

CHILI PLANNING BOARD
December 8, 2015

A meeting of the Chili Planning Board was held on December 8, 2015 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 Paul Wanzenried.

PRESENT: Paul Bloser, David Cross, Matt Emens, John Hellaby, John Nowicki, Michael Nyhan and Chairperson Paul Wanzenried.

ALSO PRESENT: Michael Hanscom, Town Engineering Representative; David Lindsay, Commissioner of Public Works/Superintendent of Highways and Building Department Representative; Eric Stowe, Assistant Counsel for the Town; Pat Tindale, Conservation Board Representative.

Chairperson Paul Wanzenried 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 Cornerstone Urgent Care, c/o Peter Morse, Architect; 875 East Main Street, Rochester, New York 14605 for special use permit to allow an urgent care facility at property located at 2968 Chili Avenue in N.B. zone.

Peter Morse, John Shields and Gbolahan Ogunbayo were present to represent the application.

MR. MORSE: Peter Morse, architect representing Dr. Gbolahan Ogunbayo. This is for proposal for an Urgent Care facility on Chili Ave., 2968 Chili Avenue. It was formerly a jewelry store. It's been vacant for some time now.

The major design is to gut, do a major gut remodel of the interior of this facility, create a small Urgent Care Center. The building has about 2,000 square feet on the first floor and there is a lower level half-basement which has a legal access exit out of there for -- that has been remodeled, so we're incorporating that in the plans, as well, for staff.

All of the first floor areas that will be servicing the general public will be ADA compliant. There are four exam rooms plus multipurpose kind of swing spaces and x-ray room and a procedure room for small procedures.

The -- as I said, most of the interior work is depicted on the plans. The entrance, we're going to keep that as was. There are two side entrances which were not in conformance for ADA, so we're going to raise those and we're going to have one sidewalk which will service both entrances. The entrance on the end of the building will be for ambulance and employees only.

So the -- the application has been submitted to New York State Department of Health. They have reviewed it and they have assigned a Certificate of Need number, and it's under review now as it's gone through the preliminary stages and we're in good shape with that.

The other exterior modifications, we're probably going to try to modernize the exterior a little bit, removing the final side and I believe plaster Dryvit and we're going to be adding some exterior graphics on the building for identifying this as Cornerstone Urgent Care.

Then there is a monument sign in the lawn. We're going to repurpose that and reuse that sign, as well.

The -- Dr. Ogunbayo submitted to you a letter in terms of the use, and frequency about staffing and hours of operation. You should have that for your review. If have any questions, you can address it with Dr. Ogunbayo. The -- the existing parking lot technically will work for his work -- for his anticipated patient load. There is probably going to be four or maybe five employees there at one time. The rest of the spaces will be used for ongoing patient loads.

Other than that, John Shields addressed your Conservation Board and your site plan review with site engineering issues and landscape architectural issues. You did that at the last minute. Thank you for getting us into the Board here.

Other than that, would you like to speak?

MR. SHIELDS: Good evening my name is John Shields, a site engineer for the project. So Peter (Morse) had mentioned -- we'll give you a little bit of additional background. We're in the Neighborhood Business District, so this has been identified as a special permit use in that district, so we're here tonight for resolution and discussion anyway on special permit use as well as the site plan modification for the site. Um, we will reuse the existing entrance in from Chestnut Ridge and then once you come into the site, Peter (Morse) kind of alluded the parking lot, as it is designed, as it sits right now and is striped, I think it shows 17 existing spaces, but it's a little bit maybe not the most vehicle friendly parking lot. They're diagonal spaces and you come into the parking lot in one direction, you can pull into the space, but in order to get out of the space and turn around to leave, you either have to back down the entire -- the entire aisle or you would have to hope that there is no cars behind you and you could turn around that way.

So point being, one of our site plan modifications that we're looking to have approved is the addition of some pavement and we'll actually take the parking space count from 17 down to 14, but there will be 14 spaces that are more -- more usable.

Um, that said, in the letter of intent, I think Dr. Ogunbayo had mentioned for the first five years of operation anyway, the anticipated patient -- number of patients that they will have daily, and as Peter (Morse) mentioned, four our five staff members. I would like to ask the Board to consider land banking 3 of the 14 parking spaces. This would be the three out closest to Chili Avenue. We would ask the site plan be approved as has been submitted with the condition that those three spaces closest to Chili Ave. would not need to be constructed today or at this time. However, we can keep that area clear and it would be land-banked parking. That area would always be available for parking, should the need ever arise in the future. We think it's a good candidate.

The parking ratio we used was 200 square feet -- one space per 200 square feet for the exam areas. I will just point out that that was the closest we found in the code. That was for medical -- medical and dental clinics, and I think I'm making some assumptions here, maybe not better, but that seems it may have been more geared for doctors and dentists who have patients lined up one after the another, appointments going on, and I think that would be a little denser environment. We're talking about this being urgent care. You will have more of a random -- more random number of patients coming. So we think that the request for the parking is reasonable.

Utilities are there to serve the project. We don't anticipate a need for additional utilities. I did get comments from Mike Hanscom, the Town Engineer. Submitted a letter back to him. I think you guys are all copied on it. I can go down each one, but I guess if it is okay, I will just talk about a couple that I think are worthy of discussion. For the most part out of the 11, 13 comments, 8 or 10 of them we have no exception to.

Um, I'll talk for a second about -- Mr. Hanscom had mentioned this may be a -- there may be a candidate for a -- for a setback variance from the Zoning Board and that he pointed out two -- two aspects of the site where a variance may be required. One of those is it -- I guess you have to call it a front setback, because we have a corner lot, but it would be the setback against Chestnut Ridge Road where the existing -- I think the required setback, I believe, is 75 feet from -- if I'm interpreting the code correctly. We're short of that now, and what we're adding in that direction is a covered porch. It would be -- it be on a foundation, but open to three sides with like an awning type cover over it. So that -- that particular feature, it does extend further into the front yard, but I guess I'm unsure, I could not interpret from the code whether that was allowed to protrude into the front yard.

So that is one thing I guess for -- one item for discussion. The other being parking in the front yards. I think there was a portion of the code that mentioned that parking was not permitted in the front yards. We have a situation where we already have parking in the front yard and admittedly, we're going further into that front yard. But we kind of have a preexisting, nonconforming condition in that, as well, that we're going to be adding to a little bit, but I would like to get the Board's opinion on whether that needs to go to the Zoning Board or that is something that Planning Board is comfortable making decisions to allow us to do.

Talk about landscaping for a second. Mr. Hanscom pointed out -- he had a good observation that we have trees down Chili Ave. that were proposed by Doug McCord, landscape architect. I talked to him today about Mr. Hanscom's comment about maybe getting rid of those trees and taking some of the -- some of the resources we were going to put into those trees and possibly add some additional screening between us and the residential use that is to the -- I guess to the south or to the west of us, 3970 Chili Ave.

So we would be happy to take -- remove those trees, get rid of the potential sight distance issue and in return for that, add some screening between us and the residential property.

Um, I think generally that's it for Mr. Hanscom's comments. We also received comments from the County, through the County's DRC Review Committee and there was nothing in those comments that we don't -- that we feel we can't address and take care of on the plan without any major, major revisions.

So with that, um, we -- again, we have Dr. Ogunbayo, the applicant, here this evening if you have any questions for him operations, anything he can enlighten you on, we can bring him up, too, but I will bring it back over to the guys for whatever the discussions or next steps are.

PAUL WANZENRIED: I would be inclined to say you will probably be going to the ZBA for those items. Okay?

So if I understood you, John (Shields), you're going to take what Doug McCord showed on your revised site and the trees that are at the end, all of those, okay -- and the dark shrubs will stay?

MR. SHIELDS: Yes, sir.

PAUL WANZENRIED: Correct.

MR. SHIELDS: Yes, sir.

PAUL WANZENRIED: You say relocated monument sign is that -- you're just relocating the existing one or putting in a new one.

MR. MORSE: We're probably adjusting that. I would like to keep it -- if we -- if we get acceptance from you, we would like to just leave that alone, put in a new sign box and leave that monument as it is, in that yard.

PAUL WANZENRIED: Well, you -- if you're going to leave it as is --

MR. MORSE: If the parking -- like John (Shields) talked about, if we are going to

land-bank that, then we'll leave it alone. If we have to, we'll adjust it slightly in the yard, but we would like to reuse that monument sign, that illuminated sign.

PAUL WANZENRIED: I guess why I'm going there, Mr. Morse, if you do relocate it and it's an existing form, it's a rather low monument sign, low to the ground, okay? And your parking is going to be in front of it. So if I'm coming down Chili Avenue, I may or may not see it.

MR. MORSE: Agreed. We -- I thought it was out at the end of that lot, so there wouldn't be any cars blocking it. We're also going to have a building sign, as well, that will be illuminated there. Individual letters on the gable end. So there will be two points of reference for signage.

PAUL WANZENRIED: Um, all these signages is going to be to code?

MR. MORSE: It will be.

PAUL WANZENRIED: By "code," I mean you're going to have the proper square footages and all of that?

MR. MORSE: Yes. But the intent was to have one identified right on the building. Was that not -- did you not get copy of that?

PAUL WANZENRIED: Did not.

MR. MORSE: Okay.

PAUL WANZENRIED: That's my query, because I'm thinking you might be at the ZBA for that, as well.

MR. MORSE: Okay.

PAUL WANZENRIED: You will want to contact the Building Department to find out and submit something so that they can make an assessment. Okay?

MR. MORSE: When we turned in plans, you -- you don't have exterior views of this?

PAUL WANZENRIED: Do we?

MATT EMENS: Yes. It is not really called out, but there is --

MR. MORSE: You're seeing a sign.

MR. SHIELDS: That is --

MATT EMENS: You have text on the gable?

MR. MORSE: Yes.

PAUL WANZENRIED: That's the only two things I have right now. I will go to Mike (Nyhan).

MICHAEL NYHAN: Basement is for employees only, correct?

MR. MORSE: Correct.

MICHAEL NYHAN: The new covered portion with the steps, what is the size? It says 9 foot 8 inches wide. What is the width? How far from the front of the building does it come out --

MR. MORSE: We'll increase it to 6 feet so it is comfortable for anybody in a wheelchair to come up and make that swing.

MICHAEL NYHAN: My next question was will it be ADA compliant to get a wheelchair --

MR. MORSE: Yes.

MICHAEL NYHAN: Would you have to move it to 6 feet, is that what you're saying?

MR. MORSE: Correct.

MICHAEL NYHAN: The rail for the serpentine sidewalk, I assume it is going to follow the sidewalk, correct? In the elevation it shows just a straight rail, but it will follow the sidewalk?

MR. MORSE: Yes.

MICHAEL NYHAN: Dumpster, is there a dumpster for the property and where it would be located?

MR. MORSE: We don't -- we have not identified -- it is probably going to be small amounts and totals that will be -- it will not generate a lot of -- a lot of waste. So there is that. There is medical -- there is -- medical waste would be disposed of legally, have to be taken care of. That is a separate issue.

MR. SHIELDS: I would anticipate totes being located here (indicating), which is a similar location where they are in its existing capacity.

PAUL WANZENRIED: Is there a walk around to that?

MR. SHIELDS: Yes, sir. Paved completely around that side of the building.

MR. MORSE: Should be identified in the plan. That sidewalk also goes to the walk out -- the -- the basement has an internal interconnecting stair between the first floor and second floor. Second means of egress out that lower level, somebody had the wisdom at one time to build it. It is a stair that exits directly to the outside. And it's covered.

MICHAEL NYHAN: I don't see the dumpster. Can you tell me what side of the building -- I don't see it on the plan.

PAUL WANZENRIED: On the left hand. He is saying in front. Lower left-hand corner of the building.

MR. SHIELDS: No dumpster. Just totes. They would be located -- I don't know if you can see this.

MICHAEL NYHAN: Front of the building towards Chili Avenue or towards the convenience store?

MR. SHIELDS: Towards -- back of the building. Between us and --

MR. MORSE: Convenience store.

MR. SHIELDS: -- convenience stores.

MICHAEL NYHAN: Just large totes, not dumpster? So you would store them under the overhang of the emergency patient --

MR. SHIELDS: Yeah.

MICHAEL NYHAN: Thank you.

Additional distance for the three parking spots out front, how much more distance will that be in front of the building towards Chili Avenue, the land banking you're requesting?

MR. MORSE: I don't know the -- do you know the dimensions, John (Shields)?

MICHAEL NYHAN: Is that for three full spots?

MR. SHIELDS: The spots are 9 1/2 or 9 feet wide.

MICHAEL NYHAN: For the three spots? Is that the one you're land-banking?

MR. SHIELDS: With turnaround 30, 33 feet, somewhere in that neighborhood.

MICHAEL NYHAN: From Chili Avenue to the front end of that parking lot, land bank, the Chili Avenue side of the building, the south side of the building, there is a turnaround. There is a -- three spots you will land bank and there's a turnaround. What is the distance from that turnaround?

MR. SHIELDS: If we did not land bank it?

MICHAEL NYHAN: Correct. From that to Chili Avenue, what is the distance?

MR. SHIELDS: Approximately 45 feet.

MICHAEL NYHAN: 45 feet. Okay. No other questions.

MATT EMENS: So I heard that there is some proposed changes on this -- the extra elevations.

MR. MORSE: Yes.

MATT EMENS: So -- so are they -- no. Okay.

Thank you, Paul (Wanzenried).

So on the signage there, obviously that's depicted to be a sign. Is that supposed to be lit?

MR. MORSE: Yes. We'll have that be back-lit, eliminated, individual cut letters.

MATT EMENS: And the existing monument sign, I believe is lit, too?

PAUL WANZENRIED: Internally?

MR. MORSE: Internally. We'll change the face plates.

MATT EMENS: I don't have any other questions at this time.

JOHN HELLABY: Might you expand a little bit on these totes? I mean, you have a medical facility here. How will you secure these things? Just not leaving them stuck out there in the parking lot.

MR. MORSE: On the floor plan, there should be -- there is a dirty -- dirty storage, dirty utility, so that -- those items will be stored there. Any -- any other medical waste will be stored internally and moved out. Anything --

JOHN HELLABY: Is this a holding room?

MR. MORSE: Yes.

JOHN HELLABY: So when pickup comes, somebody has to physically take them out there?

MR. MORSE: Correct.

JOHN HELLABY: So I assume the pickup will be done during business hours?

MR. MORSE: Correct.

JOHN HELLABY: Lighting will all meet the dark sky requirements, correct?

MR. MORSE: Yes.

JOHN HELLABY: You spoke about the basement. Well, I might be wrong, but it looks like the -- you got this thing divided so there is no longer two points of egress out of that basement. It seems to me you're going to need a hallway opened into that back end.

MR. MORSE: Interconnecting stair and you look on the plan, it exits directly to the outside. Then there is one that is down by the employee break room. That is the second means of egress. That goes to that exterior covered, um, stairway that exists to the outside.

JOHN HELLABY: The plan I'm looking at has those two areas separated.

PAUL WANZENRIED: Not set up that way.

JOHN HELLABY: You don't have two points of egress on there.

MR. MORSE: Yes.

JOHN HELLABY: Right now you have a back separating the two areas, solid there, no point of egress.

MR. MORSE: Let me -- in the basement.

JOHN HELLABY: All right. That makes more sense. All right.

PAUL WANZENRIED: Then show us the right one and we'll give you the right answer.

MR. MORSE: You're welcome.

JOHN HELLABY: So this wall is not supposed to be there.

MR. MORSE: No. That is a -- it's a hidden line that is shown incorrectly. So sorry.

PAUL WANZENRIED: No problem.

JOHN HELLABY: Just making sure.

On the plan that you just handed out it says potential shared parking from adjoining -- have you started any discussions with them?

MR. MORSE: No. No. We have not.

JOHN HELLABY: So those don't weigh into the factor right now?

MR. MORSE: No.

MR. SHIELDS: Correct. Correct.

JOHN HELLABY: All right. That is all I have for right now.

PAUL WANZENRIED: So you have 14 parking spots without those shared ones?

MR. SHIELDS: That's right. Without those. Yes. Without the shared ones. The reason I showed those, I guess to further the discussion about land-banking, and the fact that there is a table in the letter of intent that talks about the first five years of operation, one of the concepts running through my mind was ask for land-banking now with kind of a three-to-four-year window, if his projections are correct and either one of two things will happen. He will either build the additional parking at that time or in the interim he has negotiated some arrangement with his neighbor to have those parking spaces. It wouldn't be both. We're not proposing it would be both.

PAUL WANZENRIED: Have you -- have you got into a cross easement, access easement?

MR. SHIELDS: There is an existing one in place.

PAUL WANZENRIED: That all falls into play. All right.

And the -- let's talk about that covered ambulance, for lack of a better word, entry or receiving in the back there. That's raised?

MR. MORSE: There --

PAUL WANZENRIED: It shows is showing it raised.

MR. MORSE: It would be a new structure built off that, open, just so an ambulance can back up under in case it is raining or snowing hard to get close enough to get somebody in so they're not -- the State asked us to do that.

MR. SHIELDS: It ramps up. I don't know if answers your question, but there is a ramp up to the level area up top.

PAUL WANZENRIED: There is?

MR. SHIELDS: Yes. Because the finish floor --

MR. MORSE: Finished floor is higher. We'll have to build a transfer -- that slab is going to be 8 inches or so, so we'll have to have a ramp to get a wheelchair in there.

PAUL WANZENRIED: I understand. So there is a ramp -- where is the ramp?

MR. SHIELDS: Along the face of the building. Running up -- you start here, and come up, you're going up the ramp.

PAUL WANZENRIED: So from the handicapped spot, I'm going up?

MR. MORSE: Right.

PAUL WANZENRIED: Correct?

MR. SHIELDS: That's right.

PAUL WANZENRIED: To the loading point, a landing, right?

MR. SHIELDS: This is doing the same thing. This sidewalk.

PAUL WANZENRIED: What pitch do you have on that ramp? 8 inches? It's got to be what, 8 feet by ADA rules?

MR. MORSE: Correct.

PAUL WANZENRIED: 1 on 12, right?

MR. MORSE: Right.

MR. SHIELDS: For reference, this is 9 feet. So I got 9 feet, plus the landing.

PAUL WANZENRIED: When that ambulance, is the -- is the adjacent owner aware of the potential for an ambulance coming in and out of there? Did you make that clear to him, that there could be potential for that?

MR. MORSE: No, we did not.

PAUL WANZENRIED: How often would he -- the doctor perceive this happening? Can he answer that question? I have one more question. I will fire another question at you, Doc. Come on up.

Have you run a facility this nature before?

DR. OGUNBAYO: No. This will be the first time. So -- my name is Dr. Ogunbayo. It's going to be a very rare occasion to have an ambulance come there. The patient who needs an ambulance will be going to Strong. But if the patient is already in the clinic and a determination is made that it requires more in-depth examination, the patient will be going to Strong. We already signed an agreement with Strong, a patient transfer agreement and a hotline for the patient to call -- we'll call the hospital right away and get an ambulance to take the patient to the hospital.

PAUL WANZENRIED: All right. Thank you. I have one more concern. I think it has to do with the snow storage against Chestnut Ridge. Given the elevation change, between the parking lot and the way Chestnut Ridge drives down in that area, and the way the prevailing weather is going to go, I'm very concerned about you shoving snow in the hill, piling it up all winter and then drifting, you know, blowing snow coming over the top of your snow piles. Um -- I'm not sure. It's a tight site. I get it. But somewhere, I think we have to be concerned about that in the event that we ever get snow.

MR. SHIELDS: Sure. Sure. I will point out another one of Mr. Hancorn's comments that I didn't mention, he was suggesting that when we relocate the sign, to give some additional space between the edge of the sign and the edge of parking and allow for additional snow storage in that location.

PAUL WANZENRIED: I would rather see all of the snow storage pumped across there, but I understand your monument sign would have an issue with that.

MR. SHIELDS: I also understand that we need to treat this site plan as -- if it gets constructed, as you eventually see or approve it, but in the interim, the land-banking, there would potentially be some additional areas over there.

PAUL WANZENRIED: Not big on land-banking, but that is my -- my take.

JOHN NOWICKI: Yes. I just wanted to -- you're talking about signage and setbacks and this is something that the Zoning Board, they're going to have to deal with the Zoning Board?

PAUL WANZENRIED: I believe so.

JOHN NOWICKI: So you're aware of that then, right?

MR. SHIELDS: Becoming aware of it, sir.

JOHN NOWICKI: Mike Hanscom, our Town Engineer, you have satisfied him or talked to him and worked out all of the other situations?

MR. SHIELDS: He got me a comment letter. I responded. He hasn't had a chance to respond or agree or comment on my response.

JOHN NOWICKI: Okay. I have the two letters. It seems like you have worked a little bit -- some of the things out there. Okay. The rest of the stuff, I -- I tend to agree with that. That's all I have for now.

DAVID CROSS: Just procedural question, Paul (Wanzenried). Will this go to Architectural review?

PAUL WANZENRIED: No. Falls out of their purview.

DAVID CROSS: Okay.

PAUL WANZENRIED: So you can make any comment you want on it, Dave (Cross).

DAVID CROSS: Okay. I want it to go to Architectural Review. Just as any commercial building in the Town, that would be my recommendation. You know, it has a good look there, but we do have some standards that -- or even take a look at it.

Are you aware of our architectural standards?

MR. MORSE: Um, no. We're going to take the -- I think that was originally built as a house with vinyl siding and vinyl fixtures and we're going to take that off and replace it with Dryvit and we're going to paint the brick with a monolithic look. And at some point, of course, to try to modernize it to make it a little bit -- to make it a little more commercial and more purposeful towards a medical facility is what the intent is right now.

So we're working on final exterior elevations, but the intent is to give it --

DAVID CROSS: Okay. We will have a chance to look at final elevations, though, before final approvals, right? Okay. I guess I'm satisfied.

The only other thing, Mike Hanscom might have caught this, so vehicles existing Chestnut Ridge Road onto Chili Avenue, I would have concern over sight distance, particularly with -- with any of the land-banked parking in the future. You have shrubs, you have landscaping. I think it just needs to be looked at, Mike (Hanscom).

MR. SHIELDS: Could you repeat that?

DAVID CROSS: Sight distance for vehicles existing Chestnut Ridge Road onto Chili Avenue, sight distance, you got shrubs and I know you're out of the right-of-way, but it's a pretty narrow right-of-way. You got the -- the curb. It's only about 5 feet from the right-of-way.

MR. SHIELDS: We can look at that. Mike (Hanscom) will certainly look at that. I'm very comfortable what is shown because -- the stop bar which unfortunately not shown on the plan, I know the site distance from that location is appropriate. I think even with the shrubs. But I understand what you're asking for.

DAVID CROSS: I would just like Mike (Hanscom) to check that also. That is all I have for right now.

PAUL BLOSER: I just have one question here. On the three spots that you're land-banking or want to, I am looking at one dimension of the actual parking lot where you have 20 foot swing between the spaces. You have that highlighted.

MR. SHIELDS: 20 foot drive aisle?

PAUL BLOSER: Right. To the far right you're showing 14 foot next to those bushes there. I can see how you're rounding this out, where this corner is. Those last two banked spots, I -- what is your actual space from there to the edge? It doesn't look like have you a full 20 foot there.

MR. SHIELDS: From the -- from the back of that stripe to the --

PAUL BLOSER: Talking about right here (indicating). I mean your spot is right here. I don't know what is -- the distance is from here. In this line. To that line. This may have to be opened up a little bit more here. It didn't look like you --

MR. SHIELDS: Yep. I don't know the distance, but I -- I think you're telling me it would be better to probably bring a lined edge of the parking to the pavement.

There was a discussion at the dais between Paul Bloser and Mr. Shields.

PAUL WANZENRIED: On the one site plan, John (Shields), the black and white one, you're calling for 22 feet between -- as an aisle. On this colored rendering you just gave us, it looks like it is 20.

MR. SHIELDS: 20.

PAUL WANZENRIED: Isn't 24 a standard aisle, pass aisle?

MR. SHIELDS: For fire access, it would be a standard. If we're expecting EMS or fire to go down there and utilize this road, 24 would be standard. Other than, I -- 22 is a common number, 24. I mean what you have here, I guess, that's a road to consider going down, because without touching this parking lot at all, we have a 15 foot drive aisle with diagonal spaces going in one direction. I mean, we have the quantity of spaces we need with what is out there existing. But to -- to kind of touch on that, 20 is -- 20 is what I would like to see. It would have to -- Town Engineer would have to approve that new number because what he did review did have

22 feet. No question.

PAUL BLOSER: Fire Marshal aware of this?

PAUL WANZENRIED: I didn't receive any comments from the -- David (Lindsay)? I will pry you away for one moment. Does the Fire Marshal review this?

DAVID LINDSAY: He did. And he didn't have any comments at this point on it. Aside from saying that there was staffing change in the Building Department regarding the Fire Marshals, but the Acting Fire Marshal did mention it today about the need for an operating permit and check on extinguishers. He is continuing his review and will forward those comments to the applicant when he finishes.

PAUL WANZENRIED: Okay.

DAVID LINDSAY: Was there an item specific I can pass onto him? Is there a specific question?

PAUL BLOSER: Parking lot width.

PAUL WANZENRIED: I think we're concerned that the distance -- the black and white one, which we have all been looking at, shows a distance between parking -- the aisle is 22. The colored rendering now shows it as 20. Which means -- so is he going to need that for access? Is that required? Is it tight?

DAVID LINDSAY: I think he would tell you it is tight, certainly. He may want to see that wider. I -- you may want to see that wider, but I can verify that with him and provide feedback back to the Board.

PAUL WANZENRIED: Mike -- sorry, Eric (Stowe). Eric (Stowe)?

ERIC STOWE: Just the access easement called out in Mr. Hancorn's letter.

PAUL WANZENRIED: Yeah.

PAT TINDALE: I just would like to see revised landscape prints once it's settled on when the trees are coming out.

MR. SHIELDS: Sure.

PAUL WANZENRIED: Then with that, is there any additional comments from the Board?

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

DOROTHY TYTLER, 14 Gateway Road

MS. TYTLER: I was just wondering, say we -- say this does get approved, that increases the tax base and they're not -- they're going to pay their fair share? They're not like going to be given a break for five years and then all of a sudden just pull on out, right?

PAUL WANZENRIED: I have no idea of any PILOT agreement or COMIDA that they have entered into.

MS. TYTLER: Okay. Because I do think having an Urgent Care center here is a good idea. I see a lot of need for it especially with all of the sports that the children play, I think it's a good idea.

Thank you.

PAUL WANZENRIED: You know, I almost didn't start the meeting without you. Come on up, Dorothy (Borgus).

DOROTHY BORGUS, 31 Stuart Road

MS. BORGUS: I heartily agree with Mr. Cross' comments that if at all possible this -- this plan should be looked at by the Architectural Review Committee. It is an old -- an old home and it probably could -- would -- certainly could benefit by -- with some upgrades. But I think when you start painting brick and replacing vinyl siding with something that this Board hasn't seen, has no idea what it will be, how it is going to turn out, I think it's chancy.

It is on our main intersection, and -- again, as the previous speaker said, this is probably a very good use for the site, but I think we also have to have it looking very nice. It's on our main intersection -- at a main intersection, on a main road and we won't get another chance if we don't take it now. So I really would look to see this go before the Architectural Review Committee.

Um, the applicants have stated that -- at least mentioned so far, two signs, a monument sign and a sign on the building. It comes to mind as a regular at this meeting that there are usually exit signs, entrance signs and so forth, so I think we better be sure what their whole sign package is going to be. I think it's going to be more extensive than the two signs already mentioned.

Maybe I missed it, but, um, is there going to be a ramp to that main entrance for handicapped people?

PAUL WANZENRIED: Yes, Dorothy (Borgus). That is that snake-like thing on the floor plan, on the Chestnut Ridge side.

MS. BORGUS: Okay. That is not going to be too steep in the Board's opinion?

PAUL WANZENRIED: (Mr. Wanzenried indicated non-verbally.)

MS. BORGUS: Only other last comment I would have is on these land-bank spaces. Again, as a regular at these meetings for more years than I would like to admit, I have seen many, many, many requests for land-bank spaces. I have seen some granted. Frankly, I don't think they work. On two counts. We ought to see what we're going to have, not what we maybe are going to get in the future. We -- sounds like these land-bank spaces would present some real problems because of the grade.

Um, and secondly, who is going to monitor this when the time comes that the land-bank spaces really should be used and it -- they have to be -- they have to be provided? You know, is the Town going to have to play traffic cop and make sure that happens? What teeth are in this to

make it doable when the time really comes? I just think we would be better off knowing right up front what we're going to have, in -- with review -- with regard to the appearance of the building and the parking. Because prior recommendations and probable uses for this building have failed because of the parking. It is always the parking.

So let's be sure we get it right and I think the way you will do that is to be sure and see and know what this is going to look like when it is up and running, if it is approved.

Thank you.

Paul Wanzenried 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.

PAUL WANZENRIED: As I sit here and look at this, I have one further question. The distance from the existing -- let's just say the land bank and that little turnaround extension you have there, towards the front, John (Shields), if I follow your topography, it's about a 2 foot drop in 20 feet. Which if my math is right, isn't that 10 percent grade? You think that is steep, falling off or will you do a retaining wall or something of that nature?

MR. SHIELDS: Up in this corner?

PAUL WANZENRIED: You could shoot it all of the way across, John (Shields). That front that you're putting at that time -- the part -- where you want to land-bank, if I'm following your topography, there is -- it's 2 feet from pretty much where the existing parking ends to where you're terminating this new parking, and maybe a little bit farther into the little extension. But it's 2 feet. And if I lay a scale to your drawing, that's about 20 feet, give or take.

MR. SHIELDS: Right.

PAUL WANZENRIED: So that is about a 10 percent grade. Are you planning to have that fall off like that in the parking lot? And where is the water going to go? Is it just going to sheet off there? Where is it going when it does?

And secondly -- or are you thinking we're going to put a retaining wall and make it a level grade?

MR. SHIELDS: Sure. At the moment, and you can't see it -- I understand at that scale you can't see it -- I would say 8 percent is the max I would do across the parking area, the pavement itself, and at that point, I had not planned to use any retaining wall. From that point it will come down to existing grade. I think I can get it at a 3 to 1.

As far as drainage goes, there is a catch basin in the lawn that is a pretty succinct route to get there.

MR. MORSE: I just want to add one other thing, too, Paul (Wanzenried). We're asking for this to be land-banked to meet the code, the letter of the law of the Town of Chili. As a practical matter, we stated what we have physically will work for five years.

Um, if we have to come back and at that time and engineer either a retaining wall or use -- there is a considerable amount of blacktop between this property and that convenience store. Along that side. I would rather -- one of the options here, be that we -- the -- Dr. Ogunbayo negotiate something with that so we're not -- we're not going out there for overflow parking.

On a day-to-day basis, he stated in his letter to you what he thinks is necessary. And I -- I concur. It's close to what the Town has for zoning. But -- and John (Shields) is giving you this option. But I would -- if it comes -- if push comes to shove where they needed it at some other time or we can't make a deal or something with next door to -- or to pay them rent or otherwise, I would -- but I would rather not do this. We'll show it if we have to, because -- we do have two options. We have the additional space, which from a practical standpoint, if there was a disaster, something where this place was overwhelmed, then there is a parking lot in -- enough to, you know, to accommodate that sort of a situation. This is, um -- this is just meeting more of the zoning requirements as opposed to the practical side, what he has stated. So...

PAUL WANZENRIED: Okay. If I count the spaces, one handicapped, one, two, three, four, five, six, seven, eight, nine, ten -- you have ten there without your variance up there in the front. And I'm counting the spaces on the colored rendering, John (Shields.) I count one handicapped and nine others. He has four or five employees, which means I'm taking four or five patients for however long they have. I have been in an Urgent Care where there have been four to five people sitting in an Urgent Care. I can easily see this thing filling up especially in the location it is going to be. The only one in Chili that I know of.

So we're not -- I understand the Doctor's logic and what he projects. I am going to err more on the side of from what I have experienced how I'm going to make my decision.

MR. MORSE: What are you calculating, Paul (Wanzenried), between the square footage of the net area, which is that first floor, the -- there is overlap. The lower level is basically a duplication, just employee lounge, locker room, break room. That is really not contributing to the overall load. The 2,000 square feet would be -- if it was 1 to 200, would be 10 spots, which --

PAUL WANZENRIED: I'm not debating that. I'm not debating that. It's ten spots -- that is 1 to 200 for your -- I'm --

MR. MORSE: Total square footage.

PAUL WANZENRIED: I will go to Mike (Hanscom), but I believe there are also employees -- are they calculated as part of that number or is it separated out?

MICHAEL HANSCOM: I believe that they're calculated as part of that number.

PAUL WANZENRIED: All right.

MR. MORSE: That's where we're coming from.

PAUL WANZENRIED: Okay. That's fine. I get it.

MR. MORSE: There is also consideration, too -- there is a considerable amount of money being spent on retrofitting this. We want to meet the letter of the law, but we're asking for that to be considered by the Town just for financial reasons, there's a -- there is a lot of money that is going to be put into retrofitting this.

PAUL WANZENRIED: Okay. Any other discussions or other issues you guys would like to bring up?

PAUL BLOSER: What are the days and hours of operation?

PAUL WANZENRIED: That was in the letter of intent.

JOHN HELLABY: That was right on the front page of the letter of intent.

PAUL WANZENRIED: He is running Monday through --

JOHN HELLABY: Monday through Friday, 9 to 9. Sunday and Saturday, 9 to 6.

MR. SHIELDS: All this information is kind of coming from many different directions.

One of the earlier speakers had mentioned about the concept of having the teeth to -- if the land-bank somehow got through, having the teeth to initiate that or having the owner initiate that in the future. I don't know exactly how Chili's special permit process works, but I know it's not -- I think other towns anywhere, it's not uncommon that there is a length of time that a Special Use Permit has to come bag in x number of years and show, hey, things are going well and not unexpected and you kind of an opportunity there to at least have some fire powers.

PAUL WANZENRIED: A time limit. Your special use will be timed for sure.

The center -- it says in the letter of intent that the center will require two pools and employees per day. How much of an overlap is there?

DR. OGUNBAYO: Just in time for them to switch.

PAUL WANZENRIED: Just for the switch, right?

DR. OGUNBAYO: Yep.

PAUL WANZENRIED: All right. We have asked a lot of site plan questions. We're really only looking at the Special Use Permit. So given that, we are going to do this.

Paul Wanzenried 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.

PAUL WANZENRIED: Now for the Special Use Permit to allow a Urgent Care facility at 2968 Chili Avenue. I'm going to say the Special Use Permit start out -- how long do you think the renovations will take?

MR. MORSE: Four months.

PAUL WANZENRIED: I'm thinking two years. That time gives him time to get up and running and then he has got to come back and look at what is going on and assess the situation from there.

ERIC STOWE: It's okay. The issue would just become that portion of our code that we discussed previously with respect to time limits on special use --

PAUL WANZENRIED: You're killing me.

ERIC STOWE: I know. Sorry.

PAUL WANZENRIED: Well -- but this is -- this is really a change of use.

ERIC STOWE: Right.

PAUL WANZENRIED: Not a construction project. It is not a new build. I think my -- my timeframe is -- is within the purview and parameters of this Board.

MR. MORSE: Paul (Wanzenried), if you're going to add that language, then at least add -- if he has the need, he will come back sooner. We'll put that caveat in.

PAUL WANZENRIED: Sooner for what?

MR. MORSE: If he has to expand the -- if he is successful and has to expand.

PAUL WANZENRIED: Oh, that is fine. I will make that a condition of the special use or the site plan, one of the two. Yeah. No problem there.

This was more geared towards the special use permit.

ERIC STOWE: Clearly -- not yet the site plan. The -- the only issue becomes that -- that section of the code that says substantial construction and expenditures.

PAUL WANZENRIED: We are changing that.

ERIC STOWE: Okay.

PAUL WANZENRIED: Okay.

ERIC STOWE: We'll talk about it.

PAUL WANZENRIED: So it doesn't matter if I put a time limit.

ERIC STOWE: I think it does. It is generally okay. We'll talk about the issues that can --

PAUL WANZENRIED: I will go forward with what I want to do.

ERIC STOWE: Understand.

PAUL WANZENRIED: David (Lindsay), any comment further?

DAVID LINDSAY: No comment.

PAUL WANZENRIED: I'm going to two years on the special use permit. What -- any -- no questions or issues with that, right?

DAVID LINDSAY: Sorry, can you repeat that?

PAUL WANZENRIED: I'm going to two years on Special Use Permit.

Are there any questions or commentary from the Board?

All other items we discussed can be handled -- they're site plan issues, not special use.

Boilerplate.

Applicant shall comply with the Monroe County Development Review Committee.

JOHN HELLABY: Before you vote, did you get a copy of the Monroe County comments?

PAUL WANZENRIED: Did you get a copy of the Monroe County --

MR. SHIELDS: I did.

JOHN HELLABY: You're aware of the statement Number 2 that says you may require a backflow preventer?

MR. SHIELDS: I'm aware of it.

MR. MORSE: Because there is labs in there and blood, it has to have a backflow preventer.

JOHN HELLABY: That's all.

PAUL WANZENRIED: Only condition on the special use is it is for two years.

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

1. Special Use Permit shall be granted for a period of two years.
2. Application of Cornerstone Urgent Care, c/o Peter Morse, Architect; 875 East Main Street, Rochester, New York 14605 for preliminary site plan approval for a change of use to convert existing building (Nifty Jewelers) to an urgent care facility at property located at 2968 Chili Avenue in N.B. zone.

Peter Morse, John Shields and Gbolahan Ogunbayo were present to represent the application.

PAUL WANZENRIED: Since we have already aired our concerns, are there any concerns from the side table?

ERIC STOWE: Mine was just the access easement called out in Mr. Hanscom's letter.

PAUL WANZENRIED: I have that. I will make a motion -- I will -- any comments from the audience?

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

PAUL WANZENRIED: I didn't think there would be.

Paul Wanzenried 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.

On preliminary site plan approval, Paul Wanzenried 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.

PAUL WANZENRIED: Onto the conditions. It is the recommendation of this Board that they go before the AAC.

That the access easement agreement be provided to the Town Engineer.

That revised landscape plans be submitted to the Conservation Board.

That snow storage to the east along Chestnut Ridge be limited. I don't know. I can't limit it. Be eliminated. Eliminated.

MR. MORSE: Paul (Wanzenried), one other thing. Just as an anecdote here. This is a -- I'm trying to understand, this is a little bit of a preexisting, nonconforming use where it was years ago. Is the -- is the question that is being asked right now to -- to modify that or -- and bring it into compliance with the change of use? Or is it -- is it been grandfathered because of the way that parking lot was?

PAUL WANZENRIED: Modify to bring it into compliance.

MR. MORSE: It's a change of use. So we're dealing with newer standards. That parking lot has been there since --

PAUL WANZENRIED: I agree. I agree.

MR. MORSE: So --

PAUL WANZENRIED: But you're expanding the parking lot. You're pushing the parking lot closer to, I believe -- I believe closer to Chili Ave. At least that is what all your documentation has shown us. Correct me if I am wrong.

MR. MORSE: No, you're right.

MR. SHIELDS: Is your question --

PAUL WANZENRIED: So as you push it --

MR. MORSE: That is what I was saying.

PAUL WANZENRIED: As you push it closer, then the snow pile is getting closer.

MR. SHIELDS: I think I will follow up on Peter (Morse)'s question. I understand we submitted a site plan with expanded parking and that is what you are acting on. I get that.

Maybe this comes after your motion, but would it be an option to leave the parking as it currently is with correct number of spaces that exceeds what is required?

MR. MORSE: And restripe it.

PAUL WANZENRIED: That's going to be difficult for you to do, isn't it? Because you're adding in new sidewalks and you're pushing your development into the existing parking spot, so you're already -- you're hacking out those that are there.

MR. SHIELDS: I think we're adding the sidewalks because we're already biting the bullet at this point to expand the parking. In a new scenario, it would be to leave the parking, every bit of asphalt as it sits currently, forego the sidewalks and potentially restripe it, not left with an ideal situation, I get that, but it is an existing situation.

PAUL WANZENRIED: I'm not inclined to -- to go that route. But --

MR. SHIELDS: I think we thought we were doing good things but it turns out we're really stirring the pots.

DAVID CROSS: I don't think you will be able to restripe it and get it -- you don't have enough width. You don't. I mean -- preferably you would have a 24 foot drive aisle, right, plus almost 10 and 10. You don't have 64 feet. Do you?

MR. SHIELDS: No. I don't. That is what necessitates the extra asphalt. It is a less-than-ideal situation. Again, it's just one that maybe avoids some of the issues that we discussed this evening and quite honestly, much less expensive for my client.

PAUL WANZENRIED: Well, this -- this is preliminary. If you -- this is preliminary and we're going to give you conditions. You're going to act on those conditions. If you feel that you can substantially prove to this Board that going back to the way it was is the better route, then you are going to submit that as your final site plan and make your case there. Because you're coming back before us to show that you have addressed our concerns and our issues, and any concern that the Town Engineer might have. Okay? I'm not inclined to sit here tonight and say, yeah, sure, go on, go back. I will not do that.

MR. SHIELDS: I'm not saying that is the way to go either.

PAUL WANZENRIED: I want something that this Board could digest, could look at and something that would be more a point of record. All right?

MICHAEL NYHAN: You're concerned the snow storage area, if there was not enough space between Chestnut Ridge Road and the parking lot?

PAUL WANZENRIED: Right.

MICHAEL NYHAN: Has there ever -- I will ask David (Lindsay). Has there ever been a problem in the past with snow falling into the roadway as a result of the plowing activities in that parking lot that you know of?

DAVID LINDSAY: I'm not aware of any. We have not had any complaints logged for that.

PAUL WANZENRIED: Mike (Hanscom), you have to look at the use, too. The use previously was a jeweler who had -- private jeweler, at that, who had one to two people come in a week, a month, a day. The use here is going to be far more intensive, so it will be constantly plowed, and that really -- aside from pushing it towards Chili Ave., that is the really only place the plow will push it.

JOHN HELLABY: I think it falls back on the owner that they are going to have to set up a deal with the snowplow contractor that they can remove the excess piles if it piles up. I don't see a way around it on that side of the site. Anybody and everybody does that. It gets to a point where you got to haul it out of there.

PAUL WANZENRIED: Okay. I still, based on --

JOHN HELLABY: Right. You make the statements saying you don't want it there. Have them put it over here, down here where these banked spots are for the time being. But load it out of there if it gets too overwhelming.

PAUL WANZENRIED: Okay. Any other comments to that? I will write something down. All right.

Dumpster totes shall be located to the northwest side of the building.

Is that correct, John (Shields)?

MR. SHIELDS: Northwest, yes, sir.

PAUL WANZENRIED: They will be totes, not a dumpster?

MR. SHIELDS: Correct.

PAUL WANZENRIED: We will eliminate trees to the front, but you will handle with the Conservation Board.

You will take care of that, right, Pat (Tindale)?

PAT TINDALE: Uh-huh.

DAVID CROSS: Fire Marshal.

PAUL WANZENRIED: Oh, yeah, Fire Marshal. That will be part of the boilerplate. And ZBA.

MICHAEL NYHAN: Sign package.

PAUL WANZENRIED: All right. So here are my conditions. That the applicant submit an application to the Architectural Advisory Committee.

That snow storage is eliminated on the eastern side of the property.

That totes -- garbage totes will be located to the northwest corner of the building.

This will be subject to review of the Fire Marshal.

And application to the ZBA shall be made for any and all required variances. Pending approval of the ZBA of all required variances.

Um, applicant shall apply current Monroe County Development Review comments.
Town Engineer shall be given copies of any correspondence with approving agencies.
Where is my lawyer one?

Copies of all easements associated with this project shall be provided to the Assistant
Town Counsel for approval and all filing information shall be noted on the mylars.

Again, this is all for preliminary.

All right. Am I forgetting anything?

DAVID CROSS: Architectural Review Board?

PAUL WANZENRIED: I did. All right. Based on those conditions, and this is for
preliminary only, Mike (Hanscom)?

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

1. No snow storage to the east of property bordering Chestnut Ridge Road.
2. All garbage totes shall be stored on the northwest corner of the property.
3. Any alterations to the landscaping plans approved by the Conservation Board shall be reviewed and re-approved by the Conservation Board, Town Engineer, and/or Commissioner of Public Works.
4. The Town Engineer and Commissioner of Public Works shall be given copies of any correspondence with other approving agencies.
5. Applicant shall comply with all pertinent Monroe County Development Review Committee comments.
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. Applicant shall submit building design elevations to the Architectural Advisory Committee for their review and recommendation.
8. Pending approval of the Zoning Board of Appeals of all required variances.
9. Subject to approval by the Town Fire Marshal.

Paul Wanzenried made a motion to go into Executive Session for the purpose of legal advice on the next application, and John Hellaby seconded the motion. The Board was unanimously in favor of the motion.

The Board went into Executive Session at 8:12 p.m.

The Board returned from Executive Session at 8:30 p.m.

PAUL WANZENRIED: I resume the December 8th, 2015, Planning Board meeting.

ERIC STOWE: There is a motion to come out of Executive Session and vote for that.

PAUL WANZENRIED: You and your motions.

ERIC STOWE: I know. I sorry.

Paul Wanzenried made a motion to come out of Executive Session and Michael Nyhan seconded the motion. The Board was unanimously in favor of the motion.

3. Application of Westside Development, owner; 3313 Chili Avenue, Rochester, New York 14624 for preliminary site plan approval for four sports fields at property located at 420 Ballantyne Road in PRD, FPO, FW zone.

Jess Sudol, Matt Sinacola and Bill Howard were present to represent the application.

MR. SUDOL: Well, good evening. My name is Jess Sudol from Passero Associates. Here also with me this evening is Mr. Bill Howard from Westside Development and also Matt Sinacola from our office at Passero.

As many Board members know, this project does have a little bit of history in that there was a previously approved Special Use Permit for a -- kind of a putt-putt type golf course for 18 holes up front and there was also a previous application back in 2012 or 2013 for the four sports fields that are currently proposed. At that time the application was tabled largely due to a request for some additional information and some Town Engineer comments that were mainly focused around the wetlands out there and also the need to provide post construction storm water management for the field, because even though they are green and are fields, they do have drainage underneath them and do get the drainage to the pond areas a little bit faster than a

normal field would.

So since then, our office has been working with Mr. Howard to first off make sure that we clearly understand the limits of the wetlands, the New York State wetlands and more importantly that the New York State DEC agrees with the wetland delineation that we have and that is really what has been going on here. Since the application was tabled, that information was recently provided this summer and confirmed by the DEC which the Town now has on file. As a result of that exercise, we were able to propose the four sports fields as well as the storm water management area as previously mentioned without having any impacts to the 100 foot wetland buffer or the wetland area itself so we're clearly away from all of the wetland areas which again have been approved by the New York State DEC.

Couple minor modifications made to the application from when it was previously presented to the Board include the location of the fields which have been shifted off to the west. This area in here (indicating) is where the fields previously were. They are now over here to the west (indicating). So instead of being right up against the driving range, they have been moved over -- over 300 feet, so there some good separation from the driving range and I will address that in a minute as I go through some of the Town Engineer comments.

I suspect that the Executive Session had to do somewhat with the entitlement process that is being requested for the project. Back in 2000 -- again, I forget if it was '12 or '13 -- it was requested or is required to have a Special Use Permit in addition to the site plan process. So in addition to the Special Use Permit, there is going to be presumably -- if we are able to satisfy all of the comments, at some point a preliminary and then final site plan approval. So I just wanted to clarify pretty much what we were asking for here, and I'm sure the Board will have some input on that.

We did receive some comments from the Town Engineer. I will go through some of them. I will belabor you with some of them that deal with drainage that are rather simple for us to address.

I can say unilaterally most of the simple comments I won't speak specifically to. We won't really have any qualms with addressing that. We're quite confident we can address that.

However, there are a few I did want to point out. Just as we go down through the letter, first off, Mr. Hanscom does point out a little bit of the history of the project and some of what I talked about a little earlier with some of the relocation of the fields.

Something I did want to mention, you can see clearly here or on the plans in front of you, while the fields will be all green, we have this milling access road or access road made of millings. The reason for that is to provide access to the fields not just for general participants in the multiple sports activities. Any of you who have children that are actively involved in soccer or any other sport such as I do understand that these fields are actually very dynamic. Different types of tournaments, different types of age groups. These are full-size fields. Rarely are they utilized as full-sized fields. They move the goals around. They bring in smaller goals. They bring in some littler kids, that kind of thing.

But at any rate, I did want to point out we have the mill -- access road of millings which goes up through the middle which provides emergency access should anything ever need to happen where an ambulance needs to get back there. We would certainly be able to do that without driving on any grassed area. Any of you familiar with some of the other complexes in and around Town realize that that is an amenity to this project that most of these sports field complexes don't actually have. So that will certainly be a benefit, and based on one of the comments from the Town Engineer, we'll provide a small turnaround area so the ambulance didn't have to back up the entire length of the area there.

So anyway, moving forward, um, I did want to talk a little bit -- Mr. Hanscom did go through a well-thought-out calculation on the amount of parking that would be required because sports field is not specifically addressed in the Town Code.

As a result of that calculation, and what we have actually shown as striped in our site plan is only a difference of about five spaces. Just to give you a little bit of context, in terms of what the site can handle and park, earlier this area back in October, this site was permitted to have the County auction, which had over 1500 people here, which it fully supported without having any back up onto Ballantyne Road, no parking on Ballantyne Road or anything like that.

Certainly the ongoing operations, once these four fields are constructed, will come nowhere near that level of demand for parking, so we are very confident there is plenty of parking at the facility for the various players and referees and parents and so on. If we were requested by this Board to look into restriping the five spaces which would take us from the 213 provided to the 218 that Mr. Hanscom has calculated, you know, obvious there -- that is something we can achieve fairly easily.

Moving forward, I did want to talk a little bit about netting. One of the reasons that the fields were moved further to the west was to avoid the need for netting. You know, it does make sense if you're in a certain environment to have the netting if you have a driving range, that was previously proposed this area, along western edge of the driving range.

The issue is if you put netting in or near the soccer fields, you run the risk of the little sisters and little brothers running over there and playing with the nets. So rather than deal with that potential situation, it seemed to make a lot more sense to move the field. Again, now they're a substantial distance away from the driving range. The driving range is also configured, if you see here, that the direction of play, you know, isn't parallel with the field. It is certainly not at the field. It is to a certain degree away from the fields. Our eastern property line slants to the north and east, not directly north, so it does allow us to do that.

On top of that, the driving range and soccer fields don't necessarily have the peak hours of operation. Um, and at the end of the day, quite frankly, um, whether or not a ball from the range would ever get to or impact somebody in the field area is something that as the operators, the owner is far more concerned about in monitoring, far more than the Town would be. It is ultimately their people using their facilities and their insurance and so on and so forth. So, of course, that is the last thing we would ever allow to happen.

In terms of netting in between the fields, one of the comments talked about having a net actually in between the south fields and the north fields. Again, many of you that might be familiar with these types of complexes know that that is pretty typical -- it would be untypical or not typical to have a net there. You know, playing from one field and having balls spill over to another field is common if not expected.

The green is actually somewhat deceptive because the green includes a 10 foot clear area around the fields. So in addition to the 40 plus feet of space that you see in between the two fields, there is an additional 20 feet before you actually get to the playing fields so over 60 feet there. Um, so again, you know, I understand why the comment was made, but, you know, it's not something that we would want to introduce that could potentially become a hazard. You have players running off the field during plays. We wouldn't want them running into the nets. We don't want the spectators, we don't want other people, younger children playing in and around the nets.

And again, if you look at any comparable facility, which we have done, A, as an engineering firm, we have designed many similar facilities and seen them constructed. But then as also residents of the area, we have gone to and seen a lot of these and, you know, what we're proposing here in many ways is standard and in many ways is far above what the kind of standard is. We're certainly not proposing anything that would be less than ideal.

So we're very -- very long way of saying we're very comfortable with the separations we are providing, including for the spectators. That was another comment. Again, it is a little deceiving because our line work does show that 10 foot line coming off the field, which is a spectator line. Typically most of the people are within that first 10 to 20 feet who are spectators and we certainly do have enough area for that.

There are some swales and green infrastructure and things of that nature that we might make some slight adjustments to just to open up the area, but other than that, we are very comfortable with the layout as it has been described in terms of accommodating not just the players but also spectators and others.

With that said, we are looking at and planning on providing a bit more detail on the protection to the north. Once you get to the north, you get into the wetland area. You also get into our proposed storm water ponds. So we don't want balls floating in our ponds and going down the hills, so we are proposing a protective area there, just because, you know, we can provide a little more separation. It's not right in the middle of all of the action and activity and it's warranted in that we don't want the balls and everything to be going up into those pond areas.

Um, again, other than that, I'm just flipping through here, quickly, those were the major things in the letter. If there was any other specific item you would like me to address in more detail, I would -- I would, of course, be happy to do that. You know, there are some minor modifications to some of the drainage and just, you know, spelling out a little bit some of the drainage connections. These fields do actually have underdrains to keep them in good condition. That ultimately drains out into the ponds, so we do owe Mr. Hanscom a touch more detail on that, but again, nothing that I saw out of his letter would significantly impact the layout arrangement or the proposal itself.

So with that, I will turn it over to the Board for a question. I understand it is also a Public Hearing. And I'll be happy to answer any questions.

PAUL WANZENRIED: What was the distance between the north and south fields?

MR. SUDOL: It's 40 feet to the 10 foot clear zone and there is 10 foot at each field, so it is 60 foot total.

PAUL WANZENRIED: Then east and west direction?

MR. SUDOL: That's 24. That's about 64 feet. Oh, plus 20. 84 feet.

PAUL WANZENRIED: Do you agree with Mr. Hanscom's assessment that the -- if I understand his commentary, that the swales that you are proposing would be somewhat endangered because of the people?

MR. SUDOL: I wouldn't say -- I wouldn't use the term "endangered." I don't think the swales or the people would be endangered because the swales are relatively minor.

What that is about, what the comment is referring to, we're proposing some swales for drainage in between the field and the access road, right in this area (indicating), and right in this area (indicating). Because the field is crowned, it comes down to the access road, but we also want to keep the access road kind of high and dry. We don't want that to be our low point. So you do get a low point in between the fields and the access road which is where we have proposed some vegetated swales with some drainage. Again, they wouldn't be, you know, deep swales that would be cut out with an excavator bucket that would have a hard edge to them. They would basically very gentle and more of just a low point for drainage to go.

Again, that area is outside of the already designated 10 feet that surrounds each one of these fields, so again, that is really the area set aside for spectators, so the low point or the swale that will be used for drainage is actually in between what we're considering the spectator area and the middle access road. Access road of millings.

PAUL WANZENRIED: You have no intent to put any sort of bleachers or any sort of

seating arrangements? It's all freewill?

MR. SUDOL: No, sir. And also we don't have any intention of putting in any kind of big lighting or any lighting. That is usually a comment that comes up.

PAUL WANZENRIED: Next question. Will you pave the parking lot?

MR. SUDOL: Actually millings now. We don't have any additional proposed pavement at this time. You know, it will be maintained over time and at some point, if it is not serviceable for the need of the project, we might consider actually putting a new coat of asphalt on, but it is not proposed for the project at this time.

PAUL WANZENRIED: You will utilize the two curbs that you have?

MR. SUDOL: Yes. We're not proposing any alteration to the curb cuts on Ballantyne Road. Again, we have a really good case study with the auction back in October where we had four and five times as many people as we would ever be expecting for this facility and it really went off without a hitch and worked well.

PAUL WANZENRIED: Will you clean up the front brush there between the two curb cuts?

MR. SUDOL: Yes, absolutely.

PAUL WANZENRIED: In your plan, you're showing trees to the front of the fields. Are they newly planted? Is that part of your landscape plan?

MR. SUDOL: Part of the landscaping. We know there is a requirement to provide a certain percentage of the overall project cost in landscaping. Those would provide an opportunity for some shade, um, you know, during certain conditions.

PAUL WANZENRIED: Those are the only questions I had. I will turn it over to the Board that time.

MICHAEL NYHAN: Question, excuse me, the driveway that runs between the soccer fields to the north, will there be any parking on that driveway or is it a no parking zone?

MR. SUDOL: No. There will be no parking.

MICHAEL NYHAN: No parking. Okay. You estimate the maximum number of participants you would have at the --

MR. SUDOL: In terms -- I -- I largely agreed with Mr. Hanscom's calculation which was based on, you know, two teams on each field with substitutes and a certain amount of referees, a certain amount of people who didn't bring children and also coaches, which came out to about a total of 218. And I would say that is, you know, probably on the conservative side, maybe a touch high, but I think it is relatively close.

MICHAEL NYHAN: And you -- you're showing one portable bathroom facilities. Will there be others for 218 people? It seems like you would need more restroom facilities than one small portable unit.

MR. SUDOL: There will be two there. And I think we would go along with Mr. Hanscom's comment and put them on a concrete pad. Speaking from experience, um, over at, you know, Union Station Park, for example, they have, you know, kind of two facilities -- not two facilities, but -- what would be the equivalent of we're proposing and that serves up to six fields and large playground areas and spray park and so on.

MICHAEL NYHAN: Okay. And then the parking spaces were established based on the number of people that were estimated to be using all four fields. If the parking lot would be gravel, I assume it wouldn't be striped. And from experience, if you don't have some markings on your parking lot, you tend to lose a great deal of parking spaces because people don't park in a very uniform fashion.

So what is the surrounding surface of this parking lot, if -- if all of the cars couldn't fit in the area you have designated? Is it gravel? Is it grass?

MR. SUDOL: There is a lay-down middle area which could serve as overflow parking if there was more than what --

MICHAEL NYHAN: Where is that?

MR. SUDOL: Just to the west where the existing lot is, this area here (indicating). Again, to Mr. Hanscom's point, one of his comments, I think what this aerial photography does a better job than our additional plans is showing some of the existing features there. That is the area where we had over 1,000 vehicles back in October where they parked, was really in those areas.

MICHAEL NYHAN: Say that again.

MR. SUDOL: I was going say that is the same area many of the -- those vehicles -- we had over 1,000 vehicles for the auction. That is where they parked, as well.

MICHAEL NYHAN: So the answer is there is millings beyond parking spots you have identified with the lines?

MR. SUDOL: Correct.

MR. NYHAN: The distance you said on the field, the 10 foot around the entire field, is that 10 feet the area for spectators?

MR. SUDOL: Yes. All outside the area of the play.

MICHAEL NYHAN: Then there is a lawn area beyond that. How big is the lawn area?

MR. SUDOL: Between the fields, there is approximately -- I can give you the exact dimensions.

MICHAEL NYHAN: Not between the fields. I see that marking. I mean to the east and west of the fields. It says there is a lawn area there.

MR. SUDOL: Well, this is to the west. Over here is, you know, almost 1,000 feet until you get to Black Creek. And then there is another 300 feet until you get over into the driving range.

MICHAEL NYHAN: So just the natural vegetation there, it is not planted grass?

MR. SUDOL: Correct.

MICHAEL NYHAN: Thank you.

MR. SUDOL: You're right. It won't be maintained.

MICHAEL NYHAN: Your drawing indicates the lawn area. That is why I asked the question.

MR. SUDOL: Makes sense.

MATT EMENS: Just two things to, I guess, bring up. You know, this is preliminary, but if I go there to watch a soccer game, are we assuming that people are only going to use these restrooms or are there facilities or amenities that are provided in the existing structure that these people would be able to access, too?

MR. SUDOL: Um, Bill (Howard), is there restrooms in the existing facility?

MR. HOWARD: Yes.

MR. SUDOL: They would we able to go inside if they have to.

MATT EMENS: Then obviously the quantity of what is required is going to be offset by your existing facility?

MR. SUDOL: Correct. It can serve as overflow, if you will.

MATT EMENS: So I guess I would just say that the comment that is made about the -- where you brought that up about the concrete pad and not making it extremely permanent but at least that it is a level area where people --

MR. SUDOL: Right.

MATT EMENS: One of the things is if -- I have a nightmare memory of asphalt millings on a project and if it is not compacted well and the drainage is not installed correctly, um, it's very tough to operate on and I would feel bad for people, you know, families, grandma came out and somebody in is a wheelchair, right?

MR. SUDOL: Right.

MATT EMENS: Just making sure the facilities are actually accessible and usable. And then I would just go to -- that was Comment 14 on Mike (Hanscom)'s letter.

Then I would just go back to 9 on that, where I really think it would be nice to put those accessible parking spots closer to the actual fields. I don't want to get them too close because then what if a ball hits your car. We're talking about netting and all these other things. I just wonder, I guess a concern is like -- Mike (Hanscom), I don't know if these spots are already, um, correctly signed, you know, and -- they have the correct signage for the handicapped spots?

MR. SUDOL: They're not there today, but they would. We did locate them as close as possible. The closest part of our lot is those spots to the field and again, you're right. Trying to bring them closer introduces, um -- even more importantly than having balls potentially hit the cars, is your main traffic flow really ends up being up and down that access path to the four fields. You really want to keep your peds as separate as you can from your vehicles.

MICHAEL NYHAN: It is not for pedestrian traffic. For emergencies.

MR. SUDOL: Right. Which is why we don't want spots up close to that.

JOHN HELLABY: You might have stated it, but I didn't hear it very clearly. Again, back to the parking lot, how are you going to delineate the parking spaces so that they have some sort of resemblance, because it's millings. I mean, naturally you paint it, three months later, painted stone is spread all over the place.

Will you put some sort of stanchions or way to delineate how you want these people parking in there?

MR. SUDOL: A lot of that, naturally, people kind of tend to park, you know, the way you would -- normally would in a lot. I think that is something -- as we move towards final approval, something we can detail that better because I do understand some of your concerns on, you know, if you don't have a hard surface and that doesn't last very long. Let me get together with Bill (Howard) and better game plan exactly how I want to address that to make sure people are being efficient and safe.

JOHN HELLABY: Can you just -- and again, not a lot of detail, but go through what your anticipated usage is as far as age groups and whatnot is. Is this seven days a week from noon to dark every day? Is it pee wee leagues? Is it teenagers? I guess kind of where I'm going, how would you get into the 21 and above class? Is there some sort of mechanism to make sure there is not an awful lot of alcohol consumption going on there? Because I don't know who is going to stop them from carrying coolers and stuff in there.

MR. SUDOL: There is on-site management. They certainly -- drinking -- this is not a facility where you're going to go to drink and they will not allow that type of thing. In terms of the demographics to be served, the answer would be yes to almost all of that. There will be circumstances where you do have some of the youth leagues, you know, particularly, um, you know, on the weekends, Saturday morning and Sunday mornings with -- it is also a great opportunity for some youth league type venues and potentially small tournaments.

Also you get some of the larger age groups, 10s, to 12, 14s. There's an opportunity for that -- at any time, but we really anticipate seeing it, you know, from 4:00 to 6:30 or 4:00 to even 8:00 in the middle of the summer, but, you know, not necessarily all day every day when everyone is at school. But we hope that it can be almost all day every day especially through the summer.

There is an opportunity for us to have summer programs there. It will is going be -- there is a lot of nice facilities around the Town of Chili, many if not most of which are Town owned, and I certainly respect that being a local, but I do think that is going to be a slightly elevated one

that might, you know, attract some more -- I don't want to say "professional," but some more consistent type usage from some of those bigger programs. That is kind of what we hope for.

JOHN HELLABY: Is there a potential lot to hold like summer camps there where you could bring youth in and actually teach them and work with coaches and stuff?

MR. SUDOL: Absolutely.

JOHN NOWICKI: Did you mention the intended use of these fields will be school districts, too?

MR. SUDOL: Not necessarily. Most school districts do have fields on campus. This would mostly be for, you know, club teams, youth programs. There is also traveling programs.

Bill (Howard), you don't have any specific agreement? Any -- it is hard to make the agreements until you have the built fields. But typically these venues don't have a necessarily direct relationship with the school districts. Of course, we welcome and promote as many people to be able to use them as we could.

JOHN NOWICKI: So school buses wouldn't be going in and out of this site?

MR. SUDOL: No, sir.

JOHN NOWICKI: What about security on the site when you have -- say four fields active and you have a parking lot full of people, and they said people are drinking, do you have security?

MR. SUDOL: We have -- I mean, it is not security staff, but we have onsite staff and onsite management.

Also, most of these programs, whether it be a youth program or after school club, those programs provide their own personnel, their own coaches, their own referees. And again, you know, we don't really -- any over 21 or, you know, young adult league, you know, is a very tiny, tiny percentage if at all. This is mostly parents and their kids coming to this facility. I would certainly hope that no one would be drinking in that type of environment.

JOHN NOWICKI: What would you provide on the site in regards to bad weather conditions? Do you have any types of lean-tos or tents or things like that that people would --

MR. SUDOL: No. My experience is -- especially with those pop-up tents now, that most avid soccer families travel with those in their trunks and if it is going to be raining, they have the pop-up tents or they have their own umbrellas. Just part of everyday outdoor sports. But nothing that would necessarily be provided by the facility.

JOHN NOWICKI: One of my last -- for now any ways, so you would have no personnel onsite to control traffic going in and out of the site?

MR. SUDOL: Well, there is personnel that works -- one of the benefits to this facility that doesn't necessarily exist with some of the Town facilities, there is an existing building already in operation onsite that does have staff available. If anything were to happen, there is somebody to respond to that situation.

JOHN NOWICKI: One last thing. Any onsite first aid capacity?

MR. SUDOL: Yeah. In that, you know, there is a gator or side-by-side vehicles onsite that again, many of the other facilities don't have so if anything did happen, between management and a vehicle onsite, they could get out to the field and respond very quickly, more so than you could you expect in a typical environment like this.

DAVID CROSS: Jess (Sudol), did you take a look at the septic system as it would be -- is it sized adequately for the type of use having a big tournament weekend, something like that? Maybe a letter from the Health Department, just getting some buy-in. You know what I am saying?

MR. SUDOL: That is largely why we lean towards having the portable facility, but I will certainly make a note of that.

DAVID CROSS: I guess I didn't catch the portable facilities.

MICHAEL NYHAN: Portable facilities onsite.

DAVID CROSS: All right. Only other thing, there is still leaning light poles at the existing facilities. I would hope we condition they be straightened as any part of approvals. That is all I have right now.

PAUL BLOSER: No questions. Just a general comment.

Different things people have said here on the board. When you have a major tournament weekend, if there is a planned event where you're going to have a lot of things going, and typically what I have seen at other fields, they will bring in additional port-a-pottys, if necessary. We do it for the Chil-E Fest. We bring in how many and stack them up because you know will you have a large crowd. Same thing with food vendors. They may come in for larger events. I would assume if you have a large event coming in, you would have somebody directing traffic in the parking lot anyway.

MR. SUDOL: Absolutely. That kind of goes to -- these large events don't just happen. They are sponsored by, you know, a certain entity which, you know, does this all over, you know, the region and has all those types accommodations accounted for.

PAUL BLOSER: County auction they had a flagman there directing people in and out controlling it. So just from my background and history, these are planned into the events for control. You have to.

MR. SUDOL: Absolutely.

PAUL BLOSER: Nothing further.

DAVID LINDSAY: You had an opportunity to run this by New York State DOT what traffic impact it would have at the entrance there?

MR. SUDOL: I'm sure the State DOT got a chance to look at it when it originally went out

for the 239 referral. Since then, the intensity has not changed, so all those comments would still stand. And again, they will not be permitting anything since we're not doing thing in the right-of-way.

DAVID LINDSAY: Do you recall if Fahy weighed in on that process?

MR. SUDOL: I don't recall there was anything significant in that we're not changing curb cuts. Ballantyne Road, although a heavily traveled commuter corridor, which I experience quite often, there is no capacity concerns along the corridor.

DAVID LINDSAY: Only other question I had related to the flood plains. It appears that portions of the fields are in somewhat of the 100-year flood plain. I guess I would ask you to add that information to the site plan and are you doing any sort of compensatory cuts and fills for that?

MR. SUDOL: Yes. And know, basically the way the site is designed now, so there won't be any additional material imported or exported so that there is actually no fill. Whatever we are filling, we're making sure we're cutting that out somewhere else. So there is no net gain.

PAUL WANZENRIED: David (Dunning), did you say there was a traffic study done for this?

DAVID LINDSAY: No, did not. I was asking if he had reached out to the New York State DOT and what the response may have been in regard to the four athletic fields.

PAUL WANZENRIED: That is what I thought you had said.

Did you look into any sort of traffic, Jess (Sudol)?

MR. SUDOL: Um, well we looked into traffic in determining, you know, basically what is our surroundings and what is our local interventions of concern. The nearest signalized intersection from here is not until the intersection of --

PAUL WANZENRIED: Archer, Beaver Road?

MR. SUDOL: Archer, Beaver over there and then to the east, Scottsville Road and Ballantyne Road which is obviously a heavily controlled signal light. We wouldn't have obviously any impact to either one of those. Interesting enough, this whole area is part of the Ballantyne Road Corridor Study which looked at and reviewed traffic conditions for this whole area basically from the Town line all of the way up past Chili Avenue and down into right over here in, I guess, West Chili.

As a result of that study, basically projected -- I don't mean to go on a tangent here, but the significant amount of traffic to be generated for that whole area, all of the improvement areas identified in that study as being at or near capacity were really all along here (indicating) at the -- you know, these intersections right here on Chili Avenue. This area was not necessarily or was not identified as a potential improvement area, and that's with all this projected traffic that would come out of the Ballantyne corridor, of which none as really developed. The only real significant development in that area, of course, is the DPW, which isn't a major traffic contributor.

Also, these types of facilities don't necessarily have a constant flow of traffic the way that an industrial use would or office use would or a single-family development would where you have that constant stream of traffic every single day at 7:30 in the morning. There would be some fairly consistent traffic here at night when everyone is pulling into the fields, but certainly nothing that would warrant any kind of potential improvements to Ballantyne Road and anything like that, and certainly not either one of the intersections which again have more than ample capacity for this and much more.

JOHN NOWICKI: What year was that study done?

MR. SUDOL: Um, I want to say 2001. But I'm not positive. It was interesting, because it really did project a significant amount of development from Chili Avenue to the Town of Henrietta along this corridor, and again, of which, um, for better or worse has not really come to fruition yet.

JOHN NOWICKI: Really? That's your opinion.

PAT TINDALE: I didn't hear it come up, but maybe it is somewhere reading here. Is it impervious, the surface, the turf? Is it turf or actual grass on the --

MR. SUDOL: It is actually turf, so it is treated as impervious, which is what triggers the need to have the ponds at the north of the site. So even though it's a lot -- it's a -- a lot better in terms of storm water than landing on pavement, but we still take the conservative approach as treating it as impervious.

PAT TINDALE: I guess I would rather see the parking lots not paved because of just draining the water off.

Our Board suggested that the trees that appear in the back be moved to the front.

Is there any reason why there are no trees to the left of the parking lot and drive there?

MR. SUDOL: That was kind of where the overflow area was that we talked about earlier that if we ever needed for larger event --

PAT TINDALE: We would like to see a little more along Ballantyne Road, if possible. If they can't move the trees from the back, maybe they can put something a little more along the front.

PAUL WANZENRIED: How far does your overflow extend to the west?

MR. SUDOL: My overload of storm water flow?

PAUL WANZENRIED: Right. Is that what you're talking about?

MR. SUDOL: Oh, I'm sorry. Overflow parking area. Um, about 180 feet.

PAUL WANZENRIED: From where it is currently somewhat designated.

MR. SUDOL: What is shown there, yes.

PAUL WANZENRIED: So that brings you what, to the middle of the fields, to the west?

MR. SUDOL: Right from in this area. Not quite that far. Almost lined up with the access.

PAUL WANZENRIED: Is that already milled? Does it already have millings in it?

MR. SUDOL: No. Not now. The milling is all stacked up there. But that is the area that actually -- where vehicles parked on the grass surface during the particular event. And again, we're talking about there was over 1,000 cars and we're talking about 215.

PAUL WANZENRIED: Right. Now, I will take my comments from the audience.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

DOROTHY BORGUS, 31 Stuart Road

MS. BORGUS: I was a little surprised to hear the -- the gentleman before me say that the traffic patterns that were expected haven't materialized for Ballantyne Road. It is a two-lane road, and it seems to me it's kind of a foolish to rely on a traffic study from 2001. It seems as though something more up-to-date is needed.

Thank you.

PAUL WANZENRIED: Any other questions or comments from the audience?

MR. SUDOL: Just a point of clarification. We're not relying on the 2001 study. I just wanted to reference it.

Yes, there is more traffic on Ballantyne Road than there was in 2001, but some of the commercial development projected to be built along Ballantyne Road wasn't, so that is just a minor point of clarification.

PAUL WANZENRIED: Looking for preliminary site plan approval; is that correct?

MR. SUDOL: That's correct. Yes, sir.

PAUL WANZENRIED: That's all you're looking for?

MR. SUDOL: Correct. We would, you know, expect to come back next month to address questions brought out by the Board and also from Mr. Hanscom's detail before we would expect any kind of final site plan approval for the final granting of the Special Use Permit.

PAUL WANZENRIED: So you want to come back next month for final and site plan?

MR. SUDOL: Yes. The issuance of preliminary approval, even though it is kind of -- potentially if it were the Board's pleasure, two meetings either way. The issuance of the preliminary approval gives us the confidence to take the next step to clean up this plan to get it going and know that we do, in fact, have a go project.

I believe the way the code reads, and, of course, I realize you rely on your Counsel for this, the Special Use Permit and the preliminary plan review have to happen concurrently per the code but you don't have to necessarily act on them concurrently. So similar to the way in which you might grant a preliminary approval, expect the applicant to go get their area variance from a Zoning Board and come back before you grant final, we would ask the Board treat this application in a similar way you would grant preliminary and we would do Special Use Permit at the next meeting and then final. Either way, we're coming back.

PAUL WANZENRIED: True. Yes, Mr. Stowe, please speak.

ERIC STOWE: Nobody ever says that to a lawyer.

MR. SUDOL: Not anyone who is paying for it anyway. (Laughter.)

ERIC STOWE: As long as the review is contemporary, it is okay under the Special Use Permit section of the code. As this is a special permit application pending, the review is contemporaneous. So considering these -- the preliminary is okay.

PAUL WANZENRIED: Can you dumb down that word "contemporaneous"?

ERIC STOWE: Simultaneous.

PAUL WANZENRIED: Thank you.

So you -- you will come back for site plan -- or special use. I believe, based on review of the minutes, special use was tabled and a condition of that special use being tabled was a Traffic & Safety study, as well. So I think we're going to look for that to be submitted when you come back. Okay?

Therefore, this allows me to close the Public Hearing.

Paul Wanzenried 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.

PAUL WANZENRIED: Any further discussion on this application by the Board? No. You're all silent. A lot of help you guys are. Okay.

Paul Wanzenried 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 vote on the motion was 6 yes to 1 no (John Nowicki).

PAUL WANZENRIED: Now, conditions. We would like to see some sort of parking plan, a lot striped layout of the parking.

Is that what I got from our discussion?

JOHN HELLABY: How are they going to delineate it that it stays in somewhat of a configuration?

MR. SUDOL: I think it was more operational than showing the geometric layout which is what we have already done.

MICHAEL NYHAN: And also the delineation for the -- the access area for emergency vehicles would be kept open.

PAUL WANZENRIED: We will have them clean the brush in the front between the east and west egress points.

That a traffic study should be submitted.

MICHAEL NYHAN: The landscape plan for the Conservation Board.

PAUL WANZENRIED: The landscaping plan for the Conservation Board.

Applicant shall comply with all pertinent Monroe County Development Review County Comments.

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

There is no ZBA variances that I know of, correct?

Subject to approval by the Town Fire Marshal.

Any signage shall comply with Town Code, including obtaining sign permits.

Copies of all easements associated with this project shall be provided to the Town Counsel for approval and all filing information shall be noted on the mylars.

And the -- I believe that's it.

DAVID CROSS: Straighten the light poles.

PAUL WANZENRIED: Ah. Straighten --

DAVID CROSS: One more thing I didn't bring up, Jess (Sudol). You will probably want a swing gate at the beginning of the millings drive there.

MR. SUDOL: Crash gate, definitely.

DAVID CROSS: No problem.

MR. SUDOL: Yes. Something -- we'll -- that goes along the lines of the condition about how we'll delineate the no access. I will work out the exact detail before I commit to it.

DAVID CROSS: Thank you.

JOHN HELLABY: If they submit a traffic study, let it be reviewed by our Traffic and Safety Committee. Dave (Lindsay) and by us.

PAUL WANZENRIED: Anything else?

For preliminary site plan only for this application.

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

1. Show on final plans delineation for access of emergency vehicles to sports fields (crash gate).
2. Straighten existing light poles.
3. Show on final plans delineation of parking areas and aisles to establish traffic flow pattern.
4. Clean bush from area between east and west ingress and egress points.
5. The applicant shall supply a landscape plan drawn by a Licensed Landscape Architect along with the required checklist to the Conservation Board for review and approval.
6. Applicant shall comply with all pertinent Monroe County Development Review Committee comments.
7. All previous conditions imposed by this Board that are still pertinent to the application remain in effect.
8. 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.
9. Pending approval of the Zoning Board of Appeals of all required variances.
10. Subject to approval by the Town Fire Marshal.
11. Any signage change shall comply with Town Code, including obtaining sign permits.
12. Applicant to comply with all recommendations and conditions of the Traffic & Safety Committee.
13. It should also be noted that the special use permit application is still tabled and no action was taken at this meeting.

INFORMAL:

1. Application of Morgan Management, 1080 Pittsford-Victor Road, Suite 100, Pittsford, New York 14564 for revised site plan approval to allow dumpster w/enclosures instead of garbage totes at property located at 151 Union Square Blvd. (Formerly known as 85 Union Square Blvd.) In PRD zone.

Jess Sudol and Matt Sinacola were present to represent the application.

MR. SUDOL: Again, Jess Sudol from Passero Associates on behalf of Morgan Management. The 85 Union townhomes are currently under construction.

For many of you -- those of you who are -- have been on Board through the process of this project, it went through many iterations. At one point, there was ten units per building, each one of those units having a garage. The final site plan -- which was approved at the end, um, it was the third or fourth site plan that went through this Board -- at any rate has a garage for each of the six of the nine units in the building, but the -- there are three units in each one of the buildings that don't have a garage.

The reason why that is important because the totes are typically stored within the garage. It is Morgan Management's concern if we did have the three extra totes for those units that do not have garages, they would become a potential eyesore or they could blow -- there has been a lot heavy winds in this area. They could blow around and not -- be a nuisance or hazard to the site.

So as a result, what they have proposed to do is what worked well for them in many of their other projects, is to include the four dumpster areas as shown in the yellow on -- this revised site plan.

Um, some of the comments that did come from Mr. Hanscom, we can accommodate in terms of providing the gate detail and also the -- make an adjustment on the height of the enclosure.

One of the concerns, I think, specifically with fire access had to do with this dumpster enclosure up here (indicating), which is actually north, so this way. So it would be to the west. So I -- we still have the area where the fire truck would park and then it was, you know, the people could walk -- there is plenty of space for the firemen to walk between the enclosure and the building around to the back side of it. So that was, um -- in a nut shell, that is pretty much it.

The enclosures are designed so you have a 8 cubic yard enclosure. There is also recycling and accommodations within the enclosures themselves.

PAUL WANZENRIED: Did you add the mailboxes or were they always there?

MR. SUDOL: I believe they were always there.

PAUL WANZENRIED: Okay. Based on your letter to the Town, I got the impression they weren't there at the beginning. That is why I asked.

MR. SUDOL: To be perfectly honest, I do not recall. I did not write that letter. But if it says they were there...

PAUL WANZENRIED: Dave (Lindsay), do we have any Fire Marshal comments?

DAVID LINDSAY: We do. Um, actually, Mr. Sauer reviewed this and had no comment. I know when I spoke with Mr. Miller, there was a concern about the location of the dumpster between I think it is Units 1 and 2.

MR. SUDOL: Yes. Again, that is the one I was speaking of.

DAVID LINDSAY: I think on the original site plan there was fire access shown between these two buildings.

PAUL WANZENRIED: Yes, there was.

DAVID LINDSAY: That's the only comment that I had.

PAUL WANZENRIED: Jess (Sudol), do these dumpster locations impact the snow storage in any way?

MR. SUDOL: Um, they do in that some of the areas for the dumpster locations had previously presented an opportunity for snow storage, but with that said, there is still plenty of ample opportunity throughout the project. If you recall, there was a fairly significant green space requirement as part of the underlying zoning that has been provided and, you know, as part of that -- kind of doubles as snow storage.

PAUL WANZENRIED: And why -- what is the reasoning for going to dumpsters as opposed to totes?

MR. SUDOL: The reasoning is, so that you don't have 39 -- again, 13 buildings, 3 units per building, 39 totes that would be, you know, uncovered and outdoors.

PAUL WANZENRIED: Won't those totes be put beyond the garages and -- in some sort of a shed or an attachment to the garage or something like that?

MR. SUDOL: Um, potentially, yes, but they would still be subject to the elements. I'm not super passionate about the enclosures, otherwise I would give you a better answer.

PAUL WANZENRIED: My next thing is have you made an application to the ZBA? Because if we want you to go higher, that will require a zoning variance.

MR. SUDOL: I do not recall that we -- to be honest, I think that specifically applies to fences. I don't know it applies to actual enclosures. Other thing we could do is look at a different actual dumpster that doesn't have that 6 1/2 foot height.

PAUL WANZENRIED: I'm only going based on what our engineer supplied us -- the information supplied us. I believe that was one of his comments.

MR. SUDOL: I see the comment on the height. I didn't see the part that references the requirement for a Zoning Board variance.

PAUL WANZENRIED: I just wondered -- I guess I wondered if that falls under the fence aspect.

DAVID LINDSAY: We need to review that section of the code and provide an interpretation to the applicant and the Board.

PAUL WANZENRIED: I will start working through the Board.

MICHAEL NYHAN: The dumpster -- I take it, these are front-load dumpsters, the truck will pull in front load?

MR. SUDOL: Correct.

MICHAEL NYHAN: Is there enough space? You're looking for a few of these for the truck to pull in there.

MR. SUDOL: Yeah. It's a little deceiving, especially across from some of the parking areas, but each of the setbacks from the buildings, some of the parking areas are extra deep, so even if there was vehicles, there would be space there. Specifically to the one to the north in this area, there is enough space with the 25 foot drive aisle, but I would probably look at skewing that maybe 10 or 15 degrees just to get it a little bit facing the road better. But we have to put these in direct perpendicular arrangements before without, you know, too much issue. It's a little bit more maneuvering for the truck, sure. Instead of pulling back and going straight on, but certainly doable.

MICHAEL NYHAN: And probably something you want to look at. Probably make a lot of noise when they back up, as well.

MR. SUDOL: True.

MICHAEL NYHAN: And also the pads that the dumpsters are, the enclosures, all concrete and that extends out all of the way?

MR. SUDOL: To pick up the front wheels. When they pick up the actual dumpster, it puts the force on the front wheels and if you ever seen a pad that doesn't extend far enough, you see the big ruts in front where the pressure is on the asphalt section which is not enough to accommodate that load.

MICHAEL NYHAN: All these pads extend out, correct?

MR. SUDOL: Correct.

PAUL WANZENRIED: Where are Buildings 12 and 13 taking their trash?

MR. SUDOL: They would have the option of taking the trash here or here (indicating). I realize it's a bit of a hike, but what we did not want to do is try to put an enclosure that would be, you know, right at the end of the road, right by Union Square. So those are the longest walk of the group.

What we find with these type of large apartment complexes is that what people usually do is throw, you know, a bag in the car in the back of their truck and on the way out, stop and throw it into the enclosure. We do student housing projects with 6 to 700 people with one centralized compactor location and that is exactly how it operates.

PAUL WANZENRIED: Has Morgan Management done this anywhere --

MR. SUDOL: Yes. This is standard for --

PAUL WANZENRIED: -- and been successful?

MR. SUDOL: Yes.

DAVID CROSS: I'm all for it.

ERIC STOWE: We're just working on this one definition.

MR. SUDOL: To that I would say, you know, if they can't put their finger on it right in the spur of the moment, if they did determine or the Counsel determined that a variance was required, then naturally that's what we would have to do. Or at very least, we would research a dumpster that has got a lower profile.

DAVID LINDSAY: To clarify that, Jess (Sudol), you're saying if we determine the dumpster enclosure is a fence, you would modify the dumpster enclosure so you would not require a variance?

MR. SUDOL: Correct. And if that were not possible and one did not exist, then we might pursue the variance, I guess.

PAUL WANZENRIED: I will just write the condition up that use of lower profile dumpster or pursue variance if required or needed.

Is it too loosey-goosey for you, Eric (Stowe)?

ERIC STOWE: Yes, I think so. Our code doesn't define what a fence is, so in the absence of that definition, you take its natural meaning, structure like a wall built outdoors usually of metal or wood that separates two areas or prevents people or animals from entering or leaving. That sounds like a fence to me.

PAUL WANZENRIED: Not enclosure.

MR. SUDOL: I also think it is worthwhile to look at any potential precedence. I remember some projects we did, specifically our more industrial type uses, where we did have higher enclosures that were not determined to be fences. Just putting it out here. I really could care less.

PAUL WANZENRIED: Well, you could care less and I will tell you to jack them up. Okay?

MR. SUDOL: Sounds good.

PAUL WANZENRIED: If you care less, make them higher.

MR. SUDOL: Okay.

MATT EMENS: Typically they're 8 feet in a commercial setting. But I think you're right.

PAUL WANZENRIED: So we'll say height and dumpster enclosures to shield dumpsters.

If I say a condition is to heighten the proposed dumpster enclosures to shield the 8 cubic yard -- do I have to be specific as to the dumpster or just say to shield the dumpsters?

ERIC STOWE: Shield the dumpsters from view would be fine. Then -- it is more based on what dumpster is chosen.

MR. SUDOL: That's true. Makes sense.

PAUL WANZENRIED: Great.

Do I need SEQR on this?

ERIC STOWE: As discretionary approval.

Paul Wanzenried 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.

PAUL WANZENRIED: Now, for revised site plan approval, based on this condition, only one I have, heighten proposed dumpster, dumpster enclosures to shield dumpsters from view. Based on that condition for a revised site plan.

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

1. Height of proposed dumpsters enclosures to shield dumpsters from view or utilize a dumpster to be shielded by proposed enclosures.
 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. Building Permits shall not be issued prior to applicant complying with all conditions.
 6. Application is subject to all required permits, inspections, and code compliance regulations, including obtaining a zoning permit for the dumpsters.
 7. Subject to approval by the Town Fire Marshal.
2. Application of Fastrac Markets, 6500 New Venture Gear Drive, East Syracuse, New York 13057, property owner: Sumket Development; for final site plan approval to erect a 5,370 sq. ft. grocery store with fueling facility at property located at 1064 Scottsville Road in G.B. zone.

Matt Napierala, Christian Hill and Brett Hughes were present to represent the application.

MR. NAPIERALA: Good evening. Matt Napierala, Napierala Consulting. With me tonight is my colleague, Christian Hill from Napierala Consulting and Mr. Brett Hughes from Fastrac Markets.

We're here once again before you following some successful trips to the other Boards. Recently we received Conservation Board approval based on our landscaping plan.

The last meeting of the ZBA our area variances were all granted, which included front parking, lot depth, front yard setback for the fuel canopy and parking help. We still have to deal with some of the sign variances with regards to the ZBA of which we have made some progress and of which we have had to go back and further talk to our operations staff of some further detailing to work with the Chili Code.

As well, um, we heard before we came out tonight the Architectural Review Board has accepted the architectural pieces. The last remaining item dealt with specific color numbers which we provided to Kathy (Reed) based on our operation stuff, so I believe we're okay with the Architectural Review Board.

Um, we have submitted a response letter and updated plans based on our last meeting with the Planning Board. With that, we have -- I believe we have addressed the particular comments from that review, which included no snow storage along Scottsville Road, relocation of the air pump, the pedestrian access to the site off of a proposed sidewalk by others along Scottsville Road. We're now showing an access point to get into the parking lot. Um, we talked about some discussions with regards to the -- the egress and circulation around the frontage piece.

Um, one very good comment that the Board made that we took a look at in a previous submittal, we had the fuel underground storage tank at this location (indicating). Due to the proximity of the lot line, some discussions, um, from Mr. Hanscom, as well the Board, was what

if we had to -- or maintain or replace those fuel tanks? We have taken a close look at that and relocated the proposed location of the fuel tanks along -- so it is totally encompassing within our property more easily to be operated and maintained. Um, that falls in with regards to the site circulation patterns as we showed before with regards to tanker trucks and I think I explained the last time we were here, that the Fastrac fuel trucks discharge on the passenger side of the vehicle, and so now the fuel tanks are going to be located, um, along the -- along that location rather than close to the rear property line.

Um, there was some discussions, well, with regards to the drainage and drainage easement along -- from the discharge of our now, um, independent drainage system separate from Sumket, and in how that discharges and such.

Um, this past December 3rd we received an updated letter from Mr. Hanscom's office. We have drafted -- and I have reviewed all of his comments. Um, we prepared to make submission of -- of those comments. I would like to kind of review those, and I was, frankly, hoping that if the Board agrees that comments are minor in nature, that we can move forward with some conditional language that we satisfy Mr. Hanscom in its totality. Much of these comments deal specifically with the language and some wording on the Storm Water Pollution Prevention Plan and the Notice of Intent.

Um, the first four or five comments, and I will kind of review those -- um, the first item dealt specifically for our water quality treatment, coming from a lot of this area up, just -- as a quick background, we're -- where this is a redevelopment property, as we all know as previously utilized and has broken asphalt today, a redevelopment sense, we are allowed to use a water quality, essentially a -- a treatment -- treatment device, and as such, Mr. Hanscom is asking for a little bit more detailing of that, which we have manufactured spec materials and our updated plans will show him everything he needs with regard to that particular manufactured unit.

Um, his second item dealt specifically with regards to an easement for future repair or replacement for the underground fuel and we have eliminated that need by relocating the underground storage tanks.

Item 3 of his December 3rd letter, um, dealt with the -- the easement in question, with regards to the future discharge of -- of the storm water. We are proposing a 10 foot wide easement. Mr. Hanscom is indicating that in a future repair or maintenance of that line, you need to have wider than 10 feet. We don't disagree with that. The essence is, the easement language of which we will provide the Town and the city -- or the legal counsel -- I apologize -- is that we have the right to access and maintain and repair across all of the lands across Sumket so we have the ability to come at any point in time -- beyond the permanent easement sense we have the ability to operate and maintain that -- that drainage line beyond the 10 foot width. That is in the language that our attorney has drafted of which we're -- we're getting finalized with Sumket.

So we believe the 10 foot, um, permanent easement line is for the pipe itself, but we have the right to repair that line across all of the lands of Sumket.

So as such, we would like to, you know, leave it as a 10 foot easement. So the encumbrance is -- on Sumket property is minimized to a 10 foot width and not a 15 or 20 foot width.

The -- the other comment is -- our -- our discharge point, um, we have showed it on our property. Mr. Hanscom has indicated, we have should extend that beyond the Greenway Trail system so we're closer to a direct discharge into the river. We have made correspondence with the City to pursue that, and we don't feel that this should be an issue with regards to getting that extended and showing that pipe discharge.

Again, the -- the essence of that is drainage today runs across this, and eventually gets into the river. The mitigation system of the storm water basin is reducing that flow and every storm event, the 2, the 10, the 25 and the 100-year storm event as analyzed. Therefore, the amount of water is actually less today in all of those storm events, so therefore, there should be no -- no -- no problem or issue. We have again, initiated correspondence with the City of Rochester because they have that ownership, and we'll -- we'll pursue that extension as discussed in Mr. Hanscom's letter.

So other than that, I think the remaining comments dealt with some of the language of that storm water, and the -- the notice of intent of which we don't have any issue with and we'll certainly revise that particular document to satisfy Mr. Hanscom.

So with that, again, we're here to answer questions and comments and hopefully we can keep moving forward.

Thank you.

MICHAEL NYHAN: The filling of the underground fuel tanks and trucks will be pulling up in front of the underground fuel tanks, correct? Which are under all of the parking spaces?

MR. NAPIERALA: Actually, there are -- I have to look at my plan. My eyes are getting tired. So the -- there are about six or seven parking spaces along -- along this area here (indicating). The fueling truck will not be in the parking space. It will be essentially along the aisle. He was talked about, the -- the Fastrac owns and operates its own fueling and fueling trucks and they have scheduled their own trips and their own timeframes and as such they have total control. They're not going to impact the peak hour or the peak operations at any point in time. So when they are fueling, um, they will be doing that during off-peak type of timeframe and don't anticipate operationally impacting -- they won't do this during the morning peak or the afternoon peak when there is a potential for those parking spaces to be utilized. So we don't anticipate for that duration of a half-hour discharge of the fuel into the tanks and in any impact to our customers.

MICHAEL NYHAN: So will there be a set schedule each day? Do you know what that is?

MR. NAPIERALA: Yes, sir. Don't know what that is. That will be operations of Fastrac. They will establish that timeframe.

MICHAEL NYHAN: Will they know if a vehicle is coming to block off those parking spots so no vehicles can park there while they're fueling?

MR. NAPIERALA: Yes, sir.

MICHAEL NYHAN: So no parking in that area while they're fueling those tanks?

MR. NAPIERALA: Yes, sir.

MICHAEL NYHAN: On the outdoor seating area, I believe if I recall, the sidewalk is level with the parking lot, correct?

MR. NAPIERALA: Correct.

MICHAEL NYHAN: There is protection for the front of the building but no protection for that outdoor seating area; is that correct? I would like to see some sort of protection around that point.

MR. NAPIERALA: Good point. We'll make sure we provide -- I believe -- I have to look at the new profile, but there is essentially a knee wall that is separated that doesn't show up on our site plan but is part of the architectural feature of the building. There is like a walkway out but a knee wall that extends along the front. There is protection, but I have to verify with the architect of -- there has been architecturally some minor changes in the last two months comparatively to what you see at Hylan Drive, the new store that was opened August. But there is certainly protection of the seating. Good point. We'll make sure.

PAUL BLOSER: How are the knee walls constructed?

MR. NAPIERALA: Full foundation depth poured with brick fascia.

MICHAEL NYHAN: Can you verify that will be there because I don't see it on the drawing?

MR. NAPIERALA: Yes. Again, the site plan sense, we did not show that architectural feature.

MICHAEL NYHAN: Just a response for the handicapped parking, I guess I still don't understand if it is easier to go in that side door why everybody wouldn't be using the side door?

MR. NAPIERALA: Again, we took the comments of the Board and brought it back to Ownership and Operations, and they -- and our architect reviewed ADA requirements, and again, Town requirements are certainly different than code, and Ownership, um, but based on the proximity to entry door, um, and again, internally, when you look at this store, the bathroom facilities are -- are right there at that location. So frankly, it's -- it's a closer reach than -- than to that location, and Ownership is -- has requested that we leave those handicapped spaces at that west end of the store.

MICHAEL NYHAN: So they just want it at the west end. For the -- for the fueling vehicles, will they still use the same path that you described before?

MR. NAPIERALA: Yes, sir. The fueling vehicles will enter here (indicating). We have a full bypass lane around. They will come around and they will sit. Because again, they discharge on the passenger side of that truck. So they will discharge. And then we did open the radius and we -- we looked at that whole turning movement, so that truck will be able to come out and make that movement without crossing the incoming lane.

MICHAEL NYHAN: And so where you have the hash marks, that will be just the hash marks?

MR. NAPIERALA: That will be a paint stripe. The curb will be the outside edge and that is just a pure paint stripe along this edge and needed for the trail wheel of tractor trailer or that tanker truck.

MICHAEL NYHAN: As you come around the back of the building making the first left-hand turn to go to the front, is that curb cut back, as well, so the radius can be made?

MR. NAPIERALA: Correct. You will see a little bit of striping there. That radius was cut for that trail wheel, so we're not hopping curbs.

MICHAEL NYHAN: Same with the next one, the truck can completely make that?

MR. NAPIERALA: Yes, sir. The next one we popped the radius out further on this side so the truck can come here -- again, he is coming down a 28 foot aisle. We -- we give our customers plenty of room. So this is a 28 foot aisle. With that truck coming around this -- this movement, there is actually quite a bit of distance, probably close to 40 feet from that curb line to that -- to that sidewalk piece.

MICHAEL NYHAN: Okay. This is a 24-hour operation, correct?

MR. NAPIERALA: Yes, sir.

MICHAEL NYHAN: Do they fuel during normal business hours?

MR. HUGHES: Brett Hughes. So it varies location to location. It's really an operational thing. As Matt (Napierala) alluded to, we prefer not to do it at peak hours, but it will be, you know, off-peak hours. It is all a case-by-case scenario.

MICHAEL NYHAN: So it is not always exclusively done after midnight type hours or early in the morning?

MR. HUGHES: No. Not by any means.

MICHAEL NYHAN: I just have a concern with that. I have a concern with this tractor parking in the middle of the parking lot in front of the building, cars that are already there, they will be waiting for cars to move, a car needs to leave. It just seems like a -- not a good situation to have that right there. That is just my comment.

MATT EMENS: I would echo that, too. I noticed that on our 11 by 17 map, the S2 colored one that shows the truck route, which is a little deceiving, because it shows it hooking out into that parking spot. Or, you know, the parking spots which you already said it is not going to do that, but then you're still going to block, like Mike (Nyhan) said -- it's 30 minutes a day, but every day. And I know that's -- that's only a small part of a day.

How many -- are the tanks baffled? Question really I guess I want answered, how many fill ports are in those parking spaces?

MR. NAPIERALA: Essentially one tank has a single -- one tank is essentially the regular fuel. The second tank is a three baffle with the ethanol free. It will have premium and it will have the diesel. So that that particular tank will have three fills. The other tank will have one fill.

MATT EMENS: And just -- I don't need exact dimensions, but where does that happen on the tank? Is that something --

MR. NAPIERALA: If you look at it -- as the thirds. Those fill ports would be essentially center and then the right third, left third.

MATT EMENS: How about on -- centered on the length of the tank then? Where in the parking spot?

PAUL WANZENRIED: He is asking are they directly over the top of the tanks?

MR. NAPIERALA: Yes. The fill ports are on top of the tanks.

MATT EMENS: So they are based on the center line.

MR. NAPIERALA: They are not plumbed any differently. They would be sitting over the top of those -- so in reality, during that fill time, um, we are impacting about eight parking spaces.

MATT EMENS: Right. Okay.

MICHAEL NYHAN: Would impact the entire length of your truck?

MATT NAPIERALA: Yes.

MICHAEL NYHAN: Which would be eight spaces you're estimating?

MR. NAPIERALA: Yes. Just counting. Just looking and counting.

MATT EMENS: 55 foot truck, I think you guys said, on the report.

I guess that's all. I hate to beat that one to death, but that seems like it is just not a perfect solution. I feel like we may have created more issue moving it away from the filling area, but I could be wrong. This is just my opinion. I know on Jefferson Road, um, that's the one I usually go to. Today I went to Hylan Drive. I was going to a meeting. That one I don't realize where it is. That one is a tight site with Jefferson Road. It is off to the side. The truck sits there. It could be there or not the whole day and doesn't impact any of the traffic flow. It doesn't impact any of the parking spaces. There is no cutoff. Like you said before, you guys have plenty of room in the islands that cars are -- drive all around over in there and it is never in the way.

MR. NAPIERALA: My only rebuttal to this conversation is when we left last month and we took this back to -- to -- and Brett (Hughes) and I sat before Operations and the guys that run the fueling and the President of the corporation, who has been in the convenience store business for 40 years, we talked specifically about this issue and about where to place these tanks, and in operation -- currently Fastrac operates 45 stores and beyond that, the President has been involved in -- literally in his career, hundreds and hundreds of stores and they have indicated that this is the proper solution for their product and for what they're dealing with, and certainly, um, there are -- and I think we have all seen tighter gas station sites that impact more than eight parking spaces, that can impact an entire site while they're fueling. They felt this is probably a better option than to put it along that back wall because if they had to do a tank removal, it would be either costly up front to do sheeting or it would be, um -- frankly, we're not going to be able to get an easement from Sumket because he has some ideas what he wants to do on that south side.

PAUL WANZENRIED: Where is the venting for these tanks?

MR. NAPIERALA: The venting for those tanks probably, um, will be coming off along the frontage sitting right here (indicating) where that parking space jogs in, but we can vent that at that location.

Now, there might be the possibility of the vents being plumbed and coming up off the side of the canopy. We have done that in a lot of cases. So we will check and look with Operations, but there is a potential that the vents for both of those come right up through the canopy.

PAUL WANZENRIED: I would strongly pursue that avenue. I don't want to see three or four pipes sticking up in the front yard.

MR. NAPIERALA: I agree.

PAUL WANZENRIED: You either shield it with landscaping or I love your idea.

MR. NAPIERALA: Pump it right up the canopy.

JOHN NOWICKI: Just a question. The Zoning Board, it indicated here that unanimously -- they unanimously tabled all sign variances requested at the applicant's request. What does that mean?

MR. NAPIERALA: Essentially we have an array of sign variances. Quite frankly, part of it -- and it starts with -- I think everyone in Chili was concerned about the digital display board. And frankly, the size of our fueling and the -- the Zoning Board got into the fact of the number of Fastrac logos with regards to two on the building, one on the canopy, one on the -- one on the monument sign.

So we went through an array of different options with -- with the Board and, um, what we requested, um, is that we take that -- again, back to the ownership group. And Brett (Hughes) and I talked to Operations, and frankly, are the -- the -- the -- the Principal that deals with

signage and the President or the CEO of Fastrac. In those conversations, we have got now a proposal which we'll go back to the ZBA, so we have got something I think everyone will really like frankly.

JOHN NOWICKI: Good. Thank you.

PAUL BLOSER: Just another comment on the outdoor seating area. When you present the wall, whatever it is you're doing, I would like to see composition of that, concrete makeup, rebar, density and diameter. Is it a full -- full mechanical on it?

MR. NAPIERALA: Sure. Again, it's a full foundation, poured concrete wall with brick fascia, but we'll show you that cross-section.

PAUL BLOSER: I would like to see how strong it is and what it can withstand.

ERIC STOWE: My only concern was with that easement over the pipe, and if -- if it is not -- there -- in the language preventing anything from obstructing your access to maintain that pipe. If there is language in the Sumket easement that would prevent a building from going up and obstructing your access to it --

MR. NAPIERALA: I guess we'll make sure that language allows clear access to all points of the pipe. All points of the -- of the pipe for future. We can add a sentence to that language.

ERIC STOWE: I mean typically 20 feet, 15, whatever it may be, just so if you are cut off from coming in over the Sumket property, you can still access and maintain that pipe from your property.

MR. NAPIERALA: Frankly, he can't get it without a variance to get closer than that 20 feet anyway for his side dress-up, any building component. So to my knowledge, it is still his storm water basin along that side. It just becomes a real estate issue as far as minimizing the impact.

ERIC STOWE: I understand. I would just like to see that language first.

MR. NAPIERALA: Yes, sir.

DAVID LINDSAY: Just to reinforce what Counsel is saying, based on the code, there is no side setback, so our concern is theoretically he could plop the building at the easement line which would limit your access to that place because really you have just 10 feet to work with. I think we would look for some sort of language within that easement agreement that guarantees you something more than just that 10 feet.

MR. NAPIERALA: We actually have a conference call with him tomorrow. We'll bring that up.

DAVID LINDSAY: Serious question on the tanks out front there. How do you -- do you cone that area off when the tanker truck is coming? How do you restrict parking in that area? If the tanking truck is coming at 5 o'clock today and somebody is parked there at 5 o'clock, what do you do?

MR. NAPIERALA: Essentially, there -- there is typically four staff at a Fastrac, if not six, during -- during certain times of the day. So the manager would, upon knowing when the delivery is, um, would have the ability to cone off that particular area, and even if -- if -- if -- and frankly, they're pretty good about not having extended stay parking on their site and certainly being able to manage that particular area. So with -- with ample staff, it is not like there is a skeleton staff of two -- two people at any -- you know, really it's a minimum of four because of the operations in the food service. So the ability to have one of the staff go out and restrict that area for prior to when the truck comes and be able to keep that area clean, therefore, when the truck comes, he can get in and out as fast as possible.

DAVID LINDSAY: Nothing further.

PAUL WANZENRIED: Here's what conditions I have. Protection of outside seating area. Venting of stacks to be through the canopy. Or venting of tanks, fuel tanks, excuse me.

Then we have our standard boilerplates which will be upon completion of the project, the applicant shall submit a landscape Certificate of Compliance to the Building Department from a landscape architect certifying that all approved plantings have been furnished and installed in substantial conformance with the approved landscape plan.

Approval is subject final approval of the Town Engineer and Commissioner 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 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 shall be noted on the mylars.

Planning Board affirms the recommendations of the Architectural Advisory Committee and requests that 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.

Pending approval of the Zoning Board of Appeals of all required variances.

Subject to approval by the Town Fire Marshal.

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

DAVID LINDSAY: Mr. Chairman, you had a condition relating to the venting of the tanks. Perhaps if you could add the words "if technically feasible." There might be some

engineering constraints that limits that ability to pipe them through the canopy. If it is not technically feasible, perhaps you go to option B, which is landscaping and then screened out front or something.

PAUL WANZENRIED: All right.

DAVID LINDSAY: Just that -- just to prevent having them to come back to the Planning Board if it is not technically feasible to vent them through the canopy.

PAUL WANZENRIED: Otherwise, all vent stacks shall be hidden from view via landscaping. Venting of fuel tanks through canopy, providing -- providing it's technically feasible, otherwise all vents shall be hidden from view via landscaping. All right.

JOHN HELLABY: I don't know if you said something, but did you mention that 10 foot easement over the pipe to see if there is adequate room?

PAUL WANZENRIED: I said copies of all easements associated with this project shall be provided to the Assistant Town Counsel.

DAVID LINDSAY: That will suffice. We'll take a look at those and make sure we have appropriate access to that pipe.

PAUL WANZENRIED: Unless you wanted --

JOHN HELLABY: He said --

ERIC STOWE: I'm good with that language.

MR. NAPIERALA: I got it, too, so we'll take care of that tomorrow.

Paul Wanzenried 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.

DECISION: Approved by a vote of 6 yes to 1 no (Michael Nyhan) with the following conditions:

1. Provide details of protection for outside seating areas.
2. Venting for underground fuel tanks shall be through the canopy over fueling areas, providing it is technically feasible. Otherwise all vents shall be obscured from view via landscaping.
3. Applicant to comply with the landscaping plan approved by the Conservation Board.
4. 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.
5. Approval is subject to final approval by the Town Engineer and Commissioner of Public Works.
6. The Town Engineer and Commissioner of Public Works shall be given copies of any correspondence with other approving agencies.
7. Applicant shall comply with all pertinent Monroe County Development Review Committee comments.
8. All previous conditions imposed by this Board that are still pertinent to the application remain in effect.
9. 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.
10. The Planning Board affirms the recommendations of the Architectural Advisory Committee and requests that the applicant comply with these recommendations.
11. Building permits shall not be issued prior to applicant complying with all conditions.
12. Application is subject to all required permits, inspections, and code compliance regulations.
13. Pending approval of the Zoning Board of Appeals of all required variances.
14. Applicant to comply with all conditions of the Zoning Board of Appeals as applicable.

15. Subject to approval by the Town Fire Marshal.
16. Any signage change shall comply with Town Code, including obtaining sign permits.

FOR DISCUSSION:

1. Chili Plaza Properties- proposed Monro Muffler store at property located at 3240 Chili Avenue in G.B. zone.

JOHN HELLABY: I am going to request I be recused from this discussion as it is -- my association and friendship with Mr. Jared goes back to grade school.

PAUL WANZENRIED: You can be recused, Mr. Hellaby, but have not left the building.

JOHN HELLABY: I know.

Ray Trotta and George Jared were present to represent the application.

MR. TROTTA: Ladies and gentlemen, I'm Ray Trotta with The Holland Trotta Project. I'm representing the Chili/Paul Plaza tonight this evening, as well as Monro Muffler that is a tenant within the Chili Paul Plaza.

This evening we're just looking at specifically the concept plan for Monro Muffler, but all these little exhibits I put up there are actually to address some of the comments that came back on last discussion when we were kind of about a week, week and a half of being brought on board to the project.

So just kind of a little brief history that we have a client of the over -- we have two clients here. One is George Jared from Monro Muffler, and the other client is Michael Kuskin. That is the Frederick Property Group that owns the plaza. The -- we were brought into this project actually from a recommendation from the Fitzgerald Engineering, Arrowpoint and us as the program management team, and basically our client and -- our main client that owns the plaza was more or less -- has got great energy, you know, has a good vision, is -- has got a lot of tenacity but not necessarily following the exact process to go through things, and I am sure everybody is aware of that.

So with that, we kind of went through two -- two items from the last round of comments. We're looking at on the floor -- and I can pick this up a little bit for everybody to see -- what was basically what we presented last time. Which is more or less a highlighted areas of -- of what we were intending to do, based upon the parking maintenance upgrade, if you will, and -- and utilities, underground utilities. So we were talking about repaving the parking lot, underground utilities and then I will get to it in just a second, the actual restriping of -- of the overall plaza.

What we're intending to do is obviously make this plaza much more viable from an aesthetic look, which obviously there have been several improvements that have happened already and then also some future out parcel development and one being the first of which, is -- is the Monro Muffler.

I put in front of you one of the items and comments from last time was -- was to obviously do a parking analysis. And now, that is -- part of the process with that parking analysis, it was brought up that we showed ample parking but not necessarily tied to where the parking is.

And basically we're -- this right here (indicating) s the existing plaza as it sits today and these are all of the tenants and where they are. This is the tenant list (indicating). What we did is put together a parking tabulation with the striping plan, which is the first step that actually shows the parking required for each -- each tenant, then totals them up and shows where the parking is. We're actually in excess of about 100 parking spaces overall, but I will stress that, um, one of the Town requirements is obviously to be within a certain radius of -- of each -- each door opening and things of that nature. And as the plan developed, we will -- we intend to show all of those pieces to the puzzle as they reflect back to the overall master plan.

So what we're doing here is basically master planning the entire site, kind of giving you a little bit of a taste with the striping plan. We have some dotted areas that are on the sheet that I just gave you, which is the page 2 I just handed out to you, that shows what the intentions are. Um, but the only thing we're looking for tonight is to talk specifically about the Monro Muffler.

Now, in one of the things -- this is more the start of -- this is more housekeeping. As everybody was wondering, and Dave (Lindsay) has been more than patient, um, you know, working back and forth with the team and the development team to get the striping done on -- in the plaza. None of us want a free-for-all throughout the course of it.

One of the objectives from -- from the owner's standpoint, the owner of the plaza, he did want a plan and he didn't want to do work twice. There was even a comment that said yes, we stripe it and then you restripe, you know, it never -- if you have hints of striping underneath, before you do the overlay, it never looks right and we absolutely agree with that.

So what we tried to do is -- is focus on the striping that was basically addressing the current tenants, and also looking at -- at -- basically almost marking off areas that we're targeting for future development while addressing some of the engineering comments.

So one -- one of the things is -- that I handed out to everybody, this was what was agreed to basically on the striping plan, after several derivations, and like I said, Dave (Lindsay) was very patient with that and basically came up with -- the biggest concern back and forth was

landscaped islands. And -- and what actually happened is we -- we created some larger landscaped islands on the entrance coming in from Paul Road so what we're doing is creating a boulevard on the back side of the plaza which essentially is -- almost the intention -- the intention -- not almost -- is to have Chili Avenue and Paul Road to be really both equally important main entrances. So the intent of this entire Master Plan is not only to have facades addressing Chili Avenue, but the rear of the plaza and the rear of these buildings and a couple of out buildings, including Monro -- Monro Muffler will be addressing the Paul Road as an entry, as well.

Now, the Monro Muffler, um, you could see from one of the comments that came back was basically to look at both sides of the facade and we're completely fine with that.

As far as the one front garage bays that are addressing, um, Chili Avenue and then this side is obviously facing Paul Road, we're not showing anything specifically because we plan on going through the process and going through the Architectural Review Committee. So we'll sit down with them. We have heard spandrel. We have different window well, brick treatments or whatever. We have no problem with working with the team and coming up with something that makes sense to everybody. I mean generally, we want to maintain the integrity of the brand, but there is no reason we can't work together to come up with something.

Also, we did sit down -- one of the major comments was has anyone sat down with the Master Planning Committee for the Town. And Rob -- Rob Fitzgerald and I did do -- we sat down with Dave Dunning, and actually, I know it's not official, but basically the buildings -- pushing the buildings towards the road edge is the objective that we have been told, for -- for the Town master planning, and to have more of a village-type and streetscape-type atmosphere. So what we're showing now from the last plan that is right there, is we have pushed this -- you could see -- it is not hard to see, but basically there is a parking area behind there. We actually pushed the Monro Muffler building as close to Paul Road as we could, considering that there is also some grading issues on that edge, as well. So we pushed it as far back as we could, so it is against -- you see it from Paul Road. It is a streetscape-type establishment, and obviously put more parking in the front.

We also, um -- these dotted -- dotted buildings that we showed, that we were showing for future phases, those are not determined yet. We'll come back obviously for separate approvals for those, separate concept plan, et cetera, but this -- from what we saw, which we -- we didn't have a copy of, but -- but in the discussions and what was -- what was talked about and seen that is going to be up and coming in the master plan, this is basically as close as we possibly could replicate this building right at -- at the road frontage, this one right here (indicating), as planned and also, this one right here (indicating), we're looking at as close as we possibly can without -- without impacting the easements.

We also found in the course of -- from before when -- when we went before the Board and now, we did some more survey work and surveyed the entire property. And there is actually two more easements that we weren't aware of that are actually going through storm -- storm easements that are going through the side. So this whole side that is on the side of the existing main building has two major easements that are -- that are coming through storm water -- municipal storm water easements.

So what we're trying to do is trying to obviously maximize the size. We're trying to get a building density that makes it most viable and makes sense and we're also trying to work within, you know, quite a bit of constraints because these easements are huge. They're not small easements. They're not something that you can easily relocate.

You know, the width -- the width -- you can see throughout, they're riddled through, they kind of spire through the entire east side of the site. And the south side of the site.

So that being said, we were going to actually reconfigure this -- this front area that is by the bank for more parking, as well, but we -- but we tabled that for now because there is an existing light pole there and basically when we tried to reconfigure it, the light pole was right in the middle of the travel lane. So we are basically keeping that striping as is. We're -- what I was telling you before, we're striping this entire area, which the letter -- we already retained a striping company and I'm hoping by the end of this week, maybe start of next week. They just need two to three days that are warm in a row. Not just one day warm, next day is not, just so the paint can dry. So that is why I wanted to bring letter -- we're ready to go as soon as we can get this done.

So this will all be striped. These are all landscaped islands here (indicating). These are agreed to be landscaped islands here (indicating). But they will happen in the spring because -- obviously for weather conditions. So we will have to saw cut those in.

We are actually striping this whole area here (indicating) and area here (indicating), but obviously we want to -- we'll keep a little bit of an area through the approval process of -- for Monro Muffler. Obviously, we have to go through the approvals on where the striping will be and so forth. So basically we may stop right here (indicating) and here (indicating) for right now, but this will be striped in some fashion like this. I mean but if there are some tweaks from the Board, they want it a little bit differently or whatnot, we could obviously address that.

The look, obviously we're just showing this for reference tonight. Just here for concept. Just here for comments. We're really focusing on -- this is just reference. This is kind of a status update. This is for reference and this is what we're really here to comment on.

But I -- but I know there definitely -- we're trying to bring this sucker in line, if you will, so everybody is on the same path. We're looking at this correctly from a parking standpoint. We're looking at this correctly from a Master Plan standpoint. We're looking at this correctly from a municipal master planning that we're within context with the rest of the Town's requirement, and

obviously at the end of the day, we want to have a successful community-type development. I think that being said, that addresses most of the items that came up last time, but if there is something else, I obviously like to address it as you wish.

PAUL WANZENRIED: On the site plan, what is that white block there, to the left of the building?

FRED TROTT: This.

MR. TROTTA: This right here, on this -- from your standpoint -- I --

PAUL WANZENRIED: I couldn't find an arrow or description of it. I don't know what that is.

MR. TROTTA: This is -- George (Jared), this area right here (indicating), this asphalt area for your operations -- this came off your print. I'm trying to think what that is. That is a great question.

DAVID CROSS: I think it is just existing asphalt.

MR. JARED: I don't know.

PAUL WANZENRIED: Why is a 5 foot walkway surrounding it?

MR. TROTTA: I mean, this -- this is asphalt walkway right here (indicating). So really this area doesn't have to be here.

MR. JARED: Mystery to me and if it was up to me, it would be gone.

MR. TROTTA: We don't have a problem with it either.

PAUL WANZENRIED: Plant a garden there, George (Jared).

MR. TROTTA: We ordered concept, so we got that in from coordination between architecture and site and just put on the building print.

PAUL WANZENRIED: What is the depth of the building?

MR. TROTTA: Um --

PAUL WANZENRIED: That's going north to south. Garage door to the north.

MR. TROTTA: I'm trying to think which floor plan we went through.

MR. JARED: 50 feet. The standard prototype -- George Jared, 11 Jared Road, Scottsville New York.

The prototype building used to be 50 feet deep. Now we have run into the energy code. We have expanded the building about a foot so we can get the R values on the exterior part of the wall.

In this particular case, we would put the R value between the brick and the CMU. On a Dryvit type structure, it would be reduced a little bit, the depth of the building, because we would use the foam insulation from the Dryvit as the R value creator. Now I would have R 19 in our sidewalks.

PAUL WANZENRIED: Is that all brick building shown there?

MR. JARED: That is what you asked for and we will give you what you asked for.

MR. TROTTA: Masonry building.

MR. JARED: That's a launch pad. Don't personalize anything on there. We have built -- I have built 800 buildings for Monro around the country. We have all sorts of different architectural styles. We will meet with the architectural people and we will come up with a plan that the Town of Chili is comfortable with this building.

That is a large massive blank wall and we can -- as Ray (TroTTa) alluded to, I can give you a package of pictures of some shops I have built in some pretty upscale communities. We have created overhead door openings through architectural features.

PAUL WANZENRIED: Good.

MR. TROTTA: The other thing of note I forgot to mention is because of the Town's desire to push it to Paul Road, we will be seeking a variance for the front setback from Paul Road. But I mean that is really not -- it's a variance that we're completely fine with, but it's -- we're trying to address a request which creates a variance at the same time.

MATT EMENS: What is the grade difference there? It is pretty --

MR. TROTTA: I don't know if I have a plan over there.

MATT EMENS: The corner --

DAVID CROSS: Pretty good drop.

MR. TROTTA: Drops pretty significantly. I want to say it is somewhere between 4 and 7 feet from that drop over there, so it is -- you would get into a situation that the building would end up being a retaining wall. So the exterior of the building --

MATT EMENS: I guess what I would like to say, I appreciate your meeting with Dave Dunning and addressing what we brought up last time with the Master Planning Committee and the Town center. The only thing I guess I would say is just to critique this a little bit, um, I know you're -- you guys are talking about treating this as a two-street-fronted mall or destination -- however you guys want to put it -- development. And that's good. For you guys.

Um, the street fronting really isn't -- I'm not going to say it is not important on Paul Road because it is, but you're really not fronting it. I mean, if we were going to be true to the term -- the new Monro building will not front Paul Road. It will actually rear it.

MR. TROTTA: Correct.

MATT EMENS: So my question would be before we get too far to pushing this against the corner of this thing and dealing with grading and retaining and easement, we probably ought to understand if that is really what we want. You know what I mean?

MR. TROTTA: I can address that question twofold. One -- one is that we pushed it as far as we could without creating that situation. So -- so basically, this is -- this is the max before you start getting into a -- it becomes retaining or whatnot.

The second thing, as you get -- where the Monro is based, as you know, we're -- or Paul Road curves over here, this is kind of a distance from the Paul Road entrance, if you will. And the building, the dotted line that I just showed you on the striping plan, that's the one that actually is more important to get it closer to Paul Road because then it is fronting it, if you will. So that is what we are trying to do. So you are absolutely 100 percent correct. As you go away from and you're getting closer to the intersection of Chili, that this -- this -- this -- this kind of becomes less important, that frontage. But we can still do something that makes sense. So you can still see it.

MATT EMENS: I think from an architectural aesthetic standpoint, and that's what you guys are getting at, even though it is the back of the building, we'll make it look nice and make it make sense.

MR. TROTTA: I'm very partially architecturally to having different materials rather than just having the spandrel because I don't like to have lifeless glass, if you will, but there are ways to dress up the back of the building to make it look pretty close, pilasters, change the materials, but we're open to whatever the Board wants to give us direction on.

MR. JARED: I handed out a little packet. First one is just obviously an 8 1/2 by 11 of what is up there. Just discussion.

The second one is University and Culver. That sits right on the road. It's a pretty blank wall. There is some soldier coursing but in general -- that building is 50 by 90. That is a six-bay prototype, so it is not the length of this building which is about a buck 33, buck 40.

So the second one is a building in -- that we just constructed out in Louisville. It is a different brand called a Ken Towery brand, but that shows Dryvit and some CMU features.

This one is Kent Island, Maryland. That is showing some of the -- I will call them architectural overhead doors that we have in the front. This is so that the doors are in the back of the building. The street front is obviously the front of the building where we have the white overhead door openings.

The last three pictures are a site in Dublin, Ohio. This is Merrifield. This is probably the most extensively construction we have. It's stone. No lick and stick. It's real stone. Cedar shakes.

PAUL WANZENRIED: Nice.

MR. JARED: Dormers. Some spandrel glass on the dormers.

PAUL WANZENRIED: Could be heading that way, George (Jared).

MR. JARED: It's a very attractive building. I will get some better pictures. These are actually from Google Earth, but we used the rounded doors and the same architectural features on the waiting room storefront, and if you take a look at the rear of the building, we used some of the same architectural features to create -- to get rid of that massive blank wall.

MR. TROTTA: Now, keep in mind this is not obviously set in stone, this is just for reference, whatever happens here will also be in context with the rest of the plaza, too. So it will not just stick out like a completely different building. We don't want that to happen.

And also we did delineate on the striping plan that patio area, we're -- where it is marked C5, which is the gym right now, there -- and they're in negotiations that -- that that Bill Gray's was going to take that for a pub room. So there will be -- that is the intention, to make this, you know, like an outdoor seating area so it will bring a ton more life to the back of this plaza. Is the intention.

I think we said last time there is -- there is only two Bill Gray's that don't have the pub room concept in them and this is one of them, and they really -- it's part of their business model.

MICHAEL NYHAN: Comment on the location of the building. That is right now all green space so we're removing more green space that we have in this plaza.

MR. TROTTA: We always were. This green space right here, we were -- we're actually from -- from the last time we came in, we were showing this parking area over here. Now we're showing much less disturbance of the green space, so all this will be green in the back than was originally proposed. Now, we are including more green space throughout the site with obviously the landscaped islands and things of that nature.

MICHAEL NYHAN: Where are the landscaped islands? I don't see -- in front of --

MR. TROTTA: See where these dark lines are, these are landscaped islands and these are all landscaped islands and these are all landscaped islands. Now, as this develops, I'm sure there will be landscaping around the entire building and also landscaping around the entire building, landscaping in here and landscaping around this dotted -- that is a very light dotted line. Wherever there is a building, there will be landscaped sidewalks and things of that nature.

MICHAEL NYHAN: And the pathway, I guess, you would call it from Paul Road through the plaza, it comes straight through. There is nothing to naturally slow down the traffic that comes through this parking lot. One in this area. There is nothing to slow vehicles coming through as a cut-through from Paul Road to Chili Avenue to avoid the intersection. The second thing is by removing the islands that were in this area of the parking lot, this entire area then becomes the same thing, a raceway, not really any control or preventions from having people drive crossways through the parking lot because there is no traffic control.

MR. TROTTA: What we intend on doing is similar to Wegmans is basically anchor either side of the parking lots with the landscaping and basically we do want to create a slowdown -- we're trying to look at what is the best way to do that, a boulevard. We don't want that as a raceway. We actually want that to be almost like a row of shops feel through this -- this little -- the developer definitely wants that. He wants to make this is like a row of street front shops as you go through this frontage. Again, good comment. We're just at concept right now.

MICHAEL NYHAN: That is why I raised it so you can get it in, because it's a real

problem right now over there. I guess the difference between Wegmans with the rows is Wegmans' parking lot is generally full of cars. You can't run perpendicular to that in your parking lot. Over here you can do it. You see it every day.

MR. TROTTA: Hoping that is not the case.

MICHAEL NYHAN: I'm hoping that is not the case either, but nothing to prevent that from happening.

MR. TROTTA: You raise an excellent point, Mike (Nyhan), is that basically one of the other objectives of this project is to make this plaza a -- much more viable than it is right now. With this full development, we want this parking lot to be close to full at all times during operations. So hopefully we'll be at that Wegmans capacity and we can --

MICHAEL NYHAN: Anyway to address that? Because that currently happens. People don't pay attention to parking spaces. They drive directly across them and with the removal of the islands, it permits them to do that.

MR. TROTTA: We're addressing what we agreed to until spring. Between now and spring, it will be a triage phase, if you will, that we're just striping it. That is all we can do because of weather conditions. That is the only thing we can really do between now and spring, but once spring comes through and we're going through this approval, we can address those comments and that's -- the thought is that we're basically looking at the overall plan and every time we have a development in there, we add these little features to -- to improve it.

MICHAEL NYHAN: I also notice in the back all of the -- they're striped islands, not really landscaped islands where the patio is, so you're really looking out over that parking space. You have several striped areas. Is there any way to put additional landscaping back in this area? For instance, directly in front of the proposed Monro Muffler building there is a large striped area. That doesn't appear to be an island, but a pavement marking.

MR. TROTTA: Yes. These are striped islands right now. But in the course of doing this, we could look at what makes sense.

MICHAEL NYHAN: I think adding as much landscaping in this parking lot as possible would be a very positive thing. Then traffic patterns are very important. There is a lot of way to prevent all of these problems just with the design of the parking lot.

Then for Monro Muffler, I see there is a dumpster. Is there a garbage dumpster? Where do you store your old tires? Right now I see them outside on the back of the building, visible.

MR. TROTTA: This -- basically, you have -- what is the period of frequency?

MR. JARED: Here is what has been going on lately with mosquito control. We operate a lot of stores in the south. What we do is take a 20 foot sea container. We mechanically attach whatever material you like on the side of it so it dresses it up and then we store the tires inside of -- of the sea container so that it is locked. The sea container is emptied when it is full. The haulers do not like to come out and empty partial trailers. So that seems to be where we have been going lately, so the tires are in a fully enclosed environment and not subject to any mosquito, water, theft.

PAUL WANZENRIED: Timeframe on that, any turnaround? Once a month, once a week?

MR. JARED: About once a month. Sales at that particular location.

MR. TROTTA: Actually depending -- just looking at this with George (Jared)'s comment, the little white area you're asking about earlier, this whole building shifted this way and you had it in between the dumpster. That might make sense. Just food for thought. Because --

MICHAEL NYHAN: I'm not sure what that space is there.

MR. TROTTA: I know. It's a void space. As long as George (Jared) doesn't need it, we could shift the building over because I know what the building fingerprint is.

MICHAEL NYHAN: Speaking of the light poles, you have a mixture of different type of light poles back there. The back of the building are these extremely bright lights that make it look from daylight from the plaza all of the way through the apartment complex on Paul Road and then on the front it is very dark parking lot because there are lights missing and some are old.

Is there an entire new lighting plan that will be put in place for this parking lot?

MR. TROTTA: Yes. We're addressing the fixtures. They should be addressing them as we speak because that comment came back from Dave (Lindsay), as well, when we were doing the striping plan to address those, as well. As we get the developments, we plan on upgrading all of the lighting. I will recommend that we go with LED type of fixture.

One thing I did notice here, George (Jared), I think, this is representing the tower from the architect standpoint. I think that is what that is.

MR. JARED: Sure.

MR. TROTTA: I just looked at it and I'm like that's what that might -- because what it is -- it's the same dimension as this. So that has to be what is it representing. Because we -- I apologize about that. We took that block right from the --

PAUL BLOSER: I thought it was green space we would give to Pat (Tindale) to take care of.

MR. TROTTA: It would have to be a green roof. I'm pretty sure I'm looking at the building dimensions. Then we would have leaks all over the place. (Laughter.)

PAT TINDALE: Looking to see the plans in the spring for landscaping.

MATT EMENS: If I was the developer of the property, I would push my snow maintenance contractor to not store the equipment on the Main Street. Usually we try -- developers try to tuck that in the back. He has the pushers all lined up up front and I see Santa waving to me to try to sell a tree and there is a loader.

MR. TROTTA: Even if you would park it onsite somewhere in that back area.

PAUL WANZENRIED: Not there. Behind the dentist. Not on the main drag.

MR. TROTTA: Okay.

MICHAEL NYHAN: Other thing, behind Monro Muffler, there are cars, unregistered vehicles with flat tires. Are they part of Monro Muffler? Whose are those? Parked alongside Monro Muffler.

MR. JARED: I don't know, but I will make a phone call when I land tomorrow in Chicago.

MICHAEL NYHAN: Flat tires, no license plates on any of them.

MR. TROTTA: There was a Camaro with a hood scoop.

MICHAEL NYHAN: Yes. Over the top of the carburetor.

MR. TROTTA: I know exactly what you're talking about. I will find out about that.

PAUL WANZENRIED: They will replace the light pole that is currently being guarded by four cones in front of Agape, right? That will be done before winter?

MR. TROTTA: That's the intention. That is the intention. I will -- I will make sure that that happens.

PAUL WANZENRIED: That is not the verb we're using, "intention." It will be done.

No other questions for you, Ray (Trotta). Thank you very much.

Paul Wanzenried made a motion to approve the 11/10/15 meeting minutes. Mike Nyhan seconded the motion. All Board members were in favor of the motion.

The meeting ended at 10:38 p.m.