

PLANNING BOARD

August 13, 2019

A meeting of the Chili Planning Board was held on August 13, 2019 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Chairperson Michael Nyhan.

Chairperson Michael Nyhan declared this to be a legally constituted meeting of the Chili the meeting's procedures and introduced the Board and front announced the fire safety exits.

LEO McKINNEY, SITE PLAN APPROVAL AND MODIFICATION OF SPECIAL USE PERMI

MOBIL MART BUFFALO ROAD, INC., SITE PLAN APPROVAL PUBLIC HEARING

WEGMANS FOOD MARKETS SITE PLAN APPROVAL PUBLIC HEARING

Transcript of the Public Hearings held at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624, on August 13, 2019, at 7:00 p.m.

CHAIRPERSON: Michael Nyhan

MEMBERS: Paul Bloser, Matt Emens, Glenn Hyde, John Hellaby

EXCUSED: David Cross, Ron Richmond

TOWN COUNSEL: Eric Stowe, Assistant Town Counsel, ALSO PRESENT: Michael Hanscom, Town Engineering Representative, Paul Wanzenried, Building Department Manager

REPORTED BY: Doreen Sharick, Court Reporter, FORBES COURT REPORTING SERVICES LL, 21 Woodcrest Drive, Batavia, New York 14020

CHAIRPERSON NYHAN: Okay. I'll call this meeting to order. This is a legally constituted meeting of the Town of Chili Planning Board. Legal Notice of this meeting has been posted in the Gates Chili News and on the bulletin board in the front vestibule of the town hall. Please silence and turn off all cell phones and pagers. Please stand for the Pledge of Allegiance. (Pledge of Allegiance was said.) In the event of an emergency, please use the exits in the front and the rear of the room. We'll proceed with the agenda in the order it was published. When called, please proceed to the podium, state your name and if you're

representing an applicant, indicate the applicant's name and review the details of the application. Planning Board members and side-table participants will address questions and concerns to the applicant or their representative. Upon completion of the comments from the Board and the side table, anyone wishing to comment on the application will be heard. If you wish to speak, please wait to be recognized by the Chairperson, stand, state your name and address for the record. Address all comments and questions to the Chairperson and keep comments pertinent to the application being heard. I will now introduce the Board Members. To my far left, Ron Richmond has been excused. We have Matt Emens, Al Hellaby, I'm Mike Nyhan, Glenn Hyde, David Cross has been excused, and Paul Bloser. At our side table we have Assistant Town Counsel Eric Stowe; our Building Department Manager Paul Wanzenried; our Town Engineer Mike Hanscom and our recording secretary tonight is Doreen Sharick. Our first application is Old Business.

It's the Application of Leo McKinney, owner, of 513 Whittier Road, Spencerport, New York 14559, for a revised site plan approval. The modifications of a special use permit granted on 9/11 of '18. Application -- or Applicant requests to allow up to 17 vehicles be parked on the property. Eight previously approved at property located at 4210 Buffalo Road in an N.B. Zone. MR. MCKINNEY: Leo McKinney representing the McKinney Family properties located at 4210 Buffalo Road. Good evening, everyone. I met with Larry from the Conservation Board. Done some planting since last time we were here. Striped the parking lot. Did some painting over there. Addressed all the problems that were held to us to address and I think we've got everything looking pretty good over there right at the moment.

CHAIRPERSON NYHAN: Okay. So did they -- Larry at the last meeting recommended some plantings. You've completed all those plantings, is that correct?

MR. MCKINNEY: Yes, sir.

CHAIRPERSON NYHAN: All right. And we do have some photos here that were taken today, this morning, I believe from the Building Department. There's a couple photos that they have indicating a look at the property at this point. And improvements were made as well as the striping on the parking lot and the plantings were completed. So this Applicant before -- the Applicant had requested this to be tabled so that these issues could be addressed. And then requested to be back here within 90 days. That was in May. We didn't have a meeting last month. During that time as mentioned, he did meet with the Conservation Board to go over and make recommendations. Paul verified the plantings have all been completed. The other one was to remove tires, trash and containers in view of the property, which has been completed as well as the parking lot to be cleaned and striped to delineate approved parking spaces. I did go visit the property and I did see each of these items had been addressed. Any other discussion or questions of the Applicant from the Board?

JOHN HELLABY: Okay. I've got one quick thing, now, that all these improvements have been made, who will be responsible to police this, to make sure that we don't end up with the same problems three months from now?

MR. MCKINNEY: Well, probably myself.

JOHN HELLABY: All right. That's all I've got.

CHAIRPERSON NYHAN: All right. Are you the owner and the owner of the station and the property or just the station?

MR. MCKINNEY: I'm not really the owner myself. It's in McKinney families' properties.

CHAIRPERSON NYHAN: Okay.

MR. MCKINNEY: We have a few owners.

CHAIRPERSON NYHAN: Okay. You work there day to day, is that correct?

MR. MCKINNEY: No, I don't.

CHAIRPERSON NYHAN: Okay. Who does?

MR. MCKINNEY: Rob Howell.

CHAIRPERSON NYHAN: Okay.

MR. MCKINNEY: Our tenant.

CHAIRPERSON NYHAN: Okay. You'll work with him to make sure the property stays in a condition that it's in now actually?

MR. MCKINNEY: To the best I can, yes, sir.

CHAIRPERSON NYHAN: Any other discussion or questions? All right. We have conditions of approval. So where we ended up is we had a public hearing. We closed that public hearing. Next step is for a SEQR. So I'll make a motion to declare the Board lead agency as part of SEQR and based on evidence and information presented at this meeting, determine the applicant to be an unlisted action with no significant environmental impact. I have a second?

JOHN HELLABY: Second.

CHAIRPERSON NYHAN: All second.

MATT EMENS: Yes.

JOHN HELLABY: Yes.

GLENN HYDE: Yes.

PAUL BLOSER: Yes.

CHAIRPERSON NYHAN: I also vote yes. The conditions, we'll have some of the standard conditions that we have for any place of business as far as outdoor sales. So right now, the conditions of approval that I have, are all conditions imposed by this Board are still pertinent to the applicant -- to the application remaining in effect subject to Town of Chili Court vacating the previous order from 4/15 of 1999, removal of tires, trash and containers from view of the property. No outdoor storage of tires, containers, petroleum products or parts for sale. Any other conditions? That covers it. Okay. For all then, I'll make a motion for the application, McKinney owner, 513 Whittier Road, Spencerport, New York 14559, for revised site plan approval and modifications and special use permit granted on 9/11/18. Applicant requests to allow up to 17 vehicles to be parked on the property. Eight previously approved. The property located at 4210 Buffalo Road, in an N.B. zone with the stated applications and this is the revision of final and the site special use permit that was granted. Do I have a second?

JOHN HELLABY: Second.

MATT EMENS: Yes.

JOHN HELLABY: Yes.

GLENN HYDE: Yes.

PAUL BLOSER: Yes.

CHAIRPERSON NYHAN: I also vote yes. Thank you, sir. This has been approved.

MR. MCKINNEY: Thank you.

CHAIRPERSON NYHAN: You're welcome.

UNIDENTIFIED SPEAKER: Sir, you just approved it without public input?

CHAIRPERSON NYHAN: We had a public hearing already, ma'am, at the last meeting. It was open and closed. This was old business. It wasn't a public hearing.

UNIDENTIFIED SPEAKER: Oh, sir, I beg to be heard.

CHAIRPERSON NYHAN: No, ma'am. I'm sorry. This is not a public hearing and we're not going to be hearing it. The Application's been approved. It's now closed.

UNIDENTIFIED SPEAKER: Do you believe this?

CHAIRPERSON NYHAN: For public hearings, Application of the Mobil Mart, Buffalo Road, Inc., owner, 2371 Spencerport Road, Spencerport, New York 14559, for preliminary site plan approval to allow facade renovations of property located at 3774 Chili Avenue in a G.B. Zone.

UNIDENTIFIED SPEAKER: The statement I would have made, you have not addressed two of the points.

CHAIRPERSON NYHAN: Thank you.

(Unidentified speaker exited.)

TOM FROMBERGER: Good evening. Tom Fromberger, from MRB Group, representing Mobil Mart Buffalo Incorporated, who is with me tonight. Our application is, as you can see, we met with you back in May. We are going through an update to the facility. The image on the left shows both the existing facade with the proposed improvements. It includes adjusting the signage, reducing the size actually for the signage on the building. Re-skinning the canopy to the Sunoco brand as well as updating the pre-standing sign. As part of our package, we learned that -- that the pre-standing sign constructed by others previously to their ownership, was actually out of compliance with the zoning. We met with the Zoning Board in July and received approval. We did make a change to the signage, which includes re-branding it with a Sunoco brand arrow on the top. The colors selection, I brought those with me, are two. I can pass those along. Give you a description of the color pattern. The darker color will be applied to the columns here, as well as the top banding and then the lighter color, which is the colors of -- darker color is Oxford Street by Behr and the lighter color is Riverside Sand. Riverside Sand would incorporate areas around the sign as well as at the bottom.

CHAIRPERSON NYHAN: These colors in concert with the rock station on Buffalo --

TOM FROMBERGER: No, they are --

CHAIRPERSON NYHAN: They are visually different?

TOM FROMBERGER: They are different. The one over on Buffalo are more of a gray.

CHAIRPERSON NYHAN: Okay.

TOM FROMBERGER: We did receive the town engineer comments and I can go through those. We can provide a dumpster installation detail. I did bring one with me. They are proposing a chain link fence with slats to match the building. We're relocating the dumpster. It's currently on the west side of the building in the top left corner. We are going to move it around to the right side away from the public view of that intersection. As part of our site improvements, we are also getting rid of an existing pump. It was kerosene I believe up at the left corner as well. So it will remain as three pumps. Provide parking striping detail and ADA accessible parking pavement details. We can definitely add those to our plan. Provide installation details with the new ADA accessible parking -- parking signs. We will provide that as well. Number four is in regard to parking spaces, which indicates that we do have enough parking. And parking we're showing is up in the top right corner, which it currently exists today. We would recommend that the detail plans for removing and replacement of existing fuel pumps and their associated supply piping. The pumps be provided to the Chili Building Department Fire Marshal. We will provide that package to them for review. In regard to number six, the SEQR form, I believe we included a plan for our department, but we will also include the Building Department on there. And number seven, this should not be considered incomplete, but we understand that there may be the Town Engineer as well as DPW staff. That concludes my presentation.

CHAIRPERSON NYHAN: So this is a renovation if you will of the entire plaza, the signs in front as well as the canopy and the store front for the fuel?

TOM FROMBERGER: That is correct.

CHAIRPERSON NYHAN: Converted to Sunoco. And are those digital signs?

TOM FROMBERGER: They are digital, the signs.

CHAIRPERSON NYHAN: Okay. Matt, any questions?

MATT EMENS: Yeah, I'll go the architecture since it sounds like the engineering comments are minor. So you provided the colors. You talked a little bit about the two different -- where the two different colors will go on the field. But I just want to make sure I understand it, so this -- you're covering the whole thing with new EIFS?

TOM FROMBERGER: New EIFS across the entire front.

MATT EMENS: Okay. So that's what -- you said across the entire front. What about the sides?

TOM FROMBERGER: And the side as well. So right now, this is an overhang. This will be removed. And it goes around the side that will come off. This will become new EIFS on both sides of the building, which would be the side facing Union Street and Chili. The side opposite I believe will just become painted brick on that side.

MATT EMENS: Okay. I guess my only -- my only thought would be is, I like how you've broken up the facade as opposed to being one long facade as it currently is, but it may be a little too broken up. It's like those columns I think that you've got in between the two signage fields.

TOM FROMBERGER: Yup.

MATT EMENS: I think if you were to make that one, yeah, so if you were to eliminate that and connect those, because right now, I think it makes sense for the way the tenant spaces were used --

TOM FROMBERGER: Yeah.

MATT EMENS: -- By the signs, but I think in the future, if it was divided up differently or if you had one in a larger space, it would be hard to put one sign up over the entry. So I'm just wondering if it makes sense -- it just seems the proportion is little bit off. We went from extreme to maybe the next.

TOM FROMBERGER: I understand where you're coming from. Right now, you know, it's kind of undefined where their spaces are, whether door or entry. I think their goal is really to have four tenants here as a permanent feature as opposed to just two tenants. I don't know if --

CHAIRPERSON NYHAN: What are the size of each of those? They look like they are equal size. Is that accurate?

TOM FROMBERGER: Yes, yup.

CHAIRPERSON NYHAN: So how -- what's the size? How large are they? Do you know?

TOM FROMBERGER: The size of the sign is 3x12. So probably, you know, maybe another four foot -- feet.

CHAIRPERSON NYHAN: Each of those are 16 foot?

TOM FROMBERGER: 16, yeah.

CHAIRPERSON NYHAN: Okay.

MATT EMENS: And obviously, we're at a bit of a disadvantage here with just 2D, you know, one elevation.

TOM FROMBERGER: We would wrap the EIFS around the side in a continuation of this post. I envision, basically, a post on this side and a post on this side. We could also include the top similar bump up on this portion, but not have any signage proposed.

MATT EMENS: Okay. Because I'm just -- the way it's graphically depicted, once again, you've taken the front overhang off, right? So I'm just trying to figure out what's -- I can make assumptions, but it's hard to tell what's crowd of what in this. So I just -- so if you're going to do it, you guys are going to spend the money on this. I want to make sure that it's -- I understand everybody.

TOM FROMBERGER: This would bump out approximately four inches, four to six inches.

MATT EMENS: Okay.

TOM FROMBERGER: And then this would be recessed in this portion and again, this would bump back out, the same plane.

MATT EMENS: Okay.

TOM FROMBERGER: And these would slope out towards you and then back in. And this plane would be similar to around the sides here and then again, repeat that pattern, bump out, bump back.

MATT EMENS: Yeah.

TOM FROMBERGER: Bump out again.

MATT EMENS: I think that's it for now.

CHAIRPERSON NYHAN: Would it make sense just to just wrap the two? You know how the front is, right here, you have -- it ends right there and then there's just a brick wall. Would be the east side. What does it take just to wrap that and go back with a four foot piece? Each of those pieces is four feet? So that corner is completed and then end it there.

TOM FROMBERGER: So wrap both corners --

CHAIRPERSON NYHAN: Right.

TOM FROMBERGER: -- Around. I think this side would make sense to --

CHAIRPERSON NYHAN: Right.

TOM FROMBERGER: -- Clean that up.

CHAIRPERSON NYHAN: Right.

TOM FROMBERGER: The side is just kind of wrapped. We would do that with the column.

CHAIRPERSON NYHAN: Right.

TOM FROMBERGER: Basically, take the column around the corner.

CHAIRPERSON NYHAN: That's what I was getting at. Okay. I still think that your signs over the entrances will achieve what you're trying to achieve. I think the proportion to a scale standpoint connecting those would be the way to go, but you guys can talk about it.

TOM FROMBERGER: So they are talking about, basically, keeping this outside perimeter, come across and then drop down and so this would be removed and this would be a long banner. You still keep the individual signs over the spaces.

MR. RAZAK: Okay. We can do that, sure. That's fine.

TOM FROMBERGER: And then we're talking about, again, wrapping the column around which we talked about before, doing that here and then this would be block and then on this side, you'd have a column and a column and then this section would have the same bump up piece to it.

MR. RAZAK: Small one. Yeah, we can do that.

CHAIRPERSON NYHAN: Okay.

MR. RAZAK: Just to make a border.

CHAIRPERSON NYHAN: Thank you.

MATT EMENS: All right. And then it says on your drawing, that you're going to repave and re-stripe, so are you just doing a top coat or what are you doing?

TOM FROMBERGER: Top coat, yeah.

MATT EMENS: Okay.

TOM FROMBERGER: The concrete under the canopy is kind of broken up in sections so as part of the redoing the fuel lines, that will get replaced.

MATT EMENS: Okay. That's all I've got right now for you.

JOHN HELLABY: Curiosity question, if memory serves me right, this has been on the books for quite awhile now. There hasn't been a whole lot of activity going over on there.

TOM FROMBERGER: It's true. There have been some issues with the contractor and getting that mobilized, but as you can see with us here tonight, we are active and we've presented a full package to you guys.

JOHN HELLABY: Have you got a thought as to completion, when you think this thing will be in its final stages?

TOM FROMBERGER: So our first phase and priority is to get the canopy and free standing sign up and then get the business open because it has been closed longer than they anticipated.

JOHN HELLABY: Right.

TOM FROMBERGER: But before -- you know, the first part of spring is when this full construction for the exterior will begin.

JOHN HELLABY: All right. So you're possibly running into the middle of next year before your wrapped up?

TOM FROMBERGER: Yeah, just based on the weather and winter conditions coming up, we don't necessarily want to open up the exterior of the building.

JOHN HELLABY: If memory serves me right, it took a quite a while on --

TOM FROMBERGER: That also had the same construction issue, contractor issues.

JOHN HELLABY: That's all I've got.

CHAIRPERSON NYHAN: Is there a landscape plan for this or any plans for landscaping at all, changes in anything?

TOM FROMBERGER: At this time, we don't have any formal plans for landscaping. I know the owner does, you know, wants to make some improvements as they go through the process.

CHAIRPERSON NYHAN: There is a requirement of the Town of either one percent of the total cost of the project to be donated to the Town's Tree Planting Fund if you don't do landscaping on the property. So I would probably think you'd want to do a landscaping plan. You can submit that to the Building Department so they could have it reviewed. Make it part of your plan.

TOM FROMBERGER: I'd be glad to do that.

CHAIRPERSON NYHAN: All right. Any questions again? No questions. The side table, Eric and --

PAUL WANZENRIED: With regards to that landscaping -- we'll probably end up sending them to the Conservation Board just so you're aware.

CHAIRPERSON NYHAN: All right.

PAUL WANZENRIED: As soon as they have it developed, they can submit it to us, but we're in turn going to send them a copy.

CHAIRPERSON NYHAN: Just submit it directly to the Conservation Department.

TOM FROMBERGER: I understand.

CHAIRPERSON NYHAN: Thank you. Anything else? Mike, any comments or questions?

MIKE HANSCOM: Curious if the existing fuel tanks are going to stay in use?

MR. RAZAK: Yes.

TOM FROMBERGER: Correct.

MIKE HANSCOM: You'd be replacing the underground piping that goes from the tanks to the pumps?

TOM FROMBERGER: Primarily, the piping for the fuel islands.

MIKE HANSCOM: Okay. I mean once he's -- they're going to replace them all the way back to the tanks?

MR. RAZAK: The tanks and the underground piping is all set -- all set to go, sir. All we changing the pumps and these are the old pumps. Just replacing the pumps. Everything else is the same.

CHAIRPERSON NYHAN: Sir, could you state your name, please?

MR. RAZAK: Yes, sir. My name is Razak, R-A-Z-A-K. And I'm representing the property --

CHAIRPERSON NYHAN: Okay.

MR. RAZAK: -- Canopy and all that. The only thing we're changing over there is just the pumps.

CHAIRPERSON NYHAN: Okay.

MR. RAZAK: Thank you.

CHAIRPERSON NYHAN: Thank you.

PAUL WANZENRIED: I have got one more question. The dumpster enclosure is going to the east facade. There is a large exhaust fan, which I believe the pizzeria uses.

TOM FROMBERGER: Correct.

PAUL WANZENRIED: And the elevation rises there, too. How is that going impact -- are you going to be beyond it? How are you going to play with that at the top?

TOM FROMBERGER: The pizza exhaust is right in this location. We will be outside of that dumpster enclosure. We will not impact the hood from it.

PAUL WANZENRIED: Okay.

CHAIRPERSON NYHAN: Paul, do you know for the signs I believe they are multiple colors, does this have to go in front of the zoning board?

PAUL WANZENRIED: They've been.

CHAIRPERSON NYHAN: They've already been?

PAUL WANZENRIED: Yes, they were there last month.

CHAIRPERSON NYHAN: Okay. Thank you. At this time I'll open the Public Hearing. Any comments or questions from the audience? Seeing none, I'll make a motion to close the Public Hearing?

JOHN HELLABY: Second.

MATT EMENS: Yes.

JOHN HELLABY: Yes.

GLENN HYDE: Yes.

PAUL BLOSER: Yes.

CHAIRPERSON NYHAN: I also vote yes. Any further discussion? Any other comments or concerns? I do have is a question on your SEQR form. You marked there will be no other permits required. If you're going to be removing pumps, I believe there will be -- permits will be required for that, is that correct?

TOM FROMBERGER: That is correct from the Building Department.

CHAIRPERSON NYHAN: As our SEQR goes, I make a motion to declare the Board lead agency as far as SEQR and based on evidence and information presented at this meeting, determine the application to be an unlisted action with no significant environmental impact. We have a second?

JOHN HELLABY: Second.

MATT EMENS: Yes.

JOHN HELLABY: Yes.

GLENN HYDE: Yes.

PAUL BLOSER: Yes.

CHAIRPERSON NYHAN: I also vote yes. Conditions. So for conditions, I have 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. Approval is subject to final approval by the Town Engineer and the Commissioner of Public Works. The Town Engineer and Commissioner of Public Works should be given copies of any correspondence with other approving agencies. The Applicant shall comply with all pertinent Monroe County Development Review Committee comments. Building permit should not be issued prior to the applicant complying with all conditions. Application is subject to all required permits, inspections and code compliance regulations. Applicant to comply with all required life safety condition and permits from the Town Fire Marshall. Any signage changes shall comply with the Town Code including obtaining sign permits and no outdoor display or sale of merchandise. Any other conditions of approval?

JOHN HELLABY: We.

CHAIRPERSON NYHAN: Anything, Paul, from you or from the side panel for conditions?

PAUL WANZENRIED: No outdoor sales or storage?

JOHN HELLABY: Yes, we've got that.

CHAIRPERSON NYHAN: So it's no outdoor displays, storage or sale of merchandise. Okay. Any other conditions? Make a motion, application of Mobil Mart, Buffalo Road, Inc., owner, 2371 Spencerport Road, Spencerport, New York 14559, for preliminary site plan approval. This is the waiver of final, Paul, is paid for?

PAUL WANZENRIED: Yes.

CHAIRPERSON NYHAN: With the waiver of final to allow facade renovations at property located at 3774 Chili Avenue in the G.B. Zone.

JOHN HELLABY: Second.

MATT EMENS: Yes.

JOHN HELLABY: Yes.

GLENN HYDE: Yes.

PAUL BLOSER: Yes.

CHAIRPERSON NYHAN: I also vote yes.

TOM FROMBERGER: Thank you, guys.

CHAIRPERSON NYHAN: You're welcome.

MR. RAZAK: Thank you, sir.

CHAIRPERSON NYHAN: You're welcome. Thank you.

A location of Wegmans Food Markets owner, P. O. Box 30844, Rochester, New York 14603, preliminary site plan approval for a road staging area and trailer storage area per plan submitted for property located at 249 Fishing Road in G.I. Zone.

MR. HELLABY: Mr. Chairman, I will excuse myself from this application as I was employed by Wegmans Construction Division for 30 years and my three kids all work for Wegmans now.

CHAIRPERSON NYHAN: Okay. Thank you. (Mr. Hellaby excused from the Board.)

MS. PIATKOWSKI: Good evening, I am Caitlin Piatkowski and I work in the Site Development Group of Wegmans Food Markets and I've brought with me our civil engineer, Garth Winterkorn of Costich Engineering. So as part of our application, our Distribution Center is asking for some parking for our over the road truckers as they get to the site earlier than their scheduled time is and since we are quite scheduled and full with 300 stores that we have, they are turned away from our gate and are forced to find parking elsewhere around town and/or the parking lot at the thruway exit. So this is to allow them parking close by so that when we have time available for them or when their scheduled time comes up, they are onsite and ready to load or unload. So this lot -- actually, I'll turn this around, so just for reference, so we're -- the Market Street Campus, our offices are right here. This is our frozen facility and our buildings as is. So we are proposing this right here. So this is Jet View Drive all the way across and then Chili is up here. So this is pretty much going in this section of our property. So that is this lot. And then the tractor trailer storage that we have is currently already in our lot, but this is stone at this point in time and we just want to pave it so.

CHAIRPERSON NYHAN: So does this lot already exist and you're paving it or you're extending it?

MS. PIATKOWSKI: This does not exist. So the large portion does not exist. Just the -- just this small section exists.

CHAIRPERSON NYHAN: Okay.

MS. PIATKOWSKI: And it's stoned right now. So we just want to pave this piece of it and then this portion would be new paved and then we're allowing for future expansion if they so need it. So that is the whole project there. And so it's, basically, just to provide parking for our tractor trailer drivers.

CHAIRPERSON NYHAN: So a staging area then, when your time comes up to get to the warehouse, they just drive over to the warehouse and then they leave the complex.

MS. PIATKOWSKI: Yes, exactly.

CHAIRPERSON NYHAN: Any questions,

Matt?

MATT EMENS: So I see that phase one is the existing area now that you've kind of explained that. Is there any other reason they're broken into phases?

MS. PIATKOWSKI: Just as far as budgeting from an internal standpoint, depending on what we had budgeted for this year, next year, whenever, they were going to do portions of it as it was approved.

MATT EMENS: Okay. And then the remainder of it, you're just saying you're leaving it so that you could pave it? You're looking for approval on the whole --

MS. PIATKOWSKI: Correct.

MATT EMENS: All phase 1, 1A, phase 2 and phase 2A, correct? I don't have any questions at this time

CHAIRPERSON NYHAN: Okay. You received the engineers comments, correct? And you're able to comply with each of those?

MS. PIATKOWSKI: Yes, we did make our response to all of those.

CHAIRPERSON NYHAN: We have a list of responses. You don't need to read them all.

MS. PIATKOWSKI: Yeah, I know there's many.

CHAIRPERSON NYHAN: You looked at them and you're satisfied -- you need to satisfy the requests and the requirements. Currently, where all the tractor trailers are, are not Wegmans tractor trailers. The current lot is stoned. Is that the same thing as a staging area? They'll bring a trailer in, drop it off and leave and then somebody else comes in and moves it to the warehouse?

MS. PIATKOWSKI: So those trailers are empty. Well, yes, so in that point there, unless scheduled so as the spot comes available, then they move the empty trailers into the loading dock. But the parking lot is more so for the over the road truckers for our vendors, not necessarily Wegmans tractor trailers.

CHAIRPERSON NYHAN: Okay. No further questions.

GLENN HYDE: No questions.

CHAIRPERSON NYHAN: No questions.

Paul?

PAUL BLOSER: Just one. Are they going to be sitting there with the motors running?

MS. PIATKOWSKI: Yes, but we will go with any stipulations that you may need.

PAUL BLOSER: How close to where the neighbors are and will that be a noise issue?

MS. PIATKOWSKI: So the closest neighbors -- well, at least from our lot to Jet View Drive is 750 feet.

PAUL BLOSER: Distance.

CHAIRPERSON NYHAN: So the distance to Jet View Drive is 750?

MS. PIATKOWSKI: Yeah.

CHAIRPERSON NYHAN: And then from Jet View Drive, we have the berm, the trees and then the neighbors?

MS. PIATKOWSKI: Yes.

PAUL BLOSER: I'm more concerned about the noise pollution. The trucks that are sitting there for hours idling. We've had complaints where they have to go some place else and sit and wait and then neighbors complain there is the truck in the plaza parking lot. Okay.

CHAIRPERSON NYHAN: Paul?

PAUL WANZENRIED: There's no entrance off of Jet, this is through your gated area?

MS. PIATKOWSKI: Correct, they would have to come through our security. It's not open to public use at all.

PAUL WANZENRIED: Are you doing a construction entrance from Jet View?

MS. PIATKOWSKI: So potentially, yes. For this piece of it just to get them in and out faster, but they would still get approved by our security folks to have that entrance open and we would have one of our asset protection people sit at the gate. So it's not anything that would be a free for all at all.

PAUL WANZENRIED: Okay.

MIKE HANSCOM: Did you use that -- that drive, part of that will need to be established as the temporary construction?

MS. PIATKOWSKI: Okay.

MIKE HANSCOM: Stabilize construction entrance. It's now (inaudible) --

MS. PIATKOWSKI: Yup, well, right. I mean it would be fine if it had to come through our gate. It would, you know, have to check in every time, but that's not a problem if that's preferred.

CHAIRPERSON NYHAN: So the whole purpose of this project is right now we see trucks parked on Jet View Drive running. You see trucks on 204 running. We see trucks -- it's to eliminate all of that and bring the trucks on to your property and parking back near your warehouse inside the secure area?

MS. PIATKOWSKI: Yes.

CHAIRPERSON NYHAN: Okay. Thank you.

PAUL BLOSER: How many trucks can you accommodate right there?

MS. PIATKOWSKI: So there is currently twenty spaces.

CHAIRPERSON NYHAN: Okay. At this time I will open the Public Hearing. Any comments or questions from the audience? Seeing or hearing none, I'll make a motion to close the Public Hearing portion of this application by a second?

MATT EMENS: Second. Yes.

GLENN HYDE: Yes.

PAUL BLOSER: Yes.

CHAIRPERSON NYHAN: I also vote yes. Any other discussion, any other comments? Okay. As far as SEQR goes, I'll make a motion to declare the Board lead agency as far as SEQR and based on evidence and information presented at this meeting, determine the application to be an unlisted action with no significant environmental impact. Do I have a second?

MATT EMENS: Second. Yes.

GLENN HYDE: Yes.

PAUL BLOSER: Yes.

CHAIRPERSON NYHAN: I also vote yes. Conditions for the application, conditions that I have as of right now is: Upon completion of the project, the applicant shall submit a Landscape Certificate of Compliance to the Building Department for the landscape architect certifying that all plantings have been furnished and installed in substantial conformance with the approved landscape plan. By the way, for the benefit of the Conservation Board, you need to submit a plan to them.

MS. PIATKOWSKI: Can I ask a question?

CHAIRPERSON NYHAN: Sure.

MS. PIATKOWSKI: Would this still comply with the one percent consideration --

CHAIRPERSON NYHAN: Yes.

MS. PIATKOWSKI: -- That I think -- well, I mean some of it recluses pavement and berms.

CHAIRPERSON NYHAN: Sure.

MS. PIATKOWSKI: So I'm not entirely sure what would constitute as one percent.

CHAIRPERSON NYHAN: Okay. The Building Department can furnish that to you.

MS. PIATKOWSKI: Sure.

CHAIRPERSON NYHAN: Those questions. It is one percent. If you don't do the landscaping, you can write a one percent donation to the Town for the cost of the project. Either one of those is fine.

MS. PIATKOWSKI: Okay.

CHAIRPERSON NYHAN: The approval is subject to final approval of the Town Engineer and the Commissioner of Public Works. Town Engineer and the Commissioner of Public Works shall be given copies of any correspondence with other approving agencies. Copies of all easements associated with this project shall be provided to the Assistant Town Counsel for approval. And all filing information ie., liber and page number, shall be noted on the mylars. Applicant shall comply with all pertinent Monroe County Development Review Committee comments. Building permit shall not be issued prior to the applicant complying with all conditions. Application is subject to all required permits and inspection and code compliance regulations. Applicant to comply with all required life safety conditions and permits from the Town Fire Marshal. And any signage change shall comply with the Town Code including obtaining sign permits. Any other conditions? Okay. Seeing none, make a motion for the application of Wegmans Food Markets, Owner, P. O. Box 30844, Rochester, New York 14603, for a preliminary site plan approval for the road staging area and trailer staging area for plans submitted at property located at 249 Fisher Road, located in a G.I. Zone with the conditions that just read. Second?

MATT EMENS: I know that -- just pause for a second, you just said preliminary. He paid for final.

CHAIRPERSON NYHAN: Oh, let me make it -- (Train going by blowing horn.)

MATT EMENS: I guess the point would be is that since I didn't see it, at the end of the day, the delayed response, it seems like all these things are able to be finalized. So I think it's engineering comments, so I think we have a final okay.

CHAIRPERSON NYHAN: Yeah, thanks. I forgot. Preliminary site plan approval and waiver of final.

MATT EMENS: Second. Yes.

GLENN HYDE: Yes.

PAUL BLOSER: Yes.

CHAIRPERSON NYHAN: I also vote yes.

MS. PIATKOWSKI: Thank you.

CHAIRPERSON NYHAN: Thank you. (Mr. John Hellaby is seated on the Board.)

CHAIRPERSON NYHAN: Our last order of business is approval of the Chili Planning Board June 11th, 2019, meeting minutes. Do I have a second?

JOHN HELLABY: Second.

CHAIRPERSON NYHAN: Any comments or questions?

MATT EMENS: Yes.

JOHN HELLABY: Yes.

GLENN HYDE: Yes.

PAUL BLOSER: Yes.

CHAIRPERSON NYHAN: I also vote yes.

The meeting is adjourned.

JOHN HELLABY: Thank you.

CHAIRPERSON NYHAN: Thank you.

(Proceedings concluded.)

C E R T I F I C A T E

I, Doreen M. Sharick, do hereby certify that I did report in stenotype machine shorthand the proceedings held in the above-entitled matter; Further, that the transcript herewith is a true and accurate transcription of my said stenographic notes taken at the time and place hereinbefore set forth. Dated this 26th day of August, 2019. At Corfu, New York

Doreen M. Sharick,

Notary Public.