

CHILI PLANNING BOARD
August 8, 2023

A meeting of the Chili Planning Board was held on August 8, 2023 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Chairperson Michael Nyhan.

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

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

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

MICHAEL NYHAN: There will be a change in the order we'll hear these. We won't be hearing Applications 2 and 3. I know there is a lot of interest in the site plan. The reason it is on here, we'll leave the Public Hearing open for next month, but we'll simply declare ourselves lead agency for purposes of SEQR and then we'll go back to Application Number 1 which is the subdivision approval. It is not the site plan approval.

PUBLIC HEARINGS:

2. Application of Gizzi Real Estate Holdings LLC., 3850 Buffalo Rd., Rochester, New York 14624 owner; for preliminary site plan approval to construct a 4,050 sq. ft. medical office building at property located at 4415 Buffalo Road (Lot 2) in GB District.
3. Application of Gizzi Real Estate Holdings LLC., 3850 Buffalo Rd., Rochester, New York 14624 owner; for preliminary site plan approval to A.) Construct three 2-story residential multiple-family buildings with 20 units. B.) Convert existing 2-story medical building into 12 residential multiple-family units at property located at 4415 (Lot 1) and 4423 Buffalo Road in RM District(s).

Kris Schultz was present to represent the application.

MICHAEL NYHAN: With that, we intend to declare ourselves lead agency. There is no new information we'll be sharing tonight which would start the coordinated review.

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

MICHAEL NYHAN: This will go for coordinated review and you will be placed on the agenda for next month. 30-day window for that. All of the interested parts will be notified of the application and they can make their responses based on that for SEQR.

MR. SCHULTZ: Okay. Thank you.

DECISION ON APPLICATIONS 2 AND 3: Unanimously tabled by a vote of 7 yes to table to the September 12, 2023 Planning Board meeting.

Note: The Public Hearing has been left open.

1. Application of Gizzi Real Estate Holdings LLC., 3850 Buffalo Rd., Rochester, New York 14624 owner; for preliminary subdivision approval of 2 lots into 1 lot at property located at 4415 Buffalo Road (Lot 1) and 4423 Buffalo Road in RM District.

Kris Schultz and Joe Gizzi were present to represent the application.

MR. SCHULTZ: Good evening. Kris Schultz, representing John and Joe Gizzi for the Berkeley Park project. This is the subdivision that basically removes an existing property line so we merge the two parcels that were recently rezoned as --

PAUL WANZENRIED: Kris (Schultz), I'm over here. Can you talk into the microphone, please?

MR. SCHULTZ: Sorry.

PAUL WANZENRIED: You don't register very deeply.

MR. SCHULTZ: How is this? Does that work?

I will restart. I'm Kris Schultz. I'm representing John and Joe Gizzi on the subdivision -- actually, resubdivision for Berkeley Park. This would be the -- basic elimination of a property line, merging two parcels. It corresponds to the area that was rezoned recently to Multiple Residential. So simple subdivision that follows a previous subdivision that was approved by the Board. We're just in this case creating one parcel out of two.

Okay. And I believe at the last meeting you tabled this due to the fact we didn't have a letter indicating the property owners. I think that has been satisfied; is that correct?

PAUL WANZENRIED: Yes.

MICHAEL NYHAN: So we can move forward with that.

DAVID CROSS: Kris (Schultz), might be a dumb question but you're removing a lot line on the one side, the multi-family side. You won't need any variances for the subdivision itself?

MR. SCHULTZ: That's correct, sir.

DAVID CROSS: Thanks.

All I needed to know. Thanks.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

NEIL POLAIKIS, 4424 Buffalo Road

MR. POLAIKIS: My name is Neil Polaikis. I would imagine if they could put a culvert or something -- there is a lot of problems behind that Buffalo Road area with water when -- certain times of the season every year.

MICHAEL NYHAN: That's something we'll review with the site plan which will be next month.

MR. POLAIKIS: Okay.

ZOE CHRISTANIS, 31 Hubbard Drive

MS. CHRISTANIS: Zoe Christanis. I'm confused what we're able to speak on tonight.

MICHAEL NYHAN: Just the subdivision. Not the site plan.

MS. CHRISTANIS: Just the line that is being removed.

MICHAEL NYHAN: The line going down the middle of the --

KATHY NEDER, 82 Attridge Road

MS. NEDER: Will we be allowed to -- even though are you not going to vote on proposals 2 and 3, will we be allowed to speak on those tonight?

MICHAEL NYHAN: Yes. We're leaving that Public Hearing open. You will be able to speak next month when they come back on that hearing.

MS. NEDER: So nothing tonight?

MICHAEL NYHAN: Correct.

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

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

MICHAEL NYHAN: Any further discussion? Just the middle line in the middle of the RM District.

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

DECISION : Approved by a vote of 6 yes with 1 no (John Hellaby) with a waiver of final and no conditions.

MICHAEL NYHAN: Subdivision is approved. The coordinate reviewed -- you're all set for the night. The coordinated review, Building Department will send out letters to multiple agencies. They will be able to review the application and provide us with any comments. We have to wait 30 days before we can hear the application again. That is why you'll be back next month, to make any comments if you have them at that time.
Thank you.

FOR DISCUSSION:

1. Application of King Park 2022, LLC (Andrew Vieira), PO Box 170, North Chili, New York 14514, owner; for preliminary site plan approval to construct a total of eight buildings (six buildings 80' wide by 200' long and two buildings 80' wide by 100' long) at property located at 30 King Road in LI District.

Bob Winans and Andrew Vieira were present to represent the application.

MR. WINANS: Okay. My name is Bob Winans, Project Engineer with LandTech and also with me tonight is Andrew Vieira.

MR. VIEIRA: I'm Andrew Vieira, owner of the property.

MR. WINANS: So just -- I will give you a quick overview what we're doing. We're really here to get the Board's feedback and to generally see what we need to do to move forward with the approvals.

And I have a color rendering there. It is pretty -- pretty simple, but -- so the -- so the property that we're building on is about 18 acres. It's on the east side of King Road. So just -- we have 490 to the south and the property is -- obviously King Road has water, gas, electric. We plan on tying our sanitary sewer in up at Roberto Drive, so we'll be running a forced main from a pump station north on King Road down to that point.

We did do a wetland boundary survey last year. So we had that delineated. That is shown on the plan which is really in the northern property, which we don't plan on developing at this point. And we're also showing a 100-foot buffer from the DEC wetland which we'll be staying out of.

The plan is -- and maybe Andrew (Vieira) can talk to that more, but the plan is really to have -- the developer is going to -- to build his -- you know, the first building will be for his business. The rest of their buildings will be leased to other businesses and -- which obviously they're going to be consistent with the zoning.

Our current plan we have there shows about -- shows 6 -- 16,000-square-foot buildings and 2 smaller 8,000-square-foot buildings. And those sizes may vary a little bit as we get into the project and see what the demand is for the areas and what kind of businesses want to move in here.

So we will definitely stay under the -- you know, the -- the maximum lot coverage which we're way below that now. You know, we'll stay -- stay below that requirement.

So we'll have -- the darker area that we have down the center is really a paved area that is going to be parking and be the main driveway for the buildings and then the rest of the area will be -- eventually be a -- stone parking for larger vehicles and contractor storage and -- and that sort of thing.

Setbacks, we'll be generous with those. We're staying quite away from each of the property lines. Because King Road is a County Road, we'll have to maintain the 75 feet minimum which we're staying beyond that. And really our plan was to maintain the existing vegetation around the outside of the project and to keep it as a buffer to the neighboring property and, you know, going to maintain that, you know, woodland look all of the way around.

So I guess the other thing is -- I had here was the front -- you're going to have a gate on the front?

MR. VIEIRA: Yes. It will be gated.

MR. WINANS: Tenants will be able to access the property. And that's all I have to say. We did receive the Monroe County Planning comments. I really didn't see any issues with that.

We're here to hear more what the Board has to say, what staff has to say and then we'll really move forward to final plans and get the site plans to a point where we can build the project.

JOSEPH DEFENDIS: Will these be single occupancy? You anticipate one business going into each building?

MR. VIEIRA: Hi. Andrew Vieira, the owner. I own Rochester Earth, Inc., a site contracting company that we do mostly public work for schools and towns. The city, VA Medical Center. Stuff like that. So we have typical site work equipment, dump trucks, excavators, bulldozers.

It would become the new home for Rochester Earth. One of the buildings we would plan on taking over.

But the other buildings would be for other -- we would want to target small businesses,

specifically skilled trades. Subcontractors we work with like masons, plumbing companies, fencing companies, landscapers, that sort of thing.

The idea of this project would also be to -- it would be flexible where small business could take one bay or could take multiple bays. It would also serve for a place for small businesses that are operating out of their houses. They would create a place for them to go -- a place for them to grow, create more jobs, that sort of thing. So to answer your question, it would be divided up, you know, tailored to the size of the business and how much space they would need. But we would maintain ownership of the property and we would rent them. That way we could, you know, make sure everyone is keeping it organized, stuff organized, keeping it clean and that sort of thing.

JOSEPH DEFENDIS: Okay. I'm all set.

MATT EMENS: So I think the thing that is confusing to me is the -- all of the gravel, all of the stone. I see the paving. Honestly, before I saw that I kind of looked and it kind of looked like -- almost like Bob (Winans) forgot to delete things out of the CAD file before he printed because they're floating off to the side. I read it and see it graphically depicted here it is stone. So how are you proposing to drain that? I mean to take care of all of the storm water? It just seems like a lot of --

MR. WINANS: Well, it definitely -- definitely a bit of impervious area we're creating. So we're creating a stormwater retention water holding pond on the north side there. Prior -- you know, outside the buffer area of the wetlands. We'll have to put in several bio retention areas also. That was part of that green strip in the center, was -- well, sheet flow to -- you know, the center area and the median. Create bio retention. You know. And -- we'll definitely -- be -- like everybody else, be complying with the New York State stormwater regulations and we'll require a SWPPP and a full design on that.

So between the water quality pond, retaining and keeping the rate of runoff the same, we'll also be adding water quality features throughout the site.

MATT EMENS: Andrew (Vieira), I hear your vision, the whole Master Plan for the whole site. The only thing I would be concerned with there is not a lot of green space. It's just a lot of stone. I mean if you came in here and said I have gotten tenants and this guy is going to store this and this guy -- this was all graphically depicted and figured out and approved, I get it. But right now it seems like just stone.

MR. VIEIRA: I agree it looks like there's a lot of stone there. And the amount of yard space that a company would need would kind of be specific to them. You know, if it were -- you know, if they had trucks or they stored material. That sort of thing. But yeah. The way that we designed it, as well as -- we kind of keep the entrance and the main road going in so that like all that stuff ends up behind the buildings so that, you know, it's like neat when you pull in. And most of that stuff is hidden by the buildings and most of the stuff, you know, yard-related items end up behind the building to try to keep it neat.

But could that area shrink down quite a bit? Definitely. You know, if there is a building that doesn't need to take delivery, you know, from a tractor-trailer or something, that needs to swing around in the back, um, it could definitely get smaller. But I think this was just kind of a -- a rough idea based on the area we had.

MATT EMENS: That's all I got for now. Thanks.

JOHN HELLABY: Just to expand on that a little bit further, I guess. Looking at this thing makes me concerned that, you know, how are you going to control somebody that comes in here and all of a sudden they have 14 trucks that are in various states of disrepair starting to pile up out there? I mean there has got to be -- we have always been sticklers on this outside storage stuff.

MR. VIEIRA: Sure.

JOHN HELLABY: I don't want it to end up being a big collection hole for all these pieces of iron.

MR. VIEIRA: I agree. I totally agree. That may be something where in the lease we can kind of spell out, like, you know, a max amount of vehicles or just make sure that -- it is stuff that gets used regularly and doesn't end up like storage where stuff just accumulates over the years.

JOHN HELLABY: I think to ease the fear of the Board, I think you're going to have to come in with some sort of concrete plan how you're going to do that. So keep that in the back of your mind.

As far as fire protection, is there fire suppression systems in all of these buildings, along with fire hydrants on-site?

MR. VIEIRA: We haven't gotten that far yet, but we would plan to meet whatever code that we had to as far as that goes.

JOHN HELLABY: All right. Talk to the Fire Marshal.

MR. VIEIRA: Okay.

JOHN HELLABY: After-hours lighting, security lighting?

MR. VIEIRA: Yes. There will be lighting. It will be gated. As far as hours of use, we are going to target skilled trades companies and the majority of these companies will work Monday through Friday, from 7 to 3:30. Those would be the busiest hours. So as far as any traffic it may create, um, noise it may create, it will end up, you know, mostly being between that window. The gates would probably stay open during those hours and then maybe after like 5 o'clock they would close and open back up at like 6 or something in the morning is what I was thinking.

JOHN HELLABY: All right. Automated -- I'm just throwing questions out there.

Automated gate or will it be keyed so somebody has to get out and physically go through the gate?

MR. VIEIRA: Automated. Yeah.

JOHN HELLABY: I guess that's all I got for right now.

MICHAEL NYHAN: Do you see a need for any variance at all?

MR. WINANS: What was that?

MICHAEL NYHAN: Any variances? Do you see the need for any variances based on the LI District?

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

MICHAEL NYHAN: Do you see the need for any variances?

MR. WINANS: Oh, variances.

No. I should have said that. Our intent is not to have variances. I'm sorry.

MICHAEL NYHAN: How about lighting? We have lighting in the entire parking area? Just on the buildings, light packs?

MR. VIEIRA: We'll have lighting, you know, yard lighting and, you know, maybe a lot of that stuff goes on like motion so it's not on all night.

MICHAEL NYHAN: Okay.

MR. VIEIRA: It will also kind of act as security and save energy.

MR. WINANS: Definitely wall packs and such around the building to light that up.

MICHAEL NYHAN: But it doesn't spill off the building type of thing, dark-sky-compliant type.

MR. VIEIRA: Yes. Especially with the wooded buffer around it. I think -- it will shine down.

MICHAEL NYHAN: Will you be building this as needed or do you plan on developing the entire site and then looking for tenants?

MR. VIEIRA: I would like to build as needed.

MICHAEL NYHAN: Okay.

MR. VIEIRA: We do have a couple letter of intents of people interested, small businesses that are interested in it. But we would definitely start with our building first, which we would plan on taking the -- the one you pull in, furthest to the left. But yeah, build them kind of as they fill up.

MICHAEL NYHAN: Somebody at your business all day? Is there an office there?

MR. VIEIRA: Yes.

MICHAEL NYHAN: The business itself of leasing and maintenance would be handled out of that office?

MR. VIEIRA: Yes.

MICHAEL NYHAN: Okay. You will be doing all maintenance -- you will also be responsible for all maintenance?

MR. VIEIRA: Yes.

MICHAEL NYHAN: All -- of all of the buildings and roadways?

MR. VIEIRA: Yes.

MICHAEL NYHAN: All right. The hours of operation I think you went over. The gates you went over. Building construction.

How will these be built? What will they be made out of?

MR. WINANS: We would like to build them pole-barn style. A pole-barn style.

MICHAEL NYHAN: Metal outside, metal roof?

MR. WINANS: Yes.

MICHAEL NYHAN: Windows?

MR. WINANS: There would be windows. We'll probably put a small office for the business. Or at least build it in a way where it could be built out if that is what the company needs were.

MICHAEL NYHAN: Okay. Just only thing is to have a plan when you come back as far as hours of operation, what the lighting will look like obviously and what you're going to be permitting for outdoor storage. Like Al (Hellaby) said, we try to keep that to a very minimum. And what kind of landscaping you will have.

This is the area that has been cleared on King Road, yes? It has already been brush-hogged type?

MR. VIEIRA: Yes.

MICHAEL NYHAN: Is that the size of the space or is there more still to be removed?

MR. VIEIRA: No. That pretty much went up to the wetland, the 100-foot buffer and what we left around the perimeter is what is going to stay.

MICHAEL NYHAN: You do have residents across the street so the hours of operation will be important especially with back-up beepers --

MR. VIEIRA: Yes.

MICHAEL NYHAN: -- 5 or 6 in the morning or 11 at night.

MR. VIEIRA: Yes. Agreed.

GLENN HYDE: In terms of waste management, do any of these potentials you will lease to have any hazardous materials or anything that would be treated special?

MR. VIEIRA: No, not that I can think of. Just the skilled trades standpoint, contractors for building. I don't think -- no. I don't think that they have anything.

DAVID CROSS: So I guess I'm just -- I'm interested in Matt (Emens)'s comment about the -- the proposed gravel areas. It seems to be a lot of gravel and I just -- I guess I will look to

the Side Table. Maybe not right now, but in the future if that is considered as lot coverage. Because it certainly looks like more than 40 percent lot coverage if we take into account that gravel. So let's keep that in mind going forward.

And building height?

MR. VIEIRA: 16 foot, something that can handle a 14-foot overhead door.

DAVID CROSS: But not 50?

MR. VIEIRA: No.

DAVID CROSS: The maximum in an LI zone is 50. Nowhere near that.

MR. VIEIRA: The pole barn would 16-foot with a 14-foot door which anything that could legally be pulled down the road could end up being put inside the building.

DAVID CROSS: Thank you. That is all I have.

PAUL BLOSER: My only concern was the gravel. There's a lot of it.

MR. WINANS: Definitely when we come back in with a next set of plans, we'll be more defined with our gravel areas, where our bio retention areas are, all our stormwater quality stuff will be on the next set of plans you see.

MICHAEL NYHAN: Any comments or offers from the Side Table?

MICHAEL HANSCOM: Just a couple of questions. So you're going to be bypassing three or four houses with the sanitary. Pure Waters may possibly ask you to try to service those houses since you're going by them.

Have you thought about that at all? For the sewer, that is.

MICHAEL NYHAN: I'm sorry, Michael (Hanscom). There is no sewers on the road right now; is that what you're saying?

MICHAEL HANSCOM: I don't know for sure.

MICHAEL NYHAN: You have to go all of the way to Roberto Drive. That is the closest sewer.

MR. WINANS: The closest manhole is on the corner of Roberto.

MICHAEL NYHAN: So your comment is if you're going to be installing that, they may ask you to permit the residents to connect; is that right?

MICHAEL HANSCOM: That is a possibility.

MICHAEL NYHAN: So a large enough main to do that. Okay. Consider that when you're drawing this up. They may ask you to permit all of the residents across the street from you to connect to that main.

MR. VIEIRA: Okay.

MICHAEL NYHAN: Where would you put the pump -- the pumphouse? That on the drawing? Is that little -- oh, right near the driveway there.

MR. WINANS: Probably near the driveway.

MICHAEL NYHAN: Okay. All right. Thanks.

MICHAEL HANSCOM: Any of these buildings -- are they going to have any loading docks or anything like that?

MR. VIEIRA: We planned on all grade level. But as we see what the needs are in the first couple buildings, if we're getting a lot of requests for a loading dock -- I'm not sure how we would pull that off with a pole barn.

MICHAEL HANSCOM: Just asking.

MR. VIEIRA: But it's possible. We would want to, you know, be able to give the people what they need.

MICHAEL HANSCOM: One thing to note when you prepare the plans -- these are 16,000 square foot, basically warehouses. They come under that -- for the parking requirements, one space for every 400 square feet. So each building, under the code, would require 40 parking spaces.

MR. VIEIRA: Okay.

MICHAEL HANSCOM: If you choose not to construct them all, you need to at least show them as land-banked parking somewhere else on the site.

Another thing under the parking code you have the commercial buildings -- they require -- for a 16,000-square-foot building, I believe it requires at least two loading areas where you can park an 18-wheel truck to load and unload for the building. But they have to be reserved -- areas that are reserved for that. Like 14 feet wide by 60 feet long, I believe. Just take that into consideration when you're doing your layout. That's per building. Not just two for the entire facility.

Another thing is make sure have you enough space for bio retention structure work. I think that's all I got. Thanks.

PAUL WANZENRIED: And am I reading this right you will run this forced main along King Road?

MR. WINANS: That was the plan, yes.

PAUL WANZENRIED: So you will cross under CSX's tracks?

MR. WINANS: Yes.

PAUL WANZENRIED: Okay. Have fun.

MR. WINANS: Thank you. We're starting the process.

MICHAEL HANSCOM: I will be interested to find out if they will actually let you directional drill it or put a casing?

MR. WINANS: I will use you guys as references.

PAUL WANZENRIED: To Mr. Hellaby and other Board members, the storage aspect typically in the LI, we have limited if not restricted outdoor storage on a building that is 80 feet

deep. I would wonder why we would want outside storage for anything.

MR. VIEIRA: Okay.

PAUL WANZENRIED: And when you come back for Planning Board approval, you will be coming back for a Special Use Permit. Okay? And you're -- it's a -- somewhat of a warehousing and distribution facility. But it's -- there -- it's either that or public storage. So that is why -- the use is a similar character. You will need to do that.

You said there was going to be offices in here? So there will be -- there will be restroom facilities, but they're built out as needed? You also will have them in a pole barn?

MR. VIEIRA: Yes.

PAUL WANZENRIED: You might want to have your design professional check out building code on that and how -- because that may trigger Title 5 construction. That size may trigger sprinklers.

MICHAEL NYHAN: Any other questions? Anything else you want to --

MR. WINANS: I don't have any questions.

MR. VIEIRA: I'm all set.

MICHAEL NYHAN: What is your time frame? What is your plan?

MR. VIEIRA: Time frame to?

MR. WINANS: Hopefully we'll get something back to you in a month.

MR. VIEIRA: By next month.

MICHAEL NYHAN: By September?

MR. VIEIRA: Yeah.

PAUL WANZENRIED: That would be October. The Planning Board deadline was this past Wednesday, so we'll see you in October.

MR. VIEIRA: All right.

MICHAEL NYHAN: Get working now.

MR. WINANS: He wants to get going.

MS. NEDER: Can I ask a question or are we not to that part yet?

MICHAEL NYHAN: We're not to that part yet.

MS. NEDER: Okay. Thank you.

MICHAEL NYHAN: Which will be October. We'll have a Public Hearing on this.

Matt Emens made a motion to accept and adopt the 7/11/23 Planning Board meeting minutes, and Joseph Defendis seconded the motion. The vote on the motion was 6 yes with 1 abstention (John Hellaby).

The meeting ended at 7:33 p.m.