

CHILI PLANNING BOARD
January 10, 2017

A meeting of the Chili Planning Board was held on January 10, 2017 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Vice Chairperson John Hellaby.

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

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

Vice Chairperson John Hellaby declared this to be a legally constituted meeting of the Chili Planning Board. He explained the meeting's procedures and introduced the Board and front table. He announced the fire safety exits.

FOR DISCUSSION:

1. Morgan Management- proposed 17 building apartment project totaling 143 units to be known as Union Square Phase II at property located at 59 Union Square Blvd. in R.M. & PRD zone.

Jess Sudol was present to represent the application.

JOHN HELLABY: No public comment this evening because both applications are for discussion only. I would remind the applicants to take notes as there will be no written decision other than the meeting minutes for this meeting.

MR. SUDOL: Thank you, Mr. Hellaby. My name is Jess Sudol from Passero Associates. I'm here this evening on behalf of our clients, Morgan Management and also Spoletta Construction.

Here with me this evening is Joe Ellenberger who is currently an intern with Passero who also goes to RIT, and also my wife and two daughters decided they would spend their night seeing what we do here on Tuesday nights. Please go easy.

So as stated, we are here requesting a concept review and basically just have an informal discussion to get some input into what we're calling Union Square Apartments Phase II. As you can see in the drawing on the upper right, there would be the portion that's more towards the top of the screen. That particular drawing north is to the right. Then the drawing further to the left, north is straight up.

Both Phase I, which was recently completed and actually they're just in the process of wrapping up construction now, and Phase II, fall within the overall Union Square Planned Unit Development which was actually originally approved way back in 1995.

At that point there was some extensive SEQR review and there was actually an overall density of 648 units which was established for the PID. Now, of course, that was over 20 years ago, so things have developed within that established area, such as single-family homes. The Cornerstone Group had a couple of projects, Phase I and Phase II. There is also a senior facility and couple DePaul facilities and, of course, the 117 units that were recently completed for Phase I.

Which really driving Phase II of this project or the additional 143 units is the success of the first phase. If you recall, when we came before this Board several years ago to discuss this project, there was some concern about the ability to potentially lease up these units because it is a fairly large project. At that time we went through a comprehensive market study that was actually reviewed by a third party market analysis for the Town. As a result of the study indicating and more importantly as real life has shown us, there is a demand and as soon as we have been able to obtain a C of O on the buildings, we have been filling them right up. It's been a pretty mixed demographic but a really great demographic. We have a lot of the young professionals we had hoped for. There is one of the attorneys who worked on this project who works with Woods, Oviatt actually lives in there. There is a couple professors and also a bunch of empty-nesters. Some 55 and 60 plus in there which we anticipated with a couple of families, but not too many. But certainly everyone who lives there is enjoying the project and we're hopeful that we can continue the success with Phase II.

Um, the particular phase, Phase II, is roughly 15 acres with 143 units which works out to just under 10 units per acre. If you go back and look through all of the historical documents when this PUD was originally established, the entire 100 acres shown on the left there, one of the things that was used was average density or a cluster 278 approach where the density was kind of brought into certain areas to preserve other areas further to the north. As part of the -- that process, back in 1995, the -- that overall 648 units was established. The way the math currently

works now, without going every single -- through every single detail of it was if the 143 units that we're speaking with you here tonight were to be approved, we would still fall short 190 units less than the original approval.

So basically no matter what happens, there is going to be far less units constructed in this 100-acre PUD than was originally anticipated.

Now the traffic improvements installed on Union Street with the turn lanes, all of the sewer and storm water upgrades, all that was installed with some of the earlier phases based on an assumption that the full build-out would ultimately occur.

But the way it turned out with the market and these developments, again, we'll fall well short of this. This piece here is pretty much the last development parcel within the PUD. So once we're done here, pretty much wrap up development within that parcel except for potentially just on the south side of where the road comes in there off Union, there is some acreage there that somebody may do something with in the future.

Other than that, all of the other lands up to the north on the other side of the road, on the north side of Union Square Boulevard is all wetlands and would be all forever preserved. So we're pretty much at it here. One of the things I wanted to point out with this particular phase is that it would tie into and serve as a Phase II and share a lot of the amenities that were constructed in Phase I, namely the Community Center, the pool and all of the things offered there. We are providing connectivity between the two.

Phase II, and the acreage, also allows us the opportunity to have a lot more green space and a lower density than was approved and constructed for the first phase. We're under ten units per acre. That first phase was over 11 units per acre.

By looking at the rendering, you can see we have a lot more opportunity for some larger programmed open spaces with some amenities that again would not only benefit the residents of this phase, but Phase I, as well, such as gazebos, gathering areas, dog parks, additional trails throughout the entire development. So we're pretty excited about our opportunity to do that and really kind of have each project share within the amenities of the other one.

The buildings would more or less be similar to what was constructed in Phase I. We haven't exactly finalized what the materials will be, but the idea is they would be similar in the sense you will have two-story dwellings each with nine units per building. There is a couple smaller buildings with only four. The majority of the residents would have their own private garage as shown in the rendering there or really the best way to get a feel is to drive-thru the project that has been completed, with a couple one-bedrooms here and there that wouldn't use surface parking instead of the garage. But again, it would be -- more or less be an extension of the same type of product.

I personally think the existing project looks very good, and it is an architecturally nice building. But, of course, should we move forward with this, which we absolutely plan to do, we would be subject to Architectural Review and that entire process with this Board. We are really in the infancy of it at this point.

With respect to the layout itself, we would be proposing a new curb cut off Union Square Boulevard. Because of some easements and utilities that run along Union Square Boulevard, the -- the first buildings as you move to the south, would actually be set back substantially further than the buildings are in Phase I. As you drive down Union Square Boulevard, you know, as close as those buildings are now, with the existing berm, if you imagine pushing those another 30 or 40 feet further south, that would be generally the appearance you get with Phase II, based on current layout. From there we have an internal traffic loop, not too unlike the first phase.

Again, we have a lot more room with a large open space we try to put together in the middle there. As you can see, we do propose a vehicular connection between the two phases. Somebody that lived all of the way in the southwest corner, you know, if we were having some inclement weather, which we often do obviously, they would have the ability to drive over to the Community Center without ever having to exit onto Union Square Boulevard.

Of course, as we move forward in the design, we continue to add more trails and tie all of the trails together. As you can see on the site plan, you can see how we have already programmed some of the trails and there would be sidewalks throughout and those sidewalks would tie into Phase I, so if you wanted to take a pretty lengthy walk, you could walk throughout the entire project.

Another thing I wanted to point out just because it became kind of an interesting dilemma, is similar to Phase I, we would be proposing some dumpster enclosures for those units. Because not all of the units have garages, we're not able to use totes. We actually had to come back before this Board at least once to talk about that.

We would be basically following a similar program here. The benefit is we went through all of the discussion determining kind of what the best dumpster enclosure would be in the first phase, so we could simply look to employ that again. With this phase, we have a lot more room to fit them in. It was a little difficult to fit some of them in in Phase I. Phase I was a little tighter, but certainly here we have a lot more opportunity to do that. Other than we have some open space requirements for the zoning district that we'll be, of course, complying with.

We'll again look to have some generous landscaping, not just foundation plantings, but street trees and also landscaped area in the courtyard area.

We provide parking in accordance with the zoning ordinance. Combination of covered parking in the garage and also surface parking scattered throughout the project. So in general, it's more or less more the same of Phase I, just with a little bit more elbow room and probably more importantly, largely represents the closure or conclusion of the original Union Square PUD

which was first established in 1995.

So with that, I would look for any questions or input. It is our plan to proceed with preliminary design through the spring, so we're pretty much here tonight to get this Board's thoughts so we can incorporate those design elements into the preliminary design before we make our full submission.

JOHN HELLABY: All rightly. Um, max building height 35 foot give or take, correct?

MR. SUDOL: Correct.

JOHN HELLABY: I see your setbacks are listed on the drawing. I'm assuming that the proposed front setback is not 70 inches but 70 feet.

MR. SUDOL: That's correct. I'm sorry.

JOHN HELLABY: And it should be noted that the 40 foot from driveway is actually 40 foot from the edge of pavement to the front of the building, correct?

MR. SUDOL: Correct.

JOHN HELLABY: Um, there is no more than 12 units per building in this zone, and it looks like you have got well under that.

Um, I -- have you met all of the minimum apartment sizes, I assume, for one-bedroom and two-bedroom? Are there any three-bedrooms in there?

MR. SUDOL: There's a couple three-bedrooms in each building. They have to meet the minimum sizes. The building design was actually changed, not necessarily during construction but just before construction on the first phase because we did have to provide some extra storage in these units. This particular area of the PUD has additional storage requirements for each unit to make sure you can put away bikes and things like that. So the building design that is reflected in Phase II takes into account all those upgrades.

JOHN HELLABY: These are private roads or dedicated?

MR. SUDOL: Correct. The roads and all of the utilities are all private.

JOHN HELLABY: The hammerheads for the Fire Department may not work as far as turnaround. You might want to just talk to the Fire Marshal and make sure he is happy, along with the hydrant placements, I would assume.

Bus stops within?

MR. SUDOL: Um, currently, not planned, but that is -- right now, I think the pickup is actually -- could be over at the Community Center. So we would to have talk to the School about possibly adding a second bus stop. That is certainly something worth vetting out in the next couple months.

JOHN HELLABY: Lighting district, assumed would you have streetlights?

MR. SUDOL: Yes. They would be private run off the house meter. They would not necessarily be a district.

JOHN HELLABY: As far as sidewalks, I see you have them basically centered and there is not a connecting sidewalk that ties down to Phase I. Is there a reason for that?

MR. SUDOL: No. Just, you know, probably an oversight at this point. It is our intention to tie it back together. One of the issues was just trying to be wary of the space between -- excuse me if I leave the microphone -- these two buildings.

So we might bring the sidewalk to here (indicating) and then kind of dead end it in the road so they can walk in this part. We just don't want people too close into these existing units.

JOHN HELLABY: I might also add there is a couple of electrical transformers there, as well.

MR. SUDOL: Right in that area.

JOHN HELLABY: Right in that area. So they might need relocating.

Drainage and -- drainage and calcs and all that, you know. Trash enclosures. Snow storage and removal?

MR. SUDOL: I'm just taking a note here. Yes, the snow storage would be provided. A lot of the green space areas. Again, we do have a lot more snow storage in this phase because we do have a lot more open space on the original phase. We'll make sure we identify those areas on the submission.

JOHN HELLABY: All right. And as far as landscaping, I'm sure Larry (Lazenby) will bring it up.

MATT EMENS: Just a couple things. I think you mentioned in your presentation, Jess (Sudol), you would connect the sidewalk between the two and it is obviously not shown. You already touched on that.

Just so I'm clear, the shortest driveway or parking area in Phase II is 40 feet?

MR. SUDOL: Yes. That's going to be the zoning requirement. One little caveat between -- the first phase falls completely within the PRD District and this is a -- for the most part, in the Multi-family Residential District which has a different set of criteria, including the driveway length, so we do have to have actually longer driveway lanes.

MATT EMENS: That's what I'm seeing because I know we run into that parking depth. It looks you had more of a challenge on Phase I than you will for Phase II.

The other thing, too, is obviously as the plan progresses, we'll see how those sidewalks all connect. Because obviously there is more detail to the Phase I as the design is complete. So we'll see more of those things I'm guessing in Phase II from the way you're talking tonight and I would say on the front elevation it looks nice.

I know you spoke about how Building 1 and Building 18 are further off the road than the -- the buildings in Phase I off Union Square Boulevard. I would still caution just -- the project team on making sure that those rear elevations are still as attractive as the front if not more

because those are fronting that street. And I'm interested to see how you're going to get your radii and connect Phase II and Phase I. I think you have a challenge there, getting that road into there.

MR. SUDOL: I don't disagree.

MATT EMENS: But other than that, I -- you know, I don't really have any other comments at this time.

JOHN NOWICKI: School buses, what about school buses? Will they come in and drive-thru the whole place or will have they have a pickup?

MR. SUDOL: Right now one of the pickup points they're talking about is using the existing Community Center. I think what we're talking to the District about is possibly having a secondary connection point into the development. A lot of times the school buses are hesitant to come on the private property except for one designated location so we may or may not get that second one, but that deserves some more research on our part.

JOHN NOWICKI: The other thing, is make sure there is enough dumpster locations.

MR. SUDOL: Yeah.

JOHN NOWICKI: At this point, I would assume that the traffic study initially took care of the Union Street entrance?

MR. SUDOL: Correct. All those turn lanes were installed based on the 648 ceiling which we're falling well below. All of the mitigation installed more than covers what we're proposing.

JOHN NOWICKI: The other question I have, is on the Union Square Boulevard, the streetlighting, is that activated?

MR. SUDOL: I don't -- if it was turned on, it was just recently. They just finished putting all of the fixtures in and I know they were wiring it about two weeks ago. So whether or not RG&E actually came in and turned the lights on --

JOHN NOWICKI: In place?

MR. SUDOL: Yes.

JOHN NOWICKI: Just waiting for the switch to go up?

MR. SUDOL: Yes.

JOHN NOWICKI: That's all I have for now. We'll see you later.

DAVID CROSS: I applaud you for the ten -- the density.

MR. SUDOL: 9.8 in this phase.

DAVID CROSS: Fits a lot better than the first phase. I think that's a better way to go. I would like to see a true pedestrian connect between the two phases, not dumping them on a road. I think a pedestrian interconnect is more important than a vehicular in this situation, but I will leave that up to the designer to figure that out.

Um, and I like where we're going with the -- with the number of units in the whole PRD being less than that 648. So I think it's going the right way, Jess (Sudol).

MR. SUDOL: All right. Thank you.

JOHN HELLABY: One other thing for myself is timing, issues. Where do you envision as far as getting through the approval process and actually starting this?

MR. SUDOL: Um, like I said, I think that, you know, we're planning on putting design plans and making a preliminary submission sometime in February so we would have a March meeting. I don't necessarily think we would get everything done in one meeting so then we're into April. By the time things went well, we would probably spend May tidying up all approvals working with the Town Engineer, so we're probably looking at an early summer start would be kind of the best case scenario.

JOHN HELLABY: Is this site somewhat balanced? I don't recall seeing any big dirt mounds.

MR. SUDOL: This site, as far as development sites go, this is almost as good as you can get. One thing I didn't say earlier was, it doesn't have wetlands, it doesn't have flood plains, it doesn't have steep slopes or woods. It is pretty much flat, but enough pitch for draining so we don't have to manufacture flow paths and things like that. So yes, it will balance. Probably have to take a little topsoil off, but we'll be in good shape.

PAUL WANZENRIED: How are you going to provide protection of the pond you have up front there, to the northeast corner of the new land?

MR. SUDOL: This point here?

PAUL WANZENRIED: That's correct.

MR. SUDOL: Um, one of the things we did is draw this concept plan before we did the survey. Then we did the survey and that's the high point. So that pond is going to go away.

PAUL WANZENRIED: That answers my question then.

JOHN NOWICKI: Going to go away.

PAUL WANZENRIED: If it goes away, then does that mean we're -- we'll be looking at a whole new configuration because you have to make up -- you're moving that pond somewhere else or making the pond in the back bigger? I mean, any thoughts off the cuff here on what your plan of attack might be?

MR. SUDOL: I think what we'll do is probably make the pond in the southwest corner bigger so we might have to shift some buildings around to make more space back there and massage that area. Or also you will end up with a series of dry swales and bioretention areas for green infrastructure that will have some of that quantity reduction to them, too.

PAUL WANZENRIED: I have nothing further.

MICHAEL HANSCOM: Um, with regards to the pond and stuff, one of the things that we're paying more attention to in this phase is making sure that you establish what the

groundwater table elevation is.

MR. SUDOL: Yes.

MR. HANSCOM: Trying to avoid the issues we're having in Phase I.

That's the primary thing I have other than as John brought up, trying to connect into the trail there and radius and I don't see how that going to be possible.

MR. SUDOL: The more I look at it, that will ultimately be an extra wide pedestrian connection with -- something with pavers or wide concrete sidewalk that could be used in an emergency situation but more or less used for peds.

MR. HANSCOM: That would make more sense.

MR. SUDOL: Yep.

MR. LAZENBY: Just a couple of comments. When you came in for Phase I, the Conservation Board pointed out and the Planning Board concurred with us, right along Union Boulevard, you put a good number of shrubberies, trees, plantings and things like that, because we pointed it out, that right directly across the street are the -- the DePaul Developmental Services and little bit further down is Westwood Commons, the assisted living building.

Hearing now especially that pond is not going to be there, could we get the same consideration -- the Conservation Board would like to see the same consideration of plantings of bushes and trees and stuff to act as somewhat of a visual barrier as well as a sound barrier, knowing that the residents of Westwood Commons and those DePaul Developmental Centers -- especially development centers, the sensitivity of everything they do, but especially Westwood should not have to look right straight across at that. You did a nice job with Phase I. We would like to see the same consideration for Phase II.

MR. SUDOL: Absolutely. In fact, I think Phase II might be a little better because we have more distance there that would allow us to make that berm even bigger. With these projects we're always trying to get rid of the topsoil because we have a lot of extra. That will be a good place for us to lose some of the additional topsoil. So instead of a 3 foot berm like we do in Phase I, maybe get up around 6 feet tall or something like that.

MR. LAZENBY: You have to remember that organization was there first. All of the residents and everybody else have grown used to -- I mean they for years have looked right across at a forever wild type of a situation, so, you know, that's going to be quite a change.

I'm glad you mentioned the topsoil, because we would also like to remind -- we have been reminding everybody, because it has been a concern that as you dig -- as you dig and start storing the topsoil, that we would like to see that same quality of topsoil returned for the lawns and for the planting beds around all of the units. What we have been seeing happening in some locations is the real good topsoil gets sold off, and the clayish areas is what gets put back on to the lawns and we won't want to see that happening. So please make sure there is enough topsoil. Refer to the codes. It is really good in the codes. So you don't have to come back and, you know, re-discuss the issue.

MR. SUDOL: Sounds good. Thank you.

JOHN HELLABY: Anything else from the Board? We're good.

MR. SUDOL: Thank you very much. Have a good evening. Good to see everybody.

2. Taouk Development- proposed 62 townhouse units to be known as Mayflower Estates at property located at 4201R Buffalo Road in R.M. zone.

John Sciarabba, Dan Thomas and Bob Winans were present to represent the application.

MR. SCIARABBA: Good evening, Mr. Chairman, members of the Board. My name is John Sciarabba with LandTech on behalf of Taouk Development and Mr. Dan Thomas, the owner, of Taouk Development can answer any questions I cannot.

Also with me tonight is the project engineer, Bob Winans. I will let Bob (Winans) answer all of the hard questions this evening.

So what we have before you this evening is a -- basically the last parcel of Mayflower Village project. And I know members of this Board may have a longer history than I do of this project, but I believe it is the last section that consists of around 21 acres and it has kind of a tragic path as -- as time went on.

So the land was owned by several people. It was in foreclosure. And as of two days ago, Taouk Development now owns this project. So this is not a speculative application. We are moving forward.

And our proposal to you tonight is a 62-unit private project consisting of 21 acres with a private drive with units for rent. These units, as we have shown -- and I believe we have a small rendering to pass out, they are single-story units, around 1300 square feet with two-car garages. And I will speak more to that -- to the units themselves in a few minutes.

But the property itself is unique. The -- the site is generally flat, but it has two large storm water ponds that were designed for the initial phase of Mayflower Village. Along our south line -- we have the County trunk sewer that runs along our south line east and west. And then the sewer that services Mayflower bisects this property running directly north towards Springflower Drive where the sewer is. There is also a spur that runs from our west to that -- to that main line running north and south, just -- just south of that existing west pond. And that's -- so that is unique to the property.

The other feature is that we have State-regulated wetlands along our south property line. We have had those wetlands delineated last year, and so they have also been surveyed, so as we

show that wetland and the wetland buffer, that's per survey and accurate.

The -- we also have access to public water via Springflower Drive, gas and electric from there, as well.

The storm sewer system, as I said, we have the two large ponds. We also are aware from talking to the Town staff that outlet structure that runs from the large pond on the east toward Brian Drive, there has been some issues with that. So we're hoping that this project will solve some problems for the Town as we move forward on that.

We have completed the survey, topographic survey. We have also taken care to survey the ponds, also the depth of the ponds so we can analyze the storm water events as required as we move forward.

But I keep going back to this property being unique. If you look at as these two fingers that extend into this site, I think it was the original intention of the project Mayflower Village that those were easements but over the task of time and this thing has moved, those were also transferred as real property. So it has had some significant impacts on the layout. The original layout proposed on this project probably never would have worked with those. But in my mind, they were easements as we're all familiar with, but the deed that transferred them transferred them as real property.

So that is one of our challenges we have had internally. We have had correspondence with the Mayflower HOA. We were scheduled to have a meeting with them last night, but were asked not to attend so they could have a private meeting and review our plan. We're hoping to give a presentation to them similar to what we're doing tonight. Why I bring that up, is they're property lines. So the setbacks, rear setbacks, front setbacks are an issue. So that unique configuration may require us to go for variances with the plan you see before you. But our goal would be to work with the HOA in a positive way and maybe ask them to transfer those real properties to us and create those easements to be rededicated to the Town. That's one of our goals.

But the project itself, we're proposing a private drive, extending from Springflower Drive. If you look at the plan, we have a snowplow turnaround. That will be provided for the Town, because we're not asking them to maintain the roads. They will have the ability to turn around right there. Then we'll have a maintenance building, possibly common area building south of that. That serves two purposes, a place for us for a maintenance building, vehicles and things like, but that will also serve as our spot for our backflow preventer. The private water main is going to come in here (indicating). They will be metered and back-flowed there and the rest of the services will be private from that point on.

As the road continues, you can see how we avoided the property line and we swing the road southerly as we go along the pond, and then we have taken -- had the ability to use both six-unit buildings and four-unit buildings and duplex buildings in order to accommodate the layout. And use the curves. I think we came up with a very pleasing layout with the configuration of the buildings.

We have also taken the time and put a -- somewhat of a cul-de-sac because we were aware of the Fire Marshal concerns and also issues with school buses and things like that. We'll probably have at least one school bus pickup probably associated with that long cul-de-sac area with the island.

And there are no sidewalks on Mayflower Village as the existing project, so we're not proposing any sidewalks in this layout, but we do want to have some passive recreation areas, so we want to have some trails associated with the pond. And we also have plenty of area with this open space layout for snow storage on either side of the roads, into the pond and possibly and things like that.

With the 21 acres and 62 lots, we're really at 3 units per acre, so this is kind of a not very dense project.

The -- the other thing I would like to point out for the Board is the units themselves, as I said, are single-family units at this time. We also talked a little bit about having possibly on the -- on the six-unit building having a two-story section, maybe the two center units, so future plans you may see that.

But what we're really looking for this evening is feedback regarding the layout. We're aware of the code requirements of 40 foot setback for the driveways from the -- from the street line. This plan currently shows 30. But if we get some relief from the Zoning Board regarding the unique property lines of the rear setbacks, we can work with that.

And I guess that is kind of a brief overall view of what we're doing. And I guess I would like to take any questions at this time.

JOHN HELLABY: Um, well, the property lines definitely pose a really strange issue here. I'm trying to comprehend why it covers some of the sewer system and not all of it, though? Do you know the reason behind that?

MR. SCIARABBA: I truly believe in my heart they were intended to be easements, and it's just that when things went to foreclosure, quitclaim deed had to be written. I actually talked to an attorney about it. He said the line types are the same as the property line so I think it was written that way. I'm not trying to fight City Hall. But the legal description in the deed is filed as the red line shows. So it baffles my mind.

It's -- it -- and actually, further -- to put a fly in the ointment, in this area, the deed, if you see this map, the deed actually goes down here (indicating) and doesn't even cover the sanitary sewer. So in theory, if I just head the deed, we could cut them off from their sewer. So -- so there are things that transpired, but I think this project will have the ability to clean up that issue. We're going to continue to work with the HOA and hoping they will work with us and that this

project can be more of an extension of their project and not something different.

JOHN HELLABY: You stated that these are apartments that are being rented?

MR. SCIARABBA: Correct.

JOHN HELLABY: Single-family type units, therefore, no HOA involvement, so --

MR. SCIARABBA: Nope.

JOHN HELLABY: So again, the maximum building height in this area is 35 foot setbacks. You did mention -- and I will be honest with you, I would like to see minimally that 40 foot drive in the front. Squeeze it down much more than that, and you're just asking for problems. So again, I would take a good close look at that and see what the Zoning Board wants to do. It is a strange situation.

Chances are the engineer will be looking for a report on the condition and the status of the existing storm water system, the sediment and -- and maintenance issues.

Um, who's going to actually maintain this system? Is this a private system that you guys will maintain?

MR. SCIARABBA: The green practices as we normally do projects now, we eventually give those easements to the Town to do that. So we're planning on maintaining the whole site privately, the road and all of the services and things like that. Storm water management facility, I guess we'll have to talk -- is a possible easement over that already. It's a property line now. Um, we have found through no title search an easement to the Town of Chili over the ponds, but there was a plan that showed the proposed easement. We have worked with Town staff trying to identify that -- that -- those issues and actually trying to get more information related to the project itself, but the file seems to be a little old and not much there.

So we'll continue to work with the Town, and going to your point about the sediment stuff, we did survey it and we'll be doing -- analyzing that and also doing the green practices as required for the new project.

JOHN HELLABY: Well, I'm sure the Town Engineer will be looking for the drainage designs and calcs and whatnot.

Can you speak to the lighting district?

MR. SCIARABBA: Um, can't speak to the lighting district, but we are proposing no lights. Again, we're trying to mirror the project to the north and there are no streetlights, only building-mounted sconces.

JOHN HELLABY: Really?

MR. SCIARABBA: Yes. I was shocked. I didn't drive by, but I looked on Google Earth. I was going to drive by tonight, but I didn't have time. But from my preliminary review --

JOHN HELLABY: I honestly -- I think if it is -- maybe minimally consider putting lighting in there, along with sidewalks, because I know sidewalks are a big, big issue with this Board. There -- you know, regardless -- you're saying they're sidewalks to nowhere, but it gives the occupants within that community a way to -- to connect and get around. So, I mean they're going -- they're going to be looking hard at that.

I would take the time to make an appointment to sit down with the Fire Marshal again on hydrant placements and this access road. The -- I'm not sure about the lengths and the turnarounds you got shown at the end, whether they will be happy with that. So -- and rather than get through your entire design and have us say the Fire Marshal isn't happy with it, you want to set up a meeting with them to discuss it. Parking, I see you have got parking shown there. Just make sure it is adequate.

Trash enclosures, I don't see anything. What are you planning on doing with that?

MR. SCIARABBA: There are two-car garages, so we're planning on totes.

JOHN HELLABY: Snow storage, we'll be interested on where you plan on putting all that and/or removal.

I think that's all I have right now.

MATT EMENS: Yes, I -- I would also kind of get back into the sidewalks. You know, I think they're not out there and you will not be able to connect anything, but internally it would still be nice. I like the trail idea. The question I guess I had was about the 100-foot buffer for the -- for the wetland. Can't build improvements in there but you can put a trail through there, can't you? A mulch trail?

MR. SCIARABBA: Probably a mulch trail.

MATT EMENS: So I'm wondering if maybe that trail could get a little more interesting.

MR. SCIARABBA: Yep.

MATT EMENS: Right. And then I -- I would go back to -- you obviously have the issue here we're going to try to clean up with the fingers here of -- which does create quite a few issues for you. And I -- I -- just -- I like the look of this, and I -- I like what you're trying do with the more organic, natural look, so I guess if your cul-de-sac by definition is more of a roundabout, but my concern is I think even the Fire Marshal will have a hard time with that, because if it was a traditional roundabout, I think you would get your radii to work, but cranking off and trying to turn that that far -- the one that -- is north up on the drawing? So that one that goes off to the east there, to -- to 55 through 60, I think they're going have a real hard time getting a -- the ladder around that and then turn back around, you know, making that first turn in there. I think it is going to be kind of challenging. But I -- I guess what I would say is don't run away from that idea. Just maybe work with them with the radius to see if you can make the work.

MR. SCIARABBA: Sounds like a great idea. You hit the nail on the head. Given the fact it is a private development, we can have a lot more flexibility that we can do that and stay with the Town Code, but I will work with the Fire Marshal on those issues and I look forward to that

meeting.

JOHN NOWICKI: I think the -- the other thing is the landscaping issues, meeting with the Conservation Board and get that squared away.

MR. SCIARABBA: Yep.

JOHN NOWICKI: I like all of the ideas that Matt (Emens) and Chair -- Vice Chairman brought up. So you have got some things to look at. Thank you.

DAVID CROSS: I will echo their concerns and just add a few more. I mean coming up Springflower of off Foxtail, are those -- some of those -- there are some single-family homes in there, John (Sciarabba), but there is also multi-family. Are those multi-family townhome -- owner-occupied?

MR. SCIARABBA: I believe they're owner-occupied in the HOA.

JOHN CROSS: That will probably be your resistance, why are you not putting owner-occupied here versus apartments. I prefer to see owner-occupied. I will leave it at that.

You got -- you have certainly a lot of issues to work with with the fingers and whatnot. That private lane, Daisy Lane creates a problem with there is a dead end so close to the parking spots. Somebody is going to cut-through there. It is going to need some sort of vegetation block.

And then, you know, sidewalks, yes, indeed. I do like the trail, you know, kind of this recreation thing around the pond, but mulch trail, you know, probably -- you know, I would say stone dust at a minimum. Asphalt would be preferred.

But I will leave it at that. I do like -- I mean, it does kind of mirror what -- what -- what the original phases were. So I -- so I do like that.

MR. SCIARABBA: Well, you hit on a couple of subjects I'm probably not the expert in. Dan (Thomas) is probably better, but I will give you a little more information.

As the conversation with the existing HOA has started, some of the things that are interesting is they have to accept -- we're already in. We're a property within the HOA. So one of the things, they don't really -- basically we open this up, we have to not only adhere to their rules, but they actually -- the maintenance and stuff they have to take on. One thing we thought was unique to help them was let us out of your HOA so you don't have to worry about us. I think we're the single owner. I think we have a good response here, someone who will always be there to maintain it.

If you're not familiar with Taouk Development, his projects are really good projects, a local guy. So I think -- so I think it's a good thing. We'll keep up to date on that.

I would like to talk a little more about sidewalks just so I have some good direction. Normally every guy like me stands up and says sidewalks to nowhere like the Chairman said. I don't want to fight you on that. I want to work with you. I mean, the sidewalks on one side of the road is something we can look at, things like that. I think sidewalks on one side are better than no sidewalks at all. In a perfect world, we would have on them on both sides. But I think if you do it down where you have like these -- the short roads that have them all on one side, put the sidewalk on that side so people haven't got to cross the street and then figure out as you cross these paths, put a striped crosswalk or something in there. It didn't have to be concrete.

DAVID CROSS: I'm okay with sidewalks on one side.

JOHN HELLABY: I mean as long as there is a way for these people to get around, because I would hope that they would get to know their neighbors and there was some sort of a sense of community there, that they could get to one another's houses and there is nothing worse than walking through snowy yards this time of year trying to get somewhere.

MR. SCIARABBA: I understand fully. Appreciate the more direction. That's great.

ERIC STOWE: Just concerns with the HOA and opting out and bylaws and all of that. Those are sometimes sticky. Wanting to see just the title going through these issues.

Did you say you were looking for the Town to take over storm water?

MR. SCIARABBA: Normally we do the SWPPP. At some point the storm water maintenance facility is dedeed to the Town. We'll explore that as we move forward. I don't know if the Town of Chili does that on other projects. Whatever the Town's standard is, we'll work with that. The ponds are existing.

MICHAEL HANSCOM: My understanding is since they are private ponds, the maintenance of them stays with the HOA. The Town requires an access easement around the ponds so that in case the HOA doesn't maintain them and there is an emergency situation, outfall structure or something, they can get in there and deal with that issue.

MR. SCIARABBA: Yep.

ERIC STOWE: My concern would be just with title.

MR. SCIARABBA: It's a very interesting title. So, you know, you have the red lines, which are, you know, 90 percent of the -- the deed courses and then they take off to that area that I described. And then I made a determination that the intent was there. But wholistically I feel the Mayflower Subdivision, those were originally easements.

It's hard, but we bought it as is, with that deed and with -- we definitely will show you that title. We'll keep the Town Attorney up to date on -- as we have our negotiations with the HOA.

ERIC STOWE: Those are my issues.

PAUL WANZENRIED: Did you say they were one-story?

MR. SCIARABBA: Correct. The current plan is one-story, but we did have conversations amongst ourselves maybe on the six-unit buildings we might offer two stories up and down on the internal units. And still not have any more units up there. Just two-story --

PAUL WANZENRIED: That the vast majority of them would be two-story, ranches on the end, interior being two-story. That is your plan of attack, with two-car garages?

MR. SCIARABBA: Correct.

PAUL WANZENRIED: Snow storage?

MR. SCIARABBA: I will identify that on future plans. I think we have a lot room to show where we can put that.

PAUL WANZENRIED: Um, and then the only other thing is again going back to the Fire Marshal, you're going to want to talk to him.

MICHAEL HANSCOM: Um, I'm just going to reiterate the turnarounds at the end of the road. The dimensions of the turnarounds need to meet what is in Appendix D of the New York State Fire Code, which is substantially larger than what you show on the plans. Um, couple of things to point out with regards to the proposed and existing storm water management ponds. Um, New York State storm water regulations require a 25 foot buffer from the high water level of the ponds to any pavement or buildings. Um, number of locations it was closer than that. Particularly with the proposed storm water management areas. One of the other things to take into consideration, particularly the existing ponds, because they're older, um, I'm going to be very interested in seeing the contours of the bottom of the ponds, because the ponds, if they don't meet the current safety requirements for ponds, you know, if -- a safety ledge and slopes of the interior slopes of the ponds, you may be required to fence some areas of the ponds to prevent -- and put signage up to prevent any kids and stuff from attempting to go swimming in the ponds for safety purposes.

Um, I know we talked about this at the DRC meeting one time. The one short road there that goes past Apartments 11 through 18, just -- I know you put that turnaround in there, I think, to try to address them both. Primarily the bus -- the bus turnaround, so the buses can come in there, that would probably be your planned location for a bus pickup, I'm assuming.

MR. SCIARABBA: Well, I think currently probably somewhere adjacent to the cul-de-sac area, but we can work on that. I understand the issues with the turnarounds and -- that you mentioned and the separation requirements.

MR. HANSCOM: Okay. I guess -- I guess that's it. I just mentioned one thing before maybe connecting that road into the Apartment 18, down to the one where Apartment 30 is, just provide that if you have that small traffic circle that doesn't work for you.

MR. SCIARABBA: If -- if we're fortunate enough to get those transferred to easements, um, I -- we would -- there would be a lot more adjustments. What you're looking at is a concept, you know, trying to do the best we can and we're hoping our negotiations with the HOA will be fruitful and give us some more flexibility in our design. That will help with the separation from the garages to the pavement. I understand your issues of separation for the storm water features and I know we can accommodate that. The as-built situation I can review with on our plans. The survey was complete prior to it being frozen. We actually had to chip through ice a little bit to get out there.

MICHAEL HANSCOM: Also, like I mentioned, to the prior applicant, um, one of the things we'll be looking for as part of the SWPPP is that accurately establish what the high groundwater table is in this area. We'll need to evaluate that with regards to your design of your storm water management issues.

MR. SCIARABBA: Yes, we haven't -- we haven't done the testing associated with the SWPPP yet. We have not finalized our locations, but I know that is part of it, the testing for that. So we'll be able to identify that in the future.

MICHAEL HANSCOM: I know we had the -- the wetland delineated recently. Did you get a concurrence letter from the DEC?

MR. SCIARABBA: I think we're waiting for that. It was really at the 11th -- November 15th, around there.

I think it was on here somewhere. It just happened, so we don't have it yet.

MICHAEL HANSCOM: Okay. When you get that, I would appreciate if you could send a copy of that to the Town. Thank you.

MR. LAZENBY: You heard my comments to the other developer regarding topsoil concerns we have?

Also, the issue of the hiking trails going into the 100-foot buffer area, where those hiking trails would be gravel or mulch or something like that would be better than blacktop, because our concern when we discussed it is that if you provided hiking trails back there and the nature of blacktop, it almost sends a message to the homeowners or the renters that they can put something else back there, as well. And there should not be anything back there within that 100 foot buffer at all.

So we don't want to send mixed messages to the people that are leasing regarding what is allowed within that 100 foot buffer. And you also mentioned that you would be coming back with landscape plans and stuff, because this is a rental area. It's going to be maintained by the landlord or whoever you want to call it, they're going to be maintaining it. So the landscape plans need be done by a licensed landscape architect. So we need to see plans drawn up by a licensed landscape architect, and the -- the landscaping needs to be as in the Town Code, 1 percent of the total cost of the project. So we don't see one flower planted for each building, or something like that, so, um, we need to that kind of information. The cost of the project, 1 percent for landscaping, and licensed landscaping architect.

MR. SCIARABBA: That's not a problem. And, you know, the fact that you don't want asphalt sidewalks and trails in the adjacent area, is kind of right consistent with us. We don't -- we don't need to get a permit from the DEC for work in that buffer area. We don't want to. I think the DEC may even require us to have additional signage or even fences along that buffer

area.

MR. LAZENBY: The reason I mentioned, when you look at units such as 44, 45, 62, 54, they're only a matter of probably 1520 feet off of the 100-foot buffer.

MR. SCIARABBA: Right.

MR. LAZENBY: So it's going to be attempting to store things in there, you know, back a boat in there or anything. I mean it's just -- you know, if -- if the hiking trails are there, the people with the soft drinks, the next thing you know, you have stuff thrown all over the place. We value the buffer area.

MR. SCIARABBA: I understand all of the points. And I think that in this case, I think it's nice, I think the DEC would agree, you have one owner, with point of contact that can actually give Mr. Thomas a call and yell at him.

MR. LAZENBY: We're trying to keep -- one thing in the minutes of the Conservation Board from last night, is that the overhead map that you submitted, we -- we discussed it last night and it is probably in all of the years that we have been doing this one of the best depictions of a project that we have seen in many, many years with the 100-foot buffer delineated, with the wetland delineated. It was just so easy to see where concerns could lie and where discussion points needed to be made. One of the best we have seen in a long time.

MR. SCIARABBA: I appreciate that very much. That's to Bob (Winans)'s credit.

JOHN HELLABY: Any other questions or concerns from the Board?

With that, just make sure you meet with the Conservation Board, get their approval prior to returning here so the one step is hopefully out of the way.

MR. SCIARABBA: Is there a formal application process for the Conservation Board?

JOHN HELLABY: I don't know how that works.

MR. LAZENBY: Right through --

PAUL WANZENRIED: Building Department. Talk to Kathy (Reed).

MR. SCIARABBA: I really appreciate your comments and it definitely gives us some tools to work on. We look forward to coming before you with preliminary plans. Conservation Board, Fire Marshal, sidewalk issues will be addressed next time I see you.

JOHN HELLABY: And lighting district. Like I said, even if it is minimal. I mean, it's a sense of security for people.

MR. SCIARABBA: I'm envisioning, since you said, maybe pedestal lights along the sidewalks or things like that.

JOHN HELLABY: Think about it.

MR. SCIARABBA: Great.

PAUL WANZENRIED: Do you want him to go before the AAC?

JOHN HELLABY: Oh, yeah. I didn't jot it down. I think it would be a good idea. You take -- that's another thing you get through the Building Department, is set up a meeting with them so they can approve your building configuration -- or design, I should say.

MR. SCIARABBA: Yeah. I don't want to leave them out, but we're still working on that.

JOHN HELLABY: I understand that. I understand that. But as soon as you get something, make it a point to get with them just to get some feedback from them so it doesn't look like a bunch of Army barracks over there. That's all.

MR. SCIARABBA: We don't want to do that. I think we have some good information. I think that I don't see any show-stoppers tonight. I'm hoping we can meet with the HOA and have a very good conversation with them and I don't want to give them any perception that they're stopping this project, but it would be nice if we're working together and not against each other.

PAUL WANZENRIED: Do you have a timeline?

MR. SCIARABBA: We were supposed to be there tonight. Now we'll have to figure out if next month we can meet with them.

PAUL WANZENRIED: Timeline for construction or start, John (Sciarabba)?

MR. SCIARABBA: I would say at the fastest, this fall would be -- it would be a pretty aggressive schedule, you know, that would -- that would be the quickest.

PAUL WANZENRIED: Thank you.

JOHN HELLABY: Good. Thank you, sir.

I will hold onto the meeting minutes until next week because I just got them and have not looked at them.

The meeting ended at 8 p.m.