

**HENRIETTA TOWN BOARD  
AGENDA  
MAY 1, 2013**

Supervisor Yudelson  
Councilman Mulligan  
Councilwoman Zinck  
Councilman Moore  
Councilman Page

ORDER OF BUSINESS

1. Roll Call
2. Prayer
3. Pledge of Allegiance to the Flag
4. Public Presentation/Agenda Items
5. Approval of Minutes of the Preceding Meeting(s):  
April 17, 2013  
On Motion of: Councilwoman Zinck    Seconded by: Councilman Moore
6. Miscellaneous Communications
7. Public Hearing:
  - Continued Public Hearing on Proposed Rezoning of Approximately 73 Acres of Land Located at 3860 East River Road from Residential R-1-15 to Industrial – Campus Crest Development (The Grove at Rochester)
8. Introduction of and Action Upon Local Laws, Ordinances, Resolutions
9. Reports of Standing Committees and Actions Thereon
10. Reports of Special Committees
11. Public Comment
12. Adjournment

RESOLUTION #10-100/2013  
Authorize Accounts Payable

RESOLUTION #10-101/2013  
Award Low Bid – 2013 Sanitary Sewer Repairs Project

RESOLUTION #10-102/2013  
Authorize SEQRA Declaration and Approve Special Permit No. 2012-055 – Silverole

RESOLUTION #10-103/2013  
Authorize Attendance of PERMA Annual Safety Conference

RESOLUTION #10-104/2013  
Authorize Attendance of Highway School

RESOLUTION #10-105/2013

Authorize Supervisor to Sign Union Contract Between Local 1170 and the Town of Henrietta

RESOLUTION #10-106/2013

Authorize Personnel Items

PURSUANT TO CALL A REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK, WAS DULY HELD AT THE HENRIETTA TOWN HALL, 475 CALKINS ROAD, HENRIETTA, NEW YORK ON THE 1<sup>ST</sup> DAY OF MAY, 2013 AT 7:00 P.M.

**MEMBERS PRESENT**

Supervisor Michael B. Yudelson  
Councilman William J. Mulligan, Jr.  
Councilwoman Janet B. Zinck  
Councilman John W. Moore  
Councilman M. Rick Page  
Daniel J. Mastrella, Town Attorney  
Leann Case, Town Clerk

**SUPERVISOR YUDELSON**

Now we're going to begin the Town Board Meeting and pretty soon we'll start, we'll get to the Public Hearing, but I'd ask first the Clerk to call the roll for the Town Board Meeting.

Councilman Mulligan	Here
Councilwoman Zinck	Here
Councilman Moore	Here
Councilman Page	Here
Supervisor Yudelson	Here

**SUPERVISOR YUDELSON**

I'm just going to wait for a minute for the room to clear for anybody who wants to leave.

**COUNCILWOMAN ZINCK**

Good idea.

(Brief intermission at 8:20 P.M.)

(Meeting re-opened at 8:31 P.M.)

**SUPERVISOR YUDELSON**

Alright, thank you for your patience everybody. We'll pick up now with the Town Board Agenda. We've already called the roll. If you would join us for a silent prayer and the Pledge of Allegiance.

*(SILENT PRAYER)*

*(PLEDGE OF ALLEGIANCE TO THE FLAG)*

SUPERVISOR YUDELSON

In a minute, I'll continue the Public Hearing on the Campus Crest project, but at this point, is there anybody in the audience who would like to speak on any of the Resolutions that are on tonight's Agenda? *(Pause, no response)* If not, can I have the approval of the Minutes?

COUNCILWOMAN ZINCK

I'd like to approve the Minutes of the April 17, 2013 meeting.

COUNCILMAN MOORE

Second.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye
Councilman Moore	voting	Aye
Councilman Page	voting	Aye
Supervisor Yudelton	voting	Aye

Carried

SUPERVISOR YUDELSON

At this point, we will continue the Public Hearing on the proposed rezoning of land at 3860 East River Road from Residential R-1-15 to Industrial for the Campus Crest Development project known as The Grove at Rochester. As you know, we already have had a session of the Public Hearing and left it open so we would have the chance for additional input tonight. And as is customary, I'd like to give the Applicant the opportunity to go first to offer us any additional information. I know we, that you had, at our request, a meeting with the neighbors yesterday, an informational meeting. So I'll let you speak to that to the extent you want and then we'll give residents a chance to come up and speak as well.

ALEX EYSSSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

Thank you, Supervisor. My name is Alex Eyssen, Campus Crest. This is my third time to come and speak before you. Technically my fourth Public Hearing if you include the Planning Board. And so just to give you an update on what's happened the past two weeks, we did host a neighborhood meeting last night and I answered questions myself and Jess Sudol, our engineer, answered questions for about an hour and forty-five (45) minutes from many individuals, including individuals that are here tonight, and including two (2) attorneys. And so I hope that some of the myths and misconceptions were clarified, but I understand there was a lot of concern about traffic. Some unfair

generalizations about students and renters and things that are outside of my control, but as far as the site plan and the rezone, I believe we established that it was still consistent with the Master Plan. That although we talked about single family residences in the area, there are multifamily. I know the opposition has sent letters and I believe you've received various letters of support that have come in from residents that we've obtained. There are supporters. There are supporters that have emailed. And so just like there are people who are opposed to the project, there are people that do support this project. And I've received two (2) emails since you saw me last time and that's it, nobody's called to talk about the project. So we understand that no vote will be taken and we agree with that request and we hope you'll consider both the comments you've heard tonight and also everything we've submitted and anything that may come in up until the Public Hearing is closed. So I'll be available for any comments and I look forward to responding to any comments we have tonight. Thank you.

#### SUPERVISOR YUDELSON

Okay. Thank you. Just before I call for input, I just wanted to, if you would pass that down to the Town Clerk, we have, as mentioned, received some correspondence on both sides of the issue. That is, just for the Record, about thirty (30) letters that were delivered together this afternoon to the Town Hall in support of the project and they'll be made a part of the Record. At this point, I would open it up to anybody who would like to speak. Carol, come on up.

#### CAROL MALACH, 130 CAPE HENRY TRAIL

Carol Malach, 130 Cape Henry Trail. Before I read my statement, I would just like to bring up something that had me very, very upset this afternoon while I was at work. Most of us work and cannot keep on top of things that the Board is putting out and not putting out. Monday afternoon I received an email from you, Michael, asking me to correct some misinformation that was out there, that this was not on the Agenda for tonight. You wrote a very long email about it, you asked me to share it on the neighborhood Facebook site, and I, as an act of good faith, did that. We told people that it was not being on the Agenda, so people thought they couldn't have an opportunity; they'd have to wait until the end of the Meeting to talk. Suddenly today, and that was put on the Town website as well, where people go for information. Suddenly today, at about 4:00 p.m., that was changed. It was on the Agenda. An email blast went out on Monday with correcting the misinformation. I didn't see an email blast going out today saying, "Gee, we changed things." I got the standard thing that came out at 4:00 p.m. It seemed to me, maybe I'm just being a little bit cynical now dealing with a lack of communication from this Board, it seemed to me intentionally misleading to say on Monday that this is not on the Agenda, please share this information with your neighbors, it's not on the Agenda, and then suddenly today it was on the Agenda. The Town website changed quickly. The blast went out Monday telling us it's not on the Agenda and then today it's suddenly on the Agenda. I'm perplexed at the missteps that continue to happen about communication.

SUPERVISOR YUDELSON

Yes, I'll explain that to you. I asked you to correct information that was on a flyer that was widely distributed through your neighborhood. Large, I think...

CAROL MALACH, 130 CAPE HENRY TRAIL

I know what you're talking about.

SUPERVISOR YUDELSON

Well, maybe some people here don't.

CAROL MALACH, 130 CAPE HENRY TRAIL

Well, people here got that flyer and I don't want to...

SUPERVISOR YUDELSON

Can I speak? I...

CAROL MALACH, 130 CAPE HENRY TRAIL

I want, no...

SUPERVISOR YUDELSON

I did not interrupt you, Carol.

CAROL MALACH, 130 CAPE HENRY TRAIL

You're right, you didn't, Michael.

SUPERVISOR YUDELSON

Okay.

CAROL MALACH, 130 CAPE HENRY TRAIL

Please go ahead.

SUPERVISOR YUDELSON

So the email back to you was, I think you took it as I was accusing you of spreading...

CAROL MALACH, 130 CAPE HENRY TRAIL

No, that's not how I took it.

SUPERVISOR YUDELSON

It felt that way in your response. All I was saying was the flyer said that the issue was going to be addressed at 6:30 p.m., which was not correct. And that we were going to vote on it tonight, which was not correct. That's the only misinformation I...

CAROL MALACH, 130 CAPE HENRY TRAIL

No. What you said to me, Michael, you said that this was not on the Agenda. I have

the email. You said it was not on the Agenda. You said it was not going to be voted on and it's not on the Agenda. So suddenly now it's on the Agenda. There's continued misinformation that's put out there.

SUPERVISOR YUDELSON

So the only difference, as far as being on the Agenda, I also told you, and as we had on the website yesterday that people would have the option to speak on it...

CAROL MALACH, 130 CAPE HENRY TRAIL

You're right, you did.

SUPERVISOR YUDELSON

...about it tonight. And after talking with the Town Attorney about the Public Hearing still being open, determined that if we put it, the Public Hearing, on the Agenda tonight, it would allow us to put it at the front of the Meeting instead of people having to wait until the end. Now, of course we didn't know the Special Permit Meeting would go on as long as it did, but it gave us the opportunity to move it to the front of the Meeting, allow people to get up and speak at this point. They still have the opportunity to speak. Tonight we told people they would have the opportunity to speak. And this kind of dialogue only makes it look like we're trying to do something underhanded, which I don't think helps the process at all.

CAROL MALACH, 130 CAPE HENRY TRAIL

You're right, it doesn't, but it's a continued lack of communication is what it is. You asked us to communicate with our neighborhood Michael and put it on the Facebook site.

SUPERVISOR YUDELSON

I think you're over analyzing it.

CAROL MALACH, 130 CAPE HENRY TRAIL

I don't think I am.

SUPERVISOR YUDELSON

Okay.

CAROL MALACH, 130 CAPE HENRY TRAIL

Because it's a repeated pattern. This Board does not share information.

SUPERVISOR YUDELSON

I disagree.

CAROL MALACH, 130 CAPE HENRY TRAIL

Okay, let's just move on. Okay?

SUPERVISOR YUDELSON

Sure.

CAROL MALACH, 130 CAPE HENRY TRAIL

I attended the developer's presentation last night and I'm still left with a number of questions and serious concerns about the proposal. Contrary to the developer's statements, there's no market demand for this type of development. I understand it's a free market and as the Town has said, on camera and at meetings, market demand is not your concern. So how about we look at the traffic and safety issue? Last night, we were told traffic was not an issue and that traffic on East River Road, at worst, will be considered a C level on the A to F scale. And that specifically, students' driving patterns look different from that of a typical resident in the neighborhood. We were told that's a fact, we couldn't challenge it, it's a fact. Well here's another fact: according to the data from the National Highway's Traffic Safety Administration, this very age group that the student population falls into does look different. The data tells us their willingness to take risks while driving's much higher than the typical resident. Their willingness to take risks while driving, the rate of distracted driving is higher, their perception of what is acceptable while driving is higher than the typical residents. Was that taken into account in this traffic study? Those are facts. Those are national facts that anybody in this room could look up. I don't believe those were taken into account. The developer says their driving patterns are different. Yes, they are. And so are their behaviors when they're behind the wheel. Since the Department of Transportation (D.O.T.) is still reviewing the whole entire traffic impact report, I don't understand how the developer can say there's not a traffic issue. I am also extremely concerned about the safety of bikers and pedestrians up and down East River Road. While the developer talks about having nice bike racks behind the gates for students to park their bikes, when asked last night what steps would be taken to make the roads safe for those very students with the bikes, the answer was, "Nothing. That's not their responsibility." So who's responsibility is it for the safety? There's no shoulder on this road, no lighting, a very narrow lane for people to walk and ride. I really find it incomprehensible that the Town is considering this kind of development without addressing the safety of students and residents. And please do not say, "It's a County road, we can't do anything." Please do not say that. How is the Town planning on handling the increased demand and strain on our first responders? All you have to do is open the newspaper and see how many fire calls are made to off-campus student housing. And the Monroe County Sheriff will certainly be spending additional time dealing with the increased traffic and other issues that may arise. What steps is the Town taking to minimize the impact this will have on emergency responses to other residents? Which brings me to the rezoning to Industrial with a Special Use Permit. We keep hearing that Industrial makes sense for this area since the adjacent property is zoned this way. The light industrial that currently is built that is set back from the road with people coming and going from 9:00 a.m. to 5:00 p.m. is very different from the six hundred (600) bed development set right up on East River Road so we can all see it, with the only entrance and exit on East River Road.

How can this Special Use Permit be considered? The development is not only incompatible with our residential neighborhood, it's not even compatible with light industrial that's already there. We keep hearing assurances from the developer there is no plan for the other fifty (50) acres that are being rezoned. Campus Crest is a publicly traded company owned by institutional investors. If this business model is not successful and does not work, it would seem highly likely, as a good business decision and return on investment, to sell off land. If Campus Crest truly wants to convince us of this and put us at ease the land will never be used, why not put it into a Conservation Easement? Community character is the sum of all the attributes and assets that make a community unique, some intangible and some highly visible. To determine the attributes that contribute most to community character, it is important to listen to residents of this community. Low density development that minimizes the impact of the environment was identified as a piece of the community character during the update to the Master Plan. I attended some of those meetings. You are now planning to override those very priorities that were developed by the community. I'm curious how much money was spent on the development and update of that Master Plan. I know I feel like I wasted my time having input. In closing, I would like to hear from each of you, on the Record, why you would even consider a project that would have such a detrimental impact on residents you are supposed to represent and keep safe.

*(Applause)*

SUPERVISOR YUDELSON

Thank you. Who would like to go next? Ma'am?

*(From audience, Carol Malach, 130 Cape Henry Trail, [Inaudible])*

*(From audience, John Malach, 130 Cape Henry Trail, "Carol, you should stand up and ask each one,")*

SUPERVISOR YUDELSON

No, she gets to speak and if whoever would like to go next, the Board's welcome, at any time, to make comments. Who would like to speak? Ma'am?

*(From audience, Carol Malach, 130 Cape Henry Trail, "Can I just say, I got something...")*

SUPERVISOR YUDELSON

No, can someone else have a chance?

CAROL MALACH, 130 CAPE HENRY TRAIL

I have a question and I think the respectful thing would be to answer. Are you saying that no one's going to answer?

SUPERVISOR YUDELSON

The format is for you to come up and make comments.

CAROL MALACH, 130 CAPE HENRY TRAIL

So no response?

SUPERVISOR YUDELSON

Not to interrogate the Board.

CAROL MALACH, 130 CAPE HENRY TRAIL

I'm not interrogating, I'm asking a question.

SUPERVISOR YUDELSON

You asked a question and as I said before, the Board can answer when and how they choose. And so we're calling the next speaker. They might wait, decide to wait for several speakers and then answer.

COUNCILWOMAN ZINCK

I have no problem answering.

SUPERVISOR YUDELSON

Go ahead.

COUNCILWOMAN ZINCK

I mean you're asking why we would consider it? Because that's our, I mean I'm on the Board to consider any Application that comes in front of us. That's my responsibility to weigh positives and negatives. I'm not saying I approve it or disapprove it, but my job is to hear any Application that comes to the Town Board. And I think that's what you asked me.

CAROL MALACH, 130 CAPE HENRY TRAIL

Well I'm asking you how you consider it and the impact on safety that I have yet to hear anyone on the Board address.

COUNCILWOMAN ZINCK

I think all the...

CAROL MALACH, 130 CAPE HENRY TRAIL

I keep hearing it's a County road.

COUNCILWOMAN ZINCK

All the issues that you brought up are things that we discuss and we will continue to discuss after the feedback here.

CAROL MALACH, 130 CAPE HENRY TRAIL  
Okay.

COUNCILWOMAN ZINCK  
But why would we consider it? Because that's our job to consider it. We hear what you say. We go back. We discuss these things.

*(From audience, inaudible)*

COUNCILWOMAN ZINCK  
No, not really.

SUPERVISOR YUDELSON  
Okay. Ma'am?

CHRISTINE ALEXANDER, 3940 EAST RIVER ROAD  
Hi, my name's Christine Alexander. I live at 3940 East River Road. There was a topic I'd like to bring up that affects my house directly. It is considered a historical site as well as the cemetery next door. And I bought the home and invested in it to improve it and keep it in its historical preservation. I bought the house two (2) years ago. I grew up and was raised in Henrietta and made the full circle now and came back. So I was excited about being back here. So the problem is, I'm concerned about the zoning, just opening the door to more industrial type development. And as for the traffic in that area, I suggested a couple other times about the Lucius Gordon Drive, and I mean if it's going to be considered to develop to keep it a residential area, but also maybe there's the Lucius Gordon Drive, which is now industrial, I don't know why we couldn't try to access that, because it goes directly towards the college. And just going off the top of my head here some different things, the safety issue, which has continuously been brought up. But the fact that my house, my neighbor's, and my two (2) neighbors' houses are also historical sites. There's an elder lady that lives across the street from me. She crosses the street to get her mail and she runs across and God forbid if she fell or something, because the traffic really is fast there. And the fact with the hills and also the snow storms, it goes, it's very slow and I know that the guys are out there plowing and they do a great job, but sometimes it's overwhelming. And I'm trying to think what else here I have. And that's about it. Of course the traffic heading north from the college backing up too. Okay.

SUPERVISOR YUDELSON  
Thank you.

*(Applause)*

SUPERVISOR YUDELSON

Who'd like to speak next? Ma'am?

CHRISTINA GIGLIO, 114 YORK BAY TRAIL

Christina Giglio, 114 York Bay Trail. I'm not convinced that there's a true need for an additional six hundred (600) student housing beds in this area. Campus Crest will not share their market research, but I suspect that it contains national and statewide data that is not reflective of this area. An additional study should be conducted that is very specific to this area. Regarding the traffic, I'm not convinced that the impact on the local traffic, which is already terrible, will be minimal. Campus Crest will not share their traffic study, but they did indicate that in part of it, relied on national statistics and I suspect that it also includes statewide data. We need an additional study that speaks specific to this area. There has not been enough effort to reach out to the D.O.T. regarding solutions that may help mitigate future problems, such as wider shoulders, a turning lane or a sidewalk. The Comprehensive Plan, Campus Crest argues that the project is well within the intentions of the Comprehensive Plan because it joins two (2) adjacent areas that are already zoned as Industrial. What they're not addressing is how the Special Use Permit fits into the Comprehensive Plan. I don't believe that it does. The existing industry in this area is predominantly low profile, low density, and situated in park like settings. It sits into our calm, peaceful, and scenic surroundings. The Campus Crest project is not low profile, it's high density, and it's close to the road. It doesn't fit into this area aesthetically or stylistically. The long term impact, the approval of a Special Use Permit sets a precedent. Plans for the remaining fifty (50) some acres remain vague. What's to stop the Town from approving something similar in the future? Where does this stop? Henrietta already has a tremendous amount of busy roads and a high profile industry. I've not heard any information regarding long term ecological studies. There are wetlands in this area, what kind of an impact will an Industrial zone have on those areas? And lastly, I've heard several remarks at the couple of meetings that I've attended about how this is just capitalism. And it's true. It is capitalism and we live in a capitalistic society. But this is also a democracy. And that means that we have a say. And I say, "No." And I'm asking the Board to vote on behalf of the community and vote no. Thanks.

*(Applause)*

SUPERVISOR YUDELSON

Thank you, ma'am. Who would like to go next?

PETER GIOVENCO, BERGMANN ASSOCIATES

Good evening, Mr. Supervisor, Board, my name is Peter Giovenco, I'm a Professional Engineer and Vice President of Bergmann Associates, consulting engineers and architecture, located in Rochester. I spent a good part of my career, twenty (20) plus years sitting on that side of the table and representing large development projects for developers throughout New York State. I've made a large career out of it and when

asked to look at this by the Neighborhood Association, I gave it a real close look to see if it was worth looking at. And it was not until I started looking at the Application where it raised some concerns that I needed to make it a point to come here and talk to you this evening. So I'm here representing the Neighborhood Association. My points are the Application itself. First of all, it is a SEQRA Application. You are rezoning more than a hundred (100) acres and as you have already identified, it's a Type I Action. Under SEQRA law, you need to identify all the impacts associated with the rezoning of the entire seventy-five (75) acres. The project, and last night I sat through the presentation that the developer gave on the project, and he identified that he is looking to develop the twenty-five (25) acres and leave the balance of it vacant, possibly for farming for the next unforeseeable future. Unfortunately in New York State, that's not permitted, especially when you're rezoning the entire seventy-five (75) acres. You have to look at the entire impacts of the rezoning, the rezoned, and in this case you're rezoning it to Industrial, what the potential impacts could be given the worst case scenario, given that zoning. And that Application didn't look at that. The Environmental Assessment Form (EAF) was brief and did not, like I said, only considered the residential part of the development. The other thing that I was concerned about is to historical and archeological sensitivity of the site. As mentioned a couple times here already, I didn't see any indication that a Phase 1 or a Phase 1b was done on the project, any indication that the State Historic Preservation Office (SHPO) looked at the project and as a rezoning application under SEQRA, you should, that's an environmental review part of SEQRA and should be dealt with as well. And I just found out that the traffic study was submitted to Monroe County D.O.T. for their review and Monroe County will have purview over this project. The traffic study is an important part of your due diligence, because under SEQRA you're looking at all the environmental impacts associated with this project. Traffic is one of the environmental impacts associated with this project, if it's rezoned from a lesser dense project to a more dense project. We would like to have the opportunity to review that traffic study on behalf of the residents, to just take a look at it. Unfortunately, we did not have the time to do that and we would like to have the opportunity to do that. But what I understand is that the public portion of this Hearing may be closed this evening and we would like to have it extended so that we may be able to offer comments on the traffic study as it was submitted. So those are kind of the environmental issues. The safety issues, I think were pretty well talked about already by the residents. And that's something that I'm really concerned about as well. You're looking at rezoning the property to Industrial, which, if you look at the Comprehensive map and everything, the current zoning, makes a lot of sense in some cases. But then you add in the spot zoning to make it a college dorm or student housing. That, in itself, when it's a mile and a half away, it's a mile from the property, R.I.T. property, but it's a mile and a half away from the sidewalk system and the path system within R.I.T.'s property. So getting those students from the student housing to the campus is a major issue. And it's different, as some people have already indicated, from an Industrial Zone property. You don't have that activity if it's industrial use. You will have it if it's student housing. They'll be riding their bikes. There's small shoulders. There's no lighting. There's no sidewalks. And it is an issue that's specifically associated

with student housing. As I mentioned, I do recommend that the historical/archeological component of the project be reviewed under SHPO and that we continue to have the opportunity to review the traffic study. And I guess my last closing comment is I question why you're trying to get student housing here. When looking at the availability of vacant land adjacent to and on the R.I.T. campus, there's plenty of room to do student housing, which is in the, which is consistent with the Master Plan and your Comprehensive Plan, where you have students that are adjacent to the University, the College, and they have a significant infrastructure already in place to support the pedestrian and bicycle safety of these students. If you look at the other student housing projects, there's plenty of sidewalks. There's plenty of lighting. There's crosswalks crossing the road. There's none of that infrastructure in place to support this project as it's proposed currently. So those are the safety issues that I looked at and saw in reviewing the Application. And that's all I have to say. I wish that we would have more time to review this Application and we hope that you would consider extending the public comment portion of this so that we may be able to offer some more detailed comments.

SUPERVISOR YUDELSON

I just had a couple follow up questions for you.

PETER GIOVENCO, BERGMANN ASSOCIATES

Sure.

SUPERVISOR YUDELSON

Your comments were very well organized and presented. Just at the tail end there where you talked about safety, as far as when you spoke about proximity to campus, would it be your opinion that would be a crime factor in it being a safe location?

PETER GIOVENCO, BERGMANN ASSOCIATES

Prime, you said?

SUPERVISOR YUDELSON

Crime.

PETER GIOVENCO, BERGMANN ASSOCIATES

Oh, crime, yes.

SUPERVISOR YUDELSON

Crime factor on that.

PETER GIOVENCO, BERGMANN ASSOCIATES

Yes, that would be something that, yes...

SUPERVISOR YUDELSON

I mean you're...

PETER GIOVENCO, BERGMANN ASSOCIATES

I have two (2) kids in college right now so I'm looking at them and I... I think them riding down the edge of this...

SUPERVISOR YUDELSON

Yes, we're very concerned about that and we're concerned about all the things you're talking about, but also we're looking at the Applicants. I mean you're aware of the Park Point...

PETER GIOVENCO, BERGMANN ASSOCIATES

Yes.

SUPERVISOR YUDELSON

...and that and their first few years of operation there was a lot of problems with student conduct. You're aware of The Province, which is right across the street from R.I.T. and they've had two (2) students die...

PETER GIOVENCO, BERGMANN ASSOCIATES

Absolutely.

SUPERVISOR YUDELSON

...in behavior related things and several others hospitalized, arrested, all kinds of things like that. So there's a lot of different things, I think you would agree, that go into student safety.

PETER GIOVENCO, BERGMANN ASSOCIATES

Absolutely.

SUPERVISOR YUDELSON

Okay. And the other question I had for you was in addition to working with the Neighborhood Group, whether you are representing or working with attorneys for any of the competitors, including Wilmorite.

PETER GIOVENCO, BERGMANN ASSOCIATES

I am working with Alan Knauf, the attorney that's been hired by the Homeowners Association. Alan is the one that kind of asked me to be, to look at the Application, as well as some of the residents that I do know asked me to be involved in this Application. So that's who I'm working with at this point in time.

SUPERVISOR YUDELSON

I understand that. I kind of feel like you didn't answer my question, though. Are you

working with Wilmorite, too? You and Mr. Knauf?

PETER GIOVENCO, BERGMANN ASSOCIATES  
On this project?

SUPERVISOR YUDELSON  
Yes.

PETER GIOVENCO, BERGMANN ASSOCIATES  
No.

SUPERVISOR YUDELSON  
Okay, thank you. Who, I think somebody else was getting up at the same time.

*(Applause)*

BONNIE DIEHL, 40 WESTMINSTER PARK  
My name is Bonnie Diehl, I live at 40 Westminster Park. I live on a private road, which would be almost directly across from this property. I already pay the same tax as everybody else and I don't get snow plowing and I don't get road maintenance. And I am held kind of hostage by the guy that owns that land that I cross. And I'm willing to live with that. But now you're putting in six hundred (600) more beds, more houses, of a road that's already crazy with traffic. I try to walk every night and you know how many times I've almost been run down just trying to get over to Lucius Gordon Boulevard? I mean, you guys just listened to all that stuff about the Brooks Road, how everybody's upset, and nobody had a chance to vote. Here's our vote. We don't want this. These people, your residents, the people that you work for...

*(Applause)*

BONNIE DIEHL, 40 WESTMINSTER PARK  
...we don't want this. So please, I'm already getting screwed by Ben Coglitore, give me a break. You don't... thank you.

SUPERVISOR YUDELSON  
Thank you.

*(Applause)*

SUPERVISOR YUDELSON  
Who would like to go next? Okay, Mr. Gorman, just, it would be helpful if people could just raise their hand, because we've had people coming up out of order. But go ahead.

FRANCIS GORMAN, ATTORNEY FOR WILJEFF, LLC

Good evening, Mr. Supervisor and Members of the Town Board, my name is Francis Gorman, I'm the attorney for Wiljeff, LLC. As you may know, Wiljeff is affiliated with Wilmorite. Wilmorite is a significant member of the Town of Henrietta community. They have two (2) significant properties. They're probably one of the largest tax payers and tax generators in the Town of Henrietta. And so to that extent we feel that, my client feels that they have a right to insist upon some of the rules that have been set down in the past by the Town of Henrietta. And one of the guidelines that they look at is the Comprehensive Plan. And in 2003, the Comprehensive Plan was adopted and it's gone through several iterations, but the current design for the parcel that we're talking about is resource conservation residential. And earlier this evening, Mr. Supervisor, you talked about the Jayne's Riverview project and in many ways your hands were tied, because you had to follow State law. As I pointed out in my earlier letter to the Board on April 17<sup>th</sup>, Town Law Section §272-11 requires a rezoning follow the Comprehensive Plan, so we would request that you look at Town Law Section §272 when you're considering this Application. On the feasibility of this project and also as part of the Comprehensive Plan, you know that the workshops are looking at the future of the community and what they project as far as growth. Obviously, Wiljeff, LLC has a significant investment in the Park Point project and they feel there's adequate supply in the marketplace at this time. The Board received a letter from R.I.T. on April 16<sup>th</sup> and R.I.T. also stated that they felt that there's significant supply in the market. To the extent that this Application is not looking at the, it's talking about a rezoning contrary to the Comprehensive Plan and there hasn't been a market study that's actually been produced that suggests there's this market demand. We believe that is something that should be taken into consideration. Thank you, Mr. Supervisor, Members of the Town Board.

SUPERVISOR YUDELSON

Okay. I just...

*(Applause)*

SUPERVISOR YUDELSON

Thank you. I was just, I mean you're free to respond to this or not, I just wanted to reply to one of the things you said for the Record. Absolutely, your client is a large tax payer and a good corporate citizen. They also, talking about this project in particular, Park Point, are with the Town Board's cooperation, just last year the beneficiaries of one of the largest tax breaks on not just Town taxes, but School District and County taxes, of any business in Henrietta. The deal they had before was restructured at their request to make it much more advantageous to them, saving them millions of dollars. So the cooperation has gone both ways.

FRANCIS GORMAN, ATTORNEY FOR WILJEFF, LLC

No, thank you. We appreciate the Town for that. Thank you very much.

SUPERVISOR YUDELSON

Thank you. Who would like to speak next?

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION

Good evening, Mr. Supervisor, Town Board Members, Mr. Mastrella. My name is Alan Knauf, I'm here on behalf of the neighbors, including people in the Chesapeake Pond Preserve neighborhoods and I think some people outside the neighborhood. And we're here, as you know, opposing this Application. I do want to address some of the legal issues presented here. First, SEQRA, as our engineer indicated, this is a classic segmentation case. You just cannot go forward without analyzing the future use of the property that's going to be rezoned behind this development. It's going to be zoned Industrial, there's, as you know, there's a long laundry list of different uses allowed in an Industrial Zone and you do have to look at that. And it's not clear what the access would be. If I'm going to put a factory back there, how am I getting there? You really have to design that. And you cannot segment it, you can't rezone it, without looking at that point. Traffic issues, you've heard a lot about traffic, again, the traffic issues, not just the volume, and again, we found out last night that there was a traffic study, we haven't seen it, so we would like the opportunity to review that. I'm told it's a draft traffic study, but I think the safety is a real issue, the young drivers that will be driving, many will be drinking, there's no doubt. The Applicant last night said that we're disparaging college students. Well, I went to college and my friends went to college and certainly we acted differently in college than most of us do today. And I think it is a real issue asking, or putting the site a mile down the road from the college near the residents. I think there's a serious risk for pedestrians and bicyclists. Frankly, if I lived there, I probably would ride my bike to campus. But I would think that you would require the Applicant to make a bicycle path or a sidewalk to make it safe. The people in the subdivisions, there's a risk when they're turning out, especially with young drivers coming down East Henrietta Road and I think they're particularly going to be subjected to a safety issue turning in and out of their subdivision. Some of the other environmental issues, obviously, the loss of farmland. I would think that you would at least require a conservation easement over the rest of the property to preserve it as farmland. There's some aesthetic issues, not so sure these three (3) story buildings really fit into the general aesthetics of the area, especially so close to the road. As mentioned, there's some historic/archeological issues, the nearby graveyard, which I'm told there's a Civil War soldier buried, and there's some other designated historic sites nearby. I think you do have a cumulative impact issue on traffic with the Application that was heard earlier. I know you indicated that you approved the Special Permit last year; however your Code says Special Permits expire after a year if you don't go to pull your building permit. So I don't know when the year is up, but doesn't sound to me like they're going to be building townhouses. And regardless of what their project is, you have to look at that project on top of this one, because otherwise you're segmenting the review. As indicated before on the zoning, spot zoning issue, we just don't think this is consistent with the Comprehensive Plan, which talks about residential or resource conservation. I think the Applicant has taken some language out of context saying, "Oh,

there's talk of you can put Industrial in other areas," but I don't think this is an Industrial use and I'll get to that later, but it's certainly not a use you would think of as Industrial. Whether it's allowed under the Code, I'll get to later. The, and I appreciate the Board indicated that on a Special Permit Application, they have certain guidelines. However on a rezoning, it's totally discretionary. You don't have to entertain the Application. So you have total discretion to not rezone. That's totally within your power. If there's a rezoning and there's an application for a Special Permitted Use, then yes, there are certain guidelines you got to operate under. I don't, as far as some of the planning issues, I don't see this as smart growth at all. It just doesn't make sense to be putting this in this location, not nearer to the campus. I think it's just encouraging more sprawl. It really doesn't make sense, we don't think. As far as the layout, we think there should be more than one access. I looked at the Minutes and at one of the earlier meetings there was talk about access to that, guess it's Lucius Gordon, I don't know if I got the name right, and they just said they don't have the...

*(From audience, Inaudible)*

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION  
Gordon?

COUNCILWOMAN ZINCK  
Lucius Gordon.

SUPERVISOR YUDELSON  
Lucius Gordon.

*(From audience, "Oh, Lucius Gordon.")*

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION  
However, I think the Board should ask them to approach the property owners and say, I guess there's like four (4) parcels, I'm not sure of the exact layout, but say, "Would you allow, would you sell us an easement?" Because I got to believe one of those property owners would be willing to consider that, under the right conditions, if that would alleviate some of the traffic issues out on East River Road. The developer last night said you didn't control the road and I know you don't run the County highway system, but you do have the power to say whether or not you're going to rezone. And when you do that, you have to take into consideration the condition of the road and whether this two (2) lane highway, with the curves and hills and what not, and small shoulders, is adequate for this use. On the procedural issues, this is rezoning. I haven't seen, but I assume you've got a report from your Town Planning Board, because your Code says you're supposed to get that. I assume you've got your report under General Municipal Law §239 from County Planning. I didn't see that, but I assume it has come in, because it's, the referral would be required. The, I question how they can apply for a Special Permit in an Industrial Zone when this, today, is not an Industrial Zone. I think the

Special Permit Application is premature, because they're applying for a use that today is not allowed by Special Permit, because it is not zoned Industrial. I think they're putting the cart before the horse there. Some of the issues came up about open meetings. We do ask that due to the confusion, and plus we're kind of new into this, that the matter be held open, especially since I'd looked at some of the stuff on websites and what not, but it wasn't all available to us. As far as the zoning, if this is an Industrial Zone, you need a hundred and twenty-five foot (125') front yard, a fifty foot (50') buffer from adjacent residential. It wasn't clear to me from the drawings I saw, maybe they're there, but I didn't see all the dimensions, so it wasn't totally clear to me that those are there. Maybe they are, but that has to be documented. But the last thing I want to address is the zoning. I don't think this use is allowed in the Industrial Zone by Special Permit, even if you rezoned. They say this is a multiple dwelling. Well, multiple dwelling is housing for three (3) or more families. And I know this Board and Mr. Mastrella are very familiar with the issues regarding the definition of a family. And if I could quote Judge Odorisi, he said your Ordinance, "Does not exclude all students." It goes on, "just groups of three, groups of over three (3) who are not the functional equivalent of a family." Well my understanding from reading the Town Board Minutes from last month is that this is a business where they actually match up the kids. I apply and rent a bedroom and we get matched up. I was thinking coming into this it's like my friends and I did this when I was in law school, frankly, I had four (4) friends that were in school with me, we rented a house together, but we did live together, we shared meals and all that. But we chose each other and went out and rented the unit together. Here, my understanding of their business model is they actually take individual applications and match the people up and stick them in the apartment, so I don't think that is a functional equivalent of a family. So I don't think this is a multiple family development. I did look, well what is this, and I looked at the definition of boarding house. You do have a, there was a 1967 case, Town of Henrietta versus Fairchild saying in a situation where a group of bachelors got together and shared a house and pitched in, that was a boarding house. But your definition says a boarding house is more than three (3). My understanding is they have no more than a three (3) bedrooms, so if they limit it one (1) kid per bedroom, then I don't think they do come under that. So I started thinking, what is this? This is a dormitory. That's what it is. It is a dormitory. And if you look in your Code §295-24 (41) under Industrial, it allows a dormitory, but only in connection with a college campus. So this is not associated with the college and this is not an allowed use. So even if it's rezoned Industrial, I submit they would need a use variance, which they're never going to get. But certainly they could not be granted a Special Permit by this Board. Thank you for your attention.

*(Applause)*

SUPERVISOR YUDELSON

Thank you. Give Mr. Mastrella a chance to respond to anything he's prepared to at this time, but I just, because I didn't follow, I followed everything, you did a very good job presenting, but the last piece there. Are you saying that any three (3) people that were

living together that weren't related, that it wouldn't be an apartment? It's a dormitory? I mean what would you say distinguishes this as a dormitory, as opposed to any other apartment anywhere?

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION

Well I think, first of all, whether the family unit and I won't, I'm sure Mr. Mastrella and you are more familiar with your definition of family, because it looks like you've been through a lot with it. But I'm reading from what Judge Odorisi said and he said, "It excludes students, groups of three (3) or more students who are not the functional equivalent of a family." So the question is, what's a functional equivalent of a family? I don't think where some corporation matches us up and sticks us in the same room, which certainly we all had in college; the college matched us up and said, "Oh, this is your roommate." I room with people I never met before in my life.

SUPERVISOR YUDELSON

Well if it's more than three (3), but the code as redefined...

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION

Over three (3), yes. Over three.

SUPERVISOR YUDELSON

If it's one (1), two (2), or three (3), it's okay. So if it's three (3)...

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION

So you're saying if it's three (3), it would be a family, is what you're saying.

SUPERVISOR YUDELSON

Well it, the test doesn't apply.

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION

Alright. Okay.

SUPERVISOR YUDELSON

If it's one (1), two (2), three (3), it's okay.

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION

So you're saying...

SUPERVISOR YUDELSON

I just want to see if it was...

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION

That may be.

SUPERVISOR YUDELSON

You're not saying that's a dormitory? I just wasn't sure what you were...

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION

Well I'm saying it is a dormitory...

SUPERVISOR YUDELSON

...implying dormitory to.

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION

I'm saying it is a dormitory, because that's what, I don't see how it's any different than R.I.T. takes applications, they say, "Oh, you're going to be, Sally, you're rooming with Mary, here's your room." And that's a dormitory.

SUPERVISOR YUDELSON

So you would say then that any apartment complex that rents to three (3) unrelated people, that's a dormitory as opposed to an apartment?

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION

I think this is a dormitory. And it may be that your law has changed, but in the Industrial use, it allows dormitory, but I don't see this as multiple dwelling.

SUPERVISOR YUDELSON

I don't follow, but I'm going to turn, let Mr. Mastrella respond as he sees fit.

DANIEL MASTRELLA, TOWN ATTORNEY

Well, a multiple dwelling is defined in our Code as, "a building arranged, intended, or designed to be occupied by three (3) or more families living independently of each other." And certainly an individual living independent of any other family member is a family for purposes of that dwelling. I just, I don't see how you can say otherwise.

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION

Well the question's whether they're families. You got, my understanding is we have three (3) people in this unit, this suite.

DANIEL MASTRELLA, TOWN ATTORNEY

Why is there a question of whether they're families? It's a multiple family, it's a multiple dwelling.

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION

It's got to be a group of, if it's three (3) or more families, then it would qualify as a multiple dwelling, right?

DANIEL MASTRELLA, TOWN ATTORNEY

A building that is "arranged, intended, or designed to be occupied by three (3) or more families living independently of each other."

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION

Right, so the question is, certainly we got more than three (3) living units here. The question is, are they families?

DANIEL MASTRELLA, TOWN ATTORNEY

Why is that a question?

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION

Because then it's not a multiple dwelling.

DANIEL MASTRELLA, TOWN ATTORNEY

Every individual constitutes their own family in this circumstance.

*(From audience, Barbara Pilato Haschmann, Sign Language Interpreter, "Excuse me, the interpreter just wants to ask a question, if I'm interpreting correctly. Are you saying that in your situation of college, you chose who you were going to live with, but you're saying that these applicants are matching up strangers, is that what you're saying? So therefore, it's a dorm, not...")*

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION

Yes.

*(From audience, Barbara Pilato Haschmann, Sign Language Interpreter, "You chose to live with your friends.")*

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION

Well, I chose to live with my friends, which I think is a different situation. But when I, I was also in other situations where, at college, where they stuck me in with people I had never met before in my life and that was a dormitory. You don't have a definition of dormitory in your Code.

SUPERVISOR YUDELSON

But as you're defining, so if Bill and Rick and myself went and got an apartment...

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION

*(Laughter)* I won't ask why.

SUPERVISOR YUDELSON

Are you saying we'd be living in a dormitory?

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION

No, I'm saying you're not, because you know each other.

*(From audience, Barbara Pilato Haschmann, Sign Language Interpreter, "Right. He's saying that putting...")*

SUPERVISOR YUDELSON

So you're saying the fact that they're being paired up with people that they don't know is where you're making the...

ALAN KNAUF, ATTORNEY FOR HOMEOWNERS ASSOCIATION

Right. I apply, can I live at this place, oh and they actually said they go through matching people. They know whether you stay up late or study a lot or don't or I don't know, whatever. I'm sure they have, they do this around the country so they've got good reasons why they match people up. But I'm saying that is what happens in a dormitory. And in an apartment, the three (3) of us, we get together, hey, let's rent this place and we can share, and we're going to... For instance, where I lived when I shared the house when I was in school, we cooked together, we knew each other, we did things together, and we did live as a functional equivalent of a family. But I don't think this is set up, it's got three (3) people, unrelated people in the unit that are not the functional equivalent of a family. So, alright, well, we're not going to decide this tonight, but thank you very much.

*(Applause)*

SUPERVISOR YUDELSON

Thank you. Anybody like to speak? Anyone else who'd like to speak at this point?

*(From audience, Inaudible)*

SUPERVISOR YUDELSON

Okay. And then, Carol, you could go next.

PAUL KELLY, 44 STILL POND WAY

I'm Paul Kelly and I live at 44 Still Pond Way, West Henrietta, off of East River Road. And I think that the best thing is to not make a hurried judgment on this. Please look at every issue and leave no stone unturned. And be sure that there have been full studies in each decision before making a, in every area before making a decision. And if anyone did get killed on East River Road, that would be a much worse situation to be facing, to address, than the current one you're talking about. Park Point area, that was set up very well. They have lights, they have paths. That was on the students, their bad behavior. But in the other case, if you don't plan for the safety, and someone gets killed not because of bad behavior but because of unsafe conditions, that's something worse for you to address. People have the responsibility to put light, wear light colored

clothing and things like that, but there are other things that are the responsibility of the jurisdiction, not on the individual. In the County of Monroe, obviously it would be familiar with that. So when they get involved, there are parts that are on the jurisdictions, especially if they're so far from R.I.T. And as you're working together, I would just want you to consider that one death would be much worse than considering all these things.

*(Applause)*

SUPERVISOR YUDELSON

Thank you. Carol?

CAROL BURRITT, 620 SHORE DRIVE

Carol Burritt, 620 Shore Drive, or also known as the other Carol. *(Laughter)* Carol and Carol in the memo. I'm not going to address the communication major faux pas that occurred this week, or surrounding this meeting.

*(From audience, "Can't hear you, Carol.")*

CAROL BURRITT, 620 SHORE DRIVE

You can't? Okay. I'm not going to address the major communication faux pas that took place this week around this meeting and whether or not this issue was on the Agenda or not. Carol, I said, I think, the other Carol, said it very well for me and you can be sure that my anger was just as deep as hers this afternoon. Everyone has made most of the points that I want to make, but one of the things I noticed in all of the conversations, and I was at the meeting last night, is this idea that it's just kind of been said over and over that the rezoning to Industrial, the Special Use Permit, it's all in, it's in keeping with the Comprehensive Plan, Master Plan, for 2003 and the updates. Well, in reading the Comprehensive Master Plan Update from 2011, one of the things that is talked about was a green infrastructure plan, okay. Now, I don't think we've gone forward with that yet, or have even addressed getting going with that. And it says here, "Respondents to the community survey overwhelmingly showed support for protection of agriculture and open spaces, as well as the creation of more trails and sidewalks throughout the Town. As such, the creation of a Green Infrastructure Plan seems to be a logical next step for the Town to pursue." Now there's a map below that and a lot of the potential open areas that would be considered in this Green Infrastructure Plan are right here on, in West Henrietta, and especially right where this proposed rezoning is going to take place. So without even getting going on what was talked about in this report that everybody said was so terrific and weren't we great for updating it, you're now going to just go ahead and rezone it Industrial and say that's in keeping with the Master Plan. So I just kind of move on here, and then it says right here, a key element of the Green Infrastructure Plan will be involving the public in the visioning process. Well, that hasn't taken place either, but yet we're going to skip forward and just rezone Industrial in a very sensitive area. It also talks about doing the same thing in the Industrial areas,

coming up with a plan as to how you're going to, and especially talked about how you're going to possibly encourage the reuse of former sites that are now, have now been abandoned, and encourage developers to move into those, where the infrastructure is already there and it's a proper use. So without keeping everybody here much longer, because I know we're all tired, I think that's the point I want to make, that please don't say this is all in keeping with the Plan, when the Plan isn't even finished. And a big part of what's supposed to happen, whether the Green Infrastructure or the Industrial development, it's supposed to happen with a lot of public input. And so why skip ahead and just say "Well, we're going to do this, it's in keeping with the Plan," when you haven't really finished the Plan. And the one point, again, that I want to make about rezoning that piece of property to Industrial, that acreage to Industrial, what we've heard here tonight is once something is zoned that way, then anything can happen there that's in keeping with the usage. So why would you go ahead and do that and then be able to come back and then you have to come back and say when someone, if they don't keep it free of other industrial uses in the future, "Well, we can't do anything about it, because it's zoned Industrial. There's only so much we can do. And as long as they're in keeping with that zoning, we can't do anything about it." We've heard that enough tonight. So why go ahead and dig another hole that we can't get out of? That's all I've got to say. Thank you.

*(Applause)*

SUPERVISOR YUDELSON

Thank you. Is there anybody else who would like to speak? Anyone? Oh, no? Okay. Anyone else? Well, I think...

*(From audience, Carol Malach, 130 Cape Henry Trail, [Inaudible])*

SUPERVISOR YUDELSON

Sure.

CAROL MALACH, 130 CAPE HENRY TRAIL

In light of the fact that, sorry, in light of the fact that this community was not notified and has come into this really in the eleventh hour and is really running to catch up and get information and educate ourselves, and we have just retained some legal advice, some engineering advice, etcetera. I would respectfully ask that this Board show us some courtesy and keep the Public Hearing, if that's the right language, open, for at least another two (2) weeks so we can continue going through our process to understand what is going on. Because we're still learning, we're still under discovery phase. And if we're closed off from the Public Hearing, I think that sends us a message. If, in fact, you're trying to keep communication open. Thank you.

SUPERVISOR YUDELSON

Thank you. And I think...

*(Applause)*

SUPERVISOR YUDELSON

...that yes, we're very open to that. I think normally we would close the Public Hearing and then vote later, because of not wanting to have appearances that we're taking the public input and then deciding during the same meeting. But this one, we realize people may still want to offer more input and certainly, it would be a different situation at whatever point we decide to act because it will, at, by that point be several opportunities, we're already at our third (3<sup>rd</sup>) or fourth (4<sup>th</sup>) meeting where people have had the chance to speak on this. So on the advice of our attorney, we will leave the Public Hearing open. We are going to, we have a short remainder of the Agenda, but we'll just kind of pause in place. For those of you who aren't interested in sticking around for the rest of our meeting, to give you a chance to go and thank you again for your participation.

(Brief intermission at 9:30 P.M.)

(Meeting re-opened at 9:31 P.M.)

SUPERVISOR YUDELSON

So let's continue. May I have the first Resolution, please?

RESOLUTION #10-100/2013

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman Zinck

BE IT RESOLVED, that the Supervisor or his designee be authorized to pay the following bills payable:

Exhibit A	Bills Payable dated 05/01/2013	\$ 209,116.07
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SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye
Councilman Moore	voting	Aye
Councilman Page	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #10-101/2013

On Motion of  
Councilman Moore

Seconded by  
Councilman Page

WHEREAS, Resolution #7-82/2013 authorized the advertisement for bids for the Year 2013 Sanitary Sewer Repairs Project, for the spot repairs to the existing sanitary sewers at Authors Avenue, Camelot Drive, Celia Drive, Down Street, Floyd Drive, Galahad Drive, Jarley Road, Jefferson Road, Kathy Drive, Kramer Street, Pinnacle Road, Ravens Road, River Meadow Drive, Riverview Drive, Riverview Heights, Shady Creek Road, Tulane Parkway, and Zornow Drive, and

WHEREAS, three (3) bids were received, and the low bid, meeting specifications, was received from FineLine Pipeline, Inc., for a total cost of \$348,150.00.

THEREFORE, BE IT RESOLVED, that FineLine Pipeline, Inc., 6271 Decker Road, Livonia, New York 14487, be hereby awarded the bid.

BE IT FURTHER RESOLVED, that the Supervisor or his designee be hereby authorized to pay FineLine Pipeline, Inc., in an amount not to exceed \$348,150.00 upon successful completion of said work and acceptance by the Director of Engineering and Planning.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye
Councilman Moore	voting	Aye
Councilman Page	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #10-102/2013

On Motion of  
Councilman Moore

Seconded by  
Councilman Mulligan

WHEREAS, the Town Board has received an Application for a Special Use Permit for the proposed development of a material recovery facility to be known as Silvarole Material Recovery Facility located on the parcel of land identified as Tax Account Numbers 161.06-1-5.111 and 161.06-1-6.1, and

WHEREAS, plans of this proposed development under consideration are on file in the Office of the Town Clerk, and

WHEREAS, after consideration by the Henrietta Town Board, this Application does exceed one or more thresholds for an Unlisted Action as stated by Section 617.7 of the

New York State Environmental Quality Review Act (SEQRA), and

WHEREAS, pursuant to the New York State Quality Review Act (SEQRA) such an Action is an Unlisted Action, and

WHEREAS, a Full Environmental Assessment Form (EAF) has been prepared for this proposed development, and

WHEREAS, the Henrietta Town Board declared itself to be the Lead Agency for the Environmental Quality Review at the March 20, 2013 Town Board meeting.

THEREFORE, BE IT RESOLVED, that the Henrietta Town Board has accepted Lead Agency status for the environmental review of the described Project under the State Environmental Quality Review Act (SEQRA), and has determined that the proposed development therein described will not be required and therefore issues a Negative Declaration.

BE IT FURTHER RESOLVED, that the Henrietta Town Board ratifies and confirms the approval of Special Permit Application No. 2012-055, Silvarole Material Recovery Facility, for the proposed development of a material recovery facility located at the end of Silvarole Drive, Rochester, New York 14623, upon the terms and conditions set forth on the Record at the Henrietta Town Board Special Permit Hearing held on January 16, 2013.

BE IT FURTHER RESOLVED, that approval of the Special Use Permit is conditional upon a Host Community Benefit Agreement, acceptable to the Town Board and acceptable to the Town Attorney as to form, being signed within 60 days of this approval of said Special Use Permit.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye
Councilman Moore	voting	Aye
Councilman Page	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #10-103/2013

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman Zinck

WHEREAS, the Safety Officer has requested authorization to attend the Annual PERMA Safety Conference at the Sagamore Hotel in Bolton Landing, New York on May 23, 2013 through May 24, 2013, and

WHEREAS, funds are available in the year 2013 Budget, and

WHEREAS, PERMA covers the cost of meals and lodging for one (1) employee of

the Town, and

WHEREAS, the Town Board supports and encourages additional training for all Town employees.

THEREFORE, BE IT RESOLVED, that Dean C. Marshall, Jr., Safety Officer, be hereby authorized to attend the two (2) day Annual PERMA Safety Conference at a cost not to exceed \$120.00, to include New York State Thruway tolls and the use of a Town vehicle.

BE IT FURTHER RESOLVED, that all properly prepared vouchers be submitted to the Supervisor or his designee for reimbursement.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilman Mulligan	voting	Aye
Councilwoman Zinck	voting	Aye
Councilman Moore	voting	Aye
Councilman Page	voting	Aye
Supervisor Yudelson	voting	Aye
	Carried	

RESOLUTION #10-104/2013

On Motion of  
Councilman Page

Seconded by  
Councilman Moore

WHEREAS, the Commissioner of Public Works, Craig Eckert, the Safety Officer, Chuck Marshall, and the Acting Fleet Maintenance Supervisor, Ron LaRocca, have requested authorization to attend the year 2013 Highway School to be held at Ithaca College, Ithaca, New York on June 3, 2013 through June 5, 2013, and

WHEREAS, funds are available in the year 2013 Budget, and

WHEREAS, the Town Board supports and encourages additional training for all Town employees.

THEREFORE, BE IT RESOLVED, that Craig Eckert, Commissioner of Public Works; Chuck Marshall, Safety Officer; and Ron LaRocca, Acting Fleet Maintenance Supervisor, be hereby authorized to attend the three (3) day school at a cost not to exceed \$500.00 per person to include the prepaid registration fee at a total cost not to exceed \$300.00, and for all other expenses incurred, and the use of a Town vehicle.

BE IT FURTHER RESOLVED, that all properly prepared vouchers be submitted to the Finance Department for reimbursement.

SUPERVISOR YUDELSON

Discussion?

COUNCILWOMAN ZINCK  
Watch out, Ithaca!

SUPERVISOR YUDELSON  
Call the roll, please.

Duly put to a vote:  
Councilman Mulligan            voting      Aye  
Councilwoman Zinck            voting      Aye  
Councilman Moore              voting      Aye  
Councilman Page                voting      Aye  
Supervisor Yudelson          voting      Aye  
Carried

RESOLUTION #10-105/2013

On Motion of  
Supervisor Yudelson

Seconded by  
Councilman Page

WHEREAS, the negotiating teams of Local 1170 of the Communications Workers of America and the Town of Henrietta have reached a Tentative Agreement on a Contract for the Period of January 1, 2013 through December 31, 2016, and

WHEREAS, this Tentative Agreement was approved by Union Membership on the 16<sup>th</sup> day of April, 2013.

THEREFORE, BE IT RESOLVED, that said Tentative Labor Agreement be Legislatively ratified and approved, with all items therein to be incorporated into the Contract, between Local 1170 of the Communications Workers of America and the Town of Henrietta.

BE IT FURTHER RESOLVED, that the Supervisor, on behalf of the Town of Henrietta, be hereby authorized to sign said Contract.

SUPERVISOR YUDELSON  
Discussion?

COUNCILWOMAN ZINCK  
Thanks for all your hard work!

COUNCILMAN PAGE  
Yeah that was a job.

SUPERVISOR YUDELSON  
Thank you. Call the roll, please.



Carried

SUPERVISOR YUDELSON

That's the end of the regular Agenda, is there anybody who wants to speak on any item, I don't know what could be left, but any item involving the Town of Henrietta? (*Pause, no response*) If not, is there a motion to adjourn?

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilman Page, seconded by Councilwoman Zinck at 9:40 P.M. and was adjourned without objection.

Respectfully submitted,

Rebecca B. Wiesner  
Deputy Town Clerk

To whom it May Concern:

Campus Crest at Rochester is what students want and it is what student's need. Campus Crest is offering a unique and elegant off-campus housing option well within our budgets. Attending a private college like Rochester Institute of Technology is very pressing on the budgets of students and families of those attending this great college and another competitively priced off-campus housing option is needed.

Please vote to approve the project proposed by Campus Crest, students stand to benefit from another option that is not subject to the prices of the on-campus housing.

Sincerely,

A handwritten signature in cursive script that reads "Emma Ocasio".

Emma Ocasio  
4 Gleason Circle  
E Rochester, NY 14445

Dear Town Board,

Students in Henrietta are constantly seeking off-campus housing options and too often end up sharing the block with single-family neighborhoods. Campus Crest is planning on building a new state-of-the-art student housing apartment complex that will entice students as an off-campus option, while taking them out of the houses within our neighborhoods.

Campus Crest is the industry standard in developing and building off-campus student housing in the country. Their designs are unique to each market and The Grove at Rochester will visually fit will within our community and create a more student friendly option for off-campus living.

Thank you,

A handwritten signature in black ink, appearing to read "Mike Janitor". The signature is fluid and cursive, with a long horizontal stroke at the end.

---

Mike Janitor  
3042 N.R. Hall  
Rochester, NY 14623

Dear Town Board,

Campus Crest's proposed student housing development is a win-win for Henrietta and the Rochester Institute of Technology. This project will give our local economy an economic boost as well as offer students competitively priced housing in an appealing off-campus setting.

The Grove at Rochester will usher in around 100-construction jobs, while maintaining 20 permanent jobs for the town of Henrietta. This off-campus housing complex will offer the city just over \$500,000 in annual tax revenues as well.

Please look to approve this project, as it will be an economic asset to our community, as well as strengthen the off-campus options available to RIT students.

Sincerely,

A handwritten signature in cursive script, appearing to read "Christine Warner".

Christine Warner  
2 Riverview Heights  
Rochester, NY 14623

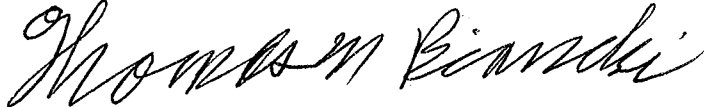
Dear Council Members,

Private tuition costs along with on-campus housing prices cause much stress to the tight budgets of students and their families who help them out. The addition of a reasonable priced and attractive off-campus student housing option is what RIT students have been looking for.

Campus Crest, an industry leader in developing, building and managing student housing is set to build The Grove at Rochester near the RIT campus. This will be an all student community built specifically with students and their non-student neighbors in mind. Students will reap the benefits of attractive amenities, while nearby residents will have the peace of mind of 24-hour security and appropriate quiet hours.

Council members please show your support in approving campus crest to develop and build their student-housing concept in Henrietta. RIT has been looking for an attractive option like theirs and nearby residents should have less students renting out single-family homes.

Thank you,

A handwritten signature in cursive script that reads "Thomas Bianchi". The signature is written in black ink and is positioned below the "Thank you," text.

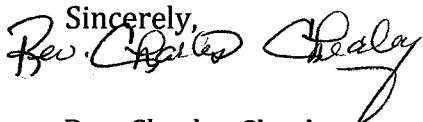
Thomas Bianchi  
5 Golden Rod Lane  
Rochester, NY 14623

Dear Town Council Members,

Campus Crest has seen unnecessary opposition at a recent town meeting; opponents don't realize the real benefit their project will have in Henrietta. Campus Crest, known throughout the country as a top-tier student housing developer should be approved to build in our community. The project offers students of RIT a place off-campus to call their own and with nearly 600 beds, students will be less likely to rent out homes in our neighborhoods. Economic benefits are also apparent with this project, as 100 jobs will be introduced during the construction process and between 10-20 permanent jobs will remain after completion.

When voting to approve this project's rezone and ultimate approval consider the facts and the benefits to our community. Don't allow the opponents to pollute the idea that this will be of any harm to residents of Henrietta.

Sincerely,

A handwritten signature in cursive script that reads "Rev. Charles Chealey". The signature is written in dark ink and is positioned to the left of the typed name.

Rev. Charles Chealey  
812 Bailey Road  
Rochester, NY 14623

Town of Henrietta  
475 Calkins Rd.  
PO Box 999  
Henrietta, NY  
14467

Dear Henrietta Town Board,

I support Campus Crest Communities developing luxury student housing for Rochester Institute of Technology students. The Grove at Rochester will offer a luxury off-campus housing at prices more competitive than those offered on-campus and in line with others that are off-campus.

Students need more options so please vote to bring Campus Crest to the greater Rochester area.

Sincerely,

A handwritten signature in black ink, appearing to read "Gabrielle Potts". The signature is written in a cursive style with a large initial "G" and a long, sweeping underline.

Gabrielle Potts  
918 Nathaniel Rochester Hall  
Rochester, NY 14623

Town of Henrietta  
475 Calkins Rd.  
PO Box 999  
Henrietta, NY  
14467

Dear Town Board,

Student housing and the need for more off-campus housing options is a hot button issue in Henrietta. Residents near the Rochester Institute of Technology have dealt with students finding more affordable options by splitting the rent inside single-family homes in residential neighborhoods. Campus Crest is offering a viable solution for this probable, proposing, luxurious and secure off-campus housing for up to 600 students in one student friendly location.

I support Campus Crest and their efforts to bring the Grove at Rochester to students at RIT; this will be a housing option that will ultimately be good for students and residents alike. I urge the council members of the board to vote accordingly

Thank you, *Beverly Van Epps*

Beverly Van Epps  
102 River Meadow Dr.  
Rochester, NY 14623

Town of Henrietta  
475 Calkins Rd.  
PO Box 999  
Henrietta, NY 14467

Town Board,

Campus Crest's proposed project off of East River Rd. and Linhome Dr. should be green lit and allowed to begin construction. The developers are going to bring a viable off-campus housing option to students at RIT, as well as a project that is bound to quickly boost our local economy.

Students at the private college, RIT, are looking for other ways, like competitively priced off-campus housing options to help with the costs of their important education. The Grove at Rochester will be a sought after complex by many of the college's students. In addition to assisting the students, the project will boost our local economy by creating jobs and adding to annual tax revenues.

My support is behind this project, and I hope you keep that in mind when voting to approve this development.

Sincerely,

A handwritten signature in black ink, appearing to be 'Marwan Arshad', written over a horizontal line.

Marwan Arshad  
178 Golden Rod Lane  
Rochester, NY 14623

Town of Henrietta  
475 Calkins Rd.  
PO Box 999  
Henrietta, NY 14467

Dear Councilmembers,

RIT students need more off-campus options for student housing. Many students would rather the freedom and independence of living off-campus, as well as the benefit of more affordable prices than living on-campus. Campus Crest is proposing a wonderful student only housing complex near the campus that will be great for students seeking the pleasures and benefits of off-campus living.

Please, allow this project to get started, if approved by you, it will be ready by the fall of 2014.

Regards,



Ryan Hinkley  
3204 Nathaniel Rochester Hall  
Rochester, NY 14623

**Town of Henrietta  
475 Calkins Rd.  
PO Box 999  
Henrietta, NY 14467**

**Town Board,**

**The economic benefits of a new off-campus student-housing complex are reason enough to approve the project presented by Campus Crest for RIT students. Nearly one hundred construction jobs will be created almost immediately and ten to twenty permanent jobs will stay after the construction is complete. Also, annual tax revenues due to the presence of a multi-million dollar complex will add up to just over a half of a million dollars a year. Students will also benefit, as competition in the market place will make prices more feasible to all who are searching for an off-campus living solution.**

**Campus Crest knows how to bring great student housing, unique to any location that they are to build in. This is a smart development for our community, with the needs of students as well as the economic benefits of the community at large in mind.**

**Sincerely,**

A handwritten signature in cursive script, appearing to read "Kristina Moss".

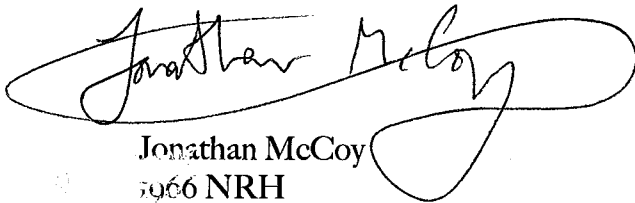
**Kristina Moss  
220 Vollmer Parkway  
Rochester, NY 14623**

Dear Town Board,

College students are an asset to our community and the greater Rochester area. Many of these students desire affordable and luxurious off-campus housing options as well as the on-campus options that are geared towards their lifestyle. Campus Crest is proposing to build a student only complex near the Rochester Institute of Technology campus off of East River Rd. and Linhome Dr. This project will be gated with 24-hour security and have many all-inclusive amenities that will make it easy for students to transition from home life to college life. Campus Crest's project will also bring jobs to our area and generate handsome annual tax revenue; all to help with the local economy.

Please move to approve this project, to strengthen the presence of our great universities and help the economy.

Thank you,

A handwritten signature in black ink, reading "Jonathan McCoy". The signature is fluid and cursive, with a large loop at the end of the name.

Jonathan McCoy  
5966 NRH  
Rochester, NY 14623

Henrietta Town Board,

Students at the Rochester Institute of Technology are looking for more off-campus living options, especially those that are geared towards students. Campus Crest owns and operates over thirty student-housing complexes around the country and offers state of the art buildings with top tier amenities. If approved by the town board, The Grove at Rochester will bring competitively priced off-campus housing to RIT students as well as simple all inclusive living that students desire. Understand that housing students with their peers helps alleviate the need for many students to move into single-family neighborhoods please do not hesitate to approve this project from Campus Crest.

Sincerely,

A handwritten signature in cursive script that reads "Kevin Collins".

Kevin Collins  
6000 Reynolds Dr  
#0486  
Rochester, NY 14623

Henrietta Councilmembers,

Please consider the positive aspects of a Campus Crest development in the Town of Henrietta before deciding whether to vote to approve this pending project.

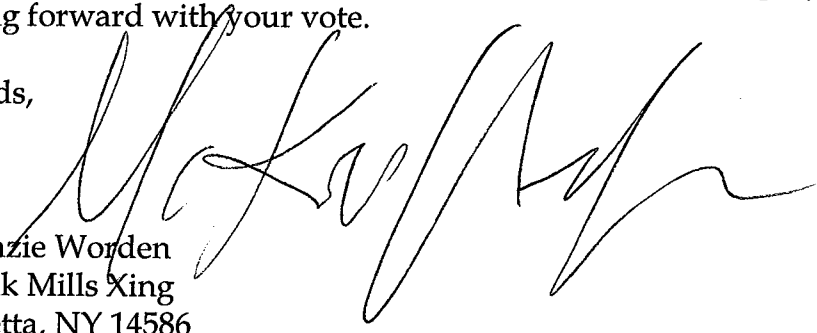
Campus Crest has a reputation for bringing successful and unique off-campus housing solutions to specific markets throughout the country. They offer all-inclusive living with luxurious amenities geared towards college students, including basketball courts, study rooms, college-style libraries, pools and a gym.

Residents in the area benefit from a thoughtful design and a consistent professional management staff. The design includes 24-hour gated security and the onsite staff ensures quiet hours during the week and weekend. Economically our community will benefit from added tax revenue of over a half a million dollars, as well as the job creation of over one hundred jobs.

I hope you keep these positive aspects of the Campus Crest project for RIT when moving forward with your vote.

Regards,

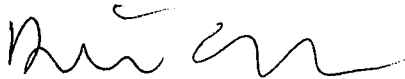
McKenzie Worden  
108 Oak Mills Xing  
Henrietta, NY 14586

A handwritten signature in black ink, appearing to read 'McKenzie Worden', is written over the typed name and address. The signature is fluid and cursive.

Henrietta Town Board Members,

Campus Crest is proposing a development off of E. River Rd. and Linhome Dr. that will benefit our community in many ways. The Grove at Rochester, an off campus student housing apartment facility is what the proposed project will be. Students will have a competitively priced housing option that will include all-inclusive living and luxurious amenities. Residents will have the benefit of having another location other than single-family neighborhoods for students to populate off campus. The local economy also stands to benefit from construction jobs and added tax revenue from a multi-million dollar development. I support this project and I hope that my elected officials also share this sentiment.

Sincerely,

A handwritten signature in black ink, appearing to read "David Adler", written in a cursive style.

David Adler  
105 Weldon St.  
Rochester, NY 14611

Henrietta Town Council Members,

RIT students want a need a company like Campus Crest to develop here in the Rochester area. On-campus housing costs at a private university can run up to \$4000 a semester and don't offer the freedom of living off-campus nor all the amenities that Campus Crest is offering. Please consider the students and what they are looking for as far as housing needs go when deciding to approve this project.

Thank you,

A handwritten signature in black ink, appearing to read "Jacqueline Schiff". The signature is fluid and cursive, with a large initial "J" and "S".

Jacqueline J. Schiff  
6000 Reynolds Drive, Apt 0781  
Rochester, New York 14623

Town of Henrietta  
475 Calkins Rd.  
PO Box 999  
Henrietta, NY  
14467

Dear Councilmembers,

Affordable and luxurious off-campus student housing is hard to find in the areas surrounding Rochester Institute of Technology. There are little options for students who decide to leave the dormitories and experience life off campus. Many students pool their money together and rent larger houses in nearby residential neighborhoods. Neighbors often don't like college students living so close and students often find that they still need something more.

Campus Crest is planning to build apartment style student housing off of E. River Rd. Campus Crest's properties offer amenities not found in the family residencies of Henrietta and the greater Rochester area. On site pool, gym, recreation room and a convenience store cultivate the college experience with the freedom to live off campus. Please help move this project ahead to better our community.

Thank you,



Ellesha Fortuna

108 Oak Mills Crossing

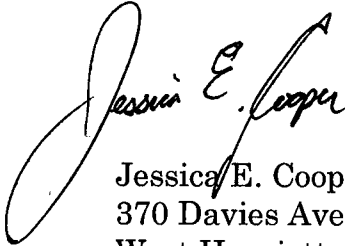
Rochester, NY 14586

Town of Henrietta  
475 Calkins Rd.  
PO Box 999  
Henrietta, NY 14467

To the Town Board of Henrietta,

Campus Crest is offering us something our city needs; student only housing in close proximity to RIT. They will bring affordable rooms with great amenities to students, as well as create many jobs for people in our city. I request you; the council members of this city to green light this project as soon as possible. I strongly welcome Campus Crest Communities into Henrietta and the greater Rochester area!

Thank you,

A handwritten signature in black ink that reads "Jessica E. Cooper". The signature is written in a cursive style with a large, looping initial "J" and a distinct "E" and "C".

Jessica E. Cooper  
370 Davies Ave, Apt 3  
West Henrietta, NY 14586

Town of Henrietta  
475 Calkins Rd.  
PO Box 999  
Henrietta, NY 14467

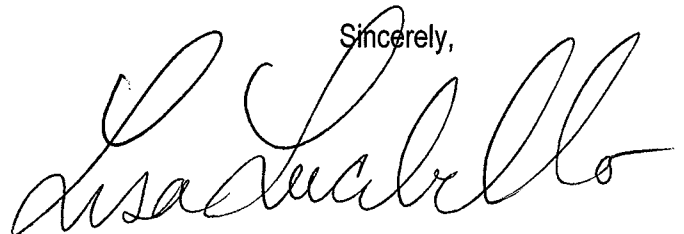
April 29, 2013

Henrietta Council Members,

Rochester has quietly developed into a college town in recent years and adequate student housing is not currently available. Campus Crest is offering a project that will fit well within our city. At the present students can only choose from limited on-campus living or only a few off-campus housing. Campus Crest is looking to build right around the corner from the RIT at the corner of E. River Rd. and Linhome Dr. which is walking distance to the campus.

This project boasts attractive amenities, state of the art energy efficient building and included utilities. A development like this fosters a collective living and learning environment, while allowing students the freedom to live away from home. The community surrounding the project only stands to benefit, as students will be less likely to look for housing in residential family orientated neighborhoods. Also, the complex will have 24-hour security for the piece of mind for everyone involved; parents, students, residents living near the complex. I pledge my support to Campus Crest building off-campus student housing, hopefully you will allow this project and others like it to get off the ground.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Lucibello". The signature is fluid and cursive, with a large initial "L" and "L".

Lisa Lucibello  
108 Oak Mills  
Henrietta, NY  
14586

Town of Henrietta  
475 Calkins Rd.  
PO Box 999  
Henrietta, NY  
14467

Please help these students find great places to live while attending Rochester Institute of Technology. Students should be encouraged to live amongst their peers where a shared lifestyle and shared learning can take place. Campus Crest is proposing a building project that can accommodate them in such a way. They provide student only off-campus housing that is student living made easy; on site gym, pool, library, study rooms, utilities included and roommate matching. Their system takes all the hassle away from off-campus student living and brings them into an age appropriate environment, instead of students having to integrate into family communities with neighbors twice their age.

Bring this project to life; the building will beautify an area near E. River Rd. and offer students more options when living off-campus.

Sincerely yours,

*Braden McDonald*

Braden McDonald

104 Oak Mills Rd

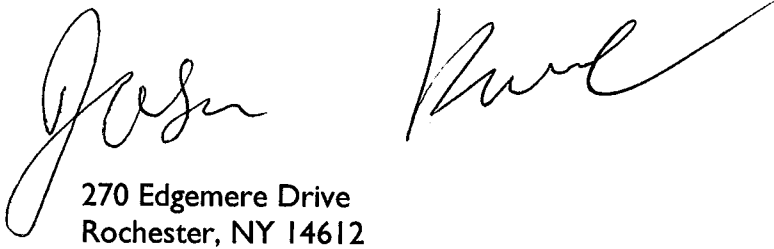
Rochester, NY 14586

Town of Henrietta  
475 Calkins Rd.  
PO Box 999  
Henrietta, NY  
14467

Town Board Representatives,

Do not delay approving Campus Crest's plan to build luxury student apartments on E. River Rd. near RIT. This building project offers immense benefits to us, the residents of the town and the students of RIT. The project will generate over a half a million dollars in revenue for the town and bring both short term and long-term jobs here as well. Students will have an affordable and highly luxurious choice for housing in the area. Please approve this project in a timely manor, Campus Crest is ready to build and the community is ready to reap these benefits.

Thank you,



270 Edgemere Drive  
Rochester, NY 14612

TOWN OF HENRIETTA  
475 CALKINS RD.  
PO BOX 999  
HENRIETTA, NY  
14467

HENRIETTA TOWN BOARD,

STUDENT HOUSING IS A GREAT WAY IN WHICH WE CAN ENRICH THE LIVES OF BOTH UNIVERSITY STUDENTS AND ROCHESTER AREA RESIDENTS. SOME RESIDENTS IN THE AREA ARE FED UP WITH STUDENTS LIVING IN THEIR NEIGHBORHOODS AND PROVIDING MORE OPTIONS TO STUDENTS LOOKING TO LIVE OFF-CAMPUS WILL HELP TO QUELL THIS PROBLEM. CAMPUS CREST COMMUNITIES IS PROPOSING LUXURY STUDENT HOUSING OFF E. RIVER RD. NEAR THE UNIVERSITY, BUT THIS PROJECT CANNOT MOVE FORWARD WITHOUT THE APPROVAL OF THE TOWN BOARD. APPROVE THIS PROJECT AND HELP TO ENRICH THE LIVE OUR CITIES' RESIDENTS.

REGARDS,

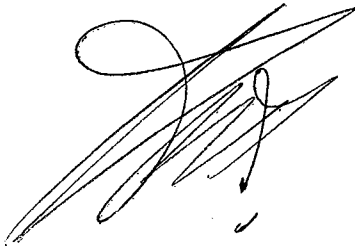
A handwritten signature in cursive script, appearing to read "Rachel Waller".

RACHEL WALLER  
2071 NATHANIEL ROCHESTER HALL  
ROCHESTER, NY 14623

Town of Henrietta  
475 Calkins Rd.  
PO Box 999  
Henrietta, NY  
14467

Dear Councilmembers,

Rochester Institute of Technology and the University of Rochester has made Rochester develop into a vibrant college town full of potential. These universities will be the driving force in our local economy from now until the future and the Town Board must embrace this in as many ways possible. Campus Crest Communities is offering a building project near the Rochester Institute of Technology that will house students and create jobs for our local economy immediately. Giving students a great place to live will help facilitate the growth the university is experiencing and creating immediate jobs will stimulate the local economy. Keep my support in mind when deciding whether to allow Campus Crest to begin helping our city.

A handwritten signature in black ink, appearing to read 'Aziz Alom', with a large, stylized flourish at the end.

Sincerely,

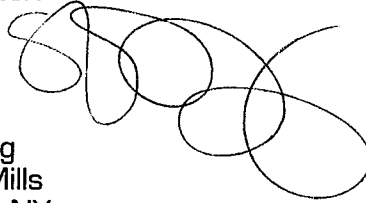
Aziz Alom  
220 John St  
Rochester, NY  
14623

Town of Henrietta  
475 Calkins Rd.  
PO Box 999  
Henrietta, NY 14467

Dear Henrietta Town Board,

Campus Crest is a recipe for success in our town. They provide some of the highest quality off-campus student housing available in the country. The Grove, as Campus Crest calls it is a luxury housing facility full of amenities to attract new student residents to our area. Availability of off-campus housing has the ability to keep prices competitive for students who already are cash strapped from paying private tuition at RIT. The building project alone will create over 100 jobs and the town will receive additional tax revenue from a new development. Please ensure Campus Crest is allowed to break ground on The Grove, at Rochester.

Sincerely

A handwritten signature in black ink, appearing to read 'S. Dagg', with several loops and flourishes.

Sarah Dagg  
100 Oak Mills  
Rochester, NY

Town of Henrietta  
475 Calkins Rd.  
PO Box 999  
Henrietta, NY  
14467

Henrietta Town Councilmembers,

RIT does not only attract new students from around the state, but around the country to. Key to bringing more students and continuing the growth of this great school is to have readily available off-campus student housing options. Please consider this as a great reason to allow Campus Crest to begin building a luxury student housing project near the university, because as you already know; as RIT grows so does our local economy.

Thank you,

A handwritten signature in black ink that reads "Kelsey Beyea". The signature is written in a cursive, flowing style with a large initial 'K' and 'B'.

Kelsey Beyea  
92 Oak Mills Crx  
W. Henrietta, NY 14586


Town of Henrietta  
475 Calkins Rd.  
PO Box 999  
Henrietta, NY  
14467

April 29, 2013

Town Councilmembers,

The help of the Council is required to move forward a project I feel will be great for our town, Campus Crest student housing. This project has the potential to bring in substantial revenues to the city and give our students another safe place of their own off-campus.

Sincerely,

A handwritten signature in black ink that reads "Zoë Gaye". The signature is written in a cursive, flowing style.

Zoë Gaye  
03398 NR Hall  
Rochester, NY 14623

Dear Councilmembers,

I write to you in favor in of the proposed student housing project on E. River Rd. in Henrietta. Campus Crest Communities has been an industry leader for years in providing safe off-campus housing. This project will usher in jobs and new businesses in the area and provide more annual tax revenues previously unavailable. Approving this project will open the door for the economic benefits of student housing in our area.

Thanks,

A handwritten signature in cursive script, appearing to read "Alexandra Ryllo".

Alexandra Ryllo  
2335 Nathaniel Rochester Hall  
Rochester, NY 14623

To the Town Board of Henrietta,

The town board should embrace student housing projects in the greater Rochester area. Campus Crest, if allowed to build, will prove that these projects are necessary and helpful in a growing university town.

The project provides an economic boost in tough economic times and eases the burden faced by residents who must deal with larger numbers of students living in their residential neighborhoods. Please eagerly embrace the Campus Crest project and you will soon see the benefits of these types of projects in our area.

Thank you,

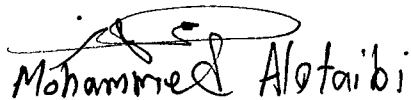
*Mary Leeman*

Mary Leeman  
92 Oak Mills Crossing  
West Henrietta, NY 14586

Councilmembers,

I feel strongly that the Campus Crest Communities student housing project should be at the top of your docket. Flourishing universities around the country and the state have had great success with off-campus student housing in their respective cities. Campus Crest is one of the best in offering safe off-campus student housing, that'll easily integrate into our community. They offer full-furnished apartments with individual leases and roommate matching to make for a well functioning student community within the Rochester area. Please allow this project to go forward, as it is a great fit for our area.

Sincerely yours,

A handwritten signature in black ink that reads "Mohammed Alotaibi". The signature is written in a cursive style with a large, sweeping initial "M" and "A".

Mohammed Alotaibi  
220 John St.  
Rochester, NY 14623

Councilmembers of Henrietta,

I highly recommend beginning the Campus Crest Communities student housing project. Not only will it be an asset to the University here in Henrietta, but to the city as an economic boost.

The construction itself will create nearly 100 jobs, while permanent jobs at the complex will remain for years to come. Allowing Campus Crest to build here has the potential for creating a half a million dollars in tax revenues as well. As RIT is growing so should our local economy and Campus Crest has the ability to aid with that. Please don't hesitate in helping getting this project moving forward.

Thank you,

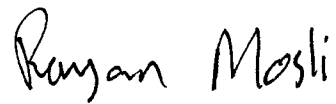
A handwritten signature in black ink, appearing to read "Haley Bascom". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Haley Bascom  
92 Oak Mills Crossing  
W. Henrietta, NY 14586

Dear Elected Officials,

Please support Campus Crest Communities in creating a new student housing development near RIT. This project, in my opinion is a no brainer, especially for those of us concerned with making our city more eco friendly. Campus Crest uses energy efficient technology, not only to help the students save money on utility usage but lowers the town's carbon footprint as a whole. Having the student housing near the campus will allow some of those who commute stay in Henrietta and give them the opportunity to ride a shuttle or bike to school. This project brings along many benefits to RIT and Henrietta, especially those related to better energy usage. Campus Crest is here to help.

Regards,

A handwritten signature in black ink that reads "Rayan Mosli". The signature is written in a cursive, slightly slanted style.

Rayan Mosli  
204 Bennington Hills Court  
W. Henrietta, NY 14586

May 1, 2013

Mr. Chris Martin  
Director of Engineering and Planning  
Town of Henrietta  
475 Calkins Road  
Henrietta, NY 14467  
FAX 321-6093

To the Town Board and Planning Board:

I am writing to voice my opposition to rezoning of a parcel of land on East River Road from Low Density Residential (R1) to Industrial, and I am opposed to issuance of a Special Permit to Campus Crest LLC for the purpose of constructing a 600-bed student housing facility on the parcel. While the Town's land use plan might call for that general area to eventually be zoned Industrial, the use of this land for student housing is not in the Comprehensive Plan update from 2011 and is contrary to the planning process that went into creating the updated Plan. There are other parcels of Industrial and Commercial zoned land along John Street, Bailey Road, and Jefferson Road with more direct access to the RIT campus than the proposed location.

However, if the Town Board votes to approve the rezoning request, and to subsequently approve the Special Permit application, then I offer the following comments to the Planning Board:

- The site plan submitted by Campus Crest LLC should be modified to include a much larger set-back from East River Road. The three-story buildings are out of character with all other buildings in that area, including the buildings in the business park just north of the site. The three-story buildings should be set-back far enough from the road to minimize the visual impact of the project. Alternatively, any buildings close to East River Road could be restricted to two-stories.
- A second means of egress or access – at least for emergency vehicles – should be required for that many buildings and people.
- A conceptual plan for what will happen with the remaining acreage should be required. The developer is only showing a use for 22 of the 80 acres of the site, and the parking lots shown clearly indicate the ability to extend parking to the east into the un-used portion of the land. If this back parcel is subdivided off due to financing requirements of the developer, it becomes land-locked with no street access except through the 600-bed development. Thus, the only likely future use is more student housing.
- The developer should be required to install turning lanes in East River Road to minimize disruption to traffic patterns along this busy street.

Thank you for your consideration of my comments.



Kristina Rogers  
106 Chesapeake Landing  
West Henrietta 14586  
427-9914