

CHILI PLANNING BOARD
January 13, 2009

A meeting of the Chili Planning Board was held on January 13, 2009 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: Brad Grover, Traffic Safety Committee Representative; Ken Hurley, Town Engineering Representative; Chris Karelus, Building Department Manager; Keith O'Toole, Assistant Counsel for the Town; Pat Tindale, Conservation Board Representative.

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.

JAMES MARTIN: Before we begin, there are two changes to the agenda tonight. We had two requests for continuation on two of the proposed Public Hearings for tonight.

Application Number 2 of Michael Kolozvary, they asked for continuance to the February meeting.

Application Number 3, the application of C & S Engineers for the restaurant proposal on Chili Avenue, they have also requested continuation from tonight's proceedings.

Neither of those two will be heard tonight. If anybody is here specifically because of those two Public Hearing notices, we will not be hearing them tonight. So you're free to stay or free to leave.

PUBLIC HEARINGS:

1. Application of Aldo Lepore, 3210 Chili Avenue, Rochester, New York 14624 for preliminary site plan approval for Phase 1 of proposed expansion project to allow additional parking in rear of building at property located at 3210 Chili Avenue in G.B. zone.

John Shields, James Lepore and Aldo Lepore were present to represent application.

MR. SHIELDS: Okay. Good evening. My name is John Shields. I'm with Passero Associates in Rochester, New York. I'm here this evening representing Jim Lepore and Aldo (Lepore) Lepore, the owners of Chili Liquor Store, 3210 Chili Avenue, in their efforts for parking lot expansion to the property.

We're here this evening requesting preliminary and final site plan from the Planning Board for this parking lot expansion.

This is the second time that this application has been in front of you. We were here in December where the application was tabled pending resolution of some engineering-related issues.

We -- I guess I would like to kind of go back to December just a little bit and talk about what we brought to you at that time, which was a plan which attempted to show what -- what the Lepores wanted to do in two different phases. It showed kind of a Phase 1, which was a parking lot expansion, and it showed a Phase 2, which was a future potential building expansion. What that served to do at the time was create more confusion than it alleviated, and the plan that we resubmitted a few weeks ago and what you're looking at on a -- smaller 11 by 17s does not propose to show any type of phasing. Everything on that plan is what we're asking for your approval this evening for.

And what it includes is the parking lot expansion. The Lepores have -- their intention is to allow cross access between their property and the plaza to the north, and thus the reason for the expansion between their front and their rear parking lots, the extension, I should say. When we were here in December, um, we talked at great length about the ramp, the asphalt driving ramp that would become the link between the front parking lot which is approximately 4 -- 4 to 4 1/2 feet higher than the lower parking lot. We talked about that ramp and the grades that we showed on the plan at that time and the need for pedestrian safety, the safety of people who would park in that lot, come up the ramp and want to come into the store through their main front door, which is the only access.

So at the time I believe our plan showed a maximum slope of 8 percent. The Board, as I recall, felt that that was steeper. That we could go back to the design and provide a shallower slope, so we did that. We went back, and as you seen the plan in front of you we have a maximum slope of 5 1/2 percent. We were able to do that by going a little deeper into the

existing parking lot, shifting the high point and creating a constant slope from A to B and it came out to 5 1/2 percent.

Another of the Board's concerns in December was the -- again, the -- relative to pedestrian safety, it was their desire -- your desire I should say for a dedicated area for pedestrians to use when you're walking from the rear parking lot up to the front of the building, and what we have done -- what we have done a few weeks ago in our resubmission was to show a striped area. We also got comments back from the Town Engineer after submitting that plan to the Board, and at the -- the engineer had asked for even a little more. He asked for physical barriers between what the pedestrians would utilize and what the vehicles would utilize. So we went back to the owners and talked to them about different options, and it's probably pretty small but on your plan on the left-hand side there is a section, AA. And what is -- that is indicating is that we're providing a physical curb between the pedestrian walkway and the vehicle, the traffic essentially. So we took that -- excuse me, we took the Board's consideration and decided there was something we could do about that, and that is what you see there.

Um, we also -- with the grading, with respect to the grading, we show the 4 foot wide -- 4 foot wide pedestrian walkway, and we show it at a minimum, an additional 4 feet of flat area that is beyond the limits of the pavement. It would be a lawn area, but it would be basically a 4 foot wide area where if a pedestrian had to step off for some reason, they're not stepping down to a 4-on-1 or 5-on-1 grade. So we -- so we did allow not only the pedestrian walkway, but an adjacent area where pedestrian could step off if they needed to.

Um, again, with this plan you see in front of you, hopefully we have alleviated some of the confusion. I know at the last meeting there was -- there was -- it was a little unclear what we were demoing, what we are building at that point, what was future, and I think the new plan is much more clear in that respect.

As far as lighting goes, the -- I think the other plan may have showed there was some light poles to be demoed at this time. The new plan, as you can see, it continues to utilize all of the existing light poles, in the same location. So we think we have -- so we think we have provided again an emphasis on pedestrian safety with providing a lit parking lot for them to utilize.

I guess I will point -- one more item that is on the site plan that was there last -- last -- at the last meeting seemed to be -- to meet with your approval and that is the curbed island that we're providing in the east/west access way, just north of the site.

Currently the Lepores put a temporary speed bump out there in the good weather, but even with that, they get some traffic using that as a cut-through, more importantly, speeding through that area. So that is one element we're proposing on this plan, is some traffic-calming measures and that island will be planted with a couple of burning bushes on either side to give it some height and make it a little more visible from a distance. That is kind of a brief explanation, but I know we did speak about this quite a bit in December, so with that, I would be happy to elaborate on any of that, or answer any questions regarding site plan or grading plan.

JAMES MARTIN: Thank you.

How much increase did you get in the drive aisle width? The response to the Town Engineer regarding that, um, I think it was around 20 feet on the previous plan. What is it now?

MR. SHIELDS: We had shown -- we had shown 20 feet of asphalt plus 4 feet for -- I'm sorry, 20 feet of drive aisle plus 4 feet pedestrian way which shows now is 31 feet of drive aisle and an additional 4 feet for the pedestrians.

JOHN NOWICKI: Drive aisle means what as far as material?

MR. SHIELDS: Asphalt.

JAMES MARTIN: I don't have anything further.

KAREN COX: In Section AA, it talks about barriers separating the pedestrian walk. What material is that proposed --

MR. SHIELDS: The barrier?

KAREN COX: Yes.

MR. SHIELDS: It more than likely would be like a -- like a curb stop, a wheel stop, at a minimum.

KAREN COX: That would be attached to the ground?

MR. SHIELDS: It would be attached -- it would be -- drive rebar in attached to the ground.

KAREN COX: Okay. That was all I had, Jim (Martin).

JOHN HELLABY: Looks like you took care of most of the concerns. The only question I have is curiosity more than anything. If this addition comes to be some time in the future, has thoughts been given to how that parking lot will be changed and how the building access is affected?

MR. SHIELDS: It's a tricky question because we're coming to you assuming there is no building ever in anybody's mind, but, yeah, we're -- in the best interest to our clients, we -- we have taken what -- where we think that new building would go, and we have tried to utilize that in the design of what you see in front of you, so when the building comes in, they're not -- they're not simply taking out what they have just spent this money to put in hopefully in the next couple of months. So yes, sir, it has been accounted for as much as we could.

JOHN NOWICKI: John (Shields), in the lighting is the -- the one lighting in the back, that is a pole light. Assume there is wall-mounted lights in the back of the building?

MR. SHIELDS: I don't think there is wall-mounted lights.

MR. JAMES LEPORE: Not the present.

JOHN NOWICKI: Just the one pole light in the back?

MR. SHIELDS: There is three pole lights in the back.

JOHN NOWICKI: There's three in the back.

MR. SHIELDS: I believe so. There is one of the center, and there's one on either end of the parking lot, east and west ends.

KAREN COX: Yeah.

JOHN NOWICKI: I just want to make sure there is enough lighting for security and people moving around.

MR. SHIELDS: It is kind of hard to see, but that's an existing parking lot right now. We're really just changing the grades of the existing parking lot, to a large degree.

JOHN NOWICKI: Thanks for making all of the changes. It looks good. That's all I have.

GEORGE BRINKWART: Yes. I would like to thank you for taking some of the Board's comments and making these changes. This is a vast improvement from what you had before.

I did have a question on the notes. I thought we had covered this. Would you take a look at Note Number 9?

MR. SHIELDS: Say that -- what? I'm sorry?

GEORGE BRINKWART: Note Number 9.

KAREN COX: That one is still on there.

GEORGE BRINKWART: Just refers to a statement.

JOHN NOWICKI: I don't think that belongs there.

KAREN COX: Probably notes from a previous project.

MR. SHIELDS: Regarding regulated wetlands on the parcel. There are no federally regulated wetlands on this parcel and that note will be revised accordingly.

Thank you.

GEORGE BRINKWART: The other thing I wanted to ask you, the Board had some concerns at the last meeting about the access to the back and the slopes, and you have done a wonderful job here. The only thing I would ask you to take a -- just a quick look at is ADA requirements for non-ramped access which is 5 percent. So I don't know if you might want to tweak that to get an extra half percent to be compliant. It might be considered.

MR. SHIELDS: We can certainly look at that. It is our intention to provide handicapped accessible parking in the front of the building, and actually the -- most of the sidewalk, existing sidewalk you see labeled there is flush with the pavement. There is actually several areas we can stripe out and allow them access to the front of the store from the front parking. We can look how that relates to the back, as well.

DARIO MARCHIONI: Just a request. If the -- if the dumpster enclosure could be repaired a little bit. That's all.

MR. SHIELDS: I think it -- Aldo (Lepore), correct me if I am wrong, and I'm sure you will. It is your intention to do the dumpster enclosure? Your intention to work on a door in front of it?

MR. JAMES LEPORE: Both of the doors have blown off, so our intention is to put the doors on there.

JAMES MARTIN: For the record, state your name, Jim (Lepore), if you -- you're going to make a comment. I just assume have it answered.

MR. SHIELDS: Sorry. Should have answered on their behalf.

MR. JAMES LEPORE: One of the owners, Jim Lepore. I just wanted to state we're going to put new doors on that dumpster. Thank you.

JAMES MARTIN: I will put that down as a condition of approval. Dumpster to be rebuilt.

KAREN COX: Dumpster enclosure.

JAMES MARTIN: Dumpster enclosure.

DARIO MARCHIONI: I would also add thank you, just as the other members said, in coming up with a very well-laid-out plan.

MR. SHIELDS: Thank you. Appreciate that.

JOHN NOWICKI: I'm waiting to hear from Pat (Tindale).

JAMES MARTIN: Conservation Board had a comment. We'll let Pat (Tindale) deliver her comment.

CHRIS KARELUS: All easements need to get filed or recorded before we sign off on the plan. That is the only condition that I ask be placed.

PAT TINDALE: I just have a couple of things. We went all over it before. We would like to see it sort of cleaned up along the east side of the parking lot. There is a maple tree that has gotten banged up with maybe putting the land down there. Branches off, one dangly. Clean that up. The four burning bushes, it sounds like you're relocating them?

MR. SHIELDS: Originally -- there are two large bushes on site, and originally we said we would relocate those, but what you see on there are the four new ones, they would be nursery stock.

PAT TINDALE: Okay. They don't transplant well, so good. That's all.

BRAD GROVER: The Traffic Safety looked at this the other night and anything to relieve a lot of the congestion out on Chili Avenue that develops will be a big benefit.

JAMES MARTIN: I notice we had our usual parking problem at the holidays, and so hopefully that will alleviate a lot of that as far as Traffic & Safety on Chili Avenue goes. I think it is a good positive thing from that perspective.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

STEVE GINOVSKY, 19 Hubbard Drive

MR. GINOVSKY: Thank you, good evening.

Mr. Lepore, excellent. He has done an excellent job, and he has been a good neighbor here in Town.

I want to make one suggestion. I haven't really gone over in the back part of where the new proposed building is going to be. It might be an idea or a -- for a fire plug maybe back there with the proposed building for fire protection to cover everybody's protection on this.

Mr. Lepore's and the Town and the Fire Department.

You might want to add that in. But I really want to thank Mr. Lepore for staying here in the Town of Chili, for doing business, and I truly do mean that. He has done an excellent job. He has been a good neighbor.

Thank you.

JAMES MARTIN: Thank you. I think if they ever get to the point where they're back before us with a new site plan for an addition, we can address that issue at that time, around the fire protection, Fire Marshal's comments, all those things.

James Martin made a motion to close the Public Hearing portion of this application, and John Nowicki seconded the motion. All Board members were in favor of the motion.

JAMES MARTIN: They have paid their fee to have final waived. Any issues that would prevent us from waiving final on this?

The Board indicated they could waive final on this.

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. The existing dumpster enclosure must be rebuilt in accordance with Town standards.
2. The applicant shall comply with the following findings of the Conservation Board:
 - A. The east property line be cleaned up including the pruning of the 19-inch deciduous tree.
 - B. The burning bushes should be replaced if they die within two years of being planted.

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

JAMES MARTIN: Before we get into the last item which is Application 4, I would like to explain something before we actually begin to review this application. When the applicants initially submitted their application, there was some confusion in terminology around preliminary site plan versus concept review. At the Design Review Committee meeting, it was apparent there that the applicant had no intention of asking for a vote on preliminary site plan at this meeting tonight. Essentially what they wanted to do was a concept review.

It has been advertised as a Public Hearing. I have no problem in taking some public comment tonight, but what I would prefer to do is to let the presentation proceed okay from the applicants. We'll address comments, concerns, issues from the Board and from the side table regarding the application itself, and if anybody feels compelled to speak on this, that's fine, but obviously, it's not going to go to vote tonight. It will get tabled and probably will be deferred until at least the February meeting. My preference would be to continue -- that the -- continue to have the Public Hearing open for comments at the February meeting so they're fresh in our minds at the particular time we're being asked to vote on this particular application.

That is my preference, but certainly anybody that feels compelled to speak tonight we would certainly listen to since it has been advertised as a Public Hearing, even though we're not going to vote on it tonight.

So at this time, Application Number 4.

4. Application of Stephen Vasile, Jarvee Associates; owner; 1200 Jefferson Road, Rochester, New York 14623 for preliminary site plan approval for a change of use of property to allow a commercial/residential landscaping and snowplowing business, commercial roll-off service and residential refuse collection business at property located at 3520-A Union Street in General Industrial zone.

MR. VASILE: Good evening. Board members my name is Stephen Vasile. I represent the owners of the property Jarvee Associates. A little history on the property. I will back up already and thank the Chairman. He saved me half of what I thought I was going to have to say.

Now I do understand the terminology. We have retained Avery Engineering to prepare the drawings for the next meeting to meet the standards that the Board expects. This is very much a conceptual drawing to give you an idea what is being looked at currently, the type of user, and get a feel for what we're proposing to change the operation to.

JAMES MARTIN: Do you have a copy that you could post up on the Board over there?

MR. VASILE: Okay. I thought everybody had a set.

KAREN COX: It's for the audience.

JAMES MARTIN: Thank you.

MR. VASILE: This is an existing facility, 3520 Union Street. It was formerly occupied by Rochester Telephone and Frontier Telephone since 1970 as a dispatch facility and related services.

The current -- the current proposal is for Boon & Sons to use it very similarly as a dispatch facility for his landscape, refuse disposal business. We do not anticipate any dramatic changes to the structure of the building. There is no additions proposed at the current time. The existing garages will be used similarly as storage space, not as much for vehicles, but as -- but more for equipment and to service the business.

Um, previous user did store up to 100 vehicles on the site. At any given time they had 75 employees, which 18 were staff located in the building. The balance of the staff were service trucks that were dispatched from this facility on a regular basis. Frontier has been out of the building for approximately 24 months and we're proposing to use this site accordingly per the plans that you have in front of you.

Really looking for some feedback as to what items you would like to see to improve the site at this point to determine whether or not it's cost effective for Boon & Sons to actually purchase this site.

If you have any questions certainly of Mr. Boon, who is the operator of the business, um, he is here, as well, to answer any of those questions.

JAMES MARTIN: Is that it?

MR. VASILE: (The witness indicated non-verbally.)

JAMES MARTIN: The site itself obviously would certainly lend itself to that type of utilization, but there are some issues, and I think, you know -- we discussed some of them at the DRC, and I want to kind of rekindle some of those. Certainly there is concern about screening along the west property line, particularly if you were to store, you know, the roll-offs, et cetera, et cetera.

I know there has been a proposal for a fence of -- you know -- I don't know if it is 10 foot or 8 foot or whatever it turns out to be, but certainly would need to be adequate to, I think, shield visibility of, you know, the roll-offs and other equipment that may be stored back in there.

There is a -- you know, obviously a business that is located in front of this particular site, and is maintained in a fairly, you know, attractive condition. You know, certainly we wouldn't want to have any negative impact on that business as a result of let's say some visibility or issues with the roll-offs or other issues along that line.

The access road going back in there, I think you're well aware of the fact it is not in great shape. Obviously, it hasn't had anything done to in two years when Frontier went out of there, and I don't know if they did anything to it whole time they occupied the facility.

MR. VASILE: Over the last ten years -- it was resurfaced approximately ten years ago, but since that point the situation with Frontier and the longevity of them occupying the site was always in question, and we were surprised that the -- they stayed the last five years of the lease. It was basically a -- what we referred to as almost a land lease. They were responsible for the maintenance of the property on a day-to-day basis, and they, and ourselves, did basically the very minimum toward the end of the lease until we knew what was the future of the site.

JAMES MARTIN: Obviously, you know, as you're aware, the condition of some of the buildings has deteriorated quite a bit back there. One of the -- I don't know, vehicle shelters, the farthest one east looks as though the roof -- I don't know, there is huge icicles hanging down the side of it. Obviously there has been some deterioration of the buildings. The paint is in very bad shape on the main building itself. There are some vehicles parked back in there. I don't know who those vehicle belong to.

MR. VASILE: They're family members' that will be removed.

JAMES MARTIN: There is a panel truck back in there and some cars.

MR. VASILE: They're ours. They belong to me or immediate family members.

JAMES MARTIN: All right. Just wanted to find out who they belong to. So I think that, you know, from a -- from a site perspective, you know, there are certainly going to be some issues that are going to have to be addressed. There is no question about that. And, you know, obviously you're well aware from a zoning perspective it is a special use permit that is going to be required, but I think based on the previous use of the property, um, I -- you know, it looks as though it's certainly analogous almost to what was being done there previously all right on the property itself, so I hope that it won't be an impediment that will have to be addressed.

I don't know if there is anything else I wrote down in my notes. I think that is basically it from my perspective. I will go to the rest of the Board now, Jim (Martin).

JIM POWERS: Are you leasing this property, or do you own it?

MR. BOON: I'm Daniel M. Boon, owner of Boon & Sons, Inc. I'm going to be purchasing

the property.

JIM POWERS: Purchasing it?

MR. BOON: Yes.

JIM POWERS: Roughly how many vehicles will go on and off this property in a day's time?

MR. BOON: Um, refuse trucks, we have -- there's four refuse trucks and probably three recycling trucks that will go out of there in the morning and they come back when they're done with their routes. Roll-off trucks, they go in and off the site during the day. It can be a few times a day or it could be eight times a day. They come back and forth to haul the C and D boxes which you see. They're -- they're contractors boxes like you see when you do a job somewhere or whatever on a roof or something. They come back and forth to pick those up. We have a couple other yards in Monroe County where we store the boxes. We have one on the east side, if we're on the east side, instead of coming all of the way back. It is just what we do to manage the business better.

But there is roughly 12 people that will work in the building during the day, and I have about 30 employees, so there is -- that is the landscaping and the refuse, you know. So there is three or four landscaping crews that will leave in the morning. They come back in the afternoon. So basically everybody is off the site during the day, out doing their work.

JIM POWERS: Are the refuse trucks cleaned out before they come back?

MR. BOON: Yes, sir. We dump them at the transfer station or we go to the Mill Seat Landfill. And again, we have to, um, comply with all DEC. They're cleaned out. I mean they're -- they're not -- we have seals on them. Even if we had to bring one back because it was broken or something to repair, there is no leakage in them. Even if it had residential trash on them. The same thing we do now where we're at.

We had a little discussion about that when I sat down with everybody and explained that to them. We have to comply. We can't do any different than anybody. It is no different than a fuel tank leaking or anything like that. You can't allow that. We have to control that. So they do come home at night empty.

JIM POWERS: I'm assuming the floor plans we have in front of us is the large existing building that you will maintain?

MR. BOON: That will be our main building, the main structure, the block building. Um, our intentions are that the second building back that -- that first carport, whatever you want to call it, um, we're going to close it in. We're going to metal the sides. I had -- I had Chris (Karelus) over there and Ed (Shero) and explained it to them. We walked around the site and showed them what our intentions were, what we're going to do. We're going to close the building for two reasons, to make it more presentable than now --

JIM POWERS: Is that the one with the --

MR. BOON: There is two of them. There are two buildings they used for carports or whatever, you know. They had heat and everything in them at one time. We're going to use the first building for cold storage, skirt it in, put a few overhead doors in and just use it to put things inside, to have them out of the weather.

Then the second one, to be honest with you, I'm not 100 percent sure what I'm doing with the whole thing. May take it all down, partially down. That is something I would ask the Town to give a little leeway on to decide what we'll do with it. We'll paint the face of it.

The way our intentions are, we're going to clean the whole complex up. We're going to paint it inside and out, change the windows, do what we have to do to make it presentable. There is a roof issue there. There is a couple of roofs that have to be replaced, so that will all be done prior to us moving into it.

JIM POWERS: The parking areas where you're going to be parking your trucks and dumpsters and whatnot are in sad need of repairs, so to speak.

MR. BOON: Well, the asphalt that is there, I'm going to repair it for now. We're going to crack fill it, seal coat it, do whatever we have to do to bring it up to -- to what we have to do. Some of that area back there is stoned. That is not all paved. There is an area in the back.

MR. VASILE: Um, the area right on -- on the site plan shows 20 truck parking in there. That whole area currently is gravel. That was used to store telephone poles, the large bulk wire, so that was a staging area for phone equipment, the larger phone equipment that wasn't kept in the buildings.

The front lot, I believe, is what you're referring to is what Dan (Boon) is saying he is going to basically seal, patch and -- and as well addressing the roof along similar lines.

MR. BOON: The road, um, I'm trying to get some idea now which way is the better way to go. I have actually, um -- waiting for Dennis Pikuett to get back with me, Pikuett Paving to tell me what Dennis thinks if I chip -- if I stone and chip it, chip-seal it or -- now to hold on to it or what he thinks. We have to wait for the snow to get off and then we're going to decide. Now it is covered with snow again. I'm trying to get him to give me an idea what he thinks, which way is the better way to go. Economical for me. It's going to be -- we have to do a lot here to get this back up to snuff, so it is a usable building again, so we're trying to go at this a little conservatively if we can.

JIM POWERS: The other day I was down there and back right where you have the truck parking here, I think there was a tank truck or something back in there, kind of silver, parked over there, and I think there was an overhead light possibly back in there --

MR. VASILE: There is an existing perimeter light on the whole site.

MR. BOON: There is lighting there now.

JIM POWERS: Was the truck back in there, was that -- did it belong to you?

MR. BOON: It's a box truck, little straight job, six-wheel truck.

JIM POWERS: Looked bigger than a six-wheeler.

MR. VASILE: That's all. It is an old panel truck of my cousin's. That's going to be removed. That --

MR. BOON: That's none of mine. None of that stuff there belongs to me.

KAREN COX: On the plan you show 50 truck parking. Does that mean there is 50 trucks that will be parked there?

MR. BOON: That's in the back row. Um, no. We own probably 30 trucks. I don't know exactly. We have some other equipment. We have -- we have about ten loaders that we'll bring back in there and store back in there somewhere in the summertime. We have some heavy equipment we use for our snowplowing equipment. We do a lot of big -- we do -- 90 percent of RIT is an account of ours. We do all of the snow plowing at RIT, Corporate Woods, Meridian Center, Stone Ridge Plaza, Pen Fair Plaza. So the equipment is out on site and a lot of that equipment we bring back and keep on our facility for the summertime.

We do a lot of work for the County of Monroe, you know, whatnot, the Water Authority. So, again, our -- in our landscaping end of it, that's mostly who we do -- we don't do any residential any more. It's all County of Monroe, Water Authority, contracts like that. So the crews leave in the morning and go out and work all day and come back in the afternoon, whatever time they're done, put their equipment away and go home.

KAREN COX: Now, what is the -- you said the cold building that is labeled cold storage, what --

MR. BOON: That is that first --

KAREN COX: What is that -- you said you would store stuff in it?

MR. BOON: Just we have -- we have -- just miscellaneous equipment. Something we don't want to leave outside and certainly you wouldn't want to look at it any way. Equipment that we have to keep clean and keep neat, we put it in there. We bring stuff like sidewalk machines that we plow the sidewalks walks at RIT, we put that stuff in the building to keep it safe and out of the weather. Just general tools that we use, we would use it for that type of storage.

Instead of having them, you know -- if you come over to my facility, I have invited Chris (Karelus) over there. I'm kind of a neat freak, so everything has to have a place. We try to keep everything where it belongs. The shop is nice and neat. Obviously we have to comply with OSHA laws and everything anyways, so it has to be, you know.

MR. BOON: Thank you.

JOHN HELLABY: It appears your business is booming.

MR. BOON: Doing well.

JOHN HELLABY: Seems like in just the past six months alone that there is probably ten more customers on our street than --

MR. BOON: We're doing well.

JOHN HELLABY: That being said, when we get down towards the nitty-gritty and the final aspect of that project you talked about, four refuse trucks, three recycle trucks and the roll-offs boxes and what not, I guess I would like to know is somewhat a complete list of today what you plan on storing here and what you envision five or six years down the road. I mean I would hate to give you cart blanche approval and find out three years from now there is 100 refuse packers there.

MR. BOON: No. There won't be 100. I can't afford to buy 100 of them.

JOHN HELLABY: Just throwing a number out there.

MR. BOON: I know. To be honest and sit here and tell the Board, you know, are probably for every -- you know, we is -- one truck does 500 houses a day, so that is how much we have to grow to buy -- when we buy a truck, we basically have to have a couple 1,000 more houses or whatever to add a truck. A garbage truck today is \$280,000, so it is a lot of money to put a truck on. So the growth is not that large. You know when we -- when you see us going onto a street, it's better for us and that is what we try to do as we go along. If we have to pick up two or we pick up the whole street, it doesn't take any more truck. We're looking for consolidation.

Our refuse business is in Gates, Chili, Ogden, Parma. That's it. That's all we do. We don't intend to go anywhere else because we have grown so much. We can only take on so much at a time.

JOHN HELLABY: A lot of the space is actually consumed by your landscaping business as well, correct?

MR. BOON: Yes. We've done well. That's where I started in business. I started in the landscaping business and we have grown ever since.

JOHN HELLABY: As Jim (Martin) already mentioned, one of the concerns is the visual impact naturally, but another big concern, and I'm sure people will have concerns because of the refuse business, is smell.

MR. BOON: There won't be any.

JOHN HELLABY: It's easy to stand here and say there won't be any, but I guess, you know, have plans or something to the effect of how you can address those concerns, because I'm sure they will come up.

MR. BOON: Yeah. But again, if I took you to any refuse company in Town right now, there is no -- you know, even -- even your packers you use in Town, I mean they -- I mean they don't -- we all have to do the same thing.

JOHN HELLABY: The unfortunate problem with that -- not to interrupt you -- but the

unfortunate problem is, when I envision the refuse business, I forget -- Heberle, the blue trucks?

MR. BOON: Heberle.

JOHN HELLABY: That yard is a disaster.

MR. BOON: Well, I mean --

JOHN HELLABY: Those are the kind of things I envision.

MR. BOON: Again, but, you know -- again, that is why we have talked about a conditional use permit because obviously we have to keep the yard the way it has to stay, and I understand that.

Again, you know, the roll-offs dumpsters, just so you understand, the C & D dumpsters, that is all C & D. That is strictly construction. There is no refuse in them. That is no different than taking a dump truck and working on a site all day and taking it home and parking it.

JOHN HELLABY: I know. I work for Wegmans.

MR. BOON: It's the same thing. The refuse trucks, the four of them that are used to pick up residential trash, they're all dumped when they come home. They're sealed.

I won't sit here and tell you that one doesn't get -- break and it has to get towed home so we can repair it and go dump it. We have those days. It doesn't happen a lot, but if a transmission or something goes and we do all our own maintenance, pretty much everything is done in-house, we bring it home and repair it and send it out to dump it. We don't want it. Nobody wants it around any ways. I mean -- again, this time of year you don't get any smell.

Middle of August, if you let a load of garbage trucks around it smells, but, you know.

JOHN HELLABY: I guess the last thing I have concerns about is naturally in this Town is drainage issues. I have a long-term knowledge of this property. If I remember correctly, there was always cattails down around the front of this place. So when Avery or whoever is doing your engineering, just make sure they take a look good at the site drainage and you understand what the conditions are, the manholes and things like that.

JOHN NOWICKI: What I would like to just put on the record is that right now we have before us several comments from the Building Department in regards to this particular application. We also have in our possession a well done letter from the Amish Outlet, a lot of concerns and comments. I'm sure by the time Mr. Hellaby gets through with Lu Engineers, we'll have another list of comments and then we have to go through Traffic & Safety and Conservation. So this is not going to be an easy road.

The other concerns are going to be the traffic conditions, Union Street at the intersection. I'm going to want to know who owns the road going into your property, who shares the cost of repairing and maintaining that. I'm also going to make you aware of the fact you have to become part of the drainage district. That is not in there now. So it will be a process, but it's going to be a -- I think one that is going to take a little time. So we'll have to address all of these issues as we go through and it might get a little complicated. I just want that on the record.

JAMES MARTIN: Certainly Avery is going to have to do a class A job on this for you. There is no question about that.

GEORGE BRINKWART: Most of the Board members have covered some of the topics I wanted to bring up, but again, you had talked about the access drive there and making sure that that is maintained, and it sounds like there is going to be some fairly heavy truck traffic there.

MR. BOON: I guess at this time -- I was over there the other day and watched a truck 20 minutes trying to back into the Amish, a tractor-trailer, so it is not just my heavy trucks going on that road. He is getting deliveries there all of the time now. I sit and waited for the guy 15 minutes. He was cross ways in the road trying to back in the second driveway.

So, you know, I mean, it's -- the road is taking trucks on it now. You know, it -- and when Frontier was in there, they had -- any truck that I own, I mean they had trucks just as heavy as mine. Their pole trucks and everything were larger than what I own, so. I mean the road -- we can repair the road. I mean the road can be addressed and whatever -- how we have to share it with the -- again, because he is using it as well as we will. But we won't, you know -- again, we're not going in and out of there with loaded trucks. They go out empty and they come home empty.

GEORGE BRINKWART: Point taken, but it would be a shame to put the money into just dressing it up if it wasn't structurally able to support the loads you will bring out of there, throwing good money after bad. Just a point I wanted to make. I'm curious, are you going to do any maintenance or spray-painting or anything like that on --

MR. BOON: We'll do our regular maintenance, service the trucks and maintain them.

MR. VASILE: On the building.

MR. BOON: On the building?

GEORGE BRINKWART: Not on the vehicles.

MR. BOON: He is talking the maintenance on the trucks.

I have three mechanics. I run two shifts. I have a day shift and I have somebody there -- in -- in the winter months we run a 24/7 operation, so there is always somebody at night working, watching -- you know, just as well as you do, we watch a lot of properties and maintain a lot of properties, and -- you know, in this type of weather. So people come and go. There is only a few guys that will come and go at night, but our mechanic -- our second shift works until 11:30.

GEORGE BRINKWART: Do you maintain (inaudible).

MR. BOON: I won't say we won't -- we're aren't painting now. We have in the past painted stuff, but we don't have a lot of paint work to do. So -- I might have a guy hand-paint a dumpster or something.

GEORGE BRINKWART: You had mentioned that the back portion is gravel and is not

currently paved. Do you have -- I guess my concern is if in the summer months when you do your landscaping and stuff, if you raise dust or something like that, do you have any plans to kind of be able to control dust?

MR. BOON: I'm in a yard now that's all-- that's all millings. If anything, I might seal with millings or put millings over it. I don't know as if we'll need to -- you know, we'll haul in millings and put them down and roll them. We'll do the same thing to control it so we don't have a dust problem or whatever.

Again, we'll do -- we don't like what the neighbor won't like either. We don't want dust flying around. We'll do what we have to do to keep the property maintained and managed.

GEORGE BRINKWART: I think those are just a couple of things that I was concerned about, and I'm sure the Board is, too. So just keep that in the back of your mind.

JAMES MARTIN: Just a quick question, on the road cut that comes in from Union Street, you know, past the Amish Outlet, back to the old Frontier site, um, what is the ownership relationship on that particular road?

MR. VASILE: Currently, the road is owned by the tax parcel that Boon & Sons would be purchasing. The Amish have a permanent easement over the road, up to their drives. And there is already within that agreement -- we sold the property to the Amish Outlet some years ago. Within that agreement, there is language and already a formula to maintain that road on a formula based on how many people are occupying this building plus some 70 other acres that we own immediately adjacent to the property.

So as time goes on, hopefully now with sewers in the area, we can look at developing the balance of the property to the rear of this site, and everyone -- while it retains private ownership, um, we'll -- the cost will be incurred by everyone using it.

At some point in time and some years ago, there was some proposals from the County, and I believe the Town was involved to actually extend Paul Road through the property, which hopefully some day that will come back and actually come to fruition and improve the whole traffic situation in the area.

DARIO MARCHIONI: I was there Sunday, Gillette Road, and I noticed you have these upper -- upper boxes, okay, the boxes with side doors. I stuck my head in one of those, and I almost fainted.

MR. BOON: What color was it?

DARIO MARCHIONI: They're the garbage boxes you put behind the buildings, but they have side doors, loading side doors. Dumpsters.

MR. BOON: What color was the dumpster?

DARIO MARCHIONI: They're right near the main building on the left, behind all of the other trucks and the whole side there.

MR. BOON: They're right by the main building?

DARIO MARCHIONI: Right. The main building. There is a whole row of them. There is a lot of grease in them.

MR. BOON: I won't -- I don't think you're at my building. There is a trash company across the street. That is why I'm asking if you were at mine. Was it red? Were they red?

JIM POWERS: Are you painting your building red?

MR. BOON: No.

DARIO MARCHIONI: That's not your business there then?

MR. BOON: Suburban Disposal is across the street. Suburban Disposal is my landlord now, but they're across the street. They have a whole lot more trucks than I have and a lot more dumpsters, but theirs are all blue. They're all blue. What you're looking at -- I don't have a dumpster like that with a door in that -- that is why I'm asking. They do. You're in the -- you went across the street. That is where I'm at, where all of the red dumpsters are at.

DARIO MARCHIONI: They were --

MR. BOON: I know. The blue ones are not ours. That's all Suburban Disposal. Now they're on both sides of the road. When you go down Turner Drive, I'm at 22 on the right-hand side. I would be on the south side of the road. If you go past my facility, Suburban owns both sides of the road right there. You go past it. They have a container yard just past my yard where they keep all them blue dumpsters. And then they have one right directly across the street on the other side. Both sides of the road.

DARIO MARCHIONI: That is quite a mess.

MR. BOON: That's Suburban. I don't have -- I don't have -- I will explain something to you. I have -- my -- my business is residential. I have -- probably at the most now, if I have eight or ten commercial, what you're talking about, them type of dumpsters out, that's a lot. I don't have any -- I just took Northern Soy down here in Town. I just took Andy over for his soy business and I put my dumpsters in there, but I have very few. I don't think I have 15 commercial customers.

My roll-off business is different. Now if you understand it, but as far as restaurant, um, you know, commercial trash, it's not -- it's not a good business. Number 1. It's a very competitive business. We don't do that. Most residential commercial -- on the commercial side, I'm a roll-off side. That's what we do.

You were looking at the wrong dumpsters. That is why I asked that. It's -- Suburban is very large over there. You know, they're a lot larger than I. They own the building I'm in. I lease the building from them.

DARIO MARCHIONI: Thank you for correcting me.

MR. BOON: That's all right. I understand. I welcome you to come back and see. Chris

(Karelus) has been to my facility. He has seen it. I had him over there, invited him over there to look and see what we do.

DARIO MARCHIONI: I didn't think that belongs --

MR. BOON: They're very large in the commercial -- that end of the business, you know. That's their -- like Heberle you're talking about, they're very large, in that end of the business. I don't do that. Never will. I don't have enough money to ever do that, to be perfectly honest. It's just a very competitive business. We'll never get into it.

DARIO MARCHIONI: To get a handle on this, what percentage of like waste are you going to -- mulch, salt, what percentage in each aspect of the business? I know you have a lot of businesses here -- I mean --

MR. BOON: The snowplow, the -- the landscaping and commercial snowplowing kind of goes together, you know, one -- that is how I started in business. I was in the -- you know, in the landscaping business.

DARIO MARCHIONI: What percentage is your present business?

MR. BOON: Well, I'll tell you what we do. We're about a gross revenue \$3.2 million a year company. 2 million is my trash business. That's my roll-off residential business.

DARIO MARCHIONI: Two-thirds of that?

MR. BOON: Yes, sir. The rest of it is my landscaping and my snowplowing.

DARIO MARCHIONI: So I would assume that the fast-growing business is the two-thirds part, right?

MR. BOON: My refuse business, yes.

DARIO MARCHIONI: Most growing.

MR. BOON: Yes. We -- we have been in -- you know, we have been in the roll-off business for -- for many years now. We have only been in the residential business for three. So that's how long we have been picking up residential trash. I got in the residential business three years ago and we got 5,000 residential customers now.

DARIO MARCHIONI: Must be the price because my street I see more and more.

MR. BOON: That's what we're trying to do. We're trying to give people a fair price for the service they get. You know.

DARIO MARCHIONI: So this area here, it says here you have 6.9 acres?

MR. BOON: Yes, sir.

DARIO MARCHIONI: But it shows here -- is -- what percentage of that 6.9 acres do you have here, on this site here (indicating)?

MR. VASILE: I'm not sure if I understand the question.

DARIO MARCHIONI: The question, it shows 550 --

MR. BOON: That is basically the whole site.

MR. VASILE: The whole site.

DARIO MARCHIONI: Six acres?

MR. BOON: Yes.

DARIO MARCHIONI: 6 1/2 acres?

MR. BOON: Yes.

DARIO MARCHIONI: There is a fence in the back.

MR. BOON: The fence doesn't go all of the way to the back property line, but that is the place.

DARIO MARCHIONI: There is a gate.

MR. VASILE: The fence basically outlines the property.

DARIO MARCHIONI: So that gate you will not --

MR. BOON: No. Steve owns that property back there. That has nothing to do with this.

DARIO MARCHIONI: But what I'm really concerned about, the gravel area, because you have to -- some of those trucks, you know, rainy times, they wash up, grease gets on the ground and everything else.

Do you have any way of shaping this with a drainage system so that some of that -- you know, the stuff on the blacktop or whatever it is moves into an area for --

MR. BOON: No different than anybody does now. If you parked it in the parking lot all winter, they're not getting run-off other than the road grime.

DARIO MARCHIONI: Parking lots have an area, a detention area.

MR. BOON: Again, for what we have -- you see I don't -- I have more pick-ups than I own big trucks. I probably own 20 pickup trucks, you know. The bigger trucks there is not that many of them. The answer -- know, we don't -- we don't have a -- to put a oil separator system or something in, it's just -- it would be something we could never do.

DARIO MARCHIONI: You don't think you're going to contaminate the soil or anything in any way --

MR. BOON: No.

DARIO MARCHIONI: -- with the salt?

MR. BOON: I will tell you why I say this. Because where I'm at now, there was a refuse company in before me, and when I took that facility over back in the '90s, it went through a Phase 2, and I have a book about that thick (indicating). And they Phase 2ed the whole place and it passed, and they had trucks parked there for years, refuse trucks and everything on millings, stone and millings. And they drilled a Phase 2 on it, and other than a few spots where it had surface contamination that far (indicating), there was nothing.

I mean, it just isn't a -- you know, if you went out -- if you ruptured a fuel tank or something, you would have to dig it up and clean it, like everybody would. If something

happened that you had a spill -- anybody tells you something may never happen, where a tank leaks or something, but that is something -- we go out and do that now because we're permitted -- we can haul that dirty dirt to like Mill Seat. We have people that have that misfortune that -- you know, vandalism, kids will go in equipment and break it and fuel runs onto one of your new sites going in. We go clean up the dirt, take it away. Because we have to dig it down until it is clean, tested and take it over and put it in Mill Seat. So we understand what the concept is of dirty dirt, what happens.

DARIO MARCHIONI: No reflection on you, sir.

MR. BOON: No, I know.

DARIO MARCHIONI: We went through many years -- many years we went through Spector, when they moved from Scottsville Road --

MR. BOON: I know Sid (Spector).

DARIO MARCHIONI: We had a lot of problems.

MR. BOON: You're talking about a transfer station. I know. That is a big difference. I understand you. I understand 100 percent what you're saying.

DARIO MARCHIONI: We didn't ask enough questions at that and we got a lot of backlash from that.

MR. BOON: I know. I have lived in Chili most of my life. I remember when Sectors was over there. I know remember when he went to Aviation Drive.

DARIO MARCHIONI: We didn't put enough restrictions over there.

MR. BOON: I know. Big difference, though.

MR. VASILE: Avery is really going to address, I think, what is there, what they may recommend, dealing with as well the Town Engineer. I think from the operational standpoint, we're going to look to the professionals to tell us this is within guidelines, this isn't within guidelines, what is there, what may be needed, so from the day --

DARIO MARCHIONI: Also, we have Union Processing was another one that went through that. We had a different result than what we expected originally.

MR. BOON: All I can say is just to show an example, when Frontier was there, they had 100 plus trucks. I won't have that many trucks there, you know. That's the other thing. And that site right now, you know, if you did -- if you did a Phase 1 on it and went through it, they will tell it and it will be fine.

MR. VASILE: We recently had a Phase 2 done on it and is --

MR. BOON: It's clean. It is no different. I mean, it is pretty much going to all be the same thing.

DARIO MARCHIONI: Well thank you, sir.

MR. BOON: Yes, sir. Thank you.

KEITH O'TOOLE: A few points, if I may. If you look at the photographs of the Turner Drive site in Ogden, it shows some wooden berms, and I would think that the applicant certainly has the skill set to do some aggressive landscaping to shield the site, particularly the roll-offs.

With regard to the private drive, the applicant has testified that they own the property and, therefore, have the ability to make the improvements. How they collect for payment of those improvements is not a Town issue or concern and certainly we shouldn't be dragged into that.

With regard to the zoning, I think the argument that this is in a GI Zoning District is an aggressive legal argument. I think it would be appropriate for the applicant to submit a letter, preferably prepared by their attorney stating chapter and verse why they believe they comply with the GI zoning.

With regard to the site plan, I realize this is a concept approval at this point, but certainly the site plan requirements of the Town require that they show adjoining properties and uses so they can see how they interrelate and see what the impacts of this project will be on those adjoining properties.

With regard to any approval that the Town may issue as a conditional use permit, um, the Town should consider carefully what conditions it imposes, particularly as it relates to prohibiting on-site storage, parking, temporary or otherwise of trash, any trash transfer, refuse transfer, and I was involved in the Spector matter. We certainly don't want to revisit that.

With regard to SEQR, the applicant has indicated that they obtained a Phase 2 environmental audit. Certainly providing copies of that to the Planning Board would be helpful in conducting our SEQR review.

Nothing further.

JAMES MARTIN: Did you make note of that?

MR. VASILE: (Mr. Vasile nodded.)

JAMES MARTIN: Chris (Karelus), you had several comments. I think we have covered a lot of them at this point. Anything additional at this point?

CHRIS KARELUS: I will just take a point to recap what we did with Mr. Boon. Took the opportunity to go visit the Turner Road site. A lot of the things that the Board was discussing regarding condition of the vehicles, um, you know, the use of the property, the general use, his service station, how he kept his station and what his operations were internal to the business. We looked at all those with him on site. Then what we did is we walked through the programming on the property we're looking at tonight. Just to reiterate some of the things Mr. Boon shared with us, his intent, I guess, for upgrading the buildings from the current condition, he indicated to us that he was going to repaint the main building, we'll call it the office building, and the cold storage, large equipment building as well in the back. Um, overhead doors and -- all replaced throughout the building, really giving it a face lift from the exterior.

With the use on the parcel and his service-oriented use and proposal, it's -- you know, it's up to the Board on what else in addition to that. We looked. There were some issues with drainage on the roof. I understood from Mr. Boon there are some ongoing surface repairs that need to be fixed, reroofed.

Concerning the building, we're going to get minor building permits and Fire Marshall permits before his operation goes in.

One of the things I did share with Mr. Boon in our initial conversation and with DRC is exactly what the building is looking at, buffering, nuisance odors, anything that would be a nuisance to the project's operations. What I would suggest to the Board is the mulching storage, that's going to cook during the summer and that proximity in -- in relation to another business operating will be a consideration for the Board.

One of the things I would also recommend to the Board is the refuse trucks -- this time of season I didn't notice any nuisance odor and I understand the roll-off dumpsters will be the bulk of the on-site storage are for C & D refuse. We're really not getting residential refuse or anything that is of an organic nature where you get that really pungent odor, but there is also opportunities from the Board, if they see it fit, to move the process through to take that -- refuse areas and really direct them to a point on the property that is in its most remote location to anything. My suggestion to the Board would be to maybe consider maybe the northeast side of the property, earmarking four or five spaces, wherever you see fit, to have it as far as away as we can from any other adjacent operating use.

The site is in a bit of disrepair. What I did discuss with Mr. Boon is he does have wonderful intentions of bringing this site up to a point -- to where him and the Town are both proud of the operation. I can foresee his project, as a conditional use, potentially stepping through a series of yearly improvement processes that we can schedule out knowing at next renewal, we can look forward to X number of improvements.

The one thing that does -- I am troubled with the site. Currently it's on septic. My recommendation to this Board is we get a schedule how to get this off septic, how to get a sewer extension to make this project sewered. I know Mr. Boon's intention is to grow in Town, which is a welcome thing to hear, but I would like to see this thing sewered. Currently it's a very undersized septic system if I were to go to design standards and try to look at that for a use of his nature.

And the last point I wanted to make is the upgrade to that road system. It's just general drainage is poor in that area. That's really what has undermined that road system.

And I guess as we proceed with the project, I will look forward to further discussions with Mr. Boon and their consultants. Um, but, you know, to thank Mr. Boon, too, for the work he has been willing to do with us to educate the Building Department on what he intends to bring there, as well.

JAMES MARTIN: Ken (Hurley), I know you're waiting for a more formal proposal.

KEN HURLEY: Yes. When Avery Engineers submits a preliminary set of plans, we can review it for compliance and engineering comments.

PAT TINDALE: Is it too preliminary to ask about salt storage?

MR. BOON: No. Um, my intentions are to -- is that last building -- we're going to try to put it in one of those buildings, the outer buildings. Obviously, we'll contain it. We don't want weather on it. We certainly don't want it -- no different, again, than what the Town or anybody else does with salt storage, so we can contain it and, you know -- salt storage is a big part of our business, so. We do run, um -- just so you know, we do run -- like tonight when I left my office over there, I have three trucks going out salting. You know, we got to get them to RIT and get them places. They go out, salt and come back in.

In the wintertime, most of the time, we reload the trucks, because they're like fire trucks and we put them inside the building so if we have to go at 2, 3 in the morning, we take off and go.

Again, I think that is a good spot for us where we're not going to be bothering anybody.

Again, I don't want you to visualize a lot of trucks coming and going, but we do have to go out -- sometimes on a wintery evening to go out and take care of our customers and then come home. So most everything else in our snow fighting -- other than a few pickup trucks are out. They're out -- they're out in the fields, so -- so they stay out all winter long. The operators go to the equipment.

JIM POWERS: Where do you get your salt from?

MR. BOON: Right from American Salt.

JIM POWERS: Do you haul it yourself?

MR. BOON: We haul most of it ourselves. Pretty much every day -- you know, it depends on the weather. Right now we're hauling it every day, but we -- we store right now -- we're probably storing about -- a guesstimate 120, 140 tons. It's not a lot. You know, 20 -- if you look at a tri-axle truck, it has 23, 24-ton hauling on it, so that's about what -- that's why we frequently are bringing it in, because we don't have a real large storage. You know, we don't -- again, I don't really think I would probably over there store much more than that. We don't like to end up with a lot of salt in the summer time. We like to be pretty much done gone with it when the summer comes, so we try to balance that the right way.

BRAD GROVER: We haven't looked at this yet. No comment.

JAMES MARTIN: The mulch that you use in your landscaping business, what type of mulch is that?

MR. BOON: It's natural mulch, like Terry Tree produces. And then we have two, um --