

Village of Hilton Zoning Board
Meeting Minutes of January 26, 2021
Approved

Member's Present: Chairman Kim Fay, Pat Holenbeck, Shelly Kordish, Murray Weaver, Harry Reiter

Administration Present: Code Enforcement Officer Mark Mazzucco, Mayor Joe Lee, Village Board Liaison Larry Speer, Village Manager Shari Pearce, Deputy Clerk Amy Harter, and Debbie Jones Recording Secretary

Guests: Tom Palumbo (Stantec), Shaun Logue (MRB), Linda Viney, John Corcoran, Dave Crumb, Jerry Pozzuolo, Dave Almeter, Suzanne Lorz, Dan Schwind, Barb & Kevin Arganbright, Tom Burger, Denise O'Toole, Keith Brown (DPW), Jeff Pearce (DPW). 28-30 unknown guests on Zoom.

Chairman Kim Fay called the meeting to order at 6:30 p.m. with the Pledge of Allegiance and a moment of silence.

MINUTES:

Member Fay made the motion to accept the amended December 8th, 2020 Zoning Board of Appeals meeting minutes, seconded by **Member Weaver**, and approved 5-0.

Member Fay made the motion to accept the December 15th, 2020 Village of Hilton Zoning Board of Appeals meeting minutes, seconded by **Member Reiter**, and approved 5-0

PLANNING SEGMENT – SITE PLAN REVIEW– 169/171 LAKE AVE

The application of Providence Housing Development Company for **Preliminary** Site Plan review for properties located at 169/171 Lake Avenue to construct a Senior Housing Apartment Complex. This property is zoned PRD-S.

Stantec presentation on pertaining to stormwater drainage. Tom Palumbo gave a detailed presentation for the site plan for the Senior Housing project. Tom stated there will be a 30' setback on the north side and a 20' setback on the south side. Landscaping will be utilized as a buffer throughout the property, around the apartment complex and the community services building. Tom stated Stantec feels confident with the water drainage for this property, they feel there will be a 25% decrease in the drainage issue with the retention ponds, the extra storm water drains and is satisfied the storm sewers can handle the outflow of ground water.

MRB – Shaun will provide a status update on the project (reviewing the January 19, 2021 letter.) Shaun Logue gave his verbal project overview to the Board. Shaun stated Part 1 EAF has been

sent out to all agencies and still awaiting feedback responses. Shaun stated MRB is satisfied thus far with Stantec addressing the drainage concerns. Shaun went through the five (5) variances that will be on the agenda for the next meeting, the variances are attached to and will go on record with the minutes.

Open the public hearing for public comments at 6:53 p.m. Larry Speer, 745 East Ave. asked, does the analysis that was presented tonight answer Member Reiter's questions of concern from the past meetings regarding the drainage issues? Member Reiter stated he still disputes the drainage issues particularly for the neighbors to the north of the St. Leo's property line. Member Reiter feels this all should be addressed while the work for Providence Housing is taking place. After much discussion it was explained to Member Reiter that we cannot hold another property owner "hostage" for work that should be done on another property. We also need to receive back all the reports from the different agencies. There was general discussion between Member Reiter, Keith Brown, Shaun Logue (MRB), and Tom Palumbo (Stantec) on drainage concerns.

Dave Almeter, 71 Parma Center Rd. asked who maintains the storm sewers, etc. after purchase the Village of Hilton or Providence. Shaun Logue stated there is an agreement signed stating the property owners take over the maintenance unless they default then the Village will step in.

Question from an unidentified person on Zoom asked if someone could please summarize the actions that will be taking place at this point. Tom Palumbo from Stantec stated they are waiting for the different agencies to come back on the plan sets and the Village of Hilton Department of Public Works agrees the storm sewers will handle the water runoff. Shaun Logue from MRB stated the drainage patterns will be looked at.

Resolution designating lead agency for the Zoning Board (prior to reviewing part 2, resolution attached)

WHEREAS, the Village of Hilton Zoning Board of Appeals (hereinafter referred to as "Zoning Board") has on Tuesday, January 26, 2021 declared its intent to be designated the Lead Agency for the St. Leo's Senior Apartments project under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Zoning Board has provided written notices to this effect to the involved and interested agencies; and

WHEREAS, the Zoning Board has not received any written objections from the involved agencies to the Board's being designated as the lead agency under the SEQR Regulations; and

WHEREAS, the Zoning Board has previously determined that it is the most appropriate agency to insure the coordination of this Action and for making the determination of significance thereon under the SEQR Regulations.

NOW, THEREFORE BE IT RESOLVED that the Zoning Board does hereby designate itself as the lead agency for the Action identified above herein.

Motion made by **Member Weaver**, seconded by **Member Kordish**, approved 5-0.

SEQR – MRB to review part 2 and supporting information of SEQR (attached) Shaun will be reviewing the sections at the meeting.

Shaun Logue read through and reviewed Part 2 of the Environmental Assessment Form (EAF), Identification of Potential Project Impacts. Upon review of the information recorded on this EAF, plus additional support information it has been concluded this project will result in no significant adverse impacts on the environment, an environmental impact statement need not be prepared. This negative declaration is issued. Prepared by Shaun Logue, MRB Group

SEQR Part 3 – Zoning Board to make a determination of significance (resolution attached)

WHEREAS, the Village of Hilton Zoning Board of Appeals (hereinafter referred to as “Zoning Board”) has determined the above-referenced Action to be a Type 1 Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Zoning Board has reviewed and accepted the completed Full Environmental Assessment Form (EAF) Part 1, prepared by Stantec on the behalf of the Applicant – Providence Housing, (hereinafter referred to as “Applicant”) on January 26, 2021, on the above-referenced St. Leo’s Senior Apartments project (hereinafter referred to as “Action”); and

WHEREAS, the Zoning Board has reviewed and accepted the completed Full Environmental Assessment Form Parts 2 and 3 on the Action prepared by the MRB Group (hereinafter referred to as “Village Engineer”); and

WHEREAS, the Zoning Board has completed the coordinated review and public comment period provided for under the SEQR Regulations; and

WHEREAS, the Zoning Board has designated itself as lead agency under the SEQR Regulations for making the determination of significance upon said action; and

WHEREAS, the Zoning Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in Full Environmental Assessment Form Parts 1, 2, and 3.

NOW THEREFORE BE IT RESOLVED, that said Action **WILL NOT** result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form; and

BE IT FINALLY RESOLVED that the Zoning Board does hereby make a Determination of Non-Significance on said Action, and the Zoning Board Chairperson is hereby directed to issue the Negative Declaration as evidence of the Zoning Board determination of environmental non-significance.

Motion made by **Member Holenbeck**, seconded by **Member Weaver**, approved 5-0.

The public hearing will not be closed until the February meeting.

Resolution to set a special meeting on February 23, 2021 to continue potential final approval site approval and variance requests for Providence Housing. Motion was made by **Member Weaver**, seconded by **Member Holenbeck**. Carried unanimously 5-0.

Chairman Fay stated Mayor Lee received a letter from County Executive, Adam Bello regarding the Village of Hilton's request for Lead Agency in this project, the County as being an involved agency has no objection to the Village of Hilton assuming Lead Agency status for this project. **letter will be attached with these minutes.

Village Board Trustee/Liaison took the floor to thank Stantec, MRB, the Village Staff, the DPW Staff and those working with Zoom for all the hard work they are putting into this project.

DATES:

Next Meeting: Tuesday, February 9th, 2021

Next Meeting Providence Housing – February 23, 2021

Adjournment:

There being no further business, **Member Kordish** made the motion to adjourn the meeting at 8:00 p.m.

Respectfully Submitted,
Debbie Jones, Recording Secretary

VILLAGE OF HILTON
ST. LEO'S SENIOR APARTMENTS
169/171 LAKE AVENUE (NYS ROUTE 259)

MONROE COUNTY, NEW YORK 14468

STATE ENVIRONMENTAL QUALITY REVIEW
(SEQR)
FULL ENVIRONMENTAL ASSESSMENT FORM (EAF)
PARTS 2-3 & SUPPORTING INFORMATION

JANUARY 2021

Prepared by



THE CULVER ROAD ARMORY
145 CULVER ROAD, SUITE 160, ROCHESTER, NEW YORK 14620
TELEPHONE: (585) 381-9250 FACSIMILE: (585) 381-1008

Project No. 0806.08001.000

Note: All potential impacts that have been identified in the Full EAF Part 2 as No or Small Impacts have been described in this document. Numbering is consistent as outlined in Full EAF Part 2.

1. **IMPACT OF LAND** – The proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)
 - e. *The proposed action may involve construction that continues for more than one year or in multiple phases.*
 - Construction of the proposed project will be completed in a single phase and is anticipated to take 15 months to complete construction.
 - f. *The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides)*
 - The total acreage affected by the project is anticipated to be about 3.5± acres. Portions of the project will be stripped of vegetation and bare soils will be exposed for periods of time during construction. The site will be susceptible to potential erosion with the potential of discharge of sediment into the existing waterways. Approved erosion and sediment control measures as outlined in the design plans will be implemented during construction. Erosion and sediment control measures will be implemented in accordance with NYSDEC's Standards and Specifications for Erosion and Sediment Control (Blue Book). Erosion and sediment control measures will be inspected to ensure proper installation and function throughout the construction project.
3. **IMPACTS ON SURFACE WATER** – The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)
 - a. *The proposed action may create a new water body.*
 - While the action will not result in creation of a new water body, a dry detention pond will be constructed and minimal in size. The dry pond will be utilized to collect and treat storm water and will therefore have a net positive environmental impact (again, by way of controlling and treating storm water). Additionally, a full SWPPP has been submitted, which will further reduce and guard against any potential surface water and erosion issues.
 - h. *The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.*
 - There are no state or federal wetlands located on the subject property, however, the parcel is located within the Salmon Creek Watershed. Portions of the project will be stripped of vegetation and bare soils will be exposed for periods of time during construction. The site will be susceptible to potential erosion with the potential of discharge of sediment into the existing stormwater sewer system. Approved erosion and sediment control measures as outlined in the design plans and Storm Water Pollution Prevention Plan (SWPPP) will be implemented during construction. Erosion and sediment control measures will be inspected to

ensure proper installation and function throughout the construction project.

4. **IMPACT ON GROUNDWATER** - The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

h. Other Impacts: Public Water Supply

- The subject property will require the extension of the municipal water supply to the proposed building. No future expansions of the existing district is required. The total anticipated water usage from the proposed development is approximately 5,200 gallons per day. The existing public water supply system has the capacity to service the proposed development.

13. **IMPACT ON TRANSPORTATION** - The proposed action may result in a change to existing transportation systems. (See Part 1.D.2.j)

f. Other impacts: During construction activities.

- During construction some detours may need to be implemented; however, these impacts will be small to moderate and would be temporary in nature. Proper signage to help direct traffic and pedestrians safely around the construction zones will be provided.

15. **IMPACT ON NOISE, ODOR, AND LIGHT** – The proposed action may result in an increase in noise, odors, or outdoor lighting. (Part 1. D.2.m., n. and o.)

f. Other Impacts: During construction it is anticipated that elevated noise levels will occur.

- Construction and excavation equipment during site clearing and grubbing and construction of the new facilities may exceed the existing ambient noise levels. Vegetative buffering and landscaping will remain between adjacent land uses to mitigate noise levels during standard operation hours. All proposed lighting improvements will be in accordance with the Village of Hilton lighting requirements and be dark sky compliant.

17. **CONSISTENCY WITH COMMUNITY PLANS** – The proposed action is not consistent with adopted land use plans. (Part 1.C.1, C.2. and C.3.)

c. The proposed action is inconsistent with local land use plans or zoning regulations.

- The proposed project is fully zoning compliant, which was rezoned to a Planned Residential Development District (PRD-S) at the September 1, 2020 Village Board meeting. More specifically the proposed location and use is in alignment with the Future Land Use Map and key recommendations that are within the Comprehensive Plan that was adopted December 1, 2020.



Variance Summary
 169/171 Lake Ave
 St Leo's Apartments

29 September 2020

The following is a summary of the variances needed to successfully develop 169/171 Lake Ave for Affordable Senior Apartments and Community Services. We have prepared this chart for ease of review and coordination. The attached "Statement of Difficulty" discusses the area variance tests to meet the standards on an overall or holistic level. Detailed points are provided in *italics* under the "Provided/Explanation" column below.

Item #	Code Section	Required	Provided/Explanation
1	§ 275-19 D.3(c)	Min. 12 ft wide <i>single</i> car garage, either attached or detached.	<u>No Garages are proposed.</u> <i>Garages are typically not included for affordable senior housing. Storage needs are provided for in the building and garages represent an underutilized expense. Garages unnecessarily increase impervious area</i>
2	§ 275-19 D.3(d)	Sump pump connected to the Village storm sewer	<u>No Sump Pump</u> <i>The apartment building is slab on grade and no sump pumps are required.</i>
3	§ 275-19 D.3(g)	Full basements required for all single-family homes and apartments	<u>No Basement</u> <i>Resident storage is included in the building either in the resident's unit or in designated storage areas. Mechanical systems are in each unit or on the first floor.</i>
4	§ 275-19 D.4	PRD-S Density shall not exceed 8 units/acre. Calculation does not include the open space	<u>Overall density of 10 units / acre</u> <i>This is a common density for affordable housing and is below the 16 unit/acre allowed under §275-14 D.6 Garden Apartment Density for the MR District.</i>



Variance Summary
169/171 Lake Ave
St Leo's Apartments

29 September 2020

5	§ 275-19 D.5	Effective buffering areas shall be provided where a PRD-S borders on R District. Such buffers shall be in the form of either single-family residences or its equivalent in open space.	<p>No "Buffer Zones" provided adjacent to the Residential District areas.</p> <p><i>The desire is to integrate the senior housing into the neighborhood rather than segregate the use.</i></p> <p><i>Appropriate siting of the building and parking as well as effective landscape buffers will mitigate concerns and enhance the grounds.</i></p> <p><i>The proposed plan maximizes green space between the new building and the existing homes.</i></p> <p><i>Reuse of the existing church building is an important aspect of the project and does not allow for the "Buffer Zone".</i></p>
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Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

January 15, 2021

Honorable Joseph M. Lee, Mayor
Village of Hilton
59 Henry Street
Hilton, NY 14468

Re: Lead Agency Request - St. Leo's Senior Apartments, 171-169 Lake Avenue, Village of Hilton

Dear Mayor Lee:

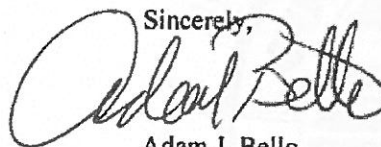
We are in receipt of your request to be lead agency under SEQRA in connection with the environmental review of the above-referenced project. The Departments of Planning and Development, Public Health, Transportation, and Environmental Services were consulted and Monroe County hereby consents to the Village of Hilton Zoning Board serving as lead agency under SEQRA.

The attached comments concerning the project are hereby respectfully submitted to the Village of Hilton Zoning Board.

A copy of the determination of significance should be forwarded to the following:

Rochelle Bell, Sr. Associate Planner
Monroe County Department of Planning and Development
50 West Main Street, CityPlace, Suite 1150
Rochester, New York 14614

If you require any additional information from the County, please contact Rochelle Bell at rbell@monroecounty.gov or at (585) 330-0875.

Sincerely,


Adam J. Bello
County Executive



AJB:RB:PG:kmh
Attachments

cc: Rochelle Bell, Sr. Associate Planner, Monroe Co. Department of Planning and Development
John Frazer, P.E., Senior Public Health Engineer, Monroe Co. Department of Public Health
James Pond, Director, Monroe Co. Department of Transportation
Richard Bianchi, Engineer, Monroe Co. Department of Environmental Services
Shari Pearce, Village Manager/Clerk, Village of Hilton

110 County Office Building • 39 West Main Street • Rochester, New York 14614
(585) 753-1000 • fax: (585) 753-1014 • www.monroecounty.gov • e-mail: countyexecutive@monroecounty.gov

Hudson, Kim M

Subject: FW: SEQR LAR: Village of Hilton - St. Leo's Senior Apartments (MC# HL2020_001)

From: Bianchi, Richard J <RBianchi@monroecounty.gov>

Sent: Tuesday, December 29, 2020 1:32 PM

To: Hudson, Kim M <KimHudson@monroecounty.gov>

Cc: Gooch, Patrick T <PatrickGooch@monroecounty.gov>

Subject: RE: SEQR LAR: Village of Hilton - St. Leo's Senior Apartments (MC# HL2020_001)

Please see my SEQR LAR comments below regarding the referenced St. Leo's Senior Apartments development project located at 169 and 171 Lake Road in the Village of Hilton:

- **The above referenced project is located within the Northwest Quadrant Pure Waters District (NWQPWD) in the Village of Hilton, Monroe County.**
- **We, as an involved agency, have no objection to the Village of Hilton assuming Lead Agency status for the above referenced project.**
- **We have reviewed the provided documents for the referenced project in the Village of Hilton and reserve comment at this time, pending any future plan submission(s) for specific projects by Developers to the Northwest Quadrant Pure Waters District for mandatory review(s) and approval(s) anytime connections to public sewers are proposed / anticipated.**
- **Please be advised that when use of public sewers is known or anticipated, Pure Waters must review and approve any plans prior to any new construction and/or change of use for any properties in the Northwest Quadrant Pure Waters District.**

Please call or email with any comments or questions. Thanks.....

Richard Bianchi

Engineer - Pure Waters

MCDES • Division of Pure Waters • Office of Development Review

Fleet Center, Building 11 • 145 Paul Road • Rochester, NY 14624

O: (585) 753-7614 • F: (585) 324-4255