

**HENRIETTA TOWN BOARD
AGENDA
APRIL 3, 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):
 - March 6, 2013
 - March 20, 2013

On Motion of: Councilman Moore Seconded by: Councilman Page
6. Miscellaneous Communications
7. Public Hearing:
 - 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 #8-88/2013

Authorize Accounts Payable

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 3RD DAY OF APRIL, 2013 AT 7:00 P.M.

MEMBERS PRESENT

Councilman William J. Mulligan, Jr.
Councilwoman Janet B. Zinck
Councilman John W. Moore
Councilman M. Rick Page
Daniel J. Mastrella, Town Attorney
Jennifer N. Kimerly, Deputy Town Clerk/Receiver of Taxes

MEMBERS ABSENT

Supervisor Michael B. Yudelson

(SILENT PRAYER)

(PLEDGE OF ALLEGIANCE TO THE FLAG)

COUNCILMAN MULLIGAN

We have a Public Hearing, Application No. 2013-004, 3860 East River Road, Campus Crest Development, the Grove at Rochester, to construct two hundred twenty-five (225) suite style unit apartment buildings for R.I.T. (Rochester Institute of Technology) students in a Residential R-1-15 Zoned District. Is there someone here to represent the Applicant?

JESS SUDOL, PASSERO ASSOCIATES

Yes, good evening. My name is Jess Sudol from Passero Associates. If you don't mind, I was going to take about thirty (30) seconds here to put some drawings up and then we'll get started.

COUNCILMAN MULLIGAN

Take your time.

JESS SUDOL, PASSERO ASSOCIATES

So again, good evening, my name is Jess Sudol from Passero Associates. First all, many of you know John Caruso from my office, who's been working on this project, he apologizes for not being able to be here this evening. He's actually with his family down in Florida enjoying the weather, so I'm here this evening with Alex Eyssen and Kevin Sealey from Campus Crest. They're actually here from Charlotte. And also Neil and Herm Tomer, who are also with Campus Crest. Campus Crest is a national student housing developer. They actually just recently became the second largest student housing developer in the United States. I'm going to give basically a quick background on some of the characteristics of the land, our development, land use and zoning, and

then I'm going to turn it over to Alex and Kevin so they can talk to you more about things like operation security and that kind of thing. So if you give me about five (5) minutes, I'll go through my spiel and then turn it over to those guys. The site is at 3860 East River Road. It's about a mile south from the nearest R.I.T. entrance. You can actually see it on our overall plan here, there's the R.I.T. entrance, here's our site here on the east side of East River Road. It's right across from Linhome Drive, if any of you are familiar with some of the developments over on that end. Our total site is actually seventy-five (75) acres, approximately, in land area, although our project is only twenty-two (22) acres, shown over here on this colored site plan. There are no plans for the balance of the property, although we have included it in the rezoning for a couple of reasons, which I'll get into here in a little bit. Our development is two hundred and twenty-five (225) units and those are a mixture of two (2) and three (3) bedroom units. We have a total of six hundred (600) beds. There is a clubhouse out front at the main entrance here, and then a series of three (3) story buildings throughout the rest of the development area. It's actually a gated community with access off of East River Road. That pull up you see there in the front is for anyone just coming by, and then there's actually gates right there, which allow you into the balance of the property. I'm not going to spend too much on the site plan, but I did just want to touch on that whole gated access piece, because that's a big part of their security and their program, which again, these folks will get into pretty shortly. The site design itself, if you've noticed, we've had the ability to provide a lot of green area. A lot of times, these folks who develop across the entire country don't have the luxury of a site this large, but in this case they do, so they have a lot of green space. And they've been able to develop a central courtyard area in the middle there, which has a pool, or it's more of a sunning, sunbathing area, but they do have a pool, volleyball court, they have a fire pit and then they have a very large open green space for active recreation that college students would normally partake in. And then what we've done, we've essentially provided three hundred and sixty degree (360°) access and parking around the balance of the facility. And again, all that internal parking is gated. So that's just a quick overview on the site plan, I can answer questions later if need be. But what I wanted to do was kind of talk about our rezoning request, why we think it's appropriate and the four (4) different steps we go through when looking at a piece of property and its eligibility for rezoning. Those are basically the adjacent zoning, the adjacent land use, because those things aren't always the same, how it rolls in with the comprehensive plan for the Town and also some of the SEQRA items, like drainage, traffic, and so on. As far as the adjacent zoning goes, if you give me a moment here. This here is a map of the entire Town of Henrietta, as most of you probably realize, our site is right there. You can see this is the R.I.T. campus, our site right here and this is our site blown up, which is currently zoned R-1. We are requesting a rezoning action to Industrial in order to support the multifamily use, we basically had two (2) options: rezone to R-2, which is across the street in the blue, or rezone to Industrial. The reason why we chose Industrial over the R-2 is actually two-fold. For starters, we didn't necessarily want to incorporate the R-2 Zoning onto the other side of East River Road. Right now it stays over on the west side.

And also, because we don't have any plans for the balance of our property, we thought it would be more appropriate to leave the option for these Industrial uses to the north and to the east, to maybe have the potential to expand that Industrial use, and that really plays into what we're trying to accomplish with a transition in zoning and in land use. We really look for opportunities to kind of bridge the gap between more intense uses, such as industrial and single-family uses. And to that point, the second issue, the second thing we looked at is right here. The second thing we looked at is the adjacent land use. This is us here. To the south and to the west of us, or to the southwest of us I should say, is an R.I.T.-owned student housing complex, which has been there for years, maybe you're familiar with it. Behind that is the old racquet club that used to service R.I.T. There's a recent development that was constructed back there, so that's multi-family. There's also multi-family directly across East River Road from us, there's three (3) projects that are in there off of Linhome Drive, again, Industrial to the east and to the north of us. Then there's some smaller single-family home lots and then some larger as you move further away from the development, so we really have a good transition we feel, from the industrial to the multi-family, up into the single-family homes to the west out towards the river. Third thing we look at is the comprehensive plan. Basically, one of the things that's stressed in the Town's Comprehensive Plan is developing in areas where there's existing infrastructure, and also in areas that don't have a whole lot of environmentally sensitive areas, such as wetlands, flood plains, steep slopes, wood lots. If any of you had a chance to look at the site, you'll actually see pretty quickly, that it's been farmed over the years and there's no wetlands, there's no steep slopes, there's no wood lots, there's no flood plain, so we're not impacting any environmentally sensitive areas. Second, the infrastructure. We're right off of East River Road, with a direct shot up to R.I.T., as opposed to developing somewhere else out in the Town, which for starters could be considered spot-zoning, if we didn't have that nice adjacency that we do now with the Industrial Zoning. And then, if we didn't have that straight shot, then we'd have a lot of traffic potentially weaving through various parts of the Town on a daily basis, kind of like a commuter traffic, so that was really one of the things that drew the attention of Campus Crest when they started looking for a property, and again, Alex will get into that in a little bit more detail. They also, in the Comprehensive Plan, mentioned things like a growth, smart growth in the Town, which again, we feel this is smart growth because there are no environmentally sensitive areas. It appears to fit well within the adjacent land uses, and building the Town's tax base where appropriate, so we feel that we're doing that as well. As far as SEQRA goes, I already touched on a lot of SEQRA issues, which are the EPODs (Environment Protection Overlay District) we call them, but the floodplain, wetlands, and all that good stuff. Drainage is another one that comes up. There's existing infrastructure on site for us to connect to with drainage. We'll be doing the green infrastructure and all that kind of stuff with the Planning Board, which we're not going to get into with any detail. Probably one of the biggest SEQRA issues that we looked at is the traffic. We did prepare a traffic study that's currently in for review with the Monroe County D.O.T. One of the things that we found was that East River Road, basically a

two (2) lane road at forty (40) miles per hour, two (2) lanes, one (1) being in each direction, has a peak hour capacity of around nine hundred (900) to nine hundred and fifty (950) vehicles in one direction before you start getting the congestion factor. Right now there's only about four hundred and fifty (450) to five hundred (500) during the peak hour, so East River Road is below its maximum capacity, and then we'll be providing provisions at our access to account for our actual turning movements. Again, that traffic study has been submitted and is currently at review with Monroe County Department of Transportation. One of the things we also look at, as far as SEQRA now, is sustainability. I'm going to let Kevin get into that when it's his turn to speak. They really do have a pretty solid program for sustainability and it's not in your traditional sense. And then, the last thing is the community, character of the community. And again, if you look again back at the zoning map, which I believe all of you have in front of you, it seems that if you look around the periphery of R.I.T., you'll see that that industrial use does kind of follow it and we have Industrial Zoning to the east, Industrial Zoning to the north, and it does fit in quite nicely. So after everyone has a chance to speak, I'd be happy to answer any technical issues, but I am going to turn it over to Alex so he can tell you a little bit about, a little bit more about Campus Crest and their programs.

COUNCILMAN PAGE

We have most of these diagrams in front of us, maybe you can tilt them towards the audience so that they can see them.

(From audience, Jess Sudol, Passero Associates, "Sure.")

ALEX EYSSSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

Thank you, Jess. Good evening, my name is Alex Eyssen, I'm the Director of Development for Campus Crest. I'm based in Charlotte, North Carolina. Campus Crest, as Jess said, has recently been recognized as being the second largest student housing developer in the United States. Unlike a lot of people in the business, we not only develop, we build, we own, and we operate. Under the Grove brand, which is the brand we would be operating this property, we have thirty-nine (39) current properties across the United States. We've never sold any of them. We've never let a third party management company come in and manage them. We do it from buying the land, all the way to seeing the residents move in, as our company will be, and in fact here in a moment, I'll have Kevin Sealey, Kevin is our Director of Operations, so he and his team will be actually monitoring the day-to-day events of this property and he's prepared to talk about our programming and management security and things we believe we do the best in the business. But overall, the company's very excited to be here. We have several sites in the area, I should say in the state, this would be our first. Everybody all the way up at the top, our COO, who's from New York, as a really strong incentive to us to be here. We spent a lot of time looking at the market, we spent a lot of time looking at sites, we waited until we thought that the moment was right, we think that time is

now. A lot of people have asked, "Well, is there really a demand for it? Is there a market for it?" Well there is. We've done an exhaustive market analysis, as have our possible lending partners and joint venture partners. In short, I can't go spend twenty-five million dollars (\$25,000,000) unless I've done my homework, and I've done my homework. The other questions are, "Well, are you going to go through this process but then you can't find financing?" And it is difficult to find financing, but not for us. Luckily, as a publicly traded rate, we're on the New York Stock Exchange now, we have opportunities for capital that most don't have, so we are confident in our ability to find and maintain this property. We have some really unique design elements we're excited about. This is our newest generation building. What we have shown here is both our clubhouse and one of our buildings. We think architecturally, it looks good, we think it's conducive with the surrounding area, with R.I.T., and we think overall it would be really an asset to the surrounding area. We spent a lot of time on the building envelopes, as Kevin will talk about our sustainability. Unlike other developers that might build it with the plan to maybe sell it or flip it in a couple years, they don't have to worry about the maintenance, maintain the facilities, but we do. It's going to be ours, so I need to know what this building's going to do in five (5) years, ten (10) years, fifteen (15) years, thirty-five (35) years. So we build it to a higher industry standard, because we know we're going to be the ones that are going to be keeping up with it. While this building, these buildings will not be LEED certified, we have a strong LEED component and lots of sustainable and LEED qualities in this building, from our foam insulation to our redesigned building envelope, so this will be, we believe, one of the most highest energy efficient properties of any student housing in the area. So overall, we've really done our homework, we're really excited to be here, we think the plan that we've worked very hard with our engineers, our architects, embody that and I hope you'll agree. And I'm here for any questions, and with that, I'd like to introduce Kevin. Kevin and I, collectively I guess we've been with Campus Crest, I don't know, twelve (12) or thirteen (13) years together. And Kevin is prepared to talk about any onsite management questions, security, and things that are particular of interest here locally, and I think things that set us apart.

KEVIN SEALEY, DIRECTOR OF OPERATIONS, CAMPUS CREST DEVELOPMENT

Good evening. To start off just a little bit to tell you where I stand as a Director of Operations, of course, like Alex said, I'm responsible for everything that goes on day-to-day at all thirty-nine (39) locations that we have, so I take that very much to heart. And we've, over the years that I've been there, we made a lot of changes as needed to ensure that we encompass everything that the students need, that parents need, that the school needs, and the community needs. One of the things that really sets us apart, I think, from a lot of other developments, is the way that we bring a community within our own community. We're not just here to put heads in beds and hope that you come down on the first of the month and pay your rent. We're here to do programs, lifestyle events, really get students involved, and not just involved with us, but with the school events, we associate our calendars with school calendars, make sure that they're

participating in things that are happening at the school, and then of course we do our own events at the property to really bring people together. We want to have people bond in relationships and network and not just come home, sit in their apartment, we want to bring them outside of the apartment and really bring that to them. So we think we do a really great job with the way that we bring our lifestyle to the property. They've mentioned a few things, they mentioned security. For us, security is very important. We take that very seriously. With our security we take a lot of different measures. There's some properties that may just have a security officer, some properties that may be gated, some properties that may have surveillance at the properties, things like that. We take all that and encompass it into our properties, so we're a gated community, we've got surveillance where needed, we've got onsite security officers that we like to live with us, so they're patrolling at night, they're patrolling during the hot times when we need to have somebody that's monitoring and ensuring that our students are safe. Along with that, we also have community assistance, so we have student employees and we have also our onsite management that actually live on the property. So both managers, they show the clubhouse right there, both the managers actually live in our clubhouse, so they're able to be onsite twenty-four/seven (24/7), along with our community assistance, which are college students that live with us. We have somebody that's available twenty-four/seven (24/7), all the time, so not just our security officer, but we have a phone line system that is in place that if anybody has anything that they need from noise complaints to maintenance requests, we have a way to get in touch with somebody at all times in the night and it's basically a tree line, so it goes to somebody on the property. If somebody on the property doesn't answer, it actually can come all the way up to me, if needed, and I'll respond and make sure that somebody at the property gets well taken care of. So we also have that that's also in place. They talked about some of the sustainability projects that we do. I'm actually on what we call our "Next Team," which is our sustainability team for the company and it's not just the normal sense of sustainability that you would consider, which is green spaces and recycling, those are all very important to us, the envelope of our building is very important to us, but one of the other things while we decided to, we used to be called the "Green Team" and we expanded that to "Next" because we also do a lot of charitable things in different communities. So we do a lot of bike giveaways at Christmas, we do turkey giveaways at Thanksgiving, things like that, so we've kind of broadened our range there and not just gone just for the sustainability aspect of it, but now we've actually gone into the community to make sure that we give back where we can. So all those things, put them together, I think have really differentiate our company from a lot of other different companies in the area and across our portfolio. And like I said, we've gone into these different markets, we've really evaluated it, see what the needs of the students are, the needs of the community, and I think we incorporate all that into our business. And if there's any other questions that you may need, we'll be happy to answer them.

COUNCILMAN PAGE

Thank you.

COUNCILWOMAN ZINCK

Thank you very much.

COUNCILMAN MULLIGAN

Okay, questions from the Board? Rick? Janet?

COUNCILWOMAN ZINCK

Just a couple of questions, you mentioned that you coordinate your social calendar with the college's social calendar, is that implying that R.I.T. students are your main focus? Or are you working with U of R (University of Rochester) students, R.I.T. students, MCC (Monroe Community College) students, what's the target market here?

ALEX EYSSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

We think R.I.T. students will joint populate the property just because of proximity, we don't exclusively rent only to students, anybody can live there. But due to proximity and due to the way that we rent per bed and that these units are fully furnished, they are more attractive to students and so we'll probably have, it'll be a very high percentage, if not all, will probably be R.I.T. students, but we hope to draw in, and we find that as students either transfer or change schools, they'll tend to stay with our properties, so we'll have a mix, but mainly R.I.T. because of proximity.

COUNCILWOMAN ZINCK

What do you expect to be your average rental rate?

ALEX EYSSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

I got that question last week, it's not set yet. We have a range and it'll be comparable to the other student housing companies when they open next year, or when we open next year. We can't price our, although we think we'll be the best, we'll have the newest amenities, we'll be slightly higher, but we can't price ourselves out, just because people won't move in, so it'll be comparable to what's there, what's already in the market.

COUNCILWOMAN ZINCK

Thank you.

COUNCILMAN MULLIGAN

Would this be in, and this is probably a question from the environmental standpoint, with this being a longstanding farm, have you done a phase one (1) environmental there, and if you have, has it gone to a phase two (2) or did it end at the phase one (1)?

JESS SUDOL, PASSERO ASSOCIATES

We did do a phase one (1) environmental assessment. What we found was that there was a historical above ground storage tank, which triggered the phase two (2) environmental assessment. They have since gone out there and tested the area around where that historical above ground tank was, and they haven't found anything that would compromise the soil, so they're now, they called in those results, they're now in the process of preparing that report, which essentially says, "We tested the area where the A.S.T. was and it was clean," so we are about seventy-five percent (75%) through our phase two (2).

COUNCILMAN MULLIGAN

Thank you. And from a taxing standpoint, are you pursuing any tax abatements? Or you're willing to pay a hundred percent (100%) of the full tax in Henrietta?

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

We're not pursuing any abatements on this site, so I know the number, but I didn't bring it with me, what the current taxes are on this property, but by the time you put our property on this farm, it's going to make a significant boom and benefits obviously the County and the Town and I will say schools, the school districts generally love us. We don't have any impact to the elementary or middle schools, but that's a big boom and I failed to introduce the Wallmans, the family that owns this farm is here. In fact their mother still lives on the corner property. If you notice right on our front edge, we've carved out a section. She's ninety-three (93) and lives there and that farm has been in their family for one hundred and ten (110) years so they have a vested interest in seeing what becomes of the homestead and I take it as a great honor that they've elected us as the potential buyer and developer and owner and so I'm honored that they're here tonight and they're here to speak in favor if they need to, to support it. But back to your question, no, we plan to pay our fair share of taxes.

COUNCILMAN MULLIGAN

From a, you may be able to answer this or one of your colleagues, but from a infrastructure standpoint, will the utilities, the road, the water, the gas, the sewer, will they be private or is the intention to have them dedicated over to the municipality?

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

I'm going to let Jess...

JESS SUDOL, PASSERO ASSOCIATES

The very simple answer is they will all be private. We will be connecting to public utilities. We have verified that they're all there with sufficient capacity, but all of our sewers, road networks, everything onsite will be private so that there's no maintenance burden on the Town.

COUNCILMAN MULLIGAN

Thank you.

COUNCILMAN PAGE

If this project is successful, I'm sure that you've received feedback that we're strongly recommending that the balconies be eliminated from the structure. That's going to be one of the things that's important to us. And secondly, are you able to set up shuttles with campus transportation at all? That would be a very positive point for this operation.

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

I think those are excellent questions. We don't have any balconies on any of our buildings except for our clubhouse, and so the one clubhouse building you see, which is, the balconies are actually, our Sales Manager lives on one floor and our General Manager lives on another floor. We'll also have a standalone building for another employee, but those are more shared common spaces that collectively, they can talk with our operations team and use, but as far as individual units, the other buildings, we're going to call them the large and small building if you look at our site plan, they're all going to look like this lower image, and there's no balconies. There's open breezeways, but in student housing, balconies are not good.

COUNCILMAN PAGE

And if another student wanted to visit somebody on your project they would have to go to the clubhouse and be approved or something? I mean, I know it's a gated community.

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

I'll let Kevin address that, we do have restrictions on visitors and who can come and how they can come in.

COUNCILMAN PAGE

Correct.

KEVIN SEALEY, DIRECTOR OF OPERATIONS, CAMPUS CREST DEVELOPMENT

So as a visitor, like they pointed out, so we've got an area where they can come directly up straight to the clubhouse. They'll have to come into the clubhouse with the actual resident and get a visitor pass. With that visitor pass, they'll be able to go through the gate and there will be a certain timeframe on that. If it's after hours, we're going to have a call box on there at the gate where they can dial up the resident and at that time they can dial up and from the resident's phone, they can let the individuals in. And of course, like I said, we'll have the security within the gate anyway, onsite security, we also have towing that we usually utilize within the city to enforce that in case there's somebody that's not parked in the visitor parking, doesn't have a parking pass to ensure

TB April 3, 2013

that the only people, that are on there are people that we've allowed there.

COUNCILMAN PAGE

To state it another way, the spontaneous tweet that there's going to be a party at Campus Crest and seventy-five (75) kids show up, that's not possible in this facility.

KEVIN SEALEY, DIRECTOR OF OPERATIONS, CAMPUS CREST DEVELOPMENT

That's correct.

COUNCILMAN PAGE

Thank you.

COUNCILWOMAN ZINCK

I couldn't buzz them all in?

COUNCILMAN PAGE

You could probably...

KEVIN SEALEY, DIRECTOR OF OPERATIONS, CAMPUS CREST DEVELOPMENT

If you wanted to try to buzz them in, but with the onsite security and with all the management and community assistance that are there, it would be mitigated very quickly.

COUNCILWOMAN ZINCK

Okay, great. Thank you.

COUNCILMAN PAGE

Thank you.

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

To answer your shuttle question, yes, we are investigating, we have three (3) different options on shuttle access. That's obviously, it's important to us, it's a great amenity offer to our residents, so we haven't formalized any plan, but we're actively working with our options to have that, in fact, he and I were just discussing the new bus shelters that we're currently working with a national designer and so that is important to us. We want to, and we're also going to provide bike racks for students that during good weather choose to bicycle, so we want to encourage various means and access to the university.

COUNCILMAN PAGE

Thank you.

COUNCILMAN MULLIGAN

To put the size of your company into perspective, how many different bedroom units are you currently managing?

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

Well, with our recent acquisition, we now have almost forty-four thousand (44,000) beds, that makes us the second largest in the country. The books that are in front of you, the bound books, have a locator map that show you where just the "Grow" properties are. Those are thirty-nine (39) properties, and we're also currently building six (6), and we have another dozen (12) or so under development and then with the acquisition of Copper Beach, which is a nationally known, reputable townhome owner/operator, we acquired their thirty-three (33) properties. So we're good at, when you manage almost forty-five thousand (45,000) residents, that's forty-five thousand (45,000) parents, that's a lot of needs and demands, you get very good at managing the synergy. It's the groups that are in traditional multifamily that want to put their toe in the student housing environment that run into issues, but this is all we do. I don't build storage units, I don't build retail on the weekends, I mean this is what we do.

COUNCILMAN MULLIGAN

And what year was the company created?

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT
2004.

COUNCILMAN MULLIGAN

So you've only been around nine (9) years?

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

That's right. Early 2000s was when the lease per bedroom model was really kind of starting to become vogue, I guess. So we were on the cutting edge of that and we've been able to ride the success even through the 2008 downturn for all developers. We actually went public in 2010, so we had essentially the blessing of Wall Street and so while yes, in relatively it may be young, but not young to student housing.

COUNCILMAN MULLIGAN

So is it actually a stock or is it one of those real estate investment trusts?

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

It's a real estate investment trust. We trade under the CCG.

COUNCILMAN MULLIGAN

Thank you.

TB April 3, 2013

COUNCILWOMAN ZINCK

So this leasing per bedroom situation, do you do, so you kind of match them up so to speak?

ALEX EYSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

If they don't, yes, I'll let Kevin talk about that, but yes.

COUNCILWOMAN ZINCK

Yes, how does that work?

KEVIN SEALEY, DIRECTOR OF OPERATIONS, CAMPUS CREST DEVELOPMENT

What we do is when you come in and lease, everybody has to fill out a resident profile and there's about thirty-five (35) questions on the resident profile, anywhere from, "How much do you study?," "Do you stay up late at night?," "Are you an early bird?," "Are you clean?," "Are you messy?," all these different characteristics of all the individuals that we lease with and what we do with those is, of course, a lot of people come straight with their own roommates. So three (3) bedroom unit, me and my two (2) friends just graduated, we've been in school for years, so now we're able to go off campus, whatever it may be. They come in, they're together, so that's an easy match. But then we have, let's just say half of the students that need to be matched up and what we do is we take all those profiles and we sit around, literally at a round table, and go through them each individually and match them up side-by-side and at the end of the day of course we have all the matches for who's going to go into a two (2) and three (3) bedroom. We do a lot of roommate matching events prior to move in, so you're able to come in and meet people. Of course with Facebook, everybody's been able to get through social media to kind of meet people ahead of time to make sure that they'll join together. And I will say our success rate for the people that we match together is actually, I feel more successful than best friends that have come over together that end up not being able to work out together. But all in all, we take all those characteristics and match them all up together.

COUNCILWOMAN ZINCK

Thank you.

COUNCILMAN MULLIGAN

Any other questions from the Board? Okay, from the resident standpoint, we will not vote on this tonight, however we're interested in your input, so if anyone would like to address questions to not only the engineers, but the developers, as well as the Applicant, if you can raise your hand, we'll recognize you and you're welcome to pursue questioning. Yes, sir, go ahead. On the microphone please, with your name and address.

WARREN SACKLER, 3941 EAST RIVER ROAD

Warren Sackler, 3941 East River Road. First of all, are all the houses three (3) stories? All the buildings three (3) stories?

(From the audience, Alex Eyssen, Director of Development, Campus Crest Development, "With the exception of one (1) cottage building.")

WARREN SACKLER, 3941 EAST RIVER ROAD

And when you say gated, is that, I don't see a design of the fence or is it fenced in?

(From the audience, Alex Eyssen, Director of Development, Campus Crest Development, "It's entirely, we didn't bring the detail fence, but you will see that it's entirely gated and as you come to the property, you can access the clubhouse for visitors, maintenance, what have you, but then to actually get inside, to the additional parking, you have to actually come to the call box.")

WARREN SACKLER, 3941 EAST RIVER ROAD

Okay.

(From the audience, Alex Eyssen, Director of Development, Campus Crest Development, "Usually the gates are open during the day, but then at night, they'll all have to close. We'll have the squawk boxes on, so if police or fire, in addition to [inaudible], including [inaudible] access. But any [inaudible] is fully gated.")

WARREN SACKLER, 3941 EAST RIVER ROAD

And the fence is what height?

(From the audience, Alex Eyssen, Director of Development, Campus Crest Development, "Six foot.")

WARREN SACKLER, 3941 EAST RIVER ROAD

Six foot?

(From the audience, Alex Eyssen, Director of Development, Campus Crest Development, "It's a wrought iron, black wrought iron, [inaudible], it's decorative.")

WARREN SACKLER, 3941 EAST RIVER ROAD

And I don't, I haven't looked at the picture well enough, but where you carved out the piece for the Krenzer's, for the family, where's their house? The mother's house? Okay, and the driveway is just up above it? Is that where the farmland is? I mean, if you were driving to the little hut...

(From the audience, Alex Eyssen, Director of Development, Campus Crest Development,

"The hut is right here. Our entrance is actually where the turn in is to get into the farm, there's a road that shoots all the way back to the [inaudible] property. [Inaudible]. So this drive already exists and this drive possibly [inaudible] this location.)

WARREN SACKLER, 3941 EAST RIVER ROAD

So in anticipation of six hundred (600) beds, how many cars do you expect in the development?

JESS SUDOL, PASSERO ASSOCIATES

I can answer that if you want. Obviously, when we look at transportation, we look at how many cars do we generate during the peak hour. With six hundred (600) beds, we generate roughly a hundred and fifteen (115) vehicles during the peak hour. It's actually a lot lower, studies show in Campus Crest and other engineers have done national studies on student housing and they show that the rate's a lot lower because with student housing, the peak is actually spread a lot more out. In typical multifamily projects, you get a big peak in the morning when everyone goes to work and a big peak when everyone comes home. Because of the way that student class schedules are spread out, it's basically very consistent throughout the day, but to answer your question, it would be a hundred and twenty-five (125) total trips, of which about seventy percent (70%) are leaving and the rest are coming in during the P.M. peak hour.

WARREN SACKLER, 3941 EAST RIVER ROAD

But how many cars total can you, with your parking lots, what you have designed, how many spaces are there for cars?

JESS SUDOL, PASSERO ASSOCIATES

There's six hundred (600). We provide one (1) car per student. Campus Crest just recently completed a national study on all their properties which showed them their maximum average occupancy is approximately eighty-three percent (83%) of the number of beds. So if you have six hundred (600) beds, their expected maximum occupancy is a little bit over five hundred (500), and then we have the extra parking. The extra seventy-five (75) stalls or so are for visitors and parents.

WARREN SACKLER, 3941 EAST RIVER ROAD

Now when you did the study for the D.O.T., you must have the D.O.T. numbers. I live on 3941, on the opposite side, and I leave six o'clock (6:00 a.m.), seven o'clock (7:00 a.m.), eight o'clock (8:00 a.m.) in the morning, and it takes me sometimes twenty (20) minutes to get out on the opposite side, headed toward your project. Has anybody been out there to actually see what traffic looks like yet? Or is it just the D.O.T. study?

JESS SUDOL, PASSERO ASSOCIATES

As part of that study, what our office does as transportation engineers, and what our transportation group does is they actually spend the majority of the day onsite, the peak

hours, both the morning and the afternoon. They go out there in the afternoon, they sit at our site, they sat at Lehigh Station Road, they sat at Bailey Road, they sat at the entrance to R.I.T. They were counting cars at the time so we would collect the data in order to do the study and they were also making general observations on the transportation movements. One of the nice things about our project, when people are leaving in the a.m., when there's a heavier volume going up to the north towards the commercial part of Henrietta, everyone is taking it right out of our project, so it's not that left conflict, which would be a little more difficult for people on the west side. But we did run what's called a level of service analysis, and we also ran left turn warrants, and put that in the report, to demonstrate that based on our well-proven practices, the data we collected, that the network works as currently in place.

WARREN SACKLER, 3941 EAST RIVER ROAD

Can I keep going? Is that... I just want to let you know that I live at the top of the hill going down to your development. So over the years, I've lived at that location for about thirty (30) years and I don't know if the Town of Henrietta has any statistics of how many accidents occur on that road, but it is a dangerous road. I think in the past year, there have been five (5) or six (6) major accidents towards your area. Now I don't know if that's because there's a blind side where I live. At my location, there's a blind side, you cannot see cars coming over the hill going more than forty (40) miles an hour and heading down towards your location. So I think it would be wise for you to just do some, get the statistics and see how many accidents occur, because I just think even a hundred and fifteen (115) cars at any particular point in time going out of your development will really have an impact. I don't think your property goes to Bailey Road as an access. You don't have no access to Bailey Road, so my recommendation is that, to me, it's very dangerous trying to get out of my driveway. I literally have to drive on the wrong side of the road and pray for fifteen (15) or twenty (20) minutes that a car doesn't come over the hill, blindside, going over sixty (60) or seventy (70) miles an hour. And that's where it occurs, because when I bought my house, they said well that tree there has been hit three (3) times and they showed me how it redeveloped, how it kept growing and everything else like that. And the same thing happened, I actually saw another accident on the other side of the road, where they went over the bank and went up and then went towards the cemetery there. And there's one other question, the whole entire site is how many acres?

(From the audience, Alex Eyssen, Director of Development, Campus Crest Development, "Seventy-three (73)."

WARREN SACKLER, 3941 EAST RIVER ROAD

Seventy-three (73), of which you're going to develop...

(From the audience, Alex Eyssen, Director of Development, Campus Crest Development, "Twenty-two (22)."

WARREN SACKLER, 3941 EAST RIVER ROAD

...twenty. Now the backside, you're leaving, the reason you're doing industrial is that maybe potentially somebody would put up another building for that industrial site?

(From the audience, Alex Eyssen, Director of Development, Campus Crest Development, "No, actually, no, we've thought...")

COUNCILMAN MULLIGAN

Please get on the microphone.

(From the audience, Alex Eyssen, Director of Development, Campus Crest Development, "I'm sorry.")

COUNCILMAN MULLIGAN

Thanks.

ALEX EYSSSEN, DIRECTOR OF DEVELOPMENT, CAMPUS CREST DEVELOPMENT

No, when Jess said we really have no plans for the residual acreage, he's correct. I mean, in order to buy the property, we had to buy all the property, so we did. And we could've designed a site where we really left some open space to encourage future growth right there and we just didn't. We really wanted the frontage. If that land chooses to sit there for the next thirty-five (35) years undeveloped, I'm okay with that. I don't have to sell off that land to make my project work. The numbers work as is, so I don't need to make any money off that land. The reason we just did it as an Industrial is because everything else around it was Industrial and we thought it was just a better fit than trying to do a spot zoning or pull over the residential zoning from across the street. So it was just a professional decision that we made with our consultants that this is a better land use zoning that allows us to multifamily, but I don't have any secret plans to come in and suddenly sell to whomever to build whatever. We just don't. And like I said, if I could've just bought the frontage, I would've. But I bought it all, because that's what I needed to do.

WARREN SACKLER, 3941 EAST RIVER ROAD

I know that somewhere on the property, there's a pipeline or something like that, gas or something, is that beyond the twenty-three (23) acres?

JESS SUDOL, PASSERO ASSOCIATES

It's actually about fifteen hundred feet (1,500') beyond the twenty-two (22) acres. It's way back, about two-thirds (2/3) of the way back to the east from the property, so it's, like I said, fifteen hundred feet (1,500') from our nearest entity.

WARREN SACKLER, 3941 EAST RIVER ROAD

And it's not, I know the property's not, I mean the property slopes up a little bit.

(From the audience, Jess Sudol, Passero Associates, "It slopes back.")

WARREN SACKLER, 3941 EAST RIVER ROAD

So are you going to move a lot of dirt to make it level?

JESS SUDOL, PASSERO ASSOCIATES

I can address that.

WARREN SACKLER, 3941 EAST RIVER ROAD

Okay.

JESS SUDOL, PASSERO ASSOCIATES

One of the advantages of doing a bunch of buildings and not having one (1) big building that has six hundred (600) beds in it, that we're allowed to account for topography. So there is a hill there, we're going to have some buildings, we're going to cut about five feet (5') of the hill down, but then we'll have some buildings that back down the slope, so these buildings back here account for the grade and are actually a lot lower than these buildings here. And to address your question on the hill on East River Road, we did look at that, the reason for the accidents, and it is a slightly higher accident rate than the County average. Is the stopping sight distance, as you come up over the hill, one of the things that we did with our designs, we pushed our access driveway as far to the north as possible. It's actually about a hundred and fifty feet (150') further to the north than the farm road. And it's basically the furthest spot north that we can possibly put it, while recognizing the sixty foot (60') buffer requirement in here from the nearest property lines. We've justified as far as we can. It's actually has two hundred feet (200') more than the sight distance requirement by the New York State D.O.T. And on top of that we are proposing, in our traffic study, to install some advanced warning signs as you, although we don't anticipate a lot of traffic coming up from Lehigh Station, there is some of it. Some of it, some people know how to backdoor in that way, but we are going to put driveway ahead. Actually during construction, when there might be some more construction vehicles coming from that way, coming from the Thruway, we're actually proposing to the County to do a temporary right turn lane, so a pull off. So if a dump truck was coming on to the site, they'll actually be able to pull off the main line before they turn in so that we don't have construction traffic slowing down with people that may be speeding up over that hill.

COUNCILMAN MULLIGAN

Sir, we're interested in your questions, but there's other people here...

WARREN SACKLER, 3941 EAST RIVER ROAD
Okay.

COUNCILMAN MULLIGAN

...so let's get some other people and then we'll bring you back, because you and that microphone have got a love affair. Anybody else? Yes, ma'am.

CHRISTINE ALEXANDER, 3940 EAST RIVER ROAD

Hi, Christine Alexander, I live at 3940 East River Road, right across the street from Warren. Did they consider the Lucius, I think it's Lucius Gordon Boulevard for the exit versus East River Road? It's an industrial area, drive. I was wondering why that was never considered versus East River Road. It goes over north.

(From the audience, Jess Sudol, Passero Associates, "It was considered. Unfortunately, we don't have the rights, whether it be land or easement to access it. It's just not possible for us. And also the way that the development is, there's really no physical way for us to get there. But the short answer is we don't have the rights to access it.")

CHRISTINE ALEXANDER, 3940 EAST RIVER ROAD

Okay. Here's the cemetery. My property is right here, next to it, south of it on the same side of the road, right there. So that being said, that's like right in my backyard. I'm wondering is there, okay so the fence is actually going to go the perimeter of this green space right there?

(From the audience, Alex Eyssen, Director of Development, Campus Crest Development, "The fence goes right along here, kind of along the parking. There's going to be at least a sixty foot [60'] buffer...")

CHRISTINE ALEXANDER, 3940 EAST RIVER ROAD

Okay.

(From the audience, Alex Eyssen, Director of Development, Campus Crest Development, "...past the fence to our parking.")

CHRISTINE ALEXANDER, 3940 EAST RIVER ROAD

Alright, I just wondered also, so that parking lot's pretty close. So I'm wondering are they going to put trees to create a privacy area or is that just, is that going to be my view through the parking lot?

(From the audience, Jess Sudol, Passero Associates, "No, as we said, we will be proposing landscaping along the parking lot, especially, more so in instances such as you're suggesting where we do have residents adjacent to us. We will be providing enhanced screening, more so than necessarily we would have to off here to the east

where they don't have any neighbors.)

CHRISTINE ALEXANDER, 3940 EAST RIVER ROAD
Exactly.

(From the audience, Jess Sudol, Passero Associates, "We plan on doing that, and something to mention, the hill falls from north, or from south to north. And we're actually going to be cutting the hill down so we're actually going to be set down by substantial elevation difference from you, so I'm not saying you're not going to be able to see the buildings, but you're certainly not going to have headlights shining towards you. Those cars are going to be about thirty-five feet (35') to forty feet (40') below your property.)

CHRISTINE ALEXANDER, 3940 EAST RIVER ROAD
Okay.

COUNCILMAN PAGE
Thank you.

CHRISTINE ALEXANDER, 3940 EAST RIVER ROAD
Thank you.

COUNCILMAN PAGE
Oh, I'm sorry, I thought you were done, I'm sorry.

CHRISTINE ALEXANDER, 3940 EAST RIVER ROAD
No, that's good. Thank you.

COUNCILMAN PAGE
Thank you.

COUNCILWOMAN ZINCK
Thank you.

COUNCILMAN MULLIGAN
Anyone else? Yes, sir.

MICHAEL WALLMAN,
I just want to bring up a couple of things here about the *(inaudible)* traffic.

COUNCILMAN PAGE
Could you give your name and address?

TB April 3, 2013

MICHAEL WALLMAN, 38 WEST AVENUE, LIVONIA, NEW YORK

Yes, Michael Wallman. I'm the son of the projects here that sold the property, or was going to sell the property. And I just want to say that when the Kodak was going strong, you had an awful lot of traffic coming over that hill. And Kodak right now has been shut down, so I think you ought to consider that. And then most of the traffic will be going north, not south, so it shouldn't make any difference to you coming out of that driveway. Because the kids will be going towards R.I.T.

(From the audience, Warren Sackler, 3941 East River Road, "No, what I'm saying is...")

MICHAEL WALLMAN, 38 WEST AVENUE, LIVONIA, NEW YORK

And we owned it for one hundred and ten (110) years. My mother's ninety-three (93) and it's just time to go. Thank you.

COUNCILMAN MULLIGAN

Thank you.

COUNCILMAN PAGE

You're welcome.

COUNCILMAN MULLIGAN

Anyone else, please? Warren, you're back on.

WARREN SACKLER, 3941 EAST RIVER ROAD

Just a question. I don't know how far you are from the cemetery, with the road access, but there's another development, there's a low income handicapped housing development below me. Is that road directly across, because it's up a little, I don't know how much further it is up.

(From the audience, Jess Sudol, Passero Associates, "No, we're about two hundred feet [200'] further to the north. That's Linhome Drive there.)

WARREN SACKLER, 3941 EAST RIVER ROAD

Okay.

(From the audience, Jess Sudol, Passero Associates, "[inaudible] probably about six (6) years ago. We're about...")

WARREN SACKLER, 3941 EAST RIVER ROAD

So there's no, on the left side of the road there's no other development or access road...

(From the audience, Jess Sudol, Passero Associates, "No.")

WARREN SACKLER, 3941 EAST RIVER ROAD

...directly across from your road? Because what happens is the development further, the Reserve or whatever they call it...

COUNCILMAN PAGE

Reserve.

WARREN SACKLER, 3941 EAST RIVER ROAD

...there's two (2) roads that are next to it and they just race across. If they're going to the industrial park, they race across from that apartment to the other thing. And on the back side of the twenty-three (23) acres, are you going to mount, are you going to put all the dirt that you move towards the back part of the other twenty-three (23) acres?

(From the audience, Jess Sudol, Passero Associates, "We will use a lot of that, some of that dirt to do some berming up here on East River Road. It's all, we're talking about top soil, the rest of the subsoil we actually balance by cutting out a little bit of the top of the hill, we fill a little bit on the back side, so that balances. What we're currently proposing is a very linear, about four foot (4') high bermed area on our property on the back side of the fence.")

WARREN SACKLER, 3941 EAST RIVER ROAD

Great.

(From the audience, Jess Sudol, Passero Associates, "Not a huge thirty-foot (30') hill.)

WARREN SACKLER, 3941 EAST RIVER ROAD

Thank you.

COUNCILMAN MULLIGAN

You're welcome.

COUNCILWOMAN ZINCK

Thank you.

COUNCILMAN MULLIGAN

Any other comments, questions, concerns? Once again, we'll be voting on this at the earliest in a couple weeks, it may be four (4) weeks. Stay in contact with the Town Clerk's office for any updates, but it'll be at least two (2) weeks, and it may be four (4), I don't know. Thank you for coming out, we do have a regular scheduled meeting, so residents who are not interested, do you got something?

COUNCILWOMAN ZINCK

No, I'm just enthralled with what you're saying.

(Laughter)

COUNCILMAN MULLIGAN

First time for everything. If you want to leave, please do, because there's one Agenda item, it's going to be brief, so thank you for coming out, have a safe evening.

(From the audience, Alex Eyssen, Director of Development, Campus Crest Development, "Thank you very much.")

COUNCILMAN MULLIGAN

You're welcome.

COUNCILWOMAN ZINCK

Thank you.

COUNCILMAN MULLIGAN

Let's see, I believe we have one Resolution.

COUNCILMAN MOORE

No, no, we have to do the Minutes first.

COUNCILMAN MULLIGAN

Thank you, Councilman Moore. You will be missed. Who's going to approve those?

COUNCILMAN MOORE

I am.

COUNCILMAN MULLIGAN

Go.

COUNCILMAN MOORE

Okay, Mr. Acting Supervisor, I'd like to approve the Minutes of March 6, 2013 and March 20, 2013.

DANIEL MASTRELLA, TOWN ATTORNEY

Are there...

COUNCILMAN PAGE

Second.

COUNCILMAN MULLIGAN

Any discussion?

COUNCILWOMAN ZINCK
You want them separate?

DANIEL MASTRELLA, TOWN ATTORNEY
Yes. Can everybody vote on both of those? Do you have...

COUNCILMAN MULLIGAN
I abstain. I missed both.

DANIEL MASTRELLA, TOWN ATTORNEY
And didn't somebody else miss something?

COUNCILWOMAN ZINCK
Yes.

COUNCILMAN MOORE
Do you want me to separate them?

DANIEL MASTRELLA, TOWN ATTORNEY
Well, I think you're going to have to if there is not a quorum for both meetings.

COUNCILMAN MOORE
Okay, I'll refrain.

COUNCILWOMAN ZINCK
Okay. So separate them, and I guess whichever one came first.

COUNCILMAN MULLIGAN
Dan, we got a problem. You've only got two (2) people that attended both of them. I attended neither one, so...

DANIEL MASTRELLA, TOWN ATTORNEY
Right.

COUNCILWOMAN ZINCK
So one's going to pass and one's going to be held over.

DANIEL MASTRELLA, TOWN ATTORNEY
One pass and just wait for the other, wait until next meeting to approve the other Minutes.

COUNCILWOMAN ZINCK

So, do the first one.

COUNCILMAN MULLIGAN

Can't you vote though even though you weren't there, if you've read them?

DANIEL MASTRELLA, TOWN ATTORNEY

By voting you're signifying that you believe that they're in agreement with what you witnessed yourself. So no you can't if you weren't there. You can, if you compared them to the tape, you could do it, but otherwise, by approving the Minutes, you're saying, yes, I was there or I witnessed this in some form or fashion and I believe these are accurate.

COUNCILWOMAN ZINCK

Okay, so you're not going to do the 20th, but you're going to do the other one.

COUNCILMAN MOORE

Mr. Acting Supervisor, I'd like to approve the Minutes of March 6, 2013 as presented.

COUNCILMAN PAGE

Second.

COUNCILMAN MULLIGAN

Any discussion? Jen, please call the roll.

Duly put to a vote:

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

Carried

COUNCILMAN MULLIGAN

Thank you. Okay, we, I think, are down to the one (1) Resolution. I don't believe in my many years on the Board, I've ever seen one (1) Resolution.

RESOLUTION #8-88/2013

On Motion of
Councilwoman Zinck

Seconded by
Councilman Page

BE IT RESOLVED, that the Supervisor or his designee be authorized to pay the

following bills payable:

Exhibit A	Bills Payable dated 04/03/2013	\$ 152,695.98
Exhibit B	Manual Bills Payable dated 03/27/2013	\$ 2,376.40

COUNCILMAN MULLIGAN

Any discussion? Clerk, 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	Absent
		Carried

COUNCILMAN MULLIGAN

Okay, that concludes our very brief meeting. Mrs. Howland, Mr. Yost, do you have any questions, comments?

(Kevin Yost, 1474 Middle Road, spoke in reference to walking trails in Henrietta. – Audio File available upon request.)

COUNCILMAN MULLIGAN

Do you got anything, Janet?

(From audience, Janet Howland, 249 Gate House Trail, "I'm good, thank you.")

COUNCILMAN MULLIGAN

Okay.

COUNCILWOMAN ZINCK

Jen, you did a fabulous job. Thank you, Mr. Mulligan.

COUNCILMAN PAGE

Jennifer, nice job.

JENNIFER KIMERLY, DEPUTY TOWN CLERK/RECEIVER OF TAXES

Thank you!

COUNCILMAN MULLIGAN

Thank you, Janet.

TB April 3, 2013

COUNCILWOMAN ZINCK

You're welcome.

COUNCILMAN MULLIGAN

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 7:54 P.M. and was adjourned without objection.

Respectfully submitted,

Rebecca B. Wiesner
Deputy Town Clerk