

Hilton Zoning Board of Appeals  
Meeting Minutes of November 4<sup>th</sup>, 2021  
Approved

ZBA Member's Present: Chairman Kim Fay, Pat Holenbeck, Harry Reiter, Nicole Pennock and Joe Ruta

Village Board Present: Mayor Joe Lee, Trustee Larry Speer

Administration Present: Code Enforcement Officer; Mark Mazzucco, Office Clerk; Aimee Doser, Shari Wilson- Pearce, Village Manager/Clerk

Guests: Marco and Gina Mattioli, David Matt (Shultz Associates), David Brennon Esq, Christine Devey, Sara Puccia, Carrie Melnyh, Gigi Pecora

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

Mayor Lee performed the Oath of Office for Joe Ruta. Shelly Kordish resigned this past month due to taking a job out of town; the board thanked her for her service.

**Chairperson Fay** declared for the minutes, that a quorum is present so the meeting may proceed as planned.

**MINUTES:**

Chairperson Fay made the motion to accept the minutes of September 14<sup>th</sup>, 2021, seconded by Member Pennock, approved 5-0.

**REPORTS:**

Village Board Liaison Larry Speer – Gave his report

Code Enforcement Officer Mark Mazzucco - Gave his report

Member Ruta read the Explanation of the Zoning Board of Appeals procedure.

## **150-170 Old Hojack – Site Plan Review/Public Hearing**

The application of Marco Mattioli, for Site Plan Review for property located at 150 Old Hojack Lane to construct a Self-Storage Facility which will include approximately 52,800 square feet of indoor storage space and 91 outdoor storage spaces (15ft x 30ft), 22 outdoor spaces (15ft x 20ft) The project will be completed in phases. This property is zoned Light Industrial.

Chairperson Fay asked the project Engineer, David Matt, for an overview of the project. Mr. Matt stated after the last meeting they decided to reduce the project in its entirety, reducing it to just under 9 acres of land disturbance. The general scope of the project is a self-storage unit with paved outdoor parking, total of 113 outdoor parking spaces, mostly larger and then smaller ones. The entire site will be fenced in with a 6-foot chain link fence with a wrought iron fence in the front to add curb appeal. There is a substantial storm water feature on this property that will discharge to the pond and adjacent land that the property owner already owns. Mr. Matt noted 45 comments were submitted by the Village Engineer; we are down to 5 outstanding action items that we are working through. He also noted there is a sanitary sewer easement that runs around the pond, and the Village will continue with the easement. Dark sky compliant security lights are planned for the project. All electric utilities will be underground for the proposed development. With the reduction of the project, we are down to under 10 acres which lessens the requirements.

Mr. Matt stated they will be going to the Town of Parma to receive approvals for the swale; Army Corps of Engineers have been contacted and they do not require a permit for this project.

Chairman Fay asked about the colors for the buildings. The design illustrates the building will be navy blue with a tan trim.

Member Holenbeck asked about phasing. Mr. Matt stated they revised the phasing, all site work will be completed in phase one including the pond and impervious surfaces, there will be no soil disturbance after phase one. The remaining sections will be completed on a as needed basis.

Dave Willard, Village Engineer, received the revised drawings, draft SWPPP, easement documents and the draft Stormwater agreement. He will be putting together a written response shortly.

Mr. Willard noted the short EAF can be completed since it is less than 10 acres. He also noted part of the storm water management plan is located in the Town of Parma and they will need to review and approve the plan. Village approvals should be contingent upon the Town approval of the swale. Since the swale is partly located in the Town, their Zoning Board will need to declare the Village Zoning Board to be lead agent or there needs to be a coordinated review. The Town Planning Board will be reviewing this application at their November 15<sup>th</sup> meeting.

The Village will have an easement and an agreement to the storm water management facility agreement to assure that the Village can go in there if the property owner fails to maintain the pond.

Mr. Willard noted the following:

- DEC and Army Corps of Engineers correspondence including the SWPPP.
- On the EAF, number 13 should be checked yes, as there is encroachment on the wetlands.
- Also due to not having the facility non- fire sprinklered, there will be a list of restricted materials for the facility.
- Deed easements will need to be reviewed by the Village Attorney.

Discussion was brought up about the Comprehensive Plan not having storage facilities listed as a desired business in the comp plan, however, the Village Zoning Code permits self-storage facilities outright in this zoning district.

Dave Willard noted a response letter will be forthcoming from all the materials he received. At the Zoning Board's next meeting and after the Town Planning Board meets on the 15<sup>th</sup>, the zoning board can move forward with SEQR.

Chairman Fay opened the public hearing at 7:03 p.m.

All who wish to speak please raise your hand and be recognized by the Chairman so your comments may be recorded in the minutes.

Daniel Brennan Esq, representing the adjacent owner submitted a petition that has been signed by numerous residents opposing this project. He noted there were general concerns with the SEQR review and with the size of the project. With the project being reduced in size, many of the concerns may have been addressed. Mr. Brennan requested he receive the new plans and supporting documentation for his review. Mark Mazzucco will provide them to Mr. Brennan.

Board Member Reiter asked if the hours of operation are restricted to 8-5 in the winter. The property owner responded yes, he would like to limit the hours to daylight hours only in the winter, however, will also be available for emergency use.

Larry Gursslin, 165 West Ave, could not meet in person for the public hearing, however, submitted the following letter that was read aloud.

*Mark, thank you for taking the time to discuss the proposed storage facility at the above address. Being in Florida with limited internet service, I thought I would share my comments with you again, now in writing as I will not be able to on 11/4/21. These brief comments may be entered into the minutes in part as deemed worthy of mention.*

*The Old Hojack roadway was declared by the Village Board as a non-aerial roadway. Most of the roadway from Lake Ave. to the HCS Bus Garage is underground. The school property is pre-existing (before the road was built), however the new building west of the MW School violated this resolution/declaration. I would oppose any overhead wires in the development, either along the road or internally.*

*The fencing plan sounds reasonable, again, no barbwire as part of plan. (Heinrich's is pre-existing). The Fire Dept and Police should have access to the sire. The lightning of the site should not allow filtering outside of the property. The ZBA should consider adding a berm of soil and bushes, etc. on the South side, in front of the fence.*

The public hearing will remain opened until the next meeting.

**Board Discussion:**

Chairman Fay stated at this point we need to wait to have the Town meet and review this application before moving forward. This item was tabled

Next Meeting: Tuesday November 9<sup>th</sup>, 2021

There being no further business, Member Hohenbeck made the motion to adjourn the meeting at 7:18 p.m.

Respectfully Submitted,

Shari Wilson-Pearce, Village Manager/Clerk

