

CHILI PLANNING BOARD
January 12, 2021

A meeting of the Chili Planning Board was held on January 12, 2021 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, Joseph Defendis, Matt Emens, John Hellaby, and Chairperson Michael Nyhan.

ALSO PRESENT: Michael Hanscom, Town Engineering Representative; Eric Stowe, Assistant Counsel for the Town; Paul Wanzenried, 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.

PUBLIC HEARINGS:

1. Application of Rochester Cornerstone Group - RICC LLC, owner; 460 White Spruce Blvd, Rochester, New York 14623 for re-subdivision of two lots (Lot 202, Lot BR203BA-1 Trade Court) to adjust property line to allow access to existing wetland bank (Lot BR203 BA-1) 600 Trade Court at the property located at (Lot 202) 300 Trade Court in LI District.

Roger Brandt was present to represent the application.

MR. BRANDT: Lots of lots. Good evening. My name is Roger Brandt with Rochester's Cornerstone Group, 460 White Spruce Boulevard, Rochester 14623.

I'm here today to request a resubdivision of two lots. Few weeks -- well, maybe a month ago, the representatives from NOWAVE were here in front of you. They're under contract to purchase Lot 202 to develop a -- a building and we -- we bought this property 27 years ago and this particular lot will be developed by them.

If some of you remember, we developed a wetland mitigation bank. The first one in New York State. Many years ago. We have now sold all of the -- all of the acres, but we have responsibilities for monitoring it. So a couple times a year, I will put on the hiking boots, go back and check out, make sure everybody is okay back there and nothing is being -- no one set up an encampment or some other issue going on.

So in order to get access, legal access to the wetland, gee, this is an opportunity. Why don't we do a subdivision and just leave ourselves a thin strip of land we can walk from the tip of the cul-de-sac right down into the wetlands. Heretofore, I have been going over by Rochester Stamping and coming around the property, but if we can formalize this -- this is all it is about. We're cutting off a thin strip of land off of Lot 202 and we're going to be adding it to the larger lot down here just for access purposes. Nothing else to it. No truck access nor wide enough we could bring a truck back there. There is only so far you can go before you -- the truck won't go any further.

MICHAEL NYHAN: You will not pave it. Just remain --

MR. BRANDT: Yes, just as it is. There is stone beneath the base there. It's easy to walk back. Periodically -- haven't had to in years and years -- we had to adjust a weir back there to make sure that the waters -- the hydrology is still good, but the most recent walk back there with the -- with the DEC and Corps of Engineers, they said this is better than most naturally occurring wetlands. This is a fabulous habitat. So it is going to be forever wild. It has a conservation easement on the wetlands, so again, it's protected and nothing can ever happen back there. It is just going to be a natural -- as long as I'm around. So I will be happy to answer your questions.

JOHN HELLABY: Just real quick clarification, Roger (Brandt). That -- does that run down alongside the 20 foot easement to the Town for drainage purposes? I have to honestly tell you, this is one of the most confusing maps I have ever seen.

MR. BRANDT: I can't take credit for it.

JOHN HELLABY: Garth (Winterkorn) can, though.

MR. BRANDT: Right. He wanted to come, but I said "No, you can stay right where you are."

There is a Town easement there.

JOHN HELLABY: So does it parallel that? Does it run right along the edge of it?

MR. BRANDT: Yes, it does.

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

MICHAEL NYHAN: So this will be part of the easement, correct? There will be an easement on this?

MR. BRANDT: Yes.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

Michael Nyhan made a motion to close the Public Hearing portion of this application, and John Hellaby seconded the motion. The Board unanimously approved the motion.

The Public Hearing portion of this application was closed at this time.

MICHAEL NYHAN: I know we had this last month and have already reviewed it. Just maintain the condition of copy of all easements?

ERIC STOWE: Correct.

MICHAEL NYHAN: Any other conditions?

ERIC STOWE: Not that I am aware of.

MICHAEL NYHAN: Okay. Any discussion on SEQR? Okay.

Michael Nyhan made a motion to declare the Board lead agency as far as SEQR, and based on evidence and information presented at this meeting, determined the application to be an Unlisted Action with no significant environmental impact, and John Hellaby seconded the motion. The Board all voted yes on the motion.

MICHAEL NYHAN: Conditions of approval for application. I have approval is subject to final approval with the Town Engineer and Commissioner of Public Works.

Town Engineer and Commissioner of Public Works shall be given copy of any correspondence with other approving agencies.

And 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.

Any other conditions?

With those conditions, application of Rochester Cornerstone Group - RICC LLC, owner; 460 White Spruce Boulevard, Rochester, New York 14623 for re-subdivision of two lots (Lot 202, Lot BR203BA-1 Trade Court) to adjust property line to allow access to existing wetland bank (Lot BR203 BA-1) 600 Trade Court at the property located at (Lot 202) 300 Trade Court in LI District.

JOHN HELLABY: Second.

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

1. Approval is subject to final approval by the Town Engineer and Commissioner of Public Works.
2. The Town Engineer and Commissioner of Public Works shall be given copies of any correspondence with other approving agencies
3. Copies of all easements associated with this project shall be provided to the Assistant Town Counsel for approval, and filing information (i.e liber page number) shall be noted on the mylars.

FOR DISCUSSION:

1. DPB Holdings LLC, 350 Morgan Road, Scottsville, New York 14546, Daniel and David Boon owner(s); for special use permit to convert existing refusing and recycling building(s) into a self-storage facility at property located at 1 Boon Drive in GI District.

Glenn Thornton and David Boon were present to represent the application.

MR. THORNTON: Good evening. I'm Glenn Thornton with Thornton Engineering. We're the engineering firm helping DPB Holdings on this project. Dave Boon is with me here.

And first of all, I want to just tell you I brought the easel because I can't use those clamps up there. I'm not strong enough. Can't do it. (Laughter.)

I don't know if you have had much an opportunity to look at the drawing we submitted, but basically this facility was the -- the Boon trash business for -- for years. Currently, half of the property is being leased to Casella Waste Management. The eastern portion.

The western portion is no longer under lease, so Dan (Boon) and Dave (Boon) would like to convert the facility into a self-storage facility. Basically the whole site is impervious surface now. It's either pavement or buildings and the plan is to construct in Phase 1 on the western portion, which is not under lease -- construct three new, single-story metal storage -- self-storage buildings, similar to other buildings that you see all over the place.

In the -- in the existing building, the masonry building out there, there -- we create a leasing office, in the northwest corner of the building, in Phase 1. The -- the facility would be entirely fenced. The game plan is to remove the -- the chain link fence in front and replace it with a -- a more decorative, probably a black vinyl coated chain link fence in front. There will be a gate. There will be a card reader. It will be fully secured.

There will be dark sky compliant wall packs above some of the doors. No light spillage off

the site. Security cameras throughout. That's Phase 1.

Phase 2. After Casella's lease is terminated or they don't renew -- which is what, a year or two maybe?

MR. DAVID BOON: Uh-huh.

MR. THORNTON: -- the game plan is to take the existing masonry building and convert the remainder of that into climate-controlled self-storage. There is a couple other buildings on the site to the east of the building. The one in the southeast corner is that temporary structure that was put up with a fabric roof on it. That will be removed.

The other existing metal building on the east side of the site in Phase 2 would be converted into possibly climate-controlled self-storage but definitely a self-storage building.

And also there could be another building built in Phase 2, another new, single-story metal self-storage building on the east side.

Also throughout the site, mostly in Phase 2, but some in Phase 1, we would like to create some outdoor storage for RVs, boats and we would tuck that in the back either behind the existing masonry building or also the south fence line, behind the new buildings.

So we will be coming back in front of you the next month as an applicant. We have submitted an application so we hope to be on the Planning Board meeting next month. We were hoping tonight to get feedback so maybe we can address some comments before we come back next month.

MATT EMENS: Did you guys talk at all about the outdoor vehicle storage at DRC?

MICHAEL NYHAN: We did talk about it, yes. In what regards?

MATT EMENS: I just didn't know if there was any precedent or issues with that the way it is zoned. I just don't know off the top of my head, I guess.

MICHAEL NYHAN: I don't know off the top of my head either.

It being -- a question, Paul (Wanzenried). It being a storage area, all of the vehicles, I assume, would be registered? Is that correct?

PAUL WANZENRIED: You could do it.

MICHAEL NYHAN: Could you do it with unregistered vehicles?

PAUL WANZENRIED: No.

MICHAEL NYHAN: Okay. Just keep that in mind.

MATT EMENS: So the idea would be to build this out in Phase 1, starting as soon as you could get approvals?

MR. DAVID BOON: Yes. I guess if all of the stars align, April-ish we would be breaking ground to build these buildings here. It could be consisting of cutting open this asphalt, concrete, build the steel structure on top of it and new pavement in this area (indicating) to kind of regrade everything and make sure the drainage is set up correctly and so on.

MATT EMENS: So is it definitely achievable from what you guys looked at to do it in the two phases with the separate property?

MR. DAVID BOON: Yes. What we were planning on doing is setting up a fence right here (indicating), to separate -- you know, this side (indicating) would be where Casella Waste is conducting their operation.

And then this side (indicating) with a separate entrance would be the self-storage facility. Currently right now -- so I have this -- this unique position where I'm still working at Casella Waste. Right? So over here, there is only seven people working over here right now (indicating). You know. So it's -- it's a significantly reduced work force from what we had there at one point.

MATT EMENS: That's all I have right now.

JOHN HELLABY: You talked about timing and construction. Hours of operation. Is this a 24-hour, come-and-go-type thing?

MR. DAVID BOON: No. We don't have a -- exact hours pinpointed yet, but intention was to shut it down after a certain point. Basically for security reasons. Right? After a certain point, nothing really good is happening.

JOHN HELLABY: I did hear card access in and out?

MR. DAVID BOON: Yes. This will be a keypad here (indicating) with an automated gate. We wanted to go with a scissors lift gate. I didn't want to go with the motorized, sliding gate because I didn't want to get into snow potentially impacting that and so on. So we'll have that access controlled. The software we will use will help us to, you know, make sure those folks are assigned their codes and if they're no longer supposed to be in the facility, that will get locked out.

JOHN HELLABY: I assume these units are back to back, so they're double storage. Now is that the case?

MR. DAVID BOON: The doors, yes. There will be doors on both sides.

JOHN HELLABY: Are there full walls between them or wire partitions or what is it?

MR. DAVID BOON: There's -- it's -- yeah. It's a steel, like corrugated kind of thing and -- it's mesh -- like -- there is typically -- these buildings will be unheated, right? And then when you get into like the building units that would be inside this building in the climate-controlled phase, they usually do that with a wire mesh on top so that way it's more efficient to heat.

JOHN HELLABY: Lighting, you said wall packs, dark sky.

What are you going to do with all of the dumpsters presently in there? There is a lot of dumpsters.

MR. DAVID BOON: Those we'll be phasing out. I have a third-party vendor in there helping us with some of that right now. The arrangement we made with Casella, all of the

dumpsters over here have to be off of that so we can do this construction. That project will be phasing down about the time we're looking to break ground here. We need those dumpsters come spring time. So right now we're just trying to feed those in there because the guys are working on patching them, fixing them, welding them, fixing them, that sort of thing. We're doing mainly can repair out of there now.

JOHN HELLABY: Out of curiosity, what happened to your lawn business? Is that something you guys still own or did that go away, too?

MR. DAVID BOON: No. That's gone.

JOHN HELLABY: Just curious. All I have right now.

MICHAEL NYHAN: You mentioned the chain link fence, but -- on the drawing and -- you talked about fence along the front. So that's still decorative fence, not a chain link fence; correct?

MR. THORNTON: We're looking at still a chain link fence, vinyl coated, black chain link.

MICHAEL NYHAN: 6 foot fence along the road?

MR. THORNTON: Yes.

MICHAEL NYHAN: I remember the picture you showed with the lift gate. The fencing was a baked enamel, aluminum fence which we would much rather see along the front property line.

MR. DAVID BOON: We don't have that totally. We have been getting quotes back from vendors, that sort of thing. And I'm getting the -- it's aluminum. You know, for this portion here (indicating). So the idea was to take it from here (indicating) or so, wrap this corner (indicating) and come all of the way along the front and tie it into the brand new gate system here (indicating). That is -- so we're trying to investigate -- we were looking at black chain link. We were looking at the -- the aluminum. You know, black -- it's going to be black. But, you know, like -- I don't want to say wrought iron, but it's like that kind of look. But it's the aluminum material.

MICHAEL NYHAN: With the square poles?

MR. DAVID BOON: Yes.

MICHAEL NYHAN: Like -- I think you showed an example of it. I still have it. That's what you're looking at staying with, correct?

MR. DAVID BOON: Yes.

MICHAEL NYHAN: That would be preferred in my opinion, especially along the front of the building. Along the back I don't think it would matter much, but along the front. Wrap that corner up to the edge of the building with that.

MR. DAVID BOON: Yep.

MICHAEL NYHAN: Also, you'll be coming in for Phase 1 and 2 preliminary approval, or just Phase 1?

MR. THORNTON: We were hoping we could get approval on Phase 1 and Phase 2. We understand that Phase 2, that -- if it changed in the future, we would have to be back in front of you. We were hoping to get our approvals, because there is going to be a lot of money spent here. Phase 2 is very important to make this viable and we just want to make sure that in the future if we do need to come back with a building being changed, the location or whatever, that we do have kind of a green light for making the whole property self-storage.

MICHAEL NYHAN: Okay. So on your plan, be sure that it details for the entire site as preliminary site plan approval -- we'll probably give you preliminary and final for Phase 1, but you would have to come back for final Phase 2. As you mentioned, if there is any major changes, we'll have to go through preliminary then again, as well.

Do I have that right? Is that accurate?

ERIC STOWE: I think you can -- yes, you can do that.

MICHAEL NYHAN: Okay. For the building materials, as you build out Phase 2, even the administrative building, the leasing office, will any of that match? I mean right now the buildings all look a little different and you're going to have steel as your storage areas. Will you put any kind of outside face on any of these buildings to look somewhat like the storage area that you will have?

MR. THORNTON: Yes.

MR. DAVID BOON: Yes.

MR. THORNTON: Um, in the application -- hopefully I have it here, we did include -- we -- it won't match. It is kind of a brown and beige right now on the masonry building and this would be the -- the plan. Something like this.

MICHAEL NYHAN: You had that at the meeting, right? The same thing?

MR. THORNTON: Pardon me?

MICHAEL NYHAN: The same thing you had at the meeting, right?

MR. DAVID BOON: I don't know if we had that at that point.

PAUL WANZENRIED: No.

MR. THORNTON: No. Not with this. It went in with the FOIA application.

MR. DAVID BOON: The company that builds the buildings, we're trying to match the colors. We're going to go with the dark brown that is kind of the trim on the existing masonry building now and put that on the doors and then try to match that beige as close as we can on surrounding metal buildings.

MICHAEL NYHAN: For the leasing building and then on the other -- masonry metal, is that what you're talking about, putting it on the outside of the masonry building as well, the wall? Phase 2? Phase 1, the leasing office you will do that, right?

MR. DAVID BOON: Yeah. We're going to take and side this building right here (indicating). We're going to just make this -- because this is set up as offices right now. And just change this a little bit and -- and try to redesign this entrance so it is a little bit more of a foyer. You know. That sort of thing. And, you know, there would be a kiosk set up in here, similar to a bank ATM kind of deal. You come in the front door and have all that there.

Eventually what the thought is, is as the rest of this site gets built, more than likely we'll have a person working here and staffed at that point. And then there will be some supplies and things people can purchase. If they need boxes, that sort of thing. So there will be somebody in there to manage that.

The rest of this building would be changed and we don't have that entire interior design figured out yet in terms of the unit layout and -- you know, that sort of thing. But that would be the plan.

MICHAEL NYHAN: Okay. Again, maybe a question for you. I get it you're going from a lot of impervious to a lot of impervious. Can you speak to how the existing storm water is being handled now?

MR. THORNTON: Pretty much this site all drains into this swale on this site, under Boon Drive and feeds with the land up here (indicating). There are a couple of existing drainage basins out here in the corners (indicating). It's not well drained, though. The surface is very irregular, but eventually it does work its way down. There is actually a 2 or 3 foot fall from this side (indicating) over to this side (indicating).

What we're going to do is really maintain, mimic that scheme. Right now we're planning on a few catch basins up here (indicating). A couple more here (indicating) just to catch that water and pipe it under the buildings over into that swale, just to maintain that. We're really not proposing any changes to the --

DAVID CROSS: Existing wetlands across the street can handle everything going to it?

MR. THORNTON: We won't be increasing the amount of runoff. It's all impervious now.

DAVID CROSS: Might be decreasing a little because you're taking a little pavement out.

MR. THORNTON: Unfortunately, the plan you see is not mimicked here. Right here (indicating) we had shown this pavement being removed, which we thought it would be good to straighten up the fence across there, but it left it with no area to store snow in the front. The only place we can store the snow up there is in that northwest corner, so we had to enlarge that area. So we just said it just makes more sense just to leave the pavement there so we have a place to push the snow.

MICHAEL HANSCOM: Glenn (Thornton), one thing to remember, is that -- one thing to remember, even though you're replacing impervious with new impervious, you may fall under Chapter 9 of the storm water design manual, the redevelopment section.

MR. THORNTON: Correct.

MICHAEL HANSCOM: Which requires you to do water quality treatment for 25 percent of the runoff. So I just want you to keep that in mind while you're doing your plans.

MR. THORNTON: Sounds good. Okay. Yep. We could avoid all of that. I think if we reduce the impervious by 25 percent, we -- I think we could avoid the water quality, but we're not. We're maintaining existing impervious area. So we do have the catch basins. We do have the opportunity to put in some sort of proprietary device if we needed to for water quality.

MICHAEL HANSCOM: You may be required to if you disturb enough area.

MR. THORNTON: We'll definitely look into it.

MICHAEL NYHAN: We'll see you next month. I think you said you will be coming in?

MR. THORNTON: Yes.

MICHAEL NYHAN: Will you have a landscape plan with it, as well, for how you will landscape the front of it?

MR. THORNTON: We will be showing on the site plan how we're proposing to landscape.

MICHAEL NYHAN: 1 percent of the project. Otherwise you make a donation.

MR. THORNTON: There is not a lot of room up there to do the landscaping. We'll show -- I'm sure we'll generate some comments.

MICHAEL NYHAN: Just didn't want you to omit it or overlook it.

MR. THORNTON: What did I want to ask you? There doesn't appear to be any major red flags on what we're proposing from what I understand. We are -- our application that was submitted was for preliminary and final site plan approval as well as a Special Use Permit. The Special Use Permit is needed because self-storage facilities are not permitted under any of the zoning districts in Town. The only concern we have about the -- the Special Use Permit is since the Boons are going to be spending so much money on this, you know, it would be difficult to proceed with this if it was only -- if there was a term on the Special Use Permit. We know the permit can be rescinded at any time if the -- the conditions aren't followed, but we -- but we were hoping not to have a time frame where it would be up for renewal in -- in a set number of years.

MICHAEL NYHAN: Okay. We'll certainly look at that and I will talk with the -- we'll discuss that to see what that would look like when you do come in.

MR. THORNTON: Sounds good.

MICHAEL NYHAN: What was the other -- there was another part of that question. I'm sorry? First part?

ERIC STOWE: Special use.

MICHAEL NYHAN: It was before that. Landscaping, final and preliminary. I thought I had a question. I just can't remember it. That is what I was going to mention. Is -- we don't see

any red flags, but we did raise during the DRC, just -- we want to be sure that all of the zoning is proper. I know you were given a permit for that front fence a long time ago, but I think it is being moved and the whole site is being changed, so I'm not sure if they need to go back to have the front yard fenced or not. We just need to be sure we know if any buffers are going to be needed relative to the zoning around the property. So we just -- so we'll keep in close contact with the code, what it says, when you develop this so you don't have to come back for any variances.

MR. THORNTON: We are eliminating a variance.

MICHAEL NYHAN: Do you recall that, Paul (Wanzenried)? We talked about that at the DRC.

PAUL WANZENRIED: Yeah.

MICHAEL NYHAN: Okay. I don't know if there is an answer on it yet. But it -- I just want to raise that, too.

PAUL WANZENRIED: What was a second one, Mike (Nyhan)?

MICHAEL NYHAN: The fence part.

PAUL WANZENRIED: No.

MICHAEL NYHAN: The zoning around the property?

PAUL WANZENRIED: They wouldn't need a buffer.

MICHAEL NYHAN: Won't need a buffer?

PAUL WANZENRIED: Won't need a buffer.

Um, and -- I will look into the fence.

MICHAEL NYHAN: Okay. Thank you.

PAUL WANZENRIED: What -- Dan (Boon), what size is the fence there now?

MR. DAVID BOON: 6 foot.

PAUL WANZENRIED: So they must have gotten one for that. I will check and verify.

MICHAEL NYHAN: I just don't know if the variance they were given applies when they move the fence or change it.

PAUL WANZENRIED: Variance is a variance. It stays with the property. So if it is given -- so long as it is given for the front yard, they're good to go.

MR. THORNTON: We'll trade you variances. We don't need the variance for the front yard parking for the employees anymore (Laughter.)

MICHAEL NYHAN: Just one question out of curiosity. Everybody comes in with a 6 foot fence around these areas. And whether it is a 6 foot or 4 foot, somebody wants to go in there and climb the fence, they're going to climb it whether it's 6 foot or 4 foot. So what is it that goes into making the decision to make 6 foot fence instead of 4 in the front?

MR. THORNTON: I have no idea. It is just always is a 6 foot against --

MICHAEL NYHAN: It increases everything, your gate size. Just everything is bigger. If somebody wants to go in, 4 foot or 6, if they want to throw stuff over the fence or break the fence, they will do it. I'm just curious.

PAUL WANZENRIED: Perhaps it is the difference between jumping the fence and climbing the fence.

JOHN HELLABY: There you go.

MICHAEL NYHAN: I think if you want to go in, you will go in.

MATT EMENS: I say we change to it 5 right now. (Laughter.)

MR. THORNTON: I mean, there is going to be so many security cameras on this facility, I can't imagine anybody really wanting to go in, unless their card doesn't work or something.

MR. DAVID BOON: I have had people break in back here off the railroad tracks, trying to steal trucks.

MICHAEL NYHAN: With a 6 foot fence.

MR. DAVID BOON: Well, they cut the fence.

MICHAEL NYHAN: I guess that is what I'm getting at. I don't see how it is any more secure.

MR. DAVID BOON: Yeah. If you really want it bad enough, they're going to get it.

MICHAEL NYHAN: Last order of business, we have the December meeting minutes.

Michael Nyhan made a motion to approve the 12/8/20 Planning Board meeting minutes, and John Hellaby seconded the motion. All Board members were in favor of the motion.

The meeting ended at 7:34 p.m.