

CHILI PLANNING BOARD  
March 9, 2021

A meeting of the Chili Planning Board was held on March 9, 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 Vice Chairperson John Hellaby.

PRESENT: Paul Bloser, David Cross, Joseph Defendis, Matt Emens and Vice Chairperson John Hellaby.

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

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.

**PUBLIC HEARINGS:**

1. Application of 29-31 Jetview Drive LLC (James Sydor) owner; 31 Jetview Drive, Rochester, New York 14624 for preliminary site plan approval to erect a 52,500 sq. ft. structure for manufacturing use at property located at 39 Jetview Drive in L.I. District.

Rob Fitzgerald, James Sydor, Jonathan Sydor and Matthew Sydor were present to represent the application.

MR. FITZGERALD: Good evening. Rob Fitzgerald Project Engineer for this project. Representing Sydor optics tonight. Again, this project is on Jetview Drive. My -- with me tonight is James Sydor; Jonathan, his son; as well as Matthew, his other son. They presently run Sydor Optics at 31 Jetview Drive, which is the parcel directly below this one. They're now running two shifts, so they have a very successful business, busy business. They have immediate need for expansion and they just so happen to own this property.

If I can approach the Board, again, the existing operations -- this structure here (indicating), they're looking at building out this site (indicating), 150 foot by 350 foot building with two loading docks on the rear.

Also two overhead towards the rear of the parcel and several man doors for accessibility. The traffic circulation would loop around in a counterclockwise direction and then the trucks could back into the bays using their mirrors and then continue on. Like I said, at this point, they do have a need for a chunk of this space. We kind of went back and forth. Do we build a 30,000 square foot building now and add on in the future when the sons hope to maximize it or do we just go in for a larger building. There is the full dream plan at this point, and just construct it and then if we have an extra portion of the building, they could lease it out at this time and then grow into it as their operation expands.

Jonathan (Sydor), would you like to say a few words about the operation? I think it would be helpful and interesting.

MR. JONATHAN SYDOR: Yes. Do you guys mind if I approach and give a couple pamphlets out? So the company was started in 1964 by my grandfather and then some years later my father joined and then around 9 or 10 years ago, me and my brother joined the business. As you can see in that pamphlet, there is a wide variety of different things that we do. The words on the front is our motto, "Our world is flat."

We primarily make flat optics. Which that typically means it's a window that that light or a laser is going through, or it's a mirror and light is going to be reflected off of it. As you -- as you can see on the back page there is a listing of some of the capabilities and some of the machinery that we run. We run -- I would consider them large machines, but they're Light Industrial machines that both grind and polish the optics. We have some CNC machinery. And currently running all those machines, I believe our head count is at 88 people, including some office staff. Currently we have about a 5,000 square foot section in our -- in our building. That has always just been storage and holding a lot of our old machinery and some of the old parts and products that we have made.

So our initial plan with the new building is to take that section of storage that we're currently using and put it in the new building and we have current plans of building out some of our manufacturing into that space because it is growing.

MR. MATTHEW SYDOR: Then Rochester, being an optics community, one of the biggest optics communities in the world -- we have been around since the 1964 and Rochester continues to grow for optics. You have companies coming in here from the West Coast, from overseas, from -- you know, from Colorado and they're all coming to Rochester to either start a company or to, you know, have a branch in Rochester because we have the University of Rochester, MCC. So it's quite a good industry and a growing industry for Monroe County, which

is very important for the work force and for the education that we have in Rochester.

MR. JONATHAN SYDOR: And with the 56 years of history, we definitely see a trend with us. We have always prided ourselves on high end quality, very tight specifications. And that's where the industry is going. That is where all sensors are going. They need tighter specs so our workload has grown. So having this extra space for us to be able to grow into, it -- it surely will be needed the next few years ahead. We hope we can move forward.

MR. MATTHEW SYDOR: Thank you.

JOHN HELLABY: Rob (Fitzgerald), I have some questions for you, I suppose. I apologize if I'm asking you stuff that you think you already answered, because I didn't see this letter until 2 o'clock this afternoon. I haven't even looked at it yet.

MR. FITZGERALD: Okay.

JOHN HELLABY: So first of all, who or what -- they made mention they will be utilizing part of this building, but there is also a comment that somebody else could quite probably be renting space in there for the time being. My only concern is if it is not light manufacturing, assembling, fabricating or packaging, then you run into a special permit use.

MR. FITZGERALD: Obviously we would like to try to get somebody that would fit the use or we would have to come back in front of the Board to grab a Special Use Permit.

JOHN HELLABY: So you're saying each renter would have to be back here, if, in fact, they needed --

MR. FITZGERALD: If it didn't fit the current use, correct.

JOHN HELLABY: The building elevation is similar to the one they're in right now to the south of there, correct.

MR. FITZGERALD: It's -- I would say it compliments it, sure.

JOHN HELLABY: There are no State or federal wetlands on the adjacent -- or -- excuse me -- or adjacent to this property. Apparently you had marked the SEQR that there was wetlands on there.

MR. FITZGERALD: That's correct. I think it was marked by error or just marked with the auto fill. But to maintain it, they mow a couple times a year with the exception of the rear which is in a drainage easement.

JOHN HELLABY: All right. Did you submit a corrected form then or are you going to submit a corrected form?

MR. FITZGERALD: I can do that or we can just check the other box.

All right. I'm a little confused on the whole variance thing in front of the ZBA. You got the -- a variance for the rear setback, yet you have 181 foot. You got the 100 foot buffer and you have the 80 foot. I don't quite understand the comment you needed a variance on that setback.

MR. FITZGERALD: At one point we had a 60,000 square foot building on here and we decided to try to stay away from the Zoning Board variance, so we did shrink the building. So the building did get shrunk and no, it did not get modified.

JOHN HELLABY: And what's the variance for the parking count? I know Mr. Hanscom went through and verified that you had correct number of spaces, but you were talking about banking some of them, correct?

MR. FITZGERALD: Well, we want to discuss that. Um, there certainly is not a need at this point for 100. I think we now have 135 parking spots. So if that is something this Board would entertain, we could certainly grade it out and just not put the asphalt in at this point. There is really no great area to bank, because we have access aisles anyway. So we'll be losing the actual parking itself.

JOHN HELLABY: I'm going to assume you would put all of the drainage and everything in for those spaces?

MR. FITZGERALD: Absolutely, yes. It has all been designed and redesigned to include all of the impervious areas you see here tonight.

JOHN HELLABY: All right. Monroe County Comments. Have you seen those?

MR. FITZGERALD: Yes. I didn't see anything that stuck out.

JOHN HELLABY: The whole light threatening issue. Just they have the roofing material not to cause a glare. All lighting to be dark-sky compliant and the Airport approved the construction, but they said to watch for construction equipment such as cranes and stuff.

MR. FITZGERALD: Yes. Because we're on the airport overlay area.

JOHN HELLABY: Loading berths. I'm a little -- Mike, can you expand on the loading berth comment? I'm a little confused about that.

MICHAEL HANSCOM: Part -- as part of the college parking -- states you -- whenever an industrial building is erected and they have a gross floor area of 5,000 square feet or more, they shall have at least one off-street loading berth for that 5,000 square feet and then one additional off-street loading berth for each additional 10,000 square feet of gross floor area.

So because they have 52,500 square feet, that means they would need six off-street loading berths. An off-street loading berth means an area where basically a full size tractor-trailer truck can park. So 14 feet in width and 60 feet in length. And it has to be an area where they can park without blocking any of the drive aisle parking spots, things like that.

From the original plans, they revised them and included two of those berths at the rear of the building. And with the revised docking bays, they have that back there. It seemed like with the other four, they would need to go to the ZBA for a variance.

JOHN HELLABY: They would need a variance. All right.

MR. FITZGERALD: Mr. Chairman, if I could touch on that, as well. Our original plan, we did have -- let's see, one, two, three, four overhead doors on both sides of the building.

JOHN HELLABY: Correct.

MR. FITZGERALD: Now we have -- we're trying to get close to code compliant without making it -- we certainly don't need five or six loading docks. They have 1 1/2 now, if you will. So we did incorporate two in the rear of the building. We have a large overhead door here (indicating), which is what shows up at that point.

We also have one on the other side of the building, and they -- they believe it would suffice for them and if they did have another tenant. But the -- but what the architect did is he has designed a structure such as these panels here, three on either side, they could be removed and an overhead door could go in those locations. It just gives them flexibility in the future. But at this point, it would look just like this. Again, these structures could be removed. So what we're proposing tonight is 24 foot loading docks and then two at-grade in the rear of the parcel.

JOHN HELLABY: You will still have to go in front of the ZBA to get the variances if you're going to knock the number down from what is required.

MR. FITZGERALD: That's my understanding. Correct.

JOHN HELLABY: All right. 100-foot buffer at the rear of the property is to be fully landscaped. Your original drawing C5 did not meet that requirement. I don't know if you made any changes to it or not.

MR. FITZGERALD: We did. There is a grass area that kind of bisects the back of the parcel. This is a drainage easement. There is a grass area here (indicating). We had it to remain grass. This location back (indicating), about 60 feet back, is Russian woods now. To eliminate that grass, we did add a row of -- both conifers and deciduous trees which are reflected on the landscaping plan.

JOHN HELLABY: Do these plans need to be approved by the Conservation Board, Paul (Wanzenried)? Pardon?

PAUL WANZENRIED: Yes.

JOHN HELLABY: They do.

PAUL WANZENRIED: Well, they have the option. They can go before the Conservation Board and -- you know, go the route of landscaping or you donate 1 percent of the cost.

JOHN HELLABY: All right. Design calculations for the storm water sizing and storm water management facility and provide storm water quality control.

MR. FITZGERALD: I have had the chance to work with DPW, as well as the Town Engineer the last week or so, and got them to revise plans just as late as yesterday, which I think brings us a lot closer than we were say a week ago. I think we have a pretty good plan moving forward. So we now do have quality and quantity. When I did -- I actually got a 36,000 square foot building approved on the same parcel back in 2006 and we only did storm water quality, not quantity. We're not exactly sure why it wasn't required at the time, so we're just kind of following that plan. That is why I didn't do it with the original submittal for this project. But we have since incorporated that into our new storm water system, our SWPPP doc.

JOHN HELLABY: Somewhere in there it should incorporate the merge overflow weir and all of the SWPPP stuff.

MR. FITZGERALD: Correct.

JOHN HELLABY: The dumpster enclosure, which is presently located within the setback, it can't be there.

MR. FITZGERALD: We had it located right here (indicating) originally. So that was located on the side setback. So we swung it so it is now out in the side setback.

JOHN HELLABY: As I stated, I didn't get a chance to look at that. SEQR page 2, question 12B. Letter from the New York State Historical Preservation Offices agreeing that an archaeological assessment is not required.

Did you get some sort of confirmation from their Office?

MR. FITZGERALD: Basically there is a dot on the map. I think they do -- whether it is a 1,000 foot or radius around there. Our bubble crosses this property. This is part of the overall industrial park. The land has been greatly disturbed in the rear. Really the whole site. We have -- we have requested the information. We have not received it back yet.

JOHN HELLABY: All right. But it is requested.

MR. FITZGERALD: It is in the pipeline. We don't foresee any issues with that.

I think we touched on page 2, question 13, no wetlands. We'll take care of that.

Page 3, question 18, requires the construction of the storm water management pond, which I'm sure is in all of the rest of the SWPPP stuff.

MR. FITZGERALD: Correct.

JOHN HELLABY: You made a statement that the traffic is not significant. Do you know -- do you have a traffic count that that will generate?

MR. FITZGERALD: Well, we don't have really full build-out of the building.

Jonathan (Sydor), can you touch base on the traffic count now? I thought you said around 85 employees. That is for two shifts. As far as deliveries go?

MR. JONATHAN SYDOR: You look out the windows and see all of the cars coming in. It is very, very low traffic.

MR. FITZGERALD: I would say minimal compared to what else is in there.

Do you have one or two trucks even a day?

MR. JONATHAN SYDOR: We typically have UPS in the morning and UPS in the evening. Maybe a freight shipment once, twice a week, if that.

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

MATT EMENS: I guess some general questions, because I have heard some different

things tonight, and I'm seeing new things on the drawings, too.

MR. FITZGERALD: Sure. It certainly has developed.

MATT EMENS: So I guess my first question is, if the intent is the business is growing, did we look at the fact that we're next door and building an addition and connecting the lots and connecting the buildings? Or did we not look at that?

MR. FITZGERALD: We didn't look at that. We looked at just doing smaller buildings. Has to be a couple of small buildings and then working with the different contractors. This seemed to be the most economical way. You know, because it is a new standing structure on its own, so we're not tying in all of the other utilities. It just seemed to make the most sense, one large structure, not two. You have plumbing issues, heating issues. This will have radiant flooring. So it just made the most sense to go forward with this plan.

MATT EMENS: So the sites aren't connected. However, I see kind of a drive there on the drawings. It says "future connection."

How would that -- I guess I'm just thinking about -- I don't know their business extremely well, but is it going to be -- is it going to work that it is going to be separate? I mean if you say, "Hey, we make all of the optics in here and then we store them over here and ship them from over here" and that works for your business model -- that is your business, not mine. I'm just trying to understand. I haven't worked on a project in my career where the flow was a good idea to have separate buildings. It doesn't mean it doesn't exist, so don't take that the wrong way. And I'm just -- when I looked at the drawings before I got here tonight and saw the one we're looking at now, to Al (Hellaby)'s point, it looks like a tenant building, right? I mean you're more than able to do that, put a tenant building in here. I guess I'm just trying to understand do we not think we're going to grow into this whole building and use it and this will be a tenant building, our back-up plan? I guess I'm just trying to make sure I understand it. I'm worried about later when you want to connect the lots, do we have trucks driving in between here? Like what is the connection of that lot? Are we moving product?

MR. JONATHAN SYDOR: Do you mind if I comment on it?

MATT EMENS: Sure.

MR. JONATHAN SYDOR: Truly, the connection between the two lots is to be able to keep our fork -- our forklift from going out on the public road. That would be a very minor way we're going to be situating it. Next door will be storage. We won't currently -- our plan is not to have any manufacturing in there. But when we do move it, it would be a sole entity and not product bouncing back and forth.

And also our outlook is a little uncertain. If we have a possible tenant that wants to fill out 70 percent of this building and -- and that's an opportunity before our business is growing, then we would take that choice. So we're trying to be a little open-ended on it so we can be flexible. To comment on the -- the framing for the garage doors, we're just trying to keep some of the cost down. We're putting the ability to put in eight full garage doors, but right now we don't have the need for them. So we're just phasing that out. So I guess some things may look a little different than other plans, but it is because we want to be able to go both directions, if needed. I hope that helps.

MATT EMENS: Yep. Yep. Once again, I'm just trying to make sure I understand how you want to use it and then it would make sense. Because -- you know, obviously, it's -- it's a lot of building and it's right next door to your other facility so I'm trying to make sure we understand. And I guess I would say, leaving yourself the flexibility to have the ability -- like I said leaving the flexibility to put in overhead doors if it is going to become tenant spaces, that seems fine. Wouldn't put them in just to put them in anyways. Unless that is what you're going for, I wouldn't do it either. It wouldn't look very nice.

MR. FITZGERALD: But it is a good idea to structurally plan it now, a panel that is somewhat moveable without redoing steel and whatnot.

MATT EMENS: I did try to get through. I was still working through it, but I guess some of the questions I had -- will get clarified in here. So I think right now, I'm good.

JOHN HELLABY: Was there a sidewalk connection or is there one planned? I mean if you're going to be traveling back and forth, I would think --

MR. FITZGERALD: That is -- that is one thing that DPW did bring up and we did not fully address that. Just with a lot of moving dynamics of the storm water, I think we got stuck in that. This is an existing driveway back here (indicating). We're talking about a 6 foot concrete area where we could have the forklifts drive back and forth instead of going all of the way around the building on Jetview Drive and then back to the back of the parcel. But we weren't looking at certainly trucks or any vehicles.

DAVID CROSS: A couple of questions, Rob (Fitzgerald).

MR. FITZGERALD: Sure.

DAVID CROSS: You show a tractor-trailer and the turning radii that can navigate that northwest corner of the parking area. Is it the intent you will be able to swing around that southwest corner?

MR. FITZGERALD: It does swing around the whole building. That's correct. It may appear tight on paper. I have 20 foot wide parking spots and then also the area between the parking and the building is 30 feet, so it is not 24 -- it is actually 30 feet.

DAVID CROSS: It makes it then.

MR. FITZGERALD: It does. I took it off because it looks too busy. I probably should have kept it on. But it does circulate. That is the largest tractor trailer I had a template for. We're looking at box trucks, but it is nice to know it fits around the building.

DAVID CROSS: The question for the Side Table -- maybe Paul (Wanzenried) -- has the Fire Marshal looked at this, any comments on?

PAUL WANZENRIED: He is okay on it.

DAVID CROSS: Fire lanes, fire access?

PAUL WANZENRIED: He is okay with it.

DAVID CROSS: Excellent. One more question. I don't know what kind of rooftop air handling equipment you're going to have or what you're thinking about, but do you have --

MR. JONATHAN SYDOR: We won't do rooftop units. All of the units will be on the ground. We'll have an angle roof which is similar to our current building now. I'm not sure what size air handlers we're putting in, but they would all be ground units.

DAVID CROSS: Ground units. Okay. My concern at the moment was over the acoustical considerations of a large rooftop unit for the neighbors to the rear on Battlegreen. So if you can pay attention to that.

JOHN HELLABY: While we're on that point, if they're going on the ground, are they going in the paved areas? Up around -- I mean they're around the building. The reason I ask, I noticed this afternoon at the existing building they're all stuck along that north side of the building.

MR. JONATHAN SYDOR: Yep.

JOHN HELLABY: I would think if you're going to be in keeping with that, you would want to actually shrub them in some way, shape or form. Right now I did not realize they stuck out as bad as they did, but they do.

MR. FITZGERALD: They will probably pick up on it more hopefully when this building is constructed because it's not the back of the building now; it's the new front of the building. So it does make sense to shield those existing one's as well as the new proposed ones.

JOHN HELLABY: Okay. You will have to give it some thought. Sorry to interrupt.

DAVID CROSS: Yes. That was a good point, Al (Hellaby). I was thinking acoustics. Al (Hellaby) was thinking where the heck are these things going to go. That's all I have right now.

PAUL BLOSER: Question architecturally on the southwest corner of the building. I assume your truck traffic will proceed around the southwest corner and head east for exiting?

MR. FITZGERALD: That is the intent, correct.

PAUL BLOSER: On the southwest corner of the building, are you putting up any bollards or guardrails going around that building?

MR. FITZGERALD: Probably a really good idea.

PAUL BLOSER: I would like to see those shown and if that would affect that 25 foot turning radius with your parking spot delineations.

MR. FITZGERALD: Shouldn't affect it. Like I said, we're much wider than we need to have now. A six --

PAUL BLOSER: Like you said, the picture is kind of deceiving looking at it. But just so we can see where it is and -- I guess architecturally, what is it going to look like? Will it be a bright yellow? The heights? Just so it is documented what is going in there.

MR. FITZGERALD: These colors -- to touch on colors, these are as close -- actually, did we bring a sample tonight?

MR. JAMES SYDOR: Yes.

MR. FITZGERALD: We joked about having a several million dollar building and they give us a 2 by 3 inch color chip.

MICHAEL HANSCOM: Just for the HVAC units, if you show them on the plans, the approximate locations.

MR. FITZGERALD: I will. I certainly will. I'll coordinate that with the architect.

MICHAEL HANSCOM: Because just looking out there, it didn't seem to be a place for them to go.

MR. FITZGERALD: We'll screen them, too. We have a couple extra three parking spots. So maybe we swap those out.

PAUL WANZENRIED: Just work with us regarding the variance, is all.

ERIC STOWE: If I missed it, I am sorry. The 12B on the SEQR, Mr. Fitzgerald, is that -- is there a SHPO letter?

MR. FITZGERALD: We have put a request out for the SHPO letter. We have not received that yet.

ERIC STOWE: Okay. That would be a concern of mine, just SEQR before we figure out if any portion is located in or adjacent to any archaeological sites.

The next question is on this sidewalk, the lot to the south is -- is owned by the applicant, as well?

MR. FITZGERALD: Correct.

ERIC STOWE: Is it common ownership? Is it the same LLC that owns both lots?

MR. JAMES SYDOR: No.

ERIC STOWE: If it is going to correct the two, potentially a license agreement just allowing those two to go back and forth. More concerned with if one of the lots is sold, how that is terminated. Right? If there is a connection, a paved connection between two lots that are not under common ownership.

MR. FITZGERALD: So are you recommending having them?

ERIC STOWE: Just a license agreement. Not necessarily an easement if it is not intended to be permanent. Right? But a license agreement that says these two lots can use it for the benefit of each other and shown on the plan.

MR. FITZGERALD: Until one is shown or --

ERIC STOWE: It's a license you could revoke and terminate, but certainly not an easement. The goal is that you may want to sell one at one point.

MR. FITZGERALD: Okay.

ERIC STOWE: And more so, just if it is sold, it may not be a title issue if you want to go when selling -- when you have a cross-access piece. But simply the Town blessing -- or approving any connection would not remedy any title issues that may be raised on a survey. I guess that's my chief concern, is -- is having somebody come in and say "The Town approved it. Why is this now a problem?"

MR. FITZGERALD: What is the name? A license?

ERIC STOWE: A license agreement or something to that effect that might help with any title issue in the future.

MR. FITZGERALD: Is that something you need to review or just know I have it?

ERIC STOWE: Just something between the two. I don't necessarily need to review it, but because -- because it's not a permanent grant and it doesn't benefit the Town, if you own both parcels, it is just more just a comment of -- you may want to consider it. Because if you go to sell one, you're going to have a problem.

JOHN HELLABY: Eric (Stowe), can you touch on that -- on that last item.

ERIC STOWE: On the SHPO letter?

JOHN HELLABY: Will it hold us up?

ERIC STOWE: If it turns out it is next to a historical building or a place eligible for listing, it could theoretically kick it into a Type I Action. And that's my chief concern. If we do this as an Unlisted Action that is less than 25 acres, the -- if you -- if you exceed or get a contiguous -- even if it is eligible, okay?

JOHN HELLABY: So I'm almost hearing that you're saying table this thing until we get this letter. Is that what I'm hearing or not what I'm hearing?

ERIC STOWE: That would be my recommendation.

Because if it comes back it is eligible, it could make it a Type I Action.

JOHN HELLABY: Then we have a problem.

ERIC STOWE: Then we did an Unlisted that should have been a Type I.

JOHN HELLABY: All right. All right.

MR. FITZGERALD: To touch base on this, like I said, there was a potential site, like say here (indicating) and they do like a one-mile radius and we're like on the fringe of the one-mile radius. Another thing, this (indicating) has all been disturbed as part of an overall industrial park and it was approved 15 years ago.

ERIC STOWE: I tend to agree, and --

MATT EMENS: However.

ERIC STOWE: It is more -- and, Mr. Fitzgerald, we had one during -- I have seen it where during the pendency, they list one building nearby as eligible for registry. And it -- it certainly ruffle feathers with State Historic Parks.

JOHN HELLABY: All right. That it?

ERIC STOWE: That's all I have. Thank you.

JOHN HELLABY: With that, I will open up the Public Hearing.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

MR. MATTHEW SYDOR: So how does that work? Do we have to go to find a national historic surveyor and they would have to do --

ERIC STOWE: No. It's the State Historic Parks Organization, I believe it is, and they issue a letter that says yes, there is a problem or no, this site does not have any problems.

MR. MATTHEW SYDOR: Okay.

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

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

JOHN HELLABY: I guess we're stuck between a rock and a hard place here.

MATT EMENS: Can I add a little bit more since we have gone around?

JOHN HELLABY: Go ahead.

MATT EMENS: The other thing I would look at, too, as a concern, on the saw-tooth docks and the turning radius, if you are going to count them as a parking spot at 60 feet on that angle, I don't know that your last turning radius works anymore. I guess -- it is probably just a game of feet. But I would just say take a look at the width of that lane overall.

MR. FITZGERALD: Well, sure. Most docks you tend to back into them. So we could pull forward and back up if we had to make --

MATT EMENS: No. I mean -- I mean -- let's say -- I know you say you will not use it this way, however, we can't think this way. All right? If you have two 53-foot tractor-trailers in here, and we're counting them as a 14 by 60 loading berth, right, and we're counting these two spots, I would say essentially if you draw that 14 by 60 spot, on that angle, that it is at that area, and then you -- and then you look at the width of the lane that is left, I don't know that there is enough -- it's going to be tight. It is probably a foot or two adjustment, but I'm just saying take a look at it

with the parking there because I think that corner will be a problem.

MR. FITZGERALD: It shows it somewhat softly jackknifed in if you pull the full way to make the turn. This is --

MATT EMENS: Here is what I can say. In a real-world scenario, I appreciate your diagram. All I'm thinking about is if we are counting it as a 14 by 60 parking berth, it may be just like a couple feet off or a foot off. I just scaled it loosely. Take a look at it. I'm just saying -- it's a tweak. It's not a big deal.

MR. FITZGERALD: No. I would certainly rather have those comments tonight.

ERIC STOWE: I'm taking a look to see if -- I misspoke. It is the State Historic Preservation Office. I'm sorry. I'm taking a look to see if they have anything online here that we can figure out.

JOHN HELLABY: Well, if this is tabled, does it delay them from making application to the Zoning Board?

ERIC STOWE: The same SHPO issue would -- would exist, because if it is a Type I, then we have to do a coordinated review between you and -- between this Board and the Zoning Board.

JOHN HELLABY: Okay. I will give you a couple of minutes. Let me know what you find.

ERIC STOWE: Thank you.

Rob (Fitzgerald), was that just an auto-populated off the DEC mapper?

MR. FITZGERALD: I have a map right in front of me. It is probably just a local creek or something where they found an artifact and then they drew the circle and the circle actually extends out here (indicating). It covers pretty much the whole airport area and everything else. We're kind of on the edge of it, but it is just a huge radius they draw. When they auto-populate it in their SEQR, it pops up. Like I said, it has been previously disturbed. Even if it was a hot area, it has been disturbed with the overall grading from the industrial park.

MR. MATTHEW SYDOR: When they did the grading, did they have to have that artifact -- did they have to do that at all?

ERIC STOWE: It's not pulling anything up that is historic or anything else. So I'm good with it. There is nothing showing up on CRIS to show that there is anything there.

DAVID CROSS: I looked it up, as well, and can't find anything.

JOHN HELLABY: Okay. So we don't have to worry about tabling it?

ERIC STOWE: I don't think so. I think it is an auto-populate thing, but thank you for allowing us to take a look.

JOHN HELLABY: Okay. Just want to make sure.

ERIC STOWE: Yep. For the amount of stuff we have done over there, this is the first one and nothing shows up on the State website, so...

JOHN HELLABY: Nice. Nice.

MR. FITZGERALD: Part of our SWPPP, too, there is actually a chunk in there, the approved DEC document that says whatever day you start construction, if they were to find anything, they would have to immediately report it or otherwise you're in immediate violation of the SWPPP. So there is a little redundancy there.

John Hellaby 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 Matt Emens seconded the motion. The Board all voted yes on the motion.

JOHN HELLABY: I know they have paid final, but with the amount of stuff that still hanging out there, I'm not comfortable -- I don't know what the rest of the Board's feelings are -- but I would not waive final at this venture. Thoughts?

DAVID CROSS: That's okay.

JOHN HELLABY: All right. Application Number 1 29-31 Jetview Drive LLC (James Sydor) owner; 31 Jetview Drive, Rochester, New York 14624 for preliminary site plan approval to erect a 52,500 sq. ft. structure for manufacturing use at property located at 39 Jetview Drive in L.I. District.

Wait. Before I do that, I should have went through some conditions. We have conditions that we have to put on there. Sorry, guys.

They give me this job once a year and I mess it up.

Some of the conditions I have, I assume you go to the Conservation Board or do you want to donate the 1 percent?

MR. FITZGERALD: I would like to go to the Board. I didn't realize they were back up and meeting.

JOHN HELLABY: So the application -- applicant shall supply a landscape plan drawn by a licensed landscape architect along with the required checklist to the Conservation Board for review and approval.

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 by the Town Engineer and Commissioner of Public Works.

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

Applicant shall comply with all pertinent Monroe County Development Review Committee comments.

Copies of all easements associated with this project shall be provided by the Assistant -- or to the Assistant Town Counsel for approval.

And all filing information such as liber and page number shall be noted on the mylars. Building permit shall not be issued prior to the applicant complying with all conditions.

Applicant is subject to all required permits, inspections and code compliance regulations.

Have we determined that you have to go to the Zoning Board -- that's right. 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 life safety conditions and permits from the Town Fire Marshal.

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

No outside storage of material or product.

Applicant must provide a letter of credit to the Town of Chili prior to the pre-construction meeting and the start of construction.

Property owner to enter into a Storm Water Control Facility Management Agreement with the Town and to provide proper access easements to the Town. The access easements and the Storm Water Control Facility Management Agreement will need to be reviewed and approved by the Department of Public Works and Planning Board Attorney. And then filed in the County Clerk's Office prior to signing of the mylars.

Am I missing anything? Did you want something on that license agreement?

ERIC STOWE: No.

JOHN HELLABY: You're set with that. All right.

Then that's what I guess we got. Any additions, comments? Nope? All right.

Application 29-31 Jetview Drive LLC (James Sydor) owner; 31 Jetview Drive, Rochester, New York 14624 for preliminary -- not waiving final -- site plan approval to erect a 52,500 sq. ft. structure for manufacturing use at property located at 39 Jetview Drive in L.I. District.

Is there a second?

MATT EMENS: Second.

DECISION: Unanimously approved by a vote of 5 yes with the following conditions:

1. The applicant shall supply a landscape plan drawn by a Licensed Landscape Architect along with the required checklist to the Conservation Board for review and approval.
2. 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.
3. Approval is subject to final approval by the Town Engineer and Commissioner of Public Works.
4. The Town Engineer and Commissioner of Public Works shall be given copies of any correspondence with other agencies.
5. Applicant shall comply with all pertinent Monroe County Development Review Committee comments.
6. Copies of all easements associated with this project shall be provided to the Assistant Town Counsel for approval, and all filing information (i.e liber and page number) shall be noted on the Mylars.
7. Building permits shall not be issued prior to applicant complying with all conditions.
8. Application is subject to all required permits, inspections, and code compliance regulations.
9. Pending approval of the Zoning Board of Appeals of all required variances.
10. Applicant to comply with all conditions of the Zoning Board of Appeals as applicable.
11. Applicant to comply with all required Life Safety Conditions and Permits from the Town Fire Marshal.



12. Any signage change shall comply with Town Code, including obtaining sign permits.
13. No outside storage of material and/or product.
14. Applicant must provide a letter of credit to the Town of Chili prior to the preconstruction meeting and start of construction.
15. Property owner to enter into a Storm Water Control Facility Maintenance Agreement (SWCFMA) with the Town and to provide proper access easements to the Town. The access easement(s) and the SWCFMA will need to be reviewed and approved by the Department of Public Works and the Planning Board Attorney, and the filed with County Clerk's Office prior to the signing of the Mylars.

Note: Final site plan has NOT been waived by the Planning Board.

**INFORMAL:**

1. Application of Costich Engineering, D.P.C., 217 Lake Avenue, Rochester, New York 14608, property owner: Fallon Properties, Ltd.; for sketch plan approval of a 30-lot subdivision under incentive zoning located at 92-93 King Road in R-1-15 District.

Michael Ritchie was present to represent the application.

ERIC STOWE: Just to clarify, it is not sketch plan. It's a recommendation to the Town Board.

JOHN HELLABY: I am corrected.

MR. RITCHIE: Good evening, my name is Mike Ritchie, Costich Engineering. And thanks for that. This application is for a 30-lot subdivision. We were previously before the Town Board last month to kind of kick off the incentive zoning process. We presented it to the Town Board who, I guess, were in favor enough to recommend that it go to the Planning Board for your input, and recommendation back to them so we can finalize the incentive zoning process which would then come back in front of the Planning Board for site plan approval.

What I have with me tonight is a concept plan showing 30 lots. It's 15 buildings. They're duplex or single-family, semi-detached, depending on how you want to say it. Generally, they're -- they're two units per building with a fire wall, but they're individually occupied. They're not for rent. They're for sale. And initially when we started working with the Fallones on this, we looked at the existing R-1-15 zoning, single-family residential homes, and they really didn't get the yield they were looking for. It was like 12 lots and that wasn't worth the development.

We also looked at more intense, apartment-style developments, but that, after speaking with the Supervisor, was not really what he was looking for.

So we kind of settled in the middle with this application. Per the R-1-15 zoning, duplexes are allowed with a Special Use Permit. But it was kind of determined that the better option, instead of going that route, was to go the incentive zoning route, because there are a number of, I guess, zoning regulations that this development doesn't quite fall into, which is what we're asking for the incentive zoning for.

For example, lot size, setback, with the common wall here you obviously don't meet the side setback. Front setback and lot width. So that is why we're going this route and generally looking to get your input on our layout, your thoughts so we can go back to the Town Board. And then obviously once the incentive zoning goes through, we'll get full survey and full site plan design and get into the detailed review process with you.

So I -- I would be happy to answer any questions this Board has at this time.

JOHN HELLABY: The requested setback, on the cul-de-sac road, is 25 foot; correct?

MR. RITCHIE: 20.6 foot, I believe, is what we're proposing. I believe code -- 40 feet, I believe, is what is required on the said indicated road.

MICHAEL HANSCOM: No. 60 feet.

MR. RITCHIE: 60 feet. Sorry.

JOHN HELLABY: So it is pretty substantial. The only thing that is close to that, as far as looking at the Town, is the Greenwood Sub, which is a 30 foot setback, but it's on a private road, as well.

MR. RITCHIE: Right. That is certainly something with the Fallones we can discuss. Obviously a dedicated road is preferred from a long, you know -- a long goal, but if the Town would prefer a private drive, I think that could be explored and proposed going forward.

JOHN HELLABY: Well, I think they would be more apt to say, you know, thumbs up to a private road, but still again, even a private road, I think the 25 foot is just not going to cut it as far as trying to get vehicles parked in these driveways without hanging out over the right-of-way.

MR. RITCHIE: They are -- sorry. I didn't mean to interrupt. We're anticipating it could be a two-car garage. So not anticipating -- parking will be available, and I understand your thoughts, you don't want to have a car sticking out when you get 2 feet of snow and plow trucks

coming by. But as it is shown now, with this dedicated road going away, you would be looking to closer to 40 feet from the edge of pavement in terms of from the driveway -- from the edge of the garage to the road. So once that -- once the right-of-way would go away, you would be looking at a lot more room than the 26 feet --

JOHN HELLABY: So you're saying if that was a private road held by an HOA, you could possibly end up with 40 feet from the front end of the building to the edge of pavement?

MR. RITCHIE: Yes. If the 26 feet is measured from basically the garage to the right-of-way line, which you can see is actually 2/3 or halfway to the actual edge of the road. So I do think you would be closer to 40 feet from the face of the garage to the edge of pavement.

JOHN HELLABY: I'm not sure where that creek runs back there, but I would think that a lot of these, just looking at them, look like they could be shoved back another 5 or 10 foot.

MR. RITCHIE: The ditch runs basically back through here (indicating) which is kind of how we're subdividing it. Actually, it is this way (indicating), from the regional pond. And obviously once we got topo -- topography hasn't been done on this. We'll look to refine the sketches. This is just based on aerials. Obviously we would like to push it back and get it farther off the road and we'll explore that when we get more information.

JOHN HELLABY: There is also some concern as far as Lots 11, 12, 13 and 14 due to their driveway configurations. They need to be moved back to allow a 20 foot straight line. Right now they curve -- they're big curves and you will never get a car -- large truck in there correctly. I almost think you would be better beneficially removing one of those buildings back in that cul-de-sac and trying to jockey them around a little bit.

MR. RITCHIE: I agree. And again, these building layouts, you know, we have to work with an architect. There may be an opportunity for instead of an end-loading garage, a middle-loaded where at least this cul-de-sac might work a little better. Or like you say, maybe if you have to eliminate one unit, to maybe make the spacing a little better, we can explore that.

JOHN HELLABY: The biggest problem is Lots 11 and 12, they sort of conflict each other. You're going to have ongoing problems, I think, with the neighbors --

MR. RITCHIE: Right.

JOHN HELLABY: -- constantly complaining that somebody has them blocked in there.

MR. RITCHIE: We can certainly look at that one a little bit more. Again, these buildings, as we have shown, are kind of a larger style. We have to get with an architect and really nail down a footprint size. But 11 and 12, I do see what you're saying, how they kind of Y out and there could be a conflict.

JOHN HELLABY: How did you plan to access the storm water pond at the back of Lots 14 and 15?

MR. RITCHIE: And again, that is just shown -- that may be a bio retention we -- prior to an easement. And going forward we might have to increase that spacing a little more between the units, you know, with an easement back there to allow somebody to get back there to maintain that pond. But for now, this is shown -- there may not be a pond there when we go forward with full design or maybe a smaller more, you know, bio retention. But certainly we'll look into possible maintenance means on the storm water pond.

JOHN HELLABY: I did not see it, but I have heard rumors about some property being transferred to the Town of Chili.

MR. RITCHIE: That's potentially a part of incentive zoning negotiations. One of the amenities proposed is cash for the parks project and then potentially, you know, maybe donating some land to the Town.

JOHN HELLABY: Where would that land be?

MR. RITCHIE: I would imagine that would be on the north side of the road, behind Lots 25 through 30 for expansion of the storm water management facility.

JOHN HELLABY: All right. The other thing is, how does the incentive zoning benefit you guys for the smaller parcel that is on the other side of King Road from the cul-de-sac road? Because you have six lots either way you cut it.

MR. RITCHIE: Not per -- like R-1-15 zoning. You know, for lot width specifically, you will probably -- you would be lucky to get three lots back there, because 90 feet is the required lot width. We're showing closer to 53. And really, the thought on that was kind of keep it also more of a consistent style development. You're right. There may be potential instead of six, it may be less. That is kind of the reason we're going down this route, to try to get a return on the property.

There is certainly presently no storm water management shown for that smaller parcel. Is there somewhere you think that will end up going?

MR. RITCHIE: For Lots 25 through 30?

JOHN HELLABY: Yeah.

MR. RITCHIE: I would imagine working with the Town, possibly an expansion of that, the Town-owned storm water management facility would be the logical choice to provide storm water back there.

JOHN HELLABY: How do you feel this meets the -- the Town's Master Plan?

MR. RITCHIE: You know, personally, you know, in terms of the Master Plan, I -- I know the Town is not in favor of apartment-style developments and that is what was initially proposed, so I feel this is a compromise in terms of maybe what the existing zoning allows for. And what the property owners need to get yield on this property. So that may be a dodge of an answer, but I feel it's a good compromise overall in terms of the -- the Comprehensive Plan.

JOHN HELLABY: All right. The wetland boundary, with -- 18 to 20 feet is significantly

smaller and the federal wetland boundary IS shown on the environmental resource map. Are you aware of that?

MR. RITCHIE: Yes. And this is per the resource we had and this has just recently been delineated by Environmental Resources. So once we get out and locate topo, we'll locate their actual wetland boundary and provide you his report, as well.

JOHN HELLABY: I don't know where this thing is headed this evening, but -- but, if, in fact, it does go through and you come in for site plan approval, right now you have got the -- the lot coverage. I mean, I think you made a general statement of 25 percent or something like that.

MR. RITCHIE: Correct.

JOHN HELLABY: We would like to nail that down so we know what it is on each individual lot.

MR. RITCHIE: Yes. I agree. I think that is part of the reason we haven't nailed it down yet, they have to engage with an architect and get an actual building footprint and then we can be more specific. Especially, too, if say the right-of-way goes away. You know, that will change that number, as well.

JOHN HELLABY: All right.

MATT EMENS: So I guess going back to -- we see the conventional layout, and then we see the proposed layout. And I think a lot of the things that Al (Hellaby) has touched on, or the majority of the things that Al (Hellaby) touched on that, I'm interested in, is due to the fact that there is a lot of units on here.

MR. RITCHIE: Correct. There -- there is.

MATT EMENS: I'm just trying to generalize it and maybe summarize -- I think if -- I think if you were to make some tweaks and some adjustments, you could solve some of those problems. And I think the other general comment, I guess, as Al (Hellaby) has made, is I -- I -- I might also be interested in -- this -- you know, once again, this being a different approach -- you talked about the apartment buildings. We're not looking at that. I'm not talking about that.

But I guess a hybrid approach -- well, you switched up your site plan, but if you look at the -- let's say the main private or dedicated road development, um, with the for-sale duplexes, right, and then why not try to come up with a hybrid approach for the other two areas where you could still have single-family homes.

MR. RITCHIE: I understand.

MATT EMENS: It meshes with the rest of the road and the neighborhood and still try to, like you said, capitalize on the -- on the -- you know, still be able to make money here and have a viable project.

MR. RITCHIE: I agree. I will bring that up with the developers. I think -- I think that is a fair request, that maybe we look into -- you might lose, you know, three -- three lots, but I think it would be more consistent with what is on King Road and maybe some of the other neighbors around there, as well. I could certainly bring it up with them and -- as we go forward, we might go that route. I will make a note of that.

JOHN HELLABY: And I think just going back to, you know, if -- if the old -- if this was -- you know, the one scenario, and this is the other one, I feel like there is a way to come back down from this, because these driveways, to me, look just silly. Like I just -- I would -- I understand it's an exercise to show what we can fit on here and try to get the most out of it we can. However, I think it's -- I just don't -- I don't think it is a good design and I don't think it is a good idea.

MR. RITCHIE: In terms of how much driveway is shown?

MATT EMENS: Yeah.

MR. RITCHIE: We tried to think about that a little differently, too, on the lots fronting on King Road and sharing driveways. The building unit itself --

MATT EMENS: Just like you said, similar to your rendering, if --

MR. RITCHIE: Have the one shared driveway, a larger driveway. I agree. That is something I will work with the Fallones on. I'm not an architect. But understanding the -- the compact nature of this lot, then maybe it would make sense to consolidate those instead of having a bunch of little driveways all over the place. Understood.

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

DAVID CROSS: I agree with Matt (Emens) 100 percent the lots on King Road would be more of a single-family home. Stay consistent with the -- with the neighborhood there. That's great.

The only other comment, um, the storm water management facilities up along King Road, I just got to make sure that somehow they're maintained, they're not full of cattails and -- sometimes these things can really look awful.

MR. RITCHIE: I took some liberties in drawing some amoebas on there. We really have to evaluate where the storm water is going and we understand they will be bio retention. And I agree fully whether these are private or dedicated, they will have to be maintained. Close to the road you don't want this to be an eyesore. I agree.

DAVID CROSS: Thanks. That's all I have.

PAUL BLOSER: That is my big concern because that area there is inherently wet and swampy. I prefer not to see ponds on the road.

The other -- on the north side of the road there, there is a storm control pond in there before you get to the first lot, Salvaggio's (phonetic) lot there. That is always wet, and going down into the track. So again, I -- I'm concerned about water in that area.

MR. RITCHIE: I agree. And once we get to it, we'll see if there are low-lying areas and

stay out of them, certainly work with the developer. That's may be more -- they may not have basements if water is really an issue. So we'll take that into account.

PAUL BLOSER: I know two of the neighbors on the first two houses on the south side there, um -- actually, the first three there, and -- and they all have very soupy wet backyards.

MR. RITCHIE: Okay.

PAUL BLOSER: Almost all year.

MR. RITCHIE: Understood.

PAUL BLOSER: This is only going to exacerbate that issue. So, you know, that's a concern I have in that area. I have hunted back there, bow hunted back there. I know -- I have walked it, so I know what it is like.

MR. RITCHIE: Got you. Thank you.

MICHAEL HANSCOM: No additional comments.

ERIC STOWE: So you guys are being asked to give a report to the Town Board and it's 500-106C. And your review is limited to the planning design and layout considerations involved with the project review or such issues as may be specifically requested from the Town Board. You have to submit your report within 70 days from the date of the Planning Board meeting at which the proposal is first placed on the agenda. Which time can be extended or -- for good cause by the Town Board. So we can't extend it here. Only the Town Board can.

So I guess we got to work in conjunction with them and with the applicant for -- are they intending to revise some plans and go back and talk to the developer? And then go back to the Town Board and come back here? How best did they want to do that? But you can't -- it's not like a normal project where we could say tabled with the applicant's consent and move forward. The Town Board makes that decision for you, whether it can be extended. So our 70-day clock starts today, but --

JOHN HELLABY: I guess I may have to look at the -- to you for help on how to draft this letter then. If they get a report from us --

ERIC STOWE: Before we get to a letter, I think we need the applicant to tell us whether they want to go back and talk -- there was some conversation about talking to the developer about the north end of King Road there. And do you want to go back and talk and then come back or how do you -- or do you want them to make the recommendation today and put that in their recommendation?

JOHN HELLABY: I think you heard our concerns.

MR. RITCHIE: I did. I did.

JOHN HELLABY: I think you can work -- work, you know, to try to move that direction a little bit more than what you are right now.

MR. RITCHIE: I mean I would appreciate the opportunity to -- to work with the developer and perhaps Town staff behind the scenes and potentially incorporate some of the comments we heard tonight and -- about changing some of them from duplexes, single-family, whereby you wouldn't need incentive zoning specifically. I don't know if midstream you can -- you know, change portions of the incentive zoning application prior to Town Board acting on it.

Otherwise, I think most of the comments you had were planning comments, you know, that I don't think would impact what we're really requesting of the Town Board. We'll still be requesting -- requests from these specific areas of -- of the code. And I don't think anything you said would -- would change that drastically. We may lose a lot. We may convert some of these conventional single-family, but I think doing that would be less intense than what we're proposing in front of you now. The reason I say that is, in a timing thing, obviously we're not going to go back to the Town Board -- I believe they meet next week. I already spoke with Dave Lindsay. It would be a month out from there. If we had to come back to the Planning Board with revised plans.

JOHN HELLABY: You will have to come back anyhow is my understanding.

ERIC STOWE: So your recommendation could state your concerns with the setback on -- if we call it the southern portion.

JOHN HELLABY: Right.

ERIC STOWE: Recommend they review that for whatever -- for whatever your recommendation is -- I shouldn't say determination -- on the setbacks, on the southern portion. And then on those lots fronting on King Road, a recommendation that those be single-family and not duplex -- it's wrong to call them "duplexes" -- but townhouses with a shared -- a common wall. I mean that can be part of your recommendation that you're in favor of the overall project, subject to the following modifications.

MATT EMENS: Then we're giving our referral with our comments.

ERIC STOWE: Right.

MATT EMENS: That makes sense.

ERIC STOWE: If -- if the general feel is that you're in support of the project, subject to these modifications or review -- or additional review by the Town Board --

MATT EMENS: I think that is what we're saying, right, Al (Hellaby)?

ERIC STOWE: That keeps the applicant moving forward. You -- you have complied with your time restrictions and it -- it is really a Town Board decision on how they wish to proceed at that point for the zoning.

MR. RITCHIE: I'm comfortable with that. I can't speak for the developer because he is not here, but I think that is an orderly way to move forward.

ERIC STOWE: It is certainly the most efficient.

JOHN HELLABY: All right. So if I'm going to write this review, we'll -- you may have to

chime in here.

ERIC STOWE: Al (Hellaby), do you want me to kind of help you with the resolution?

JOHN HELLABY: If you would.

ERIC STOWE: A resolution to make a positive recommendation to the Town Board regarding the incentive zoning for 93 King Road off a conceptual site plan from Costich Engineering, project number -- I lost the project number.

MR. RITCHIE: 7832.

ERIC STOWE: 7832. Thank you.

The approval -- the recommendation, rather, is based upon the following modifications to the overall plan: And then --

JOHN HELLABY: Then list them.

ERIC STOWE: -- then list your recommendations and your modifications.

JOHN HELLABY: One of the recommendations is we go to single-family dwellings on the smaller lots fronting King Road?

MATT EMENS: Correct.

ERIC STOWE: Al (Hellaby), I would just say Lots 1, 2, 3, 4 and 25 through 30. 1 through 4 and 25 through 30, just so it is clear, based off of the plan that we're looking at.

MATT EMENS: Not Lot 6 and Lot 24.

ERIC STOWE: Right.

JOHN HELLABY: All right. Modify the setbacks on the southern portion. I don't know what those lot numbers are, because I don't have a plan right in front of me.

MATT EMENS: Is it 11, 12 --

MICHAEL HANSCOM: 5 through 24.

JOHN HELLABY: 5 through 24. Thank you.

DAVID CROSS: You will drop a lot in the cul-de-sac, Al (Hellaby)?

JOHN HELLABY: Oh, yeah.

DAVID CROSS: Whatever it takes to --

JOHN HELLABY: Well, do we want to say drop a lot or adjust -- or adjust the distance?

ERIC STOWE: Review --

MATT EMENS: Quantity.

ERIC STOWE: -- the quantity of lots for -- are we talking 9 through 18? Or 11 through 16?

JOHN HELLABY: So review quantity of lots --

ERIC STOWE: The cul-de-sac starts at Lot 9 and goes to Lot 18, but the -- but what I was hearing was the driveway concerns on 11 through 16.

JOHN HELLABY: Right.

ERIC STOWE: So I guess that's your determination on -- are you starting at the whole circle or is it that --

DAVID CROSS: Whatever it takes to minimize driveway conflicts.

Does that make sense?

ERIC STOWE: Review driveway conflicts on Lots 9 through 18?

DAVID CROSS: Sure.

MATT EMENS: I think it is just minimize the amount of driveways on --

JOHN HELLABY: Do we have to state the private road versus the dedicated?

ERIC STOWE: Well, that is a true Town Board determination on taking dedication, right? So you -- you have said your setback piece for Lots 5 through 24.

JOHN HELLABY: Yep.

ERIC STOWE: You may just want a comment on the distance to the right -- to the right-of-way, if it is a dedicated road.

MICHAEL HANSCOM: The typical right-of-way setback is 60 feet.

ERIC STOWE: And we're going by a reduction of more than half.

JOHN HELLABY: Well, I heard earlier, though, it could go -- that is not the right-of-way. It is 40 foot from the edge of pavement, right?

MR. RITCHIE: Right.

MICHAEL HANSCOM: That is for a private road.

MR. RITCHIE: It's the separation to the right-of-way. The edge of pavement separation would still be the same. It is just the setback is shorter.

JOHN HELLABY: I guess I'm still struggling here.

ERIC STOWE: So I'm just trying to think of the best way to phrase it. You know, additional review of setbacks on a dedicated road.

PAUL WANZENRIED: Leave it at that.

JOHN HELLABY: Additional reviews of setbacks.

ERIC STOWE: You're talking front setbacks off of dedicated roads.

JOHN HELLABY: Yep. All right.

MICHAEL HANSCOM: You could just express that 26 foot setback on a dedicated road is --

ERIC STOWE: You could say the delta between the proposed setback and the code required setback is significant.

JOHN HELLABY: All right. Anything else?

ERIC STOWE: I'm just trying to help with wording.

MATT EMENS: I think that serves what we talked about. And then the storm water management facility is --

JOHN HELLABY: Right. That will come up under review.

MATT EMENS: I think we have got it.

PAUL WANZENRIED: Want to reread them, Al (Hellaby)?

JOHN HELLABY: Not really. Because I have got a lot of chicken scratch up here. I was going to have to hope that Sandy (Hewlett) got it all so I can get them from her.

But basically we have the single-family on the smaller lots fronting King Road, Lots 1 through 4 and 25 through 30.

Setbacks on the southern portion, Lots 5 through 24. Right?

Review quantity of Lots 9 through 18 and alleviate driveway conflicts.

Is it that?

MATT EMENS: And then the front setback on the dedicated road.

JOHN HELLABY: Oh, additional review of front setbacks off dedicated road.

Proposed setback seems excessive, right?

ERIC STOWE: Well, the difference is.

DAVID CROSS: The delta.

JOHN HELLABY: All right. All right. So with that, I need to make the resolution that you made; correct?

ERIC STOWE: That's correct.

JOHN HELLABY: I don't have a clue --

ERIC STOWE: Resolution for a positive recommendation to the Town Board for the incentive zoning project under Costich Engineering plan number 7832 for 93 King Road subject to the following addition -- the following comments.

MATT EMENS: That you just read and we agreed to. Second.

ERIC STOWE: Hang on.

Al (Hellaby), could you put that in the form of a motion that would then be seconded?

JOHN HELLABY: I thought I had, but I will.

I make a motion on the resolution to grant the letter to the Town Board as a positive -- or with the comments so discussed here.

ERIC STOWE: Positive recommendation.

JOHN HELLABY: The positive recommendation.

MATT EMENS: Second.

DECISION: Unanimously recommended by a vote of 5 yes to recommend the incentive zoning of 92-93 King Road conceptual site plan from Costich Engineering, project number 7832.

The recommendation is based upon the following modifications to the overall plan:

1. Modify the plan to include single family dwellings on Lots 1 through 4 (93 King Rd.) and Lots 25 through 30 (92 King Rd.).
2. Modify setbacks on Lots 5 through 24. Setbacks do not appear adequate for a dedicated street. The Planning Board would like to see setbacks that are more consistent with those typically provided on a dedicated residential street or the street should be private and a HOA established to address maintenance needs.
3. The Planning Board expressed concerns with the overall density of the units located in the cul-de-sac (Lots 9 – 18) and recommends that the unit count be reduced to provide greater separation between the units.
4. The Planning Board expressed concerns with the proposed driveway layouts for Lot 11 through Lot 16 given the density of the units and potential driveway conflicts. The Planning Board requests that the applicant review the proposed layout for improvement.

John Hellaby made a motion to accept and adopt the 2/9/21 Planning Board meeting minutes, and Matt Emens seconded the motion. All Board members were in favor of the motion.

The meeting ended at 8:21 p.m.