

CHILI PLANNING BOARD
April 12, 2016

A meeting of the Chili Planning Board was held on April 12, 2016 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 Michael Nyhan.

PRESENT: Paul Bloser, David Cross, Matt Emens, John Hellaby, John Nowicki and Chairperson Michael Nyhan. Ron Richmond was excused.

ALSO PRESENT: Michael Hanscom, Town Engineering Representative; Eric Stowe, Assistant Counsel for the Town; Paul Wanzenried, Building Department Manger; Larry Lazenby, Conservation Board Representative; Brad Grover, Traffic & Safety Board Representative.

Chairperson Michael Nyhan 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.

PAUL WANZENRIED: Chairman, it may be advisable that you release -- since we know that one of the applications has been tabled, that you release those that are waiting to sit here for that --

MICHAEL NYHAN: Thank you --

PAUL WANZENRIED: -- for that application.

MICHAEL NYHAN: Okay. One of the applications has been tabled tonight, for the Black Creek Industrial Park on Union Street. We will hear SEQR or make a determination on SEQR, but we will not be hearing anything from that applicant tonight.

Thank you, Paul (Wanzenried).

PUBLIC HEARINGS:

1. Application of The Father's House, owner; 715 Paul Road, Rochester, New York 14624 for preliminary site plan approval for a parking lot expansion at property located at 715 Paul Road in R-1-15 zone.

Matt Sinacola, Eric Rowlands and John Caruso were present to represent the application.

MR. SINACOLA: Good evening, Mr. Chairman, members of the Board. My name is Matt Sinacola with Passero Associates representing The Father's House this evening. With me is Eric Rowlands with The Father's House and John Caruso, also with our office at Passero.

As the application states, we are asking the Board tonight to consider approval for parking lot expansion for that facility. As this project was originally conceived, designed and approved, there were provisions made for expanded parking, future use for members that would come to this facility and take part in the services. And as a part of that, um, those provisions included the construction of the utilities and the storm water management facilities. They were all located, situated, sized to accommodate this future expansion of parking. Also, the bulk of the landscaping was situated so it would accommodate this future phase of construction, right down to the placement of the landscape islands and parking lot so they would end up being in the middle of the 24 by 24 parking areas that predominate in the parking area.

The facility at the moment is in need of added parking. The use of the facility is very popular, and there are occasions when the existing parking is maxed out. And so the time has come where we feel that it is a need to get a portion of this approved.

At this point, we are proposing to build the parking in two phases. The need is there ultimately for all of it, but it makes sense to break this -- given the geography of the site into two phases anyway. It would make ease of construction -- there is a certain logic involved here.

So we propose to build the west side first. As you see on there, the different shading on that plan represents the difference in treatment, full depth and partial reconstruction. But the bottom line is that entire dark shaded area would ultimately be constructed.

The -- the east side phase would encompass this area. I don't know if I show it on this. We have added a heavy line to encompass that Phase 2 area.

Included in Phase 1 would be the connector driveway to the north side of the facility as well as the gravel loop road along the south side of the building. These -- these were also comments by the Town Engineer advising that these be included with the first phase of construction.

In addition to that, we are also proposing to install the bulk of the landscaping that would be required as a result of this improvement to the site. We have moved this -- most of the landscaping to the east side.

This is situated so it ends up along the east side of the future expansion of the parking lot on the east side, which would be part of Phase 2, in the existing storm water ponds.

I took this to the Conservation Board. They did look this over. We presented that to them and asked them to endorse our logic. The thinking being, if we're going to spend money on landscaping on the site, we should do so to help screen the site from the closest residential neighbors, which would be the east side.

They agreed with that, and they seemed quite pleased with the whole concept. The -- the landscaping would be actually situated on a low berm, 2 to 3 feet high to help provide some additional screening.

So as a part of Phase 1, we would install almost all of the landscaping. But the only exception to that would be the trees that would be located in the new landscape islands as part of Phase 2. They would have to wait obviously until we build the parking lot.

There is a few other adjustments to the site, amenities. The handicapped parking has to be reconfigured to some extent, repainted. There are some type of warning strips to go in, sidewalk to be installed, a few other incidentals. That is pretty much the bulk of the overall construction.

We were waiting for the Monroe County Traffic Study to be completed for this project. I guess focusing on the Archer Road intersection. That was completed and with the benefit of that, we were able to kind of compare how this facility sits with that.

Um, some accommodation has been made for the results of that, in the sense that we are prepared to grant easements to the Town for some potential lane improvements, turning lanes, perhaps, that would be the -- perhaps the likely addition to that intersection to help traffic flow.

And as I say, we can accommodate that however it need be, whether the easements need to extend the full length of the ownership or portion thereof. There are currently a number of easements out there. One is already granted to the Town for drainage purposes, which is up along the north side.

And there is also a few other easements for the Water Authority and so forth. But The Father's House will accommodate whatever we need. It's -- it can go full length and work its way through there.

As well -- as well as on Archer Road.

I believe we have addressed everything that the Highway Superintendent commented on. I -- I have learned late today that there was a comment to provide for a future sidewalk along Paul Road. And I don't see any reason why that could also not be accommodated.

That would have to be coordinated obviously with all of the other things that might go along there, but we could easily grant an easement for whatever is needed to take that all in.

Those are the highlights. If the Board has any specific questions, I would be glad to try to answer them.

MATT EMENS: I guess I'll start with almost where you left off. So the traffic study, that is something we weren't given, correct? That is something that you guys had done?

MR. SINACOLA: It was.

MATT EMENS: I didn't see it in the enclosure.

MR. SINACOLA: It wasn't done by us. We were copied in on it, so we were just able to reference it to see what -- what their conclusions were.

MATT EMENS: So the things you're talking about obviously we're not seeing on this drawing, but that is what we would see on the next round.

MR. SINACOLA: It is really a separate issue, entirely separate matter. These would be public infrastructure improvements. Quite frankly, there is nothing that the onsite improvements do with this application that really affects that. We're not changing the user profile of the site at all. This is really just to address the onsite parking issue that we're currently experiencing.

MATT EMENS: Thanks for explaining that.

So then back to some things you said early on. You're talking about breaking this into two phases.

MR. SINACOLA: I'm sorry, John (Caruso) pointed out that we are proposing a -- an improvement to the turn lane coming in, the west entrance.

MATT EMENS: Small strip. I did see that.

MR. SINACOLA: So that is an improvement that compliments the Town traffic study, essentially. I'm sorry, your question was, Matt (Emens)?

MATT EMENS: You said you got this broken into two phases. Just so I understand, because obviously I wasn't here in 2006 for the original approval, these here were originally approved -- these additional parking spaces were approved on the original application or was this a subsequent application and we're just rehearing that from 2013?

MR. SINACOLA: It was approved -- original plan set showed expanded areas that were called future parking.

As a matter of fact, the catch basins that will receive the runoff for this expanded parking on both sides are actually in place. They have been installed already. So that they -- they simply build up to them. As I say, even the infrastructure was built with the intent to expand the parking out to this point on both sides. So it was a part of the original planning, as was the size of the pipes and the storm water facility on both sides.

MATT EMENS: Okay. So the next thing I'm interested in, you have talked about breaking this into two phases. Typically that would be done because of cost or that the need wasn't there. Why are you -- is it for ease of construction? Could you maybe expand on that for people to understand why you break this into two phases? You specifically said there is a need for all of them now. So why would you break this into two phases?

MR. SINACOLA: For two reasons. There is the -- the prospect that with the added parking on this side, The Father's House can assess how that works. But there is also the

practical aspect there is a lot of pavement involved, and to contract all of it as one phase, it makes sense, given -- given the way it is broken up physically, to build this in two phases. And there is an issue of cost obviously. The way they can pay for this, see how that settles and then, you know, obviously look at their budget for doing the remaining portion on the east side.

MATT EMENS: And so then is it my understanding you would be looking for approval on both phases?

MR. SINACOLA: We would like to get approval for all of it, yes. It was kind of in the original plans, and the expectation is there is really the need for it now. It is somewhat driven by the schedule of the services on the site.

Eric (Rowlands), you can correct me if I am wrong, there were four services a week originally? That has been brought down?

So there is one less service, more people come to the services that -- that remain on the schedule. So it intensifies the use.

MATT EMENS: But for one day a week; is that the majority of it?

MR. SINACOLA: Right. Correct.

JOHN HELLABY: You're adding ten new light poles, I assume.

MR. SINACOLA: Yes. There are new light poles at the western -- eastern periphery of the new parking. Also, I believe there is one along the south edge of both the east and the west sections.

JOHN HELLABY: Dark sky lighting.

MR. SINACOLA: Yes. They will be full cutoff.

JOHN HELLABY: They won't be on all night long?

MR. SINACOLA: No. We discussed that with Eric (Rowlands). He controls the timer on those. I believe he said they shut off at midnight.

JOHN HELLABY: Back to the two phases.

I hear "two phases," but I haven't heard a timeframe. What are we looking at for timeframe?

MR. SINACOLA: We would like Phase 1 started this year, as soon as possible.

I don't know, Eric (Rowlands), has there been talk when Phase 2 would take place?

MR. ROWLANDS: It will be budget driven.

MR. SINACOLA: Budget driven.

JOHN HELLABY: You're saying Phase 2 might not go next year or the year after, if that is the way I'm hearing it correctly?

MR. SINACOLA: It could be. It is -- could be, John (Hellaby).

JOHN HELLABY: Would Phase 1 eliminate the need for bussing back and forth from Paul Road School, because I think you're presently doing that, are you not?

MR. ROWLANDS: Yes.

MR. SINACOLA: That will eliminate it.

JOHN NOWICKI: Was that a yes, it will eliminate it?

MR. SINACOLA: Yes.

JOHN HELLABY: I guess the only big concern I have and has always been is the amount of traffic generated over here. I will admit I avoid this place like the plague on Sundays just because of the traffic situation, but I have noticed a couple times when I was over that way, there have been Sheriffs posted at the end of the drive.

Are they continuing to be there or are they only there for special events?

MR. ROWLANDS: Special events.

JOHN HELLABY: Special events, not there all of the time.

MR. CARUSO: Just Christmas and Easter.

MR. SINACOLA: I didn't see them in the services that I was -- that I saw.

JOHN NOWICKI: The drawings that you gave us, Drawing Number 2, the second one, that you're showing here, is that Phase 1? Is that showing Phase 1 parking expansion?

MR. SINACOLA: That -- those both, I believe.

MATT EMENS: The demolition.

MR. SINACOLA: That's the demolition plan, right. That's illustrating the -- the existing pavement that will need to be milled out at -- as a part of the overall project.

JOHN NOWICKI: But that Phase 2 will not take place on -- the west side is the one that will take place first.

MR. SINACOLA: Correct. So part of Phase 1, only the milling of that existing parking lot on the west side.

JOHN NOWICKI: That will take place?

MR. SINACOLA: Yes.

JOHN NOWICKI: And landscaping will be part of Phase 1, all of the landscaping?

MR. SINACOLA: All of the landscaping that I mentioned with the exception of the trees -- the newly created landscape islands in the east parking lot would have to wait until that is constructed.

JOHN NOWICKI: Then I heard you mention that there was a turn-in lane coming in off of Paul Road into the west side, west side driveway.

MR. SINACOLA: The -- it is really just a shoulder, reinforcement.

JOHN NOWICKI: Shoulder reinforcement.

MR. SINACOLA: Yes. Only about 2 foot wide, 100 feet long.

JOHN NOWICKI: We haven't seen the traffic study yet for the Archer Road/Paul Road intersection that you mentioned?

MR. SINACOLA: The Town had it. We received a copy from the Town. Should be on file.

JOHN NOWICKI: You're aware of a letter from Dave Lindsay with regard to his two comments?

MR. SINACOLA: I'm sorry.

JOHN NOWICKI: Have you seen Dave Lindsay's letter in regard to his two comments here?

MR. SINACOLA: I'm not sure I have.

JOHN NOWICKI: Superintendent of Highways requests the applicant provide the Town with the necessary easements to complete the portion of the proposed intersection improvements that impact their property as shown on engineering plans as prepared by the Monroe County Department of Transportation entitled, "Improvements to Paul Road/Archer Road Intersection dated June 2013." That is the first one.

The second one is Superintendent of Highways requests that the applicant provide a 15 foot wide easement to the Town of Chili for possible future sidewalk construction along the frontage of Paul Road and Archer Road for 715 Paul Road and along the frontage of Paul Road for 727 Paul Road. So those are comments.

Have you seen those?

MR. SINACOLA: Yes. That -- I correct myself. That is what I heard of early this evening. That came over.

JOHN NOWICKI: What do you intend to do about that?

MR. SINACOLA: Well, I don't think, have any problem with providing the easements for both purposes. So that can be accommodated.

JOHN NOWICKI: That's all I have.

DAVID CROSS: Matt (Sinacola), can you clarify, I know you said the landscaping on the east, to the east of the Phase 2 parking, it is up on a berm. You will do that with Phase 1?

MR. SINACOLA: Correct.

DAVID CROSS: That's a good idea. Thank you.

And I -- when we last looked at this in November of 2013, it was tabled, and I think one of the main reasons at that point was concerns with noise, there were complaints from the neighbors to the east, and I guess I look to the side table to see if there has been any active complaints in the last 2 1/2 years? Paul (Wanzenried) or -- is there anything unresolved at this point?

PAUL WANZENRIED: Not that I have been privy to.

PAUL BLOSER: As you excavate this on Phase 1, Phase 2, are you going to be removing sod and everything in one swoop out of there? Will you be staging it?

MICHAEL NYHAN: Will you be selling off topsoil so we'll have trucks constantly in and out?

MR. SINACOLA: I don't believe there is any intention to remove anything from the site, Paul (Bloser). As a matter of fact, the topsoil is likely to be used for the berm construction. What little remains could be added to the berming that already is existing onsite to the west of this western parking lot expansion. So the material should stay onsite. I don't see anything leaving. There would be no reason for that. It would just be the import of building materials, stone.

PAUL BLOSER: Phase 1, you will only do excavation on Phase 1. You will not do anything, even stone -- basic stone work on Phase 2 portion?

MR. SINACOLA: No. Phase 2 would be held off -- as I say, the only things included in Phase 1, we would mill out these portions, do full depth reconstruction and do full cutaway for this access road as well as here and then install all of that. So everything within this area (indicating) would be held off as a part of Phase 2.

PAUL BLOSER: I'm just asking, because sometimes on a project like this, when you're doing the excavation work, it's cost advantageous to get all of the excavation portions done while the equipment is there and just stone it out. Paving is expensive. I understand that, and you're paying by the truckload on that, but the excavation you're using it onsite, sometimes it is cheaper to have it done all at once. Just a thought.

MR. SINACOLA: That's a valid point. And again, I think it kind of goes back to our statement that it is sort of cost driven.

PAUL BLOSER: That is why I asked. I know it is cost driven, but you might be able to save on it.

MR. SINACOLA: Ultimately it might be cheaper to probably do all of it at one shot, saving on the staging, doing things twice. I can't speak to the Church's Trustees and how they finance things obviously.

PAUL BLOSER: That's all I have. Pretty straightforward project.

JOHN NOWICKI: Did you receive the recent letter from Mike Hanscom, Lu Engineers, in regard to a couple additional --

MR. SINACOLA: Yes.

JOHN NOWICKI: All set on that?

MR. SINACOLA: Yes. We're good with all those comments. We have made some of the changes, as I say, including the access road and the emergency loop road which was a suggestion he made.

And the other items on there, we have no problem with that. We'll provide the balance of that.

JOHN NOWICKI: Thank you.

ERIC STOWE: We would just ask for any easement -- condition to review any easements and review prior to signing off.

LARRY LAZENBY: The Conservation Board has a couple of comments. First of all, I would like to apologize to the gentleman for not being at the Conservation Board meeting. There was a death in my family and I was out of Town. But when I returned and I talked to some of the members, apparently there was some confusion during the presentation related to Phase 1, Phase 2 -- landscaping Phase 1 Phase 2.

So I want to go back and just clarify a couple of concerns that the Conservation Board has.

If you're doing Phase 1 to the west first, we are concerned with that entire housing development along the west side that's going to be -- that church gets a lot of evening activity, which is nice, but that's going to be the parking lot lights and all headlights that are going in and out of that parking lot, pointing directly into all those homes along that side, yet you are doing all of your land -- you're saving all of your landscaping for the east side.

So the Conservation Board is going back and what we are saying is we need to take into consideration all of those homes over on that side, and what we are asking is at this point is -- and you have already said that all of the ground material is going to remain onsite. So as you're excavating that west side property, to prepare it for the blacktop, we would like to see that material pushed in the direction of all of those homes over to the west to create a berm that can then be planted with some of the money that is going to be used for the east side, so that eventually between the height of the berm and the plantings on the berm, we will have created a visual and in some cases a sound barrier to the sound that has already been previously mentioned, as well, with the creation of that berm and the plantings along the top of that berm.

And when you think in terms of how much money you're going to be spending for the landscaping, there are a heck of a lot more residents along that west side than there are along Archer, and I think we need to take them into consideration, because if you looked at the lay of the land, which I have done twice, as you drive in, the property of the church is considerably higher than the property of those houses on the other side, which means you're talking just absolute headlights all night long and I don't think anybody should have to deal with that.

So the Conservation Board is coming back and recommending that some of that landscaping they're holding for Phase 2 be used for Phase 1 as well as the topsoil being pushed over and creating a berm.

The creation of that berm would also help filter water -- that's going to be a big blacktop parking lot. So there is going to be a lot of drainage, because that's the lay of the land, going in that direction. And there is no pond on -- over on that side, correct?

MR. SINACOLA: Well, the -- the drainage for that side is already accommodated for. The structures are actually already in place.

LARRY LAZENBY: A lot goes right down to the creek.

MR. SINACOLA: All goes through and to that storm water pond to the north.

LARRY LAZENBY: Well, a berm the length of that with plantings will also act as a barrier and filter for water coming off that parking lot that could potentially go into the creek that is right there separating the church property from the homeowners.

MR. SINACOLA: Well --

PAUL WANZENRIED: Matt (Emens), could you explain that there is another piece of land between the edge of that parking lot and the Greenwood Townhomes to which Mr. Lazenby is speaking of, and there is approximately 100 yards before you get to the hedge row.

MR. SINACOLA: 420 feet or so. This is where the existing new homes are being constructed now, part of the PNOD project. This is all open field. And again, to kind of go back to the whole purpose of getting the Conservation Board's blessing on our tactic, was to -- I should point out, we came up with a rough estimate for total construction cost to determine the amount of landscaping we would have to do as part of this approval.

And then added 50 percent. So we're putting in -- over 50 percent additional landscaping costs onsite above and beyond what we really need to do, and I should also point out to The Fathers House's credit, they have also installed a large number of trees down here that are quite large. All of the trees you see in front of the building now. All above and beyond what was originally called for.

So our tactic was, let's concentrate over here (indicating), let's put additional trees on the east side. We granted -- granted the homes are fewer in number, on the other side of Archer, but they're a lot closer to the activity.

So our intent is to try to mitigate that, the issues that have been brought to the Town's attention by concentrating our effort and our investment here, and not just throwing it away over here. To accomplish what you're asking would involve a pretty significant number of trees and a lot of earthwork, and I -- I don't think it would have much impact until many years down the line when they have grown to some size. So I don't think that is in the cards.

LARRY LAZENBY: Just to clarify, you're going to be pushing the dirt off anyway. You mentioned the fact that you were going to use it for the berm on the east side. So if you're going to be pushing it off anyway, you could create that berm on the west side and it does not have to be tree plantings. That new gas transfer station out across from Chili Avenue created a very nice berm and it's planted with evergreens or spruces or whatever. It does not have to be the -- we're not talking trees that will take a long time. They can be staggered evergreens along the top of that berm and it's not going to take that many years for a buffer to develop.

That's the feeling of the Conservation Board.

MR. SINACOLA: Okay. Well, it wasn't expressed to me on the night of the meeting.

LARRY LAZENBY: I apologize for that because it's being expressed now.

MR. SINACOLA: There is a berm.

MR. CARUSO: Mr. Chairman, can I address the Board?

MICHAEL NYHAN: Sure.

MR. CARUSO: So one of the things we try to do before we came back to this Board was to -- I'm sorry. I'm John Caruso from Passero Associates.

One of the things we try to do so this meeting would go quicker, is we held off a month when we were ready to come back so that we could have a meeting with the Committee, the DRC, and at that meeting we pulled out all of the engineering comments, we went through -- we went through the Town -- the Town conducted a traffic study in which the outcome of that we put into our plans. That's what happened and so you can -- we wanted to show engineering that that was in our plans. Um, talked about discussing easements, because the County is going to do an improvement on Archer Road that will benefit the area, including us, so, of course, we would give easements up, and we said we would that and all of the other incidentals so this meeting could go smoothly.

One of the things we needed to do was get before the Conservation Board. We were pretty confident in that because as you can see, we want to do everything in Phase 1, except for build the parking in Phase 2. One of the problems we had was asking this Board to approve everything without a phasing plan and then if we only go build Phase 1, how do we do a letter of credit on the whole piece and only build some of it and have to manage a letter of credit all those years? So it was decided Phase 1, Phase 2, approve them both, build all that is needed and all of the other things about the engineering issues and the screening aspects could be conducted in Phase 1. We could do Phase 2 when the capacity really kicks up. You know they built a Greece site. They're working on a Brighton site and that will take some of the load off Chili. You can see when they have special events, they just don't let the natural traffic control work the entrance. They hire and they bring people in. So they're doing things right here.

One of the things we needed to do right was go to the Conservation Board. We went to the Conservation Board and we said we know where the money needs to be spent here. We know what the issues are. Let's put the money in the right place and build the landscaping over here. And we'll build the parking improvement over there. And we talked about the fact that there is a 1,000 feet between our property and the next development over, which is PNOD, which is a rental project, which has a whole grove of woods that buffer it from the -- from the open area. Understand?

And so Matt (Sinacola) attended that meeting and what came out of that meeting was that as we presented it, it was approved. They actually liked what we did at our meeting, the DRC meeting, and what we were proposing.

Obviously our intent is to screen. And there is other additional landscaping that wasn't shown on the as-built plan that they have added since to the -- the as-built plans were done and Matt (Sinacola) is showing you them.

They had some more landscaping in the middle and they screened around their pole barn in the back. And nobody -- the pole barn in the back can't be seen by anybody. They still screened it. So we come here tonight and we hear that this gentleman unfortunately missed the -- the Conservation Board meeting, but now his input to that meeting has a different message than the Conservation Board meeting that Matt (Sinacola) went to. So how could we anticipate that? How could we anticipate the need for screening on this side, which is 1,000 feet from PNOD, which has its own grove of woods between us and the open field?

And so the -- some of the comments that -- well, this berm will screen drainage. You all know that berms don't screen drainage. They don't screen drainage. And there is no need to put a buffer up like that and cost this church more money. This is a church.

So I'm asking you to approve the plan as we have proposed it. I understand the Conservation Board and maybe this -- this gentleman represents all of the people that were there that approved the plan that Matt (Sinacola) gave them that night and now there is a change in plan -- I don't think that is fair they come here and lay it on us and it be an impairment between us and you.

We're asking the Board to approve this thing in both phases so we have the possibility to build Phase 1. And not have a quagmire of permits and what has expired and all of that. Okay?

MICHAEL NYHAN: Thank you, John (Caruso).

MR. CARUSO: I just wanted to give you some clarification. Thank you.

LARRY LAZENBY: I have presented what I felt to the Planning Board.

MICHAEL NYHAN: All right. Thank you for your comments, John (Caruso). We do take everybody's concerns at that meeting or afterwards into our consideration for the recommendation so the Board got to hear both sides of what is proposed here.

So with that, is there any further Board discussion relative to this before I open --

JOHN NOWICKI: I just want to say something to you guys, to compliment whoever put the signs up to notify everybody in the neighborhood there was a meeting tonight. You did a great job. Those signs were very neatly placed and available to everybody that drove by that project, so thank you very much for that.

MR. SINACOLA: Thank you, John (Nowicki). I did that. On the windiest day.

JOHN NOWICKI: Good job.

MICHAEL NYHAN: On the landscaping discussion, everybody is familiar with this area. There is a line of trees that runs a distance between those two, and when we did look at this, we felt the east side was a more important berm and landscaping because there is nothing between

that side of the parking lot and Archer Road and on the residents from there.

So with that, are there any further questions? I will open this up to the public.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

KATHY MEINTEL, 5 Wheat Hill

MS. MEINTEL: I live at 5 Wheat Hill on the east side. I'm just curious the amount of land on the east side is much less than if you extend Phase 2 over on -- further on the west side. Has that ever been a consideration rather than encroaching on Archer?

MICHAEL NYHAN: Consideration, to build a larger parking lot?

MS. MEINTEL: Phase 2, adding to the west side, rather than encroaching on Archer Road.

MICHAEL NYHAN: Okay.

MS. MEINTEL: There is just not a lot of room and there is a lot of noise.

MICHAEL NYHAN: I think I did hear from the original statements that this was reviewed at the initial plan and this parking lot, both sides were presented at that time and all of the drainage had been put into place to accommodate that. If there is anything further that you could add as to the thought behind it, why it has been centered on the building, I would be glad to hear that.

PAUL BLOSER: Quick comment I would like to make. I think he kind of addressed it. And with all due respect to you, the intent of this Phase 1 is to build the berm and extra heavy screening on the east side to accomplish just what you're concerned about, is the excess noise. It will cut down on that. The berm will be above hood height on the car. You have the vegetation and screening on top there -- you will be above car height so you will see a significant drop in noise level on the east side.

Even when they go to Phase 2 and put parking there, it will be more developed -- developed more. So their intent absolutely is to protect you right now from a lot of that noise, looking forward to do that in Phase 1, to get that built. So I think they're kind of accomplishing that without spreading farther to the east.

I can see what they're trying to do, too, is get a balance of traffic on both sides of the building, for ease of access to the building. If you look at it closely, we're putting more handicapped in on both sides. I think they're trying to look at the total picture, but they have a large concentration of people that live on Archer Road there, which is where they want to put that berm. Correct me if I am wrong, Matt (Sinacola).

MR. SINACOLA: No, that's good, Paul (Bloser). That would cover it.

MS. MEINTEL: Aesthetically looking from our home, because we back right up to it.

PAUL BLOSER: Well, it would be more improved now with the vegetation and berm you're putting in. How high is the berm?

MR. SINACOLA: Right now we have it graded for 2 1/2, 3 foot high. It is not real, real tall.

PAUL BLOSER: That is where I said the berm top height will be above your hood height at that point and the vegetation above that.

MS. MEINTEL: But you're talking more lighting in our backyard.

PAUL BLOSER: Lighting is already there.

MS. MEINTEL: You probably have more lighting in the new section.

MR. SINACOLA: There are a few new poles. There are ten total -- there are new poles at the periphery of the parking area. So there is a pole, a pole. So these over here would be held off until Phase 2, but these five would be installed as a part of Phase 1. They match the ones that are out there now. They're box cutoff fixtures.

MS. MEINTEL: They have significant impact. They back up to the bedrooms in my home.

PAUL BLOSER: They're not on all of the time every night. They will be on timers for activities and events.

MS. MEINTEL: Midnight there is no activities.

MR. SINACOLA: They shut off at midnight.

UNIDENTIFIED SPEAKER: No, they're on all night long.

MICHAEL NYHAN: Okay.

DAVID STORY, 15 Barn Swallow Lane

MR. STORY: David Story. I live at 15 Barn Swallow, also on the east side. So if I understood this correctly, we reduce the number of services, increase the amount of traffic and now we're adding parking? Why don't we go back to the number of services we had and the parking was sufficient?

MICHAEL NYHAN: Okay.

MR. STORY: To the question, had there been any complaints, we stopped complaining because we were told by the Board there is not much that can be done. Poorly written ordinance prevents us from taking any legal action. We're not rich people. We can't hire our own attorneys to represent us so we're stuck with whatever they -- they have made no improvements with the sound situation in that church. So nothing has changed.

GEORGE PETERSON, Beaver Road Extension

MR. PETERSON: George Peterson. I live on 18 Beaver Road Extension. I'd like to see --

I know they want to match the lights up, but it would be nice they could get something more down cast. When you go down Chili Avenue, you see the Wegmans lights, those are more downcast light. I can see the lights from my deck at home. It's brightly lit up. You know, light pollution is a thing we do talk about and I would really like the church to consider light pollution. When the service is done, they go home and the neighbors are left to look at the lights. And I'm not sure about everything going off at midnight. The lights -- unless the timer is acting up or something like that, the lights do seem to be on quite a bit.

I would really like them to take a good look at what they can do to improve reducing light pollution, getting a better light that has more of a downcast and maybe do -- doing a different scheme. If they have to have a few lights on for security, maybe limiting the lights they have on after hours for security, but I would really like them to address the light pollution.

The other comment, too, on the berm, I think that that berm may actually be a benefit to help out in the wintertime, as far as the snow coming across an open field. Archer Road sometimes gets some pretty good snowdrifts, so that might be a benefit for the berm on that side.

DAVE (INDISCERNIBLE), Wheat Hill

MR. DAVID (INDISCERNIBLE): Dave (Indiscernible), Wheat Hill also. The property backs up to Archer. A couple comments as Dave Story had said about, you know, we went from no service on Saturday, to more on Sunday. I observed the parking lot this weekend, and there was plenty of empty spaces there, and I don't see where these berms are going to stop the noise pollution.

Tonight it started about -- I would say about 20 to 6, quarter to 6, we heard the beat for about 20 -- 20 minutes. Problem is the beat once in a while doesn't bother me. But for quite a few years now, it starts with Friday nights, Saturday evenings, Sundays.

We have tried everything asking for help from The Father's House. We had -- we had a dialogue going for a while and all of a sudden they cut it off. We had no more. We couldn't contact them. The phone and the phone extensions were not answered. You know, tonight, it was -- had to crank the TV to sit in my living room to watch the news.

You want to make this parking lot bigger? It will be another problem. A 2 or 3 foot berm will not solve any noise problems that I'm aware of.

I think some of the other problems they should look at, I think last winter or the winter before, it was a heavy snowfall. There was a lot of snow on the roof. And for two or three weekends in a row, we didn't have a problem with noise, because it insulated, kept the sound inside the building. I don't understand why the building -- something is not done with the building first so that we can have -- and live in our homes without having all of the noise pollution. Thank you.

CARL ZIMMERMAN, Wheat Hill

MR. ZIMMERMAN: Carl Zimmerman. I live on Wheat Hill, across the street on the east. I guess two things. Number 1, the lighting bothers me. It's like living across the street from Wegmans where none of this was here when our house was built. I understand that there is development.

Number 2, I don't understand why you have to approve both phases in one fell swoop. If they're going to build on the east side, I don't know why that can't be approved and then see how this goes, see how they are as far as being good neighbors, and move forward on the east side improvements.

MICHAEL NYHAN: Thank you.

HELEN KAPTEIN, 1454 Davis Road

MS. KAPTEIN: I would like to know what type of lighting do you have planned and what type fixtures are they going to be?

MICHAEL NYHAN: For the additional parking lot?

MS. KAPTEIN: Yes. I have been to a friend's house and witnessed in his backyard after midnight the lights are on. It is bad enough you can see the Town, with the Town highway, with their lights. That's really bad. But at least there is some type of lighting. But from the other side -- so I have actually witnessed a home there and seen what it is like when you can't see the stars out any longer.

Michael Nyhan made a motion to close the Public Hearing portion of this application, and John Hellaby seconded the motion. The Board unanimously approved the motion.

The Public Hearing portion of this application was closed at this time.

MICHAEL NYHAN: The lighting that you're proposing, is it dark sky lighting compliant according to the Town?

MR. SINACOLA: Yes, it should be. The fixtures are full cutoff. They're detailed on one of the sheets. Sheet four. These match what is out there now. They should match what is already in existence.

MICHAEL NYHAN: So the lighting that is there will match what it is existing and it is dark sky lighting?

MR. SINACOLA: That was the intent.

MICHAEL NYHAN: Mike (Hanscom), have you looked at the lighting? Will that

conform to the --

MICHAEL HANSCOM: I was looking it up now, and from what I can see online, it is a box, dark sky compliant lighting fixture, appears to be.

MICHAEL NYHAN: Meets the requirements for the Town, correct?

MICHAEL HANSCOM: Yes.

MICHAEL NYHAN: Could you check with your applicant, is their light supposed to turn off at midnight? Is there a problem, or are they supposed to stay on -- or at least some of them go off at midnight? Is there a problem with the timer or are they supposed to be on 24 without the dark hours?

MR. CARUSO: We'll check and make sure the timer is going off at 12 or maybe even move it to 11, if there isn't a reason.

MICHAEL NYHAN: I understand around the building you will want lights on for security reasons, but perhaps the parking lot lights --

JOHN CARUSO: They don't want the lights on any longer than anyone else does.

MICHAEL NYHAN: So the parking lot lights, if you could check on that, that would be appreciated.

DAVID CROSS: Can I add one thing? Back to the -- I think the neighbors have legitimate concern over the noise and it was a huge point of discussion a few years ago. If the applicant could address that tonight, what they have done, what they have done to mitigate noise. You know, some discussion on it. I think we deserve that, and the neighbors, too.

MR. SINACOLA: Well, the noise is a perceptual thing. If you can hear it, it's -- I don't know if we can really address the comment of whether or not people are going to like it or not.

DAVID CROSS: Are there any acoustical measures they would consider doing in the --

MR. SINACOLA: There has been a study already.

DAVID CROSS: Timing things?

MR. CARUSO: Specifically. We have conducted two noise analysis by professionals. It has been part of our dealings with the Town, and the -- the readings were taken at the parking lot, multiple locations. This was not something that we took lightly and just sort of sent one of our engineers out. We actually hired a person to do this. Noise study was significantly expensive, and the results of it showed that the ambient noise levels at the street line made by this facility were no louder than any other type of noise that would be emitted from a property that would be acceptable or unacceptable.

So it's not a popular result, Mr. Cross, but we did it. We did it twice. We -- the first time we did it, we sort of sent the guy out to get readings and when the Town didn't like the answer, then we really spent the money and had a real study done. The study was done so that it could be the basis of a defense in a lawsuit because, um, it was that -- we were that sincere about being able to do the right thing.

But in order to mitigate the sound that we found that is acceptable and within code, would require a very impractical solution and that would be to add -- to take the roof off the building and add new foam insulation and then put the roof back on the building. And then hope that it worked. That's the problem, is -- you know, maybe even if they said they would do it, there is no guarantee that someone wouldn't hear a thump off a base and what's the difference if that base car was sitting at the corner of Archer Road and Paul Road with his stereo volume turned up. You will hear that thump closer to those people's houses than one coming off the man's drums at The Father's House.

So again, it's not a very popular result, but we did the studies and the results show that they're not out of code compliance and that's unfortunate. We don't have a -- we can raise the berm up another foot and cut off the lights. I just don't have that for you. I apologize.

DAVID CROSS: I think we should see a copy of the -- of the noise study but we progress it. You know.

MICHAEL NYHAN: Progress it what?

DAVID CROSS: For any more approvals.

MICHAEL NYHAN: Okay. You know, I do believe that this has been something that has been gone through the Town for years and what we're asking for here has been told, no increase in services. This is really to be able to reduce the bussing of -- of people that use the church from one location to this location.

So I think to -- to hold up the parking lot to review a study that has already been reviewed by the Town and it has been determined that no action could be taken would just be simply delaying this project, in my opinion.

DAVID CROSS: If it has been reviewed by the Town, Mike (Nyhan), that's fine.

MICHAEL NYHAN: It has.

MR. CARUSO: It has.

MICHAEL NYHAN: It has been reviewed by the Town. So I think that would just be delaying this project unless somebody remembers something differently. But we do want to hear the concerns. We do understand that. We do know that the Town has worked with the church to try to eliminate that. The lights, using dark sky lighting which would be required as part of the plan. We understand that. The amount of services going to be increased is really to eliminate that, the bussing of patrons to the church from Paul Road School to the church services themselves.

Any other -- any other comments, concerns?

JOHN HELLABY: I don't know if you know or not, Eric (Stowe), but per that gentleman's concern about possibly doing Phase 1 and then coming back in for another hearing for Phase 2, I

was always under the assumption that if they did not move forward on this, that they had to come back for a review after a year anyhow. Am I correct on that statement?

ERIC STOWE: Depends how much work is taken on Phase 1 and what the approvals are.

JOHN HELLABY: Right.

MICHAEL NYHAN: And you understand that, correct?

MR. SINACOLA: Correct.

MICHAEL NYHAN: It looks like the majority of the work, the west parking and the north driveway, the south loop for the fire service, as well as all of the landscaping with the exception of the trees in Phase 2, in the middle of the parking lot, all of the berming and landscaping will be completed; correct?

MR. SINACOLA: Correct.

MICHAEL NYHAN: All right. Any other discussion?

Michael Nyhan 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 John Hellaby seconded the motion. The Board all voted yes on the motion.

MICHAEL NYHAN: On conditions, from what I have picked up so far, upon completion of the project, the applicant shall submit a landscape Certificate of Compliance to the Building Department, and the landscaping architect certifying all approved plantings have been furnished and installed in substantial conformance with the approved landscape plan.

Subject to final approval of the Town Engineer, Commissioner of Public Works.

Town Engineer and Commissioner of Public Works shall be copied in on any correspondence with other approving agencies.

All previous conditions imposed by this Board that are still pertinent to the application remain in effect.

Copies of all easements associated with this project shall be provided to the Assistant Town Counsel for approval and all filing information, i.e., liber and page number, shall be noted in the mylars.

Application is subject to all required permits, inspection and code compliance regulations.

In addition to the standard, um, conditions, there are two that came from the Superintendent that you had already mentioned. The Superintendent of Highways requests the applicant provide the Town the -- with the necessary easements to complete a portion of the proposed intersection improvements that impact their property as shown on the engineering plans prepared by the Monroe County Department of Transportation entitled, "Improvements Paul Road/Archer Road intersection dated June 2013."

Superintendent of Highways also requests the applicant provide a 15 foot wide easement to the Town of Chili for possible future sidewalk construction along the frontage of Paul Road and Archer Road for 715 Paul Road and along the frontage of Paul Road for 727 Paul Road.

Any other conditions?

JOHN CROSS: Lighting? Do we want a condition on lighting, maybe particularly on the east side of the building?

MICHAEL NYHAN: Which lighting?

DAVID CROSS: The pole lighting.

MICHAEL NYHAN: Dark sky compliant.

DAVID CROSS: Dark sky compliant, yes, but operationally. Dusk plus one hour and dawn minus one hour.

Would that be acceptable to the applicant?

MICHAEL NYHAN: So one hour before dusk?

DAVID CROSS: Yep. Is that a "yes," John (Caruso)?

MR. CARUSO: Yes.

MR. SINACOLA: It's a "yes."

DAVID CROSS: Parking lot lighting.

MR. SINACOLA: Just to clarify, for the entire -- all of the parking?

MICHAEL NYHAN: The east side.

MR. SINACOLA: Can you sector that? Okay. No problem with that, I guess.

MICHAEL NYHAN: Parking lot lighting on the east side --

MR. CARUSO: Off at dusk, plus one hour, timed at dawn, minus one hour.

MICHAEL NYHAN: Say that again.

MR. CARUSO: Off at dusk, plus one hour. On at dawn, minus one hour.

MICHAEL NYHAN: Do we want to --

DAVID CROSS: I think midnight is too late and I don't know that it is needed. I go to bed a lot earlier than midnight.

MICHAEL NYHAN: You're talking about dusk to dawn is what you're saying?

DAVID CROSS: Yes. Plus an hour either way.

JOHN HELLABY: That runs way past midnight.

DAVID CROSS: Lights go off at dusk plus one hour.

MATT EMENS: 9 o'clock or 10 o'clock depending on the time of year.

MICHAEL NYHAN: They could still have hours.

MR. CARUSO: Could we set it at 10 o'clock because the time changes all of the time and we would be into the timing. That would be -- so let's set 10 o'clock and we don't worry about

the morning, but no later than 10 p.m.

MICHAEL NYHAN: Is that your latest time that people are in there, is 10 p.m.?

MR. CARUSO: There is logistics we're not getting into. But the snow plowers come and all that, different times of the night, we can't control that, but I think that will be their problem. I think 10 o'clock is good, and it's two hours earlier. Is that good, Mr. Cross?

DAVID CROSS: Thank you.

MICHAEL NYHAN: Thank you.

10 p.m. until dawn, correct? All right. I have added parking lot lighting on the east side of the building to be off at 10 p.m.

I did miss one other condition. I'm sorry. Paul Road west entrance, applicant to install a heavy duty shoulder.

ERIC STOWE: Mr. Chairman, I apologize for having to walk out. Was there a condition for easement review? Yes?

MICHAEL NYHAN: Yes.

MATT EMENS: Can I have a clarification? I know you asked it to Eric (Stowe). Just so I can understand. If they do the Phase 1 portion of this now, and they do not need the Phase 2 portion, within one calendar year of this approval, they have to come back?

ERIC STOWE: Not necessarily.

MATT EMENS: Okay. What is the condition that forces them to come back or not to come back?

ERIC STOWE: If the site plan is approved and substantial efforts are taken to pursue construction, they would acquire what is called vested rights. We cannot bring that back. Okay? It is on the whole project, if the project does not proceed then in a year. But if they take substantial efforts to pursue their rights, we cannot necessarily force the issue to be revisited.

MICHAEL NYHAN: Thank you.

Any other conditions of approval?

Also, I believe you're looking to waive final; is that correct?

MR. SINACOLA: That is correct.

MICHAEL NYHAN: With the conditions of approval.

DECISION: Approved by a vote of 5 yes to 1 no (Matt Emens) with the following conditions:

1. Upon completion of the project, the applicant shall submit a Landscape Certificate of Compliance to the Building Department from the Landscape Architect certifying that all approved plantings have been furnished and installed in substantial conformance with the approved landscape plan.
2. Approval is subject to final approval by the Town Engineer and Commissioner of Public Works.
3. The Town Engineer and Commissioner of Public Works shall be given copies of any correspondence with other approving agencies.
4. All previous conditions imposed by this Board that are still pertinent to the application remain in effect.
5. Copies of all easements associated with this project shall be provided to the Assistant Town Counsel for approval, and all filing information (i.e. liber and page number) shall be noted on the mylars.
6. Application is subject to all required permits, inspections, and code compliance regulations.
7. The Superintendent of Highways requests that the applicant provides the Town with the necessary easements to complete the portion of the proposed intersection improvements that impact their property, as shown on the engineering plans prepared by the Monroe County Department of Transportation titled "Improvements to Paul Road/Archer Road Intersection," dated June 2013.
8. The Superintendent of Highways requests that the applicant provide a 15' wide easement to the Town of Chili for possible future sidewalk construction along the frontage of Paul Road and Archer Road for 715 Paul Road and along the frontage of Paul Road for 727 Paul Road.
9. Applicant to install heavy duty shoulder at Paul Road west entrance.
10. Parking lot lighting on the east side of building be off from 10:00 p.m. until dawn.

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

2. Application of SMATTL Holdings, LLC, owner, 50 Stablegate Crossing, Webster, New York 14580 for preliminary subdivision approval of 8 lots to be known as Black Creek Industrial Park at property located at 3513 Union Street in G.I. zone.
3. Application of SMATTL Holdings, LLC, owner, 50 Stablegate Crossing, Webster, New York 14580 for preliminary site plan approval to erect ten industrial buildings totaling approximately 164,200 sq. ft. per plan submitted at property located at 3513 Union Street in G.I. zone.

MICHAEL NYHAN: Applicant sent a letter and requested we table the application until they have more time to respond to the comments from the engineer. However, I did want to proceed with SEQR. If you recall at the last meeting, we tabled their application, but we determined this to be a Type I action and we sent -- Town of Chili did send letters to all of the involved and interested agencies that we intended to seek -- to be lead agency for a Type I approval. We did hear back from -- each of the agencies that we did hear back from, none of them objected to that, and so they gave us the okay to be -- there is no objection for us to be the lead agency, and any other agency that hadn't approved, they had until yesterday at noon and we had not heard from any of the other agencies.

Michael Nyhan 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 a Type I action with no significant environmental impact, and John Hellaby seconded the motion. The Board all voted yes on the motion.

MICHAEL NYHAN: I would like to make a motion to table both of these applications until the applicant reapplies to be in front of the Board.

JOHN HELLABY: Second.

DECISION ON APPLICATIONS 2 AND 3: Unanimously tabled, by a vote of 6 yes to table, the above-described application at the applicant's request until the applicant resubmits, for the following reasons:

1. Landscape plan (signed and sealed by a licensed landscape architect) has not been submitted to the Conservation Board for review and approval.
 2. Pending resolution of Commissioner of Public Works and Town Engineer comments.
 3. Building elevations have not been submitted to the Architectural Advisory Committee for review and recommendations.
 4. Other approving agencies input necessary for approval not complete.
 5. Further legal review required by the Assistant Town Counsel.
 6. Public hearing has been kept open. Applicant to obtain new signs to post and maintain as per Town Code.
4. Application of Chili Plaza Properties, owner; 3240 Chili Avenue, Suite B17, Rochester, New York 14624 for preliminary site plan approval to erect a 6,600 sq. ft. minor repair automobile service station at property located at 3240 Chili Avenue in G.B. zone.

JOHN HELLABY: Mr. Chairman, I ask to be recused from this application.

MICHAEL NYHAN: Yes. Thank you.

Ray Trotta, George Jarrett and Brian Grinnell were present to represent the application.

MICHAEL NYHAN: This application, if you recall at the last meeting, we did hear a Special Use Permit that was approved and a SEQR determination for that as unlisted was made. The application for preliminary site plan approval was tabled for further information. Further information and to go in front of Architectural Review Board.

MR. TROTTA: Members of the Board, members of the Town, my name is Ray Trotta from the Holland Trotta Project. I'm here representing on behalf of our -- actually, the landlord and also for Monro Muffler. We also have George Jarrett and Brian (Grinnell) from APD, the architect of record, as well.

Today, as stated, Mr. Chairman, last time we went before the Board for this project, we were looking -- the reference material right at -- up on the pin-up board shows the overall Master Plan of Chili Paul Plaza.

To the left top, we have the renderings as they were revised and presented somewhat last time from we went in front of the Board. They were also, as you said, presented earlier in front of the Architectural Review Committee in favorable fashion, which I will come back to that.

To your right-hand side, one of the items was a landscape plan actually stamped by a

licensed landscape architect. As you can see, the nice little green stamp over on the right-hand side.

We did seek last time -- this is for -- I will walk over here a little bit, to show you that the existing Monro Muffler on Chili/Paul -- pretty much everybody is familiar with it, it is located right to the rear of the plaza, the right-hand side. What we're proposing is to relocate the Monro Muffler to this portion of the site, about 6600 square foot new construction free-standing building.

The -- last time we presented, we pretty much went over this in detail, but as some of the things we were looking at, as you stated before, the Special Use Permit, which is required because of the type of use of this facility, and also we were looking for lead agency because we -- we had to declare lead agency here at the Planning Board so we could go back to the Zoning Board for the variance for the setback. The setback was basically a setback from the road that actually was Town-generated, in a sense, from a request of looking in the overall Master Plan getting buildings closer to the road and more of a village-type atmosphere. So we were completely fine going along with that, but we came up, as we expressed before, with a happy medium that went close enough to the road that it could be in the Master Plan parameters but also far enough so it makes sense that, you know, you don't have snow blowing into the side of the building as a plow truck goes by and typical maintenance items.

At the time, obviously as you stated before, the lead agency was declared. It was a negative declaration and also the Special Use Permit was approved, but the preliminary site plan was tabled. And the reason that was tabled was we had some various items of which we needed a signed off and sealed landscaped plan, which we have. We also wanted to go back and look at the landscaping that was a request from the Conservation Board to make sure that the landscaping planting beds were large enough and applicable by a landscape architect, which we did, and that was presented to the Conservation Board.

We also, um -- there was some questions that -- to George (Jarrett) on the information on containing gas/oil product in the facility, which he addressed during the meeting.

We talked about the various setback and the other -- one of the other requests was sidewalk and pedestrian circulation. So you will notice in the submission, what we talked about is one -- some things that are within our control and some things that are not within our control. One of the requests from the Board was to clean up some of the landscaping that are in the adjacent property, which we plan on talking with that owner and seeing what we can do. But we are cleaning it up on our side of the property and we are actually showing a connection that will run along the sidewalk that runs along right to the property line.

So the property line would be -- basically the sidewalk would be connected to -- right next to this driveway. It was stated that there is almost a natural walking path, if you will, and that is pretty much where the natural walking path is. We're extending the sidewalk and tying into the building sidewalk, which was proposed before, and then carrying down the striping and similar to other areas within the plaza, having a single line on either side that circulation would come from this access point, hopefully if we could get them -- talked to the adjacent owners to connect actually to the pavement would be great. Come along the side, come down. This is all paved area. Then it's striped, because this is already -- it is going to be paved. And then -- and is paved right now. It will be striped and then a single stripe along this edge to this edge, striped again and then picked up on the sidewalk in the back.

So one of the things that we did is we're addressing obviously the parcel that is with the Monro Muffler right now and looking at those portions.

There was also a request of talking to the landlord in the future, which we plan -- plan on definitely addressing from Paul Road and it was a further comment which I'll get into, to have the sidewalk continue along the front on the Paul Road side. So we plan on addressing that in future applications.

What we -- those were the highlights of the items that were basically within the applicant's control. Now, other items were -- were landlord-related items that were -- that were a topic of discussion that -- were pretty substantial as far as on timing, not as far as on stature. And those items were the fire lane striping, the handicapped signage being installed, the balance of the striping being -- obviously being complete. There was a light pole in front of Bill Gray's that came down and was removed and the lighting levels were not deemed to be adequate from the Board's level. There was re-lamping of some of the lighting that were out, and installation of the landscaping item -- landscaping islands as far as timing, and then the dumpster locations, enclosures and maintaining the existing dumpster areas.

With those respects, basically, we addressed all of the items that were drawn up in the -- in the original Town comments from Lu Engineers. We revised the plans. We then got a new round of comments from Lu Engineers and basically significantly reduced the majority of the comments they had.

Subsequently, um, the landlord actually has been working on the plaza and most of you that have been to the plaza have probably seen a significant improvement on these items. I will get into specifics in a second.

And basically, there was a meeting with the Town Supervisor and Paul (Wanzenried) and a couple others with the landlord on Friday to go over specifics of when things will be completed.

That -- that being said, basically the fire lane striping is complete. The handicapped signage is maybe complete as we speak. They were -- they had all of the bases in. I know there was a couple of hiccups during installation on some question from some of the tenants on, you know, the installation of the -- the actual pole signs and whatnot, but I believe -- I was there right

before we came here, and all of the bases were in and probably about half of the signs were in. All of the -- all of the handicapped striping was in and all of the crosswalks, other than obviously these new crosswalks we're talking about right now are not in. The light pole in front of Bill Gray's is not in right now, but it was discussed at that -- last Friday's meeting that that will be -- by April 15th we'll have an exact date when it will be installed, but should be installed in the next 30 to 45 days.

One of the questions was, as far as the -- can they match the lighting that is there or are the bases a little bit different. So basically it was determined in Lu's letter and with the Town, that we would come up with a detail that gives us specifics of the Town and it would be -- one of the conditions of approval which Lu recommended is that we will have -- have the Town Engineer and -- and Director of buildings also review and approve whatever -- whatever we're going to install.

The dumpster locations, there was a discussion back and forth and what was decided is that we would prepare an exact location of all of the dumpsters, locations where they will be by May 15th so they will be on the June Planning Board meeting so we'll show exactly where they will be because there was a discussion basically they should be where they were shown and really there wasn't adequate documentation where they were shown because where they were built and where they were shown is two different areas. So we're pretty much working it out. Everybody is in agreement where those dumpster locations are. But the one area that has not been addressed yet but is being addressed is the back of the building. They are cleaning it right now. They have not paved, and where I'm exactly talking about is this back side of the building, right back here, is pretty rutted out and there is -- where one of the dumpster areas are. The dumpsters themselves -- not the enclosures, but the dumpsters have been cleaned up significantly, but it is pretty rutted up. It will be all repaved and will be restriped per the Town requirements. That will all be shown on -- when we come back for the overall plaza.

And that's -- that is that May 15th date. The architectural facade we talked about at Paul Road, and we obviously addressed that. One thing I have to admit, I neglected to do, I told you -- I told I was going to get around to put trees on. I did not put the trees on. They are shown on the plan right here. This is my bad and I apologize that I didn't add the trees to the rendering.

But this -- these display windows have been shown from last time. The -- I would say the Architectural Review, um -- Commission was very happy with the improvements to the plaza it seemed. I sat in on that meeting and Brian (Grinnell) and George (Jarrett) could talk specifically of the presentation.

And basically, one of the other questions was the cut sheet of the -- of the sea container, which is going to be -- it was just a comment that came up. I do have the dimensions. There is really not a cut sheet. These are just standard sea containers that you -- you probably seen in every shipping yard you ever visited or seen on a movie. They're just standard sizes. I do have it with me if anyone is interested in them. We will provide those to the -- to the Town Engineer. And to Paul (Wanzenried).

And the only other thing that we -- we wanted to do but didn't get exact is we tried to take lighting levels to get exact lighting as far as contours, and it was too inconsistent. Right now we want to get all of the lights installed and then take lighting levels. So that was the only thing that -- that -- from last meeting's comments we have not addressed.

As you can see, I think you all probably saw this letter from Lu Engineers, was circulated around, and pretty much goes into detail what I just expressed of -- and then there was the email. I don't know if you guys saw this one or not, but this came out late last week on Friday, and this -- these scribbles on here were actually emailed back to Paul (Wanzenried) with the responses from Michael Kuskin on the dates I just expressed as far as what has been agreed to. I have not seen any written or verbal back from Paul (Wanzenried), but I'm assuming he was okay with these -- what were discussed, so it was just a clarification. But I have not arguably heard back directly.

I think that being said, I could go in further detail, but I know I don't want to keep everybody here all night. I would rather keep it to questions and I can address them as needed.

MATT EMENS: You believe -- did I understand you correctly, you already answered the April 8th letter from Lu Engineers and you believe you can --

MR. TROTTA: Absolutely. Absolutely.

MATT EMENS: I think you touched on all of them, but I wanted to confirm that.

MR. TROTTA: Yes. Without a question. And also we agreed to the conditions that are set forth in here, which is fine to have conditions of approval, which they recommended -- Town Engineer, that is absolutely fine. We have no issue with that at all.

MATT EMENS: One comment on the site plans. I believe that the only thing they're not showing right now possibly is the jog from the back wall now that we're showing in the renderings. That might need to be revised.

MR. TROTTA: Correct. We will revise that. With the conditions of approval, it asked for and -- in this April 8th letter, it asked for -- to update the plans specifically for those items and we will -- we will add everything that has been put on the plan and discussed on -- just so everybody understands that, this letter came out and then from -- from Lu and then this letter from the Town came after that. So we're addressing both of them. So that shouldn't be any issue whatsoever.

MATT EMENS: Then I would like to thank George (Jarrett) from Monro Muffler and Brian (Grinnell) from ADP for their presentation tonight and working with the Architectural Advisory Committee they have done a great job here. We had a few comments. The highlights

were the -- looking at moving the sign down with the gooseneck lights. The rooftop unit over the sales or retail portion of the area, they're going to look into some screening and what am I missing, George (Jarrett), Brian (Grinnell)?

MR. GRINNELL: Brick color on the drawing.

MATT EMENS: We looked at the brick and finalized the rest of the colors on the --

MR. JARRETT: George Jarrett, Jarrett Road, Scottsville Road. I think that was it, Matt (Emens), and we also had a discussion we might be able to move the -- I refer to it as the doghouse into the -- into the tower.

MATT EMENS: The tower.

MR. JARRETT: We were discussing that earlier we might be able to put it inside the tower.

MATT EMENS: Great.

MICHAEL NYHAN: What are the -- what are the colors? Tans and golds?

MATT EMENS: The concern -- that is a good point. The concern -- when I think we saw one of the first round of renderings, I don't know if it was a copy that was made some of the colors were a bit yellow, and we did look at the -- the numbers and the colors are called out on this current drawing and we did look at those tonight, and they're beiges. There is no really yellows. So it is the earth tones and we look at the brick to, um, look at the different reds and the browns and we did work with them to kind of look at that. It will be earth tones as shown on this drawing.

MICHAEL NYHAN: Not the standard yellow they currently have on the building?

MATT EMENS: That's correct.

JOHN NOWICKI: You -- both letters from Lu Engineers all taken care of?

MR. TROTTA: Yes. And actually, the first one, the longer letter, was addressed with the second one, when they reviewed it, and we also sent our comments back, as well.

JOHN NOWICKI: Thank you very much.

DAVID CROSS: No additional comments.

ERIC STOWE: I have no comments. Paul (Wanzenried) did have to run out. He asked that I convey his concern for the items raised in his letter being conditions of any approval.

MICHAEL NYHAN: Okay.

LARRY LAZENBY: Just a reminder, maybe you could write on there somewhere when you do the planting bed across the front, we have been running into some difficulty. If you could make sure the -- the landscapers or whoever does it, digs out at least 12 inches of whatever it is there, which is probably going to be clay, stone and everything else. So that when you drop in all that good topsoil and planting soil, you have at least 12 inches of it there to give those plants a good shot.

Did you get 1 percent on -- on my notes -- were you able to figure out 1 percent of the total cost of the project so that we know how much you're spending on landscaping?

MR. TROTTA: I will have that. There -- they're putting that together and we'll send that to you. I know Rob (Fitzgerald) was working on it. I was -- he was -- Rob Fitzgerald was literally working with Scott -- Scott on that.

LARRY LAZENBY: If the plantings across the front and stuff don't come to that 1 percent, anything left over you could put over towards Paul Road as a continued attractive -- a lot of people hit Paul Road and it would be nice if they looked over and didn't see that blank building. I know you have made an effort, which is very nice. The plan you submitted was good, but anything left over that you could enhance that side. We have gotten used to looking at that blank wall for the plaza and it would be nice if a new building going in had something other than a blank wall.

MR. TROTTA: Understood.

If I had it, my trees would look better. One other comment, I -- because we do have the conditions of approval on there, I would request like the last applicant that if we -- we're looking for preliminary, but if we could waive final being that we're listing all of the items on there, that would be -- that would be a request that I would make.

MICHAEL NYHAN: Question on the sidewalk that runs along Paul Road, will we require an easement for that?

ERIC STOWE: Who is putting it in and who is maintaining it?

MICHAEL NYHAN: Is that on plaza property and will the plaza be maintaining it or is that expected to be dedicated to the Town?

MR. TROTTA: Sorry I didn't mean to interrupt you. The one we're showing here (indicating) is actually, um -- we're actually -- I don't know the right-of-way. This would be on plaza property. But the one that would be in future applications from the landlord standpoint, we would have to figure that out. It would probably have to go into the right-of-way somewhat, so we would have to figure out what -- what makes the most sense. Now, they're not connected to each other, those two walkways so you would be -- it would circulate from the building, through, and the other one -- would circulate to this -- basically this one comes down here. This one would probably go to this and come across. So your circulation, pedestrian would be on the back side of the building. So there would be no pedestrian connection on this side. It would be on here (indicating). So -- and there could be a cross. We just have to figure out exactly how it -- how would it work. It would depend on plantings, too. Landscaping would have to go in front of the Conservation Board and how they want to plant it.

ERIC STOWE: But you're opening that up to pedestrian traffic and everything else? The -- obviously for the sidewalk?

MR. TROTТА: Oh, yeah. This -- but on this application, um, we -- we said we would discuss with the landlord the connection on future applications for that side, which we did, and they're completely fine with that when they submit an application for -- for additional improvements.

MICHAEL NYHAN: Will the sidewalk connect to the existing sidewalk -- there is an existing sidewalk, isn't there? There is no existing sidewalk?

MR. JARRETT: I was just there tonight. Sidewalk comes down the Wendy's side of Paul Road and it turns down to the dead-end road that does not continue anywhere on either side of Paul Road past that point. There is no sidewalk on the opposite side of Wendy's.

MR. TROTТА: That is kind of why we designed it the way we did on the Monro. We wanted to make a logical connection. You never want a sidewalk to nowhere. So basically we figured we circulate through Monro and into the plaza, fine, that makes sense. But if you kept on going beyond it, it would just stop.

ERIC STOWE: Is it the intention for you guys to put in the sidewalk and then the Town would maintain it, or remain your property that would be your obligation to maintain?

MR. TROTТА: I guess the intent, being that where this is is basically -- where we're showing it right now, it's -- it's on -- on the plaza property, so it would be maintained -- if it went into the right-of-way, maybe George (Jarrett) could speak to that, I would think.

MR. JARRETT: It's a little complicated answer. If it's in the -- if it's designated within the leased premises that we defined legally, we would be responsible. If it is outside of that, it would be covered under CAM, Common Area Maintenance, so either way, there would be a way of maintaining it for the municipality. Whether they knocked on our door or the shopping center, ultimately we would pay for it in the end with CAM anyways.

MR. TROTТА: Either landlord or tenant. It would not be Town.

MR. JARRETT: If the Town is more comfortable having Monro be responsible, I can modify the agreement so the leased premises covers the sidewalk and that portion of it.

MICHAEL NYHAN: Okay. Just so I understand clearly where the sidewalk is going to be, the sidewalk would go up to Paul Road from the front where the handicapped parking is in the front of the building there, go up to Paul Road and then down to your property line; is that correct?

MR. TROTТА: If you see right now we can only go up to the property line -- and this was discussed last time. Here is the driveway next door. Here is the starting point here (indicating). And then basically as you travel along Paul, it turns to connect into Monro Muffler's front sidewalk, so it does not continue on down Paul Road. Once you're at Monro Muffler, there is striping that circulates your pedestrian crosswalks all of the way to the crosswalk that is picked up, that is the existing sidewalk at the back of the building. The back of the existing building behind Bill Gray's.

So then you can circulate all of the way around and pretty much have full circulation around all of the buildings from a pedestrian standpoint.

MICHAEL NYHAN: The future sidewalk you talked about for the plaza, along Paul Road, where would that be?

MR. TROTТА: The future sidewalk, um, we were talking about -- we were -- we haven't laid it out exactly yet, but there is a connection point back here that terminates somewhere. So what the thought is, we would have to work in conjunction with the -- you know, with the Town on the exact location, but it would come somewhere through here, then it would go across these landscaped islands that are proposed, into here, crosswalk, back across and then connect into the building again.

So -- what you want to do is you don't want to have pedestrians, you know -- you know, going -- going all of the way through. We could look at doing this area, too. It's a potential. So we could tie into here, too. You know, that's an option, is to circulate around the front of the sidewalk. It depends on what the development plans are back here, and obviously they're not cast in stone at the moment. So any future development we definitely understand we would have to look at that.

MICHAEL NYHAN: Does that clear it up?

MR. TROTТА: I apologize. I basically advised our other client, which is the landlord, that you know, the Town is going to be looking for pedestrian circulation, whatever you do in the back, once it is developed, per your request.

MICHAEL NYHAN: Right.

ERIC STOWE: At this point, if we're not maintaining anything, I don't know that we need the easement.

MICHAEL NYHAN: Okay.

ERIC STOWE: Just the condition they maintain it, keep it open and clear for pedestrian traffic.

MICHAEL NYHAN: How could we word this? I wonder if David Lindsay would want to have input into this with all those sidewalks out there. The Town does maintain them and they would need to keep them clear.

ERIC STOWE: The Town is maintaining?

MICHAEL NYHAN: The sidewalks along Paul Road, where the Wendy's are, they come down and plow those sidewalks, so I'm wondering if he would want to make this part of the Town sidewalk plan, so that they could continue with that.

ERIC STOWE: I haven't heard.

MR. TROTТА: Could you make a condition that future sidewalk extensions would be

subject to Dave Lindsay's review as Highway Superintendent?

ERIC STOWE: That's fine.

MICHAEL NYHAN: Actually, I think if we condition this with the approval of the Town, the sidewalk with the approval of the Town Engineer and the Highway -- the Superintendent of Highways, I think that would cover it. Would that be correct?

ERIC STOWE: That would be okay.

MICHAEL NYHAN: I can do that. What is the construction time on that?

MR. TROTТА: Basically, George (Jarrett), could you chime in on your side of things?

MR. JARRETT: As soon as damn possible. Now that spring is here -- spring is supposed to be here -- I guess we plan on submitting building plans as soon as possible and building permitted from that perspective and then letting the conditions of the shopping center be taken care of and then be issued a building permit.

MICHAEL NYHAN: Okay.

MR. JARRETT: But the building permit process and the shopping center work that needs to be completed and probably runs concurrent for the next 45 days. So it is -- so it is not hurting me -- put me in a position where I'm ready to start and I can't.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

HELEN KAPTEIN, Davis Road

MS. KAPTEIN: Helen Kaptein, Davis Road. I'm just wondering, so if we have the Town, the Highway Department start cleaning the sidewalk, isn't that bringing more cost to the Town of Chili residents because we only have a certain amount of budget? So this is adding into our budget which means we have to hire more people to work for the Town which means that my taxes are going up.

MICHAEL NYHAN: Okay.

MS. KAPTEIN: So I don't find that exactly fair. And I know that you know, it would be -- if the private property is one thing. I realize there is a lot of properties in this area that this is going on, but there is a lot of cost -- I can tell you my property taxes went up. And it wasn't based on work done to my property. I have no sidewalks on my street. I don't even have lights on my street. So I wonder okay, why is the Town so willing to let them off when they could build it themselves, the sidewalk and then the plaza could be responsible for it? Instead of the Town people being responsible for it with taxes? My question. That's all.

MICHAEL NYHAN: Sure. Let me respond to that by saying I don't know that the Town will. That is why I want to leave it up to the Town, as to whether or not they want to make this part of the Master Plan they have for sidewalks throughout Chili Center. We are asking the applicant to build this sidewalk, not the Town, but in the future, the Town may have an interest in having some sort of control over that sidewalk. So for tonight we'll leave that open and it will be up to the Highway Superintendent and their final review of this plan to determine if they're going to want any type of control over that sidewalk.

MS. KAPTEIN: Thank you.

MICHAEL NYHAN: Good comment. Good question. Thank you.

Michael Nyhan made a motion to close the Public Hearing portion of this application, and Matt Emens seconded the motion. The Board approved the motion by a vote of 5 yes with 1 abstention (John Hellaby abstained.)

The Public Hearing portion of this application was closed at this time.

MICHAEL NYHAN: On the building, you're coming down Paul Road, it will be very visible. The -- on Paul Road side of that building, where the front awning is, where the -- there is awning with handicapped parking, correct?

MATT EMENS: You're talking about the --

MICHAEL NYHAN: I'm trying to figure out what the front of the building is. You see what is front facing Paul -- as you're coming down.

MR. TROTТА: This is facing Paul.

MICHAEL NYHAN: What is the part facing east, the building facing east? It would be towards the entrance to the plaza.

MR. TROTТА: So east would be this side.

MICHAEL NYHAN: I'm sorry, west.

MR. TROTТА: It would be this side.

MICHAEL NYHAN: So -- what about the --

MR. TROTТА: It is an oblique angle because you're coming -- it comes like this (indicating), so basically -- so your -- it would be the back side of what you're seeing right here, which is basically you would be seeing this and this (indicating). This corner and this corner (indicating).

MICHAEL NYHAN: So as I'm driving down Paul Road, though, from the west heading east, I will see -- I think I see it now. You see the little red awning under Monro Muffler? To the right there. To the right-hand corner. Upper right-hand corner of the drawing.

MR. TROTТА: No. This is -- this is the parking lot side.

MICHAEL NYHAN: Right. On the side with the other red awning, that will be the side as you are driving down Paul Road you will see; is that correct?

MATT EMENS: Yes.

MR. TROTTA: Yes.

MICHAEL NYHAN: Very good.

MR. TROTTA: If I showed my trees, would it look better?

MICHAEL NYHAN: It will be very visible, so I like the design of the building. I think it will look much nicer.

Michael Nyhan 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.

ERIC STOWE: Mr. Chairman, we already did SEQR.

MICHAEL NYHAN: I thought every application had to have SEQR.

ERIC STOWE: Already been done for this application with the special permit.

MICHAEL NYHAN: Thank you. Very good. Thank you for the correction.

Review of conditions then.

For the conditions on the application, upon completion of the project, the applicant shall submit landscape certificate of compliance to the Building Department for the landscaping architect certifying all approved plantings have been furnished and installed in substantial conformance with the approved landscaping plan.

Approval is subject to final approval by the Town Engineer and the Commission of Public Works.

The Town Engineer and Commissioner of Public Works shall be given copies of any correspondence with other approving agencies.

Applicant shall comply with all pertinent Monroe County Development Review Committee comments.

All previous conditions imposed by this Board are still pertinent to the application and remain in effect.

The Planning Board affirms the recommendation of the Architectural Advisory Committee and requests the applicant comply with these recommendations.

Building permit shall not be issued prior to the applicant complying with all conditions.

Application is subject to all required permits, inspections and code compliance regulations.

And the applicant to comply with all conditions of the Zoning Board of Appeals as applicable.

In addition to those conditions, additional conditions, all existing light poles must be straightened and placed in working order.

Install missing light pole in front of C9 Agape in place and in working order.

Provide an overall photometric site plan for the plaza.

Handicapped signage in addition to pavement markings installed. I think I understand it has all been done except for maybe a couple of the signs.

Install door signage on the west side of the plaza to include suite numbers and names of the tenants. That was in a letter from the Town to the Plaza.

MR. TROTTA: Yep. That should be addressed by, I think, next week.

MICHAEL NYHAN: Repair existing dumpster enclosures.

Install landscape islands -- landscape islands as depicted in the site plan, presented -- presented to the Conservation Board on 4/01 of 2016, which I think is the --

MR. TROTTA: In that letter, there -- they're doing the ones in front of Bill Gray's this month and then the ones in the rear, it is subject to the Town Engineer just reviewing the back plan.

MICHAEL NYHAN: Okay. And then -- and then install landscape islands at the end of the drive aisles per the striping project from Fitzgerald Engineering as per striping plan project #15-400.

Address the rear parking lot paving, which I think you're going to be doing with the May application; correct?

MR. TROTTA: Yep.

MICHAEL NYHAN: Are there any other easement -- easements. Are there any other conditions for the application?

Based on the conditions that have been stated, the application for Chili Paul Plaza; owner; 3240 Chili Avenue, Suite B17, Rochester, New York 14624 for preliminary site plan approval -- with waiver -- with waiver of final, correct?

MR. TROTTA: That's correct.

MICHAEL NYHAN: -- to erect a 6,600 sq. ft. minor repair automobile service station at property located at 3240 Chili Avenue in G.B. zone.

DECISION: Approved by a vote of 5 yes with 1 abstention (John Hellaby) with the following conditions:

1. Upon completion of the project, the applicant shall submit a Landscape Certificate of Compliance to the Building Department from the Landscape Architect certifying that all approved plantings have been furnished and installed in substantial conformance with the approved landscape plan.

2. Approval is subject to final approval by the Town Engineer and Commissioner of Public Works.
 3. The Town Engineer and Commissioner of Public Works shall be given copies of any correspondence with other approving agencies.
 4. Applicant shall comply with all pertinent Monroe County Development Review Committee comments.
 5. All previous conditions imposed by this Board that are still pertinent to the application remain in effect.
 6. The Planning Board affirms the recommendations of the Architectural Advisory Committee and requests that the applicant comply with these recommendations.
 7. Building permits shall not be issued prior to applicant complying with all conditions.
 8. Application is subject to all required permits, inspections, and code compliance regulations.
 9. Applicant to comply with all conditions of the Zoning Board of Appeals, as applicable.
 10. All existing light poles must be straightened and placed in working order.
 11. Install missing light pole in front of Suite C-9 (Agape) and place in working order.
 12. Provide overall photometric site plan for the plaza.
 13. Handicap signage in addition to pavement markings installed.
 14. Install door signage on west side of plaza to include suite numbers and names of tenants.
 15. Repair existing dumpster enclosures.
 16. Install landscape islands as depicted on site plan presented to Conservation Board 4/1/16.
 17. Install landscape islands at the end of drive aisles per striping plan project #15-400 from Fitzgerald Engineering.
 18. Address rear parking lot paving.
5. Application of DSB Engineers, 2394 Ridgeway Avenue, Rochester, New York 14626, property owner: Forest Creek Equity Corp., for preliminary subdivision approval of 161 lots under Section 278 of Town Law to be known as Rose Hill Estates at properties located at 75 & 89 Beaver Road in R-1-20, FPO, FW zone.

Bernard Iacovangelo, Walt Baker, Don Cariola, David Kruse, Gene Pellett, Jeremy Smith and John West were present to represent the application.

MR. BERNARD IACOVANGELO: Good evening, Mr. Chairman, members of the Board. My name is Bernie Iacovangelo and I'm the President of Forest Creek Equity Corporation, and with me this evening is Walter Baker, Project Engineer, who is with DSB Engineers and Architects. With us also this evening is Gene Pellett, Environmental Resources, LLC; David Kruse from SRF Associates, traffic engineering and planning consultants. We also have John West, my assistant, you know, at Forest Creek Equity; and Jeremy Smith, Vice President of Faber Homes and Don Cariola, our Sales Manager.

I -- you know, we are here this evening seeking preliminary and final approval for a 161-lot subdivision, residential single-family pursuant to 278 and also seeking the Board to name themselves as lead agency and SEQR determination, and also providing you with a request for incentive zoning for relief from the Town Code as it complies to downspout conductors.

Many of you may not have been on the Board when we first started doing business with us, as part of Forest Creek Equity and Faber Homes in Chili, but years ago, we started Faber Homes in 1982 with doing an addition on my own home on DaVinci Drive.

Thereafter, we built our first home at 2908 Chili Avenue. From then on, we started Forest Creek Equity Corporation with two other partners and we built Pumpkin Hill Townhomes, beautiful 176-unit townhome project in the center of Chili.

Thereafter, we started Autumn Wood in '86 and '87. It was the first executive subdivision with 28 sites.

Thereafter, we started Wellington, which is off Paul Road, which is a 226-lot subdivision known as Wellington which was designed by Steve Buechner, who has recently done the Chili Center Master Plan Update, from Barton & Loguidice. Steve (Buechner) was also involved with the Chestnut Subdivision and with the -- you know, with Chestnut community and Autumn Wood.

Then in 19 -- in 2002, we were involved with the soccer complex that didn't get approved or become a reality on Union Street and the land that was owned became Park Place Subdivision. We worked in partnership with this Planning Board and the Town Board to put together a 285-home community which hosted to -- the 2003 and first ever Chili Homerama site.

In 2014, we entered into an agreement to complete the first section of Vista Villas which had been around for seven years and only built seven homes and we went in and completed the first section and we worked with the developer to eliminate the HOA, the golf course concept and with this Planning Board to come up with a new community concept, which has been approved and we're waiting for them to move forward on Section 2.

Thereafter, we have completed some homes in spring -- in Union Square that were undeveloped lots that we purchased from Ted Spall and Roger Brandt and we have done a few lots in the Springbrook Subdivision.

We also have the -- we have a great project that we worked with the Town Board and Planning Board to design and build, which was Blueberry Hill apartment complex, which was done in '93 and '94. And in the first phase and then the second phase we did the -- started in '96 and built in '97.

We also had Chili Garden Apartments.

We were the previous owners of Chili/Paul Plaza and we developed the site with the Valvoline Microtel and Bank of Castile.

We have been working with this Planning Board for 34 years and we look forward to working with you again in a positive fashion to come up with another project that we can be proud of. And that is Rose Hill Estates.

We purchased this property from the Johnson family. Johnson family was a very, very big part of this community. Going back many years. The name Rose Hill came from the fact that this whole farm they had was called Rose Hill Farm. I got this information in my discussions with Gary Johnson. You know, he gave me quite an email with the family background and many of the roads around here are named after people that came from the family. In fact, we even had a Supervisor, I believe, Gage Miller was the Chili Town Supervisor at one point.

But we have really, you know, purchased part of the property from the Johnson family. The other part we have purchased from the Lepore family. We have a total acreage about 176, and the property is zoned R-1-20.

So our proposal this evening is for 278 authorization with one incentive zoning request from the Town Board and from the Planning Board for -- which is permitted under Chili Town Code 500-106.

Now, we came here in October to address the Planning Board, and at that time, we showed this conventional layout that's before you with approximately 232 sites. This was designed by Walt Baker of DSB Engineering.

One of the things that we had when we presented that, that was our pace or justification drawing, which is required as part of the application process for 278. Some of the questions that arose afterwards or during that meeting -- Mr. Wanzenried, who was Chairman at the time, asked about are they in the 100-year flood plain, is there wetlands and so forth, and where are they located.

I wanted to just show you the location of those on this map for this evening. These -- these depict -- the heavy black lines are the two things. There is one -- one is the flood plain and it ties up into the 100 year -- or the setback, the 100 foot setback for the food -- or the wetlands. So they are shown on here.

We didn't show them on the last application, because what -- what is allowed in the State of New York, and this information that we're passing out now is the supporting documentation for that, we -- we had a nice meeting with the Town Engineer and with the Highway Superintendent to review this. They -- they're doing a great job representing the Town and making sure all items are addressed, looked at and supported.

But four justification maps as set out in the program is that A, four lot count, as you will see in the first page -- I have got it marked, this is a document that we got from the State of New York, the Town Engineer has referred to it in his letter and it's from -- it's called, "Subdivision review in the State of New York." It's from the Division of Local Government Services. I made you a copy of page 32 and I have highlighted at the top, it says, "The Appellate Division has held that the determination of lot count for a conventional subdivision is merely a preliminary step in the approval process for a cluster development and is not a final determination subject to judicial review and SEQOR is not required to be undertaken prior to ascertaining the lot yield from a conventional plat."

In other words, they're just trying to say on the whole property how many conventional lots you could get. It doesn't need to be anything more than we showed you the first time, because all it is trying to do is talk to you about lot count as a justification for 278.

Then -- I have also put another sheet in there, which is page 41, which goes on to say, "The question of whether environmentally sensitive lands can be deducted from the gross area of the

property before calculating permitted density has come before New York courts. In the absence of a local or State regulation which, as applied, prohibits development of environmentally sensitive lands, a planning board has no authority to exclude them from lot count computations or the buildable area on the site. This doesn't mean that sensitive land can be built upon; rather, it can't be excluded from computing density or buildable area."

And it gives a case citation, you know, which that case, the Appellate Division held the "planning board was required to count the area of the land underwater in the calculation of minimum lot size for a two-lot subdivision."

They went as far as to say, look it, even if it is under water, for the conventional plan, you know, you can use that.

So when we showed it to you the first time, we were not trying to, you know, keep anything from you, hide it. We were just following this. But in answer to the Planning Board Chairman and for your recognition, this is what the locations of flood plains and wetlands look like.

Now, this evening, as we have talked about the design, um, you know, what we did after that, we had to have it mapped and staked out and so forth, you know, because then what we did is we had shown you our plan. I will just move that up here.

This -- this was designed at -- Mr. Baker came up with under the plan of 278, and what you will see is under a justification, we were -- he had laid out 232 lots. We're not looking for that. We're looking for 161 lots. And we're using all of the land as outside of the environmentally sensitive area, and what I would like to do at this time, um, since we -- you know, I presented to you the justification map and the fact that we can put on 232 lots, but we're not seeking that.

We're seeking a 278 on this plan -- I will ask Walt Baker to come up and go through a little more with Gene Pellett as they talk about those areas.

MR. BAKER: Good evening. I'm Walt Baker with DSB Engineers and Architects. As Bernie (Iacovangelo) stated, we were here last October for the conventional or sketch plan review and we presented the conventional plan which Bernie (Iacovangelo) just showed previously was the 232 lots which is required under Town Law 278 which is New York State Town Law. And with that, you can cluster -- is another terminology -- for 278, is the cluster.

So with that, we prepared this other map as Bernie (Iacovangelo) stated with 161 lots, maintaining our -- our separation distance between the 100-year, the FEMA recognized 100-year flood plain, which goes through the project. It's this line through here (indicating). It's a little bit lighter in color, and it trails all of the way, comes back through and leaves the property. So basically that is the flood plain limit.

Down here (indicating), the darker dashed line is the buffer limit for New York State DEC. New York State DEC has a wetland jurisdiction and the -- the Federal Government also has a wetland jurisdiction. Gene Pellett can speak to that a little more precisely than I can. But Gene (Pellett) is the one from Environmental Resources that did the site work. So perhaps I will just have him get into that aspect of it and how he mapped it. We do have another map we utilized from his field -- his field determination, and we had that mapped by our surveyor.

MR. PELLETT: Good evening. My name is Gene Pellett. I'm a certified wetland scientist with Environmental Resources. I have been in the wetland consulting business since 1988 having worked for the DEC and several engineering firms and in 1999, opened up Environmental Resources.

Um, we're strictly a wetlands consulting firm that does delineation work, permitting, mitigation design and wetlands monitoring. Other services we have are threatened and endangered species and wood lot assessments and inventories.

Mr. Iacovangelo contacted us to delineate the wetlands on this property, which we did in July of 2014. And we identified two wetland drainages that come off Beaver Road, down onto this site and eventually drain into Black Creek.

Um, we -- I might as well step up here and show you here. So we identified a drainage here (indicating), that comes down to Black Creek, being down here (indicating) and another wetland drainage right here that comes down in (indicating).

Um, we also identified Black Creek, and a wetland that occurs along the fringe of Black Creek, kind of in a flood plain area.

This wetland down here associated with Black Creek is a New York State fresh water wetland known as CI-5. It was formerly CI-8, but they remapped it. I don't know how familiar you are with wetland regulations, but New York State regulates wetlands that are 12.4 acres and larger, and the Army Corps of Engineers regulates those wetlands as well as smaller wetlands down to a 10th, a 1/2 acre and so on.

The difference between DEC State wetlands and federal wetlands are those wetlands 12 1/2 acres and larger have 100 foot adjacent areas that are also regulated and protected to help buffer the edge of the wetland.

That 100 foot adjacent area extends from the wetland limit up, so this one dark line here is our delineation of the State wetland, and this heavy dashed line is the 100 foot adjacent area (indicating).

Again, State DEC wetland CI-5, federal wetland drainage that dumps into it, and another federal wetland drainage here. These two areas are under the jurisdiction of the Corps of Engineers solely. The DEC does not take jurisdiction up here of these drainages.

This State wetland is under the joint jurisdiction of DEC and the Corps of Engineers.

Um, in June of 2015, I had a DEC biologist come out to confirm our boundary of this wetland, which they did, and I don't know -- I have a wetland delineation report, and Appendix D

is their confirmation determination. It's in the back of the report.

And on our site walk, they determined that this wetland up here, this drainage up here (indicating), because of its width and direct connection to the State wetland, that they would take State jurisdiction over that, which is why we have this 100 foot adjacent areas coming up far onto the map.

This area here (indicating) is kind of an excavated ditch, but it does convey waters from across Beaver Road here (indicating), and because of its narrowness, they -- the DEC doesn't regulate creeks or streams solely. So they cut it off here where the wetland began to narrow.

So we have got federal drainage, State wetland, federal drainage here. DEC did not -- the same thing, they did not take jurisdiction of this drainage coming down here (indicating).

So that's the wetlands that are on the site.

Now, our delineation was done in accordance with the -- the -- the New York State Freshwater Wetlands Manual, as well as Army Corps of Engineers Wetland Delineation Manual, which identifies wetlands primarily by three criteria: A dominance of wetland vegetation, evidence of wetland hydrology, which is basically standing water and saturated soils and things like that, and the presence of hydric soils, which are basically water-logged soils that are under anaerobic conditions.

So with that, mapping that, I got together with Mr. Iacovangelo and his team and we worked out a site plan that completely avoided the entire -- all of the wetland proper, as well as the 100 foot adjacent area that's regulated.

Um, so that -- that shows you there. While the lot lines do go into those areas -- don't they? I can't see that far away. The lot lines do go into the area, and I'm -- I'm sure somebody else can speak on this, but there will be some form of a juris -- of a deed restriction or conservation easement put on that, which is required by DEC, so that, you know, the homeowner doesn't go put a pool or shed or tennis court into the regulated area.

So -- but as I said, this whole area here is -- is out of the development area for the subdivision (indicating). Which is what is required and what both the DEC and the Corps of Engineers wants to see. They want to see your complete avoidance of those things. So -- so they're good with that.

Other than that, does anybody have any questions? I would be happy to answer.

JOHN HELLABY: No mitigation whatsoever?

MR. PELLETT: No need for it. No impact. They have avoided everything, including the 100 foot adjacent area.

MICHAEL NYHAN: There was a comment from the engineer about some storm water, ponds that were going to be within that wetland. Has that been addressed?

MR. BAKER: Um, yes. The -- there was a discharge pipe, but we can pull that back so that will leave an impact -- as Gene (Pellett) mentioned the 100 foot adjacent area, so we stayed outside that 100 foot adjacent area. We did a discharge pipe that leaves the pond and goes into the wetland which was permitted; however, it was extended too far so we'll pull that back. And we'll have easements around the pond to the Town for maintenance and control.

MICHAEL NYHAN: As well as Conservation easements?

MR. BAKER: Correct.

Bernie (Iacovangelo), I believe, is going to get together with the Commissioner of Public Works and possibly the Town Planning Board attorney to decide on what type of language to put in the conservation easement as far as what's permitted, on the properties, as well as what is restricted, and I believe the Town is also interested in having some type of trail along Black Creek at the south end of the property. So that might tie into the trail system they talked about on Vista Villas, as well.

MICHAEL HANSCOM: Mr. Chairman, since he brought up the conservation easement, the Commissioner of Public Works asked me to ask the applicant when they lay out the conservation easement, that they provide access to a public roadway as part of the easement in case the Town needs to get in the Conservation area.

MR. BAKER: Bernie (Iacovangelo) is in agreement with that.

JOHN NOWICKI: Just a quick question. Monroe County Department of Planning and Development had comments and are you considering -- needing a permit from the New York State Department of Environmental Conservation and also from the Army Corps of Engineers? You will need permits from both of these.

MR. BERNARD IACOVANGELO: We don't see a need right now. I know the Town Engineer mentioned there might be permits. We reviewed that with Gene (Pellett). If the permits are needed, we'll have Gene (Pellett) submit them.

JOHN NOWICKI: I just got this today, dated April 12th, and they are saying that permits may be required.

MR. BERNARD IACOVANGELO: What Walt (Baker) was saying, for the sanitary sewer. Yes, those we have to get.

MR. BAKER: Basically the sanitary sewer system to get to this part of the site we will have to cross through this area here so we have an easement shown and we'll be putting 8-inch sanitary sewer pipe from one side to the other so a permit will be required to cross that.

With that permitting, Gene (Pellett) can explain that a little bit, but there won't be any -- we'll put it back the way we found it.

JOHN NOWICKI: You're aware that they're required.

MR. PELLETT: If I can speak on the permit real quick, we will need a permit for that sanitary crossing through the wetland on the adjacent area. The Army Corps of Engineers, while

it will be a joint permitting application, Army Corps of Engineers utility crossings are exempt from regulation. You're allowed to put those through. There are some thresholds and criteria you have to meet, and the -- the thought is when you're done with it, you return the grades to the preexisting conditions and they come and check it out and they're good with that. The DEC will need to issue a permit to do that, but again, it's something that I have done routinely, and it's -- it's something that they grant, but we do have to go through the process to just get that going.

JOHN NOWICKI: I just want to make sure you're aware of these comments that you received that, you're taking care of that.

MR. BERNARD IACOVANGELO: Thank you very much, John (Nowicki).

After we met with you, one of the -- you know, the most important parts of any development is traffic. The night we met here, John Nowicki was, you know, very firm on the fact that he wanted to have the State or the Corridor Study included in any traffic study that we did. He took his sensitivity to this traffic area very, very -- with great importance.

So when we talked to and hired SRF to do the traffic study, um, we told them that we wanted to include in that traffic study the corridor report that was done and we're going to have David (Kruse) come up here, but we wanted to -- to, you know, not just John (Nowicki), but all of you -- when we looked at this, one of the things that we did is we pulled out that traffic study. We read it.

And that traffic study took into consideration from Union Street in Chili Avenue, all of the way down, at this intersection, okay, of Chili Avenue and Beaver Road, Beaver Road and 386, Chili Scottsville Road, it also took that point into consideration.

Also with Chili Avenue and Chili Scottsville Road, old -- Old Chili Scottsville and Chili Avenue, and all of the way down Beaver Road to Archer. We took that all into consideration. One of the things that they will mention in going over this, is that they did make an adjustment at the intersection of Union and Chili Avenue. That was one of the items that was in the study. And I call it an adjustment. They -- they put in a left-turn lane. They tried to do it within the same width. They did make some changes to the traffic light and they did make a few changes at Archer Road when they put in a right-turn lane, as you are going west on -- on Beaver Road on -- onto Archer. We talked to Dave Goehring and Bob Dunbeck. Walt (Baker) and I had an appointment with them down at the New York State DOT, and, you know, they just -- you know, basically indicated that they just didn't have much funding for anything else, that the traffic study that -- the corridor study never reached the numbers that were projected for increase in residences, increase in population, increase in traffic.

They also indicated that one of the biggest things that they did to help relieve the traffic at rush hours, in the morning and in the evening, was the replacement of the Scottsville Road/Jefferson Road bridge years ago. They put an eight-lane bridge in, and they widened that to help eliminate some of the bottleneck at that location.

Um, so, you know, as a result of the numbers not getting up there, we asked them if there was going to be another one in the near future. We -- we have attempted to get them to give it a little bit more concern and they just said right now, there is a million other projects they're working on, not enough funding. They're hoping to get more funding. I think that was part of the budget problem they had this year and coming out so late because our Upstate representatives were trying to get us more of that funding for roadways and bridge improvements.

So we -- you know, Walt (Baker) and I did look at that, but we would like to have David Kruse come up here and give you some information about his traffic study.

MR. KRUSE: Good evening. Members of the Board. My name is David Kruse. I have been with SRF & Associates for about five years now. I'm a certified planner with them. As was said, we were hired to perform the traffic analysis portion of this project. Based on the scale of this project and what we know about the area and what we know about this type of development, we determined the study area intersections that were referenced in this report. They were carefully selected.

Again, as I said, based on our knowledge of this area and our experience with doing projects of this similar nature.

Based on this project, the peak hours of study that were critical were the commuter morning and evening peak hours. Those are your typical 7 to 9, 4 to 6 hours. And all traffic volumes that were included in this report were done during a typical weekday. We contacted the Town to discuss any projects that might be under construction or approved at the time of full build-out of this project. It was determined that the Links at Black Creek was to be included in the project, so it has been included in the report as -- as fully built out under the revised site plan, under the 214-lot site plan as sort of a worse-case scenario. Trip generation estimates for this project were determined using an ITE, nationally accepted methodology. We determined using our traffic software, Synchro, that the intersections throughout the corridor under existing background and full development conditions, um, would not be significantly -- or there would be no significant adverse impacts as a result of this project.

Um, we also conducted a sight distance analysis as well as left-turn warrant investigation of sight driveways. Based on our observations and our assessments, a left-turn lane at the eastern subdivision's proposed driveway across from Beaver Road Extension, um, it was considered but not recommended based on -- based on our assessment. This was largely based on review of our traffic simulations that showed very little delay for westbound left turns entering the project site, the number of opposing vehicles during the PM peak hour, our critical hour, looking at that as well as location of the driveway at the previous intersection. In this case, Beaver Road Extension intersection.

Additionally, we looked at sight distance. Although it was partially limited to the west of the proposed driveway location, opposite Beaver Road Extension, um, it did meet the required stopping sight distance. No mitigation is recommended. However, any vegetation that might be out there that could impact any sight distance obviously should be cleared and provided for an open site triangle for motorists approaching this intersection.

As was said earlier, we were sensitive to the issue of growth and traffic throughout this corridor, so therefore, we carefully reviewed that 2005 Corridor Study to see how this project falls within the established growth rates that were listed as well as in that report. The report projected a growth of households from 2000 -- in 2005 from 266 households within this zone, within this immediate study area, to 691 by 2024. This increase can be said to be associated with the full build-out of Links at Black Creek. However, at this time we know that this project has not been realized.

Therefore, the growth rate that was determined out there, as well as the projections, have not been fully realized. As well, the additional -- sort of included in that 691 households, we can also make a -- an assumption that as part of that growth, the Rose Hill Estates project is included in that sort of natural progression, the natural growth rate of this corridor in this overall study area. The Corridor Study did assume full development and occupancy of that, the mentioned developments in the report, and well as future growth assumptions. However, as I said, actually realized development has not occurred at the projected rate. Therefore, the proposed project does fall within the projected growth conditions out there, as well as any improvements that were detailed within that Corridor Study.

JOHN NOWICKI: Yes. I haven't heard you mention commercial vehicles. Trucks, tankers, dump trucks.

MR. KRUSE: In terms --

JOHN NOWICKI: The increase in the corridor traffic based on commercial vehicles. I didn't hear you mention anything about commercial vehicles. You talked about residents. You didn't talk about commercial stuff.

MR. KRUSE: I mean, as a part of the study which included -- he looked at how this study factored into the increased households, but we, as part of the site, we didn't look at how commercial was going to affect this project.

JOHN NOWICKI: It's going to.

MICHAEL NYHAN: You mean traffic counts, did you have commercial vehicles in your current traffic counts?

MR. KRUSE: We counted everything at those intersections. There is a message yield sign included, so I'm --

JOHN NOWICKI: And you're saying, if -- you considered that count recently? You didn't see any increase since 2005? Is that what you're saying?

MR. KRUSE: No. What I'm saying is in terms of the approved development or those developments that were listed in that Corridor Study, within our general area, um, we did not see the full realization or occupancy of those projects such as the Links at Black Creek as part of that project or part of the report. It was 194-lot subdivision with the golf course and that has been since changed.

JOHN NOWICKI: Yes, but again, I'm saying the commercial aspect, you know, has increased tremendously since 2005. And I don't hear you talking about commercial vehicles. I hear you talking about residential stuff.

MR. KRUSE: Right.

JOHN NOWICKI: But there are businesses in that corridor that are all truck, big heavy trucks going up and down there constantly every day.

MR. KRUSE: Our report did include a -- a growth assumption that would factor in any sort of commercial traffic that might be a part of -- of our total traffic volumes for our movements, such as heavy vehicle percentages. There were no identifiers, specifically identified commercial properties, but we also, in terms of our future no-build conditions, we have to take into account projects that are either approved or under construction, so, unfortunately, we can't -- outside of any sort of growth projections, we can't speculate out of what we actually know is -- that is actually occurring on the corridor.

JOHN NOWICKI: There is existing businesses that have impacted that corridor with commercial vehicles. It has grown tremendously in ten years.

MR. KRUSE: Understood. And our traffic counts do take into account all traffic. But -- that's occurring out there today. That's moving out there today. I guess I'm -- I'm a little -- I'm a little confused by the direction of your questions and -- in relation to what --

JOHN NOWICKI: I happen to live in the corridor and I have witnessed over the last ten years, since the Corridor Study took place in 2002, 2003, and when you -- when you look at what the State has done, nothing at all except improve the intersection of Union Street and Chili Avenue and they did it moderately at best. They did nothing else to the roads, shoulder of the roads, the intersection, nothing. It has all been increasing heavy duty traffic pounding that corridor like crazy. If you just watch or look at the shoulder of the roads where Mr. Iacovangelo wants to build this beautiful project, they're all ripped up. They're falling apart all over the place. Nothing is being done to maintain these roads. And it has been going on -- you know, and now, again, the State is saying, "Well, we don't have the funding," blah, blah, blah.

Where is all of the money going? We're paying taxes? Where is our tax dollars going? To fix these roads. And something has to be done.

MR. KRUSE: I wish I had an answer for that. I'm sorry I don't represent DOT.

MICHAEL NYHAN: So if I could, I think I understand what you're saying. I -- I know this has always been something that we have talked about. I think when you're referencing in relation to this project, you took -- I want to make sure I understand. You took the 2005 Corridor Study and the projected growths that they had in that study. And you looked at what has actually grown in real day time, correct?

MR. KRUSE: Yes.

MICHAEL NYHAN: Then you took traffic counts of all vehicles moving in the area; is that correct?

MR. KRUSE: Correct.

MICHAEL NYHAN: You took into consideration the amount of vehicles as a result of this development?

MR. KRUSE: Correct.

MICHAEL NYHAN: And as a result of any other development either planned or under construction at this time?

MR. KRUSE: Yes, sir.

MICHAEL NYHAN: Okay. I wanted to make sure I understood that. All right. But I understand your frustration. We all want our roads to be better and I agree.

JOHN NOWICKI: They're just getting pounded more and more every year.

MR. KRUSE: I do appreciate that.

JOHN HELLABY: One other thing I do not see in this paperwork or any correspondence from the New York DOT other than the blurb in the back of the County Comments about them, you know, wanting to look at this. I guess the point I'm trying to make is in your traffic study, where you say that left-hand turn lane is not warranted, could they feasibly say they think it is and they want it?

MR. KRUSE: DOT could certainly do that. I won't speak on their behalf.

JOHN HELLABY: I understand.

MR. KRUSE: But I will say I have followed up with them. They're in the process of reviewing this. Unfortunately there is a few studies that is in their queue, so this is under review and we hope to see a turnaround for review on this traffic study in short order, and then, of course, as soon as -- as soon as we get that, um, that will be passed along, as well, your information.

MICHAEL NYHAN: I think one of the comments from our County Comments that we received today, the last page, traffic impact study is required, which we now have.

JOHN HELLABY: I don't think we reviewed it.

MICHAEL NYHAN: And all of the proposed work within the right-of-way we would need -- including driveways and utilities would require New York State DOT permits. Okay.

MR. BERNARD IACOVANGELO: John (Hellaby), let me amplify that question or an answer to that question you had. If you will recall, when we did Park Place, um, we made the presentation without any requirements for a bypass lane going north -- or going south. The traffic study didn't recommend one. DOT came back on Union -- you know, regarding that stretch and said they wanted one. And we put it in. So if DOT does come back and -- in their letter -- as we indicated to you, Walt (Baker) and I met with them, and we talked to them. One of the things that was brought up at that meeting, and that was regarding, you know, connection of the two sections. And they, number one, didn't feel there was a need because they don't feel there is enough traffic generation in the morning or at night from either one to recommend a connection. What they said, if they wanted anything, they would like to have a sidewalk along the Beaver Road to connect it.

DAVID CROSS: Absolutely.

MR. BERNARD IACOVANGELO: That's -- that's what they would want.

JOHN NOWICKI: What side of Beaver Road? Your side?

MR. BERNARD IACOVANGELO: Our side.

DAVID CROSS: Yeah.

MR. BERNARD IACOVANGELO: They would like to connect it with -- through here.

DAVID CROSS: Provides --

MICHAEL NYHAN: Connects the two tracts, you mean?

MR. BERNARD IACOVANGELO: Yes. They wanted something along here (indicating). I discussed that with the Highway Superintendent, and the Supervisor in a meeting. They weren't receptive to it.

JOHN NOWICKI: I was going to say what does that do for you?

MR. BERNARD IACOVANGELO: Well, they rather get the people connected. So what we did is this. What -- because we talked about them. They weren't receptive to that. We talked to Gene (Pellett). Gene Pellett says, "Look it, we have a beautiful site here. We're being -- we have taken all of the consideration for all these special environmental features." He says, "Why don't we do like we do down in Florida?"

I said, "What is that?"

He said, "Why don't we put a nice, you know, elevated, you know, pedestrian bridge between them so as to connect the two people"? Because we're proposing to you sidewalks, like we have done before, and we did that --

JOHN NOWICKI: Inside the project.

MR. BERNARD IACOVANGELO: Inside the project and side lights. And one of the comments that the Town -- you know, the Town Engineer indicated that the Highway Department, Superintendent would love to have them start right at the corner of the entrance and

go over -- we agree with all of that. We really like that look, that concept. And so what we did is we pulled out some information, you know, regarding that. We would like to, you know -- to have you consider doing a walk path, an elevated bridge from here, through to here (indicating). Right across. You know, this section here (indicating). Similar to the golf courses in Florida, other subdivisions down there, a nice elevated type of bridge, okay, that can meet up to a walk path so we can give them circulation. I will be honest with you, they weren't worried at DOT, and, you know, as -- as was mentioned, we are waiting for a letter. They're just behind, you know, from DOT. But that's all they were concerned with, is getting people back and forth and what we would like to do --

JOHN NOWICKI: Back and forth on the interior of the project?

MR. BERNARD IACOVANGELO: Yes.

JOHN NOWICKI: People will want to walk around. You have sidewalks. But again, on the Beaver Road side, the sidewalks don't make sense to me, but what would make sense on Beaver Road is if the State would come in there and improve the shoulder of the roads and put in bicycle trails so people can ride the bikes up and down the roads and not walk up and down the roads because have you enough traffic over there to drive you nuts. You don't need sidewalks there.

MR. BERNARD IACOVANGELO: You're right. I live in the corridor with you. In the morning, it -- it is heavy. And at night, coming home, at about, you know, 5:30 to 6:15, there is quite a bit of backup. There is no question. In fact, the State in that Corridor Study said their recommendation for Beaver Road and Chili Avenue was a roundabout. And then they wanted another roundabout at Archer and Beaver Road and then they wanted one at Beaver -- where was it, Chili Scottsville and Chili Avenue. Now, you know, I know roundabouts are nice and everybody is doing them today, you know, but that's what their recommendation -- but the question ultimately becomes, when are they going to do it and when will they have the financing for it.

John (Nowicki), honestly, I buy into everything you're saying. I wish I had an answer.

JOHN NOWICKI: Yes. I know we had a good talk.

MR. BERNARD IACOVANGELO: This is what we wanted to do. The Highway Superintendent and the Supervisor, they don't -- you know, they say where is it going to go? We just heard the sidewalks to nowhere. And so we said we do want to connect them. I like the thought of doing an interior connection. That would be nice, sensitive to the environment, keep those features nice. DEC wouldn't have a problem with that, would they?

MR. PELLETT: No.

MR. BERNARD IACOVANGELO: You made that recommendation.

MR. PELLETT: They wouldn't as long as it wasn't fill, stone or earth and fill. As long as they're -- they were set on piers, posts, boardwalk or bridge, they wouldn't have a problem with that much.

MR. BERNARD IACOVANGELO: Would we have to get a permit for that?

MR. PELLETT: I don't think so, but I would have to double check on that.

MR. IACOVANGELO: Okay. Thanks.

MICHAEL NYHAN: I think I like the interior connector better than sidewalks, and the reason I say that, there is not a kid in either one of those two tracts that will walk out to Beaver Road and use the sidewalk and come back down. They will cut-through the backyards -- again, the shortest distance possible from one side of the other. It would be safer to have it go through the interior of the track.

PAUL BLOSER: For the safety of the kids in this day and age, I would rather see them off Beaver Road.

MICHAEL NYHAN: Stay inside the development.

MR. BERNARD IACOVANGELO: We even talked about what would happen at night. Today they have those dusk to dawn, with the solar reflectors, you can put them on the top of a -- you know, a cap of the bridge, and put them along so you can create lighting there without any, you know, costs.

JOHN NOWICKI: Didn't you do that down Archer Road and Paul Road there in that subdivision down there?

MR. BERNARD IACOVANGELO: Yes.

JOHN NOWICKI: On the bridge there.

MR. BERNARD IACOVANGELO: Yes. So that's why -- what we're trying to do is -- you know, we have some beautiful features here. What we want to do is a very, very good conservation easement. I attended a farm and family success plan, CLE, and at that CLE they went over a large segment about effective -- effective conservation easements. And we would like to do that. We'll work closely with the Counsel. Okay? To -- you know, to draw that and prepare it. And provide the Town with access to it, and also if they want to do something, because I know that there has been a study done, and they wanted to put some trails along the creek, so, you know, we will provide for that also. Okay?

Having gone over that, we would like to just mention to you that Walt Baker has worked out with the Monroe County Pure Waters the sanitary sewer for this project, and a pump station which would go across the street in the triangular piece, and then, pump up across the road and up Archer to a manhole that's right in front of Vista Villas. So that has been approved by the Monroe -- the County Pure Waters, the GCO and, you know, there isn't any difficulties as far as, you know, making this all work.

Now, one of the things that we are doing is extending the sewer district. There are a few

people that are -- that live across the street from the triangular piece, and there is a few home sites here (indicating). I think there are about six or seven, and what we would like to do is work it out with the Town, and the only homeowners to put a main sewer line there, that would feed back into the pump station to provide them with future sanitary facility in the event they ever wanted to hook up. In the event their septic system fails, okay, that they could hook up. You know, I think that would be, you know, a real benefit to them and to that neighborhood, and -- so, you know, we're going to propose that. Unless there is some reason why the Town didn't want that or the homeowners.

We did the same thing in a development we did down in Greece. The homeowners were really, really appreciative bringing the sanitary to their lot so they could tie in. When they're ready to do it.

DAVID CROSS: Bernie (Iacovangelo), can you pick up the -- is it -- the Jehovah's building there and a couple lots on Beaver Road a little further down, can you pick those up also?

MR. BERNARD IACOVANGELO: When you say that, just so we're on the same page -- this here (indicating)?

DAVID CROSS: Yes.

MR. BERNARD IACOVANGELO: And these?

DAVID CROSS: Yes.

MR. BERNARD IACOVANGELO: I think there are two here?

DAVID CROSS: Yes.

MR. BERNARD IACOVANGELO: And one here. Now, I talked to Mitch Phillips -- I talked to Mitch Phillips on the one, and they're not -- you know, he says right now we just built the house. We're -- we have no problem.

Secondly, um, the other two, I think we can tie them right into the -- you know, the community, right?

MR. BAKER: Yes. This is an exhibit map. As Bernie (Iacovangelo) mentioned, we met with Pure Waters, which again is Gates-Chili Ogden Sewers District, but it is basically an arm of Monroe County Pure Waters. And in meeting with them, knowing the project that we're proposing, um, they had us prepare a map, what they call a district extension map so there is an existing district where Vista Villas is right now to the east.

There is another district in this direction over here, which encompasses the old Case Hoyt building. Obviously the new highway garage. There is this big voided area here (indicating). So we're coming in with the two separate pieces like Bernie (Iacovangelo) mentioned he purchased, the Johnson and Lepore. There are 26 names that we petitioned residents along Archer Road and also Beaver Road Extension. We submitted letters, explaining to them what the district would entail, and the fees associated with it being in a district, and at such time when a sewer line is available, what the usage fee would be once they go on and start using the facilities, the flow into the Pure Waters system.

So this is the boundary line that we're proposing. We have secured yes votes from a majority of the people in the district. So Pure Waters is presently working with their Counsel at the County to submit this as an extension to the sewer district. So it will become part of a -- an extension of the sewer district.

As Bernie (Iacovangelo) mentioned, our pump station -- you can see it on this map a little better. We're proposing to put the pump station -- it shows on our utility plan, approximately this location here (indicating), and that was in dealing with Monroe County Pure Waters, the best place for us to put the pump station would be down here (indicating).

But Monroe County Pure Waters said put it up here (indicating), and this way they can have easy access to it, because the pump station will be dedicated. Obviously this project will pay for the infrastructure including the pump station to be installed and then it is dedicated to Monroe County Pure Waters. That will be in the district.

As Bernie (Iacovangelo) mentioned, we could run a gravity sewer line to the north and then have the ability to pick up the homes along Beaver Road Extension. So obviously our entire site will be by gravity to this pump station. The easement we talked about earlier will cross this area here (indicating) and we'll have the sewer in this cul-de-sac area over -- obviously in the back of this point so we could reach those homes, those frontage homes --

DAVID CROSS: It might be nice to reach those homes.

MR. BAKER: The sewer will be accessible from the back side of the homes to get into that sewer.

MR. BERNARD IACOVANGELO: Is that okay? One of the things that John (Nowicki) asked in October was is there water service out there? And the answer is yes, there is a 16-inch Monroe County, you know, Water Authority main that runs along the -- is it the north side of Beaver Road or south side?

MR. BAKER: North side.

MR. BERNARD IACOVANGELO: North side of Beaver Road. So I wanted to let you know we checked into that, John (Nowicki). There is sufficient water. We answered the question that John (Nowicki) brought up about the pump station and sewers.

John Hellaby also brought up there will be a lighting district. The Town Engineer also brought that up in his comments. Yes, there will be a lighting district. I believe it has to be a sidewalk district also now, right? Or is it a part of a large sidewalk? I think that one has to be put into a district.

MICHAEL HANSCOM: Yes.

MR. BERNARD IACOVANGELO: Somebody mentioned about the sidewalk costs or -- or costs to other adjacent -- or other Town citizens. That district, for that sidewalk, will bear the burden of the snow removal on that sidewalk or any repairs. So they will be taxed solely for the maintenance and upkeep of those -- those sidewalks that relate to them.

Okay? Unless it is a Town wide -- I don't think so. Because Vista Villas, they have a district for themselves only. And they -- they, you know -- the residents there have to take care of their own sidewalks.

Um, we also got from RG&E the fact that they have capacity for utilities, gas and electric for this site. John Hellaby and David Cross asked is there going to be a tree planting plan. The answer is yes, it's on the drawings. What Walt (Baker) did, since he had been before the Board before, and been before the Conservation Board, the tree plans that they mentioned that they -- that are -- they are very happy with, he has used those, and maybe you want to address that a little more.

MR. BAKER: One tree per lot per code.

MR. IACOVANGELO: And the specifications that they require, correct?

MR. BAKER: The Town Engineer asked for a certified landscape architect to approve the map so we'll get that.

MR. BERNARD IACOVANGELO: We'll get that. We'll comply with that. You -- you asked, you know, when is the last time the property was farmed? The last time the property was farmed was 2015. We have a rental agreement for 2016. Um, and I know that you made a reference to the Farmland Protection Plan. I -- I did review that and discussed that with the Supervisor. This property was specifically excluded because it was zoned R-1-20. You know, years ago. And that has been specifically excluded. I read the document myself because I couldn't find anything in there about this site, and I just wanted to let you know that we did look over that portion. Those are pretty much the main items that were reviewed that night.

As far as, you know, the rest of this site, it complies with the -- you know, the 2000 -- you know, the 30 -- the Comprehensive Master Plan, and, um, you know, what we want to do, too, is provide you with a little, you know, copy of a document that we prepared which would give you a little background on the fact that it does comply with the master plan and also a draft what we propose -- what we did with Park Place and what we're proposing for this as far as the downspout conductors. When we looked at drainage, which is another major criteria for any subdivision, and we have gone over this before, and, in fact, when we did Park Place, not only did we have to provide for our drainage and our development, the neighbors asked us to fix theirs. If you remember, we went all of the way over -- what is it, Stottle Road? You know -- or not Stottle. What is the connector between Union and Stottle?

PAUL WANZENRIED: Bowen.

MR. IACOVANGELO: We went all of the way to Bowen Road and fixed the -- the drainpipe underneath that road which made it a little larger. We -- the Town went in, Joe Carr went in, dug a swale that was covered up all of the way down to the creek and we relieved and went through and fixed the creek inside of those neighbors's backyard and got it all working and haven't had a problem with any flooding back there ever since.

So this site here is a bit different. You know, it -- everything drains back to -- naturally to those areas. We're not going to affect any of it. And -- but we would like to comply a little bit more with the new SPDES requirement and they like to see the downspouts on houses -- going onto splash blocks over the yards, so it can take a little longer to get to the areas where, you know, they collect. One of the things that they have today is under the new SPDES rulings, they like to take us back maybe about 50 to 60 years. They are looking at even talking about swales on the side of roadways again and so forth. But we're trying to do some part to show that we have read it, and that we are trying to comply with it. We had the same agreement with Park Place and it has worked very well because of its proximity to the creek and everything. One of the things -- so drainage, we -- you know, we will go over. There is a couple things that Mike (Nyhan) did brick up regarding drainage, location of ponds and the pipe, a few other things. We will resolve all those issues. Okay? So that -- that would be drainage.

There was a question about the School District, enrollment and so on. This is a chart of the school district's enrollment for Churchville-Chili. In 1990, they had 3,711, in the total district. It went up to as high as 4,573 in 2000. Currently, they're at about 3,845 in the School District in 2015. We have to promote more children. We have to promote less dogs and cats and more kids. They are in need of enrollment. They're down from their high. They're down almost 700 from their high. These are actual numbers.

Just so you know, this is not just a trend in Churchville Chili. This is a trend in many school districts throughout Monroe County. Except for Victor. Victor School District continues to grow. I wanted to show you we did do our research and they would like more students.

One of the other things that was discussed was the house plans. These are some of the elevations of the house plans that we're proposing. We're just introducing them, just putting this whole new portfolio together. One of the things that I would like to show you, is some of the floor plans.

When we talk about the engineer said that the box that we use on the drawings, um, may not be sufficient, they're not, to be honest, but that is the only way we can do it because we don't know what homeowners will select. Let me tell you, and it is funny, because we take a prototypical house size and we use that in our criteria, but we can't tell you how many of one style is going to be accepted over another. But we tried to do the best we can and the way we do it is with a box that is prototypical. It would be impossible to try to lay it out with every single

house plan. But I would just like to pass these out to you so that you can see some of the floor plans, some of the widths and the designs of house plans that we're going to be putting in there.

Many of these are extremely new to the area. And what we would like to -- we would like to also indicate our pricing will start at 189,900 and up, and it's going to be, you know, at a different level than Vista Villas. The thought process is that we believe that this neighborhood, this location with the special environmental areas that we have around, that it's in the Churchville-Chili School District.

We noted that a development that occurred in Ogden went extremely well when it was in the Churchville-Chili School District, so the prices will go from 189,9, hopefully to as high as 300,000 for houses in this development.

Here is another packet. Have they been passed along? If you have need for another packet, I have another packet here.

So we're all seeking 5 foot minimum side setbacks. We understand from this letter that the Town Engineer recommends 10. We would like to stay with our 5 foot setbacks, with a minimum. We do agree with his comment that it should be a minimum of 15. And that would --

MR. BAKER: Between structures.

MR. BERNARD IACOVANGELO: Between structures. That is the same thing we did at Park Place. The same thing that has been approved at Vista Villas. What it does, is it -- as you will see, all of these houses are two-car garages. It gives us flexibility to do two-car garages. It also gives us flexibility to provide someone that comes in and wants to build an in-law. I thought we have to come in for approval for the in-law, but we have to have some flexibility to be able to provide those additional features that someone would like in developing or building a home, constructing a home. Because one of the most important parts of building the home is to get what you want. That you can't find in an existing home. So it's not something that hasn't been done before. It has worked very effectively. Park Place, I think, has been a beautiful development. It has gone very well. And that we used the same 5 foot minimum side setbacks with 15 between the structures. You know, we have done that also when we were building it over at Vista Villas. So we would like to, you know, have this Board consider our recommendation for -- for the 5 foot minimum with 15 between structures.

Other than that, um, we have talked about all of the major traffic, sanitary sewer, water, drainage, um, that's -- that's, you know, some of the comments made in the letter. You know, most of those things that Mike (Hanscom) had mentioned in his letter, I don't think there is any issues going over them and achieving them.

JOHN NOWICKI: Are you talking about the letter that you got from Mike Hanscom?

Dated April 8th?

MR. BERNARD IACOVANGELO: Which one is that?

JOHN NOWICKI: Joe Lu Engineers? April 8th?

MR. BERNARD IACOVANGELO: That was the one we received today?

JOHN NOWICKI: Dated April 8th.

MR. BAKER: Is it Mike (Hanscom)'s?

MR. BERNARD IACOVANGELO: That is Mike (Hanscom)'s comments. Right? Yours, Mike (Hanscom), that letter?

JOHN NOWICKI: Yes.

MR. BERNARD IACOVANGELO: Have you gone through that letter yet?

MR. IACOVANGELO: Yes.

JOHN NOWICKI: There is a lot of issues there.

MR. BERNARD IACOVANGELO: Such as?

JOHN NOWICKI: Let me give you the one -- because of talking about the Beaver Road traffic, um, on page 5, number 19, he talks about Drawings 3 and 4 and recommending Lots 101, 102, 103, 104, 401, 402, 403 that connect onto Beaver Road, and he is recommending a hammerhead turnaround as part of the driveway because of the safety standpoint to reduce the necessity of the homeowner from having to back out onto Beaver Road, which is a State highway. This makes a lot of sense.

And my concern is also the setback of the houses may be too close to Beaver Road. I think you have to really take a look at that.

MR. BERNARD IACOVANGELO: Well, John (Nowicki), first of all, we have got -- I believe this is 101, 102 and 103 here. And then we have got 401, 402 and 403 there.

On those six, I believe that we should do the hammerhead. I agree with Michael (Hanscom), we should do the hammerhead. On the ones that are on the entry roads, to keep a continuity, you know, with those, because we do have the different road that we're coming out on, I think -- you know, I would like to request the Planning Board through the 278, you know, provide us the flexibility to use those lots.

One of the things that we're trying to do is make sure that we make it residential in appearance as we come in, okay, and I understand what he is saying about those that are pulling right out onto Beaver Road. I concur with it, embrace it and I take your comments very seriously, too, John (Nowicki).

And on the setback, he did talk about the setbacks on page 3. For those lots. On 101, 102, 103, um, and 401, 402 and 403, I would like to proffer a 50 foot setback on those lots from the right-of-way. He's asking for 75 front setback.

JOHN NOWICKI: He is requiring it. He says according to the Chili Town Code, that is what it is.

MR. BERNARD IACOVANGELO: I don't disagree, John (Nowicki), but that is why we

brought a 278, you know, proposal to you so we could have flexibility which is provided to the Board for those things. Like I said, I do recognize some of the things he has has relevance, and we're saying let's do those six that are coming right off onto Beaver Road, do them at 50 feet with the hammerheads. The other ones, let's maintain, you know, the 278 spirit and the flexibility we -- we would like to have once we go into the subdivisions. Give it that, um, appearance, you know, that you're in a -- you know, a community like that.

JOHN NOWICKI: You're saying -- you're saying that you only want to set the house back 50 feet on Beaver Road?

MR. BERNARD IACOVANGELO: Yes.

MICHAEL NYHAN: If I could address that, I think you might have gotten a letter, as well, from David Lindsay and he recommended that we follow the setback that we used on the Park Place which was 55 foot from the roadway; is that correct?

MR. BERNARD IACOVANGELO: Yes.

MICHAEL NYHAN: David Lindsay recommended 55 feet.

JOHN NOWICKI: Farther back you can get the better.

DAVID CROSS: I was going to come in here and ask for 125. I mean, it's Beaver Road. It's not a local road. It's not a residential road but by any means. If you look at the two existing homes there right now, they're 125 feet back. I think that's your -- that's your starting point with all due respect.

JOHN NOWICKI: You have to start over on that one.

MR. BERNARD IACOVANGELO: It's a matter of economics. You start pushing back that far, and the lots are only 180 feet deep. Then you start losing lots. One of the things I'm trying to do, as part of this, is, you know, it is a matter of economics, too, David (Cross). That is why when we talk about being able to help some of the neighbors, do some of the things, it is because we're looking at a certain, you know, number of lot count.

And so, you know, we're seeking your support. I hear where you're coming from, but I think that once you have the development -- first of all, I believe it's a 45-mile-an-hour road. They -- they may travel, okay.

PAUL BLOSER: 60.

MR. BERNARD IACOVANGELO: 75, you know, but, you know, it -- you know, we believe that it's like anything else, as development starts to occur at that location, there will be more caution maintained.

JOHN NOWICKI: Not unless they put in road improvements.

MICHAEL NYHAN: So on that, the 55 foot setback from -- our Highway Superintendent is recommending, is there any reason why you wouldn't follow that?

JOHN NOWICKI: I would like it more.

DAVID CROSS: I would like it more.

MATT EMENS: Can you even fit a hammerhead in 55 feet?

DAVID CROSS: I think you could.

MATT EMENS: It would be pretty tight. You have to consider backing out of the driveway.

DAVID CROSS: A hammerhead width is only 10 feet.

MR. BERNARD IACOVANGELO: No.

MR. BAKER: Your driveway with a T turnaround.

MATT EMENS: I'm aware of it, but until I see a drawing, I don't think it fits in a 55.

MR. BAKER: Distance.

MATT EMENS: So single lane.

MR. BAKER: Double lane, standard driveway -- hammerhead is off to the side up near the garage.

MR. BERNARD IACOVANGELO: Hammerheads generally run 12 to 15 feet wide.

MR. BAKER: You back out of your garage, you -- you T turn.

DAVID CROSS: With decreasing the setback along Beaver Road, any future potential for roadway widening. So you have to take that into account, too.

MR. BERNARD IACOVANGELO: That would be only in the right-of-way. One of the things you got --

DAVID CROSS: There might be right-of-way takings. There could be takings or additional, you know -- there is no reason why that may not happen at some point. Probably not in the near term. We know that. But it's -- you know.

PAUL BLOSER: One of the things I looked at, too, on the properties flanking Beaver Road is the average car length is 15 feet. So even to get two cars in the driveway, and allow room to walk in between them, your bumper is almost on the road. And that hammerhead is almost useless almost at that point. That is one of the things I'm looking at. It is just one thing on the interior roads. When you're on that road, to have guests, you -- you almost can't. It is going to limit a lot of things. I would rather see even the 55, you could get two very comfortably and a third one in there.

MR. BERNARD IACOVANGELO: I wouldn't have any problem getting the recommendations of the Highway Superintendent.

PAUL BLOSER: But I think with all due respect, what you're asking for on those three, that street there for setbacks is -- I'm just nervous about that.

MICHAEL NYHAN: What are the lot sizes there? What is the depth of the lots that run on Beaver Road?

MR. BERNARD IACOVANGELO: On Beaver Road?

PAUL BLOSER: Then you will greatly diminish the backyards and that becomes another issue also.

MR. IACOVANGELO: Well -- well --

MATT EMENS: We're looking at brand new development. It is not like existing lots.

MICHAEL NYHAN: We're pushing up against some lots. That is why I asked what the distance is. They may not fit if we go back 75 feet.

MR. BERNARD IACOVANGELO: It is about 210 feet and 212. About 210. On those. On -- on 102, 103 -- 101, 102, and 103.

So if you want to go back, what are you thanking, Dave (Cross)?

DAVID CROSS: 75.

MR. BERNARD IACOVANGELO: Is that what you're saying, too?

PAUL BLOSER: I will go with the majority on this one. I'm just saying that 30, 35 is not going to work.

MR. BERNARD IACOVANGELO: Now, what I don't have is -- what is it for 401, 402 and 403? I don't have that one. You got to use your scale.

MR. BAKER: These are deep, too. They're 300 feet deep.

MICHAEL NYHAN: 300 feet deep.

MR. BAKER: Yes.

MR. BERNARD IACOVANGELO: We can go 75 on those 6. All right?

DAVID CROSS: You will lose a couple lots, 104 and 151 it looks like. And --

PAUL BLOSER: Four.

DAVID CROSS: And 404 and 440.

MR. BAKER: Those would be side yards. You wouldn't have driveways on them on Beaver Road.

MR. BERNARD IACOVANGELO: Honestly, I'm -- I'm -- I hear where you're coming from, but now we're in the subdivision. You know.

MICHAEL NYHAN: Those are the lots that the driveways are in the subdivision not on Beaver Road?

MR. BERNARD IACOVANGELO: Not on Beaver Road. In the subdivision. That is why we're doing 278.

MICHAEL NYHAN: So each of the driveways that will enter on Beaver Road, you can move all those back to 75 feet?

MR. BAKER: Correct. The six on Beaver Road. 3 and 3.

MICHAEL NYHAN: Okay.

MR. BAKER: We could pull those.

MICHAEL NYHAN: The corner lots would be the one where the setback wouldn't be 75. They would be driveways on --

MR. BERNARD IACOVANGELO: Those would be side yards.

JOHN HELLABY: I get concerned, because technically he could say those could only be 5 foot off the right-of-way then and -- I am not buying that.

MR. BAKER: Specifically state what that distance has to be. Make it 35. 40. I don't think we can go more than that really.

MICHAEL NYHAN: What are those? Just the two lots that this effects? What --

MR. BERNARD IACOVANGELO: There are four lots all together. Two entries on each -- on each roadway.

MR. BAKER: Those lots are 80 feet in width. So the frontage on the interior road, minor road, they're 80 feet frontage.

MICHAEL NYHAN: Okay. What is the size of a house in -- what would that give you?

MR. BAKER: Based on having a 35 foot setback along Beaver Road, a side yard 35 feet restricted and 5 feet on the other side leaves you 40 foot window to build a house.

MICHAEL NYHAN: Can you build a house on 40 feet?

MR. BERNARD IACOVANGELO: Yep.

MICHAEL NYHAN: Yes.

MR. BAKER: I --

MR. BERNARD IACOVANGELO: I can build you a 3,000 square foot house on 40 feet.

MICHAEL NYHAN: There were a couple other lots -- while we're talking lot dimensions, um, Lot 150, 223, 440 and --

MR. BERNARD IACOVANGELO: We'll make those adjustments.

MICHAEL NYHAN: You will make those adjustments in the space you have?

MR. BERNARD IACOVANGELO: Yes.

MICHAEL NYHAN: Let's make sure we have the lot numbers down right. So for the 75 foot setbacks, which lot numbers?

MR. BERNARD IACOVANGELO: 102 -- 101, 102 and 103. 401, 402, and 403.

MICHAEL NYHAN: Are the -- are the 75 foot?

MR. IACOVANGELO: Yes.

MICHAEL NYHAN: They have driveways on Beaver Road.

MR. BERNARD IACOVANGELO: Correct.

MICHAEL NYHAN: 401, 402 and 403?

MR. BERNARD IACOVANGELO: Yes.

MICHAEL NYHAN: That leaves us with 104, 151, 404 and 440; is that right?

MR. IACOVANGELO: Correct.

JOHN NOWICKI: They're corners?

MICHAEL NYHAN: That --
MR. BERNARD IACOVANGELO: That is a side setback we're asking to be 35.
MR. BAKER: No driveway access on Beaver Road.
MR. BERNARD IACOVANGELO: No driveway access on Beaver Road.
MATT EMENS: So then is the back or side of my \$300,000 house front the road 35 feet?
So does the back or side of my \$300,000 house front the road at 35 feet?
MR. BERNARD IACOVANGELO: No. The side. The side.
MICHAEL NYHAN: Side of the house.
Does that address the issue? The ones with the driveways, hammerheads as well as corner lots.
JOHN HELLABY: I have to agree with Dave (Cross), it is still way too tight.
MICHAEL NYHAN: 75 feet?
JOHN HELLABY: No, for the corner lots. But --
MR. IACOVANGELO: You have to remember, we're coming into the subdivision now. Now, that in and of itself starts to transform the area. You know. And as they ask, they want it right at the corner, they want to put a streetlight. You know, then start from there and go down 250 feet. So -- and that's where the sidewalks would start, at the corner. You know, one of the difficulties I have in losing four lots is the fact that, you know, it's just an economic difficulty. So...
MICHAEL NYHAN: Is that considered -- Paul (Wanzenried), is that considered a side or front setback at that point for those four lots, the corner lots at 35 feet?
PAUL WANZENRIED: Um, we typically view corner lots as having two front setbacks.
MICHAEL NYHAN: So we would like the front setbacks specifically for those lots 35 on Beaver Road?
PAUL WANZENRIED: We would ---
MICHAEL NYHAN: 35 for both roads then, because the setback you're asking for is 35 for the front?
MR. BERNARD IACOVANGELO: This is 278, so we're asking for 35 foot setbacks, correct?
MICHAEL NYHAN: Correct?
It would still be considered a front setback.
MR. IACOVANGELO: We're asking for the same setback, front -- two fronts. It is not inconsistent with our application.
PAUL WANZENRIED: You will have specific setbacks for the other four lots.
MR. BERNARD IACOVANGELO: Correct. Six lots.
PAUL WANZENRIED: Other six lots.
MR. BERNARD IACOVANGELO: We'll change that on our application.
MICHAEL NYHAN: So 101, 203, 401, 403 would have -- driveways would all have 75 foot setbacks. The other lots would conform to the front setback requested for the development. There was one other thing that would follow the 15 foot foundation -- the foundation sides for each of the setbacks for the 5 foot setbacks, right?
MATT EMENS: So -- the 5 foot minimum setback on the side lot, when we say 15, the 15 foot minimum structure that you're saying -- the siting of that house would be specific on each lot?
MR. BERNARD IACOVANGELO: Well, the way it works, Matt (Emens), is sometimes there might be 7 1/2 feet, depending on the lot -- or the home that is already built. You have to make sure that from that 7 1/2 foot away you -- you got to be 15 feet. So you would have to go not 5, but you have to go 7. Now, if it's at 5, then you would have to go 10 on the other side. You always have to maintain between foundations, 15 foot minimum.
MICHAEL NYHAN: 278, I did look at the New York State site review plan document that Mike (Hanscom) had provided to us as well as the Master Plan and both of those are in concert for cluster development. Lots will be adjusted. If they don't meet the minimum requirements. Agricultural investigation relative to SEQR was completed, correct?
MR. BERNARD IACOVANGELO: We did the archaeological and that was completed. We got Phase 1 and Phase 2. Nothing was found. Okay? And it was -- the site was clear of any kind of, you know, further reviews. We also did an environmental Phase 1 on the entire site and that didn't have any issues.
MICHAEL NYHAN: Landlocked parcels, have you reached an agreement?
MR. BERNARD IACOVANGELO: We resolved that. We're going to be placing lot lines through them, okay, and deed -- and deeding them over to the homeowner.
MICHAEL NYHAN: Then you would work with the Town on the conservation easement for the Black Creek --
MR. BERNARD IACOVANGELO: Correct.
MICHAEL NYHAN: -- trail?
MR. BERNARD IACOVANGELO: Yes.
MICHAEL NYHAN: Permits necessary we already talked about. And I think we have talked about the conditions from Department of Public Works. Everybody saw those, that list, as well, on page 7. I'm sorry, the front end. Town Engineer.
Is there anything we haven't addressed in any of these or any other questions before I open it up to public comment? The application or the letter from the Town Engineer?
DAVID CROSS: I have one. I will probably look to the side table for help on this one. But in the Town code, the street standards in the Town code, um, you have a maximum length of

dead-end street or cul-de-sac, okay? And I believe it's six times the lot width. Okay? These are pretty long dead-ends here, cul-de-sacs. So I guess how would -- how would we address that? How would -- if you're going to make a change to a street standard -- are you following me, Eric (Stowe)?

ERIC STOWE: I'm trying to.

MR. IACOVANGELO: Well, one of the things that, you know, this whole 278 does is take all of that into consideration and provides you with the flexibility of, you know, making that determination. When you look at the cul-de-sac, first of all, it is only three -- you know, there is only three lots, here. There is a few there. But -- and there are a couple here.

But this one has got, you know, quite a bit of, um, you know, areas to turn around and move around in and out of. I --

DAVID CROSS: I don't know why the code is written the way it is. It is old.

MR. BERNARD IACOVANGELO: No, you know, this area here, this is not much difference length wise and probably smaller than Autumn Wood.

DAVID CROSS: I know we have cul-de-sacs in Town that are 1,000 foot long. I guess I just --

MR. BERNARD IACOVANGELO: That is why, Dave (Cross). I hear where you're coming from, but the 278, provides the flexibility from those codes.

DAVID CROSS: You're right. It does. And it should. But I just want to make sure that these guys are okay with it over here?

MICHAEL NYHAN: While they're looking it up.

ERIC STOWE: From a legal standpoint, I'm okay. It's the engineering and practical standpoint which I would defer to these guys. But from legal, it says right in the layout configuration to lots, buildings, structures, roads, utility lines -- pretty much gives you a wide berth what you can do. That is more an engineering.

MICHAEL NYHAN: A layout perspective, I like the idea these roads are curved rather than just straight or straight crisscross routes. It comes in and provides almost a traffic-calming effect between the trees on the streets and the curves on the roads and I think that will help with the traffic flow within the complex.

Paul (Wanzenried), another comment relative to yours, when he is done looking that up. Engineering perspective. Go ahead. Is there another question?

DAVID CROSS: I didn't see the tree line, existing tree line in the back probably when it was drawn. I think it was something we asked for back in October.

Can you talk about the continuation of that existing tree line and maybe how much clearing is being proposed or not proposed along this development?

MR. BERNARD IACOVANGELO: Right now, Dave (Cross), the only trees that we have, okay, you know, we have got -- you know, some along here (indicating). There's a -- where is it? Let me use that here.

DAVID CROSS: That helps.

MR. BERNARD IACOVANGELO: You have trees in here. Okay?

DAVID CROSS: That tree line has to come out -- is there anything here?

MR. BERNARD IACOVANGELO: This tree line here comes out.

DAVID CROSS: Anything in the back?

MR. BERNARD IACOVANGELO: Nothing in the back comes out. All that stays. All that stays. That's all going to be part of that conservation easement.

MR. BAKER: There are a couple hedge rows.

DAVID CROSS: Okay.

MICHAEL NYHAN: Same with all of the edge along here, along -- that will all stay along the edge of the property, will not be disturbed?

MR. BAKER: Correct.

MICHAEL NYHAN: Any other questions or comments?

PAUL BLOSER: I have one more question from the sales and marketing perspective.

In your literature at all, do you put anything in writing when we have a Town Code, that you can put up a shed 100 square foot or less without a permit? We have had a lot of instances in Town where people have put sheds up in flood plain areas. And it becomes a problem. They don't necessarily need a permit, but now they're stuck sticking it in places they can't. It is hard for our department to handle, but I'm concerned because we're buttoning up tight in some of these areas.

MR. BERNARD IACOVANGELO: What we do, Paul (Bloser), is we have a signed disclosure that we explain it to them at the time of contracting, and, you know, through the whole process we have a disclosure signed that we go over everything with them. The difficulty we have is the same as the Town has.

PAUL BLOSER: I understand.

MR. BERNARD IACOVANGELO: Enforcement. But we do make sure that we review everything with them. We don't tell them, you know, the things that forever wild -- where we do have a conservation easement, we tell them that that is a conservation easement and that it's enforceable and we even have a disclosure on that. We give them a copy.

But once we turn the deed over to them, there is not a heck of a lot I can do. But we do -- we do take very seriously what you say. Because, you know what they do is they come back and say, "Well, the developer never told me that."

They will come into you guys and say, "He never said that."

I want a disclosure that says we did say that. We did bring it to your attention. We did

show you the map. And guess what? You -- you acknowledged that you received that information, you know, as part of this whole contracting process.

But yet again, we show them where the swales are and they're saying, "Wait a minute. That is where I want my shed to go," and all of a sudden there is a drainage issue. It's -- just -- it's just about enforcement. But it is getting better over time as we continue to get much more disclosure to them, much more information to them.

PAUL BLOSER: Some of these lots run really deep, and you know, they're going to start putting in a -- small mini pools and -- all of the things --

MR. BERNARD IACOVANGELO: What we'll do, Paul (Bloser), we're going to put all along that line, a nice finished sign, okay, that says, "Conservation easement." You know. "No building." You know. So that's -- it's going to be all along -- not going to do it every lot, but we're going to put it so there is enough notice out there that this is the -- the limits of the conservation easement. If they want to go down to the trails and walk through there, that is one thing, but you can't go, you know, building anything in there. You can't go taking anything down. You know what I am saying? So that's -- that's -- that's what our plans are. That is why when we talk about working through a very effective conversation easement, we have to make sure we have enough language in there that will cover everything that is -- the Town wants covered in that.

MICHAEL NYHAN: Paul (Wanzenried), your comment on that?

PAUL WANZENRIED: Just that when an applicant -- a constituent calls the Building Department and asks, we look the property up, and if they are in such a zone, we do require the flood plain permit, so, you know, we -- we do advise them where they can and can't put it, what the procedures are, any special construction that needs to be done and so forth. So that's all I have to say.

MR. BERNARD IACOVANGELO: We would also like you to know that we can put in our tract restrictions. We put tract restrictions on all of our developments, and we can put some language in there, you know, given another -- another bit of notice regarding the permits and so forth. Compliance with that.

PAUL BLOSER: This is one project, Bernie (Iacovangelo), I'm a little concerned about because we're still so tight to these border lines. If that is something you can do, we would --

MR. BERNARD IACOVANGELO: Absolutely. We would do that.

MATT EMENS: Appreciate the presentation and everything everybody brought in. You addressed all my questions. There is a lot of intersection here so that is good.

The one thing I wanted to point out is the small note on drawing 10 of 19, Lots 4 -- excuse me, 429 to 430, the elevations, I was looking at that because that is kind of an intersection, I think. Your finished floor elevations are off by 42 feet. I think that was just a typo, but I --

MR. BAKER: No. That was intentional. (Laughter).

MICHAEL NYHAN: Wanted to see if Matt (Emens) was paying attention.

MATT EMENS: I wanted to point that out because you guys answered all of the questions I had during the presentation.

PAUL WANZENRIED: Did you address the incentive?

MR. BERNARD IACOVANGELO: Yes.

ERIC STOWE: Has application been made?

MR. BERNARD IACOVANGELO: Not yet. We wouldn't make it until we broached it with you, but it has been discussed.

ERIC STOWE: Just looking at -- just going out of order to the code, but I think we'll be okay.

MICHAEL HANSCOM: They submitted quite a few reports, but they have not submitted the Storm Water Pollution Prevention Plans yet. And in other projects in the past, when we haven't received the SWPPP, we recommend not giving final approval until the SWPPP has been received and reviewed.

MR. BERNARD IACOVANGELO: One of the things with the SWPPP, um, we generally find it difficult to apply for an NOI, and a SWPPP, preparing a SWPPP, Storm Water Prevention Plan until we have proof, you know, because it's not timely. Most of the time, you know, you have to have an approved project in order to apply for the SWPP in the NOI. Unless you were going to do some grading, unless you were going to do fill under a fill permit, there is a short form that you can apply to do that. But we have never done that in the developments we have done here -- done it until such time as the project was approved. We'll be glad to do it once it is approved.

MICHAEL NYHAN: The preliminary approval you mean?

MR. BERNARD IACOVANGELO: Pardon?

MICHAEL NYHAN: Once the preliminary --

MR. IACOVANGELO: As long as you have approval, now you can go to the State and -- see, once you have your -- we used to do a SWPPP on the whole site, once we got approval. We stopped doing that, and we started doing it section by section. It's a little bit more money. It's a little bit more time-consuming. But what ends up happening is when that section is completed, you can file to have an end to the NOI, okay? The termination. If you have it on the whole site, it starts with when you file for it, and it ends with your lot -- your last lot built out. So now, what we'll do is once we have preliminary approval and final of Phase 1, we'll make the approval, or the application for that final -- for that whole section for Phase 1. Okay? Because now we have a -- an approved project.

MICHAEL NYHAN: For the SWPPP, you mean?

MR. BERNARD IACOVANGELO: For SWPPP. In the NOI.

MR. HANSCOM: Before they can receive Town approval -- the Town is MS-4. We review the -- the SWPPP and the NOI as opposed to it being submitted to DEC for review. They still have to submit the Notice of Intent to the DEC, but we -- but the Town reviews it and they issue an MS-4 for approval -- the form for it. So we have to have the SWPPP to review before we can approve the plans.

MICHAEL NYHAN: So as a condition, you will need that before the plan approval?

MR. HANSCOM: Typically in the past, we -- Dave (Cross) and I recommend giving only preliminary approval until the SWPPP has been submitted and we have done an initial review of it.

MR. IACOVANGELO: This must be something new. We have never had been asked that in the past. We have always done it basically before we started construction because part of the SWPPP is putting down all your construction fencing and your preparation, you know, for --

MR. BAKER: Erosion control.

MR. BERNARD IACOVANGELO: -- erosion control, sedimentation ponds and all of that. So that is -- that has always been required before we start the project. Don't get me wrong, it is a very, very important part. We recognize that. We agree with it. I have never been asked in the Town of Chili to do it as part of the approval process. This must be something relatively new.

Is it in the building standards? Code or anything?

MICHAEL HANSCOM: I have been doing the reviews for the last six years and it has been the standard I have been told to follow.

MR. BAKER: We'll submit it with --

MR. IACOVANGELO: We'll -- look it. We have got a long journey before we ever get to -- um, getting ready for construction. There is a lot of agency approvals. There is a Town of -- changes that may be made as a result of agency approvals. So what we would like to request is make it a condition of the approvals and we'll have it to them within -- how long will it take you to prepare it?

MR. BAKER: Within a month.

MR. IACOVANGELO: Within a month we can have it to the Engineer and the Highway Superintendent.

MICHAEL NYHAN: Looking for order of things. I wanted to make sure we're not taking things out of the proper order.

Can that be conditioned or not?

MICHAEL HANSCOM: I would have to -- Dave Lindsay is the storm water -- we have a note here. He says he is comfortable with conditioning the approval -- the approval upon submission of the SWPPP. Typically we don't do that.

MICHAEL NYHAN: David (Lindsay) said he is comfortable with that condition?

MICHAEL HANSCOM: Yes. Sorry I missed that part.

Dave (Lindsay) is comfortable with preliminary approval with condition of the submission of the SWPPP but not final.

MICHAEL NYHAN: Not final. Okay.

LARRY LAZENBY: We're just happy with the multiple notifications of the residents about the conservation easement and hearing you say earlier there would be one tree per house and that you were going to follow the code, which is 2 to 2 1/2 inch caliper per tree. To hear about that many trees, that's -- we're fine.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

GARY JOHNSON

MR. JOHNSON: Gary Johnson. I lived in Chili basically my whole life. Pretty much three comments and maybe some information that the Board may consider. The triangle where the pump station has been proposed has been on the books in Chili since the late '60s. It has been in concept. Never followed up on for the future plan of the sewer district.

As far as the road condition and the width of the road, when Case Hoyt was built, one of the conditions of that sale of the property and the building of the road was to put the utilities on the south side of the road and any widening of the road has to be to the north. And if you want to go back on the books and check all that stuff, that was part of the plan, and that was how it was written.

The last comment is, I was privy to seeing some of the site plan and some of the housing of the layout, and as far as my family and myself is concerned, I'm very pleased. It looks like it is going to be beautiful.

GEORGE PETERSON, Beaver Road Extension

MR. PETERSON: George Peterson. I live on Beaver Road Extension. Question I have about the pumping station, because when they put the Vistas in, they were talking about a pumping station. Will this be able to handle the future expansion down low on Vista?

MR. BAKER: Regarding the pump station, he's correct. This -- Vista Villas will have its own pump station. Pure Waters has decided they are going to allow two pump stations. We are going to put our own in, and Vista Villas is going to have one with their Section 2 and any potential growth that goes up Archer Road would go into that pump station.

But the pump station we're proposing on the triangular piece would serve this property, the

Case Hoyt, everything in the boundary to the north, including Beaver Road Extension, but they would be two separate pump stations in close proximity.

MICHAEL NYHAN: The pump station would be in the triangle; that is the one you're building?

MR. BAKER: Yes.

MICHAEL NYHAN: That would serve Beaver Road Extension all of the way over to Case Hoyt on both sides of Beaver Road up to --

MR. BAKER: Including Beaver Road Extension.

MICHAEL NYHAN: All right. Thank you.

MR. PETERSON: And just for point of reference, I did talk to your engineer. Most of the houses on Beaver Road Extension, all our plumbing and septic are in the back, so that probably -- I don't know if the lines would do us much good unless we had a pump to pump the stuff to the front.

MICHAEL NYHAN: Walt (Baker), could you answer that? Would they be gravity?

MR. BAKER: Our gravity sewer will be down 8 feet in the ground. Your septic systems are basically 2 feet in the ground. So you could conceivably abandon your system and have to run a pipe on your property around to the front to tie in a lateral that goes into the main.

MR. BERNARD IACOVANGELO: You know, if they all have basements, if all of the homes along there have basements, even though the septic may be in the back of the property, they would bring the sewer in the front of the house, deep enough and then they could, you know, run -- hang plumbing over to the location where everything drops into it.

MICHAEL NYHAN: Okay.

MR. IACOVANGELO: Okay.

MR. PETERSON: My last thing, of course, is do whatever you can to limit the light pollution. I lived there all my life. The church is pretty bad the way it is lit up. Whatever you can do for downcast or limit light pollution would be appreciated.

The other thing I notice, there is lack of signage for the property for the meetings. Is that a requirement to post Public Hearings?

MR. BERNARD IACOVANGELO: Not for subdivision.

MR. PETERSON: Okay. Thank you.

HELEN KAPTEIN

MS. KAPTEIN: Helen Kaptein, Davis Road.

My question is I'm just a little concerned about the wetlands here, because we're talking about people, and one thing I know, from being a nurse for a long time, people do not -- they're non-compliant, bottom line. So we're talking about building a home here, and we're going to tell everybody this is what you're going to agree to on the contract when you sign, you purchase this property. But let me tell you something, when I bought that property, I might have said this, but I now own it and you can't tell me what to do with my property.

So I'm asking, what are we going to do to protect those wetlands? Because we are borderline. And we all know anybody -- how many of you gentlemen have ever walked Black Creek? Black Creek Park? How many have you ever been on the trail? Because if you have ever been on the trail -- well, you live here. If you have ever been on the trail, you realize how dirty people are, and they are dirty. Every one of us knows. And we are going to live it. Because that's exactly what is going to happen on the back part of this wetlands. We're putting trails back there. They're going to do it. You can disagree with me, but we know it's going to happen. Human nature. Non-compliance. So it does concern me.

Another concern that I have. Churchville-Chili School District. Anybody that owns a \$300,000 home is not sending their kid to Churchville-Chili, because I am a resident of Churchville-Chili and have been for 20 -- 20 years. And almost have put two child through Churchville-Chili. That is nothing really to be proud of anybody who lives here. It is not anything to be proud of.

So Churchville-Chili cannot take care of the students they have in their classrooms as it is. They have too many students, and they can't take care of them. More or less for Churchville-Chili to keep our children safe, I can tell you already this year how many bomb threats they already received. How many times they had to lock down that school. Have we thought about this?

This is a fact. This is happening in Churchville-Chili. So really adding children to this district -- no disrespect, sir -- I love Chili. It's a wonderful Town. It really is a wonderful Town. School District sucks. Okay?

The people here are absolutely wonderful. We have a lot -- and I pay high taxes for that School District and all we're going to do when we add more children is we're going to have more kids going to private schools, and my taxes are bussing them to private schools. Do I enjoy it? Do any of you? No. And if you do enjoy it, you have more money than I do.

So I'm just saying there is a few things, the wetlands really do -- do concern me. The lighting definitely concerns me.

Any housing development, anything going up around this area is facing somebody else's home. We should think about their feelings. They were there first. Let's not -- let's not forget respect, okay? These people were here first. Now you're asking to come in after the fact and now we have to adjust. Everybody is good for change. We all know change is difficult. I'm good with change. But I would just like to make sure our wetlands are taken care of, because I think the Army Corps of Engineers should be looking at this.

I know we have a private person, but he is also not on the Town's venue, okay? He is not -- this is -- whatever he has, no disrespect, sir -- this should be looked at by somebody else. This is our wetlands. This is something Chili has so much to be proud for. Black Creek. And we need to conserve and take care of the area that we still have, because what if this doesn't go right and the runoff is going to Black Creek and then we have a problem with the little rivers that are around? I'm just asking what ifs.

Another question. What if we get into this project and we discover that the housing isn't going exactly how we want it to be built, and does this mean they come back to the Board and say, "Hey, we need to make adjustments. We need to make it larger"?

At that point they have already started the project and there is nothing we can do about it. So are there stipulations? I mean, what are you going to do to make sure that when they get into this project, our wetlands are going to be safe, that people are going to be guaranteed not to put a shed, a pool, fence -- you can't really do anything about it. But how are we going to insure respect?

Couple basic questions. Is the Town going to protect us? Because I think some of the people -- once -- wasn't it -- when Park was built, didn't they get into the project and then have to come back to the Board for readjustment? And what type of -- how many people are we talking?

Because again, this comes down to the Town of Chili. Our fire service, our ambulance service, our volunteers, we've got a lot of people coming in here. Right now, we have an abundance amount of elderly. An abundance amount of elderly people here. That is absolutely wonderful. But it puts a lot on our ambulance service. It also puts on our fire service. We need to take that into account. Because we are volunteers. Yes, the ambulance does have paid, but high percentage, we're still volunteers. That's about everything that contributes into this project. That's all. I thank you for your time. Appreciate it.

Sir, I do not mean you any disrespect. Nor do I mean any disrespect to any of you.

MICHAEL NYHAN: Thank you.

Any other public comments?

JIM VOGLER, Humphrey Road

MR. VOGLER: Jim Vogler from Humphrey Road. Could you show me where the west line of this is on that pictometry you have up there? Could somebody do that?

MICHAEL NYHAN: Right here.

MR. VOGLER: Is that Jehovah's witness up there? Straight to the south.

MICHAEL NYHAN: It comes down Beaver Road.

MR. VOGLER: Further to the west then?

MICHAEL NYHAN: Correct.

MR. VOGLER: All of the way over to -- Henderson's property line, right?

MICHAEL NYHAN: Yes.

MR. VOGLER: Through Henderson.

MR. POOLER: Property is L-shaped.

MR. VOGLER: Goes in behind me. Okay.

I -- I understand what Mr. Iacovangelo is doing with drainage and all that. I think it is commendable what they're doing.

My fear as always -- I'm on the other side of the creek, and the way the creek is maintained by the Town, is poor at best. You talking about Beaver Road and how the State takes care of that. I could go down to Black Creek right now and show you three dams in there right now that need to be pulled out. I know it's kind of the things we're going to add more runoff, and I know we're going to put ponds in to help retain it.

And my thing is, it's kind of like we have a great road and the bridges are bad -- that's New York State, too, isn't it? So here we have a great development, but yet the infrastructure of the creek is poor. And I would like to see -- you know, I realize it can't be dumped onto Mr. Iacovangelo's crew to fix the creek problem. That is more the Town's problem, I think, because everybody is using it, but I'm upstream, and when it gets damned up, it starts to cut the embankments out, water starts to flow out into the fields. So I would just like to make mention -- I would like to see the Town -- you guys put some input in that we do something. I know we cleaned it out a few years ago, but it definitely needs to be cleaned out again. That's it.

MICHAEL NYHAN: Make a motion to close the public portion of the hearing.

JOHN HELLABY: Second.

The Board was unanimously in favor of the motion. The Public Hearing portion of this application was closed at this time.

MICHAEL HANSCOM: I'm just wondering if you could -- I just wonder if you could clarify what you decided on -- finally on the setbacks on Beaver Road?

MICHAEL NYHAN: I thought we agreed on 75 foot for the driveways on Beaver Road; is that correct? 75 foot for the front setbacks for the houses that have driveways on Beaver Road and each of those driveways will have a hammerhead turnaround.

MR. HANSCOM: Corner lot?

MICHAEL NYHAN: Corner lots, the front setbacks for the track, which are 35 feet.

MICHAEL HANSCOM: Okay. Just wanted to clarify that.

Michael Nyhan 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 John Nowicki seconded the motion. The Board all voted yes on the motion.

PAUL WANZENRIED: Did you read all of the standard Board conditions?

MICHAEL NYHAN: No. SEQR first.

PAUL WANZENRIED: When you do get to that point, read them all out, okay? Thanks.

MICHAEL NYHAN: So for conditions we have upon completion of the project, the applicant shall submit a landscape certificate for the landscape -- from a landscape architect certifying all approved plantings have been furnished and installed in substantial conformance with the approved landscape plan.

Approval is subject to final approval of the Town Engineer and the Commissioner of Public Works.

The Town Engineer and Commissioner of Public Works shall give copies of any correspondence with other approving agencies.

Applicant shall comply with all pertinent Monroe County Development and Review Committee comments.

Copies of all easements associated with this project shall be provided to the Assistant Town Counsel for approval. And all filing information; i.e., liber and page number shall be noted on the mylars.

Building permit shall not be issued prior to the applicant complying with all conditions.

Application is subject to all required permits, inspections and code compliance regulations.

For additional conditions, um, the app -- the applicant petition the Town to extend the Chili Consolidated Lighting District Number 1 to include in this project.

The applicant petition to the Town to establish necessary sidewalk district to service this project.

The applicant making an offer of dedication of the subdivision roads to the Town of Chili.

The minimum side setback shall be 5 feet with minimum distance between constructed homes. 15 feet as measured from the building foundations.

Along Beaver Road, um, requires the lots that have driveways to Beaver Road, the -- requires 75 foot setback.

JOHN NOWICKI: Hammerhead driveways.

MICHAEL NYHAN: Okay. And that the lots with driveways to Beaver Road also have hammerhead turnarounds.

The lots with driveways -- the lots along Beaver Road with driveways connected to the tract will maintain the sides -- the front setback of 35 feet on Beaver Road as well as the street within the track.

ERIC STOWE: Can we go back and call those out with the lot numbers that are depicted on the map?

MICHAEL NYHAN: Sure.

So for the lots requiring a 75 foot setback along Beaver Road would be: Lot 101, 102, 103, 401, 402 and 403.

The lots with the 35 foot setback would be 104, 151, 404 and 440.

ERIC STOWE: That's on the map that was submitted with this application.

MICHAEL NYHAN: Correct. The map has been submitted for the 278 application, correct? Conservation easement, um, with public authority access on the property.

And a conservation easement for a trail along Black Creek; is that correct? Is that what was requested, Paul (Wanzenried), from the -- from the --

PAUL WANZENRIED: Yes.

MICHAEL NYHAN: Is that a different easement than the conservation easement?

One conservation easement will include the Black Creek. Okay.

So I will remove that. So there will be one conservation easement with public authority access.

Are there any conditions that I missed?

ERIC STOWE: Just compliance with any incentive zoning grant or otherwise compliance with the drainage if the incentive zoning does not go through.

MICHAEL HANSCOM: Um ---

MICHAEL NYHAN: If I could, hang on one minute. Compliance with any incentive zoning grants.

ERIC STOWE: Compliance with drainage requirement unless relieved by incentive zoning. That's with respect to the discharge. The discharge drainage.

MICHAEL NYHAN: So I have compliance with any drainage requirements unless relieved by incentive zoning requirement.

ERIC STOWE: Discharge drainage.

MICHAEL NYHAN: Any others?

MICHAEL HANSCOM: Yes. Could you please list the lot requirements for all of the properties within the -- within the subdivision under 278, the lot width, lot size and the setbacks? I ask that because on the original plan, the table called out three different lot requirements.

MICHAEL NYHAN: Page 2?

MICHAEL HANSCOM: Yes. We would just like to have a single lot requirement.

MICHAEL NYHAN: Sure. What that means is removing the 75 and the 80 foot lot width requirement and making just one which is a 75 foot lot width requirement with minimum lot size

10,500 square feet with front setback 35 foot minimum, side setback of 5 foot minimum with stipulation of 15 foot between foundations and rear setback 30 foot minimum. That's for the entire complex.

ERIC STOWE: Except for the ones --

MICHAEL NYHAN: Except for the ones on Beaver Road that I have outlined.

Does that need to be written as a condition or just outlined as part --

ERIC STOWE: (Indicated non-verbally.)

MICHAEL NYHAN: Okay. So for that condition, the minimum lot width shall be 70 feet. Lot size minimum will be 10,500 square feet. Front setback, 35 foot minimum. The exception of the six lots that have driveways that exit onto Beaver Road shall be 75 foot setback, and the side setback shall be a 5 foot minimum with minimum distance between foundations of 15 feet and the rear setback shall be a 30 foot minimum.

Any other conditions?

JOHN NOWICKI: Fire Marshal approval.

MICHAEL NYHAN: Fire Marshal, I think -- I missed on the standard. Has the Fire Marshal looked at it?

PAUL WANZENRIED: He is reviewing it.

MICHAEL NYHAN: So it will be subject to approval of the Fire Marshal. Any other conditions?

Satisfaction of all of the comments by the Town Engineer, yes. That is included in the standard ones.

DAVID CROSS: Pedestrian connection.

MICHAEL NYHAN: Pedestrian connection, okay.

MATT EMENS: The elevated wood bridge with solar post lighting.

MICHAEL NYHAN: Have you outlined where you are going to put that yet for certain?

Or -- or what --

MR. BERNARD IACOVANGELO: We -- between -- between Lot 435 and 436, and 115 and 116.

MICHAEL NYHAN: 116 and 145 did you say?

MR. BERNARD IACOVANGELO: 435 and 436. And 116 and 115.

MICHAEL NYHAN: 115.

MR. BERNARD IACOVANGELO: Yes. 115.

MICHAEL NYHAN: Is that considered a raised walkway would you call it?

MR. BERNARD IACOVANGELO: Elevated bridge.

MICHAEL NYHAN: Elevated bridge.

MR. BERNARD IACOVANGELO: Wooden elevated bridge.

MICHAEL NYHAN: Pedestrian connected elevated bridge in the area of Lot 435, 436, 116 and 115. Okay.

Any other items? Preliminary and final approval. Recommendation for preliminary?

JOHN HELLABY: Just preliminary.

MICHAEL NYHAN: Let me go through the conditions of approval again. In addition to the standard conditions of approval, um, the applicant petition the Town of Chili to extend the Town of Chili Consolidated Drainage District to include this.

Applicant to petition the Town to establish the necessary sidewalk district to service this project.

The applicant is making an offer of dedication of the subdivision roads to the Town of Chili.

Minimum 5 foot setback with minimum distance between constructed homes, 15 feet at measured -- as measured from the building foundations.

Lots along Beaver Road, Lot Numbers 101, 102, 103, 401, 402, 403 shall have a 75 foot setback with hammerhead turnarounds in the driveway.

Um, lots with driveways that connect to -- sorry. I'm sorry. Lots 104, 115, 404 and 440 along Beaver Road will have the 35 foot setback from Beaver Road and from the development roadway.

Conservation easement with public authority access.

Single lot requirements as I just outlined with the exception the lot width to be minimum 75 feet.

Lot size 10,500 square foot minimum.

Front setback 35 foot minimum with the exception as I mentioned.

Side setback 5 foot minimum with a 15 foot distance to foundation and rear setback 35 minimum.

Pedestrian connected elevated bridge in the area between Lots 435, 436, 116 and 115.

And then compliance with any discharge drainage requirements unless relieved by incentive zoning.

ERIC STOWE: Can we clarify on the easement, as well, it is public authority access and public -- general public access down to the creek and that that is covered in the conservation easement. It is public authority and public pedestrian access.

MICHAEL NYHAN: Okay. I will reread that one. Conservation easement with public authority and public pedestrian access.

MICHAEL HANSCOM: Could -- could you make sure that that is from a public right-of-way?

MICHAEL NYHAN: From a public right-of-way?

MICHAEL HANSCOM: Right. So that the -- so that conservation easement goes to one of the public right-of-ways. It could be an interior road, so that the public authority and public can have access to the conservation easement off one of the roadways.

MICHAEL NYHAN: Okay. So the conservation easement with public authority and pedestrian access from -- I'm sorry, from -- public right-of-way. Sorry.

Any others? Walt (Baker), you clear on all of the ones I listed here? Any questions on them? Clarification as to what we need or anything on that? Good?

MR. BAKER: I'm good.

MICHAEL NYHAN: I think we're going to be acting on application for preliminary subdivision approval. You will have to come back for final approval at another meeting date.

DECISION: Unanimously approved by a vote of 6 yes with the following conditions:

1. Upon completion of the project, the applicant shall submit a Landscape Certificate of Compliance to the Building Department from the Landscape Architect certifying that all approved plantings have been furnished and installed in substantial conformance with the approved landscape plan.
2. Approval is subject to final approval by the Town Engineer and Commissioner of Public Works.
3. The Town Engineer and Commissioner of Public Works shall be given copies of any correspondence with other approving agencies.
4. Applicant shall comply with all pertinent Monroe County Development Review Committee comments.
5. Copies of all easements associated with this project shall be provided to the Assistant Town Counsel for approval, and all filing information (i.e. liber and page number) shall be noted on the mylars.
6. Building permits shall not be issued prior to applicant complying with all conditions.
7. Application is subject to all required permits, inspections, and code compliance regulations.
8. Subject to approval by the Town Fire Marshal.
9. The applicant shall petition the Town to extend the Chili Consolidated Lighting District Number 1 to include this project.
10. The application shall petition the Town to establish the necessary sidewalk district to service this project.
11. The applicant to make an offer of dedication of the subdivision roads to the Town of Chili.
12. Minimum 5 feet side setback with minimum distance between constructed homes of 15 feet as measured from building foundations.
13. Lots 101, 102, 103, 401, 402, and 403 along Beaver Road require a 75 feet front setback.
14. Lots 101, 102, 103, 401, 402, and 403 along Beaver Road require hammer head turnarounds.
15. Lots 104, 151, 404, and 440 will require 35' setback along Beaver Road.
16. Lot requirements:
 - Lot width (minimum): 70 feet
 - Lot size (minimum): 10,500 sq. ft.
 - Front setback: 35' minimum with exception of lots 101, 102, 103, 401, 402, and 403.
 - Side setback: 5 feet minimum requires 15 feet minimum distance between constructed homes as measured from building foundations.
 - Rear setback: 30 feet minimum
17. Conservation easement with public authority and public pedestrian access from a public right of way.

18. Pedestrian connect elevated bridge in the area of lots 435, 436, 116, and 115
19. Compliance with any discharge drainage requirement unless relieved by incentive zoning.

There was a recess in the meeting at 11:07 p.m. The meeting resumed at 11:11 p.m.

MICHAEL NYHAN: Before we start the next application, Mike (Hanscom), I just like to acknowledge and thank you for all of the educational background information you provided us on Section 278 subdivision review and the links you sent for the State. So thank you very much for providing all of the comments for the development for which you also provided us with a great deal of research information. So thank you. Certainly helped in determining 278 and the proper way to move forward on that. So thanks a lot.

JOHN NOWICKI: Thanks, Mike (Hanscom).

INFORMAL:

- 1 Application of Cornerstone Urgent Care, c/o Peter Morse, 875 East Main Street, Rochester, New York 14605 for final site plan approval for a change of use to convert existing building to an urgent care center at property located at 2968 Chili Avenue in N.B. zone.

John Shields was present to represent the application.

MICHAEL NYHAN: You were before us previously. You did receive approval for a Special Use Permit for this occupancy as well as preliminary approval with conditions. And you were looking for a final tonight. I think one of the outstanding items we had were parking issues with the easement and access.

MR. SHIELDS: Yes, sir. I will try to be brief and take some questions.

My name is John Shields. I'm the Project Engineer for the Cornerstone Urgent Care Center to be located at the intersection of Chestnut Ridge and Chili Ave., the address 2968 Chili Ave.

We were here in December. We received the Special Use Permit approval. And we received preliminary site plan approval. Our first plan that we brought to you that evening had a -- about a 6,000 square foot parking lot, asphalt parking lot addition. We were doing that in order to accommodate the required minimum parking for the code. We were attempting at that time to put all of the parking on our property.

One of the conditions that you gave me that evening was to go to the Zoning Board of Appeals for two area variances. They gave us one for the building setback for our new proposed enclosed porch that we were -- hoped to put on the new building, but they tabled the other variance we were looking for that night, which was parking in the front yard.

Through a long sequence of events and a couple meetings here with the Town and with the Planning Board Chair, we ended up taking that original site plan and finding a way through the -- through the assistance of a -- an easement on the adjoining property, which I will talk about more in a minute, but to make a long story short, we found a way to provide all of the parking, 14 spaces required before code, each of those spaces is dedicated to this building for this use and I believe it is 9 of them that are on our property and we have an additional 5 and some change on adjacent property.

We did go to that owner. We put an easement in place, a perpetual easement to cover the -- the area where the cars would be parked, as well as an area, an access area, kind of a drive aisle, if you will.

So that agreement has been reviewed by Assistant Town Counsel. We can speak to that. But it is my understanding from my client's attorney that has been completely reviewed, signed by all parties necessary and I have to file it with the County Clerk's Office as part of my closing.

My -- my client is a contract purchaser of the property. Um, and again, I say I'll keep it brief. But so we -- we come to you this evening with a site plan that offers more green space. We also added some additional landscaping, some foundation plants as well as some screening to the residential property. I believe it is to the south.

We did go to the Conservation Board last week, met with those folks. They had us make some adjustment to our plan. We did that, and we received their approval in the meantime.

One more thing, maybe the final thing I mentioned here, when we came to you previously, we talked about -- I talked about the potential for land-banking some parking. The Board didn't seem too excited about that concept.

One nice thing about this current concept, there is no land banking parking proposed. We're building enough parking today for 14 -- to accommodate the 14 spaces that is required by code.

Easements in place, we went to the Architectural Review Board. The -- our architect met with them. It is my understanding that they are satisfied with the building elevations that we're proposing, and the changes that we're making to the building. With that, um, I'm going to conclude this presentation and answer any questions that the Board may have.

MICHAEL NYHAN: Just to be clear, John (Shields), so your parking lot, the existing parking lot will not change inside, right?

MR. SHIELDS: Right. We're going to cut some asphalt back and put in a couple of sidewalks in its place, but there is no expansion to the asphalt parking lot as part of this proposal.

ERIC STOWE: The only issue was not all of the comments that I had made to the attorney were addressed. A large majority were. There were just a couple issues with respect to snow removal and -- and overall maintenance and whose responsibility that would be. It wasn't called out. I believe that was it. And any comments for the engineer.

MICHAEL NYHAN: So we'll make it a condition that the easement, you will get approval for all of the easements.

ERIC STOWE: Just the revised one.

LARRY LAZENBY: Steve met with Dick Schickler and I yesterday and he said the Conservation Board is perfectly content.

MICHAEL NYHAN: Upon completion is a landscaped drawing required or has that already been approved and we're set with that? Any conditions at all for landscaping plan?

LARRY LAZENBY: It was just I signed it for him. It's stamped. The only thing is we mentioned previously to another developer that, you know, to make sure that anything is all dug out properly. Don't just go surface planting.

MICHAEL NYHAN: Okay.

MICHAEL HANSCOM: They will need to submit the landscape architect certification after it is planted.

MICHAEL NYHAN: They will need to submit that. Okay. I didn't see it on the letter. That is why I asked.

MICHAEL HANSCOM: It was on a previous one.

MICHAEL NYHAN: Okay. Thank you.

So for the conditions we'll apply upon completion of the project, the applicant shall submit a landscape architect of compliance to the Building Department from the landscape architect, certifying that all approved plantings have been furnished and installed in substantial conformance with the approved landscape plan.

Approval is subject to the final approval of the Town Engineer and the Commissioner of Public Works.

Town Engineer and Commissioner of Public Works shall be given copies of any correspondence with other approving agencies.

Applicant shall comply with all pertinent Monroe County Development Review Committee comments.

All previous conditions imposed by this Board are still -- that are still pertinent to the application remain in effect.

Copies of all easements associated with this project shall be provided to the Assistant Town Counsel for approval and all filing information; i.e., liber page number shall be noted on the mylars.

The Planning Board affirms the recommendation of the Architectural Advisory Committee and requests that the applicant comply with these recommendations.

Um, the application is subject to all required permits, inspections and code compliance regulations.

And the applicant to comply with all conditions of the Zoning Board of Appeals as applicable.

MR. SHIELDS: Can I interrupt you for just a moment, sir?

This is a gentleman (Dave Dillon) is with the sign company, and he met with the Architectural Review Board, I think, a month ago, and has come back with some responses to some of their concerns. Is that --

MR. DILLON: I don't know if I'm supposed to be presenting these here tonight or not.

MATT EMENS: Did you have other items you wanted from the Committee?

I think that Paul (Wanzenried) -- sorry. Paul (Wanzenried). Not you. I think Jim and Peter Morse had ironed out all of the rest of the issues the Architectural Advisory Committee had. So signage would just be normal.

MICHAEL NYHAN: All signage is in compliance with the Town zoning codes; is that correct?

MR. DILLON: Yes.

MICHAEL NYHAN: Then I don't think -- I don't think we need to see that then as long as the Architectural Review Committee has seen it and they approve it. Then we're good.

MR. SHIELDS: Thank you.

DAVID CROSS: Thank you.

ERIC STOWE: Was there -- was there a requirement the easement be recorded, as well, once approved?

MICHAEL NYHAN: We listed it on the mylars.

ERIC STOWE: Just be recorded at the Monroe County Clerk's Office.

MR. SHIELDS: I'm trying to think of the timing through on that. I don't know. Regarding financing, we may need an approved site plan on file before the applicant can get its financing. I would be happy to show you evidence.

ERIC STOWE: That's fine. That's fine.

MR. SHIELDS: Okay.

MICHAEL NYHAN: Easements shall be filed with the Monroe County Clerk's Office?

ERIC STOWE: Yes.

DECISION: Unanimously approved by a vote of 6 yes with the following conditions:

1. Upon completion of the project, the applicant shall submit a Landscape Certificate of Compliance to the Building Department from the Landscape Architect certifying that all approved plantings have been furnished and installed in substantial conformance with the approved landscape plan.
2. Approval is subject to final approval by the Town Engineer and Commissioner of Public Works.
3. The Town Engineer and Commissioner of Public Works shall be given copies of any correspondence with other approving agencies.
4. Applicant shall comply with all pertinent Monroe County Development Review Committee comments.
5. All previous conditions imposed by this Board that are still pertinent to the application remain in effect.
6. Copies of all easements associated with this project shall be provided to the Assistant Town Counsel for approval, and all filing information (i.e. liber and page number) shall be noted on the mylars.
7. The Planning Board affirms the recommendations of the Architectural Advisory Committee and requests that the applicant comply with these recommendations.
8. Application is subject to all required permits, inspections, and code compliance regulations.
9. Applicant to comply with all conditions of the Zoning Board of Appeals as applicable.
10. Easements shall be filed with the Monroe County Clerk's Office.

FOR DISCUSSION:

1. Choice One Development – proposed 10,000 sq. ft. one story medical office building at 1204B Scottsville Road in G.B. zone.

JOHN NOWICKI: I have to recuse myself from this next application.

Bob Steehler was present to represent the application.

MR. STEEHLER: Hello. Bob Steehler from Labella Associates here representing Choice One Development to build a new dialysis center for Fresenius Medical Center.

Little history if I can. Fresenius has outgrown their existing building in Henrietta and is looking to upgrade at a new facility here in Chili with 25 dialysis stations. They have about 3,400 throughout the world and Choice One does their development in the northeast here.

The property is located at 1204B Scottsville Road. So in General Business, except the property is currently 10.6 acres. North is to the right here. We're looking at subdividing the northwest piece of that property, about 2.1 acres to build our facility with an easement, ingress/egress easement on Towers Drive as a part of this also.

The building is approximately 10,200 square feet and will have 40 parking spaces with 13 banked to meet the Town Code.

We met with the Architectural Advisory Committee here today to talk about the building elevations informally.

As far as utilities, um, there is an existing sanitary main on the west side of Towers Drive, and existing water main on the east side of Towers Drive. We'll connect in those, so we aren't anticipating any disturbances within the Scottsville Road right-of-way and I don't believe we'll need DOT approval for this project.

As far as the storm sewer, we're looking at building the roof downspouts and sheet drainage from the parking lot into a bioretention facility on the southwest corner of the property, and discharging into an existing storm sewer system.

We have had a landscape architect design landscaping for the site. Currently meeting the Town Code minimum of 1 percent of the total cost of the site, which is projected to be about \$1 million.

Lighting design is going to be LED compliance. Or LED, dark sky compliant. We'll have poles around the outer perimeter of the parking lot.

And the reason I'm here today is we have an aggressive schedule for the project. We're looking to build this summer and have a facility operational by the fall. So I -- we have submitted for the May 10th Planning Board agenda.

At that agenda we're looking to ask for SEQR approval, approval of a Special Use Permit.

And also preliminary site plan approval, preliminary subdivision approval and we'll also be requesting a waiver for final site plan and final subdivision approval.

We have also submitted to the Conservation Board and we'll be before the May 2nd Conservation Board meeting.

We have also done a Phase 1 and Phase 2 environmental investigation. There is an old gas station west of the property. There is no environmental concerns on the property, so that is good and we have also submitted to SHPO, and this is -- this property is not eligible for listing in historic places.

So does the Board have any questions at this time?

PAUL BLOSER: Which facility in Henrietta, the Clinton Crossings or the one on east -- West Henrietta Road?

MR. STEEHLER: 2613 West Henrietta Road.

PAUL BLOSER: Overnight care facility also.

MR. STEEHLER: No. Daytime hours.

PAUL BLOSER: Only comment I will make is I'm in dialysis right now myself and have been to several clinics. You have three designated handicapped spots. What I'm finding is you need double to triple that amount for patients that are attending. What I see happening is people will pull into those hashed out spots and it makes it even harder to get in and out of cars because they want a handicapped spot. I would like to see more. Just because of the type of facility it is. And that's from experience.

I know it's code, but if you can do more, and you don't -- I would say meet the accommodations for vans you have to by code, but if you can designate others, just straightforward handicapped spots, not necessarily van accessible, that would be from a patient standpoint greatly appreciated.

MR. STEEHLER: We'll definitely consider that.

In speaking with the client, most people are dropped off at the facility, as far as --

PAUL BLOSER: A lot are, but --

MR. STEEHLER: But we can certainly add more handicapped spaces on the site.

PAUL BLOSER: Is this similar in design to the one you just did on Long Pond?

MR. STEEHLER: Yes. Very similar. So the building will look very similar to that. Um, the difference, we have -- we have a facility here that has a circular path for deliveries and for garbage trucks but --

PAUL BLOSER: It's a nice looking building. Very nice looking building.

MR. STEEHLER: Yep.

PAUL BLOSER: All I will say is if they're matching what that is up there, it will probably be one of the nicest buildings on Scottsville Road.

DAVID CROSS: It looks like a nice use for the property. I echo Paul (Bloser)'s comment about the handicapped spaces. The number of spots could easily be doubled.

My only other thing -- I drove past there today. There is -- it looks like all this invasive Phragmites along the front right-of-way there. I don't know if that is supposed to be ornamental grass. It looks awful. Maybe Larry (Lazenby) was going to have a comment, but maybe something you can do there. There is some nicely landscaped berm there, too, but maybe extend that.

JOHN HELLABY: If it is as nice as the one right out here, it's a welcome addition to the community.

MR. STEEHLER: Yes.

MATT EMENS: Yes. We had good conversations tonight with the architect and the engineer on what they presented at AAC, so we had a good back and forth, and I think they'll have a great head start for when they come back to us.

PAUL BLOSER: Only other comment I want to make, and I direct to it to Architectural, something I will look at in the final design, especially when you come down to colors, this building is really going to be seen 360. I know your frontage out on Long Pond is really nice. But because of how this sits on the property, you know, it will be seen greatly from Scottsville Road. You have -- the building to your east side there, you really got 360 exposure here. So I'm going to be looking at, you know, the entire envelope of the building.

MR. STEEHLER: Okay.

PAUL BLOSER: Little more critical just because of your location. If you were here for the earlier one for Monro Muffler, we -- we went back and forth several times until we got the back of the building looking as good as the front of the building, just because of the street access.

MR. STEEHLER: Okay.

MICHAEL NYHAN: I heard part of the Architectural Committee presentation. It sounds like the bottom of the building will be a stone and then a --

MATT EMENS: Hardy Board siding.

MICHAEL NYHAN: That is painted.

MATT EMENS: Yes. I believe it's like a royal blue color.

PAUL WANZENRIED: Matt (Emens), can you use your microphone?

MATT EMENS: Yes. We had a couple comments, but in general, you see it -- the architect explained it more as a royal blue.

PAUL BLOSER: I wouldn't even call it royal blue. It's not that bright. If you have a sample of the color when you come back, that would be great. Or -- do you know the address on Long Pond? It is just north of Ridgeway, on the east side. So if you're headed toward Ridge Road at all, going up Long Pond, it's almost across from that Philly Steak place, almost before

you get to Park Ridge Hospital. It's on the north side. It's a nice looking building.

I would call it more a slate blue than I would a royal blue. It's a nice subdued -- nice earth tone is the best way to say it. It will look good with the stone work on it.

MATT EMENS: And the mansard roof is actually a bathtub in the center to hide all of the roof tops.

PAUL BLOSER: Looks more like residential design than commercial.

MICHAEL NYHAN: Any other items that they need to come back or concerned with for next the Architectural?

MATT EMENS: We gave them a little laundry list, but most of it was labeling the drawing. As you can see, it was not really labeled so we had questions, but they did bring samples. One of the clarifications was the color and a few other odds and ends.

MICHAEL NYHAN: Signage would be down-lit or up-lit?

MATT EMENS: Up-lit is what she was saying, from the ground.

MICHAEL HANSCOM: In your submittal for the May meeting, did you include a SWPPP with that?

MR. STEEHLER: No. We'll be providing a SWPPP this week, though.

MICHAEL HANSCOM: You need to provide that otherwise you won't get your final approvals.

MICHAEL NYHAN: Mike (Hanscom), is there a timeline you will be looking for all of the approvals in one night you would need all this so you can fully look at everything and we would have time to look at it as well before that night? Is there a timeline?

MICHAEL HANSCOM: I would like everything by the DRC meeting which is next Wednesday on the 20th.

MR. STEEHLER: Yep. We're intending to submit it this week, so you should have it by then.

MR. HANSCOM: Okay. That's good.

MICHAEL NYHAN: Other -- any other things that would be required other than the SWPPP with that? Anything that would prevent us from moving to final that night?

MICHAEL HANSCOM: Just have to look at the park. If he provides additional handicapped spots, he may end up losing some of the parking spaces is he providing, so you will have to relook at his site plan with regards to that. If he -- if he can't provide enough land-banked parking to accommodate those lost parking spaces, we would have to go to the Zoning Board of Appeals to get a variance.

PAUL WANZENRIED: That would skew his timeframe.

MICHAEL NYHAN: Yes, it would.

MR. STEEHLER: Actually, we met with the Town Supervisor and Dave Lindsay on a different site plan with parking in the front and we moved it out of the front yard so we wouldn't have to go get a variance. But we definitely have room for extra parking and adding extra handicapped spots.

MICHAEL NYHAN: Okay.

Any issues with snow storage? It looks like a lot of spaces. Anybody see any issues with snow storage? Trying to think of everything that we can get it into the first -- the first plans into the engineer.

MICHAEL NYHAN: You will be going in front of the Conservation Board at their May -- in front of the May 2nd meeting. You will have a plan for them at this time, as well?

MR. STEEHLER: Yes. We submitted landscape plans along with our submission on Friday for Planning Board.

MICHAEL NYHAN: Okay. Any comments, Larry (Lazenby)?

LARRY LAZENBY: No. Just I haven't seen the plans yet. So you -- you did submit plans?

MR. STEEHLER: Yes. We submitted last Friday for Conservation Board.

LARRY LAZENBY: Oh, okay. By a landscape architect?

MR. STEEHLER: Yep.

LARRY LAZENBY: I say "landscaped architect" because Scottsville Road is notorious. Hopefully they will take into mind the salt and the wind and everything else to make it -- I would like to see the landscaping the quality of the building. So hopefully -- because I can't stamp it -- if everything is approved, I can stamp it right at that meeting to expedite your time schedule.

MR. STEEHLER: Okay.

JOHN HELLABY: Site drainage?

MR. STEEHLER: So the -- the roof downspouts and the southern and eastern parking areas will sheet flow to the bioretention area where it is detained and the outlets to an existing storm sewer. These areas will sheet flow to an existing drainage easement along the west edge. It comes from Scottsville Road. Both areas will drain less than existing.

JOHN HELLABY: So no drop inlets or anything, piping. It is all sheet drainage.

MR. STEEHLER: There will be piping, three inlets along the front of the building that will drain to the south.

MICHAEL NYHAN: No need for Zoning Board because you moved your parking.

Setback for Scottsville Road and Towers Road appropriate?

MR. STEEHLER: Yep.

MICHAEL NYHAN: Thank you very much.

Michael Nyhan made a motion to approve the February 9th, 2016 meeting minutes, and John

Hellaby seconded the motion. All Board members were in favor of the motion.

Michael Nyhan made a motion to approve the March 8th, 2016 meeting minutes, and John Hellaby seconded the motion. All Board members were in favor of the motion.

The meeting ended at 11:38 p.m.