

**Village Board
Meeting Minutes
April 9, 2024**

Present: Mayor Lee, Trustees, Fowler, Zabelny, Farell, Speer
Village Manager Shari Wilson-Pearce
Deputy Clerk Amy Harter
DPW Superintendent Jeff Pearce
Code Enforcement Officer Mark Mazzucco

Absent: Maryalice Edwards, Chad McManus

Guests: Kim Fay, Nicole Pennock, Elaine Begy, Jim & Betty Causyn, Dave Willard, Kris Schultz

Mayor Lee called the meeting to order at 6 p.m. with the Pledge of Allegiance and a moment of silence. The meeting was held in the Board Room and was available via Zoom.

6:00 p.m. Public Hearing

Mayor Lee opened the public hearing for the 2024-25 proposed budget.

Resolution to adopt the annual budget for fiscal year 2024-2025. The tax rate will \$2.73/thousand. Motion made by Trustee Fowler, seconded by Trustee Speer. Carried 5-0. The total budget is as follows:

General	\$ 3,586,230
Water	\$ 663,937
Sewer	\$ 595,371
Capital	\$ 0
Total	\$4,845,538

Rezoning Application

Kris Schultz, Schultz Associates presented the application on behalf of Daniel Wegman, Wegmans Specialties, property owner of 231 East Avenue is requesting to rezone 2.065± Acres of Tax Account #032.06-3-12.21 (231 East Avenue) from Commercial to Multi-Residential.

Mayor Lee opened the meeting for public comment.

All that tract or parcel of land situate in Town Lot 76 of the North Section of Braddocks Bay Township and Lot 1, Range 4 of the South Section of Braddocks Day Township, Village of Hilton, Town of Parma, County of Monroe, State of New York, and more particularly described as follows:

Commencing at the northeast corner of Hilton East, LLC being on the south right-of-way of East Avenue, said point being 1168.82 feet, from the centerline of former N.Y.C. Railroad, thence;

Southeasterly along the west line now or formerly of Parma Properties, Inc., and the east line now or formerly of Hilton East, LLC, on a bearing of S 17°00'43" E a distance of 414.28 feet, to a point, thence;

Southerly along the common line of Parma Properties, Inc. and Hilton East, LLC, on a bearing of S 02°08'31" W a distance of 98.11 feet, to the true point and place of beginning, thence;

1. Continuing southerly along the common line of Parma Properties, Inc. and Hilton East, LLC, on a bearing of S 02°08'31" E a distance of 388.44 feet, to a point on the north line of the Village of Hilton, thence;
2. Northwesterly along the south line of Hilton East, LLC and the north line of the Village of Hilton, on a bearing of N 71°02'38" E a distance of 406.70 feet, to the southwest corner of Hilton East, LLC, thence;
3. Northerly along the east line now or formerly of Foster's Property holdings, LLC and Hilton East, LLC, on a bearing of N 01°54'00" W a distance of 127.27 feet, to a point, thence;
4. Northeasterly through the lands of Hilton East, LLC, on a bearing of N 79°15'23" E a distance of 275.39 feet, to a point, thence;
5. Northeasterly through the lands of Hilton East, LLC, on a bearing of N 53°14'43" E a distance of 129.54 feet, to the point and place of beginning on the common line of Parma Properties, Inc. and Hilton East, LLC, having an area of 2.065 acres, more or less.

Mr. Schutlz noted the application fits into the Comprehensive Plan which was updated in 2021. He said if the property remains commercial, the owner is restricted to its use. He doesn't feel that commercial buildings alone would be ideal in this location, a better fit would be a mix of residential and commercial.

Trustee Fowler explained that tonight's discussion pertains to rezoning only, although preliminary drawings were provided it is not the focus at this time.

Jim Causyn, 230 East Avenue, asked if a traffic light will be installed at East Avenue and the access road. Mr. Schultz answered that a traffic study may be necessary. A general conversation took place regarding the impact of traffic. This subject will be addressed by the Zoning Board of Appeals during the Site Plan Review process.

Trustee Zabelny is concerned that the area is within a flood zone. Mr. Schultz explained there will be no building within the flood zone. This subject will be addressed by the Zoning Board of Appeals during the Site Plan Review process.

Nicole Pennock, 326 Cedar Terrace, noted the village has limited commercial areas; changing the zoning will limit the commercial space we have. Mr. Schultz agreed that commercial and industrial space is necessary for a strong tax base, but this parcel would not be desirable for just commercial use. Residential space would support the commercial uses within this parcel. Most commercial businesses are supported by their neighbors.

Shari Pearce suggested an alternate means of ingress and egress near Foster's Restaurant. A discussion took place of options to utilize Upton Street as an additional street.

Kim Fay, 25 Leith Lane, commented that Hilton has more rentals than seven villages (out of ten) within Monroe County. He noted there are currently 45 rentals for seniors currently under construction. He asked the board to consider the cost of the zoning code update that is in process; the current plan is almost 50 years old. He feels an approval should be held until the updated zoning code is in place. Trustee Fowler noted Hilton's percentage of rentals is 33% while Monroe County is 36%.

Mayor Lee closed the public hearing at 6:33 p.m. He asked the board for their comments.

Trustee Fowler noted he is in favor of rezoning this parcel and since the parcel abuts another residential property, there is sufficient reason to do so. He stated it is a great housing project that is not strictly 55 and over, especially since the Village is 98% built out. He said the Comprehensive Plan describes Hilton as a residential community and cited that the Village Board just recently voted unanimously to make Hilton pro housing community.

Trustee Zabelny stated she feels this is a positive project for the Village as this will generate more tax dollars and will bring in more residents to spend within the Village. She noted the Zoning Board of Appeals will oversee the design and concept of the project. Dave Willard commented that there will be a lot of challenges for the Zoning Board with this project.

Trustee Speer stated this is not a good idea. The most problematic neighborhood of the Village (referring to Parkwood Manor) is Multi-Residential and full of out of town owners. He disagrees that a commercial building would not do well, he referenced that a dentist office was built on Canning Street that is doing very well. He noted that rental properties should have 24 hour maintenance staff. He said this would be an additional strain on our DPW. He stated the Village

asked for an 8' easement and the owner would not respond and is now asking for rezoning. He said this is the wrong development at the wrong time for Hilton.

Mr. Schultz stated that rundown areas are sometimes improved when another area is enhanced. It can be a positive step towards improving a deteriorated neighborhood.

SEQR DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE

WHEREAS, the Village of Hilton Village Board of Trustees (hereinafter referred to as "Village 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 Village Board has reviewed and accepted the completed Full Environmental Assessment Form Parts 1, 2, and 3 on the Action prepared by Wegmans Specialties, LLC Trustees (hereinafter referred to as "Applicant"); and

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

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

WHEREAS, the Village 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 Village Board does hereby make a Determination of Non-Significance on said Action, and the Mayor is hereby directed issue the Negative Declaration as evidence of the Village Board determination of environmental non-significance. Motion made by Trustee Farrell, seconded by Trustee Farrell. Carried 5-0.

Monroe County Comments: Shari Pearce noted the Department of Planning and Development comments were received and a copy was given to each Village Board member for their review. They will be signed and submitted to MRB Group.

Resolution to approve the application to rezone 2.065 acres of 231 East Avenue from Commercial to Multi-Residential. Motion made by Trustee Zabelny, seconded by Trustee Fowler. Carried 4-1, Trustee Speer opposed.

Resolution to retain the law firm of Lacy, Katzen LLP, and Attorney Anthony J DelleFave on a fee basis when legal advice is needed at a rate of \$ 250.00 per hour. Motion made by Trustee Fowler, seconded by Trustee Zabelny. Carried 5-0.

Discussion

137 South Avenue: Recently an additional, portable sign has been placed at the entrance to the Exempt Club. This is a violation of the Village Code. Mark explained there has been an inquiry as to a sign application, nothing has been submitted to date. The Zoning Board approved a Conditional Use permit in 2012 to allow one free-standing sign on Village owned property; a copy of the minutes was presented to the Village Board. The Village Board agreed to allow this sign through April 15th to allow the club to advertise an upcoming event. If they decide to replace the existing sign, they must apply to the Zoning Board of Appeals. Mark will notify the contact person to discuss the next steps.

Adjournment

Motion to adjourn at 7:15 p.m. made by Trustee Fowler, seconded by Mayor Lee. Carried 5-0.

Respectfully Submitted,

Amy Harter
Deputy Clerk