

York Planning Board (& Zoom)  
May 26, 2021, Minutes  
York Town Hall

Present: Joe McIlroy, Chris Wall, Al Brightman and Dave Dermody

Excused: Zack Kobylanski

Others: Attorney Jim Campbell, Donna Falkner, Dustin Geiger, Norm Gates, Carl Peter, Lance Brabant, Kirk Richenberg, Greg O'Connell, David Mandeville, Gurmindor Virk, Preet Baidwan, Tim Boyle, Joe Bucci Jr., Attorney Sean Hopkins, Becky Lewis, Sylva Palmer, Chris Pascuzzo, Paul & Donna Sullivan, Linda Muscarella, Martha Edmonds, Dave Nagel, Mr. & Mrs. Arnold Matlin, Anne Roth-Blizzard, Grace McLaughlin

Zoom: James Missel, Bridget O'Toole, Marta Burroughs, Gigi's ipad, 585-732-3325, M. Koch, Blaine VanRy, Donna Walkner, Ned, Peg McCormick, Molly Cummings, Christine Johnson, Dave's iphone

7:15 pm – Mr. McIlroy opened the public hearing for the Sullivan's subdivision by reading the following:

**TOWN OF YORK PLANNING BOARD  
LEGAL NOTICE OF PUBLIC HEARING**

On Wednesday, May 26, 2021, a Planning Board Public Hearing will be held at 7:15 p.m. at the York Town Hall, 2668 Main St., York, N.Y. We will be reviewing Paul Sullivan's request for a subdivision at the corner of Batzing and McKenzie Roads, tax map #32-1-35.119. All are welcome to attend.

Dated: May 3, 2021  
Donna K. Falkner  
Planning Board Clerk

Donna Falkner is inviting you to a scheduled Zoom meeting.  
Topic: York Planning Board Meeting  
Time: May 26, 2021, 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting (copy & paste this link in browser)  
<https://us02web.zoom.us/j/84241449165?pwd=enNmcVNtclgwYIRyRDBSN1IKTGp5dz09>

Meeting ID: 842 4144 9165  
Passcode: d33zrH  
One tap mobile  
+19292056099,,84241449165#,,,,\*498432# US (New York)  
+13126266799,,84241449165#,,,,\*498432# US (Chicago)

Dial by your location  
+1 929 205 6099 US (New York)  
+1 312 626 6799 US (Chicago)  
+1 301 715 8592 US (Washington DC)  
+1 253 215 8782 US (Tacoma)  
+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)  
Meeting ID: 842 4144 9165  
Passcode: 498432  
Find your local number: <https://us02web.zoom.us/j/84241449165>

So, the public hearing is now open. Is there anybody in the audience that has any comments on that? Or anybody on zoom with any comments at this point?

Good evening, guys, Jim Missile here, I'm the project surveyor. And I'm here to answer any questions that might come up from the planning board as we ask for approval for our subdivision.

Mr. McIlroy - Okay. We'll keep the public hearing open till we approve the minutes in our regular meeting and our regular meeting will start at 7:30. Is there anyone on zoom for the public hearing about Sullivan subdivision?

Hi, I'm Jim Missile here, project surveyor representing Paul & Donna Sullivan.

Attorney Campbell - folks once these remaining chairs are occupied we've reached our capacity with regard to personal space.

Mr. McIlroy – the rest will have to be on zoom and the information is on the doors. You're going to have to go on Zoom if there isn't a chair available. That's the capacity in the building. The Zoom information is on both doors. Unless you're here for the Sullivan subdivision public hearing which also can be on zoom is not satisfactory. Excuse me

Woman from audience - zoom is not satisfactory.

Mr. McIlroy - It's all we have we have to be able to we only have so much in building capacity. We use zoom for a bunch of other things all last year, it's what we have to work with today. We're at the capacity with the chairs, is what I was told. Do we have anyone on zoom for the Sullivan public hearing.

Jim Missel – project surveyor, asked if he was coming in on Zoom. I am representing Paul & Donna Sullivan. We're asking the Planning Board for approval of their subdivision. Has this meeting officially started, or are we waiting until 7:30.

Mr. McIlroy - We'll start at 7:30.

7:30 pm – Mr. McIlroy called the York planning board meeting to order and started with the pledge.

Mr. McIlroy asked to have a motion to approve the minute for the April 28 meeting if there aren't any corrections.

Mr. Wall said one correction on page 9, foil instead of portal laws.

Mr. McIlroy asked for a motion to approve minutes with the correction.

**Resolution:**

Mr. Brightman moved to approve the minutes with the correction, Mr. Dermody seconded, all in favor, carried.

Aye – 4            Nay – 0

Mr. McIlroy - All right, the next thing would be a motion to close the public hearing if there's no more comments from the public or on zoom on Sullivan subdivision. So can I have a motion to close the public hearing.

**Resolution:**

Mr. Dermody made a motion to close the public hearing on the Sullivan subdivision, Mr. Wall seconded, all in favor, carried.

Aye – 4                      Nay - 0

Mr. McIlroy - We had to send it for county referral and read the email he received. “The Livingston County planning department has reviewed this application and determined that it has no significant county wide or inter municipal impact in regard to existing county plans, programs and activities. Therefore, approval or disapproval of this application is a matter of local option. Be aware that a determination of no significant countywide impact should not be interpreted as either approval or disapproval by the county planning board. If you have any questions do not hesitate to contact me at 243-7550 sincerely, Heather Ferrara”.

Mr. McIlroy - Do we have any questions concerns on that subdivision? Everybody was good with what we see last month. Can I have a motion to do to declare us lead agency to do the SEQR.

**Resolution:**

Mr. Wall moved to declare us lead agency to do the SEQR, Mr. Brightman seconded, all in favor, carried.

Aye – 4                      Nay - 0

Mr. McIlroy asked Attorney Campbell to read the questions on the SEQR so the board could answer them.

Attorney Campbell – the applicant has filled out part one of the short environmental assessment form and we'll move on to the active part of the review, which is part two of the form and asks a series of questions, 11 questions? There are two possible answers. from each of those 11 questions the first category being no, or small impact may occur. The second being moderate to large impact will occur please speak up because they are your answers not mine.

Agency Use Only [If applicable]

Project: \_\_\_\_\_  
 Date: 5/26/2021

**Short Environmental Assessment Form  
 Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**PRINT FORM**

Attorney Campbell - Okay, now that you have answered those 11 questions, we need a motion to adopt those answers as your official findings for part two of the short environmental assessment form.

**Resolution:**

Mr. McIlroy moved to adopt the planning board's answers to the SEQR questions, Mr. Dermody seconded, all in favor, carried.

Aye – 4            Nay – 0

Attorney Campbell – having made those findings we move on to part three, which is your determination of significance, having decided that there are no impacts or if there are any other small impacts, you are in position where it's logical at this point to declare what we call a negative declaration. That is your statement saying that after your analysis of part 2, you have determined that there will not be any potential for the adverse environmental impacts by granting the applications. Need a motion for negative declaration.

**Resolution:**

Mr. Dermody made a motion that we have a negative declaration of the Sullivan subdivision, Mr. Wall seconded, all if favor, carried.

Aye – 4            Nay – 0

Attorney Campbell - Lastly, we need a motion to authorize the chairman to sign the SEQR documents and negative declaration of the findings.

**Resolution:**

Mr. Dermody moved that the chairman sign the documents, Mr. Wall seconded, all in favor, carried.

Aye – 4            Nay – 0

Resolution:

Mr. Brightman moved to approve the Sullivan Subdivision, Mr. Wall seconded, all if favor, carried.

Aye – 4            Nay - 0

Mr. McIlroy asked if Mr. Missel was still on Zoom. Do you have the maps and stuff for us? Or is that something I'll be receiving later to sign?

Mr. Missel –

We'll be putting our mylar together and getting it down to your offices within the next few days. Okay, fine, we'll need at least one copy for the town. Now, whatever you want for copies. All right, thank you very much. Thank you.

Mr. McIlroy - Okay, fine, we'll need at least one copy for the town.

Mr. Missel thanked everyone.

Mr. McIlroy - our next thing will be the Travel Plaza. And we're basically going to continue the review and sketch plan. There was some testing material that we have not received yet. And so, at this point, I would like to kind of turn it over to Lance, the engineer for his input and what we have and what he has and what we need.

Mr. Brabant - So we did do a review of the application materials received to date, on which we did get a resubmission of some of the materials that are part of the initial application. And then some of the new materials associated with scheduling and preliminary site plan applications. Those were received by our office on May 17. I think that they may have been dated May 12 in a cover letter, but we received them May 17. I went through that review, a cursory review of those application materials with the code for sketch plan. And based on my review, the sketch plan materials that would be required area map, topo map, general land area shown on the plans, location of all existing and proposed structures, and then zoning classification information. So for lack of a better word, a sketch plan of what we proposed that I believe the information received today meets that criterion which allows us to continue to scheduling sketch plan application. The board still has to deal with review with the sketch plan, criteria. That's part of tonight's conversation that needs to go through that process. But also, as part of that review, we went on to review the preliminary site plan application analysis against the application materials. And, you know, it's pretty straightforward. Section 1103 of the Town Code's site plan checklist, which we went through. And we're going from each of the 29 items that they identified in that list. Some of them are applicable, I think there's one or two that are not identified. I plan on identifying for the board the record of what was submitted. And then ultimately, what was not included. What was submitted was a zoning referral form, a special use permit application, there was supporting docs or what I considered supporting docs a justification for the special use permit, as there's criteria that has to be addressed. That information is required as part of the special use permit. They provided a SEQR form full EAF part one. There were several revisions because they originally submitted the short form that they've, per our request, elevated it to a full EAF, that has been provided that was dated May 11, 2021. When I say dated, the applicant is required to sign offline, that's the big sign off on that. Supporting that package was the vicinity or property map and the zoning map, there's several maps for the code. They want to identify the zoning district map, and the vicinity, or map location and where it says the Town of York. There was also a survey plan that was dated 2-14-2020. There's a Geotech report that was dated May 12, 2021. That was prepared by Marion associates BC. There's a topo survey that's dated 3-2-21. There is a traffic impact study that was prepared by SRF dated January 20-21. There is what we considered to be a full site plan materials plans themselves. So those plan sheets include a site plan, erosion and sediment control plan, detailed sheet which basically shows the construction details of what's been proposed utility plans, greeting plans, there's a lighting plan and landscape plan. Some other ones that are different, but ultimately those are the big ticket plans that are a part of every site plan package. Those were provided by Camino Wood and Morris dated 5-12-21. There was also a SWIPP or stormwater pollution prevention plan, also prepared by Greenwood Wood & Morris dated 5-20-21. Of the checklist requirements, we believe there's a couple items that were missing based on our review as of today. Now there's mention of an email may have been submitted yesterday; I don't recall receiving one. But if so, the possibility this information may be in the process of coming to us. I have informed the engineer and the applicant that that was taken yesterday the day before, so they had email stating that they would provide that information included in that ag data statement, which is a requirement of the process. They also need to provide elevations and an architectural rendering picture. I also believe that a site plan application which I could not find in the material that I had received from the applicant, I also looked at my electronic submission and couldn't find the actual site plan application form filled out. So, I believe that is required by the special use permit checklist. And then lastly, in the checklist for site plan, it does state storm water design which is by all means accounted for in the materials that were provided. But there is no calculation supporting the sizing or usage. I would suggest that that be part of the site plan process as well. We would call it an engineer's report. I did get a SWIPP. I believe some correspondences suggested an engineer provided but I did not see it.

Mrs. McLaughlin – I'm here at the meeting and I'm facing the audience. And I'm wondering why since I'm attending the meeting, I'm not seeing the board members, it's very hard to get a feeling for what's going on. Because I, I'm looking at the people in the audience. And I just wonder why you have the camera facing that way and not to the board since I'm actually trying to attend the meeting. So, because like, it's hard to tell who's speaking. So, I was wondering if you can maybe adjust that. I see one person. Thank you very much.

Mr. Brabant - I apologize to the board. I did go through it. I did miss it. It is in fact, engineering reports and callbacks are in fact, in the swift document in dated May 20, 2021. And those engineering calculations are really how the water dissipates.

Attorney Hopkins - actually, you did get the ag data statement. And when we filed the application, we were advised there wasn't a separate site plan.

Mr. Brabant - Yeah, this was my review, I did it. Based on what I had seen, it states that there's a site plan application on the website. So, I just stated that I was under the impression that that might be provided. So preliminary wise for site plan for us to go beyond sketch plan for the site. I believe. In summary, a site plan application form determined by the town is required ag data statement which may have been provided, again, this morning, I didn't see it. And then whether or not this satisfies the elevations architectural requirements that are required.

Mr. McIlroy - we need something with a building elevation because we have maximum elevation heights.

Mr. Brabant - So with that being said, I would also suggest, and there does need to be a little bit more thorough review done of the plans. I think we need to determine whether or not there's any potential need for variances, if any, obviously, between the time that I received it to now going through the application, I didn't have a chance to really go through in detail the code. I'm not sure if Carl, you had a chance to do that either. But that's probably something that I would recommend the town do in terms of proceeding with the preliminary, I think it'd be good to know whether or not there's any variances that are needed or at the application, they would want to make a revision to eliminate them.

Mr. McIlroy - I think we have a couple of possible set back issues with fuel Island and the scales.

Attorney Hopkins - The fuel islands are shown at less than 50 ft. I think we're going to comply and move them so they will be at least 50 ft. The scale itself, I don't view it as being a structure That's something that obviously you're not going to make a decision on the fly, but I don't think it is.

Mr. McIlroy - that comes down to interpretation. As far as from the board standpoint,

Mr. Dermody - it's not a structure but its use is within, still would have to be within the setback, right. And then the rules in the setback are just the structure.

Mr. McIlroy asked if there were any other comments from the board. Well, I'll be totally honest with you, we've never gotten into this situation. In our design and

Attorney Campbell - probably would move into the realm of the structure, the code defines structures, specifically stated definitions, and in the commercial district, section 405, where it talks about setbacks. It doesn't specifically say structure or building is subject to interpretation.

Mr. McIlroy -

Because it would be a raised scale I presume because very few are level anymore. Is that correct?

Mr. Boyle - the old ones there literally as high as a curb.

Mr. Brabant – you need to identify yourself before speaking.

Mr. McIlroy - Do you have any, I think we need to see a rendering of the scale and the dimensions of the scale to make a determination.

Mr. Peter – you have the dimensions on the site plan carefully provide a rendering of scale for you.

Attorney Hopkins - based on the discussion of that particular topic, we can proceed by providing the details in terms of the height. It is labeled on the site plan.

Mr. McIlroy - any other questions on that particular topic?

Mr. Wall - is it between the diesel fuel Island and the perpendicular to where the tractor trailers park?

Attorney Hopkins – Yes

Attorney Campbell - with the required information for the sketch plan, really one of the fundamental things in your code, talks about the purpose of this sketch plan conference to discuss whether or not the proposed project is in conformity with the comprehensive plan. So, I think maybe that is a logical step at this point a pre-requisite to moving towards a preliminary.

Mr. Wall – If we have any questions in regard to the site plan or the information we have here now to do that, before we start talking about whether or not this thing fits in the comp plan, or should we do that after?

Attorney Campbell - I would think those comments probably would follow the discussion of comprehensive plan, because the comprehensive plan is going to change the way the plan works. So, you have a comprehensive plan. For purposes of discussion, the Comprehensive plan was last updated in 2006 and the comprehensive plan is on the town's website. Subsequent to that, in 2009 the town adopted the new zoning code, which the earlier version of the zoning code was previously adopted, I believe in the late 60's. So, the fact that the code was revised after the comprehensive plan should be at least a little bit helpful for talking specifically about the uses with regard to commercial districts. If you look at the comprehensive plan, there are lots of places that talk about commercial uses, and especially in the area or vicinity of Route 63, which is specifically what we're talking about with this application. Your comprehensive plans, on page six and seven talks about commercial uses. The land use plan for Route 36 and 63, where you're getting the more substantive discussion in comprehensive plan, we're going to start to analyze how much land use and available land for a particular use existed in the town. Fairly nominal amount of the total area of the town has been designated for commercial purposes, which is about 73 acres pursuant to your zoning classifications. That's on page 16. of your

comprehensive plan. Page 17 talks about the lack of property zoned for commercial use, which has been an issue within the town. This was part of that discussion for the comprehensive plan. And you get to the specific land use plan overview in chapter four, which is on page 21. The comprehensive plan at the paragraph at the bottom talks about appropriately sized commercial uses being encouraged in the hamlets with a few key areas along Route 63 identified for future commercial growth. That's really the first time it specifically talks about the future land use plan. Subsequent to that, a couple of pages later, you have referenced as figure four, which is a future land use. It's hard to see but there's a little dot in there which is a circle. And that circle is this intersection and encompasses identifying future land plans. So, I think one of the issues that you need to give some thought to is on page 26. The comprehensive plan talks about commercial uses and suggests that the district will be appropriate for mixture of retail service and general businesses uses that are less than 5000 square feet. Consideration should be given to controlling access to commercial areas particularly along Route 63 where there is heavy truck traffic.

Attorney Campbell - Now, interestingly, the subsequent zoning that was codified after the comprehensive plan was adopted doesn't specifically have those restrictions with regard to commercial districts. So, when you look at 405 of your code, there are sections that talk about minimum lot size, block frontage and lot coverage. But that's specific 5000 square feet maximum, for some reason or another didn't make it into the code. I wasn't here for that process or those instructions, I assume at some level that they existed, and a deliberate decision was made not to do that. And that's because in a commercial district, one of the first sentences says, to encourage commercial development. Give it some thought and see how you feel about it. There's some other interesting information, with regard to small scale versus larger development on page 35 and that's in the section for commercial development identifying issues and recommendations. One recommendation was to encourage small scale developments in hamlet areas while focusing larger developments along Route 63 and 36 in designated areas. Specifically for commercial as a recommendation to give some thought to that section as well. On that same page, you're going to find at the bottom of the page, a paragraph that deals with the safety concerns, traffic at the Route 63-36 intersection, that has been something that has long been in the mind of leaders in the community and members of the community. And it calls out the challenge with regard to the truck traffic and reflects volume of accidents that occurred on an annual basis, suggesting that there needs to be some effort to try to remedy or mitigate that hazard. And the following pages provide some recommendations and most of those recommendations relate to trying to encourage DOT to take action relative to that intersection? For example, putting into play traffic calming measures, something that will slow the traffic down especially the truck traffic. One of the things you need to consider is will the proposed application, make the concerns that were stated in the comprehensive plan on page 35 better or worse, will it lead to a more calming situation from a safety standpoint, because some of these trucks aren't going to be going as fast and turning in and out. I think those are things you need to begin to think about.

Mr. Brightman – There was a traffic study done, is there a more detailed explanation for additional discussion? I don't understand all of the data.

Mr. Campbell – asked Attorney Hopkins if it is possible to have your traffic consultant come to a meeting, maybe that will be helpful. Sometimes reading those things is difficult.

Mr. Brabant - But ultimately, it's going to be part of the review process. Most certainly can be reviewed ahead of time. But what I've seen done before is the travel consultant is the one that comes and explains it. There's also a recommendation section they'll have some of their suggested alternatives for the site.

Attorney Hopkins - Let everyone know we're waiting for the public hearing. And that is probably the best opportunity for the traffic engineer to come in. because by definition in the public hearings that we've done, not only members of the board but the members of the public are there. We already have provided a copy of the traffic study in January to you, they did provide a summary, a copy of that. So, they're already in the loop. And they came back with a comment about the depth of improvement. And one of the updates in the planning for February, we're now incorporating those definite improvements that have been long identified at that intersection.

Mr. Boyle - they also came back with a recommendation on the width of the curve.

Mr. McIlroy - That's why it was changed?

Mr. Boyle – Yes

Attorney Campbell - With regard to things like crosswalks, etc. DOT has jurisdiction over those things, they are a necessary player in this no matter what.

Mr. Hopkins - so when this goes out for the coordinated environmental review, which you identified all the way back to November, that you're going to do one of the involved, identified upfront is the state Department of Transportation, they will, of course have an additional 30-day period and comment not only on the town's lead agency, but any additional substance concerns that they have about the project.

Mr. Dermody - So when do we see their determination, when they decided what is going to be, where it's going to be.

Attorney Hopkins - we're hoping to find out during that process.

Mr. Brabant - They have begun the process, which is typical of any application that has requirements, but DOT you can't coordinate with them because there's going to be some changes along the way. DOT on their own, their own gauntlet with the applicant. So, a lot of times, their decision may not occur simultaneously with our decision. That's half of the reason why the SEQR coordination is there. So that we can get that input as part of during what so that when you guys go through the review, in this case, the preliminary site plan and environmental review of that application, we would be getting those comments back with the goal that they would identify any substantial changes that would be required on the application to occur then as opposed to later.

Mr. McIlroy - That would probably be crosswalk, etc.

Mr. Brabant - it sounds as if, I don't have the paperwork in front of me to make that call. But it sounds as if a lot of the significant changes in terms of curb cut location, pedestrian access points, and so on, may have already been discussed. DOT may have already provided some input and on that, not necessarily approval of the plan. That doesn't come yet. But they began that dialogue about where they think is the most appropriate location. for those things.

Mr. Dermody – When do we hear what the dialogue is?

Mr. Brabant – The town should be getting all correspondence. That would be something that we would also want too. you would also get additional information from them later because you're going to require it as part of the environmental coordinated review.

Attorney Hopkins -

The thing we would like everyone to remember is that we're here, in February. In February we discussed starting to coordinate environmental review, which of course starts with the town's lead agency. Before we do that, we had to get a topo reference survey. So that's really why we went ahead, pulled the trigger and did all that hard work.

Attorney Campbell - For the first step towards the preliminary site, plan review process. However, before that, I do want you to give thought to your section 1102, sketch plan conference, because integral to that sketch plan review is making that discussion take place with regard to a comprehensive plan. And if you're generally okay with the comprehensive plan and how the application is being portrayed, generally speaking, the intent of the comprehensive plan is to finally move to that next step. And so, the discussion about that, I think, is something we need to resolve. Doesn't mean you can't move forward tonight, or any other time, but it is something we don't want to skip over.

Mr. McIlroy – Lance still lacks some things to get us to preliminary.

Mr. Brabant - I determined in your code, I think that site plan application is required. Typically, if they're not busy, they may not need one, I don't know. But I read it as a separate application requirement. There is a site plan application form on the website. I would think that that might be something they might want to do. As of this morning, I didn't have an ag data statement.

Mr. McIlroy – We don't have a complete application.

Mr. Brabant - or what is required for preliminary.

Attorney Hopkins - I want to make sure I think we're overlapping here. Jim, I think what you started discussion with what was sketch plan. I think we have everything for sketch plan.

Mr. Brabant agreed

Attorney Hopkins - I think determine the topic at hand.

Attorney Campbell - I think we want to get through the sketch plan before going on.

Mr. McIlroy – wanted to clarify that we didn't everything for preliminary. So, we're back to the comprehensive plan, basically, that we've got to fire through this. Under 5000 square feet is one of the issues.

Attorney Campbell - That's one of the issues. That is in the comprehensive plan as a suggestion, it did not make it into the code as a regulation.

Mr. Wall - Does anybody know what the average is? Or was?

Mr. McIlroy - There wasn't anybody here that was on the board then.

Mr. Wall – There is the number? I don't know, if somebody just threw it in there, or there was actually, you know, some kind of Reason.

Mr. McIlroy - well, I know, you go down to the hamlet commercial that says these are small scale, but it's less than 2000 square foot for buildings. On commercial it says 5000 square feet. To me, that isn't a 5000 square foot building, what is 5000 square feet? If that's for the building it should have said that, if it's for a whole commercial complex, there's no commercial complex around that's under 5000 square feet, if you were going to include parking lots and all that. So, my interpretation and then to go a little further in the comp plan. If you go on your mixed use, it says maximum building size 10 to 15,000 square feet. I don't understand why 10,000 would even be in there. So, to me, it's pretty convoluted when you read it. It's pretty hard for me to come up with a determination of actually what they're talking about.

Attorney Campbell - Remember the comprehensive plans are aspirational plans or visions. They are not the regulatory framework, but it's an expression of the then intent of the community as it pertains to the vision for the community and growth. So, if they're not often with as much precision as you would hope.

Mr. Wall – It does say the comprehensive plan was meant to be the guide not the original program.

Mr. McIlroy - Because it also says focusing larger developments along Route 63 and 36. So, and we're talking 6600 square feet.

Attorney Hopkins - I think Jim did a great job of setting the framework in mind the relationship between the comprehensive plan of 2006 and the zoning code for 2009. I think on that particular topic, from a purely legal perspective, it's the code that I can't hypothesize why the town board did that at that point in time, deny the 5000 square feet, this is an 11-acre parcel, what if you had a 20-acre, one acre park you know, 6600 square feet on 11 acres is pretty small.

Mr. Campbell - So it's important that you feel comfortable at this point, being able to, to, I guess, determine that it's appropriate to move forward in the sense that these applications are performing generally in conformity with the comprehensive plan or the intent of the comprehensive plan. Or do you need more discussion at this time for specific questions.

Mr. Wall - I think, based on conceptual site, my personal opinion is that it's generally conforms with the town's comprehensive plan. But, you know, follow up question, if we decide to move forward. How many options are there as far as working out any other details or concerns or questions we have? How committed are we to the project at that point, I guess?

Attorney Campbell - At this initial threshold for sketch plan conference, your code says specifically, the primary point is to allow you to have some discussion about the proposed application concept as it relates to the comprehensive plan. And once you move past that, where you get involved with substance, specific compliance in preferences for design and planning, all of that is still preserved. For what you're saying initially, is either it does, or it doesn't seem to be in general, compliance with comprehensive plan.

Mr. McIlroy - any comments on the comp plan? From what I see from it, it tends to push the commercial to 63 and 36. So from that standpoint, I feel it does comply. And it's listed quite a few times longer than six months, right?

Mr. Dermody - Correct me if I'm wrong Jim, but the code is the law and comp plan was kind of was the desire early on, but the code is the law.

Mr. Campbell – You can't ignore the comprehensive plan, and it shouldn't be ignored. That's why your code draws it out in the beginning of the process. If you saw something that was startling, in contrast to the overall vision you take from the comprehensive plan, that's the time and opportunity to discuss with the applicant and say we think maybe it warrants a different perspective. Okay. But, yes, it's a good question. The code is what you follow in terms of the regulatory framework for any review of any application.

Attorney Hopkins - I want to read section 405, which is designated for a commercial district, subsection a (p 20). The purpose of a commercial district is to encourage commercial development in areas designated in the 2006 Town Comprehensive Plan. The commercial district is established to provide areas for intensive commercial activities that primarily depend upon large volume of vehicular traffic to serve the daily shopping needs of the community. This district encourages controlling access to commercial areas from the main routes of travel to minimize conflicts between local residents and heavy truck traffic. So, I think that is the purpose. It doesn't set the standard, but I think we fall within the purview of that program.

Mr. Brightman - I think the square footage is a minor discrepancy. May be other issues involved with this, but don't think square footage is a sticking point.

Mr. Campbell - I think I'm hearing a consensus that in terms of evaluating generally, the project application as against the 2006 comprehensive plan, and that you're comfortable, that the application is conforming significantly and that you are about to move to the next step in the review process, correct? Board in agreement.

Attorney Hopkins – this does not commit the board to anything.

Attorney Campbell – asked Joe, in terms of looking at the forms that were submitted and the long EAF and Lance's thoughts.

Mr. Brabant – In my opinion ok to move forward to dialogue of preliminary. Again, I just think it's important to identify your preliminary checklist its requirements prior to moving into what would be coordinated review process.

Mr. McIlroy - I think we ought to wait on that until we can determine site plan application.

Mr. Brabant - a site plan application I think could be done relatively easily. I think the real issue that I think we need to solve is whether or not there needs to be a variance, or at least allow the applicant to make modification to plan if he doesn't want to seek the variance. That determination to my knowledge has not been done.

Mr. McIlroy - You said you were willing to move the canopy but we're still at a scale issue and if we're going to consider that a structure that would require a variance.

Mr. Brabant - I think that determination would be done and then proceed

Attorney Campbell - as long as we're talking about variances, one of the other issues we should talk about relative to the plan is the drive through. Section 405, b of the Code, which is commercial district permitted uses indicates the eat drive through facilities are permitted as a matter of right but if you go further on in the code section 607 has some specific language relative to drive through facilities. And it talks about amplified audio visual type situations not being permitted adjacent to residential uses or districts. So, if you look at your rendering the drive through is for lack of a better term, the left side, looking at the front of the building on that side, across the street from that his hamlet commercial district. On the other side or east is where you have residential uses. And so, one of the questions I think, as well is, if you look at section 607, in your code, the fact that that facility is on the far side of the building, which is closest to and adjacent to Hamlet commercial as opposed to the other side of the building, does that trigger the prohibition or make prohibition not relevant? One can speculate the reason the framers of the regulation didn't want adjacent to residential use residential district is for things like noise and light, etc. Being on the other side, is that that's an issue we have to determine as well, because that will indicate to the outcome of some type of variance for that. So that's something you can certainly look at. If you need assistance with that you can ask for interpretation from zoning officer relative to that, that's something resolves we're talking about potential for variances.

Mr. Dermody - question for the applicant. I noticed on the front of the building and it talks about Tompkins the Bank of Castile. Is there going to be just a like a walk-in ATM? Or is there going to be a section where you're going to have a little version of the bank. And will there be a drive up for that.

Mr. Boyle – No, there will be two ATMs, a drive through for a vehicle and walk up inside in the lobby. Directly across from the drive-up window for the Tim Hortons there's a drive up ATM there, which was really a high demand item from a lot of customers. And then in addition, inside the facility, we will have an additional ATM facility inside the store.

Mr. McIlroy – asked how the outdoor ATM will be lighted. That'll have to be obviously it's going to have to be lighted.

Mr. Boyle - to be it'll be it'll be down lit and when we'll do a photometric.

Attorney Hopkins - There are I believe when it comes to a bank, or a bank drive thru, or kiosk, they're actually federal standards for minimum lighting for safety that we do.

Attorney Campbell - Is there a canopy over that.

Attorney Hopkins - lighting will be bright underneath it.

Mr. Boyle - But again, we'll provide a photometric plan that will assure that there'll be no light pollution.

Attorney Campbell - Both of those drive through aspects are on the Route 36?

Attorney Hopkins - Yeah, just a general point one of the other topics that Jim was bringing up and I think it's Code Section 607 C, which was the location of for the drive thru for that location. It's here. There's not a label there, but I would say from the residential districts 180 to 200 feet. So the bordering spots here, obviously the windows here. The other question I have is technology has come a long way in those systems Now, not sure it's actually amplified audio system. It's a digital system. It's not like the old Burger Kings where it was one loud setting, and it's always loud.

Mr. Boyle - adjusting ambient noise. And we will make a commitment from input from the operation group and the ownership group, that if there's any noise pollution, if there's any light pollution, it'll be addressed.

Attorney Hopkins - But I think that's a topic we need to think about, is that really an amplified system?

Attorney Campbell – 607 does not prohibit drive through facilities, it's just amplified audio visual.

Attorney Hopkins – and adjacent to residential districts. And it does also say you have to have an underlying setback of 30 feet. So obviously, work more or less 600% of that.

Mr. McIlroy - Everybody comfortable with that? I guess it always comes from the definition of adjacent.

Mr. Wall - One of the questions I had one of the questions I had for you guys, as far as the project, if you had looked at were you planning on incorporating renewable or green energy systems, you know, solar panels on the roofs or anything like that, or if you have an issue with that.

Mr. Boyle – We definitely are evaluating the technology and it hasn't quite aligned with what we've done, but we utilize a number of different technologies within the store. Probably most significantly, a system that allows all the compressors in the building to work with skylights. Dialogue about car charging stations, again, the fast-charging stations require so much power right now. It's becoming cost effective. I just don't know enough about vehicle charging, utilized more and more places. So right, in perspective, we'd have to, we need an elaborate electrical service, comparable to Lowes. So, a very big question for the technology. But the economics haven't really caught up.

Mr. Wall - we talked early on when you guys came in about tying the existing building on the opposite corner to this project, as far as demolition and cleanup and all that kind of stuff? Is that still incorporated here?

Mr. Boyle - Well, I don't know if we talked about tying the two together but absolutely it will happen in sequence, right, once this facility is open, our natural course of action will be obviously to close the facility across the street. And then we are given a rather rigid timeframe by the Department of Conservation on how long we have to get the tanks out of the ground, etc.

Attorney Hopkins - Because obviously we're not closing that facility down until the new one is open.

Mr. Wall - Yeah, and I understand. The concern would be that that building, abandoned and it's like that way for 15 years right in the main intersection. That's, that's why I brought it up.

Mr. Boyle - I can tell you that the plan is to make it available potentially for sale. aggressively seek out an alternative tenant for occupancy of the building.

Mr. McIlroy - I think the only other question I think when we talk back in February or whatever, there weren't going to be any showers in here, correct?

Mr. Boyle - We weren't sure. I think we went back and forth about that. And I believe on the new floor plan, we do have two showers in the facility. Along with the laundry room, with a stackable washer and dryer, and a small lounge that I think as five seats, the truckers need to sit and eat.

Attorney Hopkins – Tim did bring out a colored rendering.

Mr. Boyle - And then we actually do have another plan that you haven't seen before, which is the colored site plan to open a dialog, amenities and improvements on the back of the property.

Attorney Hopkins - So one of the comments we've received is, you know, there's language in different planning documents and talks about obviously this site's proximity, the future trail improvements, recreational amenities I didn't actually get referenced, are there any restrictions or public access record, you want to make very clear that absolutely not are not today, there are no easements that the public can access this property. There's no acquisitions of property by third party conservation organizations. But with that being said, in an effort to try and enhance amenities associated with the projects, we did update the plan to show some improvements, some future improvements. And I think Joe has spent most of the time on that. And I think we'd like him to come on up and chime in obviously, being local. He's more familiar with what the town's envisioning for the recreational use. But we do want to add that to the mix and discussions with this evening. So that being said, if you want to give a quick overview, that'd be great.

Mr. Boyle – While Joe's getting ready there's a gazebo, couple picnic table, grills, some benches along is the trailhead for the Little Italy trail. And then some informational kiosks that would talk about Little Italy, the trail and the entrance. it'll even talk about the trail and talk about the entrance.

Mr. Bucci Jr. - Yeah, really, the design is to sort of augment the Little Italy Nature Preserve. Very familiar with that area back there. And there's a lot of history there. So, we kind of want to make the commercial development sort of a, I guess you'd say hook for a nature point for augmenting the recreational tourism opportunities at the town of York, I think it's going to come to fruition I know they've worked closely with the gateway. And the property is uniquely located between two major trails. One is the course the Genesee Valley Greenway. And the other is one that I am just becoming more familiar with, which is the Groveland secondary trail, which I honestly had never heard of, until a couple of months ago. That trail actually runs from the town of Alexander to the town of New York, and actually terminates not that far from this corner. The Genesee Valley Greenway, of course, is, further to the east and runs north south. But in talking with the gateway, that what they've said is that their overall plan is to tie the Greenway into the Little Italy Nature Preserve, which then will tie into this trail that runs through the town of Alexander. So, it's kind of a unique location. And some of the amenities that we wanted to add there, just like was mentioned, is a trail that you know, leads from the parking area. Back to the trailhead, we want to create a portal there with a little bit with Little Italy preserve, we'll have some informational kiosks about the Little Italy community, the history of mining in the area, which there's a rich history and rich tradition as there still is, in some of the other historical aspects of account of the Town of York. We've talked about providing some power, electrical outlets there. So, a food truck wanted to pull up

and plug in, you know, that can happen. My idea, I'm a guy that likes to ride trails, you know, one of the things I love about riding the Erie Canal trail in Rochester is that you have places to stop, you have a place to grab a cup of coffee and a place to grab something to eat. Unfortunately, there's just not a lot of that infrastructure in place here. I love the Greenway trail. But you know, the places to stop are few and far between the Groveland secondary trail is actually controlled by your state DEC, not the Office of Parks. And I've had discussions with the DEC and there again, it's a trail that they're trying to promote, and continue to develop. But there again, there's no anchor point. So, my thought is that this, you know, development here can actually act as an anchor point, bring people to the area, we have bike racks, somebody wants to hike the Little Italy Nature preserve, they can park right there coming maybe grab a cup of coffee, get something to eat. Somebody who wants to ride their bike from the city of Rochester down the Erie Canal trail connecting to the Greenway could ride their bike, eventually right to the little middle there again, have a place to stop rest, get something to drink that kind of thing. So, to me, you know, I love the idea of recreational tourism. I think that towns like York and the other towns in the surrounding areas really benefit from that. And having a business like this an anchor point like this can help kind of pull it all together, you don't have to usually exclude that that could be mutually beneficial.

Attorney Hopkins - So we just want to make it clear that is now we are also proposing to implement that as part of the project, understanding some of the trail connections require some off-site improvements to be made. But we are going to preserve that area and make it clear that that is readily part of the project. And that's new information.

Mr. Bucci Jr. - This is just actually our first stab at it. And then we may want to add some more things or alter it a little bit.

Mr. Boyle - But that's the general idea we want to introduce it as a concept and get some feedback. We've had further dialogue, we've had dialogue when the trails do connect, you know, the place where we can host some biking events have some power for food trucks, have the ability to maybe have a bicycle repair event and host a weekend biking event, things of that nature. Some of the physical language, some of the activities, Joe and his friends locally, would like to see.

Mr. McIlroy - so those would be separate parking area will be grass parking, or what?

Mr. Boyle – there's five acres or so we envision, you know, on the weekends, being able to utilize some of that, we essentially mark off parking in the back of that block, utilize it for vehicle parking for recreational use.

Attorney Hopkins – our preference obviously would be to avoid additional impervious surface. I don't think it's necessary. I don't think we need it.

Mr. Boyle - I don't think it's necessary because I think, my hope is that people come to places like this.

Attorney Hopkins - But with that being said, I think we would accommodate if you know there's a couple with that. SUV and bike racks. They want to leave their vehicle here, take a bike ride come back, hopefully shopping location.

Mr. McIlroy – But it would be separate from the truck parking.

Attorney Hopkins - or designation or mark off a section.

Mr. McIlroy - maybe that's something that we should talk about is maybe eliminating a few of the truck parking spots. Maybe in this corner.

Attorney Hopkins - I do think shared use is fine.

Mr. Boyle - Well, that might be a little premature, but based on the fact that I don't think that the trails are, you know, I don't think they've committed to coming on site yet but I think that absolutely conversation for the future.

Mr. Bucci Jr. - Well, one of the things, too, and I thought this was a good idea brought up to me with some sort of monument or headstone for York veterans, you know, some sort of Memorial or headstone initially was going to be right back here.

Mr. Boyle - but we've decided to move this we relocated it to the large grassy area adjacent to the drive thru on the 36 side right across from the drive thru window of the building. So a flagpole, and a Veterans Memorial.

Mr. Bucci Jr - I don't know if the town has a memorial. Someone answered at the Sportsman's Club on Craig Rd.

Mr. Boyle - we thought it would be really nice to put it right up front where everyone's going to see it every day, as opposed to in the back.

Mr. Bucci Jr. - And honestly, I'd like to really see, you know, the history of mining in the area, highlighted there to remain relational. A lot of different ideas about how to best to do that. Just so much history here. You know, I definitely want to make sure that's a high level.

Mr. Boyle - We wanted to introduce this conceptually and get some feedback. And leave that open to if you know, if Joe decides to add more informational kiosks in the back, I don't think I can imagine much opposition to that. I'm open to any suggestion.

Mr. McIlroy - So from a planning board perspective, and Carl could probably answer this for me, but for the gazebo and stuff that would just be a simple zoning permit or a building permit for that. It wouldn't require coming back to us?

Mr. Boyle - We probably would have to update that and get it on the site plan? I think we're going to show it. Okay, that we wanted to introduce it tonight and have this dialogue. We, honestly, we assumed it was going to be well received. And if that is the case, we'll get it on the site plan.

Mr. Bucci Jr. - wanted to brainstorm some of these ideas, like I, you know, really wasn't able to focus on until the last couple of weeks. I have collaborated with some guys that I've worked with that are sharp guys, and are much more outdoors people than I. That's why it's kind of coming late.

Mr. McIlroy - As far as food trucks that and our code, how does that? How does that fall?

Mr. Boyle - They need a permit for a special event, we would they of course, would have to get that.

Discussion on food trucks where everyone was talking over the other person and it was not clear who was saying what.

Mr. Boyle - I think if and when the trails are completed and brought on the site, I would imagine at that point, we might even come back and look for additional improvement, I think, around the dialogue that we're discussing, like the designated parking area, and who food truck power and bike racks. Right. If the if the trail system comes to the property that would be that would be a completely separate and distinct dialogue.

Attorney Hopkins - So can we circle back to process quickly for a moment because I think that's where and I know Lance and Jim have spent a lot of time preparing for the meeting so that we can cover the comments. But so, I think what we said is we're ok for sketch plan, again, it's not an approval, just that initial hurdle about general consistency with the comp plan, we want to make sure. So, the second step is, as both Lance and Jim have spent time primarily Lance on this topic, preliminary site plan application, I want to come back, there's definitely a couple of additional pieces of information that we need. I just want to circle back and make sure we leave here today with a clear consensus of what that is. So, Lance, if you'll let me take a shot at it. I'd welcome to chime in number one completed ag data statement should get emailed to you, but make sure it's there. Number two, you see that we've submitted a color rendering plan that was said by TRM architects an architectural firm in Buffalo that we work with all the time. The question is, is that enough for you also want to see it dimensioned elevation points? We've got it sounds like okay, so Tim, do we have that?

Mr. Boyle - No, I have the other three sides of the building from a rendering, but I can certainly add dimension. Yeah, they want a dimension elevation? Okay, I agree.

Attorney Hopkins - And I did check. But we did ask when we filed the application. I don't believe that site plan application was online. I looked when you brought it up. There is one now

Mr. Boyle - we needed the zoning referral form not a site plan application. Now that it's there. We'll fill it out.

Attorney Hopkins - I think I think those were the three additional pieces of information, plus any changes you want us to make to the actual site plan drawing? There's a couple of things. Let me just get the plans. I can go over what I think we need. So based on the input that we received tonight, here are the things I think we need to show on. Number one, we need to get you first of all a detail for the scale and dimensions. Number two, label the setback of the ordering facility for the drive thru for the convenience store building. Nothing, not amplified. Okay. So, provide that we're going to look at the setback of the diesel canopy, or we think we're going to move in to comply with the 50 feet. And then I think that was it. I think that summarizes the scale.

Mr. Boyle - if we do have plans for back here tomorrow for recreational use, right, and possibly designated some parking in the future, I think what the scale there, but let us review it. And the bottom line is, I guess it comes down to your interpretation, isn't it? Is it a structure? Right? If it's a structure, have to be 50 ft away or we have to seek a variance? Right. Our preference would be to avoid the variance. The scale is a very high demand. And I sent you a picture while we were talking. Yeah, but I mean, literally, it's the height of a curb. The only thing above ground is the sign that goes the yard sign that goes over it. So we'll share that detail. And we'll have some internal dialogue about you know, and I

certainly think we might have to shift the dumpster a little bit. If we're going to move that canopy over. That's okay. We would have some discussion internally about moving it somewhere anyway.

Attorney Hopkins - then I guess the question is for Lance. For purposes of just these minor changes, would it be okay knowing the plans will get updated again. Just to just to focus on this drawing, rather than having to go update the whole set and everything else, meaning just drawing, see 100%

Mr. Brabant - of all the drawings or the preliminary checklist requirements. And then print the details.

Attorney Hopkins - we'll do that. I'm saying this change in the any details.

Attorney Campbell - I think that's fine.

Attorney Hopkins - Yes. And there'll be a new data report.

Mr. Boyle - Right. So we will add the detail for the scale, we will move the canopy, we will add the detail in the back with the gazebo and the bike racks and the grills and the tables and things that we discussed

Attorney Hopkins - elevation plans, ag data statement and site plan application?

Attorney Campbell – asked Attorney Hopkins, since everything is piecemeal and not coming through all the time, to put together one complete package and send it to the town so everything was altogether.

Attorney Hopkins – We can do that

Mr. Brabant - I can confirm what I have but not what town has. And so by doing that, that would have everyone on same page.

Mr. Dermody - a question when we refer to the traffic study, which one? Are we referring to the one that you had done earlier? And year?

Attorney Hopkins - we're referencing the traffic impact study that was done by SRF reputable traffic engineering firm out of Rochester, New York. There's also in the comprehensive plan dimension to the Transportation safety plan for 2018 and that's what specifies pedestrian improvements.

Mr. Boyle - And then there was a supplement to the traffic plan that was done by SRF. That designed all of those pedestrian improvements for the intersection, the crosswalk details, the signage, the signal, the ADA ramps with the notifier.

Mr. Dermody - We haven't gotten a copy of that right?

Attorney Hopkins - So let's go back in time. So in February, we discussed those pedestrian enhancement improvements. immediately thereafter, we reached out to SRF. associates, they preferred our traffic impact study, they reached out to do it, they got a proposal, evaluate those It was literally 18 or \$20,000. It was big proposal we hired them to that proposal, and they evaluated discussing with you okay, now we've implemented on our plans.

Mr. Boyle - And they've submitted the detailed to the DOT.

Attorney Hopkins - I don't think that's been submitted to the town.

Mr. Boyle - It has not.

Attorney Hopkins - so we will provide a copy of that to the town.

Mr. Boyle - their actual report, which is painful, it really talks about the fluorescent colors, right? And it talks about the know the ADA details and the elegant and all the greater the ramps and things, you know, it's all the deflect is all incorporated into our fully engineered site plans

Attorney Hopkins - and going to be paid for at the project sponsors cost. Remember all these the need for those improvements long predates our project?

Mr. Boyle - Planning, we're solving the problem.

Attorney Hopkins - And Lance another thing I know you've only had a short period of time to take a look at all the other technical documentation if you do have input that we need to consider. Get it to us. You know, we'll keep taking into consideration

Mr. Brabant - That's my priority based on last review application. Just make sure to study required variances. You guys don't get surprised by us saying, hey, there's a variance that we're going read. So that we have one complete application going through that.

Mr. Boyle - like with the diesel canopy, if there's a way for us to solve it, by moving by shifting some improvements as opposed to seeking a variance, we, we that would certainly be our preference. But we'd have to talk about it with the team.

Mr. Brabant - I know, I will most certainly do a review now of the code, we send the code now provide my feedback back to the town staff to make sure that they have an opportunity to look at double check to make sure that they don't have any issues. The last thing will be an interpretation of the scale.

Attorney Hopkins - Right, we'll get you the information to enable that review.

Mr. McIlroy - So realistically that won't be until our next meeting.

Attorney Hopkins - here's what I'm thinking based on what we heard tonight. Sketch plan done tonight. I think we made some progress on our bid submission, we got some homework in front of us get the homework done. If it's done sufficiently, we can resolve whether or not there's need for any area variances. I'm hoping that your next month's meeting, you could authorize the revue of the coordinate environmental review, referral to the county planning board, etc., etc. if everyone thinks that works.

Mr. Wall - so when you guys are putting together the elevation plans used for the buildings, is there any way that you can do an elevation view at the intersection from each direction like maybe a car length back or something like a visual? Because you know that intersection is a huge safety issue. I'm thinking about sort of grabbing the right direction in this direction. Because you know, the plantings and a sign for it. I think it's going to create in kind of blind spots or anything that you just can't visualize right now.

Mr. Brabant - There's way to do an elevation basically to one or two buildings located across the street. There's an intersection somebody you're looking for a visual from oncoming and one on Genesee Street looking at the site from no problems we can look at is one I think this is a big one. Vertical, but either direction.

Attorney Hopkins - just asked to be tabled and leave left on the agenda for next month. Thank you.

Thank you for all your time. Thanks.

**Resolution**

Mr. Dermody moved to adjourn at 9:05 pm, Mr. Brightman seconded, all in favor, carried.

Aye – 4            Nay – 0

Respectfully Submitted

Donna Falkner

Clerk