rochester, New York 14620 for preliminary site plan approval to erect two 3,600 sq. ft. housing cottages at property located at 2075. Scottsville Road in A.C. & FPO zone.
3. Application of Hillside Crestwood Children's Center, owner; c/o David Howard,. 1183 Monroe Avenue, Rochester, New York 14620 for recommendation to rezone. 45.4 acres from A.C. (Agricultural Conservation) & FPO to P.I.D. (Planned. Institutional Development) & FPO at property located at 2075 Scottsville Road.

Steve Mattern, Maria Mazurek and Dave Howard were present to represent the application.

MR. MATTERN: Good evening. I'm Steve Mattern. I work for Clark Patterson Lee. I'm here on behalf of Hillside Children's Center to present the east and west cottage at Crestwood.

Along with me, I have Maria Mazurek, who will speak a little bit about the architectural aspects and programming aspects.

We have also Dave Howard from Hillside here with us if -- available to answer questions.

Um, what I would like to do initially is -- also, I am in receipt of the comments from the Town Engineer, and the Conservation Board, and I can address those individually, or specifically if -- if necessary. I anticipate a response letter and revised plans. We have no objection to pretty much everything that has been raised.

JAMES MARTIN: Why don't you run through them quickly, okay, the Town Engineer, just so everybody in the audience is aware of them.

MR. MATTERN: Sure. I will start with the December 6th letter initially. Recently received storm water pollution prevents plans, drainage report for the project and are reviewing it for completeness and adherence to Town and New York State DEC standards. Obviously there is no response, but the -- the month delay between our original hearing and this hearing, the rules have changed a little.

JAMES MARTIN: Right.

MR. MATTERN: There is responsibility on the Town now.

JAMES MARTIN: I will get into that.

MR. MATTERN: I'm not aware if there are any changes between that and the New York State DEC.

JAMES MARTIN: I will explain that when we get to that point.

MR. MATTERN: We do have a second question. It would be useful if a drawing of the entire property was submitted with the package so an assessment of how the proposed improvements relate to other features on the property could be made. We will submit that. We have brought one tonight. I'm assuming that it is a grading plan that you're looking for, Dave (Lindsay)? Primarily just to see.

DAVID LINDSAY: I think you gave me grading plan. We're just --

MR. MATTERN: Overall grading plan.

DAVID LINDSAY: Where the buildings fit on the overall parcel. It is kind of hard to tell.

MR. MATTERN: No problem.

We request that the applicant clarify if a hydrant will be provided within the site for fire protection and how fire access would be provided to each of the structures.

Um, both cottages will be fully sprinklered. And there is -- each cottage has two existing hydrants within 400 feet distance from it. We did provide an 8 foot asphalt loop around that will be maintained throughout the winter that is ample for laying out hose from one of the hydrants in order to assist the sprinkler system.

The pond does not appear to provide the 2 foot required -- or 2 foot -- require 2 foot of free board above the 100-year storm water surface elevation.

Um, we can revise that and -- is this a Town -- is that a Town requirement?

DAVID LINDSAY: That is generally what we expect, yes. 2 feet.

MR. MATTERN: We can raise that.

We request that the applicant submit sizing calculations for the internal storm water pipes. We can do that. That's not a problem.

The electric service should be illustrated on the utility plan and the applicant should clarify what type of exterior lighting, if any, will be provided. Our intention for the area back there, and obviously, we're quite a distance from any adjacent property line for spill or anything like that, but we do have a fixture in mind, and we're trying to create a neighborhood feel in the area, so, but these kids are under supervision, and we do want to have it well lit.

Behind these cottage plans, it is indicated that a swale will be collecting the drainage from the graded slope. We discourage the use of swales in this application and would rather see some sort of closed system installed to collect this drainage and convey it to the main closed system.

Um, the soils are real tight out there. We do have some groundwater issues that we are trying to address with both the play fields. What we will provide is a French drain to an inlet there. That is not a problem. That will be represented in the revised plans.

We -- a legend should be added to the grading and erosion and sediment control sheet. We

can do that. That was an oversight by us.

Their particular design of planting requirements is unique to each storm water management facility. Before we provide detailed comments on the method of storm water management, we request that the applicant clarify which practice within the New York State DEC storm water design management has been selected for use on this project.

From our office we have Neil Voit. I would like to ask him to come up and respond to that. He worked closely with the SWPPP.

MR. VOIT: Our proposed pond is actually a P-5 pocket pond as classified by the DEC standards manual, and it will -- it will detain -- it will prevent a chain of protection volume, water quality volume and also handle 10 and 100-year storm mitigated to preexisting conditions, actually lower than that, so we will improve the drainage on the site.

JAMES MARTIN: Can you review that with the Town Engineer to make sure we're okay with that? Okay. Thank you very much.

MR. MATTERN: Thanks, Neil (Voit).

In regards to the EAF, Question 23 on the EAF was not answered and the size of the units is listed as 3,460 square feet on the EAF and 3,600 square feet elsewhere in the submitted documents. I believe that discrepancy between the square footages is -- the 3460 is the square footage as it relates to fire code, inside, the interior square footage, and the 3,600 square feet is as it relates to the exterior, more so the footprint of the building.

We will move forward with the 3,460 square footband any other -- in any future correspondence.

We also have a letter dated January 3rd. Received updated plans addressing these December 16th -- or December 6th comments. We will provide those.

Storm sewers should be labeled as private. I have a question. Is that just on the plans or the manhole covers?

DAVID LINDSAY: Just the plans.

MR. MATTERN: Hydrant flow data should be added to the plan. We have this older data. We attempted to go out there, was it in December, and there was -- the day we wanted to take it, there was a break and they -- they subsequently fixed that problem, so we'll be going out there this week and we'll add that to the plan. We're confident that we have the flow that we want.

The area of disturbance should be indicated within the project statistics. Furthermore, we are reviewing the project for compliance to the Town's new local law related to construction site storm water pollution prevention sediment control, and the new local law related to post-construction storm water pollution prevention measures. I'm sure I'm going to hear about those.

JAMES MARTIN: David (Lindsay) can fill you in eloquently.

DAVID LINDSAY: Don't necessarily need to do that here. I can give you a call and bring you up to speed on that.

MR. MATTERN: We have been made aware of previous conditions on this site that state no building road or parking area shall be located within 200 feet of the north property line of the former Wehle property.

JAMES MARTIN: Wehle.

MR. MATTERN: And no building road or parking area should be located within 50 feet of certain lots owned by Mr. Rakus. We ask the engineer to verify the improvements illustrated on the submitted plans to comply with the above conditions.

The cottages and sidewalks are more than 200 feet from any property line. We can show that on the overall plan. That's it for that.

We did have a comment from Patricia (Tindale) and the Conservation Board, sort of dual -- a dual comment on the Cutler Building that we appeared before you for in the summer and for the plantings here, and I think we concurred with her assessment with the amount of plantings for the Cutler Building and are open to suggestions and direction from the Board with how we can move forward with that. We're not opposed to meeting the criteria. And I had a discussion with Patricia (Tindale), and we didn't feel that -- that the plantings that we had for the east and west cottages, however, that we thought they were pretty close to what we had estimated.

PAT TINDALE: I agree.

MR. MATTERN: Okay.

JAMES MARTIN: I think the issue there is work with the Conservation Board, you know, to get to the requirement in our code. You might as well put that into your property, all right, and work with the Conservation Board --

MR. MATTERN: Hillside is very proactive in how the -- the aesthetic appeal to all their facilities, so they're not opposed to that.

JAMES MARTIN: They have a lot of property over there to work with.

MR. MATTERN: If I could, I would like to speak a few minutes on the program. At least outside the building as we see it with this important project.

Um, like I said earlier, we tried to create a neighborhood atmosphere for these kids. They're not bad kids. They're kids with school problems and/or problems at home, family problems. What we tried to do is create an area for activities. We have to do quite a bit of grading to achieve these out there. What we're trying to do -- this is a fully accessible route, throughout -- between the schools and the cottages and around the loop. We anticipate roller blading, skateboarding and even biking for the smaller kids there to go around it.

One of the problems that we experience is in the spring, it's nice out, but you're wet. Both of these fields will have under-drain to speed the recovery and them to be able to be usable, and

we have a solid asphalt surface with a rebound wall for an individual kid to be able to bounce a ball off the wall there.

We also, and this may not have showed up, but we would like to create a little patio here with some picnic tables for when the kids have spouses -- or family members --

MR. VOIT: No spouses. Not yet.

MR. MATTERN: Family members come and visit. We have -- we also have some playground equipment that exists there now that we'll remove and reinstall with safety surface impact protection.

MR. HOWARD: One of the other main things, too, as Steve (Mattern) is mentioning that circle, right now where the kids play, they're in a pretty high traffic area.

MR. MATTERN: Out here (indicating).

MR. HOWARD: Which is out that way. We don't really have something in the middle for the kids to make it safe, so we're really concerned about their safety, using bikes and things like that, so we did -- that is why that circle is really important as part of the overall community plan where they know to go to the front of their buildings. We're reorientating the buildings to go forward as opposed to the back.

MR. MATTERN: Trying to provide some separation from this (indicating), this -- the administration building.

MR. HOWARD: Outpatient programming in the front.

MR. MATTERN: At this time, I would like to bring Maria Mazurek up from our office to speak about the cottages and how they work and some of the program items.

MS. MAZUREK: What we are planning here is construction of two cottages there for now. They are identical. Each is a eight-bedroom house, so it is for eight children. We actually have designed this house also in a six-bedroom version and ten-bedroom version, but that's not being proposed at this site. So they are two, for eight people. They're -- currently there are three existing cottages on site. Each houses nine children. Those two new ones are meant as a replacement for two cottages.

The old ones are really outdated, not that much in terms of what shape they have, because they have an excellent maintenance program, but accessibility is totally nonexistent. They are really tight. They are just not designed to -- to what the building codes and standards are today. So these are planned as a replacement for two existing cottages.

As far as the looks, they obviously -- well, first of all, our new cottage is fully accessible, so it is a one-story building. It's a ranch, you could say. The materials that we propose at Crestwood site are more tying it to the village look rather than just a suburban subdivision where you might have all houses using siding, but they look pretty uneventful. We want something that will tie it to the other buildings on the campus so it will be seen as one campus.

Now the houses are located between the Cutler Building, which you have seen before. It's a brick building. And a school, which is also a brick building. So we tried to introduce a little bit of brick into the buildings. They have a brick wainscot and some cladding. I think it also has practical meaning with this site being pretty wet and those houses sitting low to the ground, we wanted some solid material at the ground.

About this we propose EISF, which is a fairly economic option, but it gives us a lot of choices as far as color and texture, and also gives us a good insulation value, so those houses should be nice and warm.

And for now we propose metal roofs on them, which might maybe seem a little unusual for residential buildings, but again, this is supposed to look like a village, something slightly better than a cheap house. And also, we count on durability of that roof. We don't want to replace them every five years.

That's about it. And the elevations illustrate really the true look of this house. Just, you know, on the side, I wanted to mention that Hillside has already constructed two of these houses at different sites, one outside of Rochester, and the other in Webster. They have different facade treatment, but the same shape.

That's about it.

MR. MATTERN: This is a prototype that we have come up with over time that we plan to be able to use on many sites and using contractors that are familiar with it so it can speed up the construction of it and lower the cost.

MR. HOWARD: Also has regulatory flexibility, which for us makes a difference that whichever type of child that we're dealing with, we can move in. If they have restrictions as far as suicide restrictions or things, we build it right into all of them. The same thing with lines of sight in the buildings. It's very important that we can see the kids at all times, so this works for every type of child we deal with.

At Crestwood we're dealing right now with -- very young -- younger children. It would be a center of excellence for kids that are 3 years of -- 3 and 4 years of age up to age 12.

MR. MATTERN: I would be happy to answer any questions the Board or Town may have.

JAMES MARTIN: I guess before we proceed, I would like to address an administrative issue, okay? You're here with two applications tonight, all right? The primary one I think we'll focus on tonight is the rezoning application. I think basically what we're trying to do is correct a situation that exists from who knows when, all right, which is basically hampering your ability to expand the facility. You come in and ask us to do something, and it is not zoned for what you want to accomplish over there. I believe way back when we looked at the paperwork on this, at some point in time, there was a limit of 25 residential, you know, clients on the facility. You want to expand to 35. So there is a lot of limits that exist based on your current zoning, okay?

And, you know, what I would like to do procedurally, and you know, the rest of the Board will have their opportunity to address this -- along with everybody else, is that if we can move forward with a rezoning recommendation tonight, assuming that that goes forward, um, it -- with your current zoning, to address the site plan issues, you know, really we can't do that under current code because you're not zoned for what you're asking us to approve. You know, I understand that.

Assuming that everything were to go forward with a request for Planned Institutional Development zoning, then, you know, the Town Board is the final agency to act on that legislatively for the Town. Assuming that they approve that, then we can address the site plan issues, you know, legally, so to speak, from our code perspective, okay? So I'm just trying to clarify that so -- so what we may end up doing tonight is addressing the rezoning issue, but we may table the site plan until we have approval of the PID zoning, and I think it makes sense.

What I would like to do, before we get into a public hearing, is the rationale for that, if we look at our current zoning code on 115-20, which is -- which is the PID, and I will -- Sandra (Hewlett), you don't need to copy this. You can get it out of the book. I will read a couple of the sections.

The purpose of the Planned Institutional Development District is to provide flexible land use and design regulations that permit the creation of defined areas for the unified and orderly development of major cultural, educational, medical and government institutions in order to support and enhance the benefit to the community.

The district allows flexibility in planning and development, provides a process for evaluating and accommodating incremental growth and change thereby assuring compatibility with adjacent non-institutional districts. That's the purpose.

As far as permitted uses, under Section B, little B, facilities used for educational uses, political uses, sanitariums, research, nursing homes, supervised residential institutions, rehabilitation therapy centers, public health and convalescent uses are permitted, and may be integral to the PID facility. So certainly you fit within the scope of that permitted use.

The last section I would like to read is do you meet the requirements for, you know, pursuing PID, and under Section D, little A, it says a proposal shall contain at least 50 contiguous acres or -- or where the applicant can demonstrate that a particular size characteristics with meet PID District's objectives set forth in this subsection of the code, the Town may consider PID rezoning application where said land is adjacent to an existing PID District, or -- or where said site consists of a minimum lot area of 20 contiguous acres.

You meet that requirement with 500 feet of road frontage, which you make. You also meet that determination. So from a rezoning recommendation standpoint, I think it makes sense, all right, for everybody concerned, yourselves and the Town, all right, to consider, all right, the PID application rezoning, and then once, hopefully, that is in place from the Town Board perspective, then we can go ahead and address your site plan issues. I mean, you have submitted a Master Plan, all right, to us, which we have looked at. It basically outlines where you think your future is as far as the site, and that also is a requirement, you know, in the PID zoning that we have to have that. You also met that requirement. So, you know, at this point in time, you know, administratively, that is my recommendation as to how we would proceed on these two applications tonight.

MR. MATTERN: If I may -- is there any potential for making a SEQR lead agency designation prior to tabling it? What -- there -- there is funding available from the Dormitory Authority, which I outlined in my cover letter that, um -- that we're aggressively trying to pursue, and one of the benchmarks and milestones for being able to apply for it is to -- Dormitory Authority often is the lead agent. They have no problem being an interested or involved agency with this as long as the SEQR process happens at some point.

In order to get that process going, we sort of need a SEQR determination of lead agent or not. Is there any -- any proper way for that to happen?

JAMES MARTIN: Mr. O'Toole, I mean, we could declare our intent to become lead agency and find it to be an unlisted, perhaps, and seek a coordinated review. We could do that tonight.

KEITH O'TOOLE: Or indicate that the Town Board should --

JAMES MARTIN: Pardon?

KEITH O'TOOLE: Or indicate that the Town Board should be, since they would probably be issuing the first permit here.

JAMES MARTIN: Or the Town Board.

JOHN NOWICKI: Or the Town Board.

JAMES MARTIN: I think, you know -- okay. So we have both of those options open to us. On a rezoning application, the Town Board generally acts as lead agency on a rezoning. Site plan, it would be our prerogative to act on that.

We can't go ahead on subject two, can we? We can't go ahead on subject two, on -- we have looked at the site plan engineering specifications and all of that, and we know -- say we make the recommendation to the Town Board, why can't we go ahead and do a SEQR on the Planning Board side subject to the Town Board's action?

JAMES MARTIN: I will seek Counsel's response to that.

KEITH O'TOOLE: I'm sorry?

JAMES MARTIN: Go ahead and repeat your issue.

JOHN NOWICKI: My point is, in order to try to accommodate the applicant a little bit, we're supposing this Board recommends the rezoning to the Town Board. However, we have

already reviewed the technical and engineering aspects of this project from the preliminary site plan proposal tonight, and why can't the Town Board do a SEQR -- institute a SEQR review subject to the Town Board?

JAMES MARTIN: You're talking about us?

JOHN NOWICKI: I mean the Planning Board.

KEITH O'TOOLE: I guess I -- I don't understand.

JOHN NOWICKI: If the Planning Board goes ahead and does the SEQR and we become the lead agency based -- subject to the Town Board taking action on the rezoning.

JAMES MARTIN: You're talking about site plan only.

JOHN NOWICKI: Yes. Site plan only. So we can start the site plan process moving quickly.

KEITH O'TOOLE: There is no linkage between SEQR and conditioning it on some other action. You either do it or you don't do it. So long as there is a SEQR determination before the first permit is issued, we're fine. But even before you get to that point, you have to decide whether it's a Type I or unlisted. If it is an unlisted, there is no necessity for coordination. Everyone can do their own SEQR reviews.

JOHN NOWICKI: Do it now?

JAMES MARTIN: Well, the problem is, it's a rezoning. You know, that is normally a Town Board SEQR lead agency activity, okay? So we have kind of a --

KEITH O'TOOLE: It would appear to me, based on the acreage, it is probably a Type I action. Perhaps the gentleman can correct me. I'm getting a nod. So perhaps you can send -- I would recommend, to speed things up, just in your recommendation, also recommend and permit the Town Board to be the lead agent. That would be what I suggest, also sending notices out to whatever other involved agencies there may be. If you want the Dormitory Authority to do it, I don't see why that is a problem for us. It is just in terms of timing, that would probably move things along.

MS. MAZUREK: I think they mentioned they wanted to be involved.

KAREN COX: They want to be an involved agency?

MR. MATTERN: An involved agency. I think they would prefer to be an involved agency. Oftentimes they are the lead agent, but with -- in my opinion, the Town is more and better prepared with this -- at least with the site plan review application, to be the lead agent. They're in a better position than the Dormitory Authority to be the lead agent. And that is probably the -- the approval that I'm looking to have you declare lead agency on, not the rezoning. If that makes any sense.

JAMES MARTIN: Yes. It's logical, okay. I'm just trying to --

MR. MATTERN: If it can't be done and it can't be accommodated legally, then that's the way it is, but...

DARIO MARCHIONI: We can do a SEQR process on a potential application, right? So long as it is -- the intent is there?

KEITH O'TOOLE: At best, since it is a coordinated review, you can do no more than declare your intent to become lead agent tonight. That is the difficulty.

JAMES MARTIN: Will that accommodate your need, if we declared our intent to become lead agent?

MR. MATTERN: Yes.

JAMES MARTIN: We would move forward with a recommendation to the Town Board, all right, on the PID zoning. We would get the coordinated review. It starts a 30-day clock, all right, and essentially, you know, table the site plan until the 30-day clock is over and we have any -- you know, any responses back. I don't think anybody is going to object to our intent to become lead agency.

MR. MATTERN: I don't think so, either.

JAMES MARTIN: And with that -- would that meet your need?

MR. MATTERN: I believe so.

JAMES MARTIN: Is there a funding issue, a timing issue, something that you're dealing with here that you need that?

MR. MATTERN: I think it -- it deals with the Dormitory Authority deeming a project to be real. When they get to that milestone. I can provide you with the form letter for the Dormitory Authority and that can start their clock as well if they have any comments.

JAMES MARTIN: Okay.

MR. MATTERN: Appreciate that.

JAMES MARTIN: That makes the most sense.

MR. MATTERN: I appreciate that.

JOHN HELLABY: We're not touching the site plan tonight then?

JAMES MARTIN: Essentially, no.

GEORGE BRINKWART: All I have is some site plan questions.

KEITH O'TOOLE: Just keep in mind that the Town Board cannot do a rezoning until you have completed SEQR, which means they will have to come back here. We'll have to wait at least 30 days from the notices going out, which may or may not work for next month's meeting, so that may put us off until March.

JAMES MARTIN: What is the impact of that?

MR. MATTERN: For the rezoning application?

JAMES MARTIN: If we start the 30-day clock, we declare our intent and the Town Board agrees, but they won't act on this until we make a SEQR determination.

JOHN NOWICKI: That is 60 days out.

JAMES MARTIN: No. It is 30 days, plus whatever the next Town Board meeting is. Then they need a public hearing on rezoning. The sequence on -- let's think this through. I don't want to hamstring you, okay, on this. And Keith (O'Toole), jump in at any time. If we do this tonight, we start the 30-day clock. The Town Board is not going to take any action until we make -- until there is a SEQR determination made. Okay?

At that point in time, they would need to schedule a public hearing on the rezoning application, and that is generally -- they set the date one meeting and it happens at the next meeting. So we could be well into March, all right, before, you know, the rezoning is approved, before you're back here. It could even be April, depending on how that all works out. It could be April before you're back here on site plan. So I just, you know -- that's a possibility.

MR. MATTERN: I'm not sure how that is going to affect us, to be honest with you. With this type of funding, it's there right now. And if -- how this -- how this shakes out is that we're not actually even appearing here tonight for the site plan review at this point then, are we? In reality. Because we're really not appearing until we have an FPO. Which, if that is the way it has to go, then -- I mean if that is the legal parameters, then that's --

KAREN COX: But Steve (Mattern), didn't you say if we -- if -- as far as the funding issue went, if we declared our intent to be lead agency, that would start the Dormitory Authority process?

MR. MATTERN: If we can get out the involved agency letter.

KAREN COX: The funding process. But they have requirements that it needs to be used in a certain amount of time.

MR. MATTERN: Allocated to a project.

MR. HOWARD: It needs to be identified as a project. And until we have SEQR, it's not a project. The same way you guys were just talking, it would keep going on as not a project, so that is why we needed that first. We need that approval so it is -- once you vote on it and recognize it, then it is really a project. Then we can go forward and get the funding. Otherwise, we potentially could lose the funding without -- you see what --

KAREN COX: No, I understand that.

So I guess what he is trying to understand is what we just talked about, us declaring our intent to become lead agency isn't what you're going to need to -- for the funding.

MR. HOWARD: Right. I was going to ask the question, if you didn't mind. There is no way we can get a SEQR under the current -- our current standing without changing PID? Meaning could -- would you grant it and then change our status?

KEITH O'TOOLE: No.

MR. HOWARD: There is no way we can do that?

KEITH O'TOOLE: The answer is no.

JOHN NOWICKI: Why is that?

KEITH O'TOOLE: Because you cannot segment a SEQR determination. It is part of a package.

JAMES MARTIN: Right.

JOHN NOWICKI: Let me ask you a question. I'm curious. Supposing we withdrew the application for rezoning and left it as is?

KEITH O'TOOLE: Then they have zoning issues.

JAMES MARTIN: I don't want to do that. I want to correct a situation that is not right for the Town.

MR. HOWARD: If we can get intent, we'll have to try to go forward.

CHRIS KARELUS: To be clear, they don't have zoning with the current proposal with the Town. They don't have zoning rights to proceed with this project. This project has been grandfathered with an out-of-district use. It is a non-conforming, existing use. It had a ceiling on its previous approvals, which we cannot allow the project proposal to move forward with because this project proposal peaks the ceiling. There is a threshold that the original approval of the convalescent hospital gave this current site. The current proposal is out of line with the AC District and its previous use for this property. So rezoning does have to happen before this Board can consider a site plan approval of any type of action.

KAREN COX: I mean, if you spoke with somebody at the Dormitory Authority and gave them the time frame, you know, and -- assurances on your part --

MR. HOWARD: It sounds like if there was a way of going forward with your vote of intent, if that was still on the table, then that is what we would have in front of us. That at least gives us an option to go forward.

KAREN COX: We could bend a little or stretch the --

MR. HOWARD: We don't know. The person that does the findings didn't come tonight. That would have --

KAREN COX: Depends how flexible they are.

MR. HOWARD: They haven't been real good. They have been -- because there is a lot of people applying for the same monies. It is not -- it is not just here in Rochester, in this community. It is in communities throughout New York State. We really, you know, we're looking for kids in our area to get it.

MR. MATTERN: My last discussion with the Authority, there was eight entities looking to take advantage of the funding.

KAREN COX: And not enough to go around for all eight?

MR. MATTERN: They don't say if there is enough to go around.

MR. HOWARD: They don't tell you that.

KAREN COX: If it works the way federal highway money does, there is not enough.

MR. MATTERN: It's unfortunate. We almost got to the point of going for an FPO prior to coming in with the Cutler, and previous administration pointed -- didn't point us in that direction and if we would have went in that direction, everybody would be a lot better off right now. This is probably where we should have been in the spring.

DARIO MARCHIONI: One thing, too. By rezoning, this will clear up any future --

MR. MATTERN: Absolutely.

DARIO MARCHIONI: -- development in that area. You won't have to go through these hurdles any longer.

MS. MAZUREK: We definitely recognize it as very beneficial to switch to PID. Too bad we didn't do it a year -- you know, eight months ago when we were applying for Cutler. But I guess that was -- there was a slight misunderstanding at that time and it just doesn't surface.

James Martin and Keith O'Toole left the meeting room.

KAREN COX: We lost our Chairman. Does that make me Chairman right now?

MR. MATTERN: Next in command.

James Martin and Keith O'Toole returned to the meeting.

KAREN COX: Phew. I thought I was going to have to start running the meeting.

JAMES MARTIN: I think based on advice of Counsel at this time -- the Town Board meets twice a month. Where we are tonight is if this Board votes positively to recommend the rezoning, all right, to PID, okay, that letter will be out tomorrow with a recommendation, okay. Assuming that, you know, something could happen quickly, and I'm not going to speak for the Town Board. I would be foolish to do that.

MR. MATTERN: I understand.

JAMES MARTIN: My recommendation would be, all right, that they act as lead agency, all right, on the rezoning request, do the SEQR declaration and that takes care of it and hopefully if they act, you know, promptly on that, that could be done very quickly. Then you could be back with the site plan.

KAREN COX: Next month? Next month?

JAMES MARTIN: As early as perhaps next month. I mean the Town Board has two more -- two meetings in January ahead of them. And -- and so I think, as a path forward, that is probably the most expeditious way, all right, to get this done.

MR. MATTERN: Okay.

JAMES MARTIN: Because they certainly, you know, will have our recommendation in their hands. They can declare their lead agency at -- next month if they chose to do so, have a public hearing and get it done. And that takes care of it. Then when you're back for site plan, it's done.

MR. MATTERN: We would like to take the opportunity to revise the plans and meet the requirements of the Town Engineer with a revised plan, so that is one more hurdle.

KAREN COX: That's a good idea.

MR. MATTERN: To get ahead.

JAMES MARTIN: So that is, I think, the best path forward. Now, this is a public hearing. But I will go to the Board. Are there any other questions or issues?

Keith (O'Toole), we're okay at this point?

KEITH O'TOOLE: Yes.

CHRIS KARELUS: Thank, Mr. Chairman. I have received comments from the County. The County DRC returned comments on rezoning project, if I could read them to the Board.

Comment one, this application was reviewed for a rezoning to a Planned Institutional Development District. This project is located in the approach departure corridor of Runway 4 and within the seven-mile boundary of the airport. Therefore, as development proceeds, site plans and all other zoning requests will need to be sent to our office for review of the specific proposals and airport permitting approval. We'll be coordinating this with the County DRC, as well. According to the flood plain boundary and flood way mappings published by the Federal Emergency Management Agency, this might may be located with the federal flood insurance program's 100-year flood plain boundary. The municipality's Permit Administrator should be satisfied that the proposed development will meet the requirements of the National Flood Insurance Program in order for the municipality to maintain eligibility in the program and for the applicant to obtain flood insurance.

A preview of those maps indicate that portions of the property are impacted. Not the development area. We just ask the applicants to assure that with the site plans, delineating those areas.

Um, other County Comments were general in nature. About County Clerk's Office being coordinated with any filings. I don't believe there is a subdivision involved with this property. Questions about highway work permit, if any work was proposed on a State Route 383, and that was the extent of the DRC's comments.

JAMES MARTIN: Okay. Thank you.

CHRIS KARELUS: Fire Marshal's comments and Building Department comments also we'll go through as we progress with preliminary review on the project.

JAMES MARTIN: Thank you.  
David (Lindsay), I think you're --  
DAVID LINDSAY: Nothing further.  
PAT TINDALE: I'm fine. He stated what I would have.  
FRED TROTT: I'm good.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

HEATH MILLER, 69 Bellmawr Drive

MR. MILLER: I just wanted to compliment you, Mr. Martin, on the comments you made. I agree with them fully and I thank you for making them tonight.

JAMES MARTIN: Thank you very much. I apologize for being short with you the last time, Mr. Miller.

I guess what I would like to do is move ahead on to the rezoning application at this time. As far as the site plan, once, hopefully, this all goes down with the Town Board, um, I would opt at that point probably to entertain public comment, all right, when we review the site plan. So it's essentially we would keep the public hearing open until we have finalized, you know, the site plan application. Just to let everybody know that that is here.

Therefore, on the rezoning recommendation, from Ag Conservation to PID, I have read the pertinent sections of the code. We would recommend to the Town Board that they take lead agency on this, and I will also put in my letter that we would like to have expedited vote on this, if possible.

MR. MATTERN: Appreciate that.

JAMES MARTIN: And anything else?

KAREN COX: Can you indicate in the letter, can you explain why we want -- why we're asking for the expedited -- that it has to --

JAMES MARTIN: I will ask for it and I will probably -- yes, I will explain --

KAREN COX: Okay. I just --

JAMES MARTIN: -- what we're trying to do.

KAREN COX: So they understand why we're wanting that.

JAMES MARTIN: Okay. Anything else before we vote on this?

On the recommendation to rezone to Ag Conservation to PID?

DECISION ON APPLICATION #3: Unanimously recommends by a vote of 7 yes the following:

1. That the requested rezoning of the site of the Hillside Crestwood Children's Center from A.C. & FPO to P.I.D. & FPO be approved.
2. That the Town Board of the Town of Chili act as lead agency for the SEQR process.

The findings of the Planning Board supporting this recommendation are:

1. We find the application to be consistent with Section 115-20 of the zoning code. Specifically Sections A (1) Purpose, B (b) Permitted Use, and D (1a) Dimensional Requirements.
2. The applicant has submitted a Master Plan for the facility.

The Town Board will be notified of the Planning Board's decision by copy of the decision letter.

JAMES MARTIN: We should table the other application since it is on the agenda tonight. Thank you for reminding me.

On the preliminary site plan, I make a motion we table it until we have a clarification on the PID zoning. Do I have a second on that motion?

JOHN NOWICKI: Second.

DECISION ON APPLICATION #2: Unanimously tabled by a vote of 7 yes for the following reason:

1. Tabled until such time that the Town Board has completed action on the rezoning request.

JAMES MARTIN: This is the second call for the application of Mr. Carozza for conditional use renewal?

No one responded.

JAMES MARTIN: Now tabled due to the applicant's non-appearance.

DECISION: Unanimously tabled by a vote of yes until the 2/12/08 Planning Board meeting for

the following reason:

1. This application was tabled due to the applicant's failure to appear before the Board.

The Board requests that the applicant or their representative appear before the Board at the February 12, 2008 meeting. Please note that a new sign will need to be posted by February 1st per Town regulations.

JOHN HELLABY: Mr. Chairman, before we recess, however, I would like to be allowed to step down on the next two applications as I am employed by Wegmans Development Group.

JAMES MARTIN: You are recused.

There was a recess in the meeting.

4. Application of Target Corp., c/o Fix Spindelman Brovitz & Goldman, 295 Woodcliff Drive Suite 200, Fairport, NY 14450, property owner: Wegmans; for preliminary subdivision approval of one lot into two lots to be known as Chili Target Subdivision at property located at 3175 Chili Avenue in G.B. zone.
5. Application of Target Corp., c/o Fix Spindelman Brovitz & Goldman, 295 Woodcliff Drive Suite 200, Fairport, NY 14450, property owner: Wegmans; for preliminary site plan approval to erect a 133,055 sq. ft. retail building at property located at 3175 Chili Avenue in G.B. zone.

Betsy Brugg, Chris Wood and Steve Aldredge were present to represent the applications.

MS. BRUGG: Thank you very much. Mr. Chairman, members of the Planning Board, pleasure to be here tonight on the two applications before you for Target.

If it is all right with the Board, what I would like to do is kind of, after a quick overview, kind of discuss where we are in the process. With me is Chris Wood from Carmine & Wood, the Project Engineer. I will defer to Chris (Wood) in a little while to talk about the site plan, the subdivision and the architecture, the technical materials and Steve Aldredge, our Traffic Engineer from FRA, is also here tonight to talk about traffic, which I think is a significant issue on this application.

We're here on a public hearing so I will just do a quick overview for those who may not have been here when we were here in December. We were here in December to present a concept for this project. A lot of the work has sort of been done up front on this project in terms of incorporating some of the comments we have received from staff and some of the comments we have received from the Board, and I think this is a bit of an evolution, so we'll expect to get some more comments as we go through the process.

Um, as you know, the project is a proposal for a 133,055 Target store, much like the Target stores located throughout Monroe County that you might be familiar with. The parcel property is adjacent to the Wegmans plaza. The store would be located in the Wegmans plaza at the opposite end of Wegmans, attached to the -- the additional retail stores that are over there. The Target parcel is proposed to be 11.67 acres in size.

Um, access to the site will be through the existing access points on Paul Road and Chili Avenue. There are some proposed modifications to those access points to address traffic impacts from the project.

For those who might not be familiar with Target, they are a leading national retailer of a variety of types of goods. There will be a pharmacy in the store. They sell clothing, household items, appliance types, electronics, some grocery items and a whole variety of things, general type of discount retailer.

Um, the site itself has some history. Originally, there was an approval granted for construction of a Chase-Pitkin that was actually somewhat bigger than the proposed Target for this particular site. That store, I believe, was close to 140-plus-thousand square feet in size. I think it is a little bigger if you include the garden center that was proposed with that. So the site as a whole was already designed to accommodate this type of retail development, a large retail use. And a lot of -- a lot of what is proposed really works well because of the initial plan there be a Chase-Pitkin there, and that never occurred.

As for the history, again, we were before the Board back in December. Since that time we have been to the Conservation Board and presented a landscaping plan. The Conservation Board approved the landscaping plan that is proposed for Target.

We have also been to the Traffic Safety Committee. They were very positive and issued, I believe, some comments. We don't have any problems with any of the comments that they issued, and again, we'll address traffic a little bit later.

Um, as far as traffic itself, we're in the process of working with the Monroe County DOT and we have heard back from the State, but again, Steve Aldredge is here to talk about the traffic. The architecture, quite a bit of work has already gone into the architecture for the building. This is not a prototype building. Materials were modified and the style of the building reflects a desire to work with what is existing for Wegmans. It is something that has been really upgraded and designed to fit with this particular site and incorporates the comments that have come again from

the Board and the staff.

In respect to the approval process, in addition to the Planning Board approvals, we have submitted an application to the Zoning Board. I think that is -- two applications. Those will have to be refined as we go through the Planning Board process a little bit. We have requested variances in connection with the site plan. A variance is required to allow parking in the front yard. I think that is something that is typically required on most commercial development in this Town. Certainly the rest of the parking in the plaza is in the front yard. To allow parking spaces -- to allow more than ten consecutive parking spaces and again, that reflects the size and scale of the project. To allow parking to be greater than 250 feet from the front door, from the door to the front of the store. Again, something that is typical with a larger type of retail use.

And for the number of proposed parking spaces. And in regard to that, the Board should have received a letter both from Target and from Wegmans addressing the amount of proposed parking. Both Target and Wegmans are very confident that there is sufficient parking provided for all of the uses in the plaza. In addition, I think Wegmans has stated in their letter, there will be a reciprocal easement and operating agreement so that the site will operate as a whole. The intent is that this be one integrated plaza.

In addition, we requested variances for signage for the wall-mounted signage. We're proposing two signs where code allows one. The size of the wall-mounted signage is 216 square feet for the Target with the kind of bull's-eye logo, and in addition they're proposing a 35-square foot pharmacy sign. The sign is really, really appropriate for the size of the building and the setback from the road.

In addition, we have proposed a monument sign and we have a new monument sign, slightly modified, that we'll be presenting to you tonight.

Let's see. In respect to what we need to accomplish tonight, our request, because of the type of project this is, um, pursuant to SEQR, we are requesting that the Planning Board declare its intent to be lead agency. It would be appropriate in this case for the Planning Board to be the lead agency on this project for purposes of SEQR, pursuant to which the notices would go out to the various involved agencies and we would then ask to come back at the next Planning Board meeting. And of course, we would like any feedback that you might have on the variances that might be significant -- that might mean anything to this Board.

Um, okay. That said, I would like to sort of defer to Chris (Wood) a little bit about -- to introduce the site plan.

MR. WOOD: Okay. I'm Chris Wood with Carmina & Wood. We're the site engineers with the project. As Betsy (Brugg) had stated, we're proposing a 133,000 square foot Target store to the west of the existing Wegmans, attached to the multi-tenants strip plaza.

And as part of that, we're proposing 548 parking spaces which would be located on the Target parcel which is being subdivided from the larger Wegmans plaza parcel.

There are two entrance points to the plaza, one on Paul Road and one on Chili. The Chili Avenue entrance is currently signalized. We are proposing several additional lanes at both driveways to accommodate some of the traffic mitigation.

Um, as you enter off of Chili Avenue, you approach a four-way intersection which was built as part of the initial plaza design, and we'll be tying into that. We're proposing a couple peninsula islands to lessen the conflicts of the cars exiting the driveway with the four-way intersection.

The detention pond for the plaza is located in the back. That will remain. We will be upgrading that slightly to bring it in accordance with the current DEC regulations.

That is all I have on the site plan. I think Betsy (Brugg) covered a lot of it.

On the architecture, we do have the building elevations. The front elevation will be a mix of brick veneer and Drivet. With the signs that Betsy (Brugg) had mentioned, located near the entrance to the store, um, they have provided quite a bit of relief in the front of the store to break it up so it is not one monolithic wall.

They did add some brick columns and corbelling along the top of the brick in accordance with some of the Town comments we have received. The other three sides of the building also won't be a monolithic wall. They do have some relief on those to break those up.

One more thing on the site plan, trucks for the Target store will continue to use the Paul Road driveway, as the Wegmans trucks currently do. The loading dock -- Target is located in the back, which won't be visible from Chili Avenue or Paul Road. That's all I have. If anybody has any questions.

JAMES MARTIN: Okay. Let's go ahead. Site plan questions at this time.

JIM POWERS: Site plan?

JAMES MARTIN: Yes.

JIM POWERS: Just a couple. This may sound foolish, but at that intersection there coming off of Chili Avenue, and where the drive enters into the parking area for Target, have you ever given any thought to putting an overhead crosswalk at that particular intersection?

MR. WOOD: I don't know if we --

JIM POWERS: This is going to be extremely busy, and you will have cars and people intermingling there. Do you know what I mean, like a raised --

MR. WOOD: Pedestrian bridge. I don't know if we have gone that far, but it is going to be a four-way stop with the signs added to indicate that there is a pedestrian crossing as you approach. And as it sits today, the sidewalk is currently along the east side of the driveway and kind of dumps into the Wegmans parking lot. We are proposing a continuous route all of the way back to the front of the plaza that will be continuous with the Wegmans plaza.

JIM POWERS: I see no problem there, but I think in time, with your sharing parking with Wegmans, I can see where -- I might wait a long time to get across that intersection with four-way stops with traffic coming four different directions. Just a thought.

MR. WOOD: We did take into account handicapped accessibility when we were looking at this. I think if we looked at the bridge alternative, it may -- you know, handicapped accessibility issues may arise. Not 100 percent sure.

JIM POWERS: On site there, how will you handle the fire (inaudible) and the sanitary situation?

MR. WOOD: The sanitary sewer? We're going to install a separate pump station for Target and run a new force main tying into the super on Paul Road, which would avoid the issue of the subdivision of the lots and tying into the existing pump station.

JIM POWERS: Your water as far as fire is concerned?

MR. WOOD: Fire flow. We have done the calculations. We have plenty of fire. Right now there is a 10-inch main that comes in off the street. It dead-ends on either end of the plaza in the back. We'll continue that loop around and add additional hydrants, which would provide better flow.

JIM POWERS: Size of the line?

MR. WOOD: Ten, which is pretty generous for a plaza this size.

JIM POWERS: If some day to the west of this particular site, where the old Town Hall and whatnot exists, and if that were to be developed on a commercial basis, would the Board grant or be willing to allow accessibility to your parking area, do you know, or is that too far down the line?

MR. WOOD: I can speak for Target, which controls the portions they will subdivide. Given the grade changes, elevations that exist here, there is probably a 15-foot grade difference. I don't know if that would be feasible. The portion in the back that Wegmans controls, I don't know if that would be possible. I can't speak for them.

KAREN COX: Questions that I have were --

JAMES MARTIN: There is quite a few engineering comments. I just wanted to get through curiosity questions or anything at this point.

KAREN COX: I don't have anything.

JOHN NOWICKI: Curiosity questions?

JAMES MARTIN: Site plan. You know, before we get into the engineering comments.

JOHN NOWICKI: My curiosity question would be, only because of the -- what you brought up, Jim (Martin), is the property behind the store and the -- that Wegmans owns in that area there, because of the potential future plans in Chili Center with the old Town Hall and all of that, you will have to realize the views that -- the back of the building, I'm glad to see you will have some kind of different architectural treatments back there because we're going to have to watch how to protect the other developments from the views, mostly architectural and aesthetic views. So whatever happens back there, which is down the road, but the curiosity question. We'll have to work on that.

MR. WOOD: If you look at another building of this type, I don't think you will find another four-sided building with architectural features like this.

JOHN NOWICKI: I hope not. We have worked awful hard on it, we have worked hard with you to get to this point.

The other question, I'm sure we'll probably talk about the traffic issues in a little bit. Somebody else is going to bring that up, right? So I will hold off onto that point, but the overall -- the entranceway off of Chili Avenue, that's a sidewalk on both sides coming down or one side?

MR. WOOD: There will be a sidewalk on the east side.

JOHN NOWICKI: Okay. That is where the crosswalk is over there. Okay. Landscaping looks good and overall, what we have discussed and what we met with originally seems to be going in the right direction, so I will wait until we get to the traffic issues.

GEORGE BRINKWART: Yes. Curiosity questions. You've used a little bit of retaining wall there. I'm not sure, but maybe refresh my memory. Is it true that you have retaining wall 12 feet high in some places?

MR. WOOD: At this one corner it is 12 feet high, because as the grade drops off, there is a low spot on the adjacent property. That is why. Actually a high spot on the adjacent property.

GEORGE BRINKWART: I'm curious, why do you have that lane on the very west side all of the way down where you were pointing just a minute ago?

MR. WOOD: Down here (indicating)?

GEORGE BRINKWART: Indulge me, but if you didn't have that 30-foot lane, you would probably use a lot less retaining wall there.

MR. WOOD: That's correct. Actually, we had the parking up against there and we did move it away to save some of the retaining wall and some of the height. I think we chopped 3 feet off that wall by moving everything over a little bit.

GEORGE BRINKWART: Now, you can't incorporate that lane into that drive aisle between the two parking spaces and accommodate what you will accommodate with just a dedicated drive aisle?

MR. WOOD: In here (inaudible)? I think the way Target likes to have it, they like to have its own kind of dedicated loop around the building as opposed to cars backing out into the -- as you get closer to the site.

GEORGE BRINKWART: Well, I guess I would rather have less retaining wall. Just a

thought.

MR. WOOD: We can take a look at it.

GEORGE BRINKWART: Also, what Jim (Martin) touched on -- John (Nowicki), is sidewalk. I would really like to see some sidewalk on the west side of that entrance drive.

MR. WOOD: Along this side (indicating)?

GEORGE BRINKWART: It's a difficult site there, but it is not much more difficult than all of the retaining wall you have in there.

MR. WOOD: You would end up with more retaining wall. If you want to put it between the edge of the pavement and the guide rail, you would have to push the guide rail back.

GEORGE BRINKWART: I guess I would prefer it not next to the pavement. If you put it on the other side of the guardrail, the green space, it might give you the opportunity to put something that is not quite so steep as the other side, maybe something less than five percent and give you general accessibility. On the other side you have something that is almost close to ten percent.

KAREN COX: That is existing.

MR. WOOD: It is around six.

GEORGE BRINKWART: That will probably not work for your ADA. But on this side --

MR. WOOD: I think it would be worse. We have less distance to make up the grade.

GEORGE BRINKWART: You can -- meandering, I looked at the grading quickly and I'm sure you can do a more detailed study on that, but it looks like if you follow the contour lines, you would have to bump it 5 feet out for a 5-foot sidewalk, but I think you can squeeze 5 feet on most of that and maybe only have to put in a short retaining wall, less than 12-foot retaining wall in parts of it, and then as you got closer to Chili Ave, there is additional area there where you can do some cuts and not have to encroach on your development down below.

Also, it would give you a nice opportunity to incorporate some -- something like seating benches or something in that landscaping area. I think that is -- has kind of been a theme, at least of mine, is to put some in more pedestrian-friendly access. And Jim (Martin) is right, that gets pretty busy. To try to get folks from the proposed Target parking lot, across two lanes, to get them on the east side, it is going to be tough.

Dennis Schulmerich arrived.

MR. WOOD: We can take a look at it. If grades allow and maybe if we flip flop and don't put the sidewalk on this side and put it on the other side.

GEORGE BRINKWART: The sidewalk on the east side will work, too. But I think it would be definitely stress relief to have another sidewalk on the west side, as well.

MR. WOOD: We can definitely take a look at it.

DARIO MARCHIONI: I was just looking at the site plan, where it has center planting, in the parking lot, and Wegmans does not have that. But have you considered snowplowing and the location of -- you know, the snow and -- how to deal with that?

MR. WOOD: I think the main snow storage area would be up in the front, the furthest away from the building. It would also allow the water to run into the drainage system and be treated through the retention pond. As a developer, you probably want to minimize the number of islands you have in a parking lot for snowplowing reasons, but it is important to Target to have a nice site. You know, landscape wise, and -- in the future, as the trees get more mature, it will be a pretty nice site.

DARIO MARCHIONI: I mean that is a positive for us, but I just thought about the difficulty in plowing, if you would have difficulty or not.

MR. WOOD: They will definitely have to think about where they will push the snow and whatnot.

JOHN NOWICKI: I just want to plant a little seed, only because everything is shaping up here nice, but there is an overall feeling on the concept, I think, going on through projects and through the area that people are looking for this to be a little bit more pedestrian-friendly as far as bike paths and walking paths and things like that, especially with what is happening around this project and around the Wegmans store, what happened across the street, Walgreens, what could happen down the street with the vacant properties, with the church down there. Again, there is going to be -- wanting to see -- people will want to walk and bike. So these concepts will be coming at us from a lot of directions, so just for -- just for a seed. To plant the seed. That's all. Thank you.

JAMES MARTIN: Anything else from the -- just a general nature at this point.

I guess what I would like you to do now, Chris (Wood), is to go ahead and address some of the specific issues that were included in the January 3rd letter from our Town Engineer. Maybe you want to have Steve (Aldredge) come up simultaneously to go through these because there is a mix of traffic and site plan issues in this letter, so maybe if you could go ahead and address those specific issues at this time.

MR. WOOD: Do you want me to address the engineering ones and let Steve (Aldredge) do his traffic thing?

JAMES MARTIN: That's fine.

MR. WOOD: Some of them may be answered as he does his, but I can go over mine. I think they start with other than the -- the Item Number 1, the Storm Water Pollution Prevention Plan. We understand Dave (Lindsay) is still looking at that and the Engineer's report and we'll work with him to address any comments he may have.

Other than that, I think we skip to Number 10, which we have submitted a landscape plan that was approved by the Conservation Board. That was stamped by a landscape architect. I don't think a copy went to Dave (Lindsay), so he was probably wasn't aware of that.

The hydrant flow data, we have it in our Engineer's report. We can add it to the plan. That's not a problem.

And we'll add a chart on the site plan that lists the variances and what their discrepancies are from what is required by code.

And once the cross-easement agreements and storm water maintenances is put in place between Target and Wegmans, we can provide the Board with a copy of that or Chris (Karelus) or whoever is concerned with that.

JAMES MARTIN: And the Assistant Town Counsel.

MR. WOOD: Sure.

And the retaining wall comment, I spoke with Dave (Lindsay) earlier. That is something we typically put a note on there, that it is something that has to be approved by the Town Engineer, the shop drawings of it which are provided by the contractor's engineer prior to construction.

I did send Dave (Lindsay) a copy of the EAF today, as Item 15.

Item 16, the site is an import site, so there will be fill and select fill, stone, under the building pad that will be brought on site.

The emergency maintenance easement that is around the detention pond, we have no problem expanding that to include the expanded detention pond area.

And Item Number 18 is the comment regarding the sanitary sewer, which I think I talked about. We're going to plan on installing a separate sanitary sewer pump station to tie into the sewer along the -- along Chili Avenue.

And Item 18, again, we'll work with Dave (Lindsay) on any other comments that he comes up with on our plans or reports.

JAMES MARTIN: Okay. I guess we go into the traffic issues at this time.

MR. ALDREDGE: Man, that was pretty easy. Okay.

Starting with question 2, um, from our traffic study, the half percent growth factor, um, that's a growth factor that -- one that we have used in traffic studies in this area quite a lot and has been accepted by both the New York State DOT and the Monroe County DOT in the past quite frequently, and we will be providing the documentation in our revised traffic study when we -- when we resubmit that.

JAMES MARTIN: With regard to that issue, I believe in a letter to you, there were two resource sites that you could utilize previous traffic studies that had been accomplished. Were you able to access those two studies and have they had any impact as far as you're concerned at this point?

MR. ALDREDGE: We'll -- Friday we'll be getting a copy of those studies, as well.

JAMES MARTIN: You have not analyzed those yet with regard to this growth factor?

MR. ALDREDGE: Right.

JAMES MARTIN: Okay. We'll be looking forward to, you know, the analysis of the impact of those studies.

MR. ALDREDGE: Right. As far as question 3, um, it basically references some comments from Monroe County DOT. I guess I can -- I can go through that separately after we address the rest of these.

JAMES MARTIN: All right.

MR. ALDREDGE: Item 5, um, again, that's -- that really references the traffic impact studies which we just referred to, which we will be referring to. One of those studies is a fairly recent report which we will -- we will definitely be incorporating into our study.

The second one, which is a 1994 study, we'll be referring to and definitely reviewing for -- looking at trends. I'm not sure exactly how we would incorporate that into our study, per se, but I think definitely looking in terms of trends and things of that nature, um, I think it will be certainly a valuable study in that sense.

Item Number 6, um, this references some reanalysis that -- that -- that folks in my office did in regards to the Chili Avenue entrance. In our study that we submitted, the intersection of Chili Avenue and the Wegmans signal, the evening peak hour, we showed a deterioration of the evening peak hour from level of service C to D. After looking at it again, we did some modifications and actually found out that we could actually make it work better and with our mitigation, we could actually keep it at level of service C. We haven't resubmitted the traffic study, so we can't present that data today, and obviously, with all of the host of other comments, you know, this -- this is, you know -- this certainly could be subject to change. But what we found is that the information that we presented in our traffic study, um, there actually was an alternate answer. That there was an -- there was a potential improvement upon the traffic study that we submitted. It was basically fine-tuning of the signal timing along the Chili Avenue corridor. That there actually was an improved answer.

Item 7, additional traffic signage, um, I think there really is just the -- the -- within the traffic study, I think there was really just a -- a desire for more information about the signage within the site to direct people within the site to -- to, you know -- within the parking lot, to the different exits.

And I think the -- you know, Item Number 8, um, the first internal intersection off of Chili Avenue, um, that is a four-way stop.

And Item Number 9, um, this -- this deals with a concern at the intersection of Paul Road

and the -- the Wegmans plaza intersection, whether there is in internal -- enough internal storage in the left-turn lane, which I can point out. Which is essentially this left-turn lane (indicating) when you're coming down Paul Road, right here (indicating). And as part of our traffic study, we did analyze the adequacy of this left-turn movement, and this movement was found to be adequate as part of our study. And certainly as we reevaluate this intersection as part of our revised traffic study, we will continue to look at this and make sure that there is adequate capacity and storage for the left turns as they turn into this site.

Now, what I would like to do before I go out to the Monroe County DOT comments is just sort --

JAMES MARTIN: I would just like to go back to Number 8 for a second.

MR. ALDREDGE: Sure.

JAMES MARTIN: The four-way stop, and I think this has been discussed quite a bit. It's on private property, okay. There is stop signs there now that nobody obeys, okay. It is a significantly dangerous intersection, and I think we're going to need some very strong signage there. I don't know -- you know, like Joe Carr said, you put flags on top of it or you do something to warn people, you know, look. You used to fly through this intersection because nobody was coming at you from the west. Now they're going to be coming at you from the west. You better stop. I think after we have four or five fender-benders there, maybe people will get the message, but it is a significant concern. But I think that signage has to be modified in some way. You can work with Traffic and Safety on this so it is very apparent to people coming down that hill, you don't fly through that stop sign anymore. You have got to stop. And, you know, that's just -- I'm very concerned about that particular issue.

MR. ALDREDGE: Right. I know at the Traffic & Safety Board meeting we did talk about modifying or taking out some of the trees to make sure that the sight lines were -- were more unobstructed, but we'll look at that issue very carefully.

KAREN COX: The stop signs that are in there are small now. You could increase the size.

JAMES MARTIN: I'm just afraid of people's habits.

KAREN COX: It will take some reeducation, believe me.

JOHN NOWICKI: I will throw a thought out whether you figure it is right wrong or indifferent. Have you folks considered a roundabout?

KAREN COX: That might be kind of tough with the grade. They're usually on flat -- all the legs come in at a flat grade. I think it would be --

JOHN NOWICKI: It would move the traffic through there slower.

KAREN COX: It would, but every one I have seen has been on a flat -- you know, all of the legs coming in are on a flat grade, because you need to be able to come in slowly.

JOHN NOWICKI: Too bad it is not flat. It would work better.

MR. ALDREDGE: I think we could certainly look at some type of pedestrian warning sign, something to try to alert people to the fact that -- you know, that there is a potential that there be pedestrians in this area.

KAREN COX: That they actually have to obey the signs.

JAMES MARTIN: Okay. I just -- you know, just -- it is a significant concern, trying to protect the public safety.

KAREN COX: You have to reeducate the public, too.

MR. ALDREDGE: What I would like to do is just -- especially folks who may have not have heard the last presentation, is just point out the site access improvements for this site. Um, out on, um, on the Paul Road entrance, what we're proposing on this access is to actually, um, widen this access to -- to provide a -- a full length right-turn lane so that instead of only one approach lane, and now it sort of widens out to a right-turn lane for only about 100 to 125 feet. It now would be a right-turn lane almost all of the way back to the parking field, and what this allows is that if there is a left turn waiting to turn left onto Paul Road, to head up to Chili Avenue, the right turns can actually just get right by so they can make a right onto Paul Road so they don't have to wait.

And what we found is when we were watching one left -- you know, it would take like maybe three left turns and the right turns get stuck. And so by doing this, the right turns can go by and there are so many more right turns than left turns, that this just gets rid of it. So that it just doesn't bunch it up. So that really cleans it out. So this -- this -- this -- while it doesn't seem like much of an improvement, and -- it really helps clear out a lot of congestion. It also, I think, sets up, um -- sets this up for the future in case you need to do more.

The other improvement here, which really, I think, is probably a much greater improvement, is, you know, right now we only have about -- about 100, maybe 125-foot left-turn lane, which is awfully short. And what we're proposing to do here is to lengthen the storage lane on this approach to about 250 feet long, and to provide a double -- a double left-turn lane. In addition, we're -- we're proposing -- actually it is shown better on this one. We're proposing to also provide an exclusive right-turn lane of the same length. And what this is going to allow is one, um, two lanes of storage for folks that want to turn left onto Chili Avenue, and also the right turns will be able to get by the traffic that wants to turn left. So tremendous amount of more storage for folks who are storing here, and this has been designed to accommodate typical weekday evening and Saturday traffic. It's not going to accommodate holidays. It will not accommodate Christmas. We just can't do that. But, you know, we -- we count -- we counted traffic during -- during August, which is about 10 to 11 percent higher than average conditions, and so we think we can accommodate more -- more than your typical conditions. And so -- so

we think that this will operate very well for most of your conditions.

JAMES MARTIN: In Number 6, in the comments from the Town Engineer, you had indicated that a new signal light would be added to that intersection. Would that be a dedicated left-turn arrow? How will that function in conjunction with the KMart plaza across the street?

MR. ALDREDGE: The nice thing about this, because we're adding the two left-turn lanes, one of the things we have to do is we have to operate the Wegmans approach separately from the KMart approach. Because you can't run dual left turns on the same signal phase, so -- so the Wegmans approach would get its own light. So Wegmans would go. They would get a green light. Then it would go red and then KMart would go. And this is actually nice because when you're -- when you're on the Wegmans approach, you know, you're coming up a hill, and it is kind of hard to see the folks at KMart. So when you're -- now when you're running together, it is almost a little dangerous, because you're both coming up the hill. So I think having them run separately is -- safety wise it's a little better that way. So I think this -- this way -- it is called split-facing when they run separately. I think it will work much better this way.

All right. Um, if it is all right with you, we can go on to the County DOT comments.

The first comment that the County provided dealt with the fact that we did our counts in August. Um, their concern was that school was not in session, and we -- we are working on addressing that comment, but basically after reviewing --

Dennis Schulmerich left the meeting.

MR. ALDREDGE: -- after reviewing data from the State, what we found is that on a State highway, um, basically August -- August traffic on a State highway typically is about 11 percent higher than average traffic data. And we'll provide some supporting data for that in our revised traffic study. And especially on a -- on a weekday evening, on a Saturday midday, especially, um, schools, um, really aren't significant factors especially.

Um, the next -- the next issue dealt with primary pass-by trips. They were pointing out that we had some discrepancies in our numbers. We appreciate their comments, which we'll incorporate in our revised traffic study.

Um, they, um -- they also pointed out that the intersection of Paul Road and the Wegmans plaza, that we were showing a future built operations of level service F, which essentially was the left turn -- the left turn at the driveway. And they basically said that this must be mitigated.

KAREN COX: Did we skip the two comments above that? Those are just comments saying --

MR. ALDREDGE: I think those are similar comments, which --

KAREN COX: As the first one?

MR. ALDREDGE: As the other ones.

Um, specific -- this comment says, Table 4 shows that the Paul Road/Wegmans plaza intersection future build scenarios operates at a level service F. This must be mitigated. This one specifically is the left turn out of the Paul Road driveway. Um, and I think a following comment really is this sort of has to do with -- this sort of leads into some issues related to the signal warrant.

Next one is for the traffic signal warrant analysis. The federal METCD should be used in conjunction with the New York State DOT supplement. Um, our traffic study, I believe, we only use the New York State DOT supplement, so in our revised analysis we will be using both to comply with their requirements.

Um, one of the comments I can make, however, is that in our study, um, we did analyze the driveway for -- for left turns only, left turns and right turns, and with the mitigation that we are proposing, um, we found that the signal was not warranted. Um, one of the things that we have done since this time is we have spoken with Monroe County DOT informally, not officially, and the -- the -- what -- I -- I think that, um, the, um -- what the, um -- we're are going to get to continue coordinating with them on this issue. I think that the, um -- they seem to have some flexibility certainly in dealing with -- in dealing with this, but, you know, I think we want to continue to just discuss this. They're going -- they're certainly going to want to review -- review all our analysis, and we'll certainly need to incorporate all of the information.

JOHN NOWICKI: Before a decision is made on signalization?

MR. ALDREDGE: Certainly.

All right. For the warrant analysis for Paul Road Wegmans Warrant Number 1, what were the actual observed delay times for the right turns out? Um, we believe that not considering any rights at all in the warrant is unreasonable. What percentage of rights achieve the warrants? That information actually is in our traffic study. Um, but we believe that because are mitigation actually is providing a right-turn lane, that that information really is -- is not relevant any more. Because the -- the traffic study signal warrant really only needs to consider the delay to left turns. Because by providing essentially a right turn, um, the signal warrant only needs to consider delay to left turns.

JOHN NOWICKI: Do you mind if I ask you a question at this point? And maybe, Karen (Cox), you might know something about this, too. When you talk to the people at the County, were there any studies that are underway on the Paul Road road now as far as --

KAREN COX: Uh-uh.

JOHN NOWICKI: There are no traffic studies going on at all?

KAREN COX: No.

JOHN NOWICKI: Between that and the airport?

KAREN COX: No.

JOHN NOWICKI: The 1994 study took into account just around the airport, not up to Paul Road.

KAREN COX: Right. The only corridor study the DOT is pursuing at this point is the Ballantyne Corridor Study, and the agreement with that was once the work was done, it would be turned over to the State because the County no longer owns the road. Now, the County just -- at the end of November, received the jurisdiction paperwork for the road.

JOHN NOWICKI: For Paul Road?

KAREN COX: For Paul Road. I don't know if the State has done corridor studies on that. If they have, they're probably even older than the 1994 one, so...

I think the 2005 report will have a lot of information, and Mr. Aldredge is right, you can use the '94 report to see if the trends that were assumed in that report actually have been reasonable.

JOHN NOWICKI: You said there is another report by John Caruso, I guess?

KAREN COX: That's the 2005.

MR. ALDREDGE: Right. I think what -- what's important, and I think -- we're going to go back and look at all of this other data, but I think so far, our traffic study shows that of all of the signal warrants we have looked at, you know, there is a whole -- there is a whole series of them. There is Warrant 1, Warrant 2, Warrant 11 -- you know, there is a whole range of them. And so far, with -- with the mitigation that we have proposed, none of the warrants are met with our development. And one of the -- one of the problems is that we're adding traffic, and we're increasing delay that's making left turns out of this driveway, um -- that is adding delay. But -- but we're not making the warrant, and when -- when Monroe County DOT has to make a decision whether to put the signal in, their decision is almost always based on does it meet the warrant? And that's -- and that's when it is their role to make the decision.

JOHN NOWICKI: They will come to that conclusion after you get through all this stuff.

KAREN COX: They will look at the revised traffic report, based on all of the new information, and Mr. Aldredge was right, you know, they will make the decision based on the warrants, because if you bend the rules at one intersection, then you have set a precedent everywhere else. So they have to be pretty dogmatic, if you will, to -- to follow the warrants.

JOHN NOWICKI: Thank you.

JAMES MARTIN: Just for clarification, all right, for the -- you know, for the people that are here, this is really not under the control of the Town, per se. This is a County decision. Okay. We can interface with them, we can have discussions, but it is a County decision. So, you know, just to say, you know, can't the Town do this, we have to -- thank you.

MR. ALDREDGE: I mean one -- one of the things that Monroe County DOT, and actually sometimes New York State DOT has done as well, when signal warrants are not met, sometimes approval has been given with conditions, and that's just one thing that -- to consider.

KAREN COX: For future revisit in five years, two years?

MR. ALDREDGE: Right.

KAREN COX: Revisit in five. Yes. That's true, too.

JAMES MARTIN: So they would -- so it would be considered approval, so to speak?

MR. ALDREDGE: Right. And that certainly could be a possibility.

JOHN NOWICKI: Yes. That has to be taken into consideration, the closing comments of this letter, what you're talking about.

KAREN COX: Right. That if it doesn't meet it now --

JOHN NOWICKI: If things happen down the road with adjacent properties, um --

JAMES MARTIN: Or we start having accidents at the intersection, those types of things that trigger --

JOHN NOWICKI: That will trigger something --

MR. ALDREDGE: But what I think is really important is when we submitted our traffic study to the County, the County, they had the benefit of reading our mitigation, but they didn't have the benefit of seeing our actual concept plan, so I think that, um, one of the things that -- that we're -- that we're going to be doing is -- is -- is discussing with them and showing them our concept, just so they can get the benefit of seeing what we're proposing.

KAREN COX: That always helps.

MR. ALDREDGE: Yep.

All right. And I think there is a couple more warrant bullets on this letter, but I think that they all relate to the same -- the same basic issue, which is dealing with the signal warrants at that intersection. Um, the next one is, "It is our understanding that there is 50,000-square-foot church just to the east of Wegmans on Paul Road currently under construction, which has not been accounted for in the study. Please include these trips in the analysis."

Again, that is something that we're going to try to work with the Town to try to make sure that we include.

Um, and the last item, "It is our understanding that the property immediately to the east of Wegmans may be developed with some retail and some residential, which could potentially use the existing Paul Road Wegmans access drive. Since the currently proposed built scenario already shows this intersection failing and the report does not identify any other proposed mitigation, we believe signalization is the only reasonable solution."

Um, actually, um, this -- this one -- this question I actually probably almost want Betsy (Brugg) to answer -- respond to this question. Um, this, I think, we would just want to review the reports that we have from the Town in responding to this, because I know in talking with

Brent, this comment -- a lot of the source of this comment was based on talking with -- with the folks at the Town. But it -- but it does seem that the, um -- the, um -- we can address specific projects that have been approved, but in terms of, now he -- if there are projects that are not approved, that, you know, we certainly not -- we certainly wouldn't put them in our traffic study, I guess. Okay?

MS. BRUGG: Do you want me to add --

JAMES MARTIN: Any questions on this? As long as he is at the podium. Here or at the side table?

JOHN NOWICKI: I think you're going to be doing some more research and I think we'll look at this. I think the comments have been made by the Board already in regards to the traffic movement in this area. And again, it's -- anybody in that area over there that has any potential opportunities for developing -- okay, it's going to have to be a collaborative effort for everybody working together to make sure this all works right. So it will take that type of effort. I think that we're seeing that now. I would hope that that effort, collaborative effort will continue on it. That is all I will say at this point.

JAMES MARTIN: My understanding is that you really have no response from the State DOT yet as to the Chili Avenue activity; is that correct?

MR. ALDREDGE: That's correct. At this point, it's a little bit of a concern in terms of the timing.

KAREN COX: Have you talked to Dave at all? I mean talked to Dave Gehring (phonetic), called him up, and said what is the status?

MR. ALDREDGE: I have been coordinating with Bob Dunbach (phonetic). In terms of the timing, at this point it looks like if we're on a 30-day time table, it looks like it is going to be a little close, but I can just start making more phone calls.

KAREN COX: That might be useful for you based on recent experience.

JAMES MARTIN: It certainly would behoove you to keep the pressure on. I mean I know you're dealing with the State of New York, but, you know, we're going to need that information. It is not just the signal at Chili and the Wegmans plaza.

MR. ALDREDGE: Right.

JAMES MARTIN: It's -- we have got Paul Road. We have got Coldwater Road. So, you know, there has got to be some synchronization. Otherwise I think we'll have bottlenecks there without proper synchronization.

MR. ALDREDGE: At this point I think I need to move forward. I need to progress it, and you know, if -- if I sit here and wait until I get the State comments, I'm in trouble. So I -- so I think I'll move forward and keep making the phone calls.

JAMES MARTIN: All right.

CHRIS KARELUS: Chairman Martin, if I could.

I think the comment that came from the Town, you know, the applicants alluded to the fact that we have an approved overall plan that Wegmans worked off. The County asked us, in addition to the two project sites in particular, to the east of the Target site, the Town does have on that same plan two approved out parcels. That is what was left with them. They were asking us, with this project site, with the Town having files, what, in addition to what was proposed, could potentially affect these intersections. That is what was brought to the County's attention. So just to clear the air on that. The two out parcels which are the green space areas directly north of Wegmans.

JAMES MARTIN: Because we do have on our projects an approved project for the property directly east of the Wegmans. It's a Planned Neighborhood Overlay District. It's on the books, all right, as approved. At least the zoning has been approved. There has been no site plan approval, but the potential is there, all right? So again, that was the reason that those comments went forward.

CHRIS KARELUS: Chairman Martin, he was asking with the site specifics as well, and what I indicated to him was the two out parcel areas on Wegmans' piece that would be using this access in addition to what is being planned today.

JAMES MARTIN: I understood. Thank you.

Other questions on traffic?

I guess we'll go back to are there any questions on the subdivision at this point? I mean it is a relatively straightforward subdivision. We have the letters from the Wegmans and the firemen indicating they feel the total site would work from from a parking perspective. They will be supplying all of the proper cross-easement agreements to insure there are no snarls there.

JOHN NOWICKI: Our Counsel has seen copies of all of that, right?

KEITH O'TOOLE: Of?

JOHN NOWICKI: The letters we received. Counsel has those?

JAMES MARTIN: I'm sure they were in your mailbox.

KEITH O'TOOLE: I have limited abstracts of purchase agreements, which is fine, unless the Board directs we need something else.

JOHN NOWICKI: Just want to make sure you get copies of it.

DARIO MARCHIONI: I have a question to Mr. Aldredge. In practice, on interstoplights, within the inner project, who enforces those? Are those enforced by the owners of the property, or are they --

MR. WOOD: Stop signs? They're not enforced by the Town, I don't think. Unless the Town Board approves a stop sign, I don't think it can be enforced by the Town.

KAREN COX: It is almost -- it is the same as -- it is a private road.

DARIO MARCHIONI: They're not enforceable.

JOHN NOWICKI: Unless it is a dedicated road.

DARIO MARCHIONI: The question was brought up about the danger of this, down the hill with the first stop sign there. How do you enforce that, that was the question.

KAREN COX: A little bit of road rage might take over.

JIM POWERS: I'm wondering if the owners, Wegmans and Target, went to the sheriff and asked that they involve themselves on site, that they might do that.

JOHN NOWICKI: They might write a few tickets there.

JIM POWERS: I think if they have permission from them to come on. It seems to me we did that a long time ago.

KAREN COX: I think that if you -- based on my experience, when we have put up new traffic control devices, um, you know, the signs can be made bigger. The County will put up a sign that says "new" on it. Maybe you have seen them. They're red, and, you know, it catches your eye. And we have put flags out, you know, and it does catch people's attentions. And also, you know, we'll do public, um -- public notice by sending letters to people in the area, or publishing something in the Town paper. You know, but again, the traveling public has a responsibility to follow the devices, too. There is no way you can force -- idiot proof an intersection, if you will. So there is going to be -- we might as well admit there will be a few times when the intersection is new that there is going to be some close calls, and it -- but it doesn't take long for the public to be educated with something like that.

JAMES MARTIN: Right. I'm sure there will be frequent users. Maybe we should get a light that says "please stop at the upcoming stop sign." I mean something to that effect.

KAREN COX: We have gone to the extent of, you know, when we put a signal in to have it on flash for a month, so you could put up -- we could put a condition in where you make these changes with the -- with the new signage a certain amount of time before, maybe even with a sign that says, you know, intersection becomes functional on such-and-such a date. And then if people choose to keep ignoring it, they will find out.

JAMES MARTIN: I guess I would like you to keep working with Traffic & Safety to find out what is the best solution. We aren't going to -- as Karen said, we're not going to have a perfect solution.

MS. BRUGG: Use those "prepare to stop" signs.

JAMES MARTIN: Please stop.

KAREN COX: I'm thinking outside the box, a variable message sign. You know, you don't have to have the huge one you have on 490, but smaller ones can be rented --

MS. BRUGG: We'll come up with something.

JAMES MARTIN: Okay. Any questions on subdivision?

CHRIS KARELUS: Sure. We have been working with the applicants, the Building Department, on the type of construction for the building, and all that has gone well. What Target has proposed for construction the Building Department is in line with. There has been due diligence on the applicant's end. Also with the Fire Marshal's office. There has been a number of comments cycled through the Engineer. I think with a tail end couple comments it pretty much wraps up the preliminary end. Again, his comments will be developing as the plans develop, as well.

Um, you know, in early conversations I wanted to bring to the Board's attention as well, one of Target's applications to the Town includes that the roof to this building is an all white roof. It's kind of out of character with Wegmans. All their HVAC -- Target, all of the HVAC, utility to the building will be on the roof. Wegmans has kind of color-coded those black to match the buildings' treatments. Just a point of clarification from the applicant to you to find out what that character of the building is looking forward to now with this project proposal.

JOHN NOWICKI: You know what this Board is going to do with that?

CHRIS KARELUS: I'm just bringing it up.

JOHN NOWICKI: We're not going to accept that at all. Bottom line right off with me, I'm not going to accept that. We're not gonna have HVAC units up there on top with that down in a hole like that. They will have to be sheltered and protected --

JAMES MARTIN: Color blended like Wegmans.

MS. BRUGG: We can address that.

MR. WOOD: We do have a sight line study we did --

JAMES MARTIN: I know you did, but I think we're still going to ask that you copy what Wegmans did. They're very hidden.

JOHN NOWICKI: You got to hide them.

CHRIS KARELUS: I only brought it up as a point, again, for clarification to this Board through the applicant in this process.

JOHN NOWICKI: Thank you. I saw that in the letter.

CHRIS KARELUS: The other point I would like to make, originally there was talk with the Town about additional uses that will be associated with Target, not just the Target store, and I think the Board should get some clarification on that end, what other, um, small restaurant, other types of uses might associate themselves with the Target store and what are the hours of operation intended for those if they differ from Target's.

JOHN NOWICKI: Within?

MR. WOOD: Within the store. There is a Starbucks and a Pizza Hut, but not a sit-down Pizza Hut. It is more you walk up there and you buy what they already have prepared.

MS. BRUGG: It's the same as the store hours, right?

MR. WOOD: Only open for when the store is open.

CHRIS KARELUS: Again, it's a public hearing so the public's awareness on that, I think I will follow the lead with George (Brinkwart). I think the Town has alternative kind of pedestrian traffic to keep into consideration. There is really not a good connection with that access off of Paul Road or, excuse me, off of Chili Avenue. It's kind of a disconnect. The Town has two independent pedestrian systems that are kind of working there, and I think it would be in the Town's best interest that that dead-end on the west end of the access, to try to make some connection with this project.

The only point I want to make, they're asking for a variance for parking. We know in this season, when it gets to winter, subject to a lot of snows, with the peak anticipated to be the holidays at -- you know, I think some snow removal has to be taken into consideration. The Planning Board maybe can require removal so it not stock-piled in the area. We know there is going to be a code deficiency with the project's proposal as they have it today. Maybe some mechanism the Town can consider with moving the project to -- I see Wegmans do it -- they remove it and keep it to the back of their property, where it is stock-piled out of usable areas. That is something that we would make a point that the Board consider.

And -- you know, it's an ongoing effort with them and everyone has been cooperative so far. I guess at this point, that's it. We have not received County's DRC comments on this project yet either. I wanted to make the Board aware of that.

DAVID LINDSAY: I have nothing further in addition to what is already in the letter.

PAT TINDALE: We approved the plans. They're fine.

JAMES MARTIN: Fred (Trott), I think we hammered a lot of the issues. Any other additional comments?

FRED TROTT: I think that the changes they have made -- they -- the ideas that we did offer to them, removing a couple of the brush around the inner four-way stop to have people be able to have a more better sight distance. Moving the vehicles off from the building side to the other side, I think that, you know, that was brought up from the Fire Department.

Um, you know, it's -- obviously not a perfect situation, but I think it's good (inaudible).

#### COMMENTS OR QUESTIONS FROM THE AUDIENCE:

JAMES MARTIN: If you understand where we're headed with that because we don't have all of the answers, I think I have good answers.

DAVIS FREEMAN

MR. FREEMAN: I live here in Chili. This is one big issue here. You have a bottleneck here that starts too early and it keeps traffic trying to exit out the right-hand lane from getting out because the left-hand traffic is tied up. Because of that, a lot of people, myself, have to go out the other side and try to cross traffic. Because this didn't work, you force a lot of people to the other exit.

If have you the two lanes like it is suggested making a full left-hand turn, I would say dedicate one of them also crossing straight and then separate the light such as you do on Brooks Avenue across from Walmart. Do the same thing. It works well.

I would also probably extend the right-hand lane all of the way down to complete flow through and make a dedicated lane for part of this, pulling the traffic so it is dedicated up and even split and put a center island here (indicating) with a yield line -- yield sign here (indicating) so the right-hand traffic can flow out fairly freely. You would really alleviate a lot of the problems up here (indicating). One of the problems with the lane up here (indicating) is that first off, it is not constructed right that the trucks can't make that turn. So what they have to do is they have to stay in the straight-through lane and make the turn at the last minute. If you notice there is never any grass for the first 4 or 6 feet in the turn because the trucks can't make it. They drive up over the curb, through the shrubs and also coming the other way from the airport, um, that center island is a little bit too far out. They end up clipping that, as well.

So if you could, I would actually put a dedicated island and right-hand turn lane for the traffic coming down. That way the truck can make it. They won't be staying out in the center lane. One of the issues is because the people are kind of floating between the two lanes, you can't really exit out left out of there because you really don't know which way they're going to go until the last minute. If you had an island there to force them from going straight, even though you have a the right-hand turn lane, you would eliminate that.

As far as pedestrian crossing, you know, pedestrian having the sidewalk down here (indicating) is not handicapped accessible. There is no plateaus in it. You do have a huge drop for a wheelchair to try to come down here or something.

I think you would be much better doing, and if you look at the Greece Ridge Center Target, they have a huge retaining wall, as well. I would put like a ramp coming down here that would be handicapped and pedestrian accessible so you would have easy access from Chili Avenue. Because, let's face it, if you want to go to Target coming from here (indicating), you have to go all of the way up here (indicating) to take the sidewalk all of the way back down again (indicating). It's a long distance to begin with, plus it is hazardous. I go to Memorial Day parades all of the time out here with the Boy Scouts and we have to park up in the Wegmans parking lot to meet before we march and then come back and we walk through it.

These shrubs (indicating) deny access for the cars and the pedestrians and the pedestrians and cars trying to cross back through here (indicating) is very dangerous (indicating). Having

them exit down here (indicating) with easy access to sidewalks and all of the shopping would be much better. So if you can improve this (indicating), you will eliminate much of that up here (indicating).

You know, I think he is pretty much right on head, you have to have two lanes turning left. I would personally put in an island and a right-hand yield and then try to expand it so that right hand -- traffic turning right, which is what is really bottlenecking up here (indicating), can easily go out this way the (indicating).

JAMES MARTIN: Okay.

MR. FREEMAN: The ideal solution actually is to knock down KMart because it is going to go Chapter 11 right after this goes in because it has been hanging by the skins of its teeth for a couple of years now.

JAMES MARTIN: We won't go there.

DOROTHY BORGUS, 31 Stuart Road

MS. BORGUS: It's unfortunate on this site that there is only two ways in and two ways out. And I think this Traffic Engineer here -- I missed his name, can -- go ahead. You're on. The Traffic Engineer, it looks to me like he has regular glasses on, but after hearing him talk, I was convinced they were rose-colored, because he seems to have a -- just breezes over all these problems with this entryway and exit.

According to the County, and the facts that I read today in the Building Department, the County considers the Paul Road intersection an F. If that's true, I don't think that what he has suggested is going to solve our problem.

KAREN COX: What he explained was, is that the County did not have -- for whatever reason, did not have access to the plan where it shows the right-turn lane on the Paul Road entrance being built, so that, you know -- with that right-turn lane in, then the level of service is improved. So --

MS. BORGUS: Well --

JAMES MARTIN: Improved. Plus I don't think we have reached the bottom line on that issue yet, Dorothy (Borgus), okay? I mean, I think we're going to continue to address that, all right? You know, based on County Comments and, you know, the additional feedback that they have gotten, I don't think it's a done deal yet.

MS. BORGUS: Well, this will be the only opportunity the public will have to speak.

JAMES MARTIN: No, it won't be. I will keep the public hearing open.

MS. BORGUS: Wonderful. That's a very good thought.

Did you get that Sandy (Hewlett)?

KAREN COX: We're getting a lot of compliments tonight. Or you are.

JAMES MARTIN: It's a new year.

(Laughter.)

MS. BORGUS: Now, this traffic study, I get the feeling -- I haven't seen it, but I get the feeling that it doesn't cover a very wide area. Am I correct?

JAMES MARTIN: Mr. Aldredge, you can answer that question better than I can. The traffic study, what did it cover?

MR. ALDREDGE: Um, traffic study -- well, the traffic study -- the scope of the traffic study was, um, was worked out with Monroe County DOT and New York State DOT. It covers the intersection of Chili Avenue between Old Scottsville Road and, um -- and Chili Coldwater Road, and then it -- and then we covered down Paul Road to -- to the Wegmans driveway. That's pretty -- that was the study area.

MS. BORGUS: That's what I feared. It's not enough. It doesn't go far enough to the east. Near -- it just doesn't go far enough to the east. And besides that, I haven't heard any indication that they have given any consideration to the growth of traffic from the Walgreens store, the plans for the development of the land adjacent to Wegmans, which is going to be -- evidently the plan is for homes and more stores there. Um, I don't know if they have included the traffic from Our Fathers House.

And now today, just today we have heard that Wegmans is going to close their Brooks Avenue store, which if -- which, technically speaking, in this traffic study it wouldn't count, but in reality this Board has got to realize, that some of those people that went to that Brooks Avenue store are going to be coming out to Chili.

JAMES MARTIN: That's correct.

MS. BORGUS: And I know that's a new development, but all of these things have got to be considered.

JAMES MARTIN: I don't disagree with you. And we're working on a way to perhaps get that accomplished, okay?

MS. BORGUS: I also had a comment about the snow removal or the snow storage, I'm sorry. Um, if I heard right, there's going to be 548 dedicated spaces for Target. Some of those probably, 20 percent maybe just from eyeing the plan, would be out close to Chili Avenue. And then we talk about storing snow in that space.

Now, aside from the fact that you're going to use up spaces that hopefully at Christmastime and holiday seasons, those spaces will be needed. That's a terrible time of year to be taking them up with snow. And aside from that, that will be a very disagreeable site as the grime and the dirt and everything that is going to be in that snow is so visible looking down from Chili Avenue. It will be a visible eyesore. Most of the winter. That is a terrible plan.

JOHN NOWICKI: Have you taken into consideration global warming?

(Laughter.)

MS. BORGUS: No.

MR. FREEMAN: It was 68 out today.

MS. BORGUS: But that is, what, the first time in close to a century.

Also, I would like to know about truck traffic. When trucks come in off of Paul Road, will they go all of the way around the back of the Wegmans store for deliveries?

JAMES MARTIN: That is the -- the proper answer to that question, yes, they will be going behind the Wegmans store to the Target loading dock.

MS. BORGUS: I have never really paid much attention to how much room there is at the end of the Wegmans store, but is there sufficient space there for two lanes of traffic to go through there easily?

JAMES MARTIN: Yes.

DARIO MARCHIONI: It's big.

JAMES MARTIN: Plenty of room back there.

MR. ALDREDGE: It's huge.

MS. BORGUS: Um, that Paul Road and Wegmans outlet there has never been designed right. To me that is just the most awkward intersection, certainly could use some improving. But I can't see how we're going to exit all this traffic that we anticipate here, including maybe two more out parcels on Wegmans' own site onto Paul Road and its -- I mean, you don't have to go very far to the east and it's two lanes. There is some traffic -- there will be some turn lanes there, but it is very, very quickly that you will be on a two-lane road.

JAMES MARTIN: Correct.

MS. BORGUS: So are we going to funnel all this traffic out of the plaza and on to a road that's not sufficient? I think we're looking at a big bottleneck here.

Now, I haven't heard any talk yet about signs, other than the fact that they, um, Target will be wanting some Zoning Board variance, but if the sign that I saw today, the drawings of which I saw today in the Building Department, are going to be true to form, that one sign was 181 square feet.

JAMES MARTIN: Which one was that, Dorothy (Borgus)?

MS. BORGUS: It was a drawing of it in the packet. It was in two colors. It was kind of a beige and a -- with a red target.

KAREN COX: The pedestal sign?

MS. BORGUS: Yep. Where is that supposed to be located?

JAMES MARTIN: Well, that's a monument sign that was going to be somewhere out near Chili Avenue.

MS. BORGUS: Wow. That's all I got to say to that. Wow.

JAMES MARTIN: You know, the Zoning Board will be dealing with that issue, okay? So I -- you know, I don't want to comment for the Zoning Board. They are to deal with the size of the sign.

MS. BORGUS: Right. But that will be included in the site plan that you approve, right?

DARIO MARCHIONI: We'll check with the location.

JAMES MARTIN: The location. But the size and all of that is a Zoning Board issue.

MS. BORGUS: Do you know now where that is planned to be?

JAMES MARTIN: It is shown on the site plan.

MR. WOOD: The corner here near the entrance (indicating).

MS. BORGUS: Well, that will be another impediment to a line of sight as you make a right-hand turn. It is solid right to the base; am I right?

JAMES MARTIN: That's what it looks like.

MS. BORGUS: That's another terrible feature. You better take another look at that. You got enough of a problem at these two intersections without a sign in the way.

MR. FREEMAN: You don't look right to make a right turn.

JAMES MARTIN: Wait a minute. Let Ms. Borgus finish, please.

MS. BORGUS: I don't care which way you turn there. You can't have a solid sign there at the corner when you have a problem intersection to begin with. I think traffic is going to be your big problem here, and I am sure this Board feels this. I sense they understand this and I'm very glad you're keeping the public involved, because this -- this is going to affect our whole area.

And we, again, as I have said here before on other projects, you can't look at isolated projects. We have got to look at the whole of what is happening in Chili Center. It's a big, big picture. We can't look at one, one -- one little part of it and think that we aren't going to suffer further down the line. We have got to look -- spread out the circle of what we look at and very, very sure we take everything into account. Act in haste, repent in leisure. We have enough mistakes in Chili Center in the past so we don't need another one. So please, please be very careful on this traffic thing and if the applicant has to pay for the Town to do a traffic study that satisfies this Board, I think it would be a good move.

Thank you.

MR. FREEMAN: One thing I forgot. One of the reasons no one stops at the bottom of the hill here is because every other entrance to the mall doesn't have a stop sign. If you look at Marketplace, South Town, Greece Ridge, as you come in from the street, it's no stop sign, you go out and three other areas have to stop for you.

KAREN COX: That is not necessarily true.

MR. FREEMAN: It's not necessarily true, but, Greece Ridge -- well, Ridgemon, South Town.

KAREN COX: South Town has a four-way stop.

MR. FREEMAN: No, not as you come in off from Comp USA, coming in that way. You come in and you can go either way. The other three people have to stop. The same thing as you go in Marketplace off West Henrietta Road, as you come in from the light, every one has to stop and you have to funnel in because they don't want to stop traffic.

KAREN COX: The engineer can take a look at that.

MR. FREEMAN: But my idea is you come down here and there is no stop sign. What I would probably do is get rid of the -- the lane going into the mall here (indicating) and force right and left turn for the -- for the traffic coming down the hill, so the traffic making a right-hand turn doesn't have to stop for anyone. There is no one that crosses in front of them. The left-hand traffic is coming down. The only traffic across has a dedicated lane up here with a stop sign. Most of the traffic is going to exit coming either up here (indicating), but mostly coming off the main Wegmans parking lot and they will have a dedicated right-hand turn lane with a -- there won't be any stop there. They can go up there without a stop sign at all.

KAREN COX: That would -- getting rid of that two -- that two-way lane, that's a Wegmans property, so it's -- I mean I think the applicant can take a look at the idea, but again, it's --

JOHN NOWICKI: I don't think --

MR. FREEMAN: There --

JOHN NOWICKI: You have a safety issue. Emergency vehicles will need that road to get in.

KAREN COX: We have been talking about --

MR. FREEMAN: You could move that lane in over one or divide it or something. You can do it so it is controlled access without stop signs.

KAREN COX: But we -- but a lot of people have said pedestrian access is still a --

MR. FREEMAN: You can't come in here from pedestrian --

KAREN COX: I'm talking about people using it internally, the crosswalk from -- from -- if you did not have that four-way stop --

MR. FREEMAN: You're much better exiting people over here (indicating). That is why I'm saying if you put a ramp over here (indicating) to get up to Chili Avenue, you're not crossing through all of the cars, diagonally cutting through the parking lot and you're not obscured from the trees. You can take the sidewalk all of the way down the front of the facade of the building and go up the ramp to get on Chili Avenue. Because right now -- I have done it year after year. Try to come back from Memorial Day parade. It is dangerous coming down here (indicating), because there is not a good sidewalk to come into the parking lot and the trees obscure the vision of the cars of the pedestrians and vice versa. You're much better off coming in close to the building for pedestrians.

JAMES MARTIN: I don't think we're going to redesign the site tonight, but I think your suggestions should be taken into account.

ALICE GUSHEROWSKI, 8 Bellmawr Drive

MS. GUSHEROWSKI: I can't begin to do better than Dorothy (Borgus), but I want to just piggy-back a couple comments with her.

The traffic is the major concern here. The traffic picture. How many semis does Target get a day, in addition to what is already out there? How someone has not -- and something that hasn't been talked about tonight, but again, with Walgreens being approved, that is another piece -- even though I know it is approved for right turns in and right turns out, it is another bit of traffic to look at.

I also feel just from an emotional side, the people on Grenell Drive have been totally hosed. I'm thankful when I moved there, I didn't settle on Grenell Drive.

The other thing, the point Dorothy (Borgus) made about turning east, I turn on Westway to go into Bellmawr Drive and I can't tell you how many times I have almost gotten rear-ended from the Wegmans property. People are -- I'm always looking in my rearview mirror. I don't want to signal too soon because it looks like I'm going into Stal-Mar, but as soon as I'm to that point, I want to turn. People always go over on the berm. You're happy if there is no ice or anything. It's really a dangerous -- this whole thing is so dangerous. The amount of semi traffic now is overwhelming.

And my one comment, coming up the hill, and -- this one gentleman who said people will try to avoid that and do go out the exit on Paul Road -- you know, the Paul Road Wegmans exit to avoid that light. If you come up to the light and have a right-hand turn, then you immediately have another light. So I'm not sure how well the traffic is going to flow. But ever since -- for a couple years now I have been exceedingly concerned about the semi traffic on Paul Road and the -- and there are a lot of semis that use Paul Road as a lane now. They get off 490 up here at -- you know, Coldwater Road and they use that as a short cut over to the airport. That has been proven before. People just living here, we see that.

So I can't do any better than Dorothy (Borgus) because she really has a good handle on these issues.

I would also like to thank Mr. Karelus for some very clear-cut answers. I appreciate that.

JAMES MARTIN: Thank you.

ROCKY YARID, 24 Crossbow

MR. YARID: I will just say ditto with regard to Dorothy (Borgus)'s comment regarding Grenell Drive, Paul Road. I own the property right on the corner of Grenell Drive and Paul Road. And right now it is tough to get out of that driveway, and it is difficult to get out of Grenell. I have had -- I have gotten out of Wegmans, made a right-hand turn to make a left-hand turn on Grenell and had somebody coming down Chili Avenue and Paul Road and, God, they were on the horn. They swerve off to the right. You know, it's crazy. I know it's a driver behavioral problem, but, nonetheless, that is the type of thing that is going to happen there because of the issues that Dorothy (Borgus) well expounded on with regards to that area.

However, let me just comment quickly on one thing. The four-way stop in the -- in the plaza is obviously a big concern to everybody, and I agree. And especially because of the hill, as you come into the Wegmans property, in the winter, that can be pretty dangerous there, as well. And maybe what both the applicant and the Town Board should maybe consider as an attention-getter is maybe a flashing light at that corner, especially on the portion coming down when you come down the hill to that intersection there, maybe a flashing light. I have seen them have stop signs with a flashing light, and at least you can see that it in night -- at nighttime. So if you have a tendency and you're not familiar with the area, and you want to go into Wegmans, and you're not familiar with that area, at least you will see it out in the road before you enter, slow down or stop, or get prepared to stop. Because at nighttime, in the winter at nighttime, somebody not familiar with the Wegmans area coming down through there, all of a sudden sees a stop sign, hits the brake and I can see them turning sideways and, you know, careening into that intersection. So maybe a light would be a good attention-getter there. You know, maybe all four points or just that one coming off the hill might be a good one.

JAMES MARTIN: Thank you.

HEATH MILLER, 69 Bellmawr Drive

MR. MILLER: I also live on Bellmawr and would like to echo Mrs. Gusherowski's comments about traveling eastbound on Paul Road. When you come down -- if you exit the Wegmans plaza and are traveling east on Paul Road, when you approach Westway on your left, I, too, I -- I always am looking in my rearview mirror because people who are behind you will come and they will swerve on the right-hand side of you to pass you. It's to the point now where if I can avoid going down Paul Road, if I'm coming from 490 and I come up Coldwater Road to the light, I will take Chili Avenue down so that I can make a right onto Westway instead of making a left onto Westway from Paul Road because I feel safer doing -- I won't get hit.

The other thing I wanted to bring up, too, is on Paul Road you have -- excuse me, you have that entrance or exit of The Fathers House, and that's not too -- too much farther down from where Westway comes into Paul Road. And so I -- so I'm somewhat concerned once that Fathers House gets used and there is traffic coming in and out there, that if you have someone who is on Paul Road and they're stopped because they're -- they're waiting to make a left-hand turn into Westway, if there's a car that is behind you, that then swerves to your right, to pass you, and then go on the shoulder, there may be a car that is leaving The Fathers House that may see your car stopped thinking that okay, well, there's no traffic coming from the west because that car is stopped and they're waiting to turn into Westway, and may not see a car that is behind them, that is swerved. I'm just afraid that there might be potential for accidents there.

Thank you.

JAMES MARTIN: Thank you.

DEBBIE HARRINGTON, 5 Janice Drive

MS. HARRINGTON: Last year when we talked about the Chili Center Master Plan Update, there was proposed a road from Beaver Road to Chili. Is there still room -- maybe you have already thought about this, but is there still room for that road from Beaver Road to Chili?

JAMES MARTIN: The basic answer to your question is yes. How it happens, we don't have any answers for it.

MS. HARRINGTON: It is not preventing this road, though?

JAMES MARTIN: No, it's not.

MS. HARRINGTON: Because that is a solution to some traffic issues, and the size of this Target building seems just enormous to me. Compared to the Wegmans plaza, is it the same size?

JAMES MARTIN: It is slightly larger than the existing Wegmans store, but it's -- as Miss Brugg pointed out earlier, it is not as large as what was originally approved as a Chase-Pitkin for that location. So it is in between the current Wegmans, if their pharmacy addition and the things that have happened, you know, after they originally built the store, and what was proposed for the Chase-Pitkin. So it's -- so it is in that range, okay? So it fits the property.

MS. HARRINGTON: Right.

JAMES MARTIN: Okay.

MS. HARRINGTON: If we can argue a little bit and make it smaller, I would be pleased with that.

JAMES MARTIN: Thank you.

As I indicated earlier, and Miss Brugg had already indicated, I think where we're headed tonight is a declaration of our intent to become lead agency on this project. Um, keep the public hearing open. Essentially, you know, if this does go forward, with a vote from the Board, it starts the 30-day clock for comments from all involved agencies regarding this particular project, that, you know, then we would review as far as the SEQR declaration goes down the road.

So if there aren't any more comments at this time, I think what we would need to do is to move forward on a motion as far as that intent, and start the 30-day coordinated review process. Okay?

JOHN NOWICKI: As far as SEQR goes.

JAMES MARTIN: We're going to ask for a coordinated review.

So at this point, I would make a motion that the Planning Board of the Town of Chili has reviewed this application. The Board intends to declare itself as lead agency for the SEQR review process for this project. We found this application to be a Type I action, as prescribed under 6 NYCRR 617.4, okay, and we will initiate a coordinated review. That's the motion that I am going to make at this time.

Do I have a second?

JOHN NOWICKI: What about the other two applications now? You deal with them separately?

JAMES MARTIN: This applies to both.

JOHN NOWICKI: Will you vote on these, too?

JAMES MARTIN: No. We're not voting on these tonight.

JOHN NOWICKI: So you're not --

JAMES MARTIN: We're declaring our intent to become lead agency. There will be no vote on either application tonight.

MS. BRUGG: Correct.

JAMES MARTIN: At the end of the 30-day process, depending on the outcome of that, then we would move forward with our SEQR declaration and vote. Okay? And additional public comment at that time.

So I will reread the motion. The Planning Board of the Town of Chili has reviewed this application. The Board intends to declare itself lead agency under the SEQR review process for this project. We find this application to be a Type I action as prescribed under 6 NYCRR 617-4 with a coordinated review required. That is the motion. Do I have a second?

DARIO MARCHIONI: Second.

JAMES MARTIN: The motion has been seconded.

The Board was unanimously in favor of the motion.

JAMES MARTIN: I vote yes also. So we have started the SEQR clock as of now.

MS. BRUGG: So will the Building Department then be responsible to send out the notice?

JAMES MARTIN: We will -- yes, Mr. Karelus and I will coordinate that. I will be in there tomorrow. We'll get all of the involved agencies --

MS. BRUGG: Great. Thank you very much. We look forward to working with you.

JAMES MARTIN: Thank you.

DECISION: The following is a list of comments from the public hearing that the applicant should take in to account prior to the next hearing:

1. The roof color should be consistent with Wegmans (black) and all roof top units should be painted black.
2. The applicant should consider providing pedestrian access on the west side of the Chili Avenue entrance.
3. Large snow pile storage in the parking lot may require removal to the vacant land behind the store. Snow stock pile areas to be designated on site plan.
4. Traffic analysis will continue to be ongoing between all involved agencies.
5. The four-way stop intersection at the end of the Chili Avenue entrance continues to be a safety concern. The Board is requesting a definitive plan to address this concern.

The 12/11/08 Planning Board meeting minutes were approved.

The meeting ended at 9:56 p.m.