

CHILI PLANNING BOARD
October 11, 2016

A meeting of the Chili Planning Board was held on October 11, 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: David Cross, Matt Emens, John Hellaby, John Nowicki, Ron Richmond and Chairperson Michael Nyhan. Paul Bloser was excused.

ALSO PRESENT: Michael Hanscom, Town Engineering Representative; David Lindsay, Commissioner of Public Works/Superintendent of Highways; Eric Stowe, Assistant Counsel for the Town; Paul Wanzenried, Building Department Manger; Larry Lazenby, Conservation 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.

PUBLIC HEARINGS:

1. Application of Lifetime Assistance Inc., 425 Paul Road, Rochester, New York 14624, property owner: Chili Plaza Properties LLC; for preliminary site plan approval for a change of use in portion of building (part of Suite B-8) to allow a day services training program (formerly hair salon) at property located at 3240 Chili Avenue in G.B. zone.

Amy Mitchell and Galvin Baker were present to represent the application.

MS. MITCHELL: Good evening. My name is Amy Mitchell and I'm the Director of Day Services with Lifetime Assistance.

MICHAEL NYHAN: Okay. Overview?

MS. MITCHELL: The day services site that we are proposing would be located in Chili Paul Plaza. We are a day -- basically a day training site for ten individuals with developmental and intellectual disabilities. We operate Monday through Friday basically 9 to 3 when the individuals would be with us on the premises. We would be there -- the staff would be there between 8:00 and 4:30. We would have the individuals ride vans into our site, the vans that are owned by Lifetime Assistance.

And then when they arrive to the site, they would basically review their schedule for the day --

Larry Lazenby arrived to the meeting.

MS. MITCHELL: -- which I will get to in a second, but also participate in daily living activities, maybe some exercise activities and that sort of thing, morning coffee, again, getting ready for the day. Then most of the day between the hours of 10:00 and 1:30 would be -- they would be in the community.

We do a lot of community volunteer work. That's how the individual gets their skill-building activities in, and we volunteer at over 50 different not-for-profits in the Rochester area.

And obviously that's more than just one that location that participates in that. The individuals would return to the site about 1:30 for their afternoon wind-down, so to speak. They would also be participating in the same types of activities they would be in the morning and then take the vehicles home to their residences.

And then the staff would remain, like I said, for probably about another hour or so doing, you know, housekeeping types of things, paperwork and other duties.

JOHN HELLABY: Out of curiosity, age range for your clientele?

MS. MITCHELL: Adults. Everyone is over the age of 21. At that location, you know, I think individuals are in their early 50s, but since it's a day services site, we could have individuals that are, you know, upwards of 70 years old unless they choose to retire.

JOHN HELLABY: Only other thing is why this site? Is it because of close proximity to Paul Road's operation?

MS. MITCHELL: Well, currently the location that we are at is also within Chili. However, we are further removed from the community. What Chili Paul Plaza does is it gives the individuals that we're supporting access to the community more directly. Um, with the number of shops and, you know, different businesses that are in the area, as well.

JOHN NOWICKI: The vehicles that -- Lifetime vehicles, do they pick up these individuals and bring them there and then take them home?

MS. MITCHELL: Yes.

JOHN NOWICKI: Okay. And do they -- when they come there, do they back up to the

door?

MICHAEL NYHAN: Are they handicapped in any way where they need --

MS. MITCHELL: Some -- most -- all of the individuals we have right now are more independent. They don't have a high degree of physical disability. There might be some, you know, milder physical disabilities. But the -- the vans would go pretty much close to the door. Right now, they -- they go -- we're in a two -- actually, it's a three-story building over here in Chili, and they take them right up to the door and the staff meets them downstairs.

JOHN NOWICKI: The reason I'm asking, the vehicles moving in and out, just to be on the safe side.

MS. MITCHELL: What we really liked about this site and we were able to, I think, work out, because we're in the rear of the building, it would be -- it would not be disruptive to the traffic flow in either direction, for us, or for, you know, other people. So our staff do have some mini vans that we use, and then there is some agency vehicles that would also -- larger, a little bit larger vehicles that would bring people to and from the site.

JOHN NOWICKI: Would you identify the particular parking spaces for your vehicles in the back?

MS. MITCHELL: We asked for seven spots be reserved for -- three would be for our vans and those would be the only vans that would be overnight. And then four for the staff that would be working there.

JOHN NOWICKI: That's for the people driving the buses, too?

MS. MITCHELL: Correct. The staff that works at the site and/or drive the vans.

JOHN NOWICKI: That's all I have for now. Thank you.

DAVID CROSS: The property owner was amenable to seven spots?

MS. MITCHELL: Yes, so far so good. Oh, you're here. Yes.

DAVID CROSS: Then employees of LAI, they would park in the back or the front?

MS. MITCHELL: I -- I think the reserved spots we're talking about would be in the back.

MICHAEL NYHAN: I have a couple of questions maybe for the plaza owner. Parking spots in the back, I notice there is only about eight spots back there now. And most of them are full almost every day with other tenants that are parking there. And beyond that there aren't any parking spots until you're closer back along the property line near the hotel there.

What are your arrangements? How will you make arrangements to accommodate everybody in the back part of that building?

MR. BAKER: Galvin Baker, Vice President of Operations for Frederick Property Group. We talked to a couple of the other tenants and they have already agreed they can have those spots close to the door where she will be, and the utility parking for vehicles would be along the back space of the property.

MICHAEL NYHAN: Okay. They will be marked reserved for them?

MR. BAKER: Yes.

MICHAEL NYHAN: Thank you.

MR. BAKER: Yes.

PAUL WANZENRIED: Can you -- one of you guys put your packets up underneath the thing? Show me the floor -- the back site plan. Mr. Baker, show us where the eight spots will be or seven spots will be.

MR. BAKER: The spots that we're considering would be right here (indicating). There will be four reserved spots for her employees and then along the back side over here (indicating), we would give them three spots for their vans. Obviously there is no striping in this particular plan so that doesn't help you.

JOHN NOWICKI: Would there be striping for the three vehicles?

MR. BAKER: They're restriping there now. So I would have to just get somebody to put some stencil lettering down and put posts.

PAUL WANZENRIED: My question would be is that the fire lane?

MR. BAKER: No. There is already curb striping there. The fire lane runs here, here and here. This part right here (indicating) already has striping.

PAUL WANZENRIED: Well, there is egress doors out of the back of the pet store so you can't park anything there, right?

MR. BAKER: That's correct.

PAUL WANZENRIED: And the other establishments back there which I think would be -- who is after the pet store?

MR. BAKER: Sal's.

PAUL WANZENRIED: Sal's and then the tailor. So you will not park against that. I would just --

MR. BAKER: I think the striping is all here (indicating) and here (indicating). And I think there was one spot right here (indicating).

PAUL WANZENRIED: And then based on the engineer's comments, there is an egress door out of the back of this space. He is suggesting moving that to the southern side of the building, so you're not exiting out into that alley way back there, which I believe is where most deliveries take place for the vast majority of tenants.

MR. BAKER: The current -- there is currently a door right there and also another door there. Two for Sensational Tan right now and this is what we're splitting off from Sensational Tan. There was a door there and the plan was to put a door right here (indicating) for her ramp for her entrance.

PAUL WANZENRIED: So in doing that, that was your plan, right?

MR. BAKER: Yes.
PAUL WANZENRIED: So you're giving Sensational an egress out the back?
MR. BAKER: Yes.
PAUL WANZENRIED: If you put that door then, to the south, does that take away from a parking space?
MR. BAKER: No. Because there is already a door there. We're supposed to install a concrete stoop there and there is room -- there is a line that stops you from parking all of the way up close to the building now.
MICHAEL NYHAN: So you use that existing door about 2 1/2 foot off the ground?
MR. BAKER: Yes.
MICHAEL NYHAN: You will put a ramp?
MR. BAKER: That one that is 2 1/2 off the ground is Jackson Hewitt. That's their egress. We're putting one next to it.
MICHAEL NYHAN: You would still be able to fit the four parking spaces in there without a parking space in front of that?
MR. BAKER: Yes.
MICHAEL NYHAN: And that will have a ramp on it?
MR. BAKER: Yes. The ramp will be able to run like this (indicating) along that part of the building.
MICHAEL NYHAN: Does that answer your question, Paul (Wanzenried)?
PAUL WANZENRIED: Yes.
MICHAEL NYHAN: Any others?
Do you have a copy of the engineer's comments that were made?
MR. BAKER: No.
MICHAEL NYHAN: Did you receive a copy?
MR. BAKER: No.
MICHAEL NYHAN: There is a couple of comments relative to the floor plans and to the parking spaces around the back of the building, as well as the number needed for your establishment. So we're just going to ask as part of this application that you just comply with the comments that were made on that. One will be review of the Fire Marshal to designate what the parking spaces are, whether there should be a fire lane there or not, or where the fire lane is, and the other would be the Building Department will review the floor plans prior to receiving any permits. Emergency exits, as well as your floor plan of the building.
MR. BAKER: Understood.
MICHAEL NYHAN: Any other comments from the engineer's report? Mike (Hanscom), anything else you wanted to address other than those two?
MICHAEL HANSCOM: No. That's good.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

DOROTHY BORGUS, 31 Stuart Road

MS. BORGUS: Are there going to be restroom facilities in both of these stores if the space is -- if it is split?

MICHAEL NYHAN: There are -- there are two facilities in the Lifetime Assistance that is planned. I don't know what is in the other existing space. The Hewitt -- the Jackson, if there are bathrooms in there. I would have to assume there would be, but I don't know.

Do you know if there is bathrooms in Hewitt Jackson? I'm sorry, you're splitting the tanning salon?

MR. BAKER: Yes.

MICHAEL NYHAN: So there is a bathroom in the tanning salon?

MR. BAKER: We'll take one of the bathrooms that exists from the tanning salon and that is why we have to add a bathroom to that, and the tanning salon will have another bathroom put in where they have their power spray tanning going on now.

MICHAEL NYHAN: So the tanning establishment will have a bathroom?

MR. BAKER: Yes.

MICHAEL NYHAN: And then we'll the two bathrooms in Lifetime Assistance?

MR. BAKER: Of course.

MICHAEL NYHAN: Okay. Thank you.

MS. BORGUS: I had two -- well, on the prior drawing that was up, what is the dark, oblong that's just back of where they were proposing to park the vans?

MICHAEL NYHAN: Those are the recommended -- those are the dumpster enclosures.

MS. BORGUS: Now, these vans would be parking right up against the hotel property?

MICHAEL NYHAN: No. It's -- there is -- there is parking spaces along the property line that face the hotel, but they're on the Chili Paul Plaza property.

MS. BORGUS: Right. But on the other side of that border, that's -- is that hotel parking? In other words, where the -- where the vans would nose in, what is on the other side of that property line right there?

MICHAEL NYHAN: I think there is some green space and then -- and then the edge of the wooded area and the hotel.

MS. BORGUS: My point, it was not up against the hotel parking lot?

MICHAEL NYHAN: Correct. Correct.

MS. BORGUS: Fine. That was one thing.

My second question is more or less curiosity. I wonder if you could ask the applicant to give a you little more detail. What do these people do in the community?

MICHAEL NYHAN: Certainly. Amy (Mitchell), could you answer that?

MS. MITCHELL: Sure. Like I said, they do a great deal of volunteer work. They go and they clean in some locations. Where -- and they do it for entities that do rely on volunteers, because they're not getting paid. So they might clean. They do some clerical work. We do -- as an agency, we do a lot of support for Meals on Wheels.

We go to nursing homes and we socialize with the individuals, play cards, bingo with the -- with the residents at those locations. Um, let's see. I'm trying to think.

We work at the Red Cross. We make sandwiches for the Meals on Wheels runs that they do.

Let's see. I trying to think. But it -- but it's a pretty big spectrum of things. Then when they're not doing volunteer work, they might be shopping, you know, for different supplies. They go to libraries, they go to museums. You name it, we try and get out to do it. Some of it we do recreational types of things like bowling and we go to the YMCAs in different health care -- health facilities, wellness facilities in the area.

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: Any further discussion on application or comments?

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 the Board all voted yes on the motion.

MICHAEL NYHAN: So for conditions, on this application, you list the ones that I picked up based on the engineer's report. As well as the standard conditions.

One, building permits -- first condition. Building permit shall not be issued prior to applicant complying with all conditions.

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

Subject to approval by the Town Fire Marshal.

And any signage change shall comply with Town Code, including obtaining sign permits.

Location and designation of type of parking spaces and fire lane must be reviewed and approved by the Fire Marshal.

And floor plan must be reviewed and approved by the Building Department.

Paul (Wanzenried), you good with those? Or are any other required?

PAUL WANZENRIED: No, I guess I'm good.

MICHAEL NYHAN: Okay.

JOHN HELLABY: Waiving final?

MICHAEL NYHAN: Yes. This is a vote for preliminary and a waiver of final based on those conditions for the application of Lifetime Assistance, Inc., 425 Paul Road, Rochester, New York 14624, property owner: Chili Plaza Properties LLC; for preliminary site plan approval for a change of use in portion of building (part of Suite B-8) to allow a day services training program (formerly hair salon) at property located at 3240 Chili Avenue in G.B. zone.

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

1. Building permits shall not be issued prior to applicant complying with all conditions.
2. Application is subject to all required permits, inspections, and code compliance regulations.
3. Subject to approval by the Town Fire Marshal.
4. Any signage change shall comply with Town Code, including obtaining sign permits.
5. Location and designation of type of parking spaces and fire lane must be reviewed and approved by the Fire Marshal.
6. Floor plan must be reviewed and approved by the building department.

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

The meeting ended at 7:25 p.m.