

Joseph M. Lee, Mayor

TRUSTEES

Andrew J. Fowler
Sherry A. Farrell
Larry W. Speer
Shannon Zabelny

Shari Pearce Village Manager/Clerk
Jeff Pearce Supt. of Public Works

VILLAGE OF HILTON

59 HENRY STREET
HILTON, NY 14468

(585) 392-4144

(585) 392-5620 Fax

voh@hiltonny.org



Village of Hilton Zoning Board
Meeting Minutes of April 27, 2021
Approved

Member's Present: Chairman Kim Fay, Pat Holenbeck, Shelly Kordish, Harry Reiter and Linda Viney

Administration Present: Code Enforcement Officer Mark Mazzucco, Mayor Joe Lee, Village Board Liaison Larry Speer, Village Manager Shari Pearce, Debbie Jones Recording Secretary, DPW Superintendent Jeff Pearce and DPW Assistant Superintendent Chad McManus

Guests: Tom Palumbo (Stantec), Shaun Logue (MRB-Zoom), Joe Ruta, Denise O'Toole, Mike O'Toole, Tim Thomas, Maureen Spindler and David Jones. Unknown guests on Zoom

Chairman Kim Fay called the meeting to order at 6:34 p.m. with the Pledge of Allegiance and a moment of silence.

REPORTS:

Village Board Liaison Larry Speer	Gave his report
Mayor Joe Lee	Gave his report
Code Enforcement Officer Mark Mazzucco	Gave his report

Member Viney read the Explanation of the Zoning Board of Appeals procedure

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

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

Tom Palumbo spoke on behalf of Stantec, will be adding a grass swale to the NW site and will be providing a water quality agreement. The back flow preventer will be in the building. Tom stated there is adequate water supply to meet or exceed the fire flows required for the fire sprinkler system and Fire Department apparatus.

Chairman Fay asked Shaun Logue (MRB) via Zoom if he is satisfied with the Site Plan. Mr. Logue stated he feels we are at a point to move forward.

Chairman Fay asked DPW Superintendent, Jeff Pearce if he had any concerns at this point with the project. Mr. Pearce would like to have a sign off from the Hilton Fire Department on the Site

Plan approval. **Code Enforcement Officer, Mark Mazzucco** stated he has emailed the Fire Chief, but he has not had a response.

PUBLIC COMMENTS: Opened at 7:33 p.m. Closed at 7:40 p.m.

Denise O'Toole, 212 Lake Ave. wanted clarification on who the easement lies with. It would be with the Village.

Maureen Spindler, 175 Lake Ave. had questions regarding the stormwater issues. Tom Palumbo and Shaun Logue stated what has been implemented for the drainage should work out very well. Larry Speer wanted to make clear the pond will not be a retention pond; it is a detention pond. It will not have water in it all the time. The question was raised if the detention pond would be easily maintained. Mr. Palumbo stated it would be maintained by Providence.

Mrs. Spindler thanked Stantec for listening to the neighbors through this process.

BOARD COMMENTS:

Member Reiter asked DPW Superintendent Jeff Pearce if the drainage pipes could be reduced to a 3" from a 4" if needed in the future. Mr. Pearce stated it could be but did not feel there would be a need. **Member Reiter** had some questions about the lighting. The Site Plan states 10'-14' high light poles, is there a more definite size. The light poles will be 14' high. **Member Reiter** asked if they will be able to be dimmed, the answer was no they are LED. There will be no spillage coming off the property. Also, with the pine trees being added for the landscaping this will provide for additional coverage. Mr. Logue mentioned the light poles will be Dark Sky compliant, all lighting will be maintained with the property. Mr. Logue feels strongly there will be no intrusion to the neighbors, no adverse impact.

Member Viney had questions on the provided site plan maps. Pg. LP100 #38 it states Town of Irondequoit. Mr. Palumbo apologized; it should read Village of Hilton. The other question

Member Viney had was on Pg. C501 the Curb and Detectable warning field, what color will those be? Mr. Palumbo stated the color will be shale gray.

Member Kordish inquired if there is somewhere they can visit to get a better idea of the lighting. Mr. Palumbo mentioned their Culver Road development. Another option to get somewhat of an idea would be to drive around Unity Park Apartments off Leith Lane.

Member Holenbeck had a question regarding #2 in the Pre-lim./Final Site Plan Letter from MRB and Stantec's Response Letter. This is referencing the stormwater easement in the northwestern corner. It was decided to remove this easement. **Member Holenbeck** asked about #3 the 20' wide storm easement to St. Leo's Parish. It was decided to leave that there as it is existing and drains into a storm drain. **Member Holenbeck** inquired if St. Leo's would be resealing their driveway. Denise O'Toole stated they are looking at next month.

RESOLUTION
ZONING BOARD OF APPEALS
Village of Hilton
Re: 169/171 Lake Avenue, Hilton, New York
Tax Parcels #'s (024.17-3-36 & 024.17-3-35)
Planned Residential Development District (PRD-S)
Applicant: St. Leo's Senior Apartments-Providence Housing
Final Site Plan Approval

FINAL SITE PLAN APPROVAL RESOLUTION

WHEREAS, the Village of Hilton Zoning Board of Appeals (hereinafter referred to as “Zoning Board”) is considering a Final Site Plan approval for St. Leo’s Senior Apartments, which consists of a 2-story apartment building that will include 40 affordable senior housing units, with the existing church being re-purposed to provide programs space for community services, with ancillary site features such as landscaping, pedestrian circulation, parking, utilities and stormwater management features, located at 169-171 Lake Avenue and within the Planned Residential Development District (hereinafter referred to as “PRD-S”) and detailed on the Final Site Plans, last revised April 21, 2021, and all other relevant information submitted as of April 27, 2021 (the current application); and

WHEREAS, as part of the approval of the Preliminary Site Plan Approval, and in compliance with NYS Village Law and the regulations of the State Environmental Quality Review Act (SEQR), the Zoning Board declared this to be an Unlisted Action and a Determination of Non-Significance was adopted January 26, 2021; and

WHEREAS, in compliance with NYS Village Law, the Zoning Board held a public hearing on the Preliminary Site Plan application on January 26, 2021 and March 10, 2021; and

WHEREAS, all requested variances were approved by the ZBA at their March 10, 2021 meeting; and

WHEREAS, the Zoning Board has compiled the attached list of findings to be kept on file with the application in the Village Clerk’s Office, and

NOW, THEREFORE, BE IT RESOLVED, the Zoning Board hereby Approves without Conditions; Approves with the following Conditions: or Denies the application for the following reasons:

1. The Final Site Plan Approval with conditions as specified is valid for a period of 60 months from today unless signed by the Zoning Board Chairman.
2. The Applicant shall satisfactorily complete all conditions of Amended Preliminary Site Plan Approval and obtain all signatures required on said plans prior to the Zoning Board Chairman’s signature being affixed to the Final Site Plans.

3. The comments within the Village Engineer's letter dated April 26, 2021 are to be addressed to the satisfaction of the Village Engineer prior to signing by the Zoning Board Chairman.
4. All comments on behalf of the Village of Hilton's Public Works Superintendent are to be addressed to the satisfaction of the Public Works Superintendent prior to signing by the Zoning Board Chairman.
5. Revised Site Plans and SWPPP are to be submitted by the Applicant and reviewed and approved by MRB Group prior to final sign-off by the Zoning Board.
6. No building permits are to be issued until Final Site Plan Approval is granted and signatures are affixed on the final plans.
7. All comments from Monroe County Water Authority are to be addressed and approval of the water service design received prior to signing by the Zoning Board Chairman.
8. All easements associated with land belonging to St. Leo's Parish will require their approval and filed with the Monroe County Clerk's Office.
9. The Amended Preliminary Site Plans are to be signed by the Zoning Board Chairman and filed prior to signatures being affixed to the Final Site Plans.
10. All easement language and maps are to be submitted to the Village Clerk's Office and Zoning Board Attorney for approval and such approval shall be obtained prior to the Zoning Board Chairman's signature being affixed to the Final Site Plans. The easements shall be filed at the Monroe County Clerk's Office and copies of the filed easements are to be submitted to the Village Clerk within five (5) days of them being filed. Failure to file such easements shall invalidate this approval.
11. All variances granted by the Zoning Board are to be detailed on the final plans.
12. Site Plan Review from the Hilton Fire Department for adequate water flow prior to signatures being affixed to the Final Site Plan

The within Resolution was moved by Zoning Board of Appeals **Member Viney** seconded by Board **Member Holenbeck** and voted upon by the Board members, as follows: Approved 5-0.

Kim Fay **X**
Linda Viney **X**
Pat Holenbeck **X**
Shelly Kordish **X**
Harry Reiter **X**

I, Debbie Jones, Recording Secretary, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Village of Hilton Zoning Board for the April 27, 2021 meeting.

Debbie Jones, Secretary
Debbie Jones, Zoning Board Recording Secretary
Village of Hilton

DISCUSSION: 275-9 (C) STORAGE OF VEHICLES, TRAILERS, CAMPERS & BOATS

C. Storage of vehicles, campers, trailers, and boats. No motor vehicles, trailers, campers or boats and other recreational vehicles shall be stored on a lot outside of existing buildings thereon except to the rear of the principal dwelling and within the side and rear setbacks applicable to said lot.

Chairman Fay would like to have the Zoning Board look over this Local Law to see if changes could be presented to the Village Board. **Chairman Fay** has ideas of what he would like to see changed and would like each member to send to him any thought/suggestions or changes they feel could be made. **Chairman Fay** will put together a rough copy of the proposed changed and present it to the Zoning Board.

DATES:

Next Meeting: Tuesday, May 11th, 2021

Adjournment:

There being no further business, **Member Kordish** made the motion to adjourn the meeting at 8:05 p.m.

Respectfully Submitted,
Debbie Jones, Recording Secretary

April 26, 2021

Mr. Kim Fay
Zoning Board of Appeals Chairperson
Village of Hilton
59 Henry Street
Hilton, New York 14468

**RE: ST. LEO'S SENIOR APARTMENTS – 169/171 LAKE AVENUE (NYS ROUTE 259)
PRELIMINARY/FINAL SITE PLAN REVIEW & SWPPP REVIEW
MRB PROJECT NO. 0806.08001.000 – PHASE 5**

Dear Mr. Fay:

MRB has completed a review of the submitted Preliminary/Final Site Plans, last revised April 21, 2021, prepared by Stantec for the above-referenced project. We offer the following for the Zoning Board's consideration. A brief written response to each of the following comments should be provided by the applicant or Design Engineer.

Site Plan, Utility Plan and General Comments

1. The Site Data table should be updated to list all the previously approved variances granted on behalf of the Zoning Board of Appeals, including the date that the variance was granted.
2. In previous discussions, a stormwater easement area for future improvements in the northwestern corner of the property was being proposed, however, in recent discussions, this is no longer a consideration and should be removed from the plans.
3. There is a 20' wide storm easement to St. Leo's Parish traversing the northwestern corner of the subject property. This should be further discussed with the Parish, as it does not seem reasonable that the Parish would need such easement.
4. In order for the project to loop the water main through the development so it connects to the existing 6-inch service for the church, the water main will need to be dedicated with the proper access easement to the Village of Hilton. Access will be needed along the proposed service as well as along the existing 6-inch service up to the point of connection for the new line. Such easement will be subject to the approval by St. Leo Parish.
5. Due to the size of the water service being proposed at 8", review and of approval from Department of Health (DOH) will be required. MCWA approval is also needed for dedication of the line and necessary access easements.

6. All correspondences with NYS DEC regarding the extension of the sanitary sewer are to be forwarded to the Code Enforcement Officer, Public Works Superintendent and MRB.

Grading and Erosion Control Plan

7. The total acreage to be disturbed should be added to the plans.

Planting and Lighting Plan

8. The lighting fixture catalogue cut sheets provided in Stantec's April, 21, 2021 correspondence should be updated in the Detail sheets.

SWPP Comments

9. The Stormwater Pollution Prevention Plan (SWPPP) dated January 6, 2021 will need to be updated to include all site improvements that have been made to date. Furthermore, the revised SWPPP will need to be provided for review and approval prior to the issuance of a building permit. The SWPPP should be updated with the following:
 - a) The e-NOI should be filled out and submitted for review when revised SWPPP is submitted.
 - b) All forms within the SWPPP should be filled out and signed for final approval.
 - c) Please make sure that all pages are oriented the same direction when revised SWPPP is submitted.
 - d) Perc test results are to be added to the SWPPP for final approval.
 - e) All items listed on the Appendix D cover sheet should be added to the SWPPP for review.
 - f) All pages associated with this project from the NYSDEC Blue Book, latest edition should be included in the SWPPP.

Miscellaneous Comments

10. Easement maps and legal descriptions for proposed easements to the Village of Hilton will be required to be provided for review and approval by the Village Engineer and Village Attorney.
11. Please provide an update on NYSDOT's review and approval for the modifications to the existing driveway along Lake Avenue (NYS Route 259).
12. A Letter of Credit is required for this project. An engineer's estimate shall be provided which includes: all proposed improvements being offered for dedication to the Village of Hilton, erosion and sediment control practices, stabilization, and SWPPP compliance inspections.

13. The applicant will coordinate with the Village Engineer and Village Attorney to develop a Stormwater Maintenance Agreement for the stormwater management features on the site.

Please feel free to contact our office with any comments or questions you may have in this regard. Thank you.

Respectfully submitted,



Shaun Logue
Senior Planning Associate

Cc Zoning Board of Appeals - Members
Joseph M. Lee, Mayor
Shari Pearce, Village Manager/Clerk
Mark Mazzucco, Code Enforcement Officer
Jeff Pearce, Public Works Superintendent
Thomas Palumbo, P.E. - Stantec



Stantec Consulting Services Inc.
61 Commercial Street Suite 100, Rochester NY 14614-1009

April 27, 2021
File: 192800145

Attention: Mr Kim Fay
Zoning Board of Appeals Chairman
Village of Hilton
59 Henry Street
Hilton, New York 14468

Reference: Response to MRB Review dated 04/26/2021 - St. Leo's Senior Apartments, 169/171 Lake Avenue

Dear Chairman Fay,

We are in receipt of MRB Group's review of the revised Site Plans submitted on 21 April 2021 for the St Leo's Senior Apartment project. We have no exception to these comments and are pleased to offer the following responses to the above noted review. For ease of review, we have repeated the original comment which is followed by our response underlined and in *italics*.

Site Plan, Utility Plan and General Comments

1. The Site Data table should be updated to list all the previously approved variances granted on behalf of the Zoning Board of Appeals, including the date that the variance was granted.

Agreed, we will update the Site Data Table to identify the variances approved at the 10 March 2021 meeting.

2. In previous discussions, a stormwater easement area for future improvements in the northwestern corner of the property was being proposed, however, in recent discussions, this is no longer a consideration and should be removed from the plans.

We are in agreement with this modification.

3. There is a 20' wide storm easement to St. Leo's Parish traversing the northwestern corner of the subject property. This should be further discussed with the Parish, as it does not seem reasonable that the Parish would need such easement.

This proposed easement will provide the Parish with access to the existing storm sewer that passes through that portion of the site.

4. In order for the project to loop the water main through the development so it connects to the existing 6-inch service for the church, the water main will need to be dedicated with



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Chairman Fay
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Reference: Response to MRB Review dated 04/26/2021 - St. Leo's Senior Apartments

the proper access easement to the Village of Hilton. Access will be needed along the proposed service as well as along the existing 6-inch service up to the point of connection for the new line. Such easement will be subject to the approval by St. Leo Parish.

Agreed, access easements associated with the water loop will be provided.

5. Due to the size of the water service being proposed at 8", review and of approval from Department of -Health (DOH) will be required. MCWA approval is also needed for dedication of the line and necessary access easements.

Agreed, MCDOH will need to approve the proposed water main design. We have discussed the project with MCWA and they do not have jurisdiction in this area.

6. All correspondences with NYS DEC regarding the extension of the sanitary sewer are to be forwarded to the Code Enforcement Officer, Public Works Superintendent and MRB.

Agreed, we will copy all involved parties with the County and State agency correspondence.

Grading and Erosion Control Plan

7. The total acreage to be disturbed should be added to the plans.

This is identified in the SWPPP and will be added to the plan.

Planting and Lighting Plan (LP-100)

8. The lighting fixture catalogue cut sheets provided in Stantec' s April, 21, 2021 correspondence should be updated in the Detail sheets.

We will update the details to clearly identify the proposed light fixtures submitted on 21 April 2021.

SWPPP Comments

9. The Stormwater Pollution Prevention Plan (SWPPP) dated January 6, 2021 will need to be updated to include all site improvements that have been made to date. Furthermore, the revised SWPPP will need to be provided for review and approval prior to the issuance of a building permit. The SWPPP should be updated with the following:

- a. The e-NOI should be filled out and submitted for review when revised SWPPP is submitted



April 27, 2021
Chairman Fay
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Reference: Response to MRB Review dated 04/26/2021 - St. Leo's Senior Apartments

- b. All forms within the SWPPP should be filled out and signed for final approval.
- c. Please make sure that all pages are oriented the same direction when revised SWPPP is submitted.
- d. Perc test results are to be added to the SWPPP for final approval.
- e. All items listed on the Appendix D cover sheet should be added to the SWPPP for review.
- f. All pages associated with this project from the NYSDEC Blue Book, latest edition should be included in the SWPPP.

Agreed, the SWPPP will be updated and the formwork completed for approval by the Village prior to issuance of a Building permit.

Miscellaneous Comments

- 10. Easement maps and legal descriptions (if applicable) for proposed easements to the Village of Hilton will be required to be provided for review and approval by the Village Engineer and Village Attorney.

Agreed, these documents will be provided for review and approval by the Village Engineer and Village Attorney.

- 11. Please provide an update on NYSDOT's review and approval for the modifications to the existing driveway along Lake Avenue (NYS Route 259).

With a final configuration for the watermain design confirmed we will move forward with the Application for the driveway and utility permit with NYSDOT.

- 12. A Letter of Credit is required for this project. An engineer's estimate shall be provided which includes: all proposed improvements being offered for dedication to the Village of Hilton, erosion and sediment control practices, stabilization, and SWPPP compliance inspections.

So Noted, we will coordinate the specific features that need to be included in the Letter of Credit with the Village Engineer.



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Reference: Response to MRB Review dated 04/26/2021 - St. Leo's Senior Apartments

13. The applicant will coordinate with the Village Engineer and the Village Attorney to develop a Stormwater Maintenance Agreement for the stormwater management features on the site.

Agreed, the stormwater maintenance agreement is required to file the Notice of Termination (NOT) which ends the SPDES permit coverage.

As indicated, we find these comments to be technical in nature and items that typically get resolved as part of the final agency approvals process that is completed prior to obtaining plan signoff.

Thank you for your consideration in this matter. Please feel free to contact us should there be any question or need for additional information at this stage of the project.

Regards,

STANTEC CONSULTING SERVICES INC.

A handwritten signature in blue ink that reads "Thomas Palumbo".

Thomas Palumbo, PE
Principal - Community Development
Phone: (585) 298-2620
Fax: (585) 424-5951
thomas.palumbo@stantec.com

Attachment: None

- c. Hilton Zoning Board of Appeals - Members
 - S. Pearce, Village of Hilton
 - M. Mazzucco, Village Code Enforcement
 - S. Logue, MRB Group
 - A. Eicholtz, Providence

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