

WEBSTER TOWN PLANNING BOARD MINUTES

PLACE: Webster Town Board Meeting Room 1002 Ridge Road

TIME: 7:00 p.m.

DATE: 6 September 2022

PRESENT:

Anthony Casciani, Chairman

Dave Malta, Vice Chairman

Mark Giardina, Secretary

Derek Anderson

John Kosel

Derek Meixell

Kyle Taylor, Attorney

Jennifer Wright

Josh Artuso, Director of Community Development

Katherine Kolich, Recording Secretary

ABSENT:

Pledge of Allegiance

Anthony Casciani: Welcome to the September 9, 2022, Planning Board meeting. We have 3 items on the agenda tonight.

Summary overview of outcome:

1870 LAKE ROAD-GARAGE

Applicant: Peter Gerritz

Status: **APPROVED W/ DRAWING # 1152-4 DATED 12.15.21. WITH CONDITIONS: FOR PERSONAL USE ONLY; NO COMMERCIAL OR RESIDENTIAL USE; TO ADHERE TO CODE 225-36.**

1114 PARKSIDE DRIVE-ACCESSORY APARTMENT

Applicant: Michael Kadysh

Status: **APPLICATION DENIED: APPLICANT NEEDS TO REDESIGN TO REFLECT JUST IN-LAW SPACE AND LIVING SPACE.**

1013 RIDGE ROAD-SPLASH CAR WASH

Applicant: Splash Car Wash

Status: **PRELIMINARY APPROVAL GRANTED. APPLICANT TO SUBMIT MATERIAL SAMPLES, LIGHTING CUT SHEETS & FIXTURES; ITEMIZE WHERE ALL THE SIGNAGE WILL BE PLACED; INCREASE LANDSCAPING/PROVIDE RENDERING; ENHANCE FRONT OF NORTH / SOUTH ELEVATION WITH STONE.**

(Mark Giardina read the first application):

1870 LAKE ROAD ACCESSORY STRUCTURE: Located at 1870 Lake Road. Applicant Peter Gerritz is requesting **PRELIMINARY / FINAL SITE PLAN APPROVAL (PUBLIC HEARING)** associated with the construction of a 960 SF accessory structure on a 5.16-acre parcel having SBL # 037.03-1-40.2 located in an LL Large Lot Single Family Residential District under Sections 225-36 and 228-10 of the Code of the Town of Webster.

Appearing before the board was Peter Gerritz at 1870 Lake Road.

Anthony Casciani: You are in for an accessory building, and you were in for sketch plan review, and you went to the ZBA for the location, so you are set with that, and we have looked at your drawing of it and I don't recall having any issues with it. Again, this is a public hearing if there is anyone wishing to speak for or against this application. Not seeing anyone, we will bring it back to the board and close the public hearing. We went through it all and saw it. It meets all the requirements.

Derek Anderson:

RESOLUTION

Town of Webster Planning Board considered the request by Applicant, Peter Gerritz to construct a 960 square foot accessory structure on a 5.16-acre parcel having SBL #037.03-1-40.2 located at 1870 Lake Road.

The Planning Board classifies the proposed action to be a Type II Action under Section 617.5(c)(12) of the State Environmental Review (SEQR) Regulations and therefore is not subject to further review.

RESOLUTION 22-081

Derek Anderson made a motion to **TYPE II SEQR** which was seconded by Derek Meixell.

VOTE:

Mr. Anderson	AYE
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE
Mrs. Wright	AYE

RESOLUTION 22-082

Dave Malta made a motion for **PRELIMINARY APPROVAL:** Located at 1870 Lake Road. Applicant Peter Gerritz is requesting **PRELIMINARY / FINAL SITE PLAN APPROVAL (PUBLIC HEARING)** associated with the construction of a 960 SF accessory

structure on a 5.16-acre parcel having SBL # 037.03-1-40.2 located in an LL Large Lot Single Family Residential District under Sections 225-36 and 228-10 of the Code of the Town of Webster. which was seconded by Derek Meixell.

PRELIMINARY APPROVAL CHECKLIST

1. Subject to PRC Comments
2. Subject to the determination of the ZBA for requested variances.
3. All the improvements shall be constructed according to the specification of the Town of Webster.
4. All site work is to be in compliance with the standards of the Town of Webster.
5. Comply with all requirements of any Federal, State, County, or Town agency.
6. Approvals are subject to Drawing No: 1152-4 Dated: 12.15.21
7. Proceed to Final Approval
8. To comply to code 225-36.

VOTE:

Mr. Anderson	AYE
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE
Mrs. Wright	AYE

RESOLUTION 22-083

Dave Malta made a motion for **FINAL APPROVAL:** Located at 1870 Lake Road. Applicant Peter Gerritz is requesting **PRELIMINARY / FINAL SITE PLAN APPROVAL (PUBLIC HEARING)** associated with the construction of a 960 SF accessory structure on a 5.16-acre parcel having SBL # 037.03-1-40.2 located in an LL Large Lot Single Family Residential District under Sections 225-36 and 228-10 of the Code of the Town of Webster which was seconded by John Kosel.

FINAL APPROVAL CHECKLIST

1. Subject to PRC comments.
2. Subject to Preliminary Approval Conditions.
3. Subject to all applicable governmental fees.
4. Subject to Department of Public Works approval
5. Significant construction shall occur within one year, as deemed by the Planning Board, to expire on 9.6.23
6. Subject to resolution of the final approved minutes.
7. For personal use only; no commercial or residential use.

VOTE:

Mr. Anderson	AYE
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE
Mrs. Wright	AYE

(Mark Giardina read the second application):

1114 PARKSIDE DRIVE ACCESSORY APARTMENT: Located at 1114 Parkside Drive. Applicant Michael Kadysh is requesting **PRELIMINARY / FINAL SITE PLAN APPROVAL (PUBLIC HEARING)** to legalize an existing/unpermitted accessory apartment on a 0.73-acre parcel having SBL # 093.07-1-53.1 located in an R-3 Single Family Residential District under Sections 225-49.1 & 228-10 of the Code of the Town of Webster.

Appearing before the board was Michael Kadysh and my personal address is 67 Horizon Drive, Rochester, NY 14625, and this is for my younger son, Edward who purchased this house and we would like to make it legal this structure that is already pre-existing. I just want to make legal.

Anthony Casciani: Ok, what is your goal? What are you ultimately trying to accomplish with it? I know it has been there; the structure has been there; the garage has been converted and so on in the past but where are we today?

Michael Kadysh: I live about 5 minutes from the house for over 25 years and my son lives in Webster and less than 5 minutes from the house. So, when we seen the house and we think it would be a great place for my younger son so all of our family would be close by together and also the initial intention for what we seen in the house especially for our family in the Ukraine who would like to come here and my son would move there with his fiancé whom is pregnant and this would be enough place for them and his family to stay there a year or two or whatever it needs to be and we see this house as a great place for them to live. Like I said, we are in very close proximity, and it is a great community.

Anthony Casciani: So as near as I can see I think what you are trying to accomplish is to call it an accessory apartment building.

Michael Kadysh: Yes, correct.

Anthony Casciani: Alright and there is a part of the code that relates to that. I think I read somewhere that there are two front doors.

Michael Kadysh: Yes. The accessory apartment only one. In the whole building three.

Art Kadysh: In the whole building it has three. There is the main entrance to the main building and then there is one common hallway and one for the accessory apartment.

Anthony Casciani: Oh, so there is three.

Art Kadysh: Yes, correct.

Anthony Casciani: So, what are we making, three apartments?

Art Kadysh: Why three apartments? It is one main building and then there is a hallway. There is a front door to the main building and there is a door to the hallway. It is like a common area and then there is a door to that accessory apartment OR the existing structure.

Dave Malta: Can I ask you a question? How long ago did you buy this house?

Art Kadysh: He bought it two months ago.

Dave Malta: Was it sold to you as a multi-family home?

Art Kadysh: No, it was not sold as multi-family home.

Dave Malta: And you understand that it is in a residential district, and it is not allowed multi-family homes.

Art Kadysh: Yes

Dave Malta: Well, what you are proposing to use is this is a three-family home.

Art Kadysh: Ok, there is a main structure, and we are planning to put family members from Ukraine in there and it's a big enough house and that is why we are going to do a separate accessory apartment from the main building, so they have separate and then the main building is going to be for my brother.

Dave Malta: To be building is two apartments.

Art Kadysh: It's not really two apartments.

Anthony Casciani: I don't want to drag this thing on all night. I know what you are talking about, and I hear you. I think you need to have a good clear definition of where the floor plan. I am looking at what you have here, and I am totally not understanding it and the other issue I have with it, I read somewhere where you want to put another electric system in there?

Art Kadysh: Yes.

Anthony Casciani: Why?

Art Kadysh: First of all, it is not enough power.

Anthony Casciani: What do you mean it's not enough power, won't RGE hook you up with more power?

Art Kadysh: Maybe, I don't know.

Anthony Casciani: I would think so because part of the restriction in the accessory buildings code is that there is... you can have like an in-law apartment...

Art Kadysh: Yes, and that is what I want

Anthony Casciani: But there are restrictions. The one front door in the front, ok, that can be waived to say you have two doors not three and the other thing I think you need to look at is you are putting electric in, why would you put electric in and not gas.

Michael Kadysh: INAUDIBLE electric, me personally, I didn't know if we can put a 400-amp service INAUDIBLE and I didn't know that and that is why we are asking for...

Art Kadysh: They are asking why we want to go with the electric. This is one of the options we are considering right now because of what happened. They had a water boiler system in it, and they cut, when the bank owned it, they cut all the wires off of it and one of the options that we thought of is electric because it would be the easiest to install and, in the future, maybe put-up solar panels up to off set that. That is one because to put regular HVC system in there is going to be very expensive and running duct work and so on so instead of putting money into that it might make more sense to put into solar panel and then use electric base heaters. Again, we are not completely sure of which route to go, we are just thinking after the year to kind of figure out what the best options are for us. Put three HVC systems and run duct works everywhere, it comes out to over 20,000 dollars so we wanted to make sure what the best options would be for us. This is the thought.

Anthony Casciani: I think what you need to look at somehow as best as possible, no more than two units to go in there and it could be considered an in-law apartment, but you need to do some homework on this thing because I am totally in the dark with this, the way it is shown here. I think there has to be some conformance with what the code says to. You can't just go do whatever...

Art Kadysh: Oh, we understand and like I said, it's in the process to figure which route.

Anthony Casciani: The intent with that type of a structure in a residential, R-3 neighborhood is to have like an apartment for your mom or dad or relatives and in this case, relatives but it has to conform to what the code says. And the reason for that, open inside, no partition walls it all has to be open. You have to be able to go from one side to the other.

Art Kadysh: Yes, ok.

Anthony Casciani: Ok so you should have a drawing showing how that is going to work.

Art Kadysz: Ok.

Dave Malta: The way they have it drawn, it is very, very clear to me that this is a three-family home.

Anthony Casciani: That is what I am saying.

Dave Malta: This is a three-family home in a residential area and not zoned for multifamily.

Anthony Casciani: That is why I am saying we need to have a drawing showing no more than two units and then to conform with what the code says under accessory apartments.

John Kosel: Isn't there a maximum square footage for 750 square feet for an in-law apartment.

Anthony Casciani: I have to look in the code.

Josh Artuso: It is 35 percent of the gross floor area of the principle dwelling or 750 square feet which ever is less.

Anthony Casciani: So, they are going to have to determine what part is the main section of the house and what part is the 35 or less percent.

Derek Meixell: I think we also need a nicely detailed floor plan.

Anthony Casciani: Well yeah, that is what I am asking. This is not really making it here. Ok, lets back off now unless you guys have something else. We can open it up. I am going to guess a bunch of you are neighbors and here is what we will do, I am going to ask that you be courtesy and AUDIENCE MEMBER SPEAKING OUT. Ok, will open it and who ever wants to come up and speak and come up to the podium and say what your feeling are and just don't repeat the same thing over. We are pretty aware of what is going on.

JAY SCOTT AT 1109 PARKSIDE DRIVE: I live kitty corner to the property and let me start off by saying, Webster is where life is worth living..... I am a transplant from Genesee County, and I moved into my neighborhood after doing multiple times of research to meet neighbors and other people that live there. I work for the Sherriff's office, and I don't want a flop house next to us. We have enough problems with people breaking into cars throughout the summer and other issues. We do not need an apartment complex in our neighborhood. Our neighborhood is family. I trust my kids riding the bikes; walking the dogs; there is not one of these individuals sitting here right now that will look out for my kids. I happen to know personal business that there are crack houses out on Bay Road and other stuff like that and I am not labeling that as this... I do not want those people in our neighborhood. I moved into a neighborhood from in an environment where I grew up with nothing around me, no neighbor. I am not afraid to leave my door unlocked and ask my neighbors to let the dogs out if we are gone and that type of stuff. What I am afraid of is the quality of people that will be coming in this neighborhood. We have an issue with people speeding. We live on a blind curve. My son almost got hit the other night

by some knucklehead driving like an idiot I mean we are on a cut through from a major road to Old Ridge. We don't need to add traffic.

Anthony Casciani: I think I got your picture. We are good.

JAY SCOTT AT 1109 PARKSIDE DRIVE: my feeling is, it is a single occupancy house, lets keep it like that.

Anthony Casciani: Ok, thank you.

MEGAN SCOTT AT 1109 PARKSIDE DRIVE: I am associated with him. First, I want to thank you guys for trying to make something out of that property and it has been vacant for 8 years now and the last 8 years, myself along with the neighbors have mowed the lawn; done the leaves; called the cops because there have been people squatting in that house and went in and got rid of fox dens that have been implanted into that house. It's been a rough go. I am from Fairport originally where my husband always says the lawns are clean and no dandelions and what not so, I take pride in have an esthetically nice neighborhood. Right now, there is a pile of brush that has been sitting on the front lawn along the road for the last two and half months... I don't want to look at it anymore. We have called the town, it's a blind curve that is one more visual disturbance that drivers are seeing. That brush, that pile keeps growing bigger and bigger and for you to come into our neighborhood and do something like that when the town has asked you to pick it up, to me that is nothing but a slap in the face and as my husband said, we are a community, we are a family, we value our relationships with each other and we just want to ensure that the individuals that do move into our neighborhood are able to feel as welcomed as we all feel when we interact and engage in our neighborhood.

PETE DEMARTINO AT 1110 PARKSIDE DRIVE: I just have a couple questions, Edward Kadysh is the owner on record and neither of these are Edward, why is that?

Art Kadysh: He works the night shift.

PETE DEMARTINO AT 1110 PARKSIDE DRIVE: This wasn't important enough for him to be here? Well, I feel if he is the owner, he should have taken a night off to be here to represent himself. He signed a document saying he is going to be an owner/occupant, so we are a little concerned based on how he came into the neighborhood, how it is looking out front with all the rubbish out front that hasn't been addressed and I guess if he signed a statement saying he is going to be owner/occupant, where has he been since May 12th when he closed. It would seem we would want to get that property habitable and ready to go. Without him here I guess we can't ask those questions can we.

Anthony Casciani: Well, what would be your question specifically?

PETE DEMARTINO AT 1110 PARKSIDE DRIVE: He stated that he is going to be the owner/occupant so we have other family members here and he should be here representing himself and what his intentions are.

Anthony Casciani: Who is the actual owner of the property?

Art Kadysh: Edward is, and he is going to live in the main building with his soon to be wife
INAUDIBLE (he is not at the mic)

Anthony Casciani: Ok, you don't need a story. Ok, so he is going to be living there.

PETE DEMARTINO AT 1110 PARKSIDE DRIVE: At this point to we have concerns if their rehabilitation schedule is already five months into it and the house looks worst.

Anthony Casciani: Ok, we won't get into it, I got what you are saying, and I don't want to get into the esthetics right now. We will deal with the other issues first.

PETE DEMARTINO AT 1110 PARKSIDE DRIVE: I guess my biggest concern if he is going to live there with other family members, I'm all for it but I am concerned that he doesn't have the resources to finish the project properly and that it is not going to turn back into a rental one or two years down the road.

Anthony Casciani: Ok, I think we are getting the gist of what you guys are standing for here.

JOHN FALCO AT 1099 PARKSIDE DRIVE: I lived there for 43 years and just give you a little background that house that we are speaking about was a, a family owned it, they converted the two front garages into an apartment with an addition in the back for an in-law apartment which we are ok with that. It was the mother and the father had passed the mother came in and the family was there and it was there like that for thirty some years that I know of and it was after the one member died I don't know what perspired but I know the whole thing become unoccupied for over 8 years and now we have this other predicament on our hands but going back as a residential community it was built residential property with apparently the permission to put an in-law apartment. We have no problem with that but that is as far as we want to go. That is our neighborhood and if anyone wants to put together something else, that is not the neighborhood.

Anthony Casciani: I think what we are seeing here and just one second, my mind slips away sometimes with this stuff. If we kind of focus on this thing being a duplex, I mean an In-Law apartment something like what the gentleman just said would that be acceptable to people going in that direction? It's already there, we have to live with this. No talking just a yes or no right now.

AUDIENCE: Yes

Anthony Casciani: In-Law or a family member or it can be either way.

MEGAN SCOTT AT 1109 PARKSIDE DRIVE: My concern and I think it is the concern of many of our neighbors is that there are many properties on file that your family owns and rental properties, am I correct? So, you purchased this house knowing it was a single family with the possibility an in-law and residential apartment and being the nosey neighbor that I am,

SOMEONE SPEAKING...NOT AT THE MIC: INAUDIBLE

MEGAN SCOTT AT 1109 PARKSIDE DRIVE: So, I went over and spoke to the construction workers, hey what are you guys doing... We are putting in three apartments. Ok and that is when the phone calls started and then you gentleman having multiple properties you should have had the knowledge to know that what you were doing was illegal when it comes to the code of the town. If you are going to change a single-family dwelling and try and convert it into a three family apartments, you need permits to do that. I don't know anything about real estate, and this is my first town hall meeting speaking and I don't know anything but I do know that codes and permits are put in place to ensure that a situation like this doesn't get to this so I feel like there is a ton of red flags being waived and all of this was kind of being done without the towns approval on what was really going to take place here. There were three families living in that apartment illegally 8 years ago but there were three families there.

Anthony Casciani: How long has there been three doors in the front?

INAUDIBLE: NOT AT THE MIC

Art Kadysh: We removed one garage door that was there, and it is basically like siding and we fixed it up with siding. First of all, maybe we made a mistake that we should have come by and say hello and explain what we were doing INAUDIBLE I understand the concerns that people have completely and their place I would probably have the same concerns. My brother is going be owner and occupy. We have two families in the Ukraine that one is on our side, and one is my brother's fiancés side and intentionally in the beginning are moving in because of the situation.

Anthony Casciani: Alright. I think what we have to do, and we can go on all night with this, we are just going in a circle with it. My opinion, you guys tell me here, should this be looked at as an In-Law apartment for starters with just two units?

Dave Malta: It's a single-family home with an In-Law apartment.

Anthony Casciani: And that is the direction we should head in.

Derek Anderson: Unfortunately, the plans that we have show otherwise.

Anthony Casciani: Forget all this. When you come in you need to have drawings, showing architectural drawings, get an architect to come over and lay it out and make your apartment, or your brother's apartment or whoever, make the apartment that the other part of the family is going to live in so it's two families, not three, two. I understand that the are coming from the Ukraine and God bless them that is a sad situation all together, but we have to go by what the

book says here. You have two families in there and you have one main front door and in case it's an extreme case, there is another exit that might be able to work out if the board goes along with that. You need one service going in gas and electric not two. You can not make separate meters and the interior when he designs these, the interior of the building, the architect, it needs to be designed so that there is cross access from one to another because you can't have a wall like an apartment, so it has to be family.

Art Kadysh: Understood.

Anthony Casciani: Well, if you understand then we are good. That is the direction that we have to go.

Derek Anderson: Can I have one point of clarification? In the beginning you had this whole dialog about family members or whatever and the youngest one is going to live there, are you the youngest one?

Art Kadysh: No, Edward.

Derek Anderson: Ok, so he is the one that didn't bother showing up tonight.

Art Kadysh: It's not that he didn't bother, he didn't show up because of work and just started a job.

Jennifer Wright: I think it's acceptable if he if he has a job and can not make it and is being represented. I think the biggest thing is the intent and a lot of things with intent is the original intent is one thing and then it changes into another thing so it is important and I think the conversation has been that it is aligned with the town code and it is an In-Law apartment but it does sound like if I heard you correctly, that there is three families because it will be his family, him and his fiancé and baby and then a whole family from her side and a whole family from his side so that is three families. This is designed to look like three different apartments.

Art Kadysh: Again,

Anthony Casciani: We already established that. There is only going to be two.

Art Kadysh: I completely understand like I said, per code it is supposed to be accessible from all and this is exactly how it is right now. Like I said, our intent is not to turn it into a rental. As you guys found out, we have enough of those. My brother is going to live there. That is what we do. I bought my own property, bank owned, my family lives there and this is my brothers first house and that is why we are here. You probably don't even see him except sometimes on the weekends doing the landscape outside and I am out there most of the time fixing up the place with my guys. Again, I am trying to help INAUDIBLE

Anthony Casciani: Alright we got it. You keep repeating it over and over. Lets' get a census here, what are you guys feeling do we head in the direction of what the code says? Ok, no more than two units and has to be a family member in the second unit; one service for the whole

building and then conform with the code. Ok, so you need to have an architect come over and draw you up some drawings.

Art Kadysh: INAUDIBLE drawing on a program that will be very clear for you like architect.

Anthony Casciani: What's that?

Art Kadysh: If I use an app instead of using an architect, I can make it very clear for you, would that be, ok?

Anthony Casciani: Yes, that is what we need to have. An architect drawing, that is what we get when we get these type of projects.

Jennifer Wright: He is stating that he wants to do it himself.

Anthony Casciani: No, you have to have an architect the drawings. What we get is a set of architect drawings that come in. You have them draw it and stamp it and say this is what we want to do. It's like building a house. Because when you remodel, we don't know what you are doing with your rafters or your baring walls. It's a whole different ball game.

Art Kadysh: I understand what you are saying.

Dave Malta: Hey Josh, we any permits issued for this? As far as renovation is concerned.

(BOTH PARTIES SPEAKING AT THE SAME TIME)

Art Kadysh: INAUDIBLE permit for INAUDIBLE and we ask for another permit.

Josh Artuso: Yes, the did inquire originally with the town and our original answer was that a building permit was not needed because we were led to believe it was mainly cosmetic changes however when we started getting additional phone calls and have staff drive by it did rise to the level of needing a building permit so we did reach out to them last week and asked them to cease all work until we get this straightened out but yes, they intend on submitting a building permit for the work.

Anthony Casciani: Alright so,

Art Kadysh: INAUDIBLE what we did is outside stuff and before I didn't know you guys had this condition.

Anthony Casciani: You have to address the board.

Art Kadysh: I am trying to communicate. When we stopped by again, this is a pretty big house and in the main building we basically don't do any changes except cosmetics and in the accessory apartment, we added closet and this is where we came to ask for general remodeling

permit and we were told after this hearing, we can take this. While we were working, we got a stop work order regarding the garage door that was removed like I said, it was siding.

Anthony Casciani: It wasn't just for the garage door.

Art Kadysh: This is what I understood when I spoke to the INAUDIBLE (EVERYONE SPEAKING AT THE SAME TIME)

Anthony Casciani: I am going to suggest that you table this and get some drawings and you might want to outline what he needs to do. What you might want to do is get a copy of the code from the town and read it for an accessory apartment or get an architect and let him do it. Let him get a copy and they are well aware of what the program is and then you go by that. You can lay it out how you want to lay it out. There are two apartments, there is an In-Law apartment connected so on and so forth. Go by the code ok, do you want to do that?

Art Kadysh: Yes

John Kosel: Wait, you said two apartments.

Anthony Casciani: Well, one apartment. I meant two units.

Derek Anderson: I want to ask you one question though, you said you did cosmetic changes to the main building did you remove the full kitchen and bathroom from the basement of the house?

Art Kadysh: From what?

Derek Anderson: From the main portion of the house?

Art Kadysh: Well,

Derek Anderson: My understanding is the main portion of the house has always been since day one of being built of having an entire bathroom and kitchen in the lower level; bathroom and kitchen in the upper level and a bathroom and kitchen in the accessory apartment.

INAUDIBLE: BOTH PARTIES SPEAKING AT THE SAME TIME.

Art Kadysh: INAUDIBLE I put new one there.

Derek Anderson: So right now, as it stands has three separate living units, lower level of main building; the upper level and the accessory building.

Art Kadysh: You enter from the front door, and you go down from the INAUDIBLE. I really don't understand.

Derek Anderson: Upstairs, is it a complete living area? It has kitchen, bathroom, living room?

Art Kadysh: Correct.

Derek Anderson: You go down the stairs, kitchen, bathroom, living room, bedrooms. It's a mirror image of upstairs.

Art Kadysh: It is a little bit smaller.

Derek Anderson: You also have this full unit off to the south side of the garage which has kitchen, bathroom, living room, bedrooms. These are three living units in one building, and you said you did cosmetic changes to the first building. What Tony is saying is that the architectural plans that came in show one kitchen and however many bathrooms you want in the main building because that is going to be one family that lives in the main building and the accessory apartment is for the other family members, that is what the accessory apartment is.

Art Kadysh: Ok

Derek Anderson: They are interconnected, all three spaces are interconnected on the inside. You eliminate one of these doors because you don't need three doors for two places.

Art Kadysh: One door to the main building

Derek Anderson: You eliminate one of those doors from the outside. You do not need three exterior doors for a two-unit building. The second unit in this thing is an accessory apartment to the main dwelling. The main dwelling has one family. The architectural drawings that you will bring back, that are prepared by an architect will show one building, the main building, one family unit and an accessory apartment next to it.

Art Kadysh: Ok.

Derek Anderson: Those are the drawings that Tony is saying, you are bringing back. It is not going to be a drawing that shows three separate living units. One main unit and one accessory apartment. Exactly what the code says. Until that time, this entire application, it's not just tabled it's withdrawn, denied outright and all work stops and keep in mind, I live around the corner from this house I know all these neighbors, we know what is going on. We know there has been work going on since the stop work order.

Art Kadysh: I called, and I did not just continue on my own.

Derek Anderson: No, don't even say it. This is what Tony is requesting from you and this is what you will give us. Right now, this application is not being put on hold, this is being denied. I would put forward INAUDIBLE

Anthony Casciani: Can you have an In-Law apartment; I think you can have a separate kitchen though.

Derek Anderson: The In-Law can have a separate kitchen and the main unit can

Anthony Casciani: Yup

Dave Malta: This is a raised ranch right, now I have built raised ranches where I have had one family on the top floor and an In-Law on the bottom floor which would be fine with this. All you have to do is eliminate the accessory apartment outside but like he says two units and that's it.

Anthony Casciani: Alright, I will make a motion

RESOLUTION 22-084

Mr. Casciani made a motion to **DENY APPLICATION WITHOUT PREJUDICE** which was seconded by Dave Malta.

VOTE:

Mr. Anderson	AYE
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE
Mrs. Wright	AYE

Anthony Casciani: The applicant is to have an architect redesign the building with one main quarters and one In-Law Apartment and no work to be happening on the building because you can't do anything until you have the architect.

Derek Anderson: You also have to get rid of the brush that is in the yard and get rid of all the INAUDIBLE in the front yard and the pile of lumber which I don't know where that came from INAUDIBLE. Take care of it, we are done.

Mark Giardina read the third application):

1013 RIDGE ROAD-SPLASH CAR WASH: Located at 1013 Ridge Road. Applicant Splash Car Wash Inc. is requesting **PRELIMINARY / FINAL SITE PLAN & SUBDIVISION APPROVAL (PUBLIC HEARING)** associated with the construction of a 7,000 SF car wash facility on a combined 2.16-acre parcel having SBL # 079.15-1-16.003 located in an MC Medium Intensity Commercial District under Section 228-10 of the Code of the Town of Webster

Appearing before the board was Ed Martin with INAUDIBLE and here tonight also is Dave Clemence representing the applicant and the Architect, Jeff LaDue. Mr. Giardina read the application fairly thoroughly and I am sure you are familiar with the site. It is across the road and opposite Wendy's immediately south of 104. The proposal is to construct a 7000 square foot car wash. We are going Splash Car Washes all over New York State and there is a very aggressive plan that they are pursuing, and I will invite Mr. Clemence forward to answer any operations and I think you will find that he knows more about the car wash industry and business from construction to operation than anybody you have met, and he has been involved to 25 plus years in that endeavor. The engineering is very straight forward, and I trust you had a chance to review the plans. We have proposed ingress to the site at the southeast corner and we maximized

stacking on the site for well over 70 potential cars on site stacking to either utilize the single tunnel or the two pull through car washes immediately to the west of the tunnel. Typical infrastructure for this is public water sanitary sewer with grid and oil and water separator. Drainage will comply with DEC stormwater permit and that is a source of discussion with the town, and we understand that there is history to the development of this and the construction of the pond that is immediately southeast of our site. Chairman Casciani I was wondering if maybe you had some insight to this from when the camp proposal went through and the storm water proposal is to treat green infrastructure practices on site, and we are planning to use the existing pond for detention. We are waiting for specific feedback on the original engineers, and we reached out Prone Engineering on that and Josh, I don't know if you have anything in the file on that, the original engineering, that would be helpful. We could provide it on site but as you could imagine providing detention on low surface is quite expensive and with that pond immediately south of our site, which we are confident it is designed for development for this site, and we want to make use of the detention in that pond.

There is some discussion about the egress from the property to the east and I understand that the property owner and the applicants have been in touch with them and that there is no legal easement for that parking across the north section of our site that is to be removed and there is not a direction connection between our property and there's. We have provided typical landscaping and lighting and all lighting will be contained on site. We do have about a half of a foot candle near the perimeter. We suspect that it is acceptable to the town given that it is a commercial use but happy to make adjustments if you think that necessary. With that, I will be happy to answer any questions that you might have.

Anthony Casciani: The parking, just go back to that for just a second. Is that the lot line there, the property line or on it, how does that work?

Ed Martin: Parking to the east of us is on their property and there is about a 9-inch gap between our east property line and the west edge of their pavement so we can develop this without impacting that. The parking that I was referring to was along the north edge that is being removed. If you look at ariel you will see a bunch of north and south facing parking spaces and I am not sure who actually uses that. It is not part of an easement, and it is on this property wholly.

Anthony Casciani: On your line though, right?

Ed Martin: Not on the east property, those are on there property, and we are not impacting those at all. There is a gap between our property line and their edge of pavement. I think there was a misunderstanding of where that property line fell.

Anthony Casciani: Ok.

Dave Clemence: Representing Splash Car Wash. To speak to that, there was questions and again part of our due diligence before we even made applications to both Planning Board and Zoning Board was to investigate those things. Aerial maps and actually some of the software used by engineers showed that there may have been some encroachment from one property to the other to the neighboring doctor's site, Ocusight and as it turns out after we went and surveyed, there is

none. It was just an aerial depiction that was misrepresented and there is no impact to the east at all. As we discussed, when we went to the Zoning Board, we suspect that the owner and the developer of the property and trying to solicit a sale of this property 15 plus 17 years put that little stripe of asphalt in there to show it was kind of INAUDIBLE type ready for future tenant or developer. There are no easements and there is no legal position on that property. We have spent a lot of effort to clarify that and worked it out with the neighboring property owner which is Ocusight to the east and the asphalt will be removed. Our proposal is too INAUDIBLE and to use it for our own purposes.

Anthony Casciani: Did Josh give you a copy of the PRC comments?

Ed Martin: Yes

Anthony Casciani: Can you go through them?

Ed Martin: So, the first few bullet points aren't not actual questions they are notes. (SEE ATTACHED LIST OF PRC COMMENTS/NOTES)

Josh Artuso: I just want to clarify; what the intent of that comment specially was it is where the existing access drive parallel to Ridge Road that is being removed so when you come into the Wendy's there you are going to be removing that drive isle but there is no curbing being shown to stop anyone from entering into the car wash so that was the intent of that comment.

Ed Martin: Thanks for that clarification we will add that.

Ed Martin: (READ LAST COMMENT ON PRC NOTES) and the owner of that property is ok with that being removed.

Anthony Casciani: Ok, does anyone have any questions?

Mark Giardina: I just have, curiosity so maybe you can answer for me. Entrance and exit to this property to the car wash is going to be off of Ridge Road? Am I correct in that?

Ed Martin: It's on the existing road immediately west of us but into our property it is at the southeast corner.

Mark Giardina: And the NY State DOT has no comment whatsoever?

Ed Martin: Well, no because we are not doing any work in the right of way at all.

Mark Giardina: What about Monroe County?

Ed Martin: No comment from them either.

Anthony Casciani: It is designed actually to try and encourage traffic to go over to Shoecraft Road by way of the southern road there.

Cade Krueger <ckrueger@ddscompanies.com>

To: Josh Artuso <jartuso@ci.webster.ny.us>

Cc: Katherine Kolich <kkolich@ci.webster.ny.us>; Garrett Steiner <gsteiner@ddscompanies.com>; Ed Martin (DDS) <emartin@ddscompanies.com>; Mary Herington <mherington@ci.webster.ny.us>; David Clements <dclemen1@gmail.com>

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails. Contact support if you suspect malicious activity.

Hi Cade,

Please find the comments from last week's Project Review Committee regarding the Splash Car Wash proposal below:

3. 1013 Ridge Road – Splash Car Wash:

Community Development:

- Project received use variance from ZBA on 8/23 to allow car wash in MC district.
- Proceeding to Planning Board on 9/6 for Prelim/Final Site Plan approval.
- Proposing to utilize existing stormwater pond to the south to for stormwater runoff.
- Engineer's report submitted to Engineering Department for review.
- Submitted to Monroe County Development Review Committee; only minor comments received.
- NYS DOT had no comment on proposal, as there are no new curb cuts being proposed.

Per the topo survey done on the site, the property line does not split the westerly row of parking on the Occusight property. The parking spaces immediately east of our property are +/- 9" from the property line on the Occusight side. No easement or impact to Occusight parking is proposed.

Engineering Dept:

- Project will need a SWPPP due to area of disturbance exceeding Town's 25,000 SF threshold. Noted. The stormwater design is in progress, we are awaiting further design records for the regional stormwater facility that was built for the Camp Smile subdivision. We propose to allocate the portion of the stormwater from the project site to this facility.
- Is used water being recycled as a part of this operation? No water recycling is proposed for this site.
- Engineering report is currently under review. Noted.

Sewer Department:

- Sewer Department will need to televise in this area to determine if a wye exists on that parcel and if so, where it is located. Noted.
- Will there be any restrooms in the facility? Yes, there will be a single bathroom for the public / employees.

Highway Department:

- With elimination of cross access drive and associated asphalt along the north (connection to Occusight), curbing will need to be installed along east side of entrance drive in that location; not shown on proposed plans. Noted. Curbing is proposed in this area adjacent to the neighboring property.
- Has Occusight been made aware of the plans to eliminate northerly cross accessway? Is there any existing easement in place that will need to be modified or abandoned? The property owner and developer have corresponded with Occusight, no existing easements will need to be modified or abandoned.

A copy of these will be provided to the Board Members.

See you at tonight's meeting.

Josh



Josh Artuso
Director of Community Development
Town of Webster
1000 Ridge Road
Webster, NY 14580
(585) 872-7028

Dave Clemence: Again, consistent with the preliminary meeting from this board and even comments from ZBA and all the municipality officials that commented has led us to the path that access from the rear and encouraging people to split their ingress egress to either Shoecraft or Ridge and people decide what the best path is for them.

Dave Malta: So, the Ocusight, they are going end up having people come in from the south road, right?

Ed Martin: Correct

Dave Malta: Instead of coming across your property.

Ed Martin: Correct, they will likely access the same road as we will the west of our site and they will just bypass ours and they have a drive aisle that comes up the west property line.

Josh Artuso: I would just like to bring something up that I noticed, and it appears that there has been a change from the original concept that was sent into what we are looking at here tonight that might be a little problematic. I am trying to understand what was initially sent it showed a 20-foot setback from the Ocusight property which meets the 20-foot buffering between properties in the commercial district and I am not seeing that here on or within this plan set. It seems that something shifted

Ed Martin: Is that to a parking space? The setback that you are referring to.

Josh Artuso: The property line. So, the concept that I have here shows 20-foot green space in between drive isle and the Ocusight which is per code and then the one that we are looking at tonight, the drive isle is pretty much right up to the property line, so I am just wondering what changed. It looks like maybe the center landscape island was significantly reduced and the parking was shifted over

Ed Martin: I think we went with a double entry lane, and I think that is a single and it widens outs into two but. So, you are saying our east limit of pavement has to have a 10-foot setback to the property line?

Josh Artuso: No, it's a 20 foot and it's called a buffer area a 20-foot buffer area. Asphalt to property line.

Ed Martin: But it looks to me like Ocusight doesn't have that along the west boundary there.

Josh Artuso: That is true, and they may have gotten a variance for that when it was built, which we can look into. I just want to clarify that this plan set is the most recent and up to date.

Ed Martin: Yes.

Josh Artuso: So, we are going to have to look into what variance existed for the property next door but that poses a challenge and that is not to say you can't go back to the Zoning Board but

when we asked if there were any other area variances because we wanted to take care of it all in one meeting, we were told no other variances would be needed.

Ed Martin: So, I am told that we can modify that. You said it's 10 or 20, I'm sorry.

Josh Artuso: The requirement is 20 and you can ask for less than that.

Anthony Casciani: This is actually a PDD isn't it?

Josh Artuso: Yes, technically.

Anthony Casciani: So, if it's PDD I think there is some setbacks.

Josh Artuso: Yes, flexibility in that.

Jennifer Wright: What is all the parking for? There is a lot of parking.

Ed Martin: There are 22 onsite spaces for vacuums and for four additional spaces for employees. It is part of the operation of the car wash.

Jennifer Wright: Oh, so all those vacuums near the entrance that Josh is talking about, those spaces there are all vacuums or the ones up against the building are all vacuums?

Ed Martin: Yes, and yes. All but four of the parking spaces are for vacuums. **INAUDIBLE** and you can tell they are a little bit smaller and vacuum spaces are quite large. They allow for the extension to reach in.

Jennifer Wright: Just wondering if there is opportunity there because that is a lot of vacuum spaces for that kind of small space and usually when you have a flow of cars you don't have that many vacuum all at once.

Ed Martin: I will let Dave speak to that because he knows it quite well.

Dave Clemence: Yes, that is true. That is a lot of vacuum spaces but the current business model and they are free vacuums, all of our patrons, any of our patrons can use the vacuum service for free as well as cleaners and other accessories that we offer there for free so this is a pretty sizable car wash so we suspect we are going to have a lot of people using the vacuums and we don't want to have people waiting or queued up to get into a free vacuum space. The balance between those two things is what we are up against and that is probably why we shifted that road out. We just looked at that to accommodate as many as we could.

Anthony Casciani: You have a landscape drawing, and I am looking at here. Can you increase some of this stuff? They are like 15-18 inches high, and they are just little scrubs. The first guy with a lawnmower is going to take them out. In the entrance coming in, off of Ridge Road and you have a 20-foot setback from the roadway, correct? And I am looking at the drawings....

Ed Martin: So, you would like to see more INAUDIBLE and less of our building?

Anthony Casciani: Yes, and I am not a Landscape Engineer by any stretch but

Ed Martin: I am not either, but I can tell you we do have a sanitary lateral and INAUDIBLE that will go along that west side. We would be happy to increase it where we can, but we also want to show you something that is realistic and not make you think you are going to get huge aspens and Siberian spruces and things of that nature.

Anthony Casciani: A row of pines of something. Like 3–4-foot pines or arborvitae or something that dresses it up. It looks like... I'm looking at what is there, and it doesn't look like there is ... 15-18 spruce, that is not a very big juniper. The highest plant is 2 feet. I think there should be some serious landscaping done on it. Along Ridge Road there, that should have some trees put in there; some heavy vegetation and I will give you an example of one. If you look at Marina, Chrysler, Dodge, they have some nice trees and nice berm in the front and they maintain it very well. Something that is attractive from the road.

Ed Martin: We are working with H. Fisher on this INAUDIBLE (both parties speaking at the same time)

Anthony Casciani: Yes, you see what I am saying along Ridge Road there.

Dave Clemence: INAUDIBLE...NOT USING THE MIC

Ed Martin: There are a couple of easements along the north boundary so we could augment plantings in line with the plantings that are out there. There are like three clusters, and we can add to that.

Anthony Casciani: There was a time when we use to have Engineering give us a drawing and go through the whole thing and the landscaping to make it work. Yeah, show some landscaping that you are proposing to do and then some drawings showing it what it is looking like on a separate sheet because this is just ink blots, and it really doesn't look like much of anything. Back to the pond, I think when that was built and Josh you are going to have to look it up, but I am 99 % certain that, that pond was designed for that whole area of drainage there and I believe there is two pond back in there. One pond and another one back further in.

Derek Anderson: I am trying to remember actually, the last time that I saw this was concept, correct... did something change with the entrance and exit? I am thinking it was the single.

Dave Clemence: They were always to the rear to the south and a little further apart. It was a single lane entrance and a dual exit.

Derek Anderson: But was it one connection to the road or two?

Dave Clemence: There is actually two. We move the exit away from the stop sign to give people a queued-up area. It was closer to the intersection in the concept. INAUDIBLE... NOT USING THE MIC.

Derek Anderson: That is what is different about it. It is moved over.

Dave Clemence: NOT USING THE MIC

Anthony Casciani: Just doesn't show the arrow.

Derek Anderson: Is that road a town road or is that still a private road?

Anthony Casciani: That is a private road. When Rite-aid was developed and when they came in with that, that was a stipulation and it had to be built to town standard for a town road coming in and it was going to be a dedicated road but then it got changed. The initial piece going in when they first did that, and it was a piece of dedicated road and after that it's all just private drive going in now.

Derek Anderson: So, it doesn't matter, it's two connections at this point and time.

Anthony Casciani: Yeah. Ok the building, does it have brick on it?

Ed Martin: We have brick on it, and we don't have a blue roof.

Jeff LaDue with License Architect: The intent as it is shown now, on the new sites, we are using stones and that is what we were proposing but we would be willing to move it to brick.

Anthony Casciani: No, wither one is attractive.

Jeff LaDue: So, the idea was, and we have gone through a couple of iterations, and you see the more flamboyant one, but we have sort of heeded the advice and guidelines of the Town of Webster and made the modifications. The stone was keeping the current design features we are using more of it and using more traditional materials siding, which is an engineered wood product is another proposed material.

Anthony Casciani: So, the stone where you have a gable...

Jeff LaDue: Yes, it's all across the bottom and then a stone silk cap

Anthony Casciani: At the opposite end where the tower is, what is that? At the opposite end of the building.

Jeff LaDue: These ends? (SHOWING ON THE PLANS) There is a product that is applied and looks like line stone so that was the concept at those ends. INAUDIBLE horizontal and pick up the INAUDIBLE stone cap which sort of has that limestone look at the ends. So that is what we are showing and our proposed.

Anthony Casciani: Ok, so when I am looking at the drawing that I have, the door is on the end. What am I looking at there?

Jeff LaDue: That would be the outdoor.

Anthony Casciani: Ok, so that is the outdoor. So, the indoor which would be facing Ridge Road is the opposite end.

Jeff LaDue: That's correct.

Anthony Casciani: Does that show on there to?

Jeff LaDue: The tower goes here and is facing this way INAUDIBLE yes

Anthony Casciani: Do you have that on there?

Jeff LaDue: It's right there.

Anthony Casciani: Can you see it from Ridge Roadside?

Jeff LaDue: I don't have the rendering, but I could provide one.

Anthony Casciani: What is going on, on that north wall?

Jeff LaDue: I am sorry. It is very similar to what you see here and the difference being on that side, the door is a high-speed rollup so it has a clear plastic sort of vision panel on it and you can see it on the elevations and then basically what you are looking at material wise, it will be the same on the north side and the only difference is that the tower is slightly two feet lower than the tower we are looking at in this rendering.

Anthony Casciani: Now, Josh, do we have a set with elevations on it?

Josh Artuso: I believe that is what the distributed tonight.

Anthony Casciani: Oh, this came later. I'm sorry, I didn't see it. What is that large clap board thing going on by the door?

Jeff LaDue: Down here?

Anthony Casciani: No one the opposite end on the north elevation. Where the doors go in. Can that be dressed up with something because that is main part really.

Jeff LaDue: Are you talking here?

Anthony Casciani: That main section on the north elevation.

Jeff LaDue: Yes, we can.

Anthony Casciani: You need to put some stone on there or something.

Jeff LaDue: At the ends we can change out that material and we can do something similar to the east elevation below it, where we are using the stone.

Anthony Casciani: Something to dresses it up because from Ridge Road, you want too
INAUDIBLE

Jeff LaDue: So, we can take that out and use it on the Ridge Roadside.

Anthony Casciani: That would dress it up and that is the main focus there.

Jennifer Wright: Will it look more like the east elevation with more INAUDIBLE to be consistent. Do you have building materials? Because I know sometime people bring in building materials of the stone,

Jeff LaDue: I don't have any with me, but I can provide.

Jennifer Wright: INAUDIBLE stone too not the rough, whatever it is, like a block that has
INAUDIBLE

Jeff LaDue: No, it is actual stone. Its venire and 2 ½ inch. It is called out on the material key to the top right. They are keyed out.

Jennifer Wright: I see.

Jeff LaDue: It is actual stone. It is not split faced block.

Jennifer Wright: Thank you. That is the word I was looking for.

Jeff LaDue: The first generation with this was in Fayetteville in the village and this is just a variant of that so its proximity and guidelines which are similar and that is why we are going with more traditional and more in keeping of what you might have found in the village prior to.

Anthony Casciani: Ok, lets do this then, we can work with preliminary approval and then complete the drawing with everything and show us some of these technical issues. One other thing too, is the traffic flow. So, most of the and we talked a little bit about it at the sketch plan most of that is coming in hopefully from the side on Hard Road but most it leaves the other way. Was that the way it bottomed out? It goes out the back and over to Shoecraft Road.

Ed Martin: So, we can't prevent people from heading back there but we expect a vast majority to head off to Shoecraft.

Anthony Casciani: Encouragement is that way.

Ed Martin: Exactly.

Dave Malta: Making a right-hand turn is not a problem.

Jennifer Wright: INAUDIBLE it will start to encourage more people to use Shoecraft.

Ed Martin: It always amazes me how self-regulating traffic and you guys are going to end up using this I assure you in part of your daily routine so it's not like you are going to say we are going to go get a car wash, you can get it on the way to work or your way to dinner or on your way home. It is part of your travel path, and you know the are well so if you go out to Ridge it is going to be impossible to get out so you will head over to Shoecraft so. It works pretty well.

Anthony Casciani: So, what we are doing is fixing that north elevation and putting some serious decoration on there.

Jennifer Wright: Would you do that to the north and south just so they look the same? The north, south, east, and west are all cohesive.

Dave Malta: INAUIBLE buffer?

Anthony Casciani: I think according to the code, if I am not mistaken, Josh can.... If it is PPD which it was designated at, this section, I think we can waive the 20 foot and make it whatever. I don't know if it is on there, I can't see it. On the sideline to the east?

Ed Martin: It is just over 5 feet. I have done several PPD and PUDs all over the place and you are right Chairman Casciani, typically setbacks are changes as a result of that

Anthony Casciani: And that was the reason for that the PPD.

Ed Martin: Exactly.

Anthony Casciani: I would like to see increased landscaping and an actual drawing on landscaping and show what you are putting in there.

John Kosel: Did we talk about lighting at all?

Derek Anderson: We talked about changing some of the stuff on the façade.

Anthony Casciani: The esthetics of the building you want to fix up. Show landscaping and some 4-foot pines along that edge of the roadway or something and out by the road, look at Marina and it will give you an idea and if you maintain it nice then. That is one of the attractive car dealers. They keep it really, really nice.

Ed Martin: Yes, we will do a rendering and we are happy to do that.

Anthony Casciani: John, what was that you said, lighting?

Jennifer Wright: I think he mentioned lighting. You said it is all contained on site expect there was one light that INAUDIBLE

Ed Martin: We have some lighting contours along the west and the south in particular that are at a half of foot candle. I think I would ask the board, what level do you want to see at the property line? It is a commercial district so typically we are told to keep it under one foot candle. Most people don't even know what that is but just for your knowledge it is an average birthday candle held one foot from your eye. Very scientific.

Derek Anderson: I guess the response to that is, it is one of those obscure town laws that was passed 5 years ago INAUDIBLE. Do you know Josh?

Josh Artuso: I am not sure.

Derek Anderson: I remember it being passed but I don't know if it actually makes it INAUDIBLE there is a town law though.

Ed Martin: I will look into that, and we will comply with that. If it is zero at the property line it will be zero, if it allows up to one, we will make sure we stay under one. If I could just get clarification, if it is indeed a PDD, if this board is comfortable with our entrance the way that it is shown, and you are not looking for us to increase the green space there?

Anthony Casciani: Where are you talking?

Ed Martin: The east property line there.

Anthony Casciani: Well, you only have 5 feet in there. I would rather see it more increased to the north. Where it is going to be seen the most. That is pretty well hidden over there. There are cars parked over there and cars parked a couple feet from the bushes. Focus that to where it is going to show.

Ed Martin: We are happy too.

Anthony Casciani: The sign is going on the building. Pretty much that is the sign that goes on there. On the east elevation?

Jeff LaDue: The sign is typical. We have to confirm the final locations but that is typically the one medallion type and then there is three vacuums and two car wash signs that get put on that are shown.

Anthony Casciani: You know what would be good to then, maybe when you come back in is itemize where your signs are. How many signs and where they are located?

Jeff LaDue: There is a sign package and if it hasn't been it will be. It will show sight signs; structural and building signs.

Josh Artuso: It is better to get the signage approved as part of the site plan.

Jeff LaDue: Yes, we can do that.

Anthony Casciani: Ok, so if we move with a preliminary what do we want to see here?
Increased landscaping

Dave Malta: On north end entrance around the garage door.

Anthony Casciani: Ok, lets get one started.

Jennifer Wright: Elevations to look similar to the east and west

Derek Anderson:

MOTION FOR AN UNLISTED ACTION - NEGATIVE DECLARATION

The Town of Webster Planning Board considered the request by applicant, Splash Car Wash, Inc. to construct a 7,000 square foot car wash facility on a 2.16-acre parcel having SBL # 079.15-1-16.003, located at 1013 Ridge Road in a Medium Intensity Commercial District. SEP

The Planning Board determines that the proposed action is an Unlisted Action based on the following:

1. *Action includes a 7,000 square foot facility, which exceeds the 4,000-sf threshold for a Type II action as defined by Section 617.5(c)(7) for non-residential structures.*

The Planning Board determined that the action is subject to a single agency review pursuant to Part 617.6(b)(4) of SEQR and that it is the most appropriate agency for making the determination of significance. The Planning Board therefore designates itself lead agency for the proposed action.

The Planning Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c)(1) of SEQR, and has

1. considered the information contained in the Short Environmental Assessment Form Part 1 dated July 5, 2022,
2. considered public comments directed to the Planning Board during the Public Hearing on September 6, 2022, and
3. completed Parts 2 and 3 of the Environmental Assessment Form.

NOW, THEREFORE, BE IT: RESOLVED that the TOWN OF WEBSTER PLANNING BOARD hereby determines that the proposed project will not have a significant adverse effect on the environment for the reasons set forth in the attached Notice of Determination of Non-Significance; be it further,

RESOLVED that the TOWN OF WEBSTER PLANNING BOARD is authorized to take all actions reasonable and necessary to file the Negative Declaration and discharge the TOWN OF WEBSTER PLANNING BOARD'S responsibility as lead agency for this action, be it further,

RESOLVED that the TOWN OF WEBSTER PLANNING BOARD, based on the information and analysis above, the referenced supporting documentation, and discussions of the action by

the TOWN OF WEBSTER PLANNING BOARD as documented by the Minutes for this meeting, that the proposed action WILL NOT result in any significant environmental impacts, be it further,

RESOLVED that the TOWN OF WEBSTER PLANNING BOARD, therefore makes a DETERMINATION OF NON-SIGNIFICANCE, be it further,

RESOLVED, that the TOWN OF WEBSTER PLANNING BOARD, based on the above reasons issues a NEGATIVE DECLARATION as evidence of its determination.

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

The Planning Board has reasonably concluded the following results for the proposed action, when compared against the criteria in Section 617.7(c):

1. The proposed action will not have a substantial adverse change in air quality since it does not include a regulated emission source.
2. The proposed action will not have a substantial adverse change in ground or surface water quality or quantity since the proposed action does not include on site wells or septic systems.
3. The proposed action will not have a substantial impact on water supply since it will connect to the public water system which has adequate capacity to supply the action.
4. The proposed action will not have a substantial impact on the sanitary sewer system since it will connect to the public sewer system which has adequate capacity to convey wastewater from the site.
5. The proposed action will not have a substantial adverse change in potential for erosion, flooding, leaching or drainage problems. Construction practices will conform to accepted storm water management and controls.
6. The proposed action will not have a substantial adverse change in existing solid waste production since the proposed action does not substantially increase solid waste producing activities on the site.
7. The proposed action will not have a substantial adverse change in existing noise, odor or light since the structures are consistent with the character of the surrounding area and includes downward directed exterior lighting. A temporary increase in noise levels consistent with normal construction activities is anticipated during construction.
8. The proposed action will not have a substantial adverse change, or cumulative change in traffic since the proposed action provides internal traffic control that prevents stacking on public thoroughfares.
9. The proposed action will not have a substantial adverse impact on the criteria listed under Section 617.7(c)(1)(ii) of SEQR because no habitats or threatened or endanger species were identified on or contiguous to the proposed site.
10. The proposed action is not located in an area designated as a Critical Environmental Area by the Town of Webster or New York State pursuant to subdivision 617.14(g) of SEQR.
11. The proposed action is not in material conflict with the Town of Webster 2008 Comprehensive Plan.

12. The proposed action will not create an impairment of the criteria listed under Section 617.7(c)(1)(v) of SEQR since the action is not located in or adjacent to the listed resources and is in character with the surrounding community.
13. The action will not result in a major change in the type or use of energy since the action does not require an upgrade to the electrical distribution system.
14. The action will not create a hazard to human health since it does not contain nor is it located adjacent to existing sources of hazardous substances or contaminants. The project includes engineering controls that help prevent the release of cleaning solutions off the site.
15. The action will not create a substantial change in use of the land since it consistent with the types of structures already located in the overall commercial development. While car washes are not a listed activity for the underlying zoning, the action is consistent with other car washes in the Town that are also located in areas where the underlying zoning does not permit a carwash. Existing area where the underlying zoning allows a car wash are fully developed so new car washes can only be proposed in other zoning areas. The action is consistent with the existing community character, and the Town of Webster 2008 Comprehensive Plan.
16. The action will not attract a large number of people for more than a few days when compared to taking no action since the action since the action, by its design, is a drive through structure with limited parking.
17. The action will not create a cumulative impact on the environment as listed under 617.7(c)(1)(x), (xi), and (xii) of SEQR.

RESOLUTION 22-085

Derek Anderson made a motion to **TYPE II SEQR** which was seconded by Derek Meixell.

VOTE:

Mr. Anderson	AYE
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE
Mrs. Wright	AYE

John Kosel: Before we vote on that, I have a question. I know this is a public hearing, did you open up to the floor?

Anthony Casciani: No, I didn't. You are right John, thank you. Not seeing anyone, will close the public portion and bring it back up. Ok, one thing, we want to increase the landscaping on the side with shrubbery to be satisfactory to the board and when you see it you know what it is and the other thing was enhance the building design with more stone and whatever, anything else in there? Josh, you had in there a curb needed to be put into that spot.

Josh Artuso: Right.

Anthony Casciani: Anything else?

John Kosel: Lighting package; signage package

Anthony Casciani: You probably should have, that is good John. Is have the cut sheets for whatever you are using for your lighting and the types of fixtures and where they are going. That is always something we generally get.

Dave Malta: We should probably get some samples of materials used.

Jennifer Wright: I think that is everything that we discussed.

Anthony Casciani: Ok will add them in, and we will make that subject to the PRC comments

RESOLUTION 22-086

Anthony Casciani made a motion for **PRELIMINARY APPROVAL**: Located at 1013 Ridge Road. Applicant Splash Car Wash Inc. is requesting **PRELIMINARY / FINAL SITE PLAN & SUBDIVISION APPROVAL (PUBLIC HEARING)** associated with the construction of a 7,000 SF car wash facility on a combined 2.16-acre parcel having SBL # 079.15-1-16.003 located in an MC Medium Intensity Commercial District under Section 228-10 of the Code of the Town of Webster which was seconded by Jennifer Wright.

PRELIMINARY APPROVAL CHECKLIST

1. Subject to PRC Comments
2. Subject to a Letter of Credit posted with the Town of Webster.
3. Subject to Conservation Board comments
4. Subject to Monroe County Water Authority comments
5. Subject to the determination of the ZBA for requested variances.
6. Address any land to be conveyed to the Town.
7. Address any recent subdivision approvals of adjacent lands.
8. All the improvements shall be constructed according to the specification of the Town of Webster.
9. All roadway construction to be in accordance with the specification and regulations set forth by the Town of Webster.
10. All site work is to be in compliance with the standards of the Town of Webster.
11. Comply with all requirements of any Federal, State, County, or Town agency.
12. Address drainage, lighting, signage, and landscaping, buffering, berming and snow storage.
13. Proceed to Final Approval

VOTE:

Mr. Anderson	AYE
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE
Mrs. Wright	AYE

ADMINISTRATIVE MATTER: Minutes were approved for July 19, 2022 & August 2, 2022.

With no other applications before the Board this evening Mr. Casciani concluded tonight's meeting at 8:30 PM.

Respectfully Submitted,

Signed  Dated 9/20/22
Mark Giardina, Secretary
Katherine Kolich, Recording Secretary

SEP 21 '22 AM 10:18
FILED WEBSTER TWIN CLK
Dorothy M. Maguire