

CHILI PLANNING BOARD
February 12, 2013

A meeting of the Chili Planning Board was held on February 12, 2013 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: Richard Brongo, Karen Cox, David Cross, John Hellaby, John Nowicki, Paul Wanzenried and Chairperson James Martin.

ALSO PRESENT: Michael Hanscom, Town Engineering Representative; Michael Jones, Assistant Counsel for the Town; David Lindsay, Commissioner of Public Works/Superintendent of Highways and Building Department Representative; Pat Tindale, Conservation Board Representative; Mark Merry, Architectural Advisory Committee 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.

FOR DISCUSSION:

1. Proposal of CBL, LLC, 2070 Lyell Avenue, Rochester, New York 14606 for proposed retail tire supply store and minor motor vehicle service station, including a 1200 square foot addition at property located at 3209; and proposed 1800 square foot retail store at property located at 3219 Chili Avenue in GB zone.

JAMES MARTIN: Before we get into this, I do want to say at this point in time for anybody in our audience, when this application was before us previously, it was in for review for preliminary approval. The application was tabled. After -- at -- the Public Hearing was held open as a result of the tabling process that went on that night.

Based on the fact that this is a discussion item only tonight, there will be no public comment. However, when the application comes back before the Board, if it comes back before the Board, the Public Hearing will be reopened and the public comment will be taken at that time.

Robert Fitzgerald was present to represent the application.

MR. FITZGERALD: Good evening. Rob Fitzgerald with Razak Associates. I'm representing Mavis Tire as well as Bob Fallone for this project. I think it was three months ago we were in front of this Board with just the one parcel to the east and a lot of questions, a lot of good discussion was brought up around, too, why we weren't proposing any improvements on the western property, which is this property here (indicating). This is the -- the two properties bisect approximately right here (indicating).

And at that point, Mr. Fallone didn't have a concrete use of what he was doing for the other parcel.

At this time, we are proposing discussion and a sketch showing an 1800 square foot building that would be used for a catering type use. It would be food service. There would be take-out items. We joked a little bit, anything except for pizza. But, you know, four tables at the max is really a place to grab food or catering.

With this, too, it did allow us to tie the two parcels together, overlap some parking, if the two businesses get a surge of customers. And then, also, it did allow us to open up a large green area.

Towards the rear we have about a 50 foot by probably 150 foot swath of green area. And our storm water is sheeting from the north to the south, so this will give us an area to collect that. I think we have a rain garden proposed.

Then also, too, working with Dave Lindsay, um, he is recommending we do some off-site drainage improvements to help with the fields to the south. We are proposing a storm pipe, 12-inch storm line which will help give them some relief, as well. As far as the storm water, we are proposing the rain gardens. We're disturbing less than an acre so we don't need to do green infrastructure or what now but we're still providing some additional relief because -- because it has been brought to my attention there are some drainage issues, so we're trying to do our part to help clean those up.

We did get a chance to discuss further with Mavis Tires their needs. They do not need a dumpster, exterior dumpster. Tires will be stored inside. And now we do have room, too, where we can use a box truck for deliveries and pickup of material, whether old or new, in the rear of the building.

The alternate option is the box truck could actually pull in one of the front bays, close the door, do all of the unloading, loading up and it wouldn't really be a distraction from the people that are driving by.

And, of course, we are -- at this point we would not be proposing a subdivision of lands. The -- each of the two buildings would be their own parcel. We would have to get -- we'll put in place a cross ingress/egress parking and easements. And obviously we're here for discussion, so we would like to have some back and forth.

At this time I will just open up for any questions the Board may have.

JAMES MARTIN: Thank you.

Before we get into the discussion, I just -- I want to read a couple of pertinent sections from the zoning code section of our -- of our code concerning the special use permits, okay, and essentially, I will quote from -- from the code itself, um, that the Board, Planning Board has been empowered with a lot of discretionary powers as far as granting special use permits within the Town. And it says that the Board may require modifications and/or conditions to an application, including submission of an alternative design and layoff proposals. That is one thing that the Board has a -- little discretionary power over.

And that the Board shall give specific considerations to the following standards. The Board is hereby authorized to use at the discretion of its Chairman whether one or of these standards apply to any of the -- to any particular application. And then there is a whole list of -- of things that the Board has discretionary power over within the code itself. You know, such as preserving, protecting existing development, drainage, traffic access, parking, circulation, landscaping, screening, character and appearance, lighting, historic and natural resources, sewage treatment, discharge of water. Um, and nuisances and objectionable conditions, size and scale. I mean, those are the types of things that we have a lot of discretion over from a Board perspective.

And I just want to say, I mean -- you know, I have really looked at this very thoroughly. I spent a fair amount of time over the last week just looking at the site itself. The building, its location, the proposed location, the new building.

And, you know, I have got to be honest and say from my perspective, I don't see a lot of creative thinking going into what is being proposed, particularly for the tire store, all right, on the site.

Trying to build on an existing foundation of a building that is there. Um, which everybody in the Town of Chili would like to see disappear. There is no question about that, but I think the first time you were before us, I indicated that we're not just going to settle for something that -- to replace a very ugly structure in the Town of Chili. We want it done right.

That is the center of our Town. Um, you know, if -- Mr. Hellaby pointed out in the master plan, it's an area that is under scrutiny for every consideration going, all right, as far as what goes into the center of the -- of the Town of Chili. And obviously that is almost like the dead center of the Town.

So from that perspective, I guess, I'm not satisfied that -- that we have thoroughly looked at that site, as to how it could be best utilized, all right, from its -- it's a difficult site to deal with.

I don't disagree with that, but what is the best way, all right, to utilize the property that is there and meet the criteria that I feel that this Board has discretionary power over as far as something that is going to be acceptable, all right, to the Town, that is going to be an asset to the Town and is not going to be just another building going into the center of the Town of Chili.

So that is kind of where I am at, from my own personal perspective right now. I haven't even tried to deal yet very much with the other proposed structure in the back of the property, but, you know, I'm sure there will be discussion about that from other Board members. But I just wanted to get into into the record that I'm not satisfied that -- that -- that we have been as creative or you have been as creative as you could be in taking a look at what is available over there and utilizing it in a way that is going to be a real asset to the Town of Chili. So I will stop talking at this point, and go to the rest of the Board.

PAUL WANZENRIED: Is the parking areas in the back, um, specifically from the -- I will call it the 1800 lot, square foot lot, is that -- is that curbed?

MR. FITZGERALD: We terminated the curb right at this point here (indicating) so it could sheet flow into our drainage swale and then to our rain garden.

PAUL WANZENRIED: Okay. Are any of these raised islands, or are these just striped pavement?

MR. FITZGERALD: In the front they're raised islands and around the building itself would be a raised standard 6 inch reveal.

PAUL WANZENRIED: What about in the 1800 square foot building there?

MR. FITZGERALD: Yes, correct.

PAUL WANZENRIED: Is that raised?

MR. FITZGERALD: It's raised. It's integrated curb and sidewalk. So it would be a 6 inch reveal.

PAUL WANZENRIED: And you're just going to push the snow then off the back so it could drain off into the rain garden there, on the swale?

MR. FITZGERALD: Correct.

PAUL WANZENRIED: If the parcels are separate, as you indicated, would the proposed addition to the two -- or the existing 3209, would that require variances because of the setbacks? Off the rear of the property.

MR. FITZGERALD: There is zero rear side setbacks in this zone.

PAUL WANZENRIED: Okay. And lastly, the -- you're still going to try to make that one-way aisle work? There has never been any reconsideration about abandoning that?

MR. FITZGERALD: We certainly did revisit it.

Again, Mavis Tire would like to have it. That is their preference. I know the Town Engineer commented on that, as well, that a standard lane is 12 feet. Residential subdivisions are standard width of 10 feet. There is 20 feet total of pavement, so we're almost half that. It is tight, but we would like to try to keep it in the plan.

PAUL WANZENRIED: What would be the purpose of that aisle way?

MR. FITZGERALD: That would be one way from the north to the south to get back behind the building.

PAUL WANZENRIED: For anybody? Everybody? I'm not driving a box truck down through there.

MR. FITZGERALD: The intent is to have signage which would be for employees only. One-way, employees only.

PAUL WANZENRIED: So if I have to get out the other way, why don't I just get in the other way?

MR. FITZGERALD: It's a relief, if you will.

PAUL WANZENRIED: That's all. Okay.

MR. FITZGERALD: I guess to further touch on that, if we have a car that comes in the front, and the back area is full, they don't have to drive back out on Chili Ave., take a left across traffic and come back in. You know, they could get out of their cars, drop their car off and let the employees bring the car and stage it in the rear of the parcel, if you will.

PAUL WANZENRIED: Okay. I don't have anything more right now.

KAREN COX: Um, I guess I would -- I'll start by saying that I echo what the concerns Jim (Martin) brought up as far as looking at this parcel in a more creative way. I mean, again, everybody would like to see that building as it is now gone. But I have a big concern over the -- you know, specifically over this 9 1/2 foot wide one-way, um, access. There is no way that can be, um, enforced, and so -- and there is no way you can 100 percent guarantee that some crazy -- you know, some careless driver is going to go the wrong way -- use it the wrong way. You can put up signs until you're blue in the face and there is going to be somebody that will disobey it, so I have a big concern any time I see a one-way access point and -- you know, in a business. Because it's not enforceable. And people tend to overestimate the width of their vehicle. And the height of their vehicle. Height doesn't make a difference here, but I have seen a lot of bridge hits over the years when people estimate the height of their vehicle.

Um, I do -- I like the look of the building. It's much more attractive than what is out there now, but I really -- I -- I -- I would ask that the applicant take a look at different ways of siting that building, instead -- you know, obviously the owner of the parcel wants to be able to build this economically. I understand using the existing basement. But I don't think it's a good -- you know, it could be turned possibly for better access.

Um, the -- the 1800 square foot building, do you have a -- does the applicant have an idea of the type of food service that is going to go in there or the brand name or anything?

MR. FITZGERALD: I believe it's a work-in-progress.

Mr. Fallone, I don't know if you could comment more over on that?

MR. FALLONE: Not right now. I just know it will be a take-out only.

KAREN COX: What is going to make that visible to people driving on Chili Avenue, because it's quite a bit far -- you know, it is not right up at the front -- or near Chili Avenue. Is there going to be a sign? You know -- I'm thinking of the -- the building that is the sports bar now, down near McDonald's that opened up, I think, a sandwich shop and there was never -- people didn't even know it was there because they couldn't see it from Chili Avenue when they were driving by.

So, you know, how is anybody going see this?

MR. FALLONE: We'll definitely need a sign on Chili Avenue, monument or pylon.

KAREN COX: Something to draw the drive-by customers in. It is a different type of business than a tire store which is more of a destination type business. That was all I had.

MR. FITZGERALD: If I could follow up on that, because I know Jim (Martin) went into quite detail about it. And I'm hearing from Karen (Cox), too, that -- and I think Al (Hellaby) has done a nice job with the building trying to spruce it up the best you could.

It sounds like you're asking us to not reviews the existing structure then?

KAREN COX: I don't think I'm saying that.

JAMES MARTIN: I will wait for the rest of the Board to chime in on that, to be honest with you.

MR. FITZGERALD: Okay.

JOHN HELLABY: Well, I also echo Jim (Martin)'s sentiments. He had mentioned in regards to the Master Plan. I would suggest you take the time to read Chapter 5, page 9. This is actually seated in the sub area Number 3 and it states right in here, this sub area is perhaps the most important sub area to be addressed by this Committee as part of the next 20-year planning period. For the past 20 years the adopted Comprehensive Plans have identified the need for a Master Plan to be prepared for this sub area. The Chili Center hamlet has long been identified as the Town's Community Center. While there are no -- or there have been piecemeal efforts to create part of an undefined land use puzzle, the desired picture still does not exist. And in all honesty, I don't think you will ever get it to exist with a repair shop stuck right in the middle of it.

I personally think you would have had a better sell with the Verizon store you hoped to

have in there six or eight months ago. Unfortunately, I'm one of those naive people that thought when they put this new Kwik Fill down here, the other one would have went away. But it never did. So I think we got an awful lot of homework to do to make this thing pliable, because it sits right in the center of everything.

The other question I have, Michael (Hanscom), our Town Engineer, just a curiosity question, you figured your parking calculations on four overhead bays.

However, these bays are actually two cars deep, so in consideration, would that actually have been eight bays? Just out of curiosity.

But while he is looking that up, like I say, it's -- I'm not crazy about using the existing foundation, and I think there would -- will be a whole better sell if this thing was totally situated -- because you're creating yourself self-inflicted hardships with this one-way, narrow road down through there, and snow removal and things like that.

I think if you go back to the drawing board, you could come up with a lot better idea than what you got here.

JOHN NOWICKI: Yes. I would certainly concur with the Chairman and the Board members who have already spoken.

My biggest concern with this is the traffic patterns on Chili Avenue, the impact, the proposal here. I don't see it working at all. It is just going to be a disaster when it comes to the traffic patterns, getting in and out of these things here, until they come up with a better plan, until we come up with a Chili Center Plan or something has to come in here to make this work and make it more comfortable for all of the people in Chili Center. That is all I have to say.

DAVID CROSS: Yes, in short, I agree with the Board's sentiment. I think, you know, the Chili Center deserves better than a tire store. I really do.

It's a tough site, it really is. You know, vehicular access and whatnot. Love you to pick up the Kwik Fill and -- but, you know, I understand realities of that. But with that said, that's all I have, Jim (Martin).

RICHARD BRONGO: I just have one question. When you said that the overflow parking or the -- or the top parking would be filled, the people could drive down here, the overflow. Once they park here, how do they get into the building? Do they have to walk up that road to get into the building once they park their car there?

MR. FITZGERALD: Again, obviously, I totally agree, you can't enforce a one-way, but the intent would be that the customer, um -- it would be a clockwise --

RICHARD BRONGO: I'm not concerned about driving back up. I'm concerned about someone having to walk up it to get into the building when somebody else may be driving down.

MR. FITZGERALD: My intent was we do have a back door to the building. My intent would be people would walk through the back door. I'm just looking at the plan. There would have to be a slight adjustment to make that happen. Um, I'm just saying that because they would have to walk by two restrooms and I'm not sure they would want to do that, but the intent would be to have a rear entry door so they wouldn't have to walk up along the east side of the building.

JOHN HELLABY: Wouldn't that have to be handicapped accessible then, as well? Would you have to put a ramp -- because right now you're showing stairs going up.

MR. FITZGERALD: I would have to look into that. It's a good point.

JAMES MARTIN: Another couple concerns. When you look at the proximity of the current plan to the driveway that goes down alongside the restaurant, you know, their -- they're married together almost. It's very, very close. Um, I know in the summertime when Monroe is working diligently across the road on the tire, you know, replacement and brakes and mufflers and all of the things that they do over there, and usually in the summertime their bay doors are wide open. There is a lot of noise that comes out of there. I have a concern about the impact on the restaurant next door, which has an outdoor seating area, okay?

You know, again, from the standpoint of is that going to create a nuisance for the next-door neighbor? And so that's another concern I have.

You know, if you look at -- at -- at some -- some of the suggestions that have been put forth by the Board, is there a more creative way to make that building -- the building's appearance to the Chili Avenue corridor much more attractive so we don't have those big glass doors facing Chili Avenue?

Could the building be turned on the site to provide -- could it be moved forward towards Chili Avenue, which might require a setback variance, but we would get rid of the front parking, which is also something that we have been trying to do for a long time in the Town in Chili Center. We haven't been very successful, but that precedes me on this Board by a long time.

But again, thinking of those things, that, you know, from the standpoint of the center of Town, and -- and what we -- what we're trying to achieve, okay -- you know, sidewalks, all those things that we're trying to achieve, from the standpoint of design of this Town, um, I just -- you know, I look at it and I don't see it in what is being proposed, at this point. I just think there -- there has got to be a better solution to that site, from the tire store perspective.

The other building in the back, obviously visibility from Chili Avenue will be negligible.

I think I need to hear more about what is actually going to happen, all right, in that particular business before I would be comfortable saying it's okay.

So, you know, that's -- that's just some more food for thought on this thing, because, you know, just -- I'm just not comfortable that we have really thought this thing through as well as we should. And I understand, you know, economics of the building itself and the cost to put the structure up and everything, and trying to do it with as least cost as possible. But building it on the existing foundation, I just don't think that is the right approach.

MR. FITZGERALD: If I could just comment real quick, too. We have looked into other options on this site. As far as it being a tire repair, that is who is knocking on our door at this point.

JAMES MARTIN: I understand.

MR. FITZGERALD: We haven't had a lot of knocks. It's been vacant for ten years, so we're trying to make a project with who we can. And it may be a tough sell, too, because Kwik Fill is on the west side of us. Professional office buildings maybe don't want to be there because of that. I don't know if it hinders them or not.

We did look at rotating the building. It was brought up with the meeting with Dave Lindsay, so we have the bays on the east side of the building, and a lot of things -- we have a sanitary sewer line that crosses the back of the property, so we can't go any further south than what we're proposing now. And then the -- of course, the front, we have a front setback we would have to deal with. With that, too, we would have to shave -- to get that swing in there on the east side, it's 10 feet now, approximately. We need at least another 20 feet to have the overhead doors there, so we're shrinking the building by at least 20 feet. Probably more realistically 30 with nowhere to push it out in the other two directions unless we had a front setback variance.

And then, too, you know, Bob (Fallone) mentioned what are we doing now to our neighbors who have the restaurant. Now we're potentially pushing our noise more towards them, than towards the traffic.

So I just -- food for thought, you may have taken a look at it and explored it some. And again, very clear it's a tough site and we would all like to spruce it up.

JAMES MARTIN: You know, again, I'm not going to speak for the ZBA, but, you know, if you propose to move the building forward where you needed a front setback variance, I mean that could be something that is attractive. I don't know. I would never think to speak for the Zoning Board of Appeals.

DAVID CROSS: It would be more consistent with the Master Plan.

JAMES MARTIN: It would be consistent with the Master Plan.

When you stand there and look at the site --

MR. FITZGERALD: It is actually set back. There is -- Kwik Fill is set back.

JAMES MARTIN: If you look at their canopy, their canopy is much closer to Chili Avenue than the building itself. If you stand there and look down Chili Avenue, the canopy over the gas pumps is very close to Chili Avenue.

MR. FITZGERALD: They're right on Chili Ave.

JAMES MARTIN: So I am just making some suggestions on what you might do from an option standpoint, and moving the building forward might be something that should be studied, okay? That's where I'm at.

MR. FITZGERALD: One other thing, too. We originally wanted to put two bays in the front and two in the back. You know, Mavis Tires said that doesn't work for them. I don't know if that is just how they draw in business. I guess. It -- I'm just saying it for discussion points.

KAREN COX: People are more used to seeing bays in the front of the building. They don't know to go -- they think going behind the building is for the people who work there. They're reluctant to take their car behind the building.

MR. FITZGERALD: I'm sure it draws people in seeing overhead bays.

MICHAEL JONES: My comments are really the same as last time in that I provided the Board my primary concern is compliance with the Master Plan and the Comprehensive Plan. I have heard a lot of that tonight so I don't have nothing further.

DAVID LINDSAY: Nothing further.

MIKE HANSCOM: Um, to answer Mr. Hellaby's question earlier, he is correct. If they have two service bays per overhead door, um, then that would be a total of eight service bays, and they would need 16 parking spaces for the service bays. So the -- so the total required parking would increase to 31 parking spaces, and we have 26 provided.

JAMES MARTIN: Thank you.

PAT TINDALE: Just if this gets resolved, you know what I'm going to ask for. Licensed landscape plans and checklist. Thank you.

MR. FITZGERALD: Sure.

MARK MARRY: I -- on behalf of our committee, I have would only like to comment to say in regard to the location of the building, this site does have a lot of natural potential. I have to agree that we're not maximizing it the way the building faces Chili Avenue at this time, so I think that deserves more due consideration.

JAMES MARTIN: Thank you. We hammered this one pretty good.

KAREN COX: I wouldn't say "hammered." We just rendered our opinions.

JAMES MARTIN: I think you have heard us.

MR. FITZGERALD: Okay. Anything else?

JAMES MARTIN: That's the end of the discussion.

MR. FITZGERALD: Thank you.

DECISION: Based on the discussion, there are several aspects of the proposal that need modification. In addition, more detailed information is needed regarding the proposed food service operation at 3219 Chili Avenue.

2. Proposal of Morgan Management, 1170 Pittsford-Victor Road, Pittsford, New York

14534 for proposal of six three-story apartment buildings totaling 156 units, including a clubhouse at property located at 85 Union Square Boulevard and portion of 3327 Union Street in PRD zone.

Jess Sudol and James Bonsignore were present to represent the application.

MR. BONSIGNORE: For the record, I'm Jim Bonsignore, representing Morgan Management. As you know, this a project that has been a long time in the works, and the plan that you have before you now was the result of a collaborative effort between the applicant, Town staff and Counsel to try to determine what the best project is going to be for the -- for the PRD. And what -- what we have come up with, we believe, is perfectly in fitting with the purpose and intent of the district, which is to provide in this instance a diversity of housing within the Town, and this offers a little bit of a different product than perhaps you have seen on other projects in the past. The project is designed to include six buildings consisting of 26 units each for a total of 156 units.

It will be a mixture one of and three-bedroom apartments, and it is located on the south side of Union Square Boulevard and the southeast corner of the PRD District.

The -- we have discussed the overall project with the Town Board and Counsel, as well, and I know one of the questions that has come up is how the density calculation was to be done. The -- the Town has no objection to the inclusion of its portion of the PRD District in that calculation, which is how through the collaborative effort we came up with the clustering of the residential project in this nature.

Um, one of the other concerns that I know this Board will have and I know the Town Board has, as well, is the influx of additional apartment units within the Town. We have taken the time with this project, and -- one of the reasons that it has taken so long to get here to this step was because the applicant has taken the proactive step of commissioning a market study to present to the Board information regarding the demand for these types of apartment units in the Town, the demand for the -- the range of affordability that this project will offer for new and existing residents within the Town.

So we do have that in the process, and at the time that we come back with a formal submission, we will have information to present to the Board on -- along those lines.

With that, I think I will just turn it over to Jess Sudol, the Project Engineer, who can answer more specific questions you might have and give you a little more detail about the overall design of the project.

JAMES MARTIN: Just before you leave the podium, I just -- you have -- probably already know this, but there is 2,104 apartment units currently in the Town of Chili. And --

JOHN CROSS: How many.

JAMES MARTIN: 2104, if my count is correct, the Assessor gave me the correct information. So -- so, you know, regarding your market study, I went online to see if I could find some relationship between, you know, number of units per population or number of units per area. There is really nothing very specific that I could find, as I, you know, Googled about 50 websites, okay? And so I'm assuming that your market study, when it is completed, will have some demographic information regarding, you know, utilization or, you know, density of -- of number of units per population base or something to that effect, okay?

And we'll look forward to that market study. It will be very interesting to see, um, but at this point, I -- I'm going to propose that once we have that market study in our hands, okay, that we probably will request an independent review, all right, a consultant working for the Town at the applicant's expense. We have the authority to do that. We would then have an independent review of the market study by our own consultant to verify that what you are proposing and the accuracy of this study as far as this Board is concerned. So I'm putting that right up front right now, that we will be asking for that.

MR. BONSIGNORE: We understand that and anticipated that. That -- again, that is one of the reasons why it has taken so long for us to even reach this step for conceptual review because they have taken a proactive step of ordering the market study in anticipation of your questions and concerns. So that shouldn't be an issue.

JAMES MARTIN: Okay. Thank you. Mr. Sudol, you're on.

MR. SUDOL: Thank you. Evening, Mr. Chairman, members of the Board.

First of all, can everybody see those drawings I put up? I know it can be kind of hard. I can pull it closer.

JAMES MARTIN: No. I think we have all seen them in the individual site plan.

MR. SUDOL: Well, again, my name is Jess Sudol. I'm with Passero Associates. We're the civil engineers for the job. We have been working on this job for about a year and a half. Both Mr. Frank Imburgia and also with -- Bob Morgan.

Well, Passero Associates has -- we have been very fortunate to -- I do lot of work with Mr. Morgan and his team. I just want to invite a lot of members of the Board, if you have a chance, to see some of their projects, whether it be in Farmington or Victor or Webster, some of the recent builds that they built in the last five years and the quality of product that they put out there. I really would invite you to do that. I think that would be important for you to see what kind of product they put out there.

So with that said, again, Mr. Bonsignore did address some of the overall development statistics of the projects. It is 156 units. There is 26-unit buildings. There is six of them. We're proposing a clubhouse. If it is labeled as a maintenance garage on the plan, it is a clubhouse that

will service the entire development. His clubhouses typically have a leasing area. They also have community space. Often workout room and some bathrooms and pretty much anything that a typical clubhouse would have.

And there is also a maintenance closet in there, so maybe one of us accidentally misinterpreted it and put "maintenance building" on that little building over to the right of the drawing.

This project, I'm not sure how many are familiar with the area, but it is about halfway down or a third of the way down Union Square Boulevard off Chili Avenue. Back in the 1990 --

JAMES MARTIN: Union Street, isn't it?

MR. SUDOL: Union Square --

KAREN COX: You said off Chili Ave.

MR. SUDOL: I was thinking of the last application. Sorry. I live a half mile from here and I can't get that right. Anyway, off 259/Union Square Boulevard with access point that is right across the DePaul Homes that were recently constructed.

This project has something a little unique to the Town and a little unique way of doing apartments that we have been working on is a lot of covered parking. There is actually 12 covered stalls under each building, so there are 26 units. The first floor has six units and the second and third floor each have ten. The first floor only has six because some of that space is taken up by garages.

We have also proposed some ancillary garages throughout the development to provide parking for people who don't get to park under the building. We're not quite at one covered space per unit, but we're about 125 to compared to 156, so we are pretty close. We have found offering that amenity has been very successful in the past in a lot of other projects.

I did pass out some elevations of the buildings so could you take a look. I think that they're fairly self-explanatory. Balconies, three stories. A lot of character to them. I won't divulge into that. We'll provide more detail on that as it moves forward.

You can see we have incorporated some stone work and other pretty attractive architectural elements.

One of the benefits that this project has with respect to SEQR and our job as civil engineers is that this site was part of the overall Union Square PRD that went through the SEQR process many years ago. It is a -- it is a benefit to us because at that time, the cumulative impact of 648 units were studied. Of the 648 units that were studied and ultimately approved under SEQR, only 194 have been built and our little land use map to the left provides an accounting of that. There is single-family homes, town homes and some larger buildings. Actually, the one building by the pond has 50 units in it. And then there are some congregate living facilities. So we have a pretty good mix of housing in that area. And actually, the whole PRD works well with the transition with single-family homes to the western part of the PRD and it gets more dense as you move to the east, towards Union Street. Um, so we just wanted to point that out and, again, when the SEQR process went through many years ago, that is when things were implemented, already constructed such as left-turn lane off of Union Street.

At one point, maybe a previous concept plan you might have seen, we were proposing a connection now through Kings Crossing, but upon further thought, we realized that wouldn't make much sense for us to give somebody a short cut to come through their development where they have a lot of short driveways and right on the main road there when the original developer for this area went through the process and the expense of actually putting in turn lanes on Union Street.

So we're going to continue to take advantage of those. There was no overall traffic study again. Again, that was for 648 units. Even with our project at 156, there is still a balance of roughly 300 still remaining out there. So we're not even really coming close to the overall approved number of units or impact, for that matter, of the Union Square PRD.

I don't want to dive too much into the specifics of how we handled density and some of the calculations and conversations that we had in 2012. I will just say that a lot of it was centered on the Town, the Planning Board being empowered under the cluster 278 to look at pieces within the PRD that are more time for development, if you will, that don't have various environmental conditions like wood lots or streams or wetlands and so on and focus on developing those areas with more dense development and reserving areas that have a lot of those environmental conditions such as the property on the other side of Union Square Boulevard.

So what we have done, we have worked with the Cornerstone Group, who is the original developer to acquire some land from them to try to develop what we feel is the most developable, most appropriate area for this project.

So again, some of the additional amenities on the project, we do have a recreation area that is in the center of the project. We'll have various amount of sidewalks that go from the recreation area back to the buildings, connect out to the sidewalk that was installed all of the way up to Union Street where you can go up to the corner of Buffalo and Union there. That structure is already in place. Even some of the drainage. There was a large regional pond that was constructed.

Now, we know based on the DEC regulations that changed five different times since this project was built that we can't just tie into the existing storm sewer and say we're all set. We're still going to have to do our fair share of creating the infrastructure and the (inaudible) calculation and so on, but we'll look to take advantage of the existing pond that you see there in terms of storm water quality, because again, the storm water, the transportation system, most the utilities were all put in, including Union Square Boulevard, with the understanding that this area

would continue to develop.

Again, as I said before, the land use we feel works pretty well with the transition from the single-family homes to the west, as you move east into the more dense development. So that is pretty much an overview now. Of course, we'll provide more specifics and details when we move into the planning stages of the project.

PAUL WANZENRIED: Jesse (Sudol), can you go back and ask or restate the units, how the units per floor were -- or what that was?

MR. SUDOL: Six units on the first floor and ten on the second and third. It's a combination of one, two and three-bedroom units. Each floor has a handful of each. It's probably about 25 percent 1-bedrooms, 25 percent 3-bedrooms and the -- about 52 bedrooms, but we can provide a detail accounting of that as we move forward into design.

PAUL WANZENRIED: The -- under -- you're parking underneath the building, correct?

MR. SUDOL: That's correct.

PAUL WANZENRIED: Each of these, you show overhead doors in each of these little buildings here?

MR. SUDOL: Yes. Six on one side and six on the other. There should be a little triangle.

PAUL WANZENRIED: That is six individual garages.

MR. SUDOL: There is 6 on each side, so 12 per building.

PAUL WANZENRIED: Right. But they're individual garages, correct?

MR. SUDOL: These three. There is a partition wall. Not like an open garage. Each one has a door that goes into the corridor of the building.

JOHN NOWICKI: On the inside?

MR. SUDOL: That's correct.

KAREN COX: One, two, three, four, five shown.

PAUL WANZENRIED: You're only showing five per unit.

MR. SUDOL: I apologize. There is six, though. I'm sorry, there is five on each side.

JAMES MARTIN: Five on --

PAUL WANZENRIED: I miscounted. I'm sorry.

KAREN COX: So it is ten --

MR. SUDOL: Ten per building.

PAUL WANZENRIED: Okay. All right. Trash? I assume -- is there, you know, everybody takes their trash out, where is it going?

MR. SUDOL: Um, there is usually a trash room or there would be a trash room in the building, and then the maintenance people take it to an on-site dumpster enclosure that we'll show on our future plans.

PAUL WANZENRIED: Okay.

KAREN COX: What is the rent range that you're looking at for these units?

MR. SUDOL: Correct me if I am wrong, I believe it's between -- around \$920 for a one-bedroom, up to \$1400 for the three-bedrooms. Generally. We still have to iron out the details, but that is the range.

JOHN NOWICKI: A question on that if you don't mind. There was a mention here, is there an efficiency apartment, 550 square feet, a small apartment?

MR. SUDOL: There are smaller one-bedrooms. I don't know if it is actually 550 square feet, though.

No. Where -- where did you see that?

JOHN NOWICKI: This was in the letter we got from Lu Engineers who mentioned minimum unit size of apartments.

MR. SUDOL: Smallest I see is 797.

UNIDENTIFIED SPEAKER: No efficiencies. 570 is about the smallest one.

JOHN NOWICKI: The rental on that?

MR. SUDOL: 900, \$950.

JOHN NOWICKI: Up to \$14.

MR. SUDOL: Yes. Right around a dollar, dollar ten a square foot.

MR. BONSIGNORE: Mr. Nowicki, I think what you're referring to, in the letter from Lu Engineers they put in a sampling of the general requirements for multi-family. That is where that 550 comes from, but that is not what is proposed for this project.

JOHN NOWICKI: Okay. About a buck ten a square foot.

MR. SUDOL: Roughly.

KAREN COX: Will these have elevators or is it all stairs?

MR. SUDOL: There will be an elevator, yes.

KAREN COX: So you could have senior living up on the -- senior living on the third floor.

MR. SUDOL: We call it all ground floor living because of the elevator.

KAREN COX: Will there be an age limit on -- I mean, is it --

MR. SUDOL: Market rate, no restrictions. We would rent to really any -- no restriction on seniors or not.

KAREN COX: Okay. That was all I have.

JOHN HELLABY: Did you say that you would furnish the Board with addresses of other complexes that these folks actually have built and owned?

MR. SUDOL: Yes, absolutely.

JOHN HELLABY: If you would be kind enough to do that, I would appreciate it.

JAMES MARTIN: Is the closet one, the one in Clay?

MR. SUDOL: Of this particular building style.

JAMES MARTIN: Of this building style.

MR. SUDOL: The Morgans do have many projects in the Monroe County area. Not with that building style, but similar architectural theme, similar masonry work.

JOHN HELLABY: I personally am up there quite a bit, so if you could get me that address, I would appreciate it.

I don't want to belabor the point of density and whatnot, but a year ago when you were in here, there was a pretty lengthy discussion on that particular subject, and part of the deal was that you were going to present us with a map showing what the balance of these potential 300 units would be built. Is that what you're trying to indicate with that?

MR. SUDOL: Yes. I mean, that is an overall map of the entire PRD.

Now, where -- once we take ours and there is 300 left, where those get built, we're not planning to build those right now. Probably the best, most optimum area would be to the west. That's where the green field is. That is where a lot of the infrastructure is. I think the key is that we're continuing to avoid areas to the north which was actually turned over to the Town of Chili.

And the interpretation made by the Town Attorney was that that land, although turned over to the Town, still counts towards the overall density calculation. So it can't go there. You know, it's not -- a pretty funky shaped piece of land off Union Street, that little wedge, so naturally I would think it would go west of us, if anywhere.

JOHN HELLABY: The only other question I have is sort of a curiosity question. It has taken a year to get back in here and discuss this. What is the -- if this thing does move forward, what does the overall schedule look like? Will this thing drag out for another ten years?

MR. SUDOL: No. Actually the schedule now is extremely aggressive. We hope if we can satisfy the Board, you know, through the site plan approval process, to be in the ground this summer. We're targeting June or July.

JOHN HELLABY: You will not piecemeal. You will do all of the units at one shot and get out of there.

MR. SUDOL: That's correct.

JOHN HELLABY: That's all I have.

JAMES MARTIN: Going back to the location of the 300 quote "extension units," as far as ownership goes, does Cornerstone still own the remainder of the property?

MR. SUDOL: Yes. Yes.

JOHN NOWICKI: Just to pick up on what Al (Hellaby) was talking about, in regards -- the -- was there -- was there a study or anything that encouraged you to go to a three-story building and to have the density on the property such as this? How did you arrive at a three-story building?

MR. SUDOL: It was a mixture of a lot of things. One of them being the market study that was put together. And one of them being basically us seeking to put a product out there that is a little bit different than a lot of the typical town home developments that I think have come through Monroe County and Town of Chili included where you see -- you see this to the east of us and to the west of us here where you have the six or eight or four-unit town homes that have a garage, and there is a lot of those price points, 15, \$1,600 a month, whatever it is.

What we're trying to do is offer basically an alternative to that, which is also in conjunction with what the PRD lays out to seek a variety of different housing types and it's also efficient for us. By not sprawling out, if you will, and going through with three stories, we don't have much pavement, as much storm water management. We're able to do -- keep ourselves efficient by going up three stories and having these buildings which have a few more units than what you're accustomed to.

JOHN NOWICKI: The building you're showing here, how many elevators in that building would you have?

MR. SUDOL: I think just one that is central to the building. Yes. Just the one that is central to the building.

JOHN NOWICKI: One elevator. Okay. The Fire Marshal, I'm sure you're aware the apartments shall require sprinklers, fire alarm systems and the addition of hydrants in the complex. The complex shall require an annual multi-unit dwelling permit. Were you aware of that?

MR. SUDOL: I wasn't aware of the last part. I mean we're absolutely providing sprinklers, hydrants and fire alarms. I'm not sure what is entitled with multi-dwelling permits, but I'm sure that is something we can work with the Fire Marshall.

JOHN NOWICKI: That's what we got from the Fire Marshall. You mentioned before there was a recreational -- some type of recreational facility on site here for the -- for the tenants?

MR. SUDOL: Well, there is a playground area that is kind of in the center of the project.

JOHN NOWICKI: Just the one playground area?

MR. SUDOL: Right. A seating area and then there would also be more indoor recreation and maybe some kind of outdoor cooking environment potentially. We don't need the details yet at the Community Center. But we'll have paths out around the pond area and up to Union Street.

JOHN NOWICKI: The garages are -- are inside the buildings, right?

MR. SUDOL: Yes.

JOHN NOWICKI: That's interesting. I was worried about the safety features there, but in the other ones, you mentioned 12 auxiliary garages.

Are they stalls or garages with doors on them?

MR. SUDOL: They have doors on them.

JOHN NOWICKI: They do have doors on them. Okay. That's about all I have for now.

DAVID CROSS: My turn?

JOHN NOWICKI: Yes.

DAVID CROSS: I guess on the surface I'm in favor of clustering.

I'm certainly concerned with the density proposed here, 15 units per acre. Um, the zoning for PRD calls for ten units per acre max. Which I mean that's the -- kind of on the high end.

I did a little math on Kings Crossing, right next door. That's eight units per acre, okay? Parklands in Chili is eight units per acre. So this gives us perspective what they're proposing here. And they're certainly getting that with the third story, which I have concerns about. You know, you got to go 40 feet in the air to get that third story. There is a variance involved right there.

Um, Blueberry Hill, you know, that is eight units per acre. So I -- just to put it in perspective for everyone.

Um, it would be the only third-story apartment in Town, I believe. I think I brought that up a year ago. And I don't know that anyone has seen any others.

I don't like -- we lost access through Kings Crossing. We lost another means of access. That's bad planning. I don't know why you did that. We lost -- well, I guess this maintenance building is really a clubhouse, but that is good. I think a -- certainly an apartment complex of this density would need a clubhouse. Even a pool. You know, I still see the word "luxury" in the letter of intent, and luxury to me means a pool.

What other luxury amenities -- I haven't heard any other luxury amenities. Could you -- could you answer back to us, Jess (Sudol)?

MR. SUDOL: Yes. Can I answer your first two points first of all?

DAVID CROSS: Sure.

MR. SUDOL: With respect to density, again this -- as I said earlier -- is kind of a nice way of looking at development in apartment projects. All our projects that you mentioned, including some of the ones Passero that has been in front of you over on Paul Road are all eight units per acre. They're all the 4, 6, unit town homes that are spread out in a linear fashion and eight units to ten units per acre was kind of our standard.

This is a different way of looking at it with the -- a cluster approach and more efficient design. I do want to point out that the building just to our west that kind of looks like an X there, that is 50 units on 3 acres, so that is around 16 units per acre or actually even a little bit more. So we're kind of in between the eight units per acre of Kings Crossing and the 16 units per acre that are in that larger living. What we're really at and what we're proposing is different than what the Town is used to seeing. You see a lot of senior projects that have 100 units in one building on a small piece of land.

DAVID CROSS: I understand, but go ahead.

MR. SUDOL: You know, there's nothing fancy to it. I'm just trying to say it is a little bit different. We recognize the densities there. Again, a lot of leg work has been done. When you talk about density, the next thing you talk about is impact, whether it be traffic, storm water or whatever it is. A lot of that has been handled as part of the overall SEQR process and anything that is not we're looking to go handle on our site.

As far as the access to Kings Crossing, one of the reasons why we're no longer proposing it is because they don't have a specific access easement that was granted to us. We are concerned about if we just gave a full access out through Kings Crossing, that anybody coming northbound on Union Street would seek to cut through Kings Crossing.

That is not to say that we would be opposed to providing some kind of emergency fire lane to our property boundary with some kind of crash gate on it. There would still be a gap from our boundary to where the turnaround is for Kings Crossing, but somehow if the Town were able to facilitate emergency access connection, that is not something we would be against.

We're also, you know -- one of the things we're planning on doing is providing access to the west. Um, we provide an access even to the west so if the parcel were ever developed, you know, there would be a secondary means of egress. We recognize that, you know, that would be something useful if this area develops further.

And what was the last? The luxury amenities. A lot of that is done in, you know -- and, Kevin, if you want to speak to -- but a lot is done with the finishes and the building itself.

Is there anything you want to add?

MR. MORGAN: Hi. Kevin Morgan.

And just to speak to the luxury part of the project, so we will have a clubhouse. It will have a pool. It will have probably over a 1,000 square foot fitness area. A community room with TVs and in the units we would have granite countertops, stainless appliances, 9 foot ceilings, all of the stuff that you see in luxury apartments.

DAVID CROSS: Good. I do -- I do like the look of this, by the way.

KAREN COX: It's nice.

DAVID CROSS: Except for the third floor. That's all I have.

JAMES MARTIN: Quick question.

Do you have the auxiliary garages as part of this -- part of the development in Clay?

MR. SUDOL: Yes.

JAMES MARTIN: So they're there?

MR. MORGAN: They're there, correct.

JAMES MARTIN: Thank you.

RICHARD BRONGO: Approximately how long is this building?

MR. SUDOL: The building is, I think, about 120 feet by about 100 feet.

RICHARD BRONGO: So if you have a handicapped person that is up on the second or third floor and needs the elevator, and when they get off the elevator, they still have quite a distance to walk before they get to their unit.

MR. SUDOL: Probably with 40 feet. Maybe 30. Because the vestibule doesn't run the whole length of the building.

At the end of the vestibule is a whole bunch of doors that goes into the units. You know, the unit is 20 feet deep. It takes it off from the total length. I will definitely provide floor plans with our next submission.

JOHN NOWICKI: Just one.

The garages, are they included in the rent or is that a separate fee? Is that a separate --

MR. SUDOL: There will probably be a slight -- it will be included, but there might be a premium paid for having a garage that is part of the building itself as opposed to having one that is across the way. Um, I'm not sure about the specifics yet, but it would be rolled into the price.

PAUL WANZENRIED: Are these enclosed garages?

MR. SUDOL: Yes.

JAMES MARTIN: Anything else?

Now is the time to get our concerns on the table, if there are any before this comes in for the next phase.

MICHAEL JONES: I don't really have anything to add this time. I have no questions.

DAVID LINDSAY: Nothing to add.

MIKE HANSCOM: Nothing to add.

PAT TINDALE: Same thing until I get the licensed landscape plan and checklist.

MARK MARRY: Jim (Martin), I will only say my understanding is that we don't get involved unless it is the discretion of the Planning Board. But I would say that the reputation of the Morgan Management Group is a very good one in the community. And I think as long as we can help enhance this site where it is proposed, we will look forward to working with them and interfacing along the way.

JOHN NOWICKI: If I can, once these projects are built, who manages these projects?

MR. BONSIGNORE: They're sub managed.

JOHN NOWICKI: Are they kept with -- within the Morgan Group?

MR. BONSIGNORE: Correct.

JOHN NOWICKI: Are there any proposals here that would assist people in getting benefits from other -- rental to pay their rents or anything like that?

MR. BONSIGNORE: Like subsidies?

JOHN NOWICKI: Subsidies.

MR. BONSIGNORE: These are intended to be market-rate apartments, so at this point there is no intention for any subsidies.

JAMES MARTIN: It was brought up earlier, and we certainly look forward to the list of other projects that are in the area. That would be good. You know, you're going to try to take a look at the one there, and we might drive down, a couple of us to just take a look. It was very helpful when the Microtel was proposed, all right, for Chili, to -- they had one down in Bath, I think it was, and we drove there to take a look, and it was very helpful in the Board making a decision that we had that -- a visual, okay, of what the building actually looked like.

MR. BONSIGNORE: Certainly.

KAREN COX: I thought of a question.

There is a -- and this is -- I drive by this a lot. I should know this. There is a subdivision -- or apartment complex over at -- on Johns Street near RIT, I think, called The Province.

MR. SUDOL: The student housing development?

KAREN COX: I don't know if it is student --

MR. SUDOL: It is.

KAREN COX: Are those three stories?

MR. SUDOL: They're at least three.

MR. BONSIGNORE: I know. They're at least three.

KAREN COX: Do you think the density of those units is similar to what we would see here?

MR. SUDOL: It's denser.

KAREN COX: I don't have the luxury of being able to drive to Clay like the retired guys do, so.

MR. SUDOL: I did want to -- I am sorry to cut you off, Jim (Martin), before you go, but the applicant has offered if the Town were interested in getting a group together, they would chauffeur a shuttle to have everybody go out to Clay if you want to do it that way. Let us know if you want to take them up on that.

KAREN COX: I will have to take their word for it in pictures.

MR. BONSIGNORE: Mr. Chairman, the question actually lead right into what I was stepping back up to discuss with regard to the density.

Um, this Board is more than familiar with my office and how we do our presentations. You know, when it comes time for the formal submission, we'll put together a letter of intent with a narrative describing the project, et cetera.

One of the things I do want to remind the Board, because it has come up a couple of times, the PRD was approved back in '96, and it had maximum number of units per acre requirements at the time. Keep in mind that this project is only a portion of the PRD District. And the purpose

of this, and the purpose of the discussions with the Town staff and Counsel was to cluster the development as Jess (Sudol) mentioned to reduce physical impacts to the property, to allow for aesthetic improvements. There is still over -- over -- approximately 40 acres within the district that is included in that density calculation. So when -- while this project is clustered on one portion of the district, the overall density is -- is far less and -- and I think Jess (Sudol) can put together the actual calculations, but you will find that within the district, we're -- we're within the parameters of the PRD restrictions and regulations.

MICHAEL JONES: If I could just comment a little bit on that. We -- we did confirm from a 1985 letter from the prior Counsel, Mr. O'Toole, that this was approved as a clustered subdivision. So clustering was originally intended when it was approved.

However, I think the questions from the Board are quite appropriate to determine now what areas will be preserved and what areas will be developed in the future as we start to get through the what is left here.

JAMES MARTIN: Anything else at this point? Okay. I think we're done.

MR. BONSIGNORE: We thank you for your time and look forward to our formal presentation.

DECISION: As stated in the presentation, a market study is nearing completion that will examine the suitability of this project for the Town. The Board looks forward to reviewing this study and having an independent review conducted by an outside consultant.

The meeting was adjourned at 8:07 p.m.