RUSH TOWN BOARD
Minutes of February 10, 2016

A regular meeting of the Rush Town Board, County of Monroe, was called to order by Supervisor Cathleen Frank at 7:00 PM on February 10, 2016, at the Rush Town Hall, 5977 East Henrietta Road, Rush, New York. Everyone present participated in the Pledge of Allegiance.

PRESENT:	Cathleen Frank	------	Supervisor
	Daniel Woolaver	------	Councilperson
	Rita McCarthy	------	Councilperson, Deputy Town Supervisor
	Jillian Coffey	------	Councilperson
	Gerald Kusse	------	Councilperson
	Pamela Bucci	------	Town Clerk
	John Mancuso, Esq.	------	Town Attorney
OTHERS PRESENT:		------	Listed on Attached Sign-in Sheet

I. PUBLIC COMMENT

Supervisor Frank opened the floor inviting anyone wishing to address the Town Board to come forward, however, comments related to the public hearing should be held for that timeframe. All those speaking were asked to state their name for record keeping purposes.

Resident David Sluberski stated that at the December 23rd meeting, Supervisor Frank stated that Don Knab was going to be the new judge, however, there is an additional job posting for the position. Status was requested.

Supervisor Cathy Frank stated that the Town has re-advertised for the job through February 19th and will be conducting second interviews and appointing someone at that time.

II. APPROVAL OF THE MINUTES

RESOLUTION #76-2016

Councilperson Jillian Coffey moved to approve the Minutes of January 27, 2016, as written by Town Clerk Pamela Bucci. Councilperson Daniel Woolaver seconded the motion.

Roll:

Councilperson Woolaver	aye
Councilperson McCarthy	aye
Councilperson Coffey	aye
Councilperson Kusse	aye

Supervisor Frank aye. carried.

III. APPROVAL OF TRANSFER

RESOLUTION #77-2016

Councilperson Jillian Coffey moved to approve the transfer of funds from the unexpended balance of existing appropriations for transfers numbered 1 through 4 in the amount of $16,322.00. Councilperson Rita McCarthy seconded the motion.

Roll:

Councilperson Woolaver aye
Councilperson McCarthy aye
Councilperson Coffey aye
Councilperson Kusse aye
Supervisor Frank aye. carried.

BUDGET TRANSFERS 2/10/2016 - 2016 FUNDS

Transfer from the unexpended balance of an existing appropriation'(s).

General Funds

Transfer Number	Amount	Decrease Appropriation Account	Decrease Appropriation Description	Increase Appropriation Account	Increase Appropriation Description
1	10,972.00	A.3620.100	Code/Building Personal Services	A.8664.100	Code Enforcement Personal Services
			To create a separate cost center for Code Enforcement		
2	300.00	A.3620.400	Code/Building Contractual	A.8664.400	Code Enforcement Contractual
			To create a separate cost center for Code Enforcement		
3	4,550.00	A.1620.400	Buildings Contractual	A.7180.400	B.O.C.E.S. Contractual
			To create a separate cost center for B.O.C.E.S		

Appropriation of unreserved fund balance or unanticipated revenues

Library Funds

Transfer Number	Amount	Decrease Appropriation Account	Decrease Appropriation Description	Increase Appropriation Account	Increase Appropriation Description
4	5,000.00	L-0599	Library Fund Balance	L-7410.410	Library Contractual Grant Materials

Appropriation to reflect Funke Grant unspent in 2015

IV. REPORT OF OFFICERS AND COMMITTEES

Councilperson Daniel Woolaver offered the following:

- No report.
-

Councilperson Rita McCarthy offered the following:

- No report.
-

Councilperson Jillian Coffey offered the following:

- No report.
-

Councilperson Gerald Kusse offered the following:

- No report.
-

Town Clerk Bucci offered the following:

- Thus far, $3,604,164.03 has been collected in town and county taxes. The town's portion amounts to $1,673,734 which has been turned over to Supervisor Frank. Collection of the remaining taxes will continue.
- Residents choosing to do so may pay town and county taxes on-line directly to Monroe County. Since changing banks, the town is not accepting payments or fees for any programs or licensing with a credit or debit card. The bank representative has been contacted for future card services.

V. OLD BUSINESS:

A. Proposal from CHA for engineering evaluation of buildings at Rush Riverside Refuge property (formerly BOCES) – Supervisor Frank asked for further thoughts from the Board. Both Councilpersons McCarthy and Woolaver suggested that the Town move forward with CHA's (an engineering, architecture and planning firm) evaluation.

RESOLUTION #78-2016

Councilperson Jillian Coffey moved to proceed with engineering evaluation of all buildings located at the Rush Riverside Refuge (former BOCES property) 6565 East River Road, Rush, New York submitted by CHA, 16 West Main Street, Rochester, New York 14614. Councilperson McCarthy seconded the motion. Roll:

Councilperson Woolaver	aye
Councilperson McCarthy	aye
Councilperson Coffey	aye
Councilperson Kusse	aye

Supervisor Frank	aye.	carried.

B. Review Estimates for Library Roof Repair – Supervisor Frank noted that Councilperson Daniel Woolaver has collected estimates for the library roof repair and asked for additional comments.

Councilperson Woolaver suggested that Highland Contractors were the most complete and quoted the lowest cost.

RESOLUTION #79-2016
Councilperson Coffey moved to allow the Supervisor to enter into an agreement with Highland Contractors, 620 South Clinton Avenue, Rochester, New York 14620 to perform the replacement work on the library roof in the amount of $12,278.00. Councilperson Woolaver seconded the motion.
Roll:

Councilperson Woolaver	aye	
Councilperson McCarthy	aye	
Councilperson Coffey	aye	
Councilperson Kusse	aye	
Supervisor Frank	aye.	carried.

VI. NEW BUSINESS
A. Town Recreation Department Annual Report for 2015 – Supervisor Frank acknowledged the receipt of Recreation Supervisor Patricia Stephens Annual Report for 2015.

B Appointment of Conservation Board Deputy Chairperson – Upon request and consideration, Supervisor Frank wished to appoint Julia Lederman as the Deputy Chairperson of the Conservation Board.

RESOLUTION #80-2016
Supervisor Frank moved to appoint Julia Lederman as Deputy Chairperson of the Conservation Board to serve during the year 2016 when the Board Chairman is not available. Councilperson McCarthy seconded the motion.
Roll:

Councilperson Woolaver	aye	
Councilperson McCarthy	aye	
Councilperson Coffey	aye	
Councilperson Kusse	aye	
Supervisor Frank	aye.	carried.

VII. PUBLIC COMMENT

Supervisor Frank opened the floor to anyone else wishing to address the Town Board with further comments prior to the Public Hearing. The Town Board took a short recess prior to the public hearing scheduled to begin at 7:15 PM.

Attorney Mancuso stated that as part of the SEQRA process, a record of who is speaking must be provided to the applicant. All those wishing to make a public comment regarding the DEIS during the public hearing were asked to sign up on the sheet provided.

PUBLIC HEARING 7:15 PM – PUBLIC COMMENT PERIOD
OF THE TOWN OF RUSH REGARDING DRAFT ENVIRONMENTAL IMPACT STATEMENT
TO REZONE 7262 WEST HENRIETTA ROAD, RUSH

Supervisor Frank opened the Public Hearing by stating to all in attendance that the purpose of the public hearing is for the Town Board to receive comments on the Rush Associates DEIS and the analysis set forth in the document. The sponsor will be given a brief amount of time to present the analysis. It is not a question and answer session. All were asked to limit comments to 5 minutes and to not repeat previous comments. There will be time at the end of the hearing for additional comments. Written comments will be accepted by the Town Clerk until February 24, 2016.

Attorney Mancuso directed Town Clerk Bucci to read aloud the Notice of Public Hearing.

Town Clerk Bucci read the notice as follows:

NOTICE OF PUBLIC HEARING AND PUBLIC COMMENT PERIOD
OF THE TOWN OF RUSH REGARDING
DRAFT ENVIRONMENTAL IMPACT STATEMENT
TO REZONE 7262 WEST HENRIETTA ROAD, RUSH

PLEASE TAKE NOTICE, a public hearing will be held by the Rush Town Board, at the Rush Town Hall, 5977 East Henrietta Road, Rush, New York, on the 10th day of February at 7:15 PM, local time, for the purpose of accepting comments on the Draft Environmental Impact Statement (DEIS) for rezoning of 7262 West Henrietta Road, Rush, New York 14543.

The Draft Environmental Impact Statement, (DEIS), is available for inspection in the Town Clerk's Office, the Rush Public Library during normal business hours and the town website at www.townofrush.com.

At such hearing any person may be heard in favor of or against the revisions to the Rush Town Code as proposed at the above time and date.

PLEASE TAKE FURTHER NOTICE, a public comment period will be held by the Rush Town Board, commencing January 25, 2016 through February 24, 2016 for the purpose of receiving written public comment of the DEIS submitted by Rush Associates, LLC in reference to rezoning 5.8 acres of an existing 25 acre parcel located at 7262 West Henrietta Road from Residential (R-30) to Commercial (C) is available for review.

All such written comment in favor of or in opposition of the DEIS should be submitted to the Town Clerk, 5977 East Henrietta Road, Rush, New York 14543. By Order of the Rush Town Board.

The DEIS was also placed on the Town Clerk Board.

(Transcribed discussion is done in each person's own words.)

John Sciarabba of Landtech Planning and Surveying, LLC introduced himself as representing Rush Associates, LLC. You may have seen him before. The project has been going on in his firm since 2012. They have been working closely with the Town and have had several public hearings. To reiterate, Mr. Sciarabba is present to discuss the DEIS which is a Draft Environmental Impact Statement. The draft was adopted by the Town Board in 2013. In November 2013, the Town Board became the lead agency which put them in charge of managing the process as it moves forward. The Lead Agency back in July of 2014, they positively declared the project which was a bad thing for Landtech. It meant that the applicant must stop development and provide more. Scoping in 2015 commenced where this plan and book was prepared and sent to all interested agencies including the DEC, DOT, Monroe County asking them to look at information regarding the project. Agencies have commented on the scoping and now the town is looking for public comment. The project, just to go over again is development of the northeast corner of State Route 15 and State Route 251. Rush Associates owns approximately 25 acres of that. The site is split zoned currently. 1.2 acres of the property is currently zoned commercial. The rest is zoned residential. We are asking for 5.7 acres of the parcel to be re-zoned commercial to develop a commercial project specializing in service oriented business. So that is the plan that we proposed. The Town Board was provided a rendering of the project and a larger rendering was on display for the audience. All may have seen it before. The concept has not changed in about 1 ½ years. A couple years ago, a much denser concept was presented using the whole 25

acres slated for commercial development. At that time, the neighbors were contacted and the project was pared back and the applicant agreed to only the portion that is adjacent to Route 15 and the expressway. Again, specializing in services such as coffee shop, bank, professional offices, urgent care, or something like that. So, the request and focus is on 5.7 acres. The impact statement and scoping process identified 3 items that could have been significant impacts on the environment or the adjacent area. Those impacts were sound, lighting and traffic. After all provided, those were asked to be further studied. Mr. Sciarabba stated that he would touch briefly on each one of them. A preliminary lighting plan was presented, a typical scale with proposed lighting poles and mounted poles, things like that. It was submitted to the town engineer for review and comment. Letter of January 2015, the town engineer agreed that the preliminary lighting plan meets the Town of Rush Code. Once the property is rezoned, a more detailed site plan will be submitted with lighting, grading and landscaping. Again the process will be heard by the Planning Board. At this time the town engineer has stated that the lighting meets the Code.

The second one was noise. A professional FSC associate was contacted who specializes in noise effect. To the extent that this development may have a Dunkin' Donuts or bank teller window, those effects were studied for this site while also noting that the site is at the corner of 2 state roads and an expressway. They summarized that while the changes due to the development are so small, they are in fact unmeasurable. In studying noise coming from the state roads and truck traffic, the sound boards would not have impact on the neighbors. Research information is provided in the DEIS.

The third point is traffic which is always been a concern. There have been 4 or 5 traffic studies completed on this property. In 2013, when a denser project was proposed, a traffic study was completed by Stantec. The site plan was submitted to the DOT. It was approved with access in the state right of way. After that, the applicant asked for 5.7 acres to be approved for rezoning and a traffic study was requested by NYSDOT. The NYSDOT was satisfied. The access point is about 420 feet east of Route 15 and there will be 1 and 2 outs so that you can take left and right turns. The traffic analysis operated efficiently. There are 2 peak times; one in the AM and one at PM peak, right turn and left turn out of site would be most impacted at 5 PM. Timeframe of wait is estimated at 65 seconds. The traffic study by the DOT states that it will not have an adverse impact on the roads and the adjacent highway system. The State DOT is the regulatory agency that provides permits for both driveways and roads. Plans to the Planning Board will be very detailed with signs, all traffic, leach fields, and water. Those plans will be submitted to the DOT for an eventual permit. They

have noted that they are ready for the plan, the acceptable location access. The plans have not been developed. They are pending rezoning. That is an overview of those 3 topics that the SEQRA document pointed out. The goal this evening is to listen to comments and take very detailed notes and add them to the impact statement, and address them as needed. The Final Impact Statement (FEIS) will then be submitted to the Town Board for their review. Mr. Sciarabba then turned the hearing over to the Town Board.

Supervisor Frank began the public comment period by calling Marianne Rizzo, 5 Stull Road.

Marianne Rizzo, 25 Stull Road – Written comment is attached.

John Morelli, 535 Five Points Road. My comments are directed to the Town Board and the Applicant. One has to do with the SEQRA – State Environmental Quality Review Act Law and the purpose of the environmental impact statement. I just wanted to make clear that it is not solely for access the environmental impact, I don't know if everyone is aware of that but economic and social impact are very much a part of it. In fact in the opening section of the act it states specifically that it is not the intention that decisions be made solely on the basis of social and economic. Having said that and Marianne addressed the issue of the Comprehensive Plan. My concern from an economic perspective, and I have heard it reflected in a number of other gatherings that making a decision to make this corner commercial might have an impact of the future of the hamlet with respect to its ability to develop and it may not. The point is that it is unknown. The Comprehensive Plan is to access these things. My concern is that the applicant has asked the Town Board to come in to review this application, changing of zone is not guaranteed, is not a right and or a privilege, it is something asked in order to warrant change. My concern is an individual coming in asking the Town Board to act on the application and conduct public hearings but the Comprehensive Plan from way back has identified clearly action items that it wants the Town Board to address. All was prior to this Town Board, not having addressed the rezoning. Why would we move forward addressing a concern of an individual when we have not addressed the concerns of the Town as set forth in the Comprehensive Plan – a detailed list of action items. My suggestion is to go back to the Comprehensive Plan.

Carol Barnett, 117 Lyons Road – Letter read aloud from Carol and Ted Barnett and attached.

Bob Powers, 7575 Phelps Road. The traffic issue, should it be approved is already spoken of. The 4 businesses that they dream of putting up there – have they any interest in coming? There are no demographics data presented or survey presented to say that this is what the town needs or what the town wants. In light of that I wonder why Mr. Dorschel and Rush Associates want to make this commercial and knowing this property was residential but I think he's trying to make it commercial and selling the property off to get some of his money back.

Cecil Palmer, 1939 Middle Road – Some of my comments pertain to the success of what he wants to do, medical building, bank, store, coffee shop. If we stop and take a look at what is suggested my question has Dorschel or his representatives done a study if businesses are good for the town. A marketing study should be reviewed before making a decision. Take a look at a medical building. Rush had a medical building on High Tech Drive. He closed up and moved to Red Creek. The reason doctors are not successful in a small town is because of the cost that is being put on them through healthcare today. He had to consolidate and put more doctors on staff to share the expenses to survive. The payment of Medicare and Medicaid just wasn't enough for them to sustain their businesses. How is this individual going to survive with a medical building, the same thing with a bank. More and more people do banking on-line and very seldom go to a bank; they use a drive-thru for withdrawals. All these things should be taken a look at before we do anything. If he is going to build a store, what will be put in the store, Dollar General? These stores work on a very fine net margin and unless they get support they won't be there long and will be vacant. We have one here in town and don't need another one. I do believe that the traffic study, haven't looked at it, but do know that it will be very congested and dangerous if people are not aware of what is going on. For the most part, this Town should look at new businesses but we should be very careful about what is coming in and that it is a good fit for the town itself, not the people that want to move in.

Kathryn Hankins, 2353 Pinnacle Road – Fortunately, most everything I'd like to say has already been said but do have some questions for the applicant. When he came in January 22, 2013, 3 years ago, Mr. Dorschel came to town and to present his proposal to rezone his property. At that time serious concerns about the traffic study were raised at that meeting. They have not really been addressed and the key is the Department of Transportation. The DOT may have approved a curb cut but it is very unclear that they have approved the configuration of the traffic that is going to be expected there and when they were contacted it was said that we don't do that, it's the Town Board. The Town Board has to take a major interest to see how that traffic would happen. I came to this town and had to go through that intersection every day to go to Fishell

Road and one day I saw a terrible accident and it changes you. It makes you start to look at risk. I now live on Pinnacle Road. I can make another turn and never have to go through that intersection again. I am not sure about other residents in this community but when you have people coming off of Route 390 they don't know the risk and they are coming over that hill; what is the liability of the town that has the responsibility to take that traffic study, to look at it and analyze it and make sure that it is an accurate appraisal of what happens when the sun shines and someone coming into that entry or exit. The DOT says they can't have a light there, they can't have any entrance on to Route 15, there is no 2 ways out of the little area, and it is a very high risk. The only other comment is that at that meeting in 2013, almost 3 years ago, they asked the applicant what the reason was for the rezoning. Mr. Dorschel answered or the Minutes say that property owner Rick Dorschel said that he had appeared before the town with a number of proposals and types and the property has been for sale with no success. Because the property is zoned residential on Route 390, building a house on Interstate 390 is not inviting and a commercial property is more attractive. That is what Mr. Powers said. This may be just a clip. I doubt sincerely that there will be those businesses that want to come to Rush but there may be a warehouse business or other businesses and without a marketing study and with I looked and my concern about the SEQR process is that when I raised that and when all of those were presented in letters through this public hearing process but none of them are in the DEIS, none of them have been addressed. We got the letter, it's in the appendix but they are not addressed. There needs to be much more homework. I would really encourage the Board to say no to this DEIS and would really look to make sure every t is crossed and every i is dotted. Thank you.

Jim Wilkins, 5891 East Henrietta Road – I've lived in this town for 37 years. I only say that because I've been around for a lot of these proposals. The expressway and its exit were put in for commercial and industrial sites so that that traffic would not go through the hamlet. Years ago, they turned down the sewer project when we had 93% funding because all these people want to always say no. It's like Congress. Republicans, everything is no. I haven't seen, if I lived next door to the place I would be concerned but if you don't live on the hill and live on Lyons Road or some place or in rural, this town isn't asking for an awful lot. I don't think Rick is asking for a lot. He does excellent; he builds excellent places that are top notch. We could have some guy come in and build something that wasn't worth anything. We need that kind of guy in this town to develop places. You always say not in my town, not in my town. After a while, we have to do something. We don't have a lot but getting some sales tax out of this, maybe not a lot but we, any little bit helps. Come on, everything is no. This is ridiculous.

Zach Schwasman, 1426 Rush Scottsville Road, live right next door. I'm pretty concerned about the traffic. I don't personally live there most of the year but my mom and dad live there. They aren't here. My dad works in Utica right now and my mom works at Rush Henrietta Winslow as a school nurse but I can't get in and out of my house in the morning if I wanted to; I'm sitting there for about 5 minutes. It doesn't sound like a lot but it is an inconvenience and if we want to get home after work, we are probably rear-ended 8 out of 10 times or close to it because people are not willing to wait 30 seconds for us to pull in our driveway. I don't want to get hit when coming home from work. It's almost happened at least 3 or 4 times out of the 12 years that I lived there. It's just one family that is affected and if that is what you want then go right over it. I guess new business should be attractive in town. I know all about that but it's got to be location, location, location. We definitely want to have that property in our family for as long as we can have it. I just know that it is going to be super inconvenient to our family.

Dave Sluberski, 69 Rush West Rush Road – My comments are mostly along with what Cecil said. It's kind of like businesses and ethics. Mr. Dorschel is going to come in here and strong-arm us and calls us Podunk. He tells us what we want. My thing is how we treat businesses in this town. I don't think the businesses in town are offered any help by the town and need support. We have a lot of fine businesses in town. Half the people in here, you see the flags going through town and I'm one of them. Every time we try to do something, there are barriers to go through, and I understand there are procedures but it doesn't make it any easier for these folks here. So the question is if that land is going to get flipped, whether it gets changed to commercial I don't know but what goes in it next. Will it be easier for them, will they be good neighbors, will it be challenging for them. Overall we need to have a way to look at what we do, and support what we have and so the climate just isn't there.

Don Scheg, 979 Rush West Rush Road. I speak in favor of the rezoning with the caveat of the young man that just spoke very eloquently about his family that it needs to be addressed by the engineering firm. But if they can address that issue as they have said they have with the traffic, lighting and noise, I see no reason not to move along with this property, with the rezoning. I travel that every day and I see an unkempt and rather trashy looking corner as it presently exists. I think that if Mr. Dorschel was allowed to build on that corner it would be a great looking gateway to the town and it would enhance the businesses in the town. It would certainly be helpful to Colby's restaurant to have another restaurant nearby. I think everything at that corner has been an enhancement from Colby's to the wedding barn. It would also provide some basic needed services. There are people in this town that would like to have a bank, would

like to be able to stop in to order a cup of coffee as they get on the expressway. It would also provide jobs for young people and any other age, old or young. I don't believe for one minute that any of us want to change the rural character of this town. Rezoning 1 or 2 acres and putting in a classy looking, make them make it look rural. It will not change the character of the town. It will only enhance it. I urge the Board to move along with it.

Wendy Kuhn, 635 Phelps Road, moved to town of Rush in 1984 I was going to buy that corner. I didn't because Rush was a little hard to deal with. I purchased the corner in Mendon at Route 264 and 251 because Rush was hard to deal with. I was going to open a dance studio. As I look at all of you guys we are aging out whether you know it or not. If we don't get some tax base in town we are in trouble. I have 3 college kids. They need jobs. If we can't put something on a major Route on 251 and 15, where are we going to put it? What about an exit on the expressway? We need to think about it. Health insurance and taxes will continue to go up. We need to get a tax base; we have nothing. Personally, I like to go to the bank. I like the way they treat me, I like the way they talk to me. I don't do anything on-line. When the satellites go out, call me on my home phone. We need to do something. I didn't buy that corner; could have but I didn't. We have the grocery store and we still have the cinder blocks sitting there. This town will age out. This town will die just like the churches. They are aging out. We can't afford to live here. I have 3 college kids and the kids are looking for jobs. The kids are underemployed. We need jobs.

Bill Gaffney, 24 Farmcrest Drive. Read aloud material that is attached.

James Kolb, 1254 Rush Scottsville Road, which is the 3rd closest house to the property that is proposed to be rezoned. Also own Colby's Ice Cream and Bake Shop which is directly across from the proposed rezoning. Five years ago I worked my butt off to open an ice cream store in the Town of Rush. One of the primary reasons is that nobody comes to it. All people that live in town have the habit of going to Honeoye Falls or Henrietta for everything. Because of that I subsidize it with my catering business and keep it open for the people from Lima, Honeoye Falls, Mendon that get off of the exit, stop and continually come back. The corner was built as a blessing and it was meant to become commercial area to help the town. The hamlet is a waste for 2 reasons. One, being the rules that are placed on the businesses by the State, County and EPA. The corner that Big M was on - the lot is too small. The building closed because people in this hometown decided to go to Henrietta or Honeoye Falls to shop. It's not developed because you people did not support it. I just spent almost $127,000 on a septic system to fit the shop property because of all the rules. Developing the Big M property, which is about as big as this building, will not be able to get

their money back. If you want the hamlet developed, you have to show businessmen that it is profitable in this area. You have to get businesses that look good and bring businesses to the area like Honeoye Falls, Lima and Mendon to stop at the corner and buy on their way home. Traffic is not an issue. I go through the traffic section at least 10 and sometimes 20 times per day. All of you do not. I see 99% of all accidents. In over the 5 years that I have been on Rush Scottsville Road, there have been 3, one being a man having a heart-attack while riding his bike. I have not seen your father get rear-ended in 5 years. He would have come over and told me. I have not seen people getting hit coming out of my business parking lot. There are a lot of cars coming in and out in the summer.

Interrupted by Zach Schwasman who left while stating, you just lost a customer.

Mr. Kolb continued, it doesn't matter. People from Lima, Honeoye Falls, Avon and Mendon stop all the time. That's what keeps my doors open. Mrs. Hankins, I've been a really big follower of you. I voted for you last time but you are at the top echelon of destroying farmland and rural property in Rush. You build homes, consume them with grass and pave them, consider all the lumber, plastic that is ruining the environment. This little space that is there is a ditch but it will generate income to this town so that it could put in a solar system. Wouldn't it be great for our community to be on the top instead of the bottom to help generate electricity for the community. Another thing, I look around, what is the average age of this group of people, 68 or 67? Many young people don't want to live in this town. Why are there no young people here? There are zero services, 3 miles one way or the other. You are all consuming gigantic amounts of fuel driving to other towns to go to the bank, grocery store or barber. Traffic safety, one more thing – it is not an issue. 13,500 cars by go by my restaurant a day. That corner is built to handle a huge amount of cars. It is not the people of the Town of Rush. If you want to go through at 9:30 AM, noon, and 4:00 PM, 7 PM its wide open. Its people driving through, not only residents of Rush who drive through. A very good comment made is most of the people that spoke don't even live near the intersection so what is the issue. I have to deal with it. The other issue is development of the area. You are pretty much controlled by the size of your parking lot. My parking lot is about 30 spaces. When it has about 20, it's all over and nobody stops. The wedding barn, you say creates a vast amount of traffic. There were no police calls for traffic issues, no accidents pulling out or accidents pulling out of my business. Over 10,000 people from out of Rush came and enjoyed a night in the wedding barn over the past year. I feel sad that you all sit here and judge the future of this town on your small little feelings and points of view instead of looking at how many people Mr. Gaffney visited and collected signatures. Four people were against it and 96 people

were for it. Wake up and start doing something for our community instead of yourself proclaimed ego. Thank you.

Pat Kraus, 2729 Pinnacle Road. The last thing I want to do is speak to anybody. There are a million sides to this and the only side I care about is human compassion. Mr. Schwassman left because, the only thing I can focus on and their house, all the land around them is zoned residential. In all the decades that I lived in this town whenever there is an issue it is up to you to know all of the zoning around you. If you didn't like it, that was your problem. The Schwasmans bought their home and all of the land was zoned residential. Mr. Dorschel could do whatever he wants to with the commercial property but he chose to purchase a property that was partially zoned residential and commercial.

Rob Levi, 12 Meadowwood. After hearing the different perspectives, I am a newcomer. I don't hate development. It's a little out of hand. I don't like being yelled at and I get intimidated easily. About traffic, there were some very thoughtful comments being made. When the environmental impact statement was read, it said 300 cars per hour, that's 5 per minute. That is not necessarily a lot of cars but trying to do the math, 5 cars a minute and there's a drive-thru, each car sits 65 seconds, I don't know when you waited 65 seconds to pull out. I work out on Route 20A in Geneseo; work for Livingston County. That road has a lot of development on it. A lot of people fought it. The Town of Geneseo has very strict zoning and a beautiful façade and they hid WalMart behind a mound of dirt. I have to wait 3 to 5 minutes to pull out of the County Office Building. If you have a drive-thru and people coming through, 65 seconds seems to me a back-up would exist. We need to clarify exactly what gets put on the property. Would it be a business that doesn't have a drive-thru; you could stipulate that. It could be a business like Colby's which I love and enjoy going there. There is no problem. People come and go without a problem. I am not totally against development but have a concern with traffic at the location. Lighting does bounce. When I look out at night, the sky is completely orange in the direction of Henrietta. I enjoy darkness at night. I think we need to stipulate lighting, turning them downwards, how long they are going to be on. I hope that the conversation can remain considerate. Bad mouthing never got us anywhere good and I appreciate the time.

Julianne Mason, 454 Rush Scottsville Road. I don't have 50 cent words for you. I heard both sides of the story. I'm a scientist and I like to hear all of the data. So I came in a little late but I missed a little about the application and piece of land but I think a bank, a medical facility or a Dunkin Donut kind of place. I unfortunately have to go to work and get on the road about 6 AM. I don't know what time a doctor's office opens, maybe 9 and I'm sure groves of

people aren't going at the same time. It's way past my rush hour. Same with the bank. Are all the people coming to the intersection at 9 AM? all at once Mondays through Fridays? Doctor appointments are all different times. Dunkin Donuts kind of place, yes you may all want coffee at the same time in the morning. I feel bad for the gentleman that has his family property is across the street. I know his brother was employed by Colby's when he was going to college. That was pretty nice to do that because that helps to pay for college. I can see the benefit of bringing jobs to the community. I've only been here since 1993 but have gone through that intersection. I've never seen an accident, only heard about an accident. If an accident had to happen in the middle of the hamlet I can say wow that would be traffic for the hamlet. That's 1 ½ miles of away, the traffic. There's already traffic going through Route 15 and 251. Someone said something about people stopping and attracting outsiders. Maybe young people would stop in the community, I don't know. I'm not sure where I am going with this but I'm confused with the traffic. No sky scrapers going up right, cause if that's going up I am going to put a windmill up, just saying, it's free energy.

Wendy Kuhn asked when Mrs. Wasson owned that property, what was she selling candy and stuff but what was it zoned at that time?

Councilperson Woolaver answered, commercial.

Supervisor Frank asked if there was anyone else that had not had the opportunity to speak. After no response, the floor was re-opened for additional new comments.

Resident Bill Gaffney was curious that when Mr. Schwasman spoke up. Bill spent 1 ½ hours with his father last Sunday afternoon and he wasn't upset about it at all.

Jim Wilkins said, you talk about compromise. Why doesn't somebody go to Dorschel and say listen, we have a corner of 251 and 15 open. We have a lot of in town that could be bought. If you do that development, we will give you what you want and get rid of the eye sore. I mean did anyone think of a compromise. Then we could give the people of west Rush what they like or whatever.

Dave Sluberski said we have a bunch of scouts in this room and we have an audience in this room and they are taking notes in this room and this was a discussion about rezoning. What I find very upsetting is that we attacked audience members and called each other out on things and we should not. To

the scouts, that is not the proper way to go. That's like what is going on now with the Trump business and I'd like to speak in defense of one comment that was made about Mrs. Hankins and her husband. They have never taken farmland, they have bought property, people have come and asked them to build them a home and not only that they generated over $20 million to local businesses that contract to build those homes. Just what people say you can't take it at face value. This meeting here just went a little off and that's really not the point, address the issue, don't attack the audience.

John Morelli just wanted to follow-up. When we are talking to the crowd, you're talking about doom and gloomers and you don't want anything. I want to make it clear that in this town there are no moratoriums, no restrictions, and no limitations on anybody applying and doing anything that is illegal. Anything that exists in our laws is legal. And what this applicant is proposing is illegal. You just can't build it there, it is not allowed, and this is about changing the law, not development and changing the law and what we have agreed as a people as a town what should happen in that corner. It shouldn't be an arbitrary decision or consideration. Maybe a referendum would be another way to go, I don't know. The town is not opposed to development in the town. The town encourages it and people know there is no moratorium.

Jim Wilkins stated, you've got to be kidding me. They are opposed to everything in this town.

Supervisor Frank cautioned those in the audience and stated that comments are to be directed to the Town Board.

Bill Gaffney stated that as far as the Comprehensive Plan approved in 2010?

Councilperson Woolaver stated that it was approved in 1993.

Bill continued, in the meantime, I have always considered the Plan to be a guide and not a gospel and that is why we have a zoning board. As far as spot zoning is concerned, spot zoning means to me that if you are in the hamlet and you have one house or one property and everything else is in a particular zone that would be spot zoning. I don't consider that proposal to be spot zoning. Right across the street, it's zoned commercial and for years and I think if the people knew the history of when that corner was developed they'd know more. I can remember when my mother was friends with Mrs. Wasson. At the time when they came through here and the expressway was to come in here I think there was consideration of putting the exit at Honeoye Falls No 6 Road, is that right?

Someone responded yes.

At that point in time, there were some influential people in town that thought that we would rather have the traffic come in through the village and do their business here in town so they influenced the decision to be at the 251 and 15. At that time the Wassons were a couple of farmers and they ran a little gas station for years. I can remember going as a little boy. You could get five gallons for $1.00. The rezoning was done in 1993 I think they were getting old or at the point where they didn't care anymore and the Krenzers on the other corner made it commercial, everything was made commercial. They didn't go to bat for it and the property behind their stand stayed residential. Consequently I think that the whole corner should have been commercial and that was the intent. That was supposed to be commercial part of town and the hamlet was commercial too. I don't think we should be hanging our hat on a 1993 comprehensive plan and we are stuck in the mud to think that it is the gospel.

Supervisor Frank asked for additional new comments while keeping the focus to the Town Board.

Jim Kolb stated that he just wanted to make clear of the comment of Mr. Dorschel. He has never met Mr. Dorschel but when they decided to build on Exit 11, he along with the neighbors were very concerned about lighting. When I went to the Town Board meeting on it, the lawyer and engineer were doing a song and dance with the foot candles. It was to be almost 1 million watts of light. When it was brought up, Mr. Dorschel lowered the lights to accommodate the town's wishes. Also, if I offended anyone I am sorry. I get excited because I work hard and I want the community to succeed. It is not overwhelming and it is not in front of your house, only Mr. Schwasman's. Mr. Schwasman said in a town meeting that he worked with the engineer and didn't see a problem.

Carol Barnett said that she didn't think any of the gentlemen should speak for Mr. Schwasman. She spoke to him today and didn't think he would appreciate people talking for him.

Kathryn Hankins stated that this was a hearing to discuss a DEIS and an opportunity to bring to the Town Board and that was a proposal of what the focus was supposed to be and to come to have a pro or against. There was no presentation in the town newsletter, there was no discussion about all of the rich and varied comments that well-intentioned citizens to say did you look at that. I haven't spoken at the public hearing because we are for development and we

are for Mr. Dorschel. That's where I get all of my cars way back to 1993. We are not against development but we are for process and we are for recognizing that the law does say that you have to align to your comprehensive plan. That is across New York State and across the country. Land use laws are important. They keep the towns safe. They keep the environment safe. They keep the country working to make sure they have that economic review. The SEQR review is a very strong review and used all over the country. This meeting was supposed to be would you look at this, why didn't you ask this. It's not a referendum it's not an open discussion. I do recognize that people get heated but it's the Town Board that must provide the leadership and the Town Board that has to have a public discussion about all the comments that they have received not being held in one public hearing but in two public hearings. All of the letters, when were they read, when were they discussed, when were they openly discussed in a town meeting. They have not been discussed. When was the discussion where the applicant states they are important issues. They have not been discussed. It did not happen. All of the rich conversation that came into those public hearings. This is not a for or against, it's a how to do it, how to do it safely, how to make sure that we don't read in the newspaper a year or 3 years from now. Nobody is against development, we are for development but we also have a lot of vacancies over at High Tech Drive. The SEQRA review is the homework. When I listened to the review, it was the attorney and the engineering saying that you can say yes on this or no on that and they never talked about the comprehensive plan and the plan does not support this, and what are we going to do about all this. We have to stop our get-togethers. The Comprehensive Plan is your vision for the town. If you want to have commercial there then bring the town together to discuss it. Thank you.

Supervisor Frank asked for additional comments.

Rob Levi just wanted to thank everyone, especially the scouts because he is a retired social studies teacher. This is democracy. Town meetings are where adult decisions are made. It is a place where at times people do get upset and they are not prim and proper. There is a process. I applaud you scouts for coming.

Supervisor Frank asked for additional comments regarding the DEIS.

ADJOURNMENT of the PUBLIC HEARING

Supervisor Frank motioned to close the public hearing at 8:39 PM and return to the regular meeting. Councilperson Woolaver seconded the motion.
Roll:

Councilperson Woolaver	aye	
Councilperson McCarthy	aye	
Councilperson Coffey	aye	
Councilperson Kusse	aye	
Supervisor Frank	aye.	carried.

ADJOURNMENT

There being no further business to conduct, Supervisor Frank adjourned the meeting at 8:40 PM. The meeting was adjourned by comment consent.

Respectfully,

Pamela J. Bucci
Town Clerk

TOWN BOARD MEETING
February 10, 2016
7:00 PM
Public Hearing 7:15 PM - Draft Environmental Impact statement
to Rezone 7262 West Henrietta Road, Rush (5.8 Acres)

Name	Address
John R. Gaffney	809 RUSH-HEN. T.L. 14586
Mary Knapp	435 Rush West Rush Rd
Cecil Palmer	1939 Middle Line Rd Rush
Paula Anderson	22 Harvest Lane
Christine Nothnagle	251 Fishell Rd
Don Scheg	979 Rush W. Rush Rd
Marianne Rizzo	25 Stull Rd
ROBERT POWERS	757 PITTSFORD
CURRAN BROWN	30 Rotzel RD
DAVE SUTERSKI	69 RUSH W RUSH RD
[illegible]	[illegible]
Patricia Kraus, Conservation Board	2229 Pittsford
George & Carol Ann Stahl	350 Fishell Rd
Mary & Sim Wilkins	5891 E. Henrietta Rd
Marilyn & Gene Quintana	12 HARVEST LN
Kathryn J. Hankins	2353 Pinnacle Rd.
Ron Czermikowski	275 Wordell Rd Rush
Beth Hoge	189 Rush Mendon TL Rd
Carol H Barnett	117 Lyons Road
Dick Andrews	169 Fishell Rd
Robert Kuhn	5403 E Hen Rd
JEFF JOBES	616 Rush Rush Rd
JEANNE MORELLI	535 FIVE PTS RD.
ZACH SETHWAGNER	1426 RUSH-SCOTTS
John Morelli	535 Five Pts.
Johnny E. David	902 Rush West Rush Rd
Seldon Chase	20 Wilkinson Rd 14-4
Kyle Smith	359 Beckwith Rd
Patrick Murray	600 Honeoye Falls Opt Rd.
Sean Murray	"
Mark Murray	"
Julia Lederman	500 Wordell Rd Cons Board
Mark Tanner	2123 Rush Mendon Rd
Brandon Langer	
Jane Roach	398 Five Points Road
Florence Higgins	1819 Rush Scottsville Rd

Page 2 - 2-10-16

John Lehens	1819 Rush Scottsville Rd
Jim Kolb	1254 Rush Scottsville Rd
Kimberly Compson Kolb	1254 Rush Scottsville Rd.
Rob Levy	12 Meadowood

SIGN IN SHEET FOR PUBLIC SPEAKING DURING PUBLIC HEARING

Public Hearing 7:15 PM – Draft Environmental Impact Statement to rezone 7262 West Henrietta Road, Rush (5.8 Acres)
February 10, 2016

Marianne Rizzo
John Morelli
Carol Barnett
BOB PODRAS
[illegible]
Kathryn Hankins
Jim WILKINS
ZALH SCHWASMAN
Dave [illegible]
Don Scby
Wendy Kuhn
Bill Goffrey
Jim Kolb
Pat Krause
Rob Levi
Juliane Mason

2/10/16
Comment
C:TB
Lanatech
atty PB

Dorschel application at the northeast corner of the intersection of Routes 15 & 251.

Marianne Rizzo
25 Stull Road, Rush NY

I would like to focus on a two issues in response to this proposal of this rezoning, specifically **identity** and **safety**.

First is our identity.
Saying yes to Mr. Dorschel's zoning change represents a change in **the direction** of our identity as a rural town. **What** distinguishes us now from Henrietta? We are not a town of franchises and drive throughs.
We are a rural community. We have some special, signature businesses in our town. We can strive to attract more home grown business to our hamlet, our center of town.

We do not want to become a suburban town. Do we?
Most of us who live here do not aspire to a suburban lifestyle. If we wanted this, we would have moved to a suburban town. We do not need a Burger King, bank or a Tim Hortons, **or whichever business plan represents the best profit margin for Mr. Dorschel.**

Mr. Dorschel, who does not live here (calls himself, "Rush Associates"), is asking us to change a section of our town. This will transform the nature of our town. If we do it for one, we will do it for the next. The cascade will begin. Is this the new vision for the town?

What is the purpose of a comprehensive plan?
The comprehensive plan provides the backbone for the town's local zoning laws. The comprehensive plan establishes the official land use policy of a community and represents the wisdom and **vision for the future.** It involves foresight and planning.

Public interest, not private interest must be **served** in the comprehensive plan.

Mr. Dorshell's request represents spot zoning. Illegal spot zoning does not serve the general welfare of the community. This potential rezoning will not benefit the community as a whole. This represents **special interest zoning.**

In the process of making of comprehensive plan, hard work, dedication and painstaking consideration is involved. The boards and citizens of Rush concurred with a vision. They answered the important questions of where the locations should be of residential, business, and light industrial buildings.

A major goal of the comprehensive plan is to ensure **safety and security** and to greatly prevent road accidents. This is a problem in this application.
This property is zoned residential except for 1.7 acres. The 1.7 acres is commercial.

1.2?

The traffic volume will greatly increase under this new proposal. The new 7.5 proposal of commercial acres represents **a big change**. This would invite a very large volume of traffic. The new businesses would strive to **invite and entice** many people and automobiles from other towns traveling on 390. The goal is for them to come off the expressway and into our town and spend money for food and services.

The increase in volume for this site has serious safety problems.
My concern: Imagine the ingress **from** the west, on 251 in an effort access the site. The journey into the property involves **crossing the road** on a **descending hill** traveling from west to east (toward the hamlet).
This increase in volume, plus the hill is dangerous because one cannot see descending traffic fast enough.
The automobiles would be making left hand turns into the site. At certain times of the day these high volume, multiple turns **into** the site, will be a problem.
There is also a potentially bigger problem with egress to the east. Cars will want to turn left headed east toward Mendon. It is the volume that will make it dangerous, coupled with the hill.
I ask the board, please address this potential harm to travelers.
What is the possible remediation for this? Let's prevent this from the start.

We are at a crossroads in our special town.
Please do not allow a special interest business plan change our town's special rural character . . . and please **keep our roads safe.**

2/10/16 comment

C: TB
Land Tech
atty
PB v

117 Lyons Road
Rush, NY 14543
February 10, 2016

Dear Supervisor Frank and Members of the Rush Town Board,

Regarding: Rush Associates Rezoning Request, draft Environmental Impact Statement

We are writing in response to the draft Environmental Impact Statement (EIS) submitted by Rush Associates, Inc. (Dorschel), in its application to rezone from residential to commercial the property at 7262 W. Henrietta Road.

The purpose of the state environmental quality review (SEQR) process is for the applicant to demonstrate that the environmental risks flagged by the Town Board will be satisfactorily mitigated.

But all along the way of this review process, first in the scoping document and then in the EIS, the applicant has always only said that what he proposed to do in the initial application is good enough. It isn't.

We actually think that it is not possible for Dorschel to mitigate one of the risks flagged by the Town Board, namely, traffic congestion and safety. The intersection that Dorschel is dealing with--an entrance/exit just a stone's throw from a major intersection near to a highway interchange, downhill from that intersection with poor sight distance and on an east-west axis where cars entering and exiting will be facing into the sun in the morning and evening (i.e., at rush hour)--just does not allow for effective mitigation of risk.

And some respected authorities have agreed with this. In its 12/19/06 minutes, the Planning Board, reporting on the November 21 workshop on a similar proposal from Dorschel to rezone this property, says the following:

"The site plan does not present a safe method of ingress and egress to and from the property; neither does the property appear to have any available road frontage that could provide safe access. "

And the Department of Transportation, in a letter dated 10/26/13 to Land Tech, Dorschel's engineer, states: "this intersection will reach and exceed its capacity during AM and PM peak periods. … with little or no mitigation available to offset increased traffic volumes."

Nothing has changed since those things were written except that pre-existing businesses in the immediate vicinity to Dorschel have grown and have had expansions approved by the town, making the traffic problem even worse were there to be another commercial enterprise, and a sizeable one at that, added to the neighborhood.

Dorschel's own documents, submitted with its application, reveal that traffic would be a huge problem at the point of entering and leaving the proposed development. Dorschel expects

approximately 300 cars to enter or exit each hour during rush hour: that's five cars a minute. In the traffic study done by Dorschel's engineers, it is estimated that the wait time exiting the development turning left (east on Route 251) during rush hour would be 65 seconds, which is identified as a "Very Long Delay" with a rating of F. When drivers have a very long delay, they eventually take a risk, and that's when accidents are more likely to happen.

The quite stunning problem presented by traffic congestion and traffic risk is not the only objection we have to this proposal, nor even the only environmental objection we have. We think this proposed rezoning lacks "Consistency with Community Plans" (in this case, the Town of Rush Comprehensive Plan) and "Consistency with Community Character," numbers 17 and 18 on the Environmental Assessment Form; and we expressed this view to the Town Board when it declined to flag those items in the preliminary stages of the SEQR process.

We think the Town Board should reject Dorschel's draft EIS. If the Town Board accepts the EIS, it then has to decide whether to accept the underlying proposal for rezoning. If the Town Board reaches that decision point, please remember the following:

--**A rezoning of the Dorschel property could set in motion a cascade of applications for rezoning**, and there would be little or no principled basis for turning down those applications.
--**Our Comprehensive Plan** specifically considers Dorschel's property and assigns it a residential use not consistent with what Dorschel is asking for. The Comprehensive Plan is overdue for redrafting, but until we have another plan in place, it is irresponsible of the Town Board to change the law in Dorschel's favor, in clear opposition to the existing plan.
--**This is a turning point for our town**. We should not simply give away the precious character and quality of life in our town, just because an out-of-town property owner has asked us to do so.

Respectfully submitted,

Carol H. Barnett

Ted D. Barnett

Carol H. Barnett
Ted D. Barnett, M.D.

C-TB
Landrch
Cttty PB

Feb. 10, 2016

TO: Rush Town Board

FROM: Bill Gaffney, 24 Farmcrest Drive

SUBJECT: Presentation, Public Hearing, Dorshel Rezoning

- As for the hundreds of these Pea Green Flyers distributed recently, I would be curious as to know how many of our citizens became concerned or even alarmed that a "Very Large Project" was being proposed for Routes 15 and 251?

-And, if approved, hypothetically, "could", "would" or "might" or even "possibly" create serious problems for the Town and its citizens?

My 1st impression was that the "Boogy Man" must have written it.

But, then, I became relieved to find that it was written by a very small group of "Doom and Gloomers" who consistently spew out gross exaggerations and frivolous scare tactics in opposition to any and all such proposed changes within the town.

Therefore, making their inputs and this flyer irrelevant. The flyer is a prime example of

how this group desperately attempts to blatantly impose their negativity on the "decision making process" of such proposals.

Most lifelong residents of Rush are extremely proud of the great quality of life that we have enjoyed over the years and have always been happy to share it with "new comers." Unfortunately, a few of these newer citizens now selfishly want to deny anyone else that same opportunity. It is very sad indeed!

After a thorough review of the proposal, I have concluded that its approval is in the best

interest of the town and want to share with the public my rationale for that

conclusion, which was submitted to the Town Board on July 16, 2015 and reconfirmed Feb. 2, 2016.

Thank you

Bill Gaffney
24 Fancroft Dr.
Rush NY
(585) 555-2407

C: Landtech
TB
atty PBr

RECEIVED
FEB 02 2016
RUSH TOWN CLERK

Feb. 2, 2016

TO: RUSH TOWN BOARD

FROM: BILL GAFFNEY

SUBJECT: Public hearing 2/10/16; Dorchel Proposal

Enclosure A: WVG letter to Rush Town Board with 113 approval signatures dated June 16, 2015

The following is a response to the twelve (12) "Concerned Citizens" who have published and distributed the recent pea green flyer.

Here we go AGAIN! SAME old group of "Concerned Citizens" using their SAME old vague scare tactics to discourage proposed projects, regardless of their merit, merely, to satisfy a few selfish egos.

Most citizens, who really desire the best for the Town, are sick and tired of their same old negative agenda that of "safety and quality of life" and should encourage the Town Board to continue to do due diligence on any and all such proposals, and to NOT be intimidated by the endless scare tactics presented by the same few year, after year, after year.

I recall one of their first negative pitches which was related to the Klick farm on Lyons Road many years ago and then followed by several others as well as the more recent West Henrietta Road proposal.

Ironically, it should be noted that NONE of the twelve (12) "Concerned Citizens" reside within the immediate area of the proposed project; while 113 residents, <u>who do</u> reside within one (1) mile of the proposed site, have in fact approved of the proposed plan.

I am submitting, as enclosure A, my letter to the Rush Town Board dated June 16, 2015 with the 113 approval signatures.

To have categorized the subject proposal as being a "VERY LARGE" commercial project is ludicrous and disingenuous.

As noted in my previous letter to the Town Board, I had for many years, personally opposed several "very large" commercial "Dorchel projects proposed for this same site. However, after thourghly reviewing this very scaled down proposal , I have concluded that it would be compatible with the site and in addition would clean up and beautify a long time ugly entrance into the village of Rush.

It is suggested that the group of "Concerned Citizens" cease and desist their long standing negative, nebulous scare tactics and instead expend their energies toward solving other important problems in Rush such as encouraging the development of the "eye sore" corner at Routes 251 and 15A.

Hopefully, the Town Board will not be intimidated by these same old repeated scare tactics and approve this worthwhile proposal as being in the best interests of the Town of Rush.

Respectfully,

Bill Gaffney

Bill Gaffney

24 Farmcrest Drive

533-2407

Enc: Letter WVG to Rush Town Board w/attachments of 113 signatures, dated June 16, 2015

Cc:WVG

RECEIVED
FEB 02 2016
RUSH TOWN CLERK

ENCLOSURE A
2/2/16
c:

June 16, 2015

RECEIVED
JUN 19 2015
RUSH TOWN CLERK

Rush Town Board
5977 East Henrietta Road
Rush, New York 14543

SUBJECT: Dorschel Proposal at Routes 251/15 dated April 15, 2015

Rush Town Board:

After thoroughly reviewing the subject proposal it can be concluded that Mr. Dorschel has **finally** recognized the limitations of this unique site and has now submitted a realistic proposal for the site at Routes 251/15.

Over the past 13 years Mr. Dorschel has previously presented three (3) schemes for developing the site, all of which were overreaching and were rejected by the town as unrealistic for this particular site.

The current proposal has recognized and addressed the negative aspects of the previous proposals which created the basis for rejecting them and has now proposed a smaller realistic proposal for its limited use – one that the Town Board can finally approve.

Hopefully the group of citizens who have consistently challenged any such zoning change and the approval of such project in the past will, in good faith, cease and desist from presenting their scare tactics and accept this proposal as being the best long-term use of the property.

The proposed plan will result in eliminating an eye sore entrance into the town, in in the long-term interest of the Town of Rush and should be approved.

Respectfully submitted,

Bill Gaffney

Bill Gaffney
24 Farmcrest Drive
Rush, New York 14543
533-2407

RECEIVED
JUN 19 2015
RUSH TOWN CLERK

June 17, 2015

To: Rush Town Board

From: Neighbors of Dorschel Property (7262 West Henrietta Road) at Routes 251 and 15 Intersection

Subject: Bill Gaffney's Findings and Recommendations for the approval of the Dorschel Proposal letter dated June 16, 2015

We, the following neighbors of the subject property, concur with the findings/recommendations submitted by Bill Gaffney dated June 16, 2015, and that the proposal should be approved:

Name:	Address:
Eugene L. Lotto	12 Harvest Ln Rush 14543
John Draper	1958 Middle Rd Rush
Marilyn Draper	1958 Middle Rd Rush
Gary Mooney	1947 Middle Rd Rush
Cheryl Bartwell	9 Pine Tree Trl. Rush
Jan Manzoffi	1944 Middle Rd
Deborah McGowan	1906 Middle Rd - Rush
Timothy Bushnell	113 Farmcrest DR. RUSH, NY 14543
SHERRY BUSHNELL	" " " " "
Richard Upton	7445 W. HENRIETTA RD.
[illegible]	44 Farmcrest DR.
[illegible]	22 HARVEST RUSH, NY 14543
[illegible] Anderson	22 Harvest Lane, Rush, NY
[illegible]	1484 Rush Scottsville, Rush NY
[illegible]	1153 Rush Scotts Rd Rush N.Y.
Kim Roeser	1153 Rush-Scottsville Rd Rush, N.Y.
Tim Roeser	1153 RUSH - SCOTTSVILLE Rd. RUSH NY
[illegible]	1153 Rush Scotts Rd Rush N.Y. 14543
[illegible]	1550 Rush Scottsville Rush, NY 14543 NY
Jonathan Carmody	1899 middle rd. Rush, NY 14543
Rachel [illegible]	1899 Middle Rd, Rush, NY 14543
Jessi Hill	142 Farmcrest Dr. Rush NY 14543
[illegible] Hill	142 Farmcrest Dr. Rush NY 14543
[illegible]	84 FARMCREST DR RUSH NY 14543
Barbara Zimm	84 FARMCREST DR RUSH NY 14543
Aaron [illegible]	73 Farmcrest Dr Rush NY 14543

RECEIVED
JUN 19 2015
RUSH TOWN CLERK

Name	Address
Stephanie Jones	73 Farmcrest Dr. Rush NY 14543
James J Kolb	1254 Rush Scottsville Rd Rush NY 14543
Lynbaby Cooper Kolb	1254 Rush Scottsville Rd. Rush NY 14543
[illegible]	1184 RUSH SCOTTSVILLE Rd 14543
Robert Messimer	1184 Rush Scottsville Rd
[illegible]	1141 Rush-Scottsville Rd. Rush NY. 14543
Suzanne Gerondt	1160 Rush Scottsville Rd Rush NY 14543
[illegible]	1160 Rush Scottsville Rd Rush NY 14543
Diane M. VanLare	34 Farmcrest Dr. Rush NY 14543
Janet Rayner	22 BOXWOOD PA RUSH NY 14543
Tracey McNamara	1134 Rush Scottsville Rd Rush NY 14543
Maureen McNamara	1134 Rush Scottsville Rd Rush NY 14543
Patricia L. McNamara	1134 Rush Scottsville Rush NY
[illegible] (Hemingway)	7272 W Henrietta Rd Rush
[illegible]	7272 W Henrietta Rd Rush 14543
Leo P. Minotti	33 FARMCREST Dr. Rush NY 14543
Thomas H Congdon	64 Farmcrest Dr Rush NY 14543
Thomas Kroenger	1194 RUSH SCOTTS Rd Rush NY 14543
Peggy Kroenger	1194 Rush Scottsville Rd Rush NY 14543
Bruce a Green	14 Farmcrest DRIVE RUSH NY 14543
Colleen a Green	14 Farmcrest Dr. 14543
Eric Williams	13 Farmcrest Dr. 14543
[illegible] Williams	13 Farmcrest Drive 14543
[illegible]	10 HARVEST LN 14543
Lynn Smith	1170 Rush-Scottsville Rd. 14543
Donna Smith	1170 Rush Scottsville Rd 14543
George L. De Fazio	1215 Rush-Scottsville Rd. 14543
Jasper F. LeDuc	6976 W. Henrietta Rd
Joann M. LeDuc	6976 W. Henrietta Rd
Laura Wahr	7039 W. Henrietta Rd.
[illegible]	1504 RUSH SCOTTSVILLE RD.

June 17, 2015

To: Rush Town Board

From: Neighbors of Dorschel Property (7262 West Henrietta Road) at Routes 251 and 15 Intersection

Subject: Bill Gaffney's Findings and Recommendations for the approval of the Dorschel Proposal letter dated June 16, 2015

We, the following neighbors of the subject property, concur with the findings/recommendations submitted by Bill Gaffney dated June 16, 2015, and that the proposal should be approved:

	Name:	Address:
58	Mary Zeeshan	1925 Middle Rd Rush NY 14543
59	Bradley W. Crooks	1877 Middle Rd. Rush 14543
60	Jeanette Crooks	1877 Middle Rd. Rush 14543
61	SAL Dublo	1865 " " " " "
62	Tara Dublo	1865 Middle Rd - Rush 14543
63	Christy Merkt	1880 Middle Rd. Rush 14543
64	Carol Mattiol	23 Farmcrest Dr Rush 14543
65	Michael Mattiol	23 Farmcrest Dr Rush 14543
66	Michael Jenki	74 FARMCREST Dr Rush 14543
67	Linda Smaier	74 Farmcrest Dr Rush 14543
68	Jerel E Battaglia	1884 Middle Rd Rush 14543
69	Mary Battaglia	1889 Middle Rd. Rush NY 14543
70	Lesley Dolpe	1920 Middle Rd Rush NY 14543
71	Joseph A. Dirk Hightower	1627 Rush-Scottsville Rd Rush 14543
72	Linda Hightower	1627 Rush-Scottsville Rd Rush 14543
73	Scott Hightower	1627 Rush-Scottsville Rd Rush 14543
74	Jim [illegible]	1594 Rush-Scottsville Rd Rush 14543
75	[illegible]	1594 Rush-Scottsville Rd Rush 14543
76	[illegible] Potter	104 Farmcrest Dr Rush 14543
77	Rosaine K Potter	104 Farmcrest Dr Rush 14543
78	[illegible]	83 Farmcrest Dr Rush 14543
79	[illegible]	83 Farmcrest Dr. Rush 14543
80	[illegible]	123 Farmcrest Dr.
81	[illegible]	132 FARMCREST DR
82	Brian M Renner	132 Farmcrest Dr. Rush N.Y. 14543
83	[illegible]	32 Boxwood Lane Rush NY.

June 17, 2015

To: Rush Town Board

From: Neighbors of Dorschel Property (7262 West Henrietta Road) at Routes 251 and 15 Intersection

Subject: Bill Gaffney's Findings and Recommendations for the approval of the Dorschel Proposal letter dated June 16, 2015

We, the following neighbors of the subject property, concur with the findings/recommendations submitted by Bill Gaffney dated June 16, 2015, and that the proposal should be approved:

	Name:	Address:
86	[illegible]	1146 Rush-Scottsville Road
87	[illegible]	114 Farmcrest Drive
88	[illegible]	114 - Farmcrest Drive
89	[illegible]	114 Farmcrest Dr.
90	Phyllis Hunt	94 Farmcrest Dr.
91	[illegible]	53 Farmcrest DR, Rush NY
92	[illegible]	53 Farmcrest Dr.
93	Paul Bufano	1803 Middle Road
94	Angela Reeb	1812 Middle Rd.
95	Reginald Fosh III	1858 Middle Rd.
96	Linda Foster	1858 Middle Rd.
97	Peter Hubbard	1913 Middle Rd.
98	Ruth Hubbard	1913 Middle Rd.
99	LEE TEITSWORTH	1709 RUSH SCOTTSVILLE RD
100	[illegible]	1709 Rush Scottsville Rd.
101	[illegible]	1743 Rush-Scottsville Rd.
102	Peter D. Wingo	1743 RUSH SCOTTSVILLE RD
103	[illegible]	1743 Rush Scottsville Rd.
104	[illegible]	1743 RUSH-SCOTTSVILLE RD

84	[illegible] Ceci	32 Botwoodly Rush, NY
85	J. [illegible]	1593 Rush-Scottsville Rd Rush, N.Y.

Total