

# Town of Manchester Planning Board Meeting Minutes

## October 15th, 2019 – 7:00pm

**Present:** John Boeckmann, Ruby Morrison, Steve Buerman and Scott VanAken, Julie Vanderwall & Lee Sanders - members, Stuart Gwilt, Chairman, Steve DeHond, Code Enforcement Officer and Jill Havens, Recording Secretary

**Absent:** NONE

**Also present: Applicant(s)** – James VanLaeken, Anthony Remauro & John Mueller **Town of Manchester Residents** – Roger Lonneville, John Davies, Cesar Arenas, Manuel Ramiraz, John Hennen, Jeanne & David Rider, Elizabeth & Aaron Witt, Sally Mueller, Joseph Wright, Kevin Hartson, Stephen Morreale, Jim & Diane Hixson, Mary Lou Abbott, Colleen McPike, John & Pam Masterson, Allison & Cody Notaro, George Wright, Laurie Schocken, Stephen Perry, Richard Rice, Thomas Mueller, Brad Hixon, Mary Lue & George Mueller, Ann Prescott

**Final Site Plan # 4586 - 19:** Spring Valley Greenhouse (James VanLaeken) who is requesting to install three (3) greenhouses and one (1) pole barn to grow flowers on property located at East Ave, tax map no. 44.00-1-7.110 in an A-1 district pursuant to Chapter 325 Section 66-C.

The chairman read the public hearing notice. Twenty (20) surrounding property owners were notified by mail (one was returned) of this meeting of which none were present.

**Stuart Gwilt, Chairman:** Applicant wants to build a barn and three (3) greenhouses off of Water Street to grow flowers and vegetables to be sold at another location. This is just for the growing of the plants.

**Scott VanAken:** The access for this is off of South Avenue/East Avenue, right?

**James VanLaeken, Applicant:** Yes.

**Stuart Gwilt:** Yes, the access will be off of South Avenue. You came before the Planning Board a month ago, right?

**James VanLaeken:** Yes, and I have since gone in front of the Ontario County Planning Board as well.

**Stuart Gwilt:** The only comment from the Ontario County Planning Board are:

- 1.) The referring body should require the applicant to provide additional information on existing and proposed drainage patterns to ensure proposed development does not impact neighboring properties.

**James VanLaeken:** Mostly everything around the building is stone, so the drainage we would be putting in would be off of the roof of the barn and run it towards the outlet. The greenhouses would have stone inside, so there won't really be much drainage or run-off from them.

**John Boeckmann:** What did you say previously about lighting?

**James VanLaeken:** I might just have a few of those small motion detection lights on the side of the building and security cameras

**Scott VanAken:** No signage you said previously, correct?

**James VanLaeken:** Right, no sign.

**Chairman Stuart Gwilt:** Anyone have any questions?

(Hearing none)

The Public Hearing was closed and a motion was made by Ruby Morrison to approve Site Plan #4586-19, submitted by Spring Valley Greenhouse (James VanLaeken) who is requesting to install three (3) greenhouses and one (1) pole barn to grow flowers on property located at East Ave., tax map no. 44.00-1-7.110 in an A-1 district pursuant to Chapter 325 Section 66-C.

The motion was seconded by Julie Vanderwall. All voted "Aye." Motion carried.

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**Preliminary Site Plan # 4589 - 19:** Full Throttle Truck and RV (Anthony Remauro) who is requesting to operate a truck, automobile and RV retail sales & service center located at 298 State Route 21, tax map no. 2.01-1-36.000 in a C-1 district pursuant to Chapter 325 Section 75-H-1.

The chairman read the public hearing notice. Fourteen (14) surrounding property owners were notified by mail of this meeting of which none were present.

**Stuart Gwilt, Chairman:** Please come forward and tell us what you want to do.

**Anthony Remauro, Applicant:** I currently have a dealership that I operate out of Newark. Currently I lease a building, I have gone through the zoning process for that business location as well. I am looking to expand and actually purchase a building, which is this old Stop 21 building on State Route 21. It is currently a commercial building. It has been zoned for a number of different things. I am looking to move my existing business from Newark to this location, which will allow for expansion of the business as well. I plan to do automobile and RV repairs and sales. I do a lot of the repairs myself now but some I do contract out to other repair facilities.

**Scott VanAken:** Moving to this location, do you still plan to contract work out?

**Anthony Remauro:** Yes, I do.

**Scott VanAken:** And you have a way to transport these vehicles?

**Anthony Remauro:** Yes, I have a dealer plate that allows me to transport if the vehicles are drivable. If they are not drivable, I can always call a tow truck. Right now, I do about 50 vehicles a year out of Newark but I also work full-time at Garlock's during the day. Right now, this is a part-time thing for me after work and it keeps me very busy.

**Scott VanAken:** So, 50 a year, you are showing on your map(s) about 25 or so at a time.

**Anthony Remauro:** Yes, I didn't want to put any less because if it grows, which I do plan on it growing in the future, I'd like to transfer from having a job to owning a business and actually running it. So, because of that, I don't want to put less and then have to come back in to have that number increased.

**Scott VanAken:** So, this is considering new growth of the business, typical how many would be on the lot at one time?

**Anthony Remauro:** Yes, typically maybe 8-10 RV's and maybe 6-8 vehicles. I try not to have it too congested. We don't plan on using the front entrance, as we don't want to congest any traffic.

**Lee Sanders:** So, everything is going to come in from Armington Road?

**Anthony Remauro:** Yes.

**Scott VanAken:** What about hours of operation?

**Anthony Remauro:** My hours of operation, a lot of it right now is by appointment. With my day job, I would do maybe 3PM-9PM, depending on the season and the ability to work outside.

**Scott VanAken:** It's not something that you will be doing repairs all night.

**Anthony Remauro:** No.

**Lee Sanders:** Will you be adding any lighting there at all?

**Anthony Remauro:** There is quite a bit of lighting there now. If we added any lighting, it might be out back for security purposes, just additional dusk to dawn lighting to keep everything safe. There are security cameras there already as well. Vehicles would be serviced inside and we would put a lift in there.

**John Boeckmann:** Are you planning 7 days a week or 5 days?

**Anthony Remauro:** I do work by appointment, so potentially, it could be 7 days a week because of my full-time job.

**John Boeckmann:** There is currently a fuel tank outside of there now?

**Anthony Remauro:** The fueling tank that is there is only for heating purposes. It's a propane tank. There were old tanks there in the ground from the old gas station but those have been removed, is my understanding.

**John Boeckmann:** That is clean?

**Anthony Remauro:** I am told it is clean but we are going to do an A1 inspection just to be sure before everything is finalized.

**Steve Buerman:** Will you have a sign?

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**Anthony Remauro:** I will have a sign on the building and there is already a place for a sign on the building. The only other signs would be the ones that are required by NYS

**John Boeckmann:** Do you anticipate fencing it in or anything?

**Anthony Remauro:** No, not at this time maybe later on.

**Chairman Stuart Gwilt:** Anyone have any questions?

(Hearing none)

The Public Hearing was closed.

Scott VanAken made a comment for the board for discussion regarding the need for a stipulation for the maximum number of unregistered vehicles that are to be allowed on the lot at one time be noted in the FINAL Site Plan Approval.

A motion was made by Scott VanAken preliminarily approve Site Plan # 4589-19, pending Ontario County Planning Board Approval, submitted by Full Throttle Truck and RV (Anthony Remauro) who is requesting to operate a truck, automobile and RV retail sales & service center on property located 298 State Route 21, tax map no. 2.01-1-36.000 in a C-1 district pursuant to Chapter 325 Section 75-H-1, with a stipulation of **no more than 10 unregistered vehicles per acre on the property & hours of operation not to exceed midnight**, the motion was seconded by Lee Sanders. All voted "Aye." Motion carried.

**Site Plan/Special Use # 4587 - 19:** John Mueller who is requesting to convert Curran Rd. Nursing Home into Farm Tenant Housing on property located at 630 Curran Road, tax map no. 11.00-2-34.121 in an A-1 district pursuant to Chapter 375 Section 375-10-D.

The chairman read the public hearing notice. Nine (9) surrounding property owners were notified by mail of this meeting of which all but 2 were present and MANY other Curran Road property owners were also present.

Information provided by Applicant John Mueller as follows:

### Manchester Planning Board presentation on the Rider Senior Home October 15<sup>th</sup>, 2019

- 1) The Latino dairy employee story.
- 2) Our housing story
  - a. We have 21 housing units in total. Some with local renters that are not employees. Most have employees and their families in them
  - b. We have 5 units that are what we call group housing. The housing is included as part of their benefits and they do not pay rent, heat or light. They house about 26 people.
  - c. We could sell off at least 3 of those units and replace it with the Curran road home.
  - d. We have no plans of growing in Manchester in at least the next 10 years. We are focused on growing our Bloomfield location.
  - e. Our housing is good but not great. The current units are either old farm houses or trailers. They are expensive to maintain and not the most comfortable places to live.
  - f. Moving into the Rider home gives these hard working folks a much better place to live.
  - g. In this competitive labor market, it would make Willow Bend a preferred employer in the community and will help us in our effort to recruit the best employees.
- 3) We are very sensitive to the concerns of the community. I would be nervous if 20 young men moved in next door to our family. For this reason, we are putting in substantial safeguards.
  - a. Only the most mature and responsible employees will be moving into the home. They have to prove to us that they can take care of things, be responsible in their behavior and generally have good manners before they can move into the Rider home. It will be a reward or step up to get a spot there
  - b. We will have a house manager for each wing to keep track of the people to make sure they are on their best behavior. Otherwise they will get moved back to the farm house.
  - c. There will be monthly inspections by owners and farm managers to make sure things are in order.
  - d. We will have surveillance cameras around the outside of the building and in the common areas to keep track remotely of what is going on, who is coming and going. These video's will stream to our smart phones and tablets so that we can check in on them at any time from any where.
  - e. We will hire a lawn maintenance team to make sure the outside looks good year round. Thereby maintaining the value of the neighboring homes
  - f. We will contract with a pest control company to make sure that all rodents and bugs will be taken care of.
  - g. Most of these folks do not drive so we will be providing a van service to get them to and from work. So there will be very little traffic in and out.
- 4) It is in our best interest for this to work for the neighborhood as well as our farm. We do not want any trouble. The employees do not want any trouble. They are here to work. Make as much money as possible, as fast as possible and then send it home so that they can go home as well.
- 5) We are your neighbors. We live here, work here, raise our families here. We would not want to do anything to make people mad at us. Our manure is bad enough. We don't want any problems just as much as the neighbors don't want any problems. If there are problems, we live right here. Call us and let us know about and we will work hard to resolve any issue that comes up. 315-462-3177

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**John Mueller, Applicant:** You have already seen the little plan for the house. We are trying to improve the housing for employees and give these guys a better place to live. First, I would like a couple of the employees to introduce themselves and tell their stories.

**Cesar, Willow Bend Farm Employee:** I came here from Mexico with many dreams and goals. The great country gave me the opportunity to work. I have my family here with me for 20 years, my child and my wife. I have worked for 20 years for Willow Bend. Most of my co-workers came here the same way I did to work hard and try to support their families in both Mexico and United States. We work hard every day to send money to send kids to school and help families. I want to tell you, sometimes it is hard to find a place to live. Sometimes we have to stay on couches.

**John Mueller:** Thank You Cesar; So, Cesar has been with us for 20 years, Miguel has been with us for 16 years and Manuel has been with us for 1 year.

**Lee Sanders, Board Member:** Cesar, tell us what it is like working for the Mueller Family.

**Cesar:** I find them great. They are a great family, the Mueller family. They have given me the opportunity to grow up. I grew up in the city, so I never touched any cow, so when I came here, I touched my first cow. It's a great place to work.

**Lee Sanders:** Thank You.

**John Mueller:** A little about our housing story, we have 21 units total in the Towns of Hopewell, Bloomfield and here in Manchester. Most all of them we have employees in or their families. Some of them have local people that we rent to that live in them. Five (5) of the units are group housing, where young men live and our hope is that the Rider Home will be able to replace three (3) of these houses. We would then be able to sell those houses and give these guys a better place to live. The current houses are old farm houses, they aren't terrible but the Rider Home is much better. The Schumacher's that own it have fixed up the one half and its very nice. We don't have any plans of growing here in Manchester in the near future, we are currently focused on developing a dairy out in Bloomfield, so this Rider Home would bring most of our employees to one spot so we could manage them, give them a better place to live in this competitive labor market, it would make Willow Bend more of a preferred employer in the community. It would help us to recruit more of the best people that are out there. Also, overtime is coming into agriculture starting the first of the year, so we are going to have to hire an additional people, so that we don't have to pay as much overtime as we do now. We are very sensitive to the concerns of the community, I would be nervous if 20 young men were moving in next door to my family, for this reason, we will be putting in some substantial safeguards. Only the most mature & responsible employees would be housed at this location. We don't want trouble, you don't want trouble, so these men are going to have to prove themselves to use before we let them move into the Rider Home. It will be a reward to move into that house, a step up to get a spot there. We will have a house manager in each wing, the Rider Home has a North Wing, a South Wing and then a 2-bedroom apartment on the north end. So, in each wing, we will have a house manager/supervisor to make sure things are under control and everyone is on their best behavior. If we have trouble, they will get moved back to the farm house or terminated. So, we do have that advantage over it being apartment housing and being a landlord, we have the ability to terminate an employee vs. trying to move a bad tenant out. We will have monthly inspections by ourselves to make sure things are in order. We will have surveillance cameras around the outside of the building and in the common areas, so we can keep tracked of who is coming and going. The videos will be streamed to our phones and tablets, so that we can check in on them at anytime from anywhere. We will hire lawn maintenance and contract with a pest control company to make sure all the rodent and bugs will be taken care of. Most of these folks don't drive, so we will have a van service to and from work to keep the traffic down on Curran Road. It is in our best interest for this to work for the neighborhood and our farm. We don't want any trouble, our employees don't want any trouble, they are here to work, they want to make money to send home to support their families. We are your neighbors, we live here, we aren't some real estate company in a far-off land. I have been here my whole life, we have raised our families here, we wouldn't want you guys to be mad at us, our manure is bad enough. We don't

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want any problems, as much as you don't want any problems and if there are problems, we live right here, call us and let us know and we will work hard to resolve any issues.

**Stuart Gwilt, Chairman:** Does anyone have any question?

**Elizabeth Witt, Resident:** So, everyone that will be living there will be here on a Visa? They aren't staying here permanently?

**John Mueller:** No but like Cesar said, he has been here for 20 years. It's not a revolving door type of thing. It's not a migrant labor type of thing. It's a dairy farm that work year-round, 365 days a year.

**John Boeckmann:** You talked about a housing manager? Who is that? Is that one of the employees?

**John Mueller:** Yes. So, one of the supervisor-type employees that has been with us a long time, has showed responsibility, is someone we can trust and has respect from the team. Someone kind of like an RA, like they have in college dorms.

**Jim Hixson, Resident:** I live just a couple doors down. What I have an issue with is what you propose to do as far as cameras, pest control, house dad, etc., it sounds like containment camp. Another thing too is, sanctuary status, have you addressed that? I am sure you know; Rochester is a sanctuary city and Wayne County is a sanctuary county, does everyone understand what that means?

**Stuart Gwilt, Chairman:** I do.

**Scott VanAken:** I do not.

**John Mueller:** I do not. What do we need to address there?

**Jim Hixson:** The illegal alien/felons are not being turned into the authorities that they are there. Would you draw employees from there? How would you know if they are flying under the radar?

**John Mueller:** Well, when we hire people, we vet them, check them out.

**Jim Hixson:** But you don't know them personally?

**John Mueller:** Right, just like any other business that hire people.

**Jim Hixson:** I get hired, I got background checks.

**John Mueller:** So, like I said, the new employees wouldn't be the ones that would move in there right away. The ones that have been with us for a while and have proved themselves are the ones that would get to move in. We already have some fellas on your road and as far as I know there hasn't been any trouble. There is one family and one single fella. They are also on my road and on County Road 7, Route 488, etc.

**Resident:** So how is this going to help my property value?

**Elizabeth Witt:** I have something to say about that, how is that building sitting there empty going to help your property value sitting there vacant?

**Stuart Gwilt:** It isn't.

**Elizabeth Witt:** I heard a rumor about five (5) years ago, when we bought our house, the nursing home was open. There were continual ambulances flying down our road and all the sudden it closes. So, my husband and I did research on it. They closed it before it got closed by the state because they weren't taking care of the people there. How is that better for our property value? How is it sitting empty any better for our property value? They could put juvenile delinquents in there, how would that be better? With this proposal, these people just want to live there, work hard and better their lives.

**Jim Hixson:** With security cameras, pest control and house dads?

**John Mueller:** I mean if you don't want the cameras, I don't have to put them up. I thought it would be a good idea and that you would appreciate that.

**Jeanne Rider:** You are saying you will be putting in these safeguards, why? What are you anticipating? What problems?

**Scott VanAken:** To be fair, we asked him that question last month.

**Jeanne Rider:** when did you pose that to him?

**Chairman Gwilt:** Last month, John's father, George was here last month.

**Jeanne Rider:** I wasn't here last month, so I want the answer.

**Chairman Gwilt:** They were here last month, just letting us know what they want to do with the property preliminarily. It was just an informal meeting, it was not a public hearing, that is why you weren't notified. We just posed to them a few questions that we would require answers to at this public hearing to give them time to prepare.

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**Jeanne Rider:** Ok, so this was your suggestion?

**Scott VanAken:** It wasn't our suggestion; we gave them something to consider during what we call an Informal Pre-Application Review".

**Jeanne Rider:** One of your questions was about pest control, when has our neighborhood ever had any pest control problems? What are you anticipating with a pest control problem?

**Chairman Gwilt:** I don't know if we mentioned that or not. It's just like you never know.

**Jeanne Rider:** I know that right now, I don't have a pest control problem.

**Chairman Gwilt:** Right, I think what he is saying is that if they have a problem, he will take care of it.

**John Mueller:** So right now, they have poison stations around the building. I was just going to keep that going. I also know at my own house I get mice in there and I don't want them in there.

**Jeanne Rider:** In you list, you say you will sell off three (3) of your other properties. How if there is bad behavior will you have accountability; you have said that you will let them go. You have also said that you would take them out of this house and put them back into a farm house, how will you do that if the farm houses are sold? Where are you going to place them?

**John Mueller:** So, if you read the letter, you will see that we currently have five (5) houses, if we sell three of them, we will still have two left. Those two are right on the farm.

**Jeanne Rider:** Oh ok.

**Allison Notaro:** I live at 614 Curran Road, to the north of the property. We bought our first house in Webster, NY after graduating college. We purchased our home on Curran Road in order to provide a more peaceful setting for our children to grow in. We are separated by brush and trees from the property. Our house sets far back from the road, which is what we wanted so that our boys could play outside with very little worry. We purchased our home knowing that the home was set up for elderly care. My husband and I both come from a farming background and are and will continue to be in full support of farming. The pros of your proposal to me are that I am in agreement that this would be a nice living facility for your workers, that are hard-working individuals that want nothing but the best for themselves and their families. The cons to me are this: I did not picture myself raising with my husband raising our sons next to a house containing 20 young male individuals. As a female, I also did not picture living next to 20 young male individuals, as a female, that is scary to me. My biggest question is the background check, we are made aware currently of sex offenders, I trust that you vet them but how do I know that? I am also worried that one day, when we go to sell our house that if they are like me, I would not buy our house knowing that its next door to this type of property. I o believe this would have some sort of impact on the value of our homes.

**Ruby Morrison:** John, what is the age group of the men that you are planning to move in?

**John Mueller:** Some are as young as 18, some are as old as 60.

**Ruby Morrison:** So, what do you think is the ratio of the age category?

**John Mueller:** There are probably more in the 18-30 age range.

**Scott VanAken:** Is it all males or are there families you are planning to move in as well?

**John Mueller:** So, the apartment there is set up for a family, so I wouldn't rule that out but I think what our plan is, is to have three (3) brothers live in the apartment.

**Allison Notaro:** I mean, if you told me that four (4) families were moving in there, my feelings would be different.

**John Mueller:** Right, I understand that.

**Ruby Morrison:** How close is your house to there?

**Cody Notaro:** We are the direct north neighbor, so 150 yards.

**George Wright:** I live two doors down, moved from Webster as well, to be out in the country. I have two little boys and had I known that this would be happening, there is no chance I would have bought this house. People I have talked to about this have told me that my property value is done. That's not even the bigger picture, the bigger picture is the dangers. Is there alcohol involved here? Drugs? I work in Sodus every

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day and I know a lot of the workers there and there are some good ones, but there are also some really bad ones too. Murders, rapists, baby killers, etc. I don't want this stuff near my house. Why not build it at your house? I don't understand?

**Elizabeth Witt:** I don't know folks, what do you think this property is going to be used for? Its been sitting empty for so long and when you bought that house, what did you think was going to go in there? Did you really think another nursing home?

**George Wright:** Yes, I did think that.

**Jeanne Rider:** Yes, that's exactly what I thought.

**Jim Hixson:** I have a question for the Board, have you looked at the future of Curran Road, future families. I think that is probably one of your main jobs is to be concerned with the future. That is what I have heard from other boards in this town.

**David Rider:** I live right next door to the nursing home, there is 196 feet between my house and the nursing home, I have a bunch of grandkids. Sometimes I have sat on my front porch and have been able to hear the people over there talking in the parking lot, what happens if this turns into some kind of frat house and that one of these men don't wander over onto my property and get hurt, then I become liable. I take my property very seriously; I was born in that house and I will probably die in that house.

**Ruby Morrison:** John, what is their average work day? How many hours a day do they work?

**John Mueller:** Right now, they are working about 12-13 hours a day.

**Julie Vanderwall:** So how many people would you say would be on that property at one time?

**John Mueller:** Half. Half work during the day, half work during the night.

**Ruby Morrison:** And the reason for that being? It's a 24-hour operation?

**John Mueller:** Right.

**David Rider:** What would they do during their off time?

**John Mueller:** Usually they go grocery shopping, banking and to the post office. Some of them are very busy with the church. Pretty much the same things you do in your off time. They can't go as far because they don't have transportation but they have friends.

**George Mueller:** They have a very successful, brand new church on Stevens Street, just west of Clifton Springs.

**Joseph Wright:** I have lived in this community since 1973 and I have lived on Curran Road since 1988. I have known John Mueller for many years and this man is a steward of the land. When you base your decision on how you are going to do this, you have to look at the character of the person. This man, to my knowledge, has never taken a government subsidy to run his farm and there are a lot of farmers that do. John Mueller spends a ton of money putting enzymes into manure so that his neighbors do not have to deal with the smell. Am I wrong, John?

**John Mueller:** A little bit, yes. We have worked hard at it. We have been plowing the manure in a little bit deeper. We are sensitive to that manure smell with our neighbors.

**Joseph Wright:** And I will tell you, these men should be applauded for standing up and telling their story to a room full of people like you. That man standing up there is a man of character and anyone that works for him will also be a man of character. I never hear of anyone that works for him robbing stores or raping women or any of that crap because that man will not tolerate it.

**Jeanne Rider:** Is this property going to directly affect you? 196 feet away directly affects me.

**Joseph Wright:** It does affect me; I live on Curran Road also.

**Coy Notaro:** The biggest issue I have here is for the property value. The debate here isn't about the character of John Mueller, when people hear that you live right next door to migrant tenant housing for 20 people there first response is going to be, I don't want to live there. A majority of buyers are going to be turned away by that. I would like to see what is being done to disprove that, how are you planning to guarantee that my property value will not be directly affected?

**Lee Sanders:** John, how many people live in the house on County Road 7 there on the farm?

**John Mueller:** Seven.

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**Lee Sanders:** I grew up directly across the road from there on County Road 7 and my mother still lives there. We don't know anybody is in that house. Every once in a while, they will get a soccer game going out in the field and they have a good time over there, but other than that, you wouldn't know they were there. The house across the street from there went up for sale a while ago and that was a house that I would have been interested in purchasing but it sold before I even had a chance to make an offer on it. I understand both sides of this but from my experience with the tenant housing you wouldn't even know they were there and the houses around them haven't lost any value or demand.

**George Wright:** Yes, but nine people is a lot different than 20.

**Ruby Morrison:** I want to be a little voice of reason, so this was previously a nursing home, at this point you could have a youth home go in there or someplace like ARC go in there. So, there are other things that could go in there, you need to think of all the possibilities of what could go on there. What really are the chances of someone going in there and making it into a single-family home? It could be apartment homes; it could be section eight housing.

**John Mueller:** Would there be background checks for those people? If that were made into apartments, would those tenants have to have background checks done?

**Chairman Gwilt:** No. Background checks don't have to be done on any tenant.

**George Hixson:** So, are you trying to convince us? Which side are you on?

**Ruby Morrison:** No. No, we are just trying to look at both sides and what code allows.

**Jeanne Rider:** What does code allow?

**George Hixson:** I get both sides.

**Steve Buerman:** Well, the Special Use requirements, you have to take in the nature of the current area, while it may be zoned ag, it currently is much more of a residential property. A proposed Special Use permit, of course is to not change the nature of the adjacent neighborhood. Another qualification is, it should not unduly negatively impact the value of the adjacent properties and the applicant is to demonstrate conclusively that no negative impacts with result or that the proposal will fully mitigate those impacts. So, those are some questions for John.

**David Rider:** How do you figure out the impact on an adjacent property?

**Steve Buerman:** You would need like an Assessor.

**John Mueller:** To answer some of the questions that have been brought up, obviously we don't intend to have any rapists or baby killers or anything like that living here. We have never had anyone like that and I don't anticipate that happening. Can I guarantee it? No, but there are no guarantees in life. Your neighbor right now could be a baby killer and you don't know. Right? Things happen, things change but, in our experience, the guys have been great and they do a great job. Like Manuel, they come and work hard, send money to their families and if they do well, they stay for 20+ years and become part of our community. Their kids are in our schools, they go to church, etc. Regarding property values, part of the lawn maintenance and pest control is just to keep up the property and keep it looking good. We all know we have neighbors that cannot look so good. We would do our best to keep it up and the best we can to make sure there are no problems in the neighborhood so that it doesn't impact your lives.

**Allison Notaro:** I know that I read if the special use goes through that there could be an annual review of the permit?

**Steve Buerman:** Yes, there can be. A special use permit can be set up so that it has an annual review and renewal. So, it can require that John come in on an annual basis to review the status of it, have a public hearing and then vote again each year whether to continue the special use permit for this property. That is certainly something I would recommend.

**Jeanne Rider:** Can notification go out to more than just the 9 property owners that are nearby.

**Chairman Gwilt:** What the law says it that we have to notify property owners within 500 feet of the property applicant.

**Diane Hixon:** I have a couple of questions for John. Why wouldn't you consider using your own property for this? With selling three houses to buy this, I would think that using your own property for this would put a nice update on those properties and it wouldn't be in a nice residential family neighborhood.



# Town of Manchester Planning Board Meeting Minutes

## October 15th, 2019 – 7:00pm (cont.)

**John Mueller:** So, the simple answer is, we are and were considering that but this one is already built. It's there. It's nice. It's set up perfect. It's reasonable and cheaper. And it is super convenient.

**Diane Hixson:** The residents that would be there would be from Bloomfield?

**John Mueller:** No, just Hopewell and Manchester.

**Diane Hixson:** So, you have security cameras that link to your phone? So, I am assuming then that you or partner would be called in? Where would you be called in from and how long would it take you to get there if there were concerns?

**John Mueller:** We don't currently have the cameras but we can get them. I currently live on King Road, so it would take like 5 minutes to get to Curran Road. My partner lives in Clifton Springs.

**Steve Buerman:** I would like to say that in the informal meeting held last month, it was noted that the previous owners do not want to sell to another nursing home for issues of competition. So, they have artificially decreased the buyer pool by stating that.

**Diane Hixson:** John, you had said, when you were out at the house that you would be willing to put up a wall.

**John Mueller:** Um, no, I said I would be willing to put up a fence.

**Diane Hixson:** Oh, my mistake. A fence. How tall would the fence be?

**John Mueller:** How tall would you like it to be? 6-8 feet?

**Diane Hixson:** Actually, I would rather have a hedge row like Allison & Cody have.

**John Mueller:** We could work on that.

**Chairman Stuart Gwilt:** Anyone have any other questions?

**Steve Buerman:** Previously it was stated by your father at last month's meeting, that there would only be 16 men living there and I notice that the number has gone up to 21-22.

**John Mueller:** Yes, if we get all the rooms done the most that we could have living there would be 21. I figured I would put that in now, so that I don't have to worry about it later coming back in for 5 additional tenants. And 21 would be the absolute most, we probably would never get to that many but I would like to have the option there to fill all the rooms, if necessary.

**Jeanne Rider:** What is the next step?

**Chairman Gwilt:** If we approve it, it has to go to the County next month. We would then review County comments and make a decision based on all the information.

**Chairman Stuart Gwilt:** Anyone have any other questions?

(Hearing none)

The Public Hearing was closed.

Scott VanAken thanked the public for their comments this evening and for keeping the Public Hearing civil while voicing their opinions and concerns for this project.

A motion was made by Scott VanAken preliminarily approve Site Plan/Special Use # 4587-19, pending Ontario County Planning Board Approval, submitted by John Mueller who is requesting to convert Curran Rd. Nursing Home into Farm Tenant Housing on property located at 630 Curran Road, tax map no. 11.00-2-34.121 in an A-1 district pursuant to Chapter 375 Section 375-10-D, with stipulations of:

1. Due process on assessment.
2. Annual Review & Renewal of Special Use Permit
3. Reasonable safeguards are allocated by the Mueller Family for safety of the neighborhood and residents.

The motion was seconded by John Boeckmann. All but Steve Buerman voted "Aye." Motion carried.

# Town of Manchester Planning Board Meeting Minutes October 15th, 2019 – 7:00pm (cont.)

## Previous Minutes:

A motion was made by Lee Sanders to approve the minutes from the meeting which took place on September 17, 2019. The motion was seconded by Stuart Gwilt. All voted “Aye.” Motion carried.

Meeting adjourned @ 9:01pm.

Respectfully submitted,

Stuart Gwilt  
Planning Board Chairman

Jill Havens  
Recording Secretary