

CHILI PLANNING BOARD
November 15, 2022

A meeting of the Chili Planning Board was held on November 15, 2022 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, Glenn Hyde and Vice Chairperson John Hellaby.

ALSO PRESENT: Michael Hanscom, Town Engineering Representative; Matthew Piston, 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 Valley Energy Services, LLC. 762 Brooks Avenue, Rochester, New York 14618, Genesee Valley Regional Market Authority, 900 Jefferson Road, Rochester, New York 14623, owner; for preliminary site plan site approval of a distribution facility at property located at 1861 Scottsville Road, Rochester, New York 14623 in LI, FPO District.

Matt Napierala, Paul Tandlmayer and Stacy Silvers were present to represent the application.

MR. NAPIERALA: Good evening. My name is Matt Napierala, Napierala Consulting, representing Valley Energy Services. With me tonight is Paul Tandlmayer from Valley Energy Services, Stacy Silvers of Hiltz Propane Systems to also present to the Board with regards to our application.

The application is for the installation of a 30,000 gallon bulk storage propane tank for purposes of distribution to local propane distributors. This is located at the end of the cul-de-sac of the Genesee Valley Regional Market Industrial Park area off of 1861 Scottsville Road.

With our application we included various pieces of -- of information, including a -- a brief write-up introducing the project that talks about the operations of which Paul (Tandlmayer) can address in further detail as needed by the Board. Which during the winter months, the busy months, there will be approximately one tanker truck to offload at the site and approximately three to four smaller delivery trucks on a daily basis, so not a lot. Off months, warmer months, probably from April until -- well, early November this year or October, um, one tanker -- about once every two weeks. So not very often. With a smaller truck there potentially on a daily basis.

We have received the comments from Lu Engineers and from the Fire Marshal. Our recent package we have addressed those line by line. I can either go through those or we can wait during your comment period, but we have for the most part modified or concurred with all of those comments with regards to our application.

And -- and as well, earlier today, Stacy (Silvers) has met with Fire Chief and she can elaborate further on her conversations with the Fire Chief with regards to this facility and the -- the attached -- which we attached in our comment letter, the fire analysis plan.

So with that, I will open it to the Board with regard to comments and questions with regard to our application. Thank you.

JOHN HELLABY: This is, I assume, the letter of acknowledgment that you're speaking to.

MR. NAPIERALA: November 9, 2022.

JOHN HELLABY: It might be beneficial if you just go down through -- again, don't delve into them, but go down line by line and if questions pop up, I'm sure --

MR. NAPIERALA: Sure. And certainly the team here can address them. First comment, um, was with regards to siting of the tank, making sure that the tank was at least 15 feet away from the existing edge of pavement. Our first -- our first plan, the -- both the propane tank and the offload area was a lot closer to the public cul-de-sac, in which we have adjusted and modified the plan so that both the tank is appropriately spaced away from that cul-de-sac edge of pavement and as well, the offloading and the filling vehicles will be off of that edge of pavement.

So we have now essentially made that area wider so that all of these comments with regards to siting of the 30,000 gallon tank and the operations associated with that tank are off of that public cul-de-sac -- at the end of cul-de-sac. So that really takes care of, I think, Comment 1 and I think there is another comment.

JOHN HELLABY: If I can just jump in real quick, though. You stated that it had to be a minimum of 15 foot from the edge of pavement. However, I think somewhere in there I read that the 2020 New York State Fire Code required it to be 50 foot from the edge of pavement.

MR. NAPIERALA: The way we interpret that is this is a private drive and then certainly we've got -- and even though it's in the form of a turnaround and a cul-de-sac, it is private. But -- but again --

JOHN HELLABY: Again, I understand that it is a private drive. However, you have people coming and going in there constantly. There is no way to safeguard people coming around that cul-de-sac that, you know, get into your area up there, so to speak. I had no problems navigating it this afternoon.

MR. NAPIERALA: Sure.

JOHN HELLABY: So I think there's a reason that they're calling for this 50-foot setback.

MR. NAPIERALA: Stacy (Silvers), do you want to comment because this is -- you're more abreast with the NFPA requirement?

MS. SILVERS: Hi. Stacy Silvers with Hiltz Propane Systems. The setbacks for -- for driveways is 5 feet. The setbacks for roads would be 10 feet. The 50 feet comes into play with property lines. So we do have that from all property lines there. We never have had to do 50 feet from a road --

JOHN HELLABY: That leads me to another question. Are there independent properties up there? Because all of the drawings I looked at show no property lines on them.

MS. SILVERS: We have to show our -- our codes -- there is a property line right here (indicating) that runs kind of diagonal and then the entire Genesee Valley facility is one property. So that is how we -- we determine our setbacks and follow our codes.

JOHN HELLABY: All right. I will open it and see where it goes.

MS. SILVERS: We would also have a -- 50 foot from the building which we have -- I think it is 187 feet here from the building. And there is no intention of building anywhere closer to that on that property.

JOHN HELLABY: All right. So the truck -- well, continue with your -- your letter. I'm sorry.

MR. NAPIERALA: Certainly. That is why we're here, to address these type of comments and questions and hopefully we can clear the air with regards to those.

So item 2 dealt with comments from the Fire Marshal, which I just kind of attached those to the end of this letter because there is three or four of those. The -- the Fire Code issue, we talked about that. 50 foot from any buildings and the adjoining lot lines. The -- the next one was weeds, grass, brush and trash. We have denoted a -- and we have also expanded the area to make sure there is a clear gravel area.

We were a little tight on the -- the backside or the south side of the tank, so we cleared and made that all gravel 10 foot around the tank, even on the south side and it is well denoted that is to be clear of weed, grass and brush so that is non-combustible materials surrounding the -- the tank.

The compliance with regards to NFPA58 and gas code, we will concur and comply and Stacy (Silvers) can address NFPA58, as well. I think this is where the conflicting information -- when we talk item number 4 on this comment letter is that -- as was put together by Lu Engineers, per NFPA58, the location where the LP gas is transferred from one tank to another must be located a minimum of 10 feet from the public streets.

So -- and again, the transfer location, we have adjusted it so we are greater than 10 feet. I think we're close to 25 feet away at that location. I can't see that -- I set that for everyone to see, but I can't read it. But we certainly comply with that distance requirement.

Number 5 deals with -- the barrier protection has been provided around the transfer location so that we have got a -- a surround barrier at that transfer.

The room -- Number 6 deals with a remote shutdown, and we have provided -- from our initial plan to this plan, there are now three remote shutdown locations on the plan. So we have one immediately adjacent to the transfer location. There's another one further back but on -- near the tank and as was indicated, if there is an emergency issue, there is a third shutdown location at the light pole well away from the tank. So we have got three shutdowns, so that that system can be shut down remotely.

JOHN HELLABY: Have you reviewed that with the Fire Marshal at all? Because I know that was one of his biggest concerns.

MR. NAPIERALA: Again, Stacy (Silvers) talked to the Fire Chief today.

MS. SILVERS: I talked to the Fire Chief today. We did not talk about the emergency shutdowns. But per code -- and I have it in the NFPA58 fire safety analysis -- about a 50-page document here -- each code is referenced in there, as well. So when we talk about a certain part of the facility, I can reference the code for you there.

But the emergency shutdowns are required to be at the point of transfer. So there is one where the trucks will load and unload right there where the gate is located. And then there is one also on that same structure, towards the other end of it, and then the request from the Fire Marshal was to have one at the point of egress. So there is one to the right, kind of northeast with a light pole.

And that would be -- if you were -- egress from the tank, if you were headed out of the cul-de-sac, that would be the one that would satisfy that requirement there.

JOHN HELLABY: Okay.

MS. SILVERS: Just to clarify one last thing, per NFPA58, we have to have one at the point of transfer and then we have to have one between 25 and 100 feet away. We actually have two now because we added that one.

MATT EMENS: Can I just say -- or ask a quick follow-up? You guys keep saying "Fire Chief," but it was actually the Fire Marshal; correct?

MS. SILVERS: Well, these were from Fire Marshal. I believe it was Chief Jim May today. I believe he is the Fire Chief. I guess our comments are from the Marshall here.

Michael Hanscom arrived.

MATT EMENS: Thank you. Appreciate it.

MR. NAPIERALA: Stacy (Silvers) couldn't meet with the Fire Marshal, but in lieu of that she met with the Chief today.

MATT EMENS: Understood. Thanks.

MR. NAPIERALA: I just lost a page. We are on -- the shutdown is Number 6.

Number 7 dealt with a -- the -- making sure that we have provided that fire safety analysis, which again was provided with this letter in its totality, about the 50-page report that Stacy alluded to.

We have added the appropriate details here with regards to fencing and slide gate. The bollard and the cross-section detail of the gravel pavement. So we have now shown those on a separate detail sheet associated with the plan set.

Number 10 -- Number 11 was the actual piers. We have a frost depth minimum of 48 inches. We have updated that, as well, on the plan section so that the -- the -- the -- the skid is now sitting on a foundation essentially with the full appropriate foundation depth.

Modifications to the EAF, we have concurred and made those modifications 12A and B.

And then the other comments that all correspondence be copied with the Town Engineer and Public Works as we're working through this. And that we have complied with regards to addressing each of these comments per letter.

The Fire Chief comments dealt with, as well, fire extinguishers, that they might NFPA10 and be dry chemical. We have noted that on the plan so we have the appropriate fire extinguishers located -- and they're at the pole, right, Stacy (Silvers)?

MS. SILVERS: They would be at each of the emergency shutdowns, yes.

MR. NAPIERALA: We have added site lighting. We agree it's a good idea. We apologize it wasn't on there initially.

And then conformance with the NFPA requirements and again, the discussions of the weed and grass within 10 feet -- or excluding 10 feet.

So those were the comments from peer review engineer and from Fire Marshal and again we're here for additional or any additional questions that the Board may have.

JOHN HELLABY: I'm sure it is probably spelled out in your report, your fire report there, but somewhere I read that fire protection shall be provided for the tanks larger than 4,000 gallons.

Can you elaborate on that a little bit? What type of protection? I'm sure there's no fogging system out there or anything, but --

MS. SILVERS: Sure. Our company -- just to give you a little preview, our company does installations from the Carolinas up to through the northeast. We're well known in the industry. And we have to make sure that all of our installations meet code. We actually have an engineering team that is well known in the industry, as well. And so when we do these drawings and we look at everything here, we have to make sure everything is to code.

When you reference what is in place, that is also following NFPA58. We have to put -- I don't know if you have the drawings there -- but for the tank, if -- it is easier to point at them -- but in case there were some sort of breakage of pipe outside of the tank, they're what -- what we call internal valves inside the tank. And those internal valves would shut down if there was a loss of pressure or if the nitrogen system lost pressure, as well.

So if there were like a pull-away like at a gas station where you pull away, that would shut the system down and only the gas from the piping from the tank out to the transport loading and unloading station would be seeped out.

And then in addition to that, there is relief valves on top and when I was -- I don't know if you want me to get into the Fire Department discussion today, as well?

JOHN HELLABY: No. I mean -- my biggest concern is you have all of the Fire Marshal's questions answered and he's happy with what he is looking at. He will have finals say off that anyhow.

MS. SILVERS: Okay.

JOHN HELLABY: I did notice when I was out there today, there is a fire hydrant, which I don't see noted anywhere on your drawings here that -- that is right on the curve of that cul-de-sac. It is liable to get hit by one of these larger trucks trying to come in and out of there. It is not very far from the edge of the pavement.

MS. SILVERS: Would you be willing to put a bollard there? If Genesee Valley would allow it?

MR. TANDLMAYER: Sure.

JOHN HELLABY: One of the other things I got is security. You're in quite a secluded area back there. I don't think that road gets closed off at night. I think it is constantly open. So anybody coming and going -- to be honest with you, there is a lot of crazies out there. What safeguards are in place if somebody decided they're going to mess with that thing?

MS. SILVERS: Sure. Per NFPA58, we either have to surround the entire facility with a 6-foot fence with secure gates and locking or surround the piping and anything that people can mess with really. So this facility, if you look at the drawing here, we have fencing that comes from the first part, the pier sort of where you can connect it to the tank, out and around all of the loading area there for the trucks. So it would be locked. The piping.

JOHN HELLABY: But there is some sort of mechanism that would inform somebody that

there is somebody back there, monkeying with things? Because they can get in there -- I mean -- in a matter of seconds, cut that wire down and -- of course, I don't know what all these valves are controlled by or anything else, but there -- people get awful concerned with 30,000 gallons of propane sitting there.

MS. SILVERS: I hate to say if somebody messed with it and the broke pipe like you're discussing, they would only get what was between the tank and the piping out. I guess if somebody brought a truck in there to load it up, they could certainly take propane.

I -- this is standard for -- for what we have. We have these tanks everywhere. So as long as we have the fencing around all of the piping and locked. So only the drivers can get into it.

MATT EMENS: Sorry to interrupt your line, but back to that point, I guess one of my questions would be where else do we see these? Like where else -- even if Valley Fuel has them other places or -- do we have any other ones locally that we can refer to?

MR. TANDLMAYER: Suburban Propane on Chili Avenue right now. They have three tanks.

JOHN HELLABY: Those tanks are just as big.

MATT EMENS: That's all fenced.

JOHN HELLABY: It's all fenced and those tanks actually sit up -- 20 -- I wouldn't say 20 feet, but almost 12 foot off the ground so it would be tough to get into them, as well.

MATT EMENS: I guess the -- the siting of this is interesting, but I guess back to the point these are not subdivided lots, this is one property that the owner has control over for multiple structures, et cetera, et cetera.

PAUL WANZENRIED: It's the Authority. Genesee Valley.

MATT EMENS: Which has a pretty -- if I recall from before, a lot of things can go in there. We really don't have much to -- zoning-wise or -- or anything to say about that.

PAUL WANZENRIED: That's correct.

MATT EMENS: I don't have any other questions right now.

GLENN HYDE: Nothing at this time.

DAVID CROSS: Two things. I didn't hear anything about the landscaping. I don't know that landscaping is approximate, but in lieu of that, there is usually a donation to the Town -- to a Town fund. So you might want to talk to the Building Department about that.

We're going to require that, right, Al (Hellaby)?

JOHN HELLABY: I have it noted as one of these conditions.

DAVID CROSS: So back to the process of, you know, filling and unloading the -- the tank, there is usually an odorant that is used for propane; right?

MS. SILVERS: Yes. Ethyl Mercaptan.

DAVID CROSS: How much leakage -- I mean some must get out every once in a while. Or is it a non-issue?

MS. SILVERS: You could probably speak better to that.

MR. TANDLMAYER: So -- I'm Paul Tandylmayer, T-A-N-D-L-M-A-Y-E-R. I sort of oversee the day-to-day operations with Valley. I'm a propane customer. I have propane at my home. I live in Scottsville. And I grew up in the City of Rochester. Right near East High School I grew up.

I came out here. My wife wanted a horse farm. Okay. I'm not used to being around propane. Not used to be around -- well water, but I have never smelled propane out of my home.

I have been to a lot of our farm customers. Farmers are big users of propane. They dry corn and soybean with it as part of their day-to-day operation. And they're often off the grid where there is not natural gas to heat their homes with propane like I do. They use to it heat barns for cows and calves and whatnot. I have been to sites on farms where you do get a little bit of an odor from propane, but I wouldn't say it is something that is off the charts. Again, I came from never smelling it -- I know what it smells like, but I never smelled it in my home.

DAVID CROSS: I'm not certain about the combusted propane. But when you're hooking up the connection, the quick connection, do you get a little off gas there?

MS. SILVERS: There is a small release of -- relief release, but there is not a significant release. Again our codes, the NFP codes and the piping diagrams we have to do to construct it reduce that so that is not a problem.

But you do want to be able to smell it if a little does come out and the drivers do smell it. Even if you have it delivered to your home, when they let the little relief amount off, it's just a safety --

DAVID CROSS: Okay. That's fine. That's all I have.

MR. TANDLMAYER: So Valley currently has four locations just like this. We have -- and frankly, our customer base has grown significantly. East of Rochester, sort of in the Ontario, Williamson, Webster, down in Canandaigua area and also west. Hamlin, Hilton, Kent, Brockport, very large propane customer bases. And we've -- we've grown significantly in those areas.

And currently our locations are in Hemlock down by Springwater, which is about an hour south of here. Grover in Wyoming, south of Pavilion. And we have locations in Dansville and even 40 miles south of Dansville. Very similar, almost exact as this.

So as we have grown as a business -- we compete against the big large propane companies. I wouldn't name them. But their fees and their costs are very high. We're a low-cost provider for residential propane primarily. So we have grown. Our price is excellent. We have grown the business. We're picking up 4 or 500 customers every year and we have for numerous years.

And unfortunately, my drivers have to drive -- they're local drivers from Rochester. They

have to drive an hour south to get propane only to bring it all of the way back to Fairport or Perinton or wherever these towns that we're growing in. And frankly, diesel fuel is \$5.50 a gallon for me. My trucks get five miles to the gallon and I need drivers that can be efficient. So we want to be closer to where our customers are and that is why we're looking to come into this market, because that is where we have our demand from our customer base. That is why we're coming -- we are farther away, but we do have four or five locations identical to this.

DAVID CROSS: Thank you for that.

PAUL BLOSER: No questions.

JOHN HELLABY: That did remind me one other question. Once this thing goes into -- if it is passed tonight, actually, does the thing on Milewood go away?

MR. TANDLMAYER: It does.

JOHN HELLABY: Have you presently still been using Milewood?

MR. TANDLMAYER: No, no. We were asked to stop. We did. We haven't used that facility in about eight months now.

JOHN HELLABY: So is that tank and all that paraphernalia coming down to this location?

MR. TANDLMAYER: That would be the plan. Exactly. 100 percent.

JOHN HELLABY: All right.

PAUL WANZENRIED: Where is the bobtails parked?

MR. TANDLMAYER: So we have one bobtail that parks where I -- our Corporate Office in Rochester, right across from the airport. He will park there because he lives in Greece. I don't need him driving out here and parking there. We have spot for him to park there.

We also have two bobtails in Wyoming, New York that park there at that tank, but as they come and deliver up to the Brockport market -- let say they may want to come down here, reload their truck and then deliver back into -- and back towards Wyoming again in the course of the day.

PAUL WANZENRIED: But there is no intention of parking bobtails at this --

MR. TANDLMAYER: Correct. No transports would be there.

PAUL WANZENRIED: I understand transports.

MR. TANDLMAYER: Or the bobtails, correct.

PAUL WANZENRIED: As it grows, would you see the need for that?

MR. TANDLMAYER: No. Because everything we have, electricity and everything to plug into the trucks -- the trucks plug in every night so they don't freeze up -- we have in our Corporate Office. So we have about roughly eight or nine trucks down the side there and we have plenty of room there, so we would never move to this location.

PAUL WANZENRIED: Okay. I'm good. Thank you.

Wait. One more thing. The landscape that Al (Hellaby) talked about, it is a 1 percent of the construction.

MR. TANDLMAYER: Who do we contact on that?

PAUL WANZENRIED: Me.

MR. TANDLMAYER: Got it. Okay.

MATT EMENS: So just to follow up before we go to the next step -- so based on that, if the trucks are parking there, and your corporate and everybody is there and you're there, is -- is there a reason why you wouldn't place the tank there or was that --

MR. TANDLMAYER: Well, it's in the City of Rochester, and the zoning is just not -- there's not enough room for that frankly. We don't have the land. Our -- our former owner of Valley owns the property that we're on and it's just more of -- it's right across from where the old Holiday Inn used to be. A couple brick buildings. Just no place to place a tank.

MICHAEL HANSCOM: Just a couple of comments. I was just looking at the plan. Where you're saying the tank and transfer, there -- there is -- there is a bit of a hillside there. So you -- so you haven't submitted anything with -- as far as the grading or how you will deal with the hillside. So you may need to do that also. And explain what you will be doing there.

MR. NAPIERALA: I didn't have -- I didn't have topo, but we'll take some shots and we'll verify what those grades are surrounding the improvement.

MICHAEL HANSCOM: Okay. Because it can get fairly steep there. So if you have slopes that are down to one-on-two and stuff like that, you need to put reinforcement on the slopes.

MR. NAPIERALA: Yes, sir.

MICHAEL HANSCOM: Thank you.

JOHN HELLABY: Is that it, Mike (Hanscom)?

MICHAEL HANSCOM: That's it.

JOHN HELLABY: With that, I will open up to the Public Hearing? Anybody has any comments or questions?

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

ANN MARKEY (phonetic), Genesee Riverview Townhomes

MS. MARKEY: I'm Ann Markey from Genesee Riverview Townhomes and we have concerns about the noise issues because of the trucks that are going to be there.

PAUL BLOSER: Excuse me, ma'am. Can you come up to the microphone? I can't hear you, sorry.

MS. MARKEY: Ann Markey from Genesee Riverview Townhomes. We just had some

few quick questions -- we're concerned about the noise issues because of trucks and where they will be in relation to our development. I wanted to ask what the proposed hours of operation are going to be?

MR. TANDLMAYER: So the plan right now, we have a driver that would start roughly around 6:30 in the morning and he would drive to the facility and load his truck. It takes about a half-hour to load the delivery truck. He may come back later in the day and reload the delivery truck, probably about 2 o'clock in the afternoon.

So for the big truck that would come to deliver into the tank, the driver lives in Wyoming -- Wyoming, New York, the other side of Pavilion, south of Batavia and he has to go -- he starts around 6 in the morning. He has to drive to Bath, New York. There is an underground salt cavern where all of the propane gets stored. So that's about a two-hour drive.

It takes him about an hour to load the truck and about two hours to come back -- back to Scottsville. So you're roughly looking at 11 to noon every day. If he was coming in every day.

Last -- I did some -- some number crunching. Last January -- which was very cold -- January -- for the whole year. January was the coldest month. We brought eight tractor-trailer loads in for the whole month. So about every third day we were bringing one in. We have grown the business a little bit so maybe you would say now I might argue we would have ten during the month delivered in. Ten loads delivered in and then we're pulling out two or three a day with the smaller truck to make deliveries to homes and whatnot.

JOHN HELLABY: Are these deliveries just Monday through Friday?

MR. TANDLMAYER: Our delivery trucks generally only deliver Monday through Friday. However, on occasion, we'll have somebody that gets lower on propane that needs it on a weekend so we do have somebody on call. We never want somebody to be out of propane at their home, of course. But I would like to say if our operations are running smooth, we're not delivering Saturday or Sunday. But unfortunately because of the cold snaps we get -- we get inundated with a lot of calls when it is obviously colder, so we do have to send people out on a Saturday occasion, our on-call driver.

MS. MARKEY: Are these diesel trucks and are idling while they are filling?

MR. TANDLMAYER: So it takes a half an hour -- they do run on diesel. They take about a half an hour to fill a small truck and it takes about 45 minutes for the big truck to fill the tank.

MS. MARKEY: Are they idling?

MR. TANDLMAYER: They are.

MS. MARKEY: So what is the noise factor? That's what we're concerned about.

MR. TANDLMAYER: Yeah. I understand. You know, what I would say, it's subjective. To me -- I have been in business for a long. So for me a diesel truck is just something I'm used to. I understand where you live -- I know there is another trucking company between where your facility is or your homes are and where this would be. The Turner Underground. I know they're one of our customers. So I'm guessing that they're pretty loud. We're -- we're quite a bit on the other side of that. I can see where their trucks may be noisy for you, depending on where you live within your community.

But again, we're probably -- I'm going to guess a half a mile away from that with this -- where this facility would be.

MS. MARKEY: Is there any kind of a noise assessments going to be done so you can bring a truck up there and, you know, check and see what is the impact on our development so that, you know, we know up front what would could be happening?

MR. TANDLMAYER: I don't know how to answer that. We've never done a noise assessment on a truck before.

MS. SILVERS: I don't know if that has been asked before. No. It -- I don't want to say it's minimal, but I was back there today, as well, and there were loaders and there were other things running that I think would be more -- that -- there were large -- large equipment.

MR. TANDLMAYER: Construction going on.

JOHN HELLABY: I honestly believe -- I honestly believe that Turner's operation is making a lot more noise than you guys will ever make.

MR. TANDLMAYER: I don't disagree with that. I agree with that. I don't know how to say that and not be anecdotal. I can't prove that.

MATT EMENS: The other thing that might be helpful for you, you talked about when the truck might arrive. So we know the delivery truck comes ten times out of a month. So how long is that truck sitting there for?

MR. TANDLMAYER: 45 minutes.

MATT EMENS: Okay. So 45 minutes. And then the smaller trucks, how long do those take to load?

MR. TANDLMAYER: About 30 minutes to load.

MATT EMENS: You're saying those delivery trucks are bobtailed how many times a day?

MR. TANDLMAYER: In the middle of the winter, it would probably be three times.

MATT EMENS: So an hour and a half.

MR. TANDLMAYER: Fair.

MATT EMENS: Plus 45 minutes.

MR. TANDLMAYER: Yes.

MATT EMENS: In the middle of the day.

MR. TANDLMAYER: Yes.

JOHN HELLABY: To be honest with you -- I don't think you would even notice it, to be honest with you.

PAUL BLOSER: This is idle speed, too. It is not the construction speed where they're up and down and up and down.

JOHN HELLABY: Anything further?

RON DUSING

MR. DUSING: My name is Ron Dusing and I also live in Genesee Riverview Community and have been on the Board of Directors as Vice President and now I'm Chairman of the Architectural Committee and we are very concerned because of the Turner Underground Construction noise that has ended up in our backyard.

You're supposedly 339 feet from our upper level. That's pretty close.

Do you pump with propane or do you pump with diesel trucks pumping in back and forth -- are they going to be pumping three to four trucks at a time? You know -- not at a time, but one pulls in, they pump it, they -- the propane from one truck to your tank here, is that going to be done with diesel in the truck? Or --

MR. TANDLMAYER: They're diesel engines that operate it.

MR. DUSING: So the trucks will be in there pumping the diesel?

MR. TANDLMAYER: It's not diesel. They're propane going in the tank.

MR. DUSING: I go to BJs to get my gas in the car and the truck is out here pumping gas into the tanks here. It is kind of noisy. So we're concerned about that. And that's why these people here who live within this 300 and some feet are very concerned.

MS. MARKEY: That is why we would like a noise assessment. You know, take the idling trucks up there, test it out. How noisy is it for all of us who are living there?

MR. DUSING: Wouldn't be hard to do. If you just pulled your truck up there and just ran it while --

MS. MARKEY: And give us the time and we can all -- just do a quick assessment.

MR. DUSING: Because you got -- you got about seven units that are right in the back of that -- where you're trying to build.

JOHN HELLABY: Well, is that something that we could ask them to provide us with under the condition?

PAUL WANZENRIED: Based on what?

MATT EMENS: How do you measure it?

PAUL WANZENRIED: Based on what?

JOHN HELLABY: Well, there is a noise ordinance in the Town, right?

PAUL WANZENRIED: Sure.

MR. DUSING: There is supposed to be that and there is also supposed to be a time limit. They want to start at 7 o'clock. 6:30? The noise limit is 7 o'clock.

MATT EMENS: That's not what he said.

MR. DUSING: This doesn't happen with the people that -- Turner -- the Underground Construction. They're taking these trucks out at 5 o'clock in the morning. You guys don't do anything about it.

MATT EMENS: That's actually not our purview.

MR. DUSING: Pardon me?

MATT EMENS: This --

MR. DUSING: Wherever. Nobody does anything about it. That is why we're concerned.

JOSEPH DEFENDIS: His truck doesn't show up until 11 in the morning to fill up.

MS. LIPTON: He said 6:30.

JOSEPH DEFENDIS: If you listen, he has to go to Dansville.

MR. TANDLMAYER: Bath.

MR. DUSING: But then you get up here at that hour at 6:30.

MR. TANDLMAYER: We get up here at 11 o'clock in the morning.

Now, the delivery truck will load at 6 a.m., 7 a.m. because that's when he starts his day, the smaller truck.

MR. DUSING: So it is 7 o'clock start up that road.

MR. TANDLMAYER: Yes.

MR. DUSING: That's the way it is supposed to be with Turner and that's not happening so we're very concerned about it. They're loading up and taking off and these trucks at 5:30 -- 6 o'clock in the morning. And that's not only on weekdays. Sometimes it's on Sundays. And we're very concerned about that not happening.

JOHN HELLABY: All right. Well, it is duly noted. I'm not in a position to give you a definitive answer this evening, but it's duly noted.

MS. MARKEY: So noise assessment would be under consideration for further discussion?

JOHN HELLABY: I don't know where our discussions will take us here. All I can say is -- the only thing we have is a noise ordinance in the Town and I don't know at this instance what it even says. So I don't know if it would work to our advantage or not.

MR. DUSING: That is something that concerns us, because when Turner come in there, they changed it from agriculture -- it is a zoning code. They changed it from agriculture to low manufacturing or -- and sure changed a lot of things.

JOHN HELLABY: All right. Duly noted.

MS. MARKEY: Thank you.

MARGARET LIPTON, 3 Overview

MS. LIPTON: My name is Margaret Lipton. I live at 3 Overview, right over on other side

of the hill. We are close.

Between 4:30 and 5 o'clock in the morning, you can hear the dumpsters being picked up, crash, bang. That's how close we are.

We're going to hear all that noise. It's our bedrooms back there. It's not like the front of our houses. You stand at the top hill and look down, and we're right there. Right on the other side of that hill. Close. Someone said 300 feet. I would think so. You have got school property over there. Right on the edge of the school property.

And I would also like to know why that sign wasn't posted out near the street and it was way back in the circle to tell a Public Hearing. It was hidden. Hidden way back in that circle.

Now, we need protection from you people. We didn't want Turner there. In the morning -- and I'm way up there -- I can hear them gearing down, those 18-wheeler trucks going down Scottsville Road. You can hear all of the noise they're making. And I'm at the top of the complex right. Where my bedroom is going to be is where their tanks are going to be.

And I would also like to know the size of this tank. Because a few years ago, we had someone grilling out and his -- I'm sorry, I'm getting -- his tank blew up and on his grill. It sounded like a freight train and then a plane crash. Luckily we had a policeman living there and he ran down to try and get the fire out before the fire company came there.

This is no joke with this propane. That was a 50-gallon tank. They're saying 30,000. It should not be near a school or near our homes.

And also, we have hunters back there. I would like to know what you're going to do if a stray shot goes there. We have had gunshots in the backs of our homes. How are you going to keep the hunters away? The no trespassing sign, no hunting signs does not keep them away. I went back there last year because I heard gunshots and I saw a pickup truck and the guy just putting his gun away.

And where the other companies in this complex -- the -- where the warehouses are, were they notified about this, the propane? Or don't they have any right to say anything?

And I would like to know before I go any further, is this the New York State entity clause and we have really no room to stand on this at all?

JOHN HELLABY: That I can't answer.

MS. LIPTON: That's what the lawyers told us the last time. When these warehouses were put in. But now is there a transfer of property to these people?

JOHN HELLABY: Well, the Genesee Valley people over there have a lot of rights that -- as we mentioned earlier, we can't touch them. They can do this.

MS. LIPTON: So what are they doing? Selling the property to them so that this tank can be built there?

JOHN HELLABY: That is not my understanding.

MATT EMENS: I don't think they can.

MR. TANDLMAYER: We discussed a lease with the Genesee Valley Regional Market. A long term. Ten years. We're not looking to come in here and leave. We're here for a long time.

MS. LIPTON: You're talking about not having tanks in the city because the homes are there. Well, go stand on the top of the homes there and look at all of the 159 townhome units that are right there. You are in a home-owning complex and a school complex. Their storage building you can see from the circle.

This is not right. You guys have to stick up for us. You didn't with Turner.

MS. SILVERS: Ma'am, may I address a few of your comments? Is that okay?

MS. LIPTON: Yes. You can come up. I will move back.

MS. SILVERS: Don't -- you can stay. I just wanted to say --

JOHN HELLABY: Ma'am, everything should come to the Chair, because I don't want to get into a discussion out there.

MS. SILVERS: Oh, you don't want me to address --

JOHN HELLABY: You can address their questions and concerns, but through here. Not back there, please.

MS. SILVERS: Thank you.

I just wanted to comment that our company, it's our livelihood putting in propane tanks and we actually do this all over the place in many states and we actually do it for communities where there is underground lines to the homes.

So these tanks are placed with the proper setbacks that we have to follow for NFPA58. They're placed within housing developments for that facility if -- if they don't have natural gas available. So -- so I hear your concerns and I assume that your house is -- is down here (indicating).

MS. LIPTON: We didn't get to see that at all.

JOHN HELLABY: Correct.

MS. SILVERS: So -- so part of our preliminary work with this site is we would look at all of those setbacks. We would also would look at schools and any other community areas. It's addressed in the fire safety analysis and it is certain setbacks that we're required to have. So I -- I appreciate your comments. I just wanted to speak to that a little bit to let me know that we do this many places throughout the States and it's close to homes as long as it is a 50-foot setback.

MS. LIPTON: Then put it over near your main office building.

We also, Gentlemen, have underground springs there. So I don't know if that makes a difference, too. But if they're digging in the ground --

JOHN HELLABY: The only digging that they're doing is putting the foundations under it

which don't amount to a whole lot.

Is that it?

MS. LIPTON: That's it.

JOHN HELLABY: All right. No other speaker?

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: Where are we? Any further discussion on the application?

I see on the -- the application itself they got final checked. Did they pay final? Everything else says "preliminary." And I would be more apt to lean towards preliminary because of this fire analysis report that was in my mailbox tonight.

PAUL WANZENRIED: Even if they paid for final, you can still only grant preliminary. That is the purview of the Board.

I said that even if they have paid for final approval, the Board -- it is the Board's purview to take this as far as they like. If they want to grant preliminary, they can grant preliminary. If they want to grant final, they can grant final.

JOHN HELLABY: Okay. Well, before we go there, I guess I make a motion.

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.

MR. DUSING: I'm sorry, but I don't believe any of us heard what you just said?

JOHN HELLABY: Mike is on.

MR. DUSING: You can't hear it at all.

JOHN HELLABY: How is this?

MR. DUSING: Thank you. All right.

JOHN HELLABY: I apologize. Basically it was just a vote on the SEQR that we just did.

GLENN HYDE: Environmental assessment.

MS. LIPTON: Thank you.

JOHN HELLABY: Well, we heard the comments. Again, I would be -- I don't think I would be too inclined to approve final this evening just because of the fire assessment.

Mike Hanscom brought up the fact is that they moved that thing back and they need to come in here with some substantial grading plans and whatnot as to how they're gonna get this thing on the hillside back there.

DAVID CROSS: Maybe some walls.

JOHN HELLABY: I would like to see the protection of the hydrant back there. And all of the sign-offs from the -- like I said, the Fire Marshal and whatnot. And if that allows them a little bit more time to investigate the noise ordinance of the Town, so be it.

All right?

PAUL BLOSER: Mr. Chair, can I also ask, in these assessments, if environment -- Conservation Board would look at this as far as vegetation, for noise shielding. What's there. What might help improve. I don't know if we have any comments from them or not.

JOHN HELLABY: We do not. I don't think this has even gone to them.

PAUL WANZENRIED: It wouldn't go to them.

JOHN HELLABY: I mean --

PAUL BLOSER: Do we have the purview to ask them to look at it?

MR. HYDE: Absolutely.

JOHN HELLABY: We can ask that they look at it.

PAUL BLOSER: I suggest we do that for the sake of the residents. If they're going to give a fee to the Town for it, let us put it into landscaping and possibly noise containment.

JOHN HELLABY: So then basically if -- if one of the conditions was the applicant shall supply a landscape plan drawing along with a required checklist for the Conservation Board for review and recommendations. Is that what you're looking for? Is that what you're looking at?

PAUL BLOSER: Yes.

JOHN HELLABY: Some other conditions I have on there, approval is subject to final approval by the Town Engineer and the Commissioner of Public Works.

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

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

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

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

Applicant to comply with New York State Fire Code and NFPA58 LP gas code.

Any sign change shall comply with Town Code including -- I don't -- and I do know you guys have some sort of signage on the side of those tanks. It has to comply with the sign code of the Town.

As we mentioned, you will show protection against the hydrant on the south side of the cul-de-sac. And there will be no trucks parked onsite for any duration -- how do I want to word that?

PAUL WANZENRIED: During the normal operation.

JOHN HELLABY: All right. Anything else?

MS. SILVERS: Sir, may I ask a question about one of your comments there? Today I met with the Fire Chief and I asked about the Fire Marshal and as far as his review and permits.

Can you tell me what I should do as far as getting the Fire Marshal approval? Because I know he -- he reviewed the -- the original site plan.

JOHN HELLABY: He is in the Building Department office. Chase him down.

MS. SILVERS: Okay.

PAUL WANZENRIED: We looked for you today.

MS. SILVERS: I was at the fire hall.

PAUL WANZENRIED: Yeah. We thought you were coming up here. He thought you were coming our way.

MS. SILVERS: The Fire Chief said he didn't know, so -- I'm sorry. I can come tomorrow if you want.

PAUL WANZENRIED: You may.

JOHN HELLABY: All right. That was easy enough.

MS. SILVERS: Thank you.

JOHN HELLABY: All right. So for preliminary approval only, not waiving final, application of Valley Energy Services, LLC. 762 Brooks Avenue, Rochester, New York. 14618, Genesee Valley Regional Market Authority, 900 Jefferson Road, Rochester, New York 14623 owner; for preliminary site plan site approval of a distribution facility at Property located at 1861 Scottsville Road, Rochester, New York 14623 in LI, FPO District.

MATT EMENS: 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 Workers shall be given copies of any correspondence with other approving agencies.
3. Applicant shall comply with all pertinent Monroe County Development Review Committee comments.
4. The applicant shall supply a landscape plan along with the required checklist to the Conservation Board for review and recommendation on what can be used to deafen the sound from this operation.
5. Building permits shall not be issued prior to the applicant complying with all conditions.
6. Application is subject to all required permits, inspections, and code compliance regulations.
7. Applicant to comply with all required life safety conditions and permits from the Town Fire Marshall.
8. Any signage change shall comply with Town Code, including obtaining sign permits.
9. Applicant to comply with NYS Fire Code and NFPA 58, LP- Gas Code.
10. Applicant to protect existing Fire Hydrant at Southeast side of cul-de-sac.

OLD BUSINESS:

1. Application of Chad George, 16 Alfred Ave, Rochester, New York 14623, David Robinson, 1025 Reed Rd., Scottsville, New York 14546 (owner); for A.) Preliminary site plan approval for a residential parcel. B.) Subdivision of 1 lot into 3 lots at property located at 1025 Reed Rd. in AC, FPO District.

John Hotto and Chad George were present to represent the application.

JOHN HOTTO: Good evening, Planning Board members, Town officials. Citizens of the community. My name is John Hotto of LandTech Surveying and Engineering in Rochester, New York. I'm here to represent Mr. Chad George for Chadmore Estates. Just a brief overview what we have done so far.

The project, as you said, is located on the east side of Reed Road, approximately 2,000 feet

north of Morgan Road. The original parcel is 58 acres plus or minus in size, zoned Agricultural Conversation. The proposed single-family residential home will be serviced by public water, gas, electric and we are proposing an onsite waste water septic leach field below ground.

At last -- at last month's Planning Board meeting we were asked to modify or reduce the lot sizes of the three lots. So for Lot 1, which is the smaller one, it -- it is the existing -- the existing residential property with numerous outbuildings on it. That went from 5 acres to 2 acres.

And then Lot 2 was reduced from 5 acres to 3.25 acres.

Lot 3, which is the remaining larger part of it, um, is 52 acres.

These plans that we have submitted have been updated to reflect the latest Town Engineer's review comments. One of the most important ones was the -- the feedback from the SHPO, the State Historic Preservation Office on whether or not there were any historic resources on property and we -- we received a letter from SHPO that there is nothing on that property of significant historical resources.

Mr. George is looking forward to constructing the single-family residential home and he plans to adhere to all current zoning regulations required for that zone.

I will go over quickly the Town Engineer's review comments that were written on November 3rd to the Planning Board. Item Number 1 regarded subdivision standards. All of the deeds and maps used in creation of this subdivision are listed on the survey referenced on the plat map.

Short environmental assessment form.

The engineer mentioned that a building permit will be required by the Town of Chili. We indicated that on the short environmental assessment form.

And the driveway permit -- driveway entrance permit would also be required by the Town of Chili Highway Department.

2B, I just mentioned the SHPO situation. So we're okay there. There is nothing of significance there.

The plans must be reviewed and approved by the Monroe County Department of Health and Monroe County Water Authority. We have submitted the plans to both of those organizations.

The next one is Number 2. Our short Environmental Assessment Form stated that three acres approximately will be disturbed for the construction of the single-family home. The engineer mentioned that since the area of disturbance -- disturbance exceeds one acre, the project will be required to obtain coverage under the New York State general permit for storm water discharges from construction activities and include the preparation of a Storm Water Pollution Prevention Plan. Our position is that this property is a residential project under 5 acres. So a SWPPP, a storm water pollution prevention plan, for erosion and sediment control only is required.

We will submit an NOI to the DEC after we get local approvals. But it's our understanding that we don't have to do a complete SWPPP, which would include detailed storm water management, detailing and so forth.

Number 3, provide an erosion and sediment control plan. We have added a stabilized construction entrance. Topsoil stockpile. Silt fence and concrete washout areas to the plan, which I can show you in a minute.

The driveway dimensions for the turnaround near the house have been added. We show the front side and rear setback lines on the project plan now. That has been added. Existing grading -- there is a culvert pipe that the engineer was concerned about and we're working with the Town. The actual swale is not so much a roadside swale. It's kind of on the property. So we provided a culvert, 12-inch pipe there. But we're working with the Town to -- to rectify the discrepancy there. I don't know if there is really a real swale there. It kind of goes down this way (indicating). But the swale is farther to the east, so you have to work that detail out.

The water service, I believe we mentioned balanced calculations have been submitted to the Monroe County Water Authority. It's probably going to be like a 1-inch polyethylene -- HDPE polyethylene pipe typical for Monroe County Water Authority.

Number 8, the engineer wanted to survey coordinate for the septic system and we added those right here (indicating) so that Survey can take them out accurately. We'll be staking it out and he wanted some coordinates on there, so we did that.

He also mentioned that we should label the sanitary sewer pipe links from house to septic tank and septic tank to distribution box.

He is talking about -- here is the septic tank right here (indicating).

So he wanted us to label these links. They are on the plan under here, on the invert, on the -- on the deep-hole testing and they're basically on this chart right here (indicating). So they are -- we will label them on the plan, too. I mean that's normal procedure, too. But that information is there with the slopes and everything.

A -- the septic plans have been submitted to the Monroe County Health Department for review and approval.

Number 9, erosion and sediment control notes have been added to the plan. We have also added details.

The engineer requested that the applicant provide a comment response letter that replies to each of the comments listed, which is -- which I have right here. I -- I hope you received that.

Are there any questions?

JOHN HELLABY: Well, I'm unfortunately at a little bit of a disadvantage. I was not here last month for the original application that was tabled and I assume it was tabled to work out the

issue with the farm protection -- to try to get these lots down to apparently what you got them at now compared to what they were.

The only other thing I see that comes to light is you are going to need a zoning variance for the side setback on that existing barn foundation down there. I know there was a barn down there for years that, you know, Dave Robinson had -- that he had as a workshop and the place burned down. I can't tell you when. But I do believe the foundation is still adequate to construct another barn on it if anybody wanted to.

I think, if I recall, the side setback in that area being 50 foot and right now that is at 36 something.

MR. HOTTO: This building here, you think?

JOHN HELLABY: Lot 1 down in the lower left-hand corner where -- you see where it says "Concrete foundation from former barn"? At 36.1. That's a 50-foot setback back there if I recall correctly.

MR. HOTTO: Why would we need a variance for a foundation? I mean -- it's not a building.

JOHN HELLABY: Not a building, but it still --

DAVID CROSS: If a structure is built, it will need a variance, I believe.

MATT EMENS: There's a note on there, Al (Hellaby). It says right here -- it covers what you're saying.

JOHN HELLABY: Yep. It says -- an area variance will be required if structure is proposed on the concrete foundation. So at this point, do we -- does it -- does it get -- go pass jail free card here or --

MR. GEORGE: I'm Chad George, 16 Alfred Ave. I was at the first meeting. And they said if the owner wants to rebuild on the pad, he needs to come to you for a variance. So that's the way they left it.

MATT EMENS: It's noted on there.

JOHN HELLABY: Well, that's fine. I just think Paul (Wanzenried) will give you a heads-up on it. Like I said, I was not part of that initial discussion.

PAUL BLOSER: I think that was in the minutes.

JOHN HELLABY: Was it? I reviewed the meeting minutes and I couldn't find anything that specifically said anything about that.

JOSEPH DEFENDIS: It says it on the drawings.

DAVID CROSS: I think you're good.

JOHN HELLABY: All set?

DAVID CROSS: Yeah.

PAUL WANZENRIED: What kind of a barn was it?

JOHN HELLABY: Like a single-bay garage, if I recall.

MR. ROBINSON: Are you talking about the barn I had?

JOHN HELLABY: Yes, Dave. I didn't see you back there.

MR. ROBINSON: What that was a museum really. I was a professional motorcycle racer and I had it loaded with 170 bikes that I either had or restored or bought and spent a lot of money on and that's what I did there.

JOHN HELLABY: But it was a framed garage type --

MR. ROBINSON: It was a pole barn basically.

JOHN HELLABY: You good with that?

PAUL WANZENRIED: Yeah.

JOHN HELLABY: All right. That's fine. Just -- so we're all on the same page.

PAUL WANZENRIED: It's a pole barn. There is not -- there is not a heck a lot of foundation. If there was an actual foundation stick-built where there is footings -- 4 footings and then I think I would have a variance. That's a structure that is in the ground.

If you're going with a pole barn where you -- you have one, let's say, every 8 feet, but it is just -- they're pretty much just stuck in on blocks. It might be concrete at the bottom of it -- that -- that I don't see as a permanent structure and I don't see them as rebuilding it without putting a -- pulling a permit. If there is a foundation, it would be easier to rebuild on without knowledge. So I'm all right with that.

MATT EMENS: Could you go back and -- I don't have the drawings from last month in front of me. What was the reduction in the new build lot? Was it five acres or just about five acres?

MR. HOTTO: It was originally five acres.

MR. GEORGE: Both. Both lots.

MATT EMENS: Correct. The first one I got. I just couldn't remember the new build. Okay. Thank you.

JOHN HELLABY: Is it -- that it?

MATT EMENS: Yep.

DAVID CROSS: I apologize I wasn't at the -- the last meeting either. But for the current zoning, the AC zoning, is there -- will there be area variances required to go less than five acres?

PAUL WANZENRIED: No. Because the current zoning, which they're applying under, the -- the minimum size is two acres.

DAVID CROSS: Okay. That was changed recently?

PAUL WANZENRIED: Yes, sir.

DAVID CROSS: Okay. I'm good.

MICHAEL HANSCOM: With regard to the SWPPP, I would agree he just needs an

erosion and sediment control SWPPP.

JOHN HELLABY: I will not open it to the public because I have been informed that was done last month and was closed.

I assume that is a correct statement?

PAUL WANZENRIED: Yep.

JOHN HELLABY: Any other further discussion? I think they -- they have done their due diligence. They got more the of the prime farmland back into agricultural where they can continue to farm it.

On the subdivision, 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: This vote actually breaks down into two parts, Matt (Emens), because there is a subdivision and a site plan.

Do I need SEQR both -- both of them?

MATTHEW PISTON: Which one did you just vote on?

JOHN HELLABY: Well, that's just it?

MATT EMENS: He did SEQR for one or both.

JOHN HELLABY: I can come back and get it.

MATTHEW PISTON: I think it would probably make sense to split it up.

JOHN HELLABY: All right. Then we'll do the subdivision first.

Any conditions on the subdivision? The only thing I originally had was the zoning variance, but if that is not going to be required at this time, I have no conditions on the subdivision.

Is that agreeable?

MATT EMENS: Uh-huh.

JOHN HELLABY: We just went through SEQR for that portion of it.

So with that, application of Chad George, 16 Alfred Ave, Rochester, New York 14623, David Robinson, 1025 Reed Road, Scottsville, New York 14546 (owner); for subdivision of 1 lot into 3 lots at property located at 1025 Reed Road in AC, FPO District.

MATT EMENS: Second.

DECISION ON OLD BUSINESS APPLICATION 1B: 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 Workers shall be given copies of any correspondence with other approving agencies.
3. Building permits shall not be issued prior to the applicant complying with all conditions.
4. Application is subject to all required permits, inspections, and code compliance regulations.

JOHN HELLABY: Now, to the preliminary site plan. They paid for final? They did?

PAUL WANZENRIED: Yes.

JOHN HELLABY: We're waiving final.

PAUL WANZENRIED: Yes.

JOHN HELLABY: All right.

On the site plan, 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: So application of Chad George, 16 Alfred Ave, Rochester, New York 14623, David Robinson, 1025 Reed Road, Scottsville, New York 14546 (owner) for preliminary site plan approval for a residential parcel.

As far as conditions that I have on that are approval is subject to final approval by the Town Engineer and Commissioner of Public Works.

The Town Engineer and Commissioner of Public Works will be given copies of any correspondence from any agencies, which I don't think there would be any.

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

Building permit shall not be issued prior to the application completing -- or complying with all these conditions.

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

And anything else? To the vote?
MATT EMENS: Waiving final?
JOHN HELLABY: Waiving final. I'm sorry.
MATT EMENS: Second.

DECISION ON OLD BUSINESS APPLICATION 1A: 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 Workers shall be given copies of any correspondence with other approving agencies.
3. Building permits shall not be issued prior to the applicant complying with all conditions.
4. Application is subject to all required permits, inspections, and code compliance regulations.

Matt Emens made a motion to accept and adopt the 10/11/22 Planning Board meeting minutes, and Glenn Hyde seconded the motion. The vote on the motion was 3 yes with 3 abstentions (Joseph Defendis, Glenn Hyde and John Hellaby).

The meeting ended at 8:18 p.m.