

CHILI PLANNING BOARD
November 12, 2019

A meeting of the Chili Planning Board was held on November 12, 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.

PRESENT: Paul Bloser, David Cross, Joe Defendis, Matt Emens, Glenn Hyde, John Hellaby and Chairperson Michael Nyhan.

ALSO PRESENT: Michael Hanscom, Town Engineering Representative; Eric Stowe, Assistant Counsel for the Town; Paul Wanzienried, Building Department Manager.

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

INFORMAL:

1. Application of TUGI, LLC, owner; 1233 Lehigh Station Road, Henrietta, New York 14467 for final site plan approval to erect a 30,000 sq. ft. industrial building at property located at 1891 Scottsville Road in L.I. & FPO zone.

Bob Winans, Betsy Brugg, Mr. Hegney and an unidentified representative were present to represent the application.

MR. WINANS: My name is Bob Winans. I'm an engineer with DDS Engineering and representing Turner Underground Installations on this project. We were in before the Board back in October and received our preliminary site plan approval.

Since then, we went into the Zoning Board of Appeals and got our variances granted for the existing driveway located a little ways inside the 100-foot buffer. We got that variance. We got one for the parking in the front of the building. So those were approved last month.

We have submitted updated plans to the staff and to the Board and there were a couple of things specifically that the Board asked about last month which are called out on the plans now. And that was the dumpster location, which is shown in northeast corner, I guess. Or southwest corner, excuse me.

And then the storage area, that is called out on the plans, too, behind the building. We -- we submitted plans addressing most of the Town Engineer's comments from last month's letter. We did receive Lu Engineer's letter today with additional comments that we believe are mostly technical -- are technical in nature and I don't see anything that we can't work out or have done before we get the final plans signed off. So I guess that's all I have.

If you have any specific questions, I would be happy to answer them.

MICHAEL NYHAN: Other than those couple of items, are there any changes to the initial preliminary plan that was approved?

MR. WINANS: What was that?

MICHAEL NYHAN: Other than the two items you mentioned, there are no other changes to the preliminary plan approved, or if there are, can you review the changes again?

MR. WINANS: Yeah. I'm sorry, I'm not hearing you. Plugged up.

MICHAEL NYHAN: The site plan is approved, the preliminary site plan. You made changes to the final. If you can go over those changes other than the dumpster and the storage area. If there are any others, what other changes are on the final plan that you're proposing tonight?

MR. WINANS: They're all -- everything has been added and are on the plans.

MICHAEL NYHAN: Right.

What I'm asking for are what are those items.

MR. WINANS: Oh, sorry. You want to see -- sorry. Plugged up.

So the -- we added the dumpster location, which is in this corner (indicating), and we actually added the detail to the plans with the block structure on it, showing the detail with that. The outdoor storage area is outlined with the heavy dashed line here (indicating).

And I guess the only other thing we did add to the plan, a little bit more detail on the landscaped area also. And I have -- we do have a plan, which I can show you, a little more detail on the landscaping if you want to see that. I do have 11 by 17s if you want to see that also. But --

MICHAEL NYHAN: So the buffer is now fully landscaped?

MR. WINANS: Yeah. This buffer area (indicating). The other thing we did receive actually was a letter from the State DOT on the driveway, too. That was another condition. And we received a letter from them stating that everything was okay with the driveway location. So we submitted that to the -- to Paul (Wanzienried) and Dave (Lindsay) and everybody was okay with that, too.

MATT EMENS: So they were okay with the road entrance where it was and the sight distances; is that what the letter said? What does the letter actually say? Other than they're okay with it.

MS. BRUGG: Betsy Brugg.

I have it. "Based on the development, type of volumes expected, trips the existing driveway is acceptable. Condition of sight distance meets our minimum requirements. Based on this, we do not require any changes to the driveway to the new development."

That is from Zachary Starke at DOT.

MATT EMENS: Were there any discussions -- I didn't hear anything in the letter, but were there any discussions about the idea of -- I think when we said may be moving it wasn't really a thing and it wasn't going to work and it might actually make the sight distances worse, the one we talked about was is clearing that and making that a -- making the actual -- I guess the --

MS. BRUGG: Clearing some of the brush and stuff that is there.

MATT EMENS: The right-of-way, so it improves that? I don't see anything on the drawing. That is one of the things I can see that's kind of getting lost.

MS. BRUGG: We can look into it. If it is possible, we'll do it.

MATT EMENS: Because I think --

MS. BRUGG: We can look into it.

MATT EMENS: Then I'd be good, too.

We talked about the equipment storage outside.

MS. BRUGG: Yep.

MATT EMENS: I don't think I have anything else at this time.

JOHN HELLABY: Betsy (Brugg), in reviewing the minutes from last meeting in October 15th, the last -- I don't know if you got a copy of them or not, but the last paragraph states that you stated it was 10,000 square acres in size.

I'm assuming that's a wrong number.

MS. BRUGG: I don't believe I said "10,000."

JOHN HELLABY: Is it 10 acres total?

MS. BRUGG: About 10 acres, yes.

JOHN HELLABY: Something can't be right here.

MS. BRUGG: A lot of zeroes.

JOHN HELLABY: Outside storage was just mentioned. It was all contained within that dotted line on the plans.

MS. BRUGG: Shown. It's shown on the plan.

JOHN HELLABY: Presently not outlined in the conditions of approval. I would like to see that added somehow. The outside storage confined to this -- this area back here (indicating) so it doesn't end up --

MATT EMENS: Behind the building for X amount of feet.

MICHAEL NYHAN: Is that a fenced area, the outside storage?

MR. HEGNEY: The whole site is fenced. So you have it gated for the drivers.

JOHN HELLABY: You state the 5700 square foot is noted on the drawing, dated whatever. It says 5700; is that correct?

MS. BRUGG: The storage area? I think we were asked -- one of the conditions of the preliminary was to make sure the note was on the plan. I think it is clearly on there now.

JOHN HELLABY: All I have right now.

PAUL BLOSER: One more question on the storage area. Will there be pallet racking or pipe racking back there?

MS. BRUGG: Racking? No. Just large pipe type stuff.

UNIDENTIFIED SPEAKER: Wouldn't be at ground level.

MR. HEGNEY: Everything will be on the ground.

MS. BRUGG: Everything will be on the ground. No pallet racking.

PAUL BLOSER: Just wanted that noted. If we have racking out there, because of the neighbors, I would just want a condition of approval it is maintained and painted and not rusty. Any outside accessories like that you're using more for permanent storage. But just keep it up for the neighbors.

MICHAEL NYHAN: What was the condition?

PAUL BLOSER: If they had any type of racking for storage of pipes or supplies outside, to be maintained and painted because they're bordering up to residential. Just for appearance. So it is not rusty and corroded.

MS. BRUGG: So it will be well screened per the plan.

PAUL BLOSER: Otherwise I have nothing else.

MICHAEL HANSCOM: No additional comments other than the one change they did do is that the Board requested they shifted the road. The road over to meet -- meet the requirements.

MICHAEL NYHAN: I note, there are a lot of comments you made about requirements. I think at this point you're confident each of those would be able to be met and working with the applicant's engineer?

MICHAEL HANSCOM: I think we'll eventually come to a meeting of the minds.

MICHAEL NYHAN: Any further Board discussion?

SEQR was already completed.

So for the -- the outdoor storage racks must be maintained. I would like to put some sort of a quantifiable measurement on that so it is just not subjective if somebody goes over and they think they're not being maintained.

MATT EMENS: If they go back to just ground storage, I would leave it at that, because they're not using racks. I think we were careful to ask that question last time.

MICHAEL NYHAN: Ground storage.

PAUL BLOSER: The guy that spoke last time was kind of uncertain. That is why I wanted to bring it up again.

MICHAEL NYHAN: So no outdoor storage racks. This is ground storage only?

MS. BRUGG: Okay. So they do not expect to need outdoor storage racks, but he would like to keep the option to have them. So I think that we would agree with Paul (Bloser)'s condition that should they have any, that they will be kept in good order and condition.

Is that feasible?

MATT EMENS: I think the only concern there is if we get into high storage, we're using the building as screening.

PAUL BLOSER: Put a maximum height on that also.

MICHAEL NYHAN: What is the height of the building? Not to exceed the height of the building.

MATT EMENS: It is screened.

MS. BRUGG: Storage will not exceed the height of the building.

MATT EMENS: I didn't think so.

MS. BRUGG: Typically less than that.

PAUL BLOSER: If we put a -- if we put a 15 foot limit on that, it would handle most racking pallets. And that would be more than -- more than enough.

MICHAEL NYHAN: What is the height of the building? What is the height of the building?

MR. HEGNEY: 26, I think. 22.

MS. BRUGG: 22 foot height for the building.

MICHAEL NYHAN: Any other conditions? Okay.

So then for this application, I have all previous conditions, which I will read also, but in addition to the previous conditions, new conditions for this final site plan approval are outdoor storage shall be limited to the area outlined in the final site plan approved at 5,700 square feet.

If any outdoor storage racks are used, they shall not exceed 15 feet in height. Storage racks shall also be properly maintained.

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 mylars.

All previous conditions imposed by this Board are still pertinent to this application and remain in effect and those conditions are that the Planning Board affirms the recommendation of the Conservation Board for the landscaping plan and requested that the applicant comply with those recommendations.

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 to final approval of the Town Engineer and the 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.

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 for all required variances. Applicant to comply with all conditions of the Zoning Board of Appeals as applicable.

Applicant to comply with all required life safety conditions and permits from the Town Fire Marshal.

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

Applicant to comply with all recommendations and conditions of the Traffic Safety Committee.

Applicant to obtain a written approval from the New York State Department of Transportation regarding driveway entrance location and site traffic volume.

And applicant to provide adequate dumpster configuration to prevent blown debris.

Those are conditions all still in effect.

Michael Nyhan made a motion to accept the application of TUGI, LLC, owner; 1233 Lehigh Station Road, Henrietta, New York 14467 for final site plan approval to erect a 30,000 sq. ft. industrial building at property located at 1891 Scottsville Road in L.I. & FPO zone., and John Hellaby seconded the motion. The Board was unanimously in favor of the motion.

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

1. Outside storage shall be limited to the area outlined in the final site plan approved at 5,700 square feet

2. If any outdoor storage racks are used they shall not exceed 15 feet in height, the storage racks shall also be properly maintained
3. 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.
4. All previous conditions imposed by this Board that are still pertinent to the application remain in effect.
5. The Planning Board affirms the recommendations of the Conservation Board for the landscaping plan and requests that the applicant comply with these recommendations.
6. 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.
7. Approval is subject to final approval by the Town Engineer and Commissioner of Public Works.
8. The Town Engineer and Commissioner of Public Works shall be given copies of any correspondence with other approving agencies.
9. Applicant shall comply with all pertinent Monroe County Development Review Committee comments.
10. Building permits shall not be issued prior to applicant complying with all conditions.
11. Application is subject to all required permits, inspections, and code compliance regulations.
12. Pending approval of the Zoning Board of Appeals of all required variances.
13. Applicant to comply with all conditions of the Zoning Board of Appeals as applicable.
14. Applicant to comply with all required life safety conditions and permits from the Town Fire Marshal.
15. Any signage change shall comply with Town Code, including obtaining sign permits.
16. Applicant to comply with all recommendations and conditions of the Traffic & Safety Committee.
17. Applicant to obtain written approval from NYSDOT, regarding driveway entrance location and site traffic volume.
18. Applicant to provide adequate dumpster configuration to prevent blown debris.

FOR DISCUSSION:

1. Richard Gilmore, 3910 Buffalo Road, Rochester, New York 14624 for proposed 25' x 200' self-storage building at property located at 3508 Union Street in GI zone.

Ed Martin was present to represent the application.

MR. MARTIN: Good evening, Mr. Chairman. My name is Ed Martin. I'm an engineer with LandTech. I'm here tonight on behalf of the application, which as you stated, is informal at this stage.

Mr. Gilmore would like to build a 25 by 200 foot long self-storage building at the subject property, which if you're familiar with the area, is right by FedEx. I'm sure you're familiar with it.

We did meet with your DRC a couple months ago and got very valuable feedback from them. It was their recommendation we come before you informally before we make a formal application to ask for your feedback.

I will reiterate the details in our letter of intent. The building is centrally located. It will have self-storage units only. There will be no offices within. So no water supply or waste water

conveyances is required. The site is just under 9/10 of an acre. Soil disturbance will be less than that. So a DEC Phase 2 storm water permit will not be required.

We do propose to direct runoff radially away from the building to four interlinked treatment areas that will ultimately discharge to the east.

To orient you, north is to the right on this particular plan in front of you. Following existing drainage patterns. We do propose to enclose the building and development within a 6 foot tall chain link fence, which I understand from staff will require a variance for front yard fencing.

We are prepared to -- to submit an application to that -- for that, to your ZBA. Um, site lighting will be limited to building mounted. The majority of which will be motion activated, so much like a garage light you have attached to your home.

Landscaping is limited to the frontage where we propose some berming and some low-lying plantings. Um, be happy to solicit your feedback on that in particular. I draw really nice straight lines on paper. I'm not a landscape architect.

And that pretty much covers the details what we're proposing. As I said, we would appreciate any feedback that you have and we'll prepare a formal application.

MICHAEL NYHAN: Okay.

JOE DEFENDIS: Are you doing asphalt or stone all of the way around?

MR. MARTIN: Your code requires a dust-free application. We have had experience in doing a compacted base layer of crusher run that is dust free. That being said, we'll happily comply with what this Board refers if you really want the pavement. I think our client would be willing to pave it. But his initial proposal would be to do a crusher run.

JOHN HELLABY: Overhead garage doors down both sides, I assume?

MR. MARTIN: Yes, sir.

JOHN HELLABY: Do you know size yet?

MR. MARTIN: I suspect as part of our formal application, we'll have a rendering to give you an idea what it will look like as well as the floor plan.

JOHN HELLABY: Roof configuration, is it a flat roof? Pitched roof?

MR. MARTIN: I suspect it would be pitched, north to south, with the peak running east to west.

JOHN HELLABY: Masonry or wood construction?

MR. MARTIN: My guess would be wood with a -- with a metal finish.

JOHN HELLABY: What type of separations are inside?

MR. MARTIN: Couldn't tell you that. But I will find out.

JOHN HELLABY: A lot of them use just general fence or whatever in there. I'm thinking about the length of that thing. I don't know if you need fire separations in there or not. It's pretty damn long. If something got started in there, you ain't stopping it.

Power requirements. You said there is outside lights. Is there storage units with power in them if somebody needed power in them?

MR. MARTIN: We have done a few of these. We encourage all our clients to not provide electricity so we avoid issues of people moving in and having a clubhouse of sorts.

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

MICHAEL NYHAN: Do you have the layout of the units?

MR. MARTIN: We will, when we make our formal application. I will give you the details on that.

MICHAEL NYHAN: I know we talked before -- talked about asphalt versus the -- crusher run, and I -- would be much better with asphalt driveway if you take that consideration back before you come back for preliminary. I'm hearing some "uh-huh"s from the Board. Probably something you want to put on the plan before you come back.

There's a lot of trees along the property line. I assume those trees will all be cleared to be outside the fence area, to where your fence area is?

MR. MARTIN: Yes. So anything within a few feet of the pavement we would propose to take down. Just from my -- my layman's eye, there were no trees of what I would call significance importance. A lot of them are popular-type trees. Nuisance, if anything. But yes, anything within the area of development would be taken down.

MICHAEL NYHAN: So no screening to the north and south for any of the properties?

MR. MARTIN: Other than the 6 foot tall fence, no, sir.

MICHAEL NYHAN: It's not marked on here. Off the top of my head, are the two properties next door to this also GI?

MR. MARTIN: You know, they're -- let me walk up here to see what it says.

DAVID CROSS: They're shown on the zoning map.

MICHAEL NYHAN: You said you looked at the zoning map.

DAVID CROSS: The left side of the sheet here.

MR. MARTIN: I believe it is, but they're residential uses at this time. Obviously north and south.

MICHAEL NYHAN: And any lighting you do, proposing those are on motion detectors to show a lighting plan that shows it won't spill beyond --

MR. MARTIN: Our plans will include a lighting contoured plan.

MICHAEL NYHAN: The side setbacks, um, you're going to require a variance for the side setbacks?

MR. MARTIN: I don't believe so.

PAUL WANZENRIED: No.

MICHAEL HANSCOM: They showed --

PAUL WANZENRIED: They show there.

MR. MARTIN: 35 is the minimum and we're at 36.3.

MICHAEL NYHAN: And then your snow storage, I see, is in your storm water management.

Mike (Hanscom), is that something that is permitted?

MICHAEL HANSCOM: Um --

MICHAEL NYHAN: Too early to tell depending what kind they used.

MICHAEL HANSCOM: It has generally been accepted.

MICHAEL NYHAN: Okay. Those are the only questions I had.

DAVID CROSS: You show some wetlands in the back.

Do you know if those are State or federal?

MR. MARTIN: I believe they are federal. If they were State, we would also show the 100-foot buffer with it.

DAVID CROSS: I guess if you can look into that at the next meeting, that would be great. That's all I have.

ERIC STOWE: Just the use and the zone. And permissible or not. But we can take a look and see how it applies.

MICHAEL NYHAN: Any comments before we move forward?

MICHAEL HANSCOM: Generally for commercial developments, the Town asks for the wetlands to be delineated on the property. A wetland specialist comes out or the DEC comes out and delineates the wetlands. The main purpose of that is to just make sure you don't fill in something and the DEC comes back at some other point or the Army Corps comes back at some other point in time and says, "Hey, you filled in our wetland."

MICHAEL NYHAN: So I would suppose before you move too much further forward and spend money on additional drawings, you want to know if the zoning is appropriate for the use. So that is something that the Building Department and Assistant Town Counsel will be looking at or are looking at now but may not have an answer in the immediate -- tonight.

MR. MARTIN: I'll get confirmation from Paul (Wanzenried) before we do that.

MICHAEL NYHAN: Contact him to make sure it is something that will fit before the applicant spends too much money on drawings and comes in and finds out you can't do it.

MR. MARTIN: Right.

MICHAEL NYHAN: Anything else? Recommendations? Comments? Okay. Thank you for coming in.

MR. MARTIN: Thanks for your feedback.

Michael Nyhan made a motion to accept the 9/10/19 Chili Planning Board meeting minutes, and Glenn Hyde seconded the motion. All Board members were in favor of the motion.

Michael Nyhan made a motion to accept the 10/15/19 Chili Planning Board meeting minutes, and Joe Defendis seconded the motion. The vote on the motion was 5 yes with 2 abstentions (John Hellaby, Michael Nyhan).

The meeting ended at 7:31 p.m.