

CHILI PLANNING BOARD  
October 10, 2023

A meeting of the Chili Planning Board was held on October 10, 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.

**PUBLIC HEARINGS:**

1. Application of Chili MZL, LLC, 810 Paul Rd Rochester, NY 14624, owner; for preliminary site plan approval for proposed renovations (Suite #T-5) (corrected later to #T-6) and site improvements at the property located at 3170 Chili Ave in the GB (General Business) District.

Andrew Burns, Dustin Welch, Stan Glantz and Nick Grock (phonetic) were present to represent the application.

MR. BURNS: Good evening. My name is Andrew Burns from Passero Associates representing the applicant Chili MZL, LLC. Also with me tonight is Dustin Welch, architect also from Passero. We also have Stan Glantz and Nick Grock (phonetic) representing the applicant.

We are here this evening seeking preliminary and final site plan approval for the proposed renovation and site improvements associated with the next build-out of Chili Square located at 3170 Chili Ave., zoned General Business.

The proposed renovation will establish a retail place for Five Below, bringing another national retailer into Chili Square. Over the last few years we have slowly been filling in the space, as I'm sure you are aware, bringing new and exciting business into the Chili area.

Within the building a 10,000-square-foot build-out will be provided for the new retail space. Improvements will be made along the front facade including the parapet for signage along with providing a new concrete ramp in the existing sidewalk.

In the rear of the building where most of the proposed work is happening, we're going to be removing the existing and deteriorating loading dock. That will be replaced as part of this project. The loading dock will be replaced to meet our project needs as well as provide a dumpster enclosure to match the existing enclosures behind the plaza.

In addition to that work, we'll be working on some drainage improvements in selected asphalt areas behind the building as well as the removal of the salt storage area behind the building, as well.

With regards to landscaping, we'll be providing some additional landscaping along that back fence line to help increase the buffer between the adjacent properties to the north.

To date, we have been in front of the AAC in which positive feedback was received. We have also received and responded to Town Engineering comments, none of which had significant impact to our project, but we would be happy to go over those responses if the Board would like.

And unless the applicant or Dustin (Welch) have anything else to add, we'll be happy to answer any questions that the Board may have.

JOHN HELLABY: Your letter stated that the poles in the parking lot have been upgraded to LED. I assume that's all of the poles in the parking lot?

MR. BURNS: Can you repeat that?

JOHN HELLABY: The poles that are in the parking lot, the light poles that have been upgraded to LED fixtures?

MR. BURNS: If they have not already, they will be.

MR. GLANTZ: They have.

JOHN HELLABY: Is that the entire plaza?

MR. GLANTZ: (Mr. Glantz indicated non-verbally.)

JOHN HELLABY: Are you adding any wall pack lighting to your facility?

MR. BURNS: Not to my knowledge.

JOHN HELLABY: Back by the loading dock there won't be any additional light.

MR. BURNS: Just what is existing, I believe.

JOHN HELLABY: All signage per code?

MR. BURNS: Correct.

JOHN HELLABY: No outside storage of sales or materials, I trust.

MR. BURNS: Correct.

MICHAEL NYHAN: The new pavement that you put in along the back, the rectangular piece that's 8-foot wide on the north side, there's a salt bin back there right now. Where is that -- that's going to be removed?

MR. BURNS: Yes.

MICHAEL NYHAN: Where is that relative to that new piece of pavement?

MR. BURNS: It's going to be just to the south at the -- or the westernmost portion.

MICHAEL NYHAN: Where is it now?

MR. BURNS: Correct.

MICHAEL NYHAN: The whole turning radius will be enlarged by the entire size of that exist --

MR. BURNS: Correct. And that extra asphalt to the north is assuming we have the largest possible truck back there. It just provides an area to bypass while it is parked so other trucks can get around it.

MICHAEL NYHAN: The smaller piece, that's the one that can back into it or drive into it to let other --

MR. BURNS: Correct. Those two asphalt extensions, we can access that from either direction, whether the west side of the building or coming from the east.

MICHAEL NYHAN: So trucks pull in and get unloaded and leave? Or do they get left overnight or for a week? Or what happens with trucks that come in for product?

MR. BURNS: I believe they're unloading and leaving immediately.

MR. GLANTZ: That is our understanding.

MICHAEL NYHAN: They unload and leave immediately. Okay. All right.

This going to go up directly against Big Lots?

MR. BURNS: That's correct.

MICHAEL NYHAN: Then you have one space to the west, one small space left?

MR. BURNS: Correct.

MICHAEL NYHAN: The entire front of the building will be redone and that is why you went in front of AAC for --

MR. BURNS: As part of this project, yes.

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

MICHAEL HANSCOM: No additional comments.

PAUL WANZENRIED: Just -- sorry. Can the landlord -- or the property owner have his electrician check the monument sign out front? It's a strobe effect and I don't think that's what he wants.

MICHAEL NYHAN: Yes. The edge of it -- it says --

MR. GLANTZ: The whole sign?

MR. WELCH: Blinking.

MICHAEL NYHAN: Just the long, tall, rectangular part facing Chili Avenue is like a strobe light.

PAUL WANZENRIED: That's all.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

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

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

MICHAEL NYHAN: This is a retailer, correct?

MR. BURNS: Correct.

MICHAEL NYHAN: Department-store-type retailer?

MR. BURNS: Yep.

MICHAEL NYHAN: Okay. For recommendations or conditions, I have several of the standard ones.

I was going to add no outdoor sales or displays outside the building.

JOHN HELLABY: Uh-huh.

MICHAEL NYHAN: Any other specific conditions or any other further discussion on this? Pretty straightforward.

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

MICHAEL NYHAN: You did -- we did receive a response to our Town Engineer. You don't see any problem with any of the items that were brought up?

MR. BURNS: No. None at all.

MICHAEL NYHAN: So then for the conditions, upon completion of the project, the applicant shall submit a Landscape Certificate of Compliance to the Building Department from a landscaping architect certifying that all approved plantings have been furnished and installed in substantial conformance with the approved landscape plan.

Approval is subject to final approval of the Town Engineer and Commissioner of Public Works.

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

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

Planning Board affirms the recommendation of the Architectural Advisory Committee and requests the applicant comply with these recommendations.

Were they finalized, Matt (Emens)?

MATT EMENS: Yes. They're pretty simple, I think, from what --

MICHAEL NYHAN: They're solid? Okay.

PAUL WANZENRIED: What?

MICHAEL NYHAN: For the Architectural Advisory Committee?

PAUL WANZENRIED: Yep.

MICHAEL NYHAN: Building permit shall not be issued prior to the applicant complying with all conditions.

The application 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.

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

And no outdoor displays of regular sales outside the building.

Any other conditions?

With those conditions, the application of Chili MZL, LLC, 810 Paul Rd Rochester, NY 14624, owner; for preliminary and final site plan approval for proposed renovations (Suite #T-6) and site improvements at the property located at 3170 Chili Avenue in the GB zone.

JOHN HELLABY: Second.

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

1. Upon completion of the project, the applicant shall submit a Landscape Certificate of Compliance to the Building Department from the Landscape Architect certifying that all approved plantings have been furnished and installed in substantial conformance with the approved landscape plan.
2. Approval is subject to final approval by the Town Engineer and Commissioner of Public Works.
3. The Town Engineer and Commissioner of Public Works shall be given copies of any correspondence with other approving agencies.
4. Applicant shall comply with all pertinent Monroe County Development Review Committee comments.
5. The Planning Board affirms the recommendations of the Architectural Advisory Committee and requests that the applicant comply with these recommendations.
6. Building permits shall not be issued prior to applicant complying with all conditions.
7. Application is subject to all required permits, inspections, and code compliance regulations.
8. Applicant to comply with all required life safety conditions and permits from the Town Fire Marshal.
9. Any signage change shall comply with Town Code, including obtaining sign permits.
10. No outdoor displays or regular sales outside building.

MR. BURNS: Clarification. We believe it is D-6. Not D-5.

MICHAEL NYHAN: I have T-5.

MR. BURNS: T-5. Sorry.

MR. WELCH: It's T-6.

MICHAEL NYHAN: T-6. So the application will be for suite T-6.

2. Application of Royal Wash Development, LLC, 2851 Monroe Ave Rochester, NY 14618; Rochester W, LLC, 655 Third Ave, FL 28, New York, New York 10017, owner; for special use permit to allow a single-bay automatic car wash at the property located at 3127 Chili Ave in the GB (General Business) District.
3. Application of Royal Wash Development, LLC 2851 Monroe Ave Rochester, NY 14618; Rochester W, LLC 655 Third Ave, FL 28, New York, New York 10017, owner; for preliminary site plan approval for a single bay automatic car wash with vacuum stations at the property located at 3127 Chili Ave in the GB (General Business) District.

Andrew Burns, Dustin Welch, Anthony Daniele, Nick Koros and Tim Geier were present to represent the applications.

MR. BURNS: Good evening again. Andrew Burns, Passero Associates representing Royal Wash Development, LLC.

Also with me is Anthony Daniele and Nick Koros.

We're here this evening seeking approval for Special Use Permit along with prelim and final site plan approval for the proposed building renovation and site improvements associated with the new Go Car Wash located at 3127 Chili Ave. property zoned GB.

This project was in front of the Board conceptually a few months ago so some of this will not be new, but we'll go over it again.

The proposed renovation would keep much of the existing site intact. With minor modifications as needed. Majority of work is within the building in which the building will be renovated to house a new single -- a single-bay automatic car wash and indoor vacuums.

The indoor vacuums would be a first for Royal Wash Development so we're very excited for the opportunity to provide that at this site in Chili.

A little bit for traffic flow through the site -- um, customers will be -- will enter either right from Paul Road or from the left or the right on Chili Ave. They will come down the east side of the building where we have enough room to stack approximately 31 or 32 vehicles, which in our experience is plenty for a site of this magnitude in this location.

From there they will circle south of the building, go north through the wash tunnel. From there they can either opt to go back into the building to the west to use the vacuums or they can exit the site either on Chili Ave. either direction or go right out on Paul Road.

We're not proposing any modifications to the existing entrances or site lighting at this time. However, we will be providing some of the required landscaping to meet Town requirements around the building and some of the new islands.

For signage, um, the building signage we're currently proposing to meet or not exceed what was previously shown by Walgreens. I think we're actually showing a bit less right now as far as square footage goes.

And for the monument sign, we'll be reusing that as is in the same location on Chili Ave.

To date, we have been in front of the AAC, which we did receive some minor feedback and we did provide the revised elevations that they requested.

We have also received and responded to the Town Engineering comments. None of which has significant impact on our project, but again, we would be happy to go through those responses with the Board if you would like.

And in addition to local municipal review, we have coordinated with Monroe County Water Authority, Department of Health, Pure Waters, Monroe County DOT and New York State DOT, all of whom have reviewed the project and have -- have no major comments or concerns.

With that, Anthony (Daniele), I don't know if you want to add anything?

We're happy to answer any questions that the Board may have.

MICHAEL NYHAN: Anything else?

MATT EMENS: Paul (Wanzenried), do you want me to address the AAC comments?

PAUL WANZENRIED: Sure.

MATT EMENS: I know you had some questions.

I think just to give maybe Paul (Wanzenried) some clarification and make sure we're all on the same page. The issue that we ran into at the AAC meeting was the version of the drawing submitted and where you guys were wasn't 100 percent caught up. So when we looked at the pictures, Paul (Wanzenried), we could tell pretty quickly some of the things were not on the CAD drawings.

So I think, Dustin (Welch), you guys got that squared away internally, which is why you brought back this.

They don't need to come back to us. Jim (Ignatowski) wanted the cut sheets on the lights and you had already said -- are showing here the gooseneck lights. So I think as long as Jim (Ignatowski) gets those, we won't have an issue with them.

And then the point about the signs was -- because you guys were talking about signs and now you're showing them on here. So I think we're -- we're fine with that because they will have to make application for that any ways.

So I don't -- there is really no changes architecturally to the building.

PAUL WANZENRIED: Okay.

MATT EMENS: So I don't think we have issues there.

PAUL WANZENRIED: Great. Works for me.

MICHAEL NYHAN: So basically I have recommended the existing building as it is without changes, right?

MATT EMENS: Exactly. Right.

And basically just said where you guys are touching the entrances in terms of the aluminum storefront, you will match -- match existing and that you're using glass doors that are going to be open most of the time anyway.

MR. DANIELE: Correct.

MATT EMENS: So I guess that -- that wraps up that for me. But then the other question I guess I wanted to go to, some of the stuff you guys submitted here on this -- the sound. If you could just -- I want to make sure I'm understanding this correctly.

You have two documents here. One is the decibel readings of -- of the site, right? The background noise? And then this 8 1/2 x 11 is measurements taken at an existing car wash with similar equipment. I will stop there. You guys can explain to me what this means. To us.

MR. BURNS: That's exactly correct.

MR. DANIELE: Basically, what -- what we're showing is that the sound readings around an existing -- my name is Anthony Daniele from Royal Wash Development -- is that the sound readings from an existing facility that is very similar, if not identical, except for the building is a little different -- as far as machinery inside it will be exactly the same. Is that the sound readings emanating from the building at the various distances is less than the sound that's coming from the road. The mean readings.

Obviously one of the things -- during sound analysis they take peaks and valleys and even it out. I don't fully understand the engineering of it. But the -- the machinery is far enough away from the road and from the property lines that the existing sound is louder than the sound that will be coming from the car wash.

MATT EMENS: As a part of this project we're proposing some screening anyway, correct?

MR. DANIELE: I believe there is an existing fence that runs along the border between the commercial and residential property line and that -- that is proposed to stay and be repaired if once we get in there -- if there is anything that needs to be fixed. The expectation is that it remains and if it needs to be repaired, it will be.

Along with vegetation. There is also significant amount of vegetation along that borderline and there is no plan to remove it or change it in any way.

JOHN HELLABY: Matt (Emens) had mentioned light fixtures. The gooseneck fixtures. Are there fixtures being added to what is already there?

MR. DANIELE: I believe the fixtures being added are specifically for the signage because the signage is a little different than Walgreens. Different size. But outside of that, the rest of the lighting, I believe, is what is existing.

MR. GEIER: Correct.

JOHN HELLABY: Just be conscious that they have to be --

MR. DANIELE: Dark-sky compliant.

JOHN HELLABY: -- dark-sky compliant and no spillage over to the neighbor's property. I think somewhere in your materials I saw hours of operation, but I don't recall them. Do you have them?

MR. DANIELE: So -- so in the application we wrote 7 a.m. to 9 p.m. on Monday through Saturday and 8 to 8 on Sunday. Typical hours of operation currently since COVID are a little less than that, but that's -- that's what they were pre-COVID so we like to disclose that rather than --

JOHN HELLABY: This is not one of those just you show up and drive-thru type operations? You have you somebody on-site all of the time?

MR. DANIELE: That's correct. It's -- it's super automatic but does require employees to be there. There is always at least two employees on the property at all times. And when we're closed at those hours, the garage doors are closed. You know, the lighting goes off with the exception of some security lighting and it's just obviously off.

JOHN HELLABY: The last thing that I'm not 100 percent sure of is this inside vacuum cleaning thing. I know the engineer asked for travel paths and whatnot. The drawings I had just show a big box out that says this is where you're going to put it. But it doesn't tell me how the people will navigate through there without running into one another.

MR. DANIELE: So I mean -- because it's inside and we're dealing with site, obviously the architectural drawings will show where the parking stalls are. When you pull in, you will actually pull in at an angle, I believe, into the vacuums to the right. So it is kind of like a little parking lot.

So you pull in from outside, you pull to the right into a diagonal parking spot. You park, get out and vacuum your car. In the meantime, other cars can either go straight through, back out of their spots and leave.

So it -- if you can imagine a typical vacuum parking area, it's exactly the same thing except it is inside.

JOHN HELLABY: But when you come out of the car wash, you have to literally drive back into this?

MR. DANIELE: That's correct. You would be existing -- realistically only about 10 to 20 percent, depending on the time of year, will want to vacuum their car. So most traffic is going to exit the site as they leave the car wash.

If you choose to vacuum your vehicle, you will exit the car wash to the north and then you'll make a left and go back in the building. That part of the building is just for vacuums. So there is a wall between the car wash tunnel. Because obviously we can't have people vacuuming a car and walking into the car wash. So it's almost two separate areas. It is two separate areas.

JOHN HELLABY: Now, do these people back out and continue on through to an exit? They don't go out the same way they came?

MR. DANIELE: That's correct. It's one-way.

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

MICHAEL NYHAN: So you can stack 32 cars in the double lane and then goes to three areas where you pay, et cetera?

MR. DANIELE: That's correct.

MICHAEL NYHAN: That is in the front of the building where 32 cars fit?

MR. BURNS: We do have a stacking plan. But essentially, it's up to this drive lane. So it is just in the -- up until that point.

Because obviously when you get past there, you're in competing traffic and cross-traffic. So 32 is completely out of the way of the cross lanes.

MR. DANIELE: I mean realistically if you're talking about spilling out into the main traffic lanes, you're talking 50 or 60 and that will never happen.

MICHAEL NYHAN: But have you three lanes, I think, down in Gates on Chili Avenue?

MR. DANIELE: Correct.

MICHAEL NYHAN: That's backed up all of the way to the start, if you will. You know, where you come in. Where you -- where you go to the vacuums.

MR. DANIELE: That's about 27 cars.

MICHAEL NYHAN: Three lanes total with 27 cars?

MR. DANIELE: Yep.

MICHAEL NYHAN: You come around. You go through the pay area. You go up and go into the car wash. There is a hashed area. I believe that's just a hashed area right -- so if you wanted to exit at this point, you could.

MR. DANIELE: That's correct. And that's designed so that if the car wash breaks down, if there is a problem in the wash, whatever that might be -- and it does happen on occasion -- we can get vehicles off the property without having people backing up and creating chaos. If there's an emergency, emergency vehicles, fire trucks, ambulance, they can access the site without having to go -- get in line for a cash wash.

MICHAEL NYHAN: So just hash marks. No curbing at all in that area?

MR. DANIELE: That's correct.

MR. BURNS: And just traffic cones to -- to deter traffic from entering the wash obviously and keeping vehicles traveling towards the entrance.

MICHAEL NYHAN: As I recall, is there always somebody at those booths where the automated payment is?

MR. DANIELE: Always, probably not. There is always at least one person as vehicles enter the tunnel. And there is always a second person onsite. Most of the time, more for marketing than for doing anything from a safety or sales standpoint. Those are automated tellers. So they don't require employee interaction. The employees are there selling people on the monthly plans, but -- and they're there most of the time but not all of the times. To answer your question.

MICHAEL NYHAN: So if there was an issue within that 32 car stack-up, somebody could open the gates to let people out; correct?

MR. DANIELE: Correct.

MICHAEL NYHAN: That is what it is designed to do. Okay.

I think that's all I have for now.

Was there additional landscaping? They mentioned they would clean up the landscaping. Were you going to add landscaping somewhere? I thought I saw that on here.

MR. BURNS: We do have a landscaping plan. We do have some new curbed area island here. We'll get some vegetation in there. And yeah, whatever the Town requirement is, we'll meet that minimum.

MR. DANIELE: We're going to clean up the site. I know there is a stormwater facility that needs to be rehabilitated and whether that is landscaping -- that will be part of it, of course.

MICHAEL NYHAN: Also, in the same area where the cars stack and go through the pay area, then there is a curb to get into the tunnel. That's a pretty steep drop-off.

Is there a guardrail that you have showing at the end?

MR. BURNS: Correct. There is an existing guardrail on the top of that wall.

MICHAEL NYHAN: All right. Perfect. That's all I had.

PAUL WANZENRIED: How many vacuums are in the vacuum area?

MR. BURNS: I don't know that we have that worked out yet.

MR. DANIELE: I could get you that answer. I would guess eight. Eight to ten stalls.

PAUL WANZENRIED: So -- and what is the decibel value of your vacuums? Let me backtrack.

The -- you gave us that 8 1/2 sheet that gave decibel levels at the property line or at a distance off of the building. Would that be if every one of those vacuums is running and the

wash? Or would that be one vacuum running?

MR. DANIELE: So -- so those are -- those are average readings. I would guess that probably not every vacuum is running in that scenario.

Now what I will say, though, with our vacuum systems -- I will backtrack a little bit -- there is a central motor, like a 40-horsepower motor that is on all of the time. And it's -- it's not that loud, but it's on all of the time, regardless how many people are vacuuming. So it is not like there are eight different vacuum machines and every time somebody pulls in and starts one, it creates additional noise.

Now, engineering-wise, when you take the nozzle out the holster, it does rev up the engine a little bit so there is a correlation between how many are using it and how much juice is -- how fast it is spinning, et cetera, but not like it is going on and off. It's not off when nobody is using it and on when somebody is. It is relatively insignificant.

And -- and these measurements are taken when everything is outside. So the fact that it's in the building, it's probably -- should be less.

PAUL WANZENRIED: Are they -- vacuums located to the interior wall as opposed to the exterior wall?

MR. DANIELE: Yes. Everything is inside the building.

PAUL WANZENRIED: Right. But if you're looking at your building, right, I am either parking on the interior wall or parking on the west wall. East wall or west wall?

MR. GEIER: Both.

MR. DANIELE: It's both.

PAUL WANZENRIED: You will have enough room for --

MR. DANIELE: Correct.

PAUL WANZENRIED: I'm thinking that is tight, too. Okay. And -- lastly, there is no plans to put lights along the eaves and ridges as in typical --

MR. DANIELE: Like festival lights?

PAUL WANZENRIED: Yes.

MR. DANIELE: Only if you should so desire to have them.

PAUL WANZENRIED: No.

MR. DANIELE: No. We haven't been putting those on the new builds.

PAUL WANZENRIED: Okay. All right. Thank you.

#### COMMENTS OR QUESTIONS FROM THE AUDIENCE:

MIKE DIVITO, 2 Black Cedar

MR. DIVITO: When I'm leaving the car wash, I'm done. Is that -- I know it's a pretty high elevation there. Am I going down a grade toward the road or is it -- is that a level --

MICHAEL NYHAN: So two ways -- two ways to exit. You either go back out the way you came in, which is from Chili Avenue or you make a left and go out to Paul Road which requires you to make a right-hand turn only.

MR. DIVITO: When you get in the car wash, does it go into neutral, the car?

MR. BURNS: Yes.

MR. DIVITO: I'm only wondering if -- as I'm being exited, is it a downgrade? If I'm unconscious, I'm not paying attention, I'm fighting with my wife -- once in a while -- that -- that -- I'm not going to roll out into traffic?

MR. DANIELE: No. If that -- I mean if something were to happen and, you know, your wife has rendered you unconscious, you would you end up going straight ahead through these parking spots and I guess onto the lawn or in -- I don't think that's a curb there. But nowhere near a road.

MR. DIVITO: No risk.

MR. DANIELE: You would end up here (indicating), not going out into traffic.

MICHAEL NYHAN: Your name again?

MR. DIVITO: Mike Divito, D-I-V-I-T-O. 2 Black Cedar. Thank you.



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

The Public Hearing portion of these applications was closed at this time.

MICHAEL NYHAN: Stalls you will work out with the Building Department. Not exactly part of the site plan, but it will have to work for cars backing up.

MR. BURNS: Correct.

MICHAEL NYHAN: So work with the Building Department on that.

JOHN HELLABY: What are you looking at construction time frame wise? Do you know? Once you get approved?

MR. DANIELE: Our intent is to commence construction as soon as we can. As soon as we can address all comments and get the architectural plans reviewed and approved and accepted, we would start.

So -- I don't want to put -- I don't want to have -- within the next few months we'll start and a renovation like this will take less than six months. The hope would be about four months from start to finish.

JOHN HELLABY: Is the biggest part of the project taking the slab out?

MR. DANIELE: Yes. Installing the tunnel equipment. A new build from the ground up takes us about six to eight months and this will take a little less than that.

MICHAEL NYHAN: Special use and preliminary with final SEQR together as well as voting? Is that correct?

MATTHEW PISTON: I think you should do it separately.

MICHAEL NYHAN: In that case, I don't have any conditions for Special Use Permit. We'll save those for preliminary site plan.

For the application of Royal Wash Development, LLC, 2851 Monroe Avenue, Rochester, NY 14618 -- hang on a second. I have to do SEQR. Let's to -- that's why I asked.

For Application #2, Michael Nyhan made a motion to declare the Board lead agency as far as SEQR, and based on evidence and information presented at this meeting, determined the application to be an Unlisted Action with no significant environmental impact, and John Hellaby seconded the motion. The Board all voted yes on the motion.

MICHAEL NYHAN: So for the determination for the application of Royal Wash Development, LLC, 2851 Monroe Avenue, Rochester, NY 14618; Rochester W, LLC, 655 Third Ave, Floor 28, New York, New York 10017, owner; for special use permit to allow a single-bay automatic car wash at the property located at 3127 Chili Avenue in the GB zone.

JOHN HELLABY: Second.

(The Planning Board received an email correspondence from Sandra Katz, dated 10/10/23, which is on file in the Building Department.)

DECISION ON APPLICATION #2: Unanimously approved by a vote of 7 yes with no conditions.

MICHAEL NYHAN: And then for the application for preliminary with waiver of final. The conditions of 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 of the Town Engineer and Commissioner of Public Works.

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

Applicant shall comply with all pertinent Monroe Development Committee comments.

Planning Board affirms the recommendations of the Architectural Advisory Committee and requests the applicant comply with these recommendations.

All previous conditions imposed by this Board that are still pertinent to the -- hang on. That won't apply for you.

Building permit shall not be issued prior to the applicant complying with all conditions.

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

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

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

Any other conditions? Where those conditions --

MATTHEW PISTON: You have to do SEQR for this one.

MICHAEL NYHAN: Sorry. Right. SEQR twice.

For Application #3, Michael Nyhan made a motion to declare the Board lead agency as far as SEQR, and based on evidence and information presented at this meeting, determined the application to be an Unlisted Action with no significant environmental impact, and John Hellaby seconded the motion. The Board all voted yes on the motion.

MICHAEL NYHAN: So with those conditions, the Application of Royal Wash Development, LLC, 2851 Monroe Avenue, Rochester, NY 14618; Rochester W, LLC, 655 Third Ave, Floor 28, New York, New York 10017, owner; for preliminary site plan approval with final waived -- waiver of final for a single-bay automatic car wash with vacuum stations at the property located at 3127 Chili Avenue in the GB zone.

JOHN HELLABY: Second.

DECISION ON APPLICATION #3: Unanimously approved by a vote of 7 yes with the following conditions:

1. Upon completion of the project, the applicant shall submit a Landscape Certificate of Compliance to the Building Department from the Landscape Architect certifying that all approved plantings have been furnished and installed in substantial conformance with the approved landscape plan.
2. Approval is subject to final approval by the Town Engineer and Commissioner of Public Works.
3. The Town Engineer and Commissioner of Public Works shall be given copies of any correspondence with other approving agencies.
4. Applicant shall comply with all pertinent Monroe County Development Review Committee comments.
5. The Planning Board affirms the recommendations of the Architectural Advisory Committee and requests that the applicant comply with these recommendations.
6. Building permits shall not be issued prior to applicant complying with all conditions.

7. Application is subject to all required permits, inspections, and code compliance regulations.
  8. Applicant to comply with all required life safety conditions and permits from the Town Fire Marshal.
  9. Any signage change shall comply with Town Code, including obtaining sign permits.
4. 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 the property located at 4415 Buffalo Road (Lot 2) in GB District.

Tabled at the applicant's request until the November 14, 2023 meeting.

5. 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 the property located at 4415 (Lot 1) and 4423 Buffalo Road in RM District(s).

Tabled at the applicant's request until the November 14, 2023 meeting.

6. Application of King Park 2022, LLC, P.O. Box 170, North Chili, NY 14514; Andrew Viera, P.O. Box 170, North Chili, NY 14514, owner; for preliminary site plan approval to construct eight (8) commercial buildings to be leasable contractor storage and/or business at the property located at 30 King Road in the LI (Limited Industrial) District.
7. Application of King Park 2022, LLC, P.O. Box 170, North Chili, NY 14514; Andrew Viera, P.O. Box 170, North Chili, NY 14514, owner; for a special use permit to allow use of the similar character warehouse/distribution/office) at the property located at 30 King Road in the LI (Limited Industrial) District.

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

MR. WINANS: Good evening. My name is Bob Winans. I'm an engineer -- Project Engineer with LandTech. And Andrew (Viera) is with me also.

So we were before the Board in August and discussed the project and went over the main parts of it. So now we're back in for preliminary site plan and Special Use Permit approval. I will just run through the -- the main pieces of the project.

We have submitted updated plans along with the long Environmental Assessment Form. So the Board has that now.

MICHAEL NYHAN: Okay.

MR. WINANS: So the project is an 18-acre parcel. And in the Limited Industrial Zone area. Andrew (Viera) does own the property to the north also. So there is 12 acres that will not be developed that is also, you know, owned by them. But just so you know that.

We plan on -- right now on the plan we're showing six 16,000-square-foot buildings. Two 8,000-square-foot buildings. And what we have tried to do is pretty much max out the site showing what could be done and what we plan on doing.

At this point, you know, the first phase will be -- Andrew (Viera) is going to come in and put his first building up, which will be for his business and his storage and his contracting use. We will put the RPZ in that building so the back-flow preventer for the whole site will be in there. The -- then we also will be installing sanitary sewer and water mains, everything else to get it ready for the -- for the future buildings that are going to be installed.

And then as I mentioned before, we will be installing a force main all of the way up to Roberto Drive and connecting into that sanitary sewer. The water main is right out front so we can connect to that. The plans could show a -- a New York State DEC wetlands located on the north or east side of the property and kind of goes into the property on the north. We will not be affecting that at all. We're staying out of that buffer.

And really the -- the idea with these flex buildings is so that -- as -- as they're developed, they will be split up into different studio sections which then will be leased to different businesses, contractors that will use them. Some of them will want to have bathrooms. Maybe a small sink, whatever, for the -- for the employees when they come in and, you know -- and -- and areas for storage.

And that's another -- you know we do -- are showing close to 300 spaces, parking spaces, which were to meet code. Idea is that we -- we'll probably never use all that parking space. But we will be storing materials in the rear of the buildings. So the idea is to create the front of the buildings looking as normal as possible, like businesses and then any storage or any vehicles will be stored in the back of the buildings to kind of hide that.

At the same time, we have -- we will be maintaining all vegetation and trees up to, I think, around 25, 30 feet, all of the way around the -- the front and sides of the property. Definitely the front. You can see actually out there now, that that is all there and -- our intent is not to remove

any of the trees in those areas. So -- so we're -- we plan on meeting all of the setbacks. 75 foot minimum from King Road. We meet all of the side setbacks. We will -- I guess everything with -- with gas and electric, everything else will be tied into potentially getting these buildings what they need as they are developed.

We will be putting a large stormwater management area in the upper corner. That will help to keep our rate of runoff less than existing at this point. We will be adding water quality bio retention areas throughout the site to meet the DEC water quality regulations. We -- I recognize that this is based on the -- the square footage of the buildings and size of disturbance. It does kick it into a Type I action and that's is why we have submitted the long form. And hopefully the Board will see fit to declare their intent to be lead agency and start that process for us.

The other -- the second part of this is the Special Use Permit, which is required for certain uses under this zoning and what we're asking for is the Special Use Permit to -- for -- for a use similar to one of the other ones. There is a list of different items that are in zoning and I guess the one we're closest to is warehouse and distribution facilities. We're asking for that Special Use Permit to go along with Planning Board approval. When the Board is ready. So I have -- we actually have submitted to Pure Waters to make sure the sewer was going to be okay and they have given me a verbal approval on that. Water Authority is reviewing different issues, giving me comments on that. No major problems.

We mentioned last time we're still working with CSX because we have to cross under the railroad for that. So we're kind of going back and forth. But we're making progress. We're talking to real people now, so it is good.

And I did receive Town Engineer's comments. Went through them. And actually some of the comments regarding labeling dimensions and calling out some things that are on this latest sub plans -- but we are going to work with Lu Engineers to make sure that those are all addressed and I don't see any -- you know, any outstanding issues that we could not address throughout the process here of getting plans ready to go. So I guess that's it. We're -- we'll be happy to hear any planning comments and any questions you might have.

JOSEPH DEFENDIS: One of the questions was what are you doing for trash pickup?

MR. WINANS: Trash?

JOSEPH DEFENDIS: Is there dumpster enclosures?

MR. VIERA: Good question. We should probably have at least one dumpster per building. You know, and then, you know -- because it is going to be contractor -- contractors renting this, they will probably generate quite a bit of, you know -- if it's pallet or just building material garbage. So we probably would have to put something in their lease where they're responsible for -- for a lot of it. But obviously it needs to be done strategically where we're not leaving this responsibility up to them and then it is getting out of control.

JOSEPH DEFENDIS: Does have to be shown on the drawings and there are enclosures that have to be approved meeting the Town -- would be -- doing one per building, it would lessen amount of parking you have, too. Not that you're hurting for parking.

MR. WINANS: Yes. We have done similar projects where we have just said we'll use totes and each -- depending on the size of the business, they would just have their own totes. But I guess -- I guess it depends. We could show a dumpster location and a detail for that.

JOHN HELLABY: This is one of those projects that makes me extremely nervous. I'm looking at the Lu Engineers letter dated October 3rd, 2023, and it's pretty extensive as far as, you know, missing things. I'm sure you can fill in the blanks. But I don't think we're at the point tonight in my eyes where I want to vote on this thing until some of this stuff is cleaned up.

MICHAEL NYHAN: I would agree. We outlined those items for them to do that so the intention tonight is to start the SEQR process ball. We'll do a coordinated review and that would give them time to finish these plans. Quite honestly, what they need to be done is finish. When we see more than a page or two of comments, that's when we get nervous about giving approvals.

You will be able to address all those by the next meeting? You have all of the comments, correct?

MR. WINANS: Yes. Yep. And I -- you know, I don't see any issues with getting those addressed. I mean probably half of them are standard comments that we were well aware that we have to have done before the plans get approved and then there are some specific comments regarding the stormwater and some of the site plan issues. But yeah. That's the goal.

MICHAEL NYHAN: Forced main -- is that it? Force main out at the road, is that a brand new main or is that something existing you will attach the pump to?

MR. WINANS: It's a brand new forced main. Brand new pump station and forced main up to the --

MICHAEL NYHAN: Has that been sized appropriately so if residents across the street want to connect to it, they could?

MR. WINANS: To some extent, yes. I mean it's really oversized, the 3-inch. I mean -- but we have tried to oversize it not knowing exactly how many bathrooms will be in these buildings. But I have tried to be generous with that. I mean if the Town did want to have somebody, you know -- I could give those calculations to Mike (Hanscom) and show them that -- you know, we could add, you know, probably not a major industrial development, but if it was just some of those businesses would -- with offices and things like that, it would not be a problem.

MICHAEL NYHAN: Across the street there is like two residents, I think. That's what I'm talking about. If they wanted -- not for you for the cost, but if they decided they wanted to go to

Pure Waters and say they want to connect to that main, they would be able to do that. That's all I'm asking.

MR. WINANS: Other than -- as long as -- as long as it's in the dedicated portion. Because I believe if more than two properties were on it, it would have to be part -- a dedicated force main.

MICHAEL NYHAN: It --

MR. WINANS: Which we could do.

And -- like I said, right now, with the 3-inch, with the amount of, you know, our -- our pump station I think is pumping at about 50 gallons per minute, so just about getting -- it is getting over 2 feet per second velocity.

So actually having a little bit more going through it would help it actually. So...

MICHAEL NYHAN: Okay. Vegetation, the existing vegetation that is there, is there anything else that is going to be removed or is what we see right now the way that area will be as far as the removal of vegetation?

MR. WINANS: So I guess -- go ahead.

MR. VIERA: For now, we just went in and used like a forestry mulcher, which grubbed it out. Because the property was like not penetrable for surveying or anything. It was so thick. So we left the larger trees because one, we didn't know how this was going to lay out and if we were going to be able -- a couple nice larger trees landed in some of the lawn areas, we would leave them.

But as far as the perimeter around the property, that is as far as we're going. Which is that 25 or 30 foot width of that natural buffer that was there.

MICHAEL NYHAN: Okay. You will have a landscape plan as part of the final -- the plan when you come back, correct, for the --

MR. WINANS: Yes.

MICHAEL NYHAN: -- for the 1 percent of the project type landscape plan?

MR. WINANS: Yes. We did see the option of putting 1 percent of the cost towards the Town tree program. I guess that is something we could talk about. But our idea was to come up with a landscape plan.

MICHAEL NYHAN: You might as well put it into the property. Also signs. A sign out at the road, I assume? Any signage? If it is going to be part of the site plan, make sure you include that on your plan when you come back.

MR. WINANS: Yep. For sure.

MICHAEL NYHAN: If -- Joe (Defendis) mentioned if you decide to do a dumpster, one per two building -- one big dumpster per two buildings, whatever you decide, make sure you have room to show it on the plan. Snow storage as well, was that part of the comments? To add snow storage to the plan? I think that was part -- was that part of the comments? I don't remember now.

JOHN HELLABY: I thought it was.

MICHAEL NYHAN: Those are some of the comments I have and observations from the initial review.

GLENN HYDE: Which unit are you building out first?

MR. VIERA: So the plan was we were going to build this building and this building (indicating). This building (indicating) would be home of Rochester Earth, which is our site company. And then this would be the first building to start to lease out. And this would be the building, I believe, that the RPZ would go in, as well.

MR. WINANS: Yes. Right now we're showing it in this building (indicating). It could go to either one.

MR. VIERA: Okay.

MR. WINANS: Whichever one you want it in.

MR. VIERA: So the RPZ would probably move to that. And then the plan is as we see the demand and as this starts to lease out, we would build the next building and kind of do it in phases. But, yeah. This one would be ours and this would be the first one available for lease.

MICHAEL NYHAN: Okay.

GLENN HYDE: Okay. Thanks.

DAVID CROSS: Just one comment. It appears more asphalt, particularly in front of many of these buildings, still. You're showing parking spaces. You're showing handicapped parking spaces. To me only feasible if you have asphalt. So...

MR. VIERA: Yeah. So -- this is -- this is, I think, the paved surface. And then the rear of the building where the overhead doors would be and storage would be stoned. And reason why -- so -- a lot of these projects I feel like they're becoming more and more common. I think I seen a similar one on Buffalo Road near Westside Drive. It looks like -- like a pole barn with just some overhead doors with a man door next to each overhead door. Um, but there is one in Brighton. And they all have the overhead doors on the front which means everything is kind of parked up in front of these buildings.

So we had the idea of putting the overhead doors on the back so that when you look in here or drive in here, it's all kind of clean. You don't see any trucks or trailers or anything like that. And -- so yeah. This would definitely all be paved, where the handicapped spots would be.

DAVID CROSS: I understand. I think asphalt over to your building, Building 1 -- in the front, but not in the back. You know. If you're going to show handicapped spaces, you have to have hard surfaces and striped.

MR. VIERA: I think that is fair.

DAVID CROSS: 3 and 4 you have to take another look, as well.

MR. VIERA: Yep. That's a good point.

PAUL BLOSER: Biggest concern I have with this is that we put in the conditions that there be absolutely no outside storage of pallets, equipment. Because this has potential of being a real mess.

MICHAEL NYHAN: Did you -- did you -- did you foresee or -- did you envision outside storage?

MR. VIERA: So I did a little bit of research after our last meeting on the outside storage. And I really think for this project to work well, it's going to need some sort of outside storage with definitely very strict guidelines. You know, they're going to have trucks. They may have trailers or equipment. And then possibly even some building materials. I think those would be maybe the two main things that would kind of be desirable for the people to store.

So just with doing some research, um, you have kind of come up with -- we would just lease this out. So that is why myself, as the owner, would be able to control this and -- the idea is this complex is nice and neat and maintained and there is not stuff accumulating. So the idea would be that any truck, trailer equipment that are stored are used daily and like for daily operations.

Meaning if there is a truck or trailer that hasn't moved in three months, then that wouldn't be allowed to be stored outside.

And then as far as materials go, I was hoping to allow stored materials, but it would be -- it would be for active jobsites only. Because I see our yard and when we do a project and we have a little bit of pipe left over from one, we store it. Or we have, you know, a catch basin or some manhole covers from another project. It starts to accumulate. And there is no way of having that stuff outside and organizing it in a way where it looks nice. So my plan for that would be that anything stored would be for active jobsites.

So -- and then the other idea was to kind of leave an open-ended gray area, just kind of saying that no outdoor storage use shall be conducted on the site without the approval of -- of the owner. And -- and then just like vehicles, equipment, building materials, like long-term storage would not be permitted. They would have to leave. That's what I'm proposing and I'm absolutely open to hearing what you guys have to say for ideas on how to try to accommodate them.

MR. WINANS: There would be a gate at the entrance, so, you know, the entrance would only be allowed by people that had the code and were paying, leased people. It is not like anybody can go in there and drop stuff off.

MICHAEL NYHAN: Paul Bloser brings up a good point. Exactly what you're describing is what happens. They have a leftover piece from a job they might need in a year or two, three years from now. They throw it out there. The weeds grow around it. Before you know it, it looks like you have a dump back there and not really a storage area.

So if you have designated storage areas for temporary storing of products for process and they have extra materials -- I mean for a site like this, I think it is reasonable they will probably need some sort of outside storage. But we got to be able to know it's going to be controlled and not look like a junkyard with 15 different businesses, with 15 different types of stuff that is left over from whatever project they may have.

MR. VIERA: Agreed.

MICHAEL NYHAN: Whether roofing or siding or piping or whatever the case may be. Piles of stone.

MR. VIERA: Exactly. A tree company. You know, a landscaping company. Yeah. There is logs accumulating and stuff like that.

MICHAEL NYHAN: And we always look for whatever way you could screen that. Obviously with landscaping. So that is why landscaping -- if you plan on doing outside storage -- would be critical. So when you're driving by, looking in, we would want people to be able to see buildings but not all of the storage maybe behind. So maybe there is a certain area where people have to store stuff behind buildings and then the whole roadway is landscaped in such a way you don't see it.

MATT EMENS: I think you have to put them on the plans. If this was a single building that he was going to build and he said, "I'm storing stuff back there," we would want to see where he is going to store the materials, what materials they are, how he is storing them and is there a fence and is it gated? Right?

I -- so I mean I think unfortunately you have to look at that for this whole development right now.

MR. VIERA: Sure.

MATT EMENS: The other thing is you can't -- don't have space for it in some of these buildings. You will have people blocking your parking or blocking those loading zones or blocking corners and now you're into, you know -- these -- these are lanes of roads that need to be open for fire access, for security, safety, all of the above. Right?

So I think you have to take a hard look at where you think you might have that. And I appreciate what you said and how you're going to try to manage it. I think that that gets a little sticky because you're the owner now. You may not be the owner later. Don't take that the wrong way. And you could also have 32 tenants here.

MR. VIERA: Sure.

MATT EMENS: So I think that's a real risky thing for us to just leave up in the air collectively.

MICHAEL NYHAN: I don't know how to specifically condition that, but -- so we would love to see if you have a way to put designated storage areas on your site plan so we know that is where you're going to designate. If somebody rents that space out and they figure I need a 80 by 200, but if I can store my junk outside, I only need 80 by 100.

So if they see that they can't do that or at least we see it is going to be limited storage, we know where it is going to be, then we can deal with it down the road if it gets to be a mess. So if you could add that to your plan so we can see exactly what you intend on doing or how you intend on managing that, that would be helpful for any approvals down road.

Thank you.

MICHAEL HANSCOM: I had a couple of questions. So you mentioned during the conversation it was going to be gated, but I don't see any fencing or gates on the site plan. Will you be fencing in this property at all?

MR. WINANS: I'm sorry. I can't hear that.

MICHAEL HANSCOM: Earlier you mentioned that the site was going to be gated, but I don't see any gates or fencing on the site plan. Will you be fencing it in?

MR. WINANS: I'm still -- I'm still not hearing you. I think my hearing aides got wet. Go ahead. Say it again.

MICHAEL HANSCOM: Will you be -- earlier you mentioned that the site would be gated. I don't see gates or fences -- fence on the site plan. Will you be fencing it?

MR. WINANS: Oh, no. Not the whole thing I don't think.

MR. VIERA: No. Definitely gated. So that, you know, only people who are allowed to be there are going to be able to pull in.

But as far as fencing the whole thing in, putting a fence along the back where the pond is, we have the railroad tracks. I think that's a pretty -- pretty safe buffer.

MR. WINANS: That was part of the idea with leaving -- the vegetation and then really -- I mean it's a good point. We should show the gate on the plans and make sure it is called out.

MICHAEL HANSCOM: If you're going to gate the site, you have to provide a lockbox or something that the Fire Department can use to get onto the site if nobody else is there --

MR. WINANS: Right.

MICHAEL HANSCOM: -- if there's a fire.

MR. WINANS: Yep.

MICHAEL HANSCOM: My other question is what is the smallest unit that you would put in one of these buildings that somebody could lease?

MR. VIERA: I think the smallest would be like one overhead door bay, probably -- these are 80 by 100 and if -- we were to put a wall down the middle, probably like 20 by 40, I would say. 800 square foot.

MICHAEL HANSCOM: So that is pretty small. I mentioned to Bob (Winans) when I talked to him this afternoon, most of these -- these type of facilities generally have a bathroom and some type of an office in the space. That's pretty typical for all of the ones I have seen.

One thing that would be helpful to show in your calculations is this -- basically coming up with an estimate and showing bathroom locations and stuff like that for the maximum number that you would possibly anticipate and make sure that your pump station and everything is sized properly and stuff like that.

MR. WINANS: I can -- I had come up with a number and I can -- you know, in my engineering report, at the very minimum I can call out where those bathrooms are and how many -- or how many bathrooms per building I'm estimating and then we could, I guess, call them out on the plan. If you want to see that.

MICHAEL HANSCOM: At least show a little area where you expect those to be to see where you will be connected into the sewer and stuff.

Also, your building, the -- the 16,000 square foot, that is all your space. I mean you just have a double bathroom in there and that's probably about it.

MR. VIERA: Exactly. One big building with just one bathroom. Or two bathrooms.

MICHAEL HANSCOM: I think that's it. Thank you.

PAUL WANZENRIED: What is the construction of these buildings?

MR. VIERA: Pole barn.

PAUL WANZENRIED: Will they have concrete floors in them?

MR. VIERA: Yes.

PAUL WANZENRIED: Will there be drains in them?

MR. VIERA: Great question.

MR. WINANS: Floor drains?

PAUL WANZENRIED: Yep.

MR. WINANS: Probably not.

MR. VIERA: Because I would have to have an oil/water separator for each.

PAUL WANZENRIED: There you go.

MR. VIERA: Yeah, probably.

PAUL WANZENRIED: You will have to deal with that.

MR. WINANS: We'll have to let you know for sure, but we're not planning on it at this point.

MR. VIERA: I would say my building let's show an oil/water separator, sanitary. But I don't think it's something that we need to offer to --

MR. WINANS: I mean we can.

MR. VIERA: I think that -- that will definitely up the pump station capacity of the forced

main.

MR. WINANS: Not necessarily. Because, you know -- as long as you put the oil/water separators -- it shouldn't -- I will have to look at it.

MICHAEL HANSCOM: It will impact the type of businesses that you can lease to. You can't -- if you don't have a floor drain with an oil/water separator, you can't have somebody go in there and taking apart lawn mowers --

MR. VIERA: Cars.

MICHAEL HANSCOM: -- cars and stuff like that.

MR. WINANS: But can -- if you have spills without the floor drains, you kind of just have a spill clean-up kit and do it that way, too, and not just flush everything down the drains. There are options, but...

MR. VIERA: Okay.

PAUL WANZENRIED: Which segues to the -- you said the back-flow preventer will be in the one building, right? You're taking 16,000 square feet? Any of these going to be sprinklered?

MR. WINANS: Um, if code requires.

PAUL WANZENRIED: You will be sprinklered. Code is going to require that.

MR. VIERA: Okay.

MR. WINANS: I am designing it for that, so that is why we --

PAUL WANZENRIED: Because he doesn't know his tenancy, right? If he is going along the line he is going to rent or lease to tenants like himself or anybody else who is going to throw a wrench on a car or a truck or anything like that, every one -- there is a magic number that he has got to get over. I think it's 12,000 square feet. Once he is over 12,000 square feet, he is sprinklering.

That is going to get a little weird if it is cold storage and it's wet, dry. May impact the water coming in. So you're going to want to kind of think that through. That's all I have.

MR. WINANS: Yes. So I have started the process and designed it for 400 to 500 gallons per minute for the flow, anticipating that might be the case.

PAUL WANZENRIED: All right.

MR. WINANS: We will do what we can to --

MICHAEL HANSCOM: Did the Fire Marshal have any comments on this?

PAUL WANZENRIED: No, not yet.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

MICHAEL NYHAN: I tend to leave the Public Hearing portion open as a result of the disturbance of more than 10 acres, Type I action. As you know, it's a long form so we'll be requesting a coordinated review.

So at this time, based on evidence and information presented at this meeting, determine the application to be a Type I action. The Planning Board will send notice to interested parties and declare intent to be lead agency.

JOHN HELLABY: Second.

The Board was unanimously in favor of the motion.

MICHAEL NYHAN: We'll get the letter out to the other agencies quickly so you have 30 days. So next month you will be able to come back after we receive all those comments. And give you the time to make any changes that you're going to make to those plans if you want to hear -- if you want us to hear the application in November again.

MR. WINANS: Yes. Definitely.

MICHAEL NYHAN: Okay.

MR. WINANS: Thank you.

DECISION ON APPLICATION #6: The Planning Board declared itself lead agency under the State of Environmental Quality Review Act (SEQRA) and determined this action to be a Type 1 Action. The Public Hearing was kept open and the project was tabled. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at the Public Hearing.

DECISION ON APPLICATION #7: The Chili Planning Board, at their October 10, 2023 Public Hearing declared itself lead agency under the State of Environmental Quality Review Act (SEQRA) and determined this action to be a Type 1 Action. The Public Hearing was kept open and the project was tabled. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at the Public Hearing.

MICHAEL NYHAN: Any other business? Minutes?

MATT EMENS: To be clear we did that on 6. Are we just tabling 7?

MICHAEL NYHAN: No. SEQR for the whole -- we can't approve one without SEQR



being done. So we have to have SEQR done before we can do any of them. So we'll do the long form SEQR.

MATT EMENS: So we can't move on 7?

MICHAEL NYHAN: Correct. Until we do SEQR. We can't do an Unlisted Action on the Special Use Permit if we haven't completed the site plan, the first one.

MATT EMENS: Agreed:

MICHAEL NYHAN: Minutes.

MATTHEW PISTON: What is the question?

MICHAEL NYHAN: I don't have a question.

PAUL WANZENRIED: Did you have a question on the SEQR?

MICHAEL NYHAN: No. We're squared away.

PAUL WANZENRIED: Squared away.

Michael Nyhan made a motion to accept and adopt the 8/8/23 Planning Board meeting minutes, and John Hellaby seconded the motion. All Board members were in favor of the motion.

The meeting ended at 8:17 p.m.