

CHILI PLANNING BOARD
January 9, 2024

A meeting of the Chili Planning Board was held on January 9, 2024 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Vice Chairperson John Hellaby.

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

ALSO PRESENT: Michael Hanscom, Town Engineering Representative; 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.

PAUL WANZENRIED: You may want to explain the voting procedure tonight to the applicants.

JOHN HELLABY: Just so you know, we do have a quorum with four members of the seven-member Board. However, if one votes against an application, it's -- will not pass. Even though it's a 1 to 3 vote. I know there are avenues out there that if you want to come back and tweak your application in some way, shape or form -- I will let you work that out with the Building Department, but that's where we're at tonight. All right?

PUBLIC HEARINGS:

1. Application of Daniel Thomas, P.O. Box 52 Spencerport, NY 14559, owner/applicant; for preliminary site plan approval to construct three (3) buildings (15,000 sq. ft.) with leasable space at the property located at 296 Fisher Road. RA-10 District with Incentive Zoning.

John Sciarabba and Daniel Thomas were present to represent the application.

JOHN HELLABY: Before you dive in, I will just remind the Board that this was heard at the December meeting. It was tabled due to a lack of County Comments which, therefore, wouldn't let us vote on SEQR.

The Public Hearing to this application was left open. The incentive zoning is a cash payment. And I have a list of items that was discussed during the December meeting, but I will let you start off and you tell us where you're at.

MR. SCIARABBA: Good evening. I'm John Sciarabba with LandTech representing Dan Thomas this evening. Dan (Thomas) is here and can answer any questions that I cannot.

I think your public notice stated it all. We were here back in December. We had a Public Hearing. We received a few comments from the public and the Board.

Since that time we did receive Monroe County DRC comments dated December 18th. I would consider these minor in nature. Typical County Comments. And I don't see any show-stoppers that -- that they arose -- that they brought up.

I also received Town Engineer comments dated on January 4th. We -- we think that we have done a good job working with the Town Engineer and got these comments down to just a few at this point. I think they're very minor and technical in nature and I think easily addressed on final draft of the plans.

I see that the Chili Conservation Board had a meeting and produced some comments about -- about the landscaping, trees along the north property line, that the landscape plan has to be done by a landscaped architect. That was completed by a landscaped architect and he will stamp that for final plans.

I will not get into a big presentation. I know you're probably sick of this project. You heard it four or five times. So I guess with that I will let you ask any questions you have and try to address them at this time.

JOHN HELLABY: Before we go back to the Board, some of the items I thought were closed are still open. The parking situation. I thought we had resolved that, but reading through all of the meeting minutes and whatnot, it appears that we have not.

MR. SCIARABBA: I think it was left up to the Planning Board's discretion if we need that stipulation.

JOHN HELLABY: I thought the last comment made in December was that we know that the -- the Town Engineer came up with -- I think it was 120 spots. You actually had on your drawings 83 spots. You were going to try to land-bank the difference between the two.

Did you look at that?

MR. SCIARABBA: We did look at that. Looking at the plan, if you have the site plan in front of you, land-banking spots, minimizing spots would significantly decrease the traffic

pattern within the site. So we have a circular traffic pattern. Around a major island. So eliminating a row of spots, um, would not be a good -- a good use of space.

I think the issue was just the unique variety of spots we had. That was one of them. You know, we do have -- we're asking for outdoor storage. We are assuming we'll have trailers. We're going to assume we have larger trucks. So I think not to differ with the meeting minutes, but I think that was more a topic of discussion regarding parking.

Looking at the other sites that we have designed and the other sites around Town, this should be adequate for parking. And, you know -- it is controlled by a private entity. So if someone comes in here and wants to lease a 1500-square-foot spot and wants to have 10 spots, parking spots, Dan (Thomas) has the purview to say no, that is not going to work.

So I think this is kind of a self-regulated business plan and I really don't see where banking spots would be very helpful in this situation.

JOHN HELLABY: We'll see how the Board members feel about it.

At the original meeting in December, there was an issue brought up about the grade on one of the storm sewers being too flat or something, if I recall.

MR. SCIARABBA: I think we worked through that with the Town Engineer. There are some very flat pipes in those bio swales. That is done on purpose. But I think -- but I think the Town Engineer -- I wouldn't speak for him. He was satisfied with those final edits to the storm design.

JOHN HELLABY: It meets all zoning requirements, so there is no issues there.

A couple of the conditions I'm looking at this evening is that -- I know somebody brought up the fact that no motor repairs or automotive repairs on-site due to the fact there is no oil separators.

MR. SCIARABBA: There are oil/water separators. Those have been designed into the site. We are not proposing any like mechanic shops. You know, changing of engines. I can't say someone won't change the oil on a lawn mower. But it will not have a lift or a pit in one of these facilities.

JOHN HELLABY: All right. And then the on-site storage has been contained in these four 20-by-20-foot outside storage areas in the northeast corner of the property, correct?

MR. SCIARABBA: Correct.

JOHN HELLABY: And I have got a condition write up -- wrote up on that that -- basically just so you're aware, all on-site storage of maintenance materials such as topsoil, sand, mulch, gravel, et cetera, will be restricted to the four 20-by-20 spots in the northeast area of the site on the site plan dated 12/28/2023, not to exceed 5 foot in height.

Does that make sense?

MR. SCIARABBA: Little restrictive on the height part.

JOHN HELLABY: You're using jersey barriers and I figured they're about 3 foot tall.

MR. SCIARABBA: Right.

JOHN HELLABY: You only have 20-foot width to work with. I can't see you stacking it to 10 foot in there.

MR. SCIARABBA: Yeah. Well, I --

JOHN HELLABY: See how it works out. To be honest with you, I don't think I will come out there with a tape measure.

MR. SCIARABBA: Well, I just -- you know, it's one of those things that is hard to regulate. But everything you said so far sounds good.

JOHN HELLABY: Per the Fire Marshal he wants a KnoxBox on each building.

You're going to relocate the hydrant to the west end of the -- the bio retention area Number 4, correct?

MR. SCIARABBA: Correct.

JOHN HELLABY: Can you touch on this jurisdictional determination form? I -- I think you have to be a lawyer to figure this thing out.

MR. SCIARABBA: Sure. I cannot go into specifics about it.

JOHN HELLABY: Give me a brief overview what we're looking at.

MR. SCIARABBA: When Mr. Thomas took the opportunity to purchase this property from the County, it appeared to be inundated with federal wetlands, based on the Monroe County GIS mapping. He retained a -- an outside consultant to do a wetland delineation. That wetland delineation was completed in the field. A report was written and it was submitted to the Army Corps. The Army Corps does what they call a jurisdictional determination. They provided the -- the signed determination that those federal wetlands are isolated and not on the site and, therefore, we were able to move forward with the site plan. That was our first step. Other than that, we couldn't go anywhere.

So that is a permit basically that was given by the Army Corps. Not a permit. But it's a -- it's a formal notice of wetland location.

JOHN HELLABY: All right. You touched briefly on the -- the Conservation Board's comments. You are planting trees at the entry along the residential border to the north, correct?

MR. SCIARABBA: Yes. We have a double row of -- I will say pine trees along that run. We do have some other additional trees located further to the east. And then south of our driveway we do have some other ornamental trees to try to buffer the neighbor on the north.

JOHN HELLABY: All right. And then the -- you said you will have the landscape plan stamped by a licensed architect and approved by the -- by the Conservation Board, correct?

MR. SCIARABBA: Yes.

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

JOSEPH DEFENDIS: You're showing two water -- oil/water separators, one for Building 100 and one for 200. Does that mean businesses in Building 300 will be different? Will you not add one?

MR. SCIARABBA: I saw that, to be honest with you, coming into the meeting. Do -- is that true? Or --

MR. THOMAS: We'll leave the two. I think there was an issue with the elevation for the third and we'll just restrict that building.

JOSEPH DEFENDIS: Okay. That's all I got.

MR. SCIARABBA: Thank you.

DAVID CROSS: I really have nothing further. I just want to comment that the parking, I believe, is adequate. I think we reviewed that last month. Just based on the use and -- and, you know, it's gate-controlled up front. So totally okay with that.

MR. SCIARABBA: Thank you.

PAUL BLOSER: I'm all set right now. Thank you.

MICHAEL HANSCOM: No additional comments.

JOHN HELLABY: You don't see anything that could hold this up on this, correct?

MICHAEL HANSCOM: No.

PAUL WANZENRIED: I will send you a -- the -- it's going to be gated, right?

MR. SCIARABBA: Correct.

PAUL WANZENRIED: I will send you a KnoxBox for the gate.

MR. SCIARABBA: I was a little --

PAUL WANZENRIED: From the Fire Marshal. I don't know if it was you or your counterpart for 30 King Road. He sent one, too. That is all. We just want that installed at the gate. The Fire Department will want that installed at the gate.

MR. SCIARABBA: I was a little confused at the KnoxBox for each building. Is that still something --

PAUL WANZENRIED: Yes.

MR. SCIARABBA: If you go into one, you will only be in one unit.

PAUL WANZENRIED: You will have keys to every unit in that KnoxBox.

MR. SCIARABBA: Okay. Great. Didn't know exactly how that worked. Appreciate it.

JOHN HELLABY: Sounds like you ought to come up with a master key situation. Might be easier.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

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

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

JOHN HELLABY: So on these conditions of approval that I had written down here are -- 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.

Number 2, approval is subject to final approval by the Town Engineer and Commissioner of Public Works.

Number 3, the Town Engineer and the Commissioner of Public Works shall be given copies of any correspondence with other approving agencies.

Number 4, applicant shall comply with all pertinent Monroe County Development Review Comments -- or Committee Comments -- sorry.

The Town will require the applicant to enter into a Storm Water Control Facility Maintenance Agreement, SWCFMA with the Town and to provide access easements to the Town.

The access easements and the SWCFMA will need to be reviewed and approved by the Department of Public Works and the Planning Board Attorney. And then filed with the Monroe County Clerk's Office prior to the signing of the mylars.

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

The applicant is subject to all required permits, inspections and code compliant regulations.

The applicant to comply with all -- regarding life safety conditions and permits from the Town Fire Marshal.

No on-site storage of any noxious commodity. That came from Paul (Wanzenried).

Number 10, no outside motor repair or heavy equipment repair.

Number 11, all on-site storage of maintenance materials such as sand, topsoil and mulch, gravel, et cetera, will be restricted to the four 20-foot-by-20-foot spots in the northeast area of the site on site plan dated 12/28/2023, not to exceed 5 foot in height.

Have I got everything pretty much covered? All right.

Before we vote, we have SEQR.

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 David Cross seconded the motion. The

Board all voted yes on the motion.

PAUL WANZENRIED: Al (Hellaby), did you close the Public Hearing?

JOHN HELLABY: I thought I did.

PAUL WANZENRIED: Thanks.

JOHN HELLABY: Application of Daniel Thomas, P.O. Box 52 Spencerport, NY 14559, owner/applicant; for preliminary site plan approval -- are we waiving final?

DAVID CROSS: Yes. I would think we want to.

JOSEPH DEFENDIS: Yes.

JOHN HELLABY: Okay. Waiving final.

-- to construct three (3) buildings (15,000 sq. ft.) with leasable space at the property located at 296 Fisher Road. RA-10 District with Incentive Zoning.

DAVID CROSS: Second.

DECISION: Unanimously approved by a vote of 4 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 Town will require the applicant to enter into a Storm Water Control Facility Maintenance Agreement (SWCFMA) with the Town and to provide access easement to the Town. The access easement(s) and the SWCFMA will need to be reviewed and approved by the Department of Public Works and the Planning Board Attorney and then filed with the Monroe County Clerk's Office prior to the signing of mylars.
 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. No on-site storage of any noxious materials.
 10. No on-site motor repair or heavy equipment repair.
 11. All on-site storage of maintenance materials such as, but not limited to, topsoil, sand, mulch, gravel, etc. Will be restricted to the (4) four 20-foot x 20-foot spots in the North East area of the site as shown on Site Plan dated December 28, 2023 not to exceed (5) Five feet in height.
2. Application of Cook Properties NY, 90 Air Park Drive, Suite 400, Rochester New York 14624, owner; for preliminary site plan approval of a self-storage facility to include: A.) Convert the existing building to a climate-controlled public storage facility and sales office. B.) Construction of six (6) new self-storage buildings at the property located at 50 Air Park Drive. GB District with Incentive Zoning.

Glen Thornton was present to represent the application.

JOHN HELLABY: Again, this one was heard in December. It was tabled due to the lack of County Comments again and the Public Hearing was left open. I know I have, again, a list of some things that were discussed that I don't think were resolved, but I will turn it over to you, sir, for a minute.

MR. THORNTON: Thank you.

Glen Thornton, Thornton Engineering. I'm here with the applicant, Jeff Cook, Cook Properties, New York, for the proposed self-storage facility at 50 Air Park Drive.

As we discussed last week, there were -- there were some concerns. Plus there was the issue about not receiving comments from Monroe County DRC.

First of all, we did receive those comments. We responded to -- to the Town to address those comments in December. Basically, the comments were very minor in nature. Most of them really didn't require any -- any action on our part.

We have submitted drawings to the Monroe County Water Authority. They have given us a -- an approval letter for what we're proposing to do. Which is basically just test the existing water service and disinfect it because it's never been activated.

We have also sent the drawing to Monroe County Pure Waters. Again, there is no real action on their part, but they will be signing the drawings. They are ready to sign the drawings.

We have also received -- subsequent to the December meeting, we received additional comments from the Town Engineer. We have addressed those by -- by letter. I believe most of our responses have been accepted by the Town Engineer. I'm not -- I'm not aware of any further issues on that part.

We also had comments from the Planning Board at last -- last month's meeting. Some of the revisions to the plans have been incorporated to address those comments.

Number 1, we have included a land-bank parking area for 4 additional parking spaces to supplement the 11 parking spaces we have depicted on the plan.

We also shifted the building -- what is it, Building D? This -- this building here (indicating). We have shifted the building to the -- to the west to allow us to -- to create a -- a driveway connector to the adjacent parcel, which is also owned by Cook Properties for large vehicle exits and also for -- for emergency equipment access.

To control the facility, we have included a gate at the driveway to 50 Air Park with a KnoxBox and a -- a keyed entry for the Fire Department.

We have also provided a -- a gate with a KnoxBox at a keyed entry at 90 Air Park Drive to allow equipment entry through 90 Air Park to use this new access driveway between the parcels to -- to enter for emergency situations.

We did receive the comments just before the meeting from the Conservation Board. There really isn't much of anything there.

We will add a few plantings. I think all they're looking for is some additional Black-eyed Susans and sumac in front of the building and the parking area to the north of Building B. We will add that and then we will provide the -- the stamped plans from a -- a licensed landscape architect.

I'm trying to think of any other comments the Board had last month that we needed to address. I think I have touched upon all of them. But if I missed anything, just feel free.

JOHN HELLABY: So you land-banked the four additional parking spots.

Did you add two fire hydrants per the Fire Marshal?

MR. THORNTON: Yes, we did. We coordinated that with the Water Authority. The Water Authority doesn't have any jurisdiction over that. So we will downstream from the backflow preventer, come out of the building with a new 6-inch main that we will feed a hydrant in front of the building, near the Fire Department connection and then towards the -- the rear.

We're going to have a hydrant here and one down here (indicating).

JOHN HELLABY: Again, a note here that says meet with the Town Engineer and the Fire Marshal to work out trucking movement on-site.

Did that get done?

MR. THORNTON: We did submit a diagram showing the fire truck movements through the site. Which would exit via the -- the new driveway, as well. Connector driveway.

JOHN HELLABY: All right. You spoke about the KnoxBox.

Roof drainage is just open gutters to grade, correct?

MR. THORNTON: Correct.

JOHN HELLABY: Somewhere I read that this thing did not require Monroe County Water or Health and/or Pure Waters. But then I turned around and it does require Pure Waters' approval.

MR. THORNTON: You know, that was one of the DRC comments. So we added their title block. We submitted plans over to -- to Pure Waters. I did not get a response from them, but typically, if it's a reuse of an existing building, they want to weigh in just to see what kind of sewage will be discharged and it's basically just domestic sewage and they will want to sign the plans, so. I believe they are ready to sign.

JOHN HELLABY: All right. I know they were looking for the floor plan for the -- the climate-controlled building, but you said that was still under tweaking to fix it -- what you're actually looking for?

MR. THORNTON: It's still being tweaked. The unit mix, the aisles and everything.

JOHN HELLABY: Shorten Building G and D.

Which building did you say got moved or shortened?

MR. THORNTON: Building -- this one here (indicating), Building D. It got moved. It didn't decrease in size. It just got moved 30 feet to the -- to the west.

JOHN HELLABY: All right. You're going to clean the existing bio retention area?

MR. THORNTON: Yes. We have added that to the drawings, to clean it as -- as suggested by the Town Engineer. We'll replace some media at the surface and replant it.

JOHN HELLABY: He was looking for some additional information on the SWPPP, if I remember correctly. All right.

With that, I will -- Joe (Defendis) anything?

JOSEPH DEFENDIS: I'm all set.

DAVID CROSS: Glen (Thornton), can you point out where the four land-banked parking

spaces would be?

MR. THORNTON: They could be just about anywhere along Building A, but we just located them right here next to the handicapped parking space, closest to the entrance.

DAVID CROSS: Okay.

MR. THORNTON: Basically, we had this whole area that is available for land-banking, if needed.

DAVID CROSS: And then I guess -- I will ask the Side Table.

Mike Hanscom, you're okay with the responses by the engineer?

MICHAEL HANSCOM: Yes.

DAVID CROSS: That's all I have for now.

MICHAEL HANSCOM: No additional comments.

PAUL WANZENRIED: Would the Board grant me the luxury of having another SWPPP hard copy?

MR. THORNTON: Sure. Sure.

PAUL WANZENRIED: Please.

MR. THORNTON: Just one?

PAUL WANZENRIED: Just one.

JOHN HELLABY: That it?

PAUL WANZENRIED: That's all I got.

MATTHEW PISTON: Nothing.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

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

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

JOHN HELLABY: Any other discussion?

DAVID CROSS: Pretty straightforward.

JOHN HELLABY: I think this was preliminary, wasn't it? You're looking for us to waive final, right?

MR. THORNTON: (Mr. Thornton indicated affirmatively.)

DAVID CROSS: I would be okay with that.

JOHN HELLABY: Okay.

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 David Cross seconded the motion. The Board all voted yes on the motion.

JOHN HELLABY: As far as the application conditions that I have -- are upon completion of the project, applicant shall submit 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 above -- or approved landscape plan.

Item 4 -- or 3, excuse me. Approval is subject to final approval of the Town Engineer and Commissioner of Public Works.

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

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

The Town will require the applicant to enter into a Stormwater Control Management Agreement with the Town and to provide access easement to the Town. The access easement and the SWCFMA will need to be reviewed and approved by the Department of Public Works and the Planning Board Attorney and then filed with the Monroe County Clerk's Office prior to the mylars being signed.

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

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

Applicant to comply with all -- with all regarded life safety conditions and a permit from the Town Fire Marshal.

The last one I got is no outside storage of any items.

Anything else?

DAVID CROSS: No.

JOHN HELLABY: Hearing none.

Application of Cook Properties NY, 90 Air Park Drive, Suite 400, Rochester New York 14624, owner; for preliminary site plan approval, waiving final, of a self-storage facility to include: A.) Convert the existing building to a climate-controlled public storage facility and sales office. B.) Construction of six (6) new self-storage buildings at the property located at 50 Air Park Drive. GB District with Incentive Zoning.

DAVID CROSS: Second.

DECISION: Unanimously approved by a vote of 4 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.
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 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. No outside storage of any Items.
3. Application of Chili ME, LLC, 4300 E. Broad Street, Suite A, Columbus OH, 43213, owner; Matthew Coccia, 117 Stottle Road Churchville, NY 14428, applicant; to allow "Use of Similar Character" to allow an Electrical/HVAC company at 3240 Chili Ave Suite C-8 in the General Business (GB) District.

Matthew Coccia was present to represent the application.

MR. COCCIA: Before I start with anything, I guess I want to -- is there a reason for me to put up a floor plan sketch or does everybody have something in front of them?

JOHN HELLABY: As far as I know, we have it.

DAVID CROSS: We're good.

MR. COCCIA: Okay. Then what I will do, if you don't mind -- I didn't print off enough copies for everyone, but maybe I can use this. This is -- oh.

JOHN HELLABY: I don't think it works. We have been messing with it for an hour. We couldn't get it to work.

MR. COCCIA: I will give it to you. This is a letter -- I will give one to the Side Table. Because the Engineer did ask for this.

This letter is from the -- the property owner, the landlord in response to the Engineer's request for some clarification on the parking capacity serving this suite.

JOHN HELLABY: Feel free to read it into the minutes if you want. You can read it.

MR. COCCIA: Would you like me to?

JOHN HELLABY: Why don't you? That way is in there. Just state who it is from and then go through the thing.

MR. COCCIA: Again, this letter is dated January 3rd, written by a representative from ME Commercial, the property owner of Two Fronts Plaza.

"To whom it may concern, I'm writing on behalf of Chili ME, LLC, owner of Two Fronts Plaza in the Town of Chili, in response to a request from Matt Coccia, who is applying for a Special Use Permit. The purpose of this correspondence is to confirm that to the best of our knowledge, the parking lot servicing the C8 unit has not undergone any changes since the last recorded survey conducted on 7/28/22. The configuration capacity and any other pertinent details remain consistent with the information provided in the previous survey.

Moreover, the real-world utilization of the parking area in proximity to this space is minimal and Mr. Coccia's proposed use would be a better fit than most as both benefits the property and the Town of Chili.

We understand the importance of this information in the context of Matt Coccia's Special Use Permit application and are pleased to provide this letter as a formal statement of the parking lot's unchanged status.

Thank you for your attention to this matter. We look forward a successful outcome for

Mr. Coccia's application. Should you require any additional information or clarification, you can contact him at the information below."

This is Noah Yoder, Senior Associate ME Commercial.

Essentially the -- the request from -- I don't want to put words in Mr. Hanscom's mouth, but his letter, that I believe everyone was copied in on, summarized the required parking spaces based on the intended use that we have at 21 parking spaces.

The site plan that was dated July 22, as mentioned in this letter, that I did submit as part of the application, um -- there was actually -- I think I highlighted or circled or called them out -- there is 100 parking spaces that -- across three rows that are directly to the east of Suite C8. So I think that -- there isn't any other use of that space right now other than some storage of snow.

So I hope that that satisfies the Engineer's request that we, you know, clarify there is 21 spaces.

JOHN HELLABY: Just so you're aware, I think you have a situation -- that has come to play in different plazas within this community. You get so many other stores in there and they're allotted so many spots, that a lot of times you lose sight where you're at and we end up with not enough spaces. Believe it or not.

So -- so again, I -- I don't think that is going to weigh into this. I agree with you wholeheartedly, there is a ton of room over there. I haven't gone out and physically counted every one of them, but I don't see where it is an issue in this case. But in the past it has been an issue so we had to look into it to make sure we're covered, you know.

MR. COCCIA: That's fine with me. I just thought that I would try to adequately answer the best I can there.

JOHN HELLABY: Okay. Is that it then?

MR. COCCIA: That was it in regards to the -- the -- to the Engineer's comment or request. I did receive -- the Building Inspector did give me the Conservation Department's request about a planter.

JOHN HELLABY: Yep.

MR. COCCIA: I don't see where that is an issue.

JOHN HELLABY: Okay.

MR. COCCIA: I guess I will just ask if there is anything else I can clarify about the application.

JOHN HELLABY: Are there any proposed changes on the outside of the building at all?

MR. COCCIA: Yes. I -- but nothing -- just cosmetic. So right now, there is six overhead doors --

JOHN HELLABY: Correct.

MR. COCCIA: -- that are clear, like a plexiglass. And there's currently vinyl graphics that were pertinent to the previous tenant in that space. A car-detailing facility. As great as those look, it doesn't really pertain to our business of electrical and HVAC repairs. So we'll probably -- although I will say they do serve a purpose. Other than whatever kind of image you can project to the public, it prevents passerbys from being able to see in. You know, it -- it provides some privacy for the inside.

And it does block some sun in the morning that would cook pretty good in there, I think, with six, clear overhead doors. So we'll probably, you know, and fairly soon replace those vinyl graphics with something that is more relevant to -- to our business.

JOHN HELLABY: The only thing that I would caution you on, make sure you work hand-in-hand with the Building Department so it doesn't infringe on the sign code whatsoever.

MR. COCCIA: Yes. I have informally spoken with the Building Inspector about signage there and I understand that, you know, we'll go through a sign permit process when the time comes.

JOHN HELLABY: All right. But other than that, no other structural renovations or anything else?

MR. COCCIA: No, nothing on the outside.

JOHN HELLABY: Hours of operation?

MR. COCCIA: Per my letter of intent, I -- I say that we are -- our hours are generally 8 to 5, Monday through Saturday. There are certainly times when someone will come into work early or someone will stay at work late, but...

JOHN HELLABY: Yep. What size projects do you guys actually do? I mean do you -- I know you get into changing the hot water tank or you go fix an outlet in somebody's house. Do you actually get to a point where you would put all of the ductwork in the new house with a furnace and -- at what point do you cut that off?

MR. COCCIA: So to clarify, we're -- we're not plumbers. Just to mention about the water heater, we're electric and HVAC service and repair. So for example -- we don't do new construction or renovation work.

So, you know, your house, the furnace stopped working properly and so you need someone to come out and fix it. You -- you know, you could call us and we come out and make the repair. If it turns out to -- that the furnace needed to be replaced, we could do that, too. This is all in existing homes, residential. 95 percent residential service and repair.

JOHN HELLABY: All right. I'm assuming you have an emergency service available for people that don't have heat in the middle of the night?

MR. COCCIA: Yes.

JOHN HELLABY: Do they have to come down here, pick up the van and go out to the job? Do they have service vans with them?

MR. COCCIA: We have some service vans that are kept at the -- at the -- would be kept at the shop all of the time, the location. And then there are service vans that go home with technicians. There is a combination of both. So the on-call people would not have to come into the location in the middle of the night.

JOHN HELLABY: All right. And trash removal? From this location?

MR. COCCIA: There is a -- a dumpster enclosure to the north of the space. Immediately outside, there are two exit doors that lead out into that dumpster enclosure. Approximately 50 percent of that is allocated to the Suite C8.

JOHN HELLABY: All right. Again, if we were to say this evening no outside storage of materials -- all signage per the sign ordinance.

The only condition I can think of right now is that -- all your service vehicles I assume are vans, like with electric or whatever -- you will have them all parked inside at night and not left all over the parking lot? You made that statement. I thought you said you could do that.

MR. COCCIA: No. I don't think I made that statement. I mean I -- we certainly could park the vehicles inside right now. With some work -- that -- with some more growth, we could -- we would be looking to park some outside. Now, in that parking lot right in front of the space, I have spoken with the landlord about that, and they don't have an issue with overnight parking, you know, by their tenants. But there wouldn't be any storage of any kind of materials or anything. It would be -- it would be lettered -- lettered service vans if there was going to be something outside.

JOHN HELLABY: I would be nervous somebody would break in and take all my belongings. I have been there before.

MR. COCCIA: I agree. I agree.

JOHN HELLABY: All right.

MR. COCCIA: I have talked to -- I did have the chance to speak with his -- this is anecdotal, but I had a chance to speak with the Manager over at the Monroe Muffler because they keep customer cars parked outside. He said in the five years or so they have been in that particular building, I think he said there was only one instance where someone broke into a car with -- with the thought they were going to steal it. But, of course, the car didn't run. So they --

JOHN HELLABY: A lot of good it did.

MR. COCCIA: Right. Right.

JOHN HELLABY: With that, Joe (Defendis)?

JOSEPH DEFENDIS: I'm fine.

DAVID CROSS: I read the same thing in the letter of intent about -- it looks like the -- the intent was to park the vehicles inside overnight. I would be in favor of that, as well. I think if you're going to grow and you will have two or three vans outside, maybe we make a condition of the number of vans that can be parked outside.

But I think it's a reasonable use for the plaza in a General Business zoning. I don't see parking is an issue. And I -- it's a Special Use Permit. I think we should put a time -- a time limit on it. Maybe -- maybe a five-year. Three to five years. Maybe five -- five seems appropriate to me, Al (Hellaby).

MR. COCCIA: Would you be willing to entertain a suggestion of mine on the duration of the --

DAVID CROSS: Sure.

MR. COCCIA: So right now, the -- if you want to say the conditional lease arrangement that I have with ME, the initial lease term would be 66 months. Which that would put an expiration of -- of that initial 66 months on or about August 1st, 2029.

DAVID CROSS: So 5 1/2 years?

MR. COCCIA: Right.

DAVID CROSS: Five years seems reasonable then, right?

JOHN HELLABY: Yeah.

DAVID CROSS: Just come back in. If everything is working well, then it shouldn't be too big of a deal.

MR. COCCIA: What is the process for the extension?

DAVID CROSS: Just come back in, present the application again and we typically ask if there has been any issues, any complaints to the Building Department and we make a decision.

MR. COCCIA: Is there a way to -- is there a way that we could format that to mirror the lease arrangement? I will tell you the lease -- what the lease terms are. The -- the initial term is 66 months. And then there is 24-month renewals. So if there is a way for us to make this permit coincide with the expiration and/or renewals --

JOHN HELLABY: What did you say the date was for the end of the -- the 66 --

MR. COCCIA: August 1st, 2029.

DAVID CROSS: Just go with that.

JOHN HELLABY: If we put that down there as the date, you would come back in and then you would say "Okay. I'm going to renew for 24 months," that's what we give you, is another 24 months.

MR. COCCIA: Yeah.

JOHN HELLABY: Unless you wanted longer.

MR. COCCIA: I think it would be helpful to everybody if the dates kind of lined up and then I wasn't non-compliant and then trying to get it in and then getting it extended but not renewing the lease.

JOHN HELLABY: Okay. All right. We can work with you.

DAVID CROSS: That's all I have.

MICHAEL HANSCOM: No comments.

PAUL WANZENRIED: Would the operations at Stottle Road cease once this operation moves?

MR. COCCIA: Yes.

PAUL WANZENRIED: The parking of the vans, knowing that parking lot and how dark it is at times, you're thinking of parking them there in that little alcove? To the -- to the south side of your suite? Or are you thinking out and in the east parking lot, under a light?

MR. COCCIA: Immediately on the east where the parking lot pole lights are. Also, as part of -- part of our exterior, um, tune-up of that space -- it's still dark there. Even though there is four pole lights there, it is not really sufficient. Especially from an electrician's standpoint.

PAUL WANZENRIED: Might even be worthwhile, Matt (Coccia), to talk to Monro and park it down by that median that they have. Because that's usually pretty well lit, plus there is a lot of traffic and visual from the west looking east.

MR. COCCIA: Yes.

PAUL WANZENRIED: And that might help you, too.

MR. COCCIA: Yeah. That's a good suggestion. I -- I also intend on adding some lights on that facade to light that first 50 feet off the front of the building there. Off -- in the -- to the east of those overhead doors, because it is dark there.

PAUL WANZENRIED: Careful when you do that. You run into -- though there is no residential to that side, unless glare gets through to somebody in Pumpkin Hill -- but make sure they're down -- display is down and shielded correctly.

MR. COCCIA: Dark-sky compliant, right. Absolutely.

PAUL WANZENRIED: Okay. I'm good, Al (Hellaby). Thank you.

JOHN HELLABY: We all set with the parking then?

PAUL WANZENRIED: Yeah.

DAVID CROSS: Do we need a limit?

PAUL WANZENRIED: The code reads that parking -- there is an ordinance or a section of the code that reads that you have to provide parking from 200 feet from the door of the car to the door of the tenant. Okay? I have gone through the exercise of taking -- locating the doors on the site plan and drawing 250 feet. So those people, where it is like near Leaf & Bean, Building B, okay, they'll tend to push out and migrate. But nobody really gets out to where Matt (Coccia) is going to park.

JOHN HELLABY: I understand. I'm not so concerned about that. What I'm concerned about is parking the service vans out there. Do we want to have a number and say he can only have four out there and the rest have to be inside?

PAUL WANZENRIED: His letter of intent states that he plans to park -- I believe it said he plans to park his initial vans inside. The space is going to allow him to grow -- an additional two to three.

JOHN HELLABY: So I just leave it if it is in his letter of intent?

MR. COCCIA: I mean I can tell you -- so in the letter of intent, if we stacked up vans perfectly in there, we could add two more than what we have now. It -- it would leave very minimal room for anything else. Inside that space. But -- but that was what my letter of intent said.

I will tell you that our -- the lease also has a contingency about, you know, if -- if adjacent space becomes available there, that we'll have the right of first refusal -- right of first refusal on it. To give a little bit of a timeline, like -- this is maybe -- it's a little bit unimportant, but I -- I anticipate I have less than 15 years left to -- to work. I intend on -- this -- I -- I want to move one time and I don't -- so I'm -- structured this lease in a way that I have renewals, my choice for renewals taking me out to just about 12 years. Just about puts me to the point where I'm -- I'm, you know, I'm done.

JOHN HELLABY: Don't wish your life away.

MR. COCCIA: So the -- the intent is that it will give me some opportunity to grow there if I -- you know, if -- what is going to happen in 5, 10, 12 years, I don't know. But, you know, the intent is I will just stay there and wind out.

PAUL WANZENRIED: I think the -- I think the Town's concern, Matt (Coccia), is that we have a fleet out there. Okay? And -- and we usually try and shy away from that or restrict commercial tenants to park behind the buildings or -- there is no behind parking. I understand that in this situation. But the intent is to reduce the number of fleet trucks out there.

So I think to Mr. Cross' -- you want to give him the three and say he can park up to three outside? That allows him some flexibility and some room inside to expand his training or storage of materials or -- or whatever.

MR. COCCIA: Then if I was going -- if it did get to the point where I wanted to park more than three outside, what would that mean?

DAVID CROSS: In 5 1/2 years when you come back, you ask for it.

MR. COCCIA: Okay.

JOHN HELLABY: He is hoping to grow faster than that.

DAVID CROSS: What are you -- what would you request?

JOSEPH DEFENDIS: How many do you have right now?

MR. COCCIA: Six. Well, we have -- five that would stay on-site all of the time. One that would float around. You know, and that -- like I said, if I was giving myself wiggle room -- I don't -- I don't want to say yeah, two, three and then I'm non-compliant three years from now.

I'm not looking to do that either.

But if we said five, that would be -- that gives me enough breathing room where I probably don't have to worry about it.

DAVID CROSS: That seems reasonable to me.

JOHN HELLABY: So you're looking to park five outside. Okay.

MR. COCCIA: At some point. Not -- it wouldn't be initially.

JOHN HELLABY: All right. All right.

PAUL WANZENRIED: Just don't want them parked in that alcove. Okay? By that alcove, where Agape turns and runs back to your suite, I don't want them parked there.

MR. COCCIA: Okay. I -- I -- I agree and I prefer what the -- out in the open.

PAUL WANZENRIED: Okay. Thank you.

JOHN HELLABY: All right.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

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

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

JOHN HELLABY: Well, we beat that up pretty good. Let's get SEQR out of the way.

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 David Cross seconded the motion. The Board all voted yes on the motion.

JOHN HELLABY: All right. So with that, I guess it has been a while since I've done one of these. How do you write this up, Paul (Wanzenried)? Just that you approve it?

PAUL WANZENRIED: Uh-huh.

JOHN HELLABY: That's it.

PAUL WANZENRIED: Yes. You will vote on -- you will vote on -- for X number of years with the following conditions.

JOHN HELLABY: Well, the X number of years is 66 months, which leads out to August 1st of 2029.

MATTHEW PISTON: If you're going to do that, I would say do a specific date. Not a number of months.

JOHN HELLABY: So we'll do the date as August 1st, right?

MATTHEW PISTON: So this is valid until that time.

JOHN HELLABY: This will be valid until August 1st, 2029. The only other thing I got then is allowed to park five vans outside overnight, as long as they're not in the alcove area.

Does that sound correct?

PAUL WANZENRIED: Sure.

JOHN HELLABY: All right.

PAUL WANZENRIED: Or parked to the south -- south of the suite.

JOHN HELLABY: Do or don't?

PAUL WANZENRIED: Do not park to the south of the suite.

JOHN HELLABY: All right. All righty.

Am I missing anything?

PAUL WANZENRIED: Did you get the sign in there? All --

DAVID CROSS: Applicant to get a sign permit.

JOHN HELLABY: Well, yeah. I mentioned it, but I didn't make it a condition. But yes, you have to --

PAUL WANZENRIED: He will need a building permit for his renovations inside.

JOHN HELLABY: All right. I can't write that fast.

PAUL WANZENRIED: Sorry.

JOHN HELLABY: Building permits and what?

DAVID CROSS: Building permits and signage permit.

JOHN HELLABY: All righty.

DAVID CROSS: We're going to waive final?

PAUL WANZENRIED: There is no final.

DAVID CROSS: Okay.

PAUL WANZENRIED: Special Use Permit.

JOHN HELLABY: So with that, Application of Chili ME LLC, 4300 E. Broad Street, Suite A, Columbus OH, 43213, owner; Matthew Coccia, 117 Stottle Road Churchville, NY 14428, applicant; to allow "Use of Similar Character" to allow an Electrical/HVAC company at 3240 Chili Ave Suite C-8 in the General Business (GB) District.

We have just gone over the conditions already so to the vote -- I need a second.

DAVID CROSS: Second.

DECISION: Unanimously approved by a vote of 4 yes with the following conditions:

1. Special Use Permit granted until August 1st, 2029
2. Building Permit required for interior renovations.
3. A Sign Permit is required for any signage change / or addition.
4. May park no more than 5 service vans outside overnight in the east parking lot.
5. Addition of planters as noted by the Chili Conservation Board, or a donation of 1% of construction cost to the tree planting fund.

John Hellaby made a motion to accept and adopt the 12/12/23 Planning Board meeting minutes, and David Cross seconded the motion. All Board members were in favor of the motion.

The meeting was adjourned at 8:03 p.m.