

Z O N I N G B O A R D
JANUARY 22, 1980

A Meeting of the Zoning Board of Appeals was held on January 22, 1980, at 7:30 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, NY 14624. The meeting was called to order by Chairwoman Janice Chapman.

ROLL CALL: Janice Chapman, Robert Burnett, Vic Lynd, Shirley Whelpton, John Mallette, Leo Bean (arrived late.)

ALSO PRESENT: Daniel L. Miller, Deputy Town Atty.

APPLICATION NO. 1

Application of Joseph Guinan and Arthur Reinagel, 17 Old Ivy Circle, Rochester, New York, 14624, for variance to allow 56.8' setback from relocated Chestnut Ridge Road (61.5' allowed by 10-27-78 variance) for existing real estate office at property located at 2968 Chili Avenue in R-1-12 zone.

MR. GUINAN: Mr. Reinagel and myself own this property, which is currently used as a real estate office. The reason for the variance is the original plans called for the roof lines and gutters as shown on the plan. The entrance was opened and not closed, which the mason was inclined to think we wanted a storm door and instead enclosed it with an unheated area to conserve heat and make it look better. I called Tom Ward, and he suggested we finish it and then come in and ask for the variance.

MS. CHAPMAN: When a porch is not enclosed, it is not included as part of the structure, but once enclosed, it is part of the structure as a whole and does figure in the setback. It is now closer to the street than we had originally allowed for in the variance.

MR. GUINAN: The sole purpose is for conservation of heat.

MR. NEWMAN: What is the size of the entrance there?

MR. GUINAN: 5 foot by 7 foot.

MR. BURNETT: Have you made any other modifications to the plans?

MR. GUINAN: No.

MR. LYND: That was one question that came up a while ago. There was an entrance added to the back end of this building. Was that added to your original plan with your knowledge?

MR. GUINAN: That was in the plans originally. There were so many plans back and forth. The code calls for 2 entrances.

MR. MALLETTE: Everyone thought the entrance was going to go above ground and not below ground.

MR. REINAGEL: That was in all the original plans. Every last one of them.

MR. GUINAN: There was always an existing entrance from the basement. It is a walk out basement.

MS. CHAPMAN: That is not the issue here tonight, of course. I don't think we say the original plans.

MR. MILLER: I saw you are putting a covered pipe in the swale.

MR. GUINAN: It is still an open swale. That pipe drains our gutters and the back end of the building. It was done in conjunction with the Town Engineer.

NANCY FELLUCCA, 65 DAUTON DRIVE: I am in favor of this. I think it has added alot to the building and the corner and the community.

NO ONE SPOKE IN OPPOSITION TO THIS APPLICATION.

DECISION: Unanimously approved with no conditions or stipulations.

MEETING ADJOURNED AT 8:00 p.m.

dai

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date *January 16, 1980*

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated *January 16, 1980*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 19*81*

Patricia M. Smith
Patricia M. Smith
Publisher

1980

Minutes Book - Zoning Bd
Meeting - J. Guinan

Legal Notice

Pursuant to Section 267 of Town Law, a public hearing will be held by the Chili Zoning Board of Appeals at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on January 22, 1980 at 7:30 p.m. to hear and consider the following application:

1. Application of Joseph Guinan and Arthur Reinagel, 17 Old Ivy Circle, Rochester, New York 14624 for variance to allow 56.8' setback from relocated Chestnut Ridge Road (61.5' allowed by 10-27-78 variance) for existing real estate office at property located at 2988 Chili Avenue in R-1-12 zone.

At such time all interested persons will be heard. By order of the Chairwoman of the Chili Zoning Board of Appeals.

Janice M. Chapman
Chili Zoning Board
of Appeals

Z O N I N G B O A R D
FEBRUARY 26, 1980

A Meeting of the Zoning Board of Appeals, Town of Chili, was held on February 26, 1980, at 7:30 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The meeting was called to order by the Vice Chairman, Vic Lynd.

ROLL CALL: Janice Chapman, Vic Lynd, Robert Newman, Shirley Whelpton, Robert Burnett

ALSO PRESENT: Robert Connolly, Bldg. Inspector; Daniel L. Miller, Deputy Town Atty.; Gerald Charipar, Monroe County Planning Dept. Rept.

APPLICATION NO. 1

Application of Mr. & Mrs. Richard Marriott, 10 Revere Drive, Rochester, New York, 14624, for variance to erect family room addition to be 7' from side lot line (10' required) at property located at above address in R-1-15 zone.

MR. MARRIOTT: Basically, we will be adding two rooms to one side of the house; a family room, 15' by 18', and a bedroom, 11' by 14'. We will be changing inside the house. One kitchen wall and one livingroom wall will be moved over. There will be no plumbing or powder room.

MS. CHAPMAN: How are you going to work the roofline for this?

MR. MARRIOTT: As you can see in the print, the roof line of the existing house will be raised slightly and extended to the top of the roof line over the peak.

MR. LYND: Will that be attic space?

MR. MARRIOTT: Just a crawl space.

MS. CHAPMAN: The siding or facing will be the same as what is already on the front of the house?

MS. MARRIOTT: I have cedar siding and that is what we are going to use on the front and side. The rear of the house will be shingles as it is now. The lower story is a brick veneer facing that will be optional in the change. I am not sure if I will be able to put that on or not. It is not existing now.

MS. CHAPMAN: Do you currently have a family room?

MR. MARRIOTT: We did finish off the basement, but it is too cold down there in the winter. It is finished off.

MS. CHAPMAN: There are some quite attractive trees there. Will you be taking some of those out?

MR. MARRIOTT: The trees are on my property line. Most are up front. There are about 12 that will be unaffected. There is one Silver Maple that I put in, 3 inches in diameter that will have to come out.

MS. CHAPMAN: Have you talked to your neighbors on that side?

MR. MARRIOTT: Yes. The man across the street and the man next door, and they didn't offer any objections at all. I did hire an architect because I really want it to be a welcome addition to the neighborhood.

MR. LYND: Did you consider any other options; for instance, to the rear instead of going toward the one lot line?

MR. MARRIOTT: When I talked to the architect, I was only going to go out about 12 feet. Then extend to the back. But, we found out we would have to move one of the weight bearing walls and the construction costs would have been prohibitive. We need kitchen space badly, but it would cost alot more to do that. It would have been too expensive.

MR. LYND: How are you intending to direct the drainage?

MR. MARRIOTT: It will follow the present line. The lot slopes off and it will follow the drainage swale off the side of the property now. Most goes toward the front of the lot, but some goes toward the rear.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date *Sept. 20, 1980*

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated *Sept. 20, 1980*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y. Monroe Co.
My Commission Expires March 30, 19*81*

Patricia M. Smith
Patricia M. Smith
Publisher

*Janice Sol
Bush*

Legal Notice

Chili Zoning Board
of Appeals

Pursuant to Section 267 of
Town Law, a Public Hearing
will be held by the Chili
Zoning Board of Appeals at
the Chili Town Offices, 3235
Chili Avenue, Rochester,
New York 14624 on February
26, 1980 at 7:30 p.m. to hear
and consider the following
applications:

1. Application of Mr. &
Mrs. Richard Marriott, 10
Revere Drive, Rochester,
New York 14624 for variance
to erect family room addition
to be 7' from side lot line (10'
required) at property located
at above address in R-1-15
zone.

2. Application of Mr.
Daniel Nicholas, 400 Westfall
Road, Rochester, New York
14620 for approval of land use
variance to allow conversion
of existing two-family
residence to professional
office building at property
located at 1502 Scottsville
Road in M-2 (General
Industrial) and FW
(Floodway) zones.

At such time all interested
persons will be heard. By
order of the Chairwoman of
the Chili Zoning Board of
Appeals.

Janice M. Chapman,
Chairwoman
Chili Zoning Board
of Appeals

MR. NEWMAN: The new addition will have only bedroom and a family room?

MR. MARRIOTT: We are moving the kitchen wall over 4 feet.

MR. NEWMAN: Into the addition?

MR. MARRIOTT: No, into the existing room now.

MR. NEWMAN: What are you going to use the lower level for?

MR. MARRIOTT: Recreation, I think.

MR. NEWMAN: What will the access be between the existing lower level and the new lower level?

MR. MARRIOTT: A doorway toward the back of the building.

MR. NEWMAN: You have an existing sump pump?

MR. MARRIOTT: We are getting an additional sump pump in the corner.

MR. BURNETT: The roofline of that is 286 square feet, and you are gutter line causes some concern. What type of guttering do you presently have?

MR. MARRIOTT: Aluminum eave trough into the ground.

MR. BURNETT: You have 28 feet of absorbing surface and are increasing your run off potential with a minimal amount of ground surface to absorb the water.

MR. MARRIOTT: We have never had any indication of standing water or stagnant water or run off problems. In the center of my lot, I do have a main entrance into the drainage system, so I don't think there will be any problem with that. If there is more water than I will expect, it will flow to the back of the lot. I think the lot is sufficiently graded to handle this water.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO THE APPLICATION.

APPLICATION NO. 2

Application of Mr. Daniel Nicholas, 400 Westfall Road, Rochester, New York, 14620, for approval of land use variance to allow conversion of existing two-family residence to professional office building at property located at 1502 Scottsville Road in M-2 (General Industrial) and FW (Floodway) zones.

MR. LYND: Due to the fact this is a land use variance, I would like to ask Dan Miller to reiterate the specific requirements in the Zoning Ordinance for a land use variance.

MR. MILLER: Basically, you have to claim there is a hardship running to the property. Are you presently renting the property?

MR. NICHOLAS: Yes, we are.

MR. MILLER: Is there something unique about the situation?

MR. NICHOLAS: Our other building is an office building, right now. This is just a two-family residence. We did have one level rented out, but not any more. We haven't had very good luck in getting the type of people we wanted in there, so we thought it would be preferable to use it as office space. We don't want children in there because it is within 25 feet of the river bank and very easy for them to fall into the river.

MR. MILLER: Where would you envision the children there would get the school buss?

MR. NICHOLAS: They would have to go out to Scottsville Road. The buses stop at the entrance.

MR. MILLER: They would have to walk about 100 feet to get to the bus stop. How far would they have to walk down Scottsville Road?

MR. NICHOLAS: They would just stand on Scottsville Road, waiting for the school bus.

MR. MILLER: How many lanes is Scottsville Road at that point?

MR. NICHOLAS: 3 lanes.

MR. MILLER: You are right on the approach to the bridge?

MR. NICHOLAS: Yes.

MR. MILLER: Would it be a hardship for a school bus to stop there?

MR. NICHOLAS: They used to before for the people.

MR. MILLER: Scottsville Road is a very heavily trafficed road. Where would they stop on the way back?

MR. NICHOLAS: The same place.

MR. MILLER: With the kids having to cross the road?

MR. NICHOLAS: I don't know.

MR. MILLER: What school district do your taxes go to?

MR. NICHOLAS: I don't know.

MR. CONNOLLY: I think it is Wheatland-Chili.

MR. MILLER: You say it is 25 feet from the river bank?

MR. NICHOLAS: Yes, from the river itself.

MR. MILLER: Is it kind of isolated down there?

MR. NICHOLAS: Yes. That is what alot of people would think.

MR. MILLER: Do you have railroad trains coming down there?

MR. NICHOLAS: About once a week.

MR. MILLER: If children lived there, they could possibly get on the tracks?

MR. NICHOLAS: Yes.

MS. CHAPMAN: What size living units are these?

MR. NICHOLAS: We actually have only one bedroom in each apartment so it isn't suited for children.

MR. LYND: During the time you were trying to get this application, did anyone bring up the possibility of a conditional use? Why wouldn't this come under that heading?

MR. CONNOLLY: Conditional use is not permitted in an M-2 district.

MR. MILLER: Is your property zoned commercial at this time?

MR. NICHOLAS: 1304 is a commercial building. We had a variance to change the whole thing. It is actually one piece, but two separate tax accounts.

MR. MILLER: The river borders on the east, the bridge on the west, and what is to the south?

MS. CHAPMAN: It is really a trinagular piece. There is no south. It is cut off by the river.

MR. LYND: What do you intend to use this for, an office building for the building next door?

MR. NICHOLAS: No. We rent offices to different people.

MR. CONNOLLY: Have you read the County comments on this?

MR. MILLER: Has the volunteer fire department ever had to come in there?

MR. NICHOLAS: Yes. There was a fire on the next lot.

MR. MILLER: Did they have much problem getting down there?

MR. NICHOLAS: No, I don't know. Maybe they would.

MR. CONNOLLY: 1504 has a variance granted.

MR. LYND: You are asking for a use variance adjacent to a building that already has a use variance?

MR. MILLER: You yourself pointed out to the Board there are four uses around you that are commercial.

MR. NICHOLAS: Right. Just about everything around there is commercial.

MS. CHAPMAN: It is heavily industrial uses, the gravel business and lumber yard.

MR. CONNOLLY: We gave him the chance between both options. This is the route he chose.

MR. MILLER: I don't think the applicant has pointed out his property is surrounded by commercial uses. This is kind of a unique situation. It is in the flood zone.

MS. CHAPMAN: There is a statement in the County review that the property use will not impact either the 100 year flood plain or floodway. Since surrounding uses are primarily commercial, the Town should consider rezoning portions of the area.

MR. MILLER: Would this be strictly office?

MR. NICHOLAS: Most of them. We have some sales and that.

MR. MILLER: How much of a pitch is it down the access road?

MR. NICHOLAS: It does have quite a pitch. I would say roughly 10 to 15 feet.

MR. MILLER: Would it be hazardous to get down there in the winter?

MR. NICHOLAS: If I keep it plowed, it is not.

MR. MILLER: Would it be hazardous for children walking up there?

MR. NICHOLAS: Yes, if it was slippery.

MR. LYND: Is there a lot of traffic in the building next door, and in the parking lot?

MR. NICHOLAS: Yes. I would think the people living next door would consider that hazardous.

MR. LYND: He wanted to have someone living there and taking care of the commercial building next door, but since that didn't work out, he now wants the land use. There has always been only one person renting this.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THIS APPLICATION.

D E C I S I O N S

Application No. 1

Mr. & Mrs. Marriott, for variance to erect family room addition to be 7' from side lot line (10' required) in R-1-15 zone.

UNANIMOUSLY APPROVED.

Application No. 2

Application of Daniel Nicholas for land use variance to allow conversion of existing two-family residence to professional office building at property located at 1502 Scottsville Road in M-2 and FW zone.

UNANIMOUSLY APPROVED due to unique location of the lots surrounding the area are all commercial and limited fire protection and the hazardous close proximity to the River.

MEETING ADJOURNED.

dai

1 Z O N I N G B O A R D
MARCH 18, 1980

A Meeting of the Zoning Board of Appeals, Town of Chili, was Held on March 18, 1980, at 7:30 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The Meeting was called to order by the Chairwoman, Janice Chapman.

ROLL CALL: Janice Chapman, Vic Lynd, Leo Bean, Shirley Whelpton, Bob Newman

ALSO PRESENT: No one

The Minutes of the Zoning Board Meeting held January 22, 1980, were moved for acceptance as submitted by Mr. Lynd. Seconded by Mr. Bean. UNANIMOUSLY APPROVED.

APPLICATION NO. 1

Application of Mr. William Deans, 43 Omega Drive, Rochester, New York, 14624, for variance to erect 20' x 24' garage addition to be 15' from Shrubbery Lane. (Existing house is 35' from Shrubbery Lane) at property located at above address on corner of Omega Drive and Shrubbery Lane in R-1-15 zone.

MR. DEANS: I think you have all the information in front of you. The only thing I noticed in the notice of application was you speak of the distance between Shrubbery Lane and the easement. That is correct as written, but I was concerned about it. We had our pick of the street when we built in 1968. At that time, the lot looked good, and I considered that for building a garage, but never thought it would cause any stir. It is the best place for me to do this, and most inexpensive, which is the reason I want to go out in that direction. The driveway is already there and just being brought out to the doors. I can vouch for the fact it will not cut down any view at the corner of Shrubbery Lane if someone comes down Omega Drive. There is a stop sign there, and bushes, which are fairly large now. It won't create any problems I know of.

MS. CHAPMAN: This will be one story?

MR. DEANS: Right. Pitch roof.

MS. CHAPMAN: You are going to match the siding of the rest of the house?

MR. DEANS: Right.

MS. CHAPMAN: Your overhead garage doors, will they face Shrubbery Lane?

MR. DEANS: Right.

MS. CHAPMAN: Will you have to remove the fairly large size Pine tree here?

MR. DEANS: No. It is quite a bit beyond where the garage will come.

MS. CHAPMAN: Will it extend as far as the basketball hoop?

MR. DEANS: No. It is very deceiving. It comes out about two thirds of the way to the basketball post.

MS. CHAPMAN: I did have a little bit of trouble seeing around the tree. Our primary concern is to make sure you can see the traffic. I don't know which ordinance was in effect in 1968. Right now we are requesting 60 foot setbacks. You are down considerably from that.

MR. LYND: Some of the other lots on Shrubbery Lane seem to be set farther back. Why was your home built at a 35 foot setback to start out with? Was there a variance?

MR. DEANS: I can't shed any light on that. When we had it built, it was built as close to the lot line as possible. There would be no other reason for this. It never occurred to us to swing it. We want it to face Omega Drive. A raised ranch is not uncommon for the garage to be out there. Maybe we could have it kiddie corner when we built it. There are only, up to here to the west end, another raised ranch a little bit more than my existing garage, and one home across the street, but that is all.

MR. NEWMAN: Have you approached your neighbors to the west for their opinion?

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date.....

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PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated.....

Geraldine C. Snyder
.....
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 19*81*

Patricia M. Smith
.....
Patricia M. Smith
Publisher

zoning set back March 1980

Legal Notice

CHILLIZONING BOARD OF APPEALS

Pursuant to Section 267 of Town Law, a Public Hearing will be held by the Chill Zoning Board of Appeals at the Chill Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on March 18, 1980 at 7:30 p.m. to hear and consider the following applications:

1. Application of Mr. William Deans, 43 Omega Drive, Rochester, New York 14624. For a variance to erect a 20' x 24' garage addition to be 15' from Shrubbery Lane, (existing house is 35' from Shrubbery Lane). At property located at above address on corner of Omega Drive and Shrubbery Lane in R-1-15 zone.

At such time all interested persons will be heard. By order of the Chairwoman of the Chill Zoning Board of Appeals.

Janice M. Chapman,
Chairwoman
Chill Zoning Board of Appeals

MR. DEANS: No. I don't think there is any problem as far as I know. I did talk to three of the neighbors, and there wasn't any problem with them.

MR. LYND: Is there some reason why a family room can't be put to the west side?

MR. DEANS: The biggest problem is if you try to add on to a raised ranch other than off one end or the other, it is pretty ugly. You have to overhang on the house and they just don't look that pretty when you are done. There is another consideration, which my architect pointed out. That is, the hedge, which is now quite tall and will eventually be 15 to 20 feet high. The view is already cut down around that corner anyway. We put that up for privacy in the back yard, many years ago.

MR. LYND: Maybe in the summer, the view would already be blocked. You have cars coming down Shrubbery Lane and kids running around.

MR. DEANS: Shrubbery Lane is probably less busy for you only have the traffic that lives on Bucky Drive.

MS. CHAPMAN: For awhile, there was traffic due to the Town Park. I think that is blocked off.

MR. DEANS: That is closed right up, now. There was nothing back there but field when we bought the land. You have to drive by it in order to appreciate what it looks like. The house across the street is closer to the road than mine. The distance he is at now is just about where I would like to be. I feel I need the 20 foot length because if you stick a 15 or 16 foot car in there, there is enough room.

MR. BEAN: The addition will be beyond that point, but do you need that much room?

MR. DEANS: Yes. There is a beam that runs right down the middle of the house. You would still have the beam to contend with. The block is the only thing holding this up right now.

MR. NEWMAN: What about the drainage from the additional roof area? Any additional sump pumps?

MR. DEANS: The house now drains to the north, which really drains right back to my sump pump, out to the back, which is all sloped down to Shrubbery Lane. There is about an 8 inch pitch. There is a storm sewer and it runs right into that. I will drain this right off into the back yard, and it will run right down into Shrubbery Lane. There are no water problems in my house right now. It was built on the ground level at the time and then filled in. We talked about building the garage off the back, but I didn't like the thought of adding to a raised ranch with a one story addition. It won't be very nice looking. Two stories would just cost me that much more.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

D E C I S I O N

Approved by the following vote: Ms. Chapman, aye; Mr. Lynd, no; Mr. Bean, aye; Mr. Newman, aye; Ms. Whelpton, aye.

VOTE on the Pine Tree in the front be removed. APPROVED by the following vote: Ms. Chapman, aye; Mr. Lynd, no; Mr. Bean, aye; Mr. Newman, aye; Ms. Whelpton, aye.

The Hearing was adjourned at 8:30 P.M.

dai

Z O N I N G B O A R D
APRIL 22, 1980

A Meeting of the Zoning Board of Appeals, Town of Chili, was held on April 22, 1980, at 7:30 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The Meeting was called to order by Chairwoman Janice Chapman.

ROLL CALL: Janice Chapman, Bob Burnett, Shirley Whelpton, Vic Lynd, Leo Bean,
Bob Newman

ALSO PRESENT: Daniel L. Miller, Deputy Town Atty.

The Minutes of the Zoning Board meeting held February 26, 1980, and March 18, 1980, were approved as submitted.

APPLICATION NO. 1

Application of Mrs. Dorothy Cummings, 1791 Scottsville Road, Rochester, New York, 14623, for variance to allow a 300' lot width, 500' required in RA-10 zone, at property located on Brooks Road approximately 2,300' east of Humphrey Road.

MR. CUMMINGS: We plan to erect a dwelling, barn, and storage bin in the back. Some of the back we will continue to grow crops on and plant trees on.

MS. CHAPMAN: Originally, the whole piece of property was how big?

MR. CUMMINGS: It consists of several acres owned by Mr. Atkins. This was purchased prior to our buying this from Mr. Atkins.

MS. CHAPMAN: He is the owner that has divided it like this. Do you currently own this property?

MR. CUMMINGS: We have a sales contract.

MS. CHAPMAN: Normally, in a case like this, we have to try to get information from you about hardship to the land and not to the owner. Something about this property that makes it impossible for it to have what the ordinance requires. I can see there is a problem here because there is another piece of property here already sold.

MR. CUMMINGS: That was purchased a long time ago. I purchased this 13 acres because the ordinance calls for 10, but I never noticed that you had to have 500 feet. The next door neighbor has less than 10 acres, but has the 500 feet.

MS. CHAPMAN: In every other aspect, you are satisfying the requirements of the ordinance?

MR. CUMMINGS: Yes. We are 300 feet back. It is approximately 110 feet into the driveway. We have plenty of acreage in the back.

MR. LYND: The other land was purchased prior to your purchasing this land, and the present owner has purchased additional property there?

MR. CUMMINGS: He purchased a strip of land next to me. He still does not have quite 500 feet, but he is close. He has been living there for sometime. That house is 75 years old to 100 years old.

MS. CHAPMAN: So, it is pre-existing and non-conforming.

MR. CUMMINGS: The major portion of this will not be occupied in the future because it is in the wetlands. There is only 200 to 300 feet you can build on.

MS. CHAPMAN: Are you in a fairly high spot here?

MR. CUMMINGS: Yes. We are way up.

MS. CHAPMAN: It looks like you are 540 feet so you are alright there.

MR. CUMMINGS: We are discussing with the County whether or not we can have a leach field there. I have been in contact and have been in construction, and drew in a leach field as a temporary sketch. The County may decide to change that. I just drew that in as a rough sketch.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date *April 9, 1980*

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated *April 9, 1980*

Geraldine C. Snyder
Notary

Patricia M. Smith
Patricia M. Smith
Publisher

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 19*81*

Legal Notice

Chili Zoning Board of Appeals

Pursuant to Section 267 of Town Law, a Public Hearing will be held by the Chili Zoning Board of Appeals at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on April 22, 1980 at 7:30 p.m. to hear and consider the following applications:

1. Application of Mrs. Dorothy Cummings, 1791

Scottsville Road, Rochester, New York 14623. For a variance to allow a 300' lot width, instead of the 500' which is required in a RA-10 zone. At property located on Brooks Road approximately 2300' east of Humphrey Road.

2. Application of Mr. Richard Stewart, 64 Sequoia Drive, Rochester, New York 14624. For a variance to erect a 20' x 16' family room addition to be a 32' front set back from Sequoia Drive, instead of the 60' front set back required for corner lots of property located on the corner of Sequoia Drive and Laredo Drive. Property located above is in a R-1-12 zone.

3. Application of Mr. James K. Tracy, 416 Paul Road, Rochester, New York 14624. For a variance to erect a 4' fence at property located above, on the corner of Paul Road and Ironstone Drive. Ordinance requires a maximum of 3' height for any property on corner lots adjacent to road ways. Property is located in a R-1-12 zone.

4. Application of Stewart Bobery, of Lyell Metals, 1515 Scottsville Road, Rochester, New York 14623. For a variance to allow a free standing sign, size 48" x 120" approximately 7' high from the ground. At property located above in a M-2 zone.

At such time all interested persons will be heard. By order of the Chairwoman of the Chili Zoning Board of Appeals.

Janice M. Chapman,

*Young Men's Board
April 1980*

MR. BURNETT: Will the barn and that be your own?

MR. CUMMINGS: Yes. We wi-1 need a tractor for the lawn. We need storage space for lumber and material. We will be using most of our own employees for the building.

MR. BURNETT: There will also be a business?

MR. CUMMINGS: No. My business is down on Scottsville Road.

MR. BURNETT: There will be no traffic going in and out?

MR. CUMMINGS: No. Just my own. There will be no traffic.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

APPLICATION NO. 2

Application of Mr. Richard C. Stewart, 64 Dequoia Drive, Rochester, New York, 14624, for variance to erect 20' x 16' family room addition to be 32' from front setback (60' required) on corner lot at property located on corner of Sequoia Drive and Mercedes Drive in R-1-12 zone.

MR. STEWART: The addition is a living room as opposed to a family room.

MS. CHAPMAN: I have a letter from Mr. Stewart explaining in detail. It says you are converting the existing living room into a dining room and adding a living room to the front of the house. The addition would decrease the front setback to 32 feet at the nearest point.

MR. STEWART: It is more like 31 feet.

MS. CHAPMAN: The front of the next house is not the same setback as you are, anyway.

MR. STEWART: It is my understanding it is pre-existing as mine is. I did not measure it, but the neighbor said he is around 45 feet.

MS. CHAPMAN: The next home on the other side faces Chili Avenue?

MR. STEWART: Yes. We have no line of sight with it.

MR. BURNETT: According to my calculations, the addition will be 320 square feet. Your present home is 492 square feet.

MS. CHAPMAN: It is a story and a half.

MR. STEWART: There is a small dormer in the back with two bedrooms and a bath. The downstairs is 4 rooms. The existing living room is to be used as a dining room because we have no dining room now.

MR. BURNETT: Any reason why you can't go to the back of the property?

MR. STEWART: We would be closer to the lot line going to the back, as Bob Connolly told me. It is a pie-shaped lot, and part of the purpose is to retain the existing breezeway. Right behind this portion is an Oak Tree that we don't want to eliminate, if we don't have to.

MS. CHAPMAN: The house is already set diagonally on the lot.

MR. STEWART: Part of the choice is preferential. We want to keep the breezeway for the summer. The reason for the two foot entry is because there is an existing roof line with a fake gable. The architect did not want to disturb that roofline because we have a natural roof on the garage and another gable running along with back. The architect recommended this type of an approach. It would not be a construction problem, and he recommended it.

MS. CHAPMAN: You are going to match the original siding?

MR. STEWART: Yes. We have aluminum siding now. Our original color has been discontinued so we have considered a brick effect on the front. Our intent now is to go with a crawl space. There is quite a severe drop for the run off.

MR. LYND: You are going to use that for your roof run off?

MR. STEWART: Yes. We will pitch the gutters accordingly. We will bring the downspouts out closer to the road.

MR. BURNETT: Aren't you intensifying the absorption of the lawn?

MR. STEWART: I am not qualified to answer that. I was told it would not present a problem.

MR. BURNETT: Did you have standing water before?

MR. STEWART: No.

MR. BURNETT: What type of soil do you have?

MR. STEWART: We have clay. We have never had a problem with running water. There is a storm sewer along Dequoia Drive. There is an open culvert on Chili Avenue but there is a tiled sewer under our front lawn. The original home was built so the sump pump runs to the front yard.

MR. BURNETT: When you add that much roof line, there is a possibility of water problems.

MR. STEWART: I am not prepared to answer that other than the fact the contractor didn't see a problem with it.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

APPLICATION NO. 3

Application of James K. Tracy, 416 Paul Road, Rochester, New York, 14624, for variance to erect 4' fence at property on the corner of Paul Road and Ironstone Drive. Ordinance requires a maximum of 3' height for any property on corner lots adjacent to roadways. Property in R-1-15 zone.

MR. TRACY: I want to put a fence up along my back yard. I would not go beyond the front of my house. The fence will be on my property line, but there is 20 feet beyond my property to the road. I propose to put a 6 foot stockade fence down that line.

MS. CHAPMAN: I was there today, and I won't see any difficulty with the back corner of your house. We don't want to cause anymore traffic difficulties than we have.

MR. TRACY: I haven't decided exactly what yet. My purpose is two-fold. I have a two year old daughter I want to protect from the street, and I want to have some privacy. We certainly won't go beyond the garage. My neighbor has a dog run, but no fence.

MS. CHAPMAN: There is no way you would be tying into anyone else's fence?

MR. TRACY: No.

MS. CHAPMAN: Just down one property line, right?

MR. TRACY: Right. Do I have to conform to any existing variance? This is not the case now. We just plan to put the stockade fence down one side. This is not adjacent to a roadway.

MS. CHAPMAN: This only applies to this one lot dimension?

MR. TRACY: I propose to go up to 6 feet with the stockade along one side. I may fence in the rest of the yard, and I understand I won't need a variance for that.

MS. CHAPMAN: We need a definite height for you to go.

MR. TRACY: Six feet stockade fence is what I want.

MR. MILLER: What will stop your daughter from getting out of the other side of the yard?

MR. TRACY: Nothing. Just to discourage her from going to the street. Mostly

,for privacy, plus I don't like to look at that strip the builder decided not to finish off. I have had a few discussions about that. It looks like hell right now. I have no immediate plans to fence off the rest of the yard, but I will do that eventually.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

APPLICATION NO. 4

Application of Stewart Bobry of Lyell Metlas, Inc., 1515 Scottsville Road, Rochester, New York, 14623, for variance to allow a free-standing sign - 48" by 8' approximately 7 feet high from the ground, at property located in M-2 zone.

MS. CHAPMAN: The sign will be perpendicular to the road?

MR. LADUE: Yes- We are requesting a free-standing sign in front of his existing business. The sign would be in keeping with the other signs in the area. He is using a construction sign to identify the place right now, and is having trouble with clients finding the place. It is 4 feet off the ground, double sided, constructed of a plastic material with bronze color to match the windows and tinted glass.

MS. CHAPMAN: It is 8 feet on the plan.

MR. LADUE: 8 feet is the total dimension. It is only 8 feet not ten as the application reads.

MR. BURNETT: There is also a height variance. It is 8 feet, not 7.

MS. CHAPMAN: It is 40 feet back from the road at the nearest corner?

MR. LADUE: That is correct.

MS. CHAPMAN: We have asked that the signs be put up under the direction of the Building Inspector.

MR. LADUE: That is no problem. The sign has lights within the sign. It is not a visible light.

MR. BURNETT: What is the source of power to the sign, underground?

MR. LADUE: Yes.

MS. CHAPMAN: What hours will the sign be on?

MR. LADUE: There is a timer connected to the building, which will be tied in. That is basically from dark to dawn. It is on all night.

MR. LYND: Is there a reason for that?

MR. LADUE: No. The timer is set for security reasons. There is not alot of light on the sign. There are cars driving on his lawn due to the Playpen next door. That has been a problem since that opened. The problem is being worked on. This is not much light, but adds to the lighting in the front of his property.

MR. BURNETT: We made a stipulation that the Playpen lights could only be on during his hours of business. If we allow yours to be on all night, we would be doing a disservice to him.

MR. LADUE: It is the Board's prerogative to establish this.

MR. LYND: You wouldn't object to a timer limited to keep in consistence with the other businesses in the area?

MR. LADUE: No.

MR. LYND: The requirements for the free-standing sign as opposed to the sign on the front of the building, is there a hardship requiring this free-standing sign?

MR. LADUE: Other signs in the area make it difficult to identify the operation and owner of the facility. The other signs block the visibility. This is setback approximately 160 feet and the warehouse is even farther back. The only place left is to put a sign on the warehouse, and it wouldn't be visible because of the other signs in the area.

MS. CHAPMAN: It is also a heavily trafficked road with high speed traffic. You want people to be able to identify the business and turn in there.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE APPLICATION.

D E C I S I O N S

APPLICATION NO. 1

Application of Dorothy Cummings for variance to allow 300' lot width (500' required) in RA-10 zone at property located on Brooks Road approximately 2,300' east of Humphrey Road.

UNANIMOUSLY APPROVED.

APPLICATION NO. 2

Application of Richard C. Stewart, 64 Sequoia Drive for variance to erect 20' by 26' family room addition to be 32' from front setback (60' required) on property on corner of Sequoia Drive and Mercedes Drive in R-1-12 zone.

UNANIMOUSLY APPROVED but there was a concern over the additional run off.

APPLICATION NO. 3

Application of James K. Tracy, 416 Paul Road, Rochester, for variance to erect 4' fence on property on corner of Paul Road and Ironstone Drive (3' required for corner lots adjacent to roadways) in R-1-15 zone.

UNANIMOUSLY APPROVED for a 6 foot stockade fence, no closer to the Road than the front of the house.

APPLICATION NO. 4

Application of Stewart Bobry, Lyell Metals, 1515 Scottsville Road, Rochester, New York, for variance to allow free-standing sign 48" x 8', approximately 8 feet high in M-2 zone.

DECISION RESERVED pending Monroe County Planning Department comments.

Meeting adjourned.

dai

Z O N I N G B O A R D
MAY 27, 1980

A Meeting of the Chili Zoning Board of Appeals was held on May 27, 1980, at 7:30 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The Meeting was called to order by Chairwoman Janice Chapman.

ROLL CALL: Janice Chapman, Leo Bean, Bob Burnett, Shirley Whelpton, Bob Newman

ALSO PRESENT: Bob Connolly, Bldg. Inspector; Daniel Miller, Dept. Town Atty.

The Minutes of the Zoning Board Meeting held April 22, 1980, were amended and unanimously approved as amended.

APPLICATION NO. 1

Application of James Perna, 849 Paul Road, Rochester, New York, 14624, for variance to allow front setback of 60' (100' required) and side setback of 10' (50' required) on lots A, B, and C on Union Street in RA-5 zone.

MRS. CHAPMAN: The numbers for these are 3774, 3778, and 3780 Union Street.

MR. PERNA: We purchased these lots in 1964. We purchased them as lots. Since then, the Zoning laws have changed. We are asking for the same zoning requirements that were in effect in 1964. We have been paying separate taxes on these lots, and we have been paying these taxes for more than 15 years.

MS. CHAPMAN: There is a notation for a future street on the map.

MR. PERNA: We only own the three lots. The 60 foot right of way is for future development.

MS. CHAPMAN: You do not own the property to the rear of this?

MR. PERNA: No. The lots were surveyed back in 1964 and staked out.

MR. BURNETT: Why haven't you done anything with this property before this?

MR. PERNA: We own quite alot of pieces of land in Chili, and we just buy them for an investment. I wa- not ready to use them until this time. I knew the ordinance was changed, but I was not really into this back then. As I am ready to use a piece of land, I go get a building permit. That is the only reason. I am thinking of building a few houses on them.

MS. CHAPMAN: What size house?

MR. PERNA: The same as I usually build--between \$57,000 and whatever. The smallest I would build would be 1,300 square feet.

MS. CHAPMAN: You figure the need to go as close as 10 feet on these? I did notice when I looked at these that houses adjacent to you are probably set 60 feet back.

MR. PERNA: They are the same. That is why I am asking for this.

MR. BURNETT: Looking at your future s-reet, are you intending to come ten feet to the street?

MR. PERNA: No. From the 60 foot right of way.

MS. CHAPMAN: This will be a future corner lot.

MR. PERNA: We already bought these lots. I don't own the street. I could stay at least 20 feet from there.

MS. CHAPMAN: There are no sewers in there?

MR. PERNA: There will be septic systems.

MS. CHAPMAN: Do you have room for that in there?

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date. *May 21, 1980*

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated. *May 21, 1980*

Geraldine C. Snyder

Notary

GERALDINE C. SNYDER

NOTARY PUBLIC, State of N. Y. Monroe Co.

My Commission Expires March 30, 19*81*

Patricia M. Smith

Patricia M. Smith

Publisher

*Min Book
Zoning Book - May 1980*

Legal Notice

Chili Zoning Board of Appeals

Pursuant to Section 267 of Town Law, a Public hearing will be held by the Chili Zoning Board of Appeals at the Chili town hall offices, 3235 Chili Avenue, Rochester, New York 14624 on May 27, 1980 at 7:30 P.M. to hear and consider the following applications:

1. Application of James Perna, 849 Paul Road, Rochester, New York 14624 for a variance to allow a front set back of 60', where in a RA-5 zone a 100' front set back is required. And side set backs of 10' instead of 50' required in a RA-5 zone. Properties involved are lots A, B, and C on Union Street, located in a RA-5 zone.
2. Application of Mr. Wilbur B. Miller, 23 Powers Lane, Rochester, New York 14624, for a variance to allow a building lot to be 3 acres large, where a 10 acre parcel is required. And a lot width of 187' instead of 500' is required in a RA-10 zone. Property involved is located at 335 Chili-Scottsville Road.
3. Application of Mrs. Susan Saylor, of 21 Lonran Drive, Rochester, New York 14624, for a variance to erect a 5' fence on a corner, where a maximum of 3' height is required for property on corner lots. Property is located on the corner of

Lonran Drive and Kuebler Road located in a R-1-12 zone.

4. Application of Mrs. June Babiuk, of 50 Humphrey Road, Scottsville, New York 14546 for a variance to allow a free standing sign size is 25' x 40". Sign is for the Trojan Pines Florist located at above address located in a RA-10 zone.

5. Application of Mrs. Virginia Burns, of 4257 Buffalo Road, North Chili, New York 14526 for a variance to allow a 31' front set back to rebuild a burned down Fruit Stand, where a 100' front set back is required. Property is located in a R-1-12 zone.

6. Application of Mr. Ron Bolduc, of 31 Baylor Circle, Rochester, New York 14624 for a 58' front set back for the addition of a garage, where a 60' front set back is required. Property is located in a R-1-12 zone.

7. Application of Norman B. LaTour, 895 Paul Road, Rochester, New York, 14624 for a variance to allow a 63' front set back, for a garage addition instead of the 100' front set back required for all major roads. Property is located in a R-1-15 zone.

At such time all interested persons will be heard. By order of the Chairman of the Chili Planning Board.

MR. PERNA: Yes. I could even push the house back further. This perc's really well. If the septic system doesn't work in the front, we will put it in the back. Because it is low in the front, that is where I will probably put it. Even if I had to keep the house back 65 to 70 feet. There is still room. We will probably be in the back.

MR. BEAN: How long before you anticipate building here?

MR. PERNA: This year, maybe. I would like to put at least one up this year. I would hate to go through the expense of having this resubdivided. They are already approved building lots, and I have been paying taxes on this all these years. They are nice and high and dry. One lot needs a little bit of fill.

IN FAVOR OF THE APPLICATION:

WILBUR MILLER, 23 POWERS LANE: I built the three houses adjacent to this. They have septic fields, leach fields, and everything.

MS. CHAPMAN: How large are those lots?

MR. MILLER: The same as he has. I see no reason why this shouldn't be granted.

NO ONE SPOKE IN OPPOSITION TO THE APPLICATION.

APPLICATION NO. 2

Application of Wilbur B. Miller, 23 Powers Lane, Rochester, New York, 14624, for variance to allow building lot to be 3 acres large (10 acres required) and lot width of 187' (500' required) in RA-10 zone. Property located at 335 Chili-Scottsville Road.

DONALD AVERY, DENLUCK-HYDE ENGINEERS: These are regular tax account lots. Taxes have been paid on these lots for 3 years. They were purchased back in 1976. These are shown on the Monroe County tax books, although they are not 5 acres. This one is a little over 3 acres. My client is thinking about this. Presently, there is a gravel drive into the lot with an 18 inch culvert under the lot and a concrete pipe under the road. The lot in front is 186 feet. There would be a 100 foot setback. There would be a 50 foot side setback, which you require. In the northwest corner, there is a contour line that would put this in the 100 year flood plain, but that is 600 feet from the lot. The front width and the total acres is the only thing lacking. We tried some perculations in here, and this will also require a well in this area. It is close to 3 acres so there will be plenty of distance from the well and leach field.

MS. CHAPMAN: Normally, when we are attempting to deviate from the ordinance, we need to have testimony from you on some hardship, which prevents the property from conforming to the ordinance. Has there been any attempt by Mr. Miller to acquire additional land? You have shown vacant land on either side of the property.

MR. AVERY: People own these lots here, and they were subdivided before your ten acre parcel came along.

MR. MILLER: I have not contacted either of those people.

MR. CONNOLLY: They have been broken up into parcels of land, but they have not been subdivided.

MR. AVERY: They have been recorded in the Monroe County Tax Account Book. He has not received subdivision approval. There is one person living on one of these lots. There are a few more where people are living.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

APPLICATION NO. 3

Application of Mrs. Susan Saylor, 21 Lonran Drive, Rochester, New York, 14624, for variance to allow 5' fence on corner lot (maximum 3' height required) in R-1-12 zone.

MS. SAYLOR: We want this that high to keep my daughter in for one thing. There is a drainage ditch along side my yard, and I worry that she will fall into that. I also am worried about the kids that cut through the yard falling in there.

MS. CHAPMAN: This will tie in with the fence on the adjacent property?

MS. SAYLOR: Right.

MS. CHAPMAN: The fence will come just to the back corner of the house?

MS. SAYLOR: Right.

MS. CHAPMAN: How close to the road will you come with this fence?

MS. SAYLOR: Just before the ditch. It is in about ten feet from the road. Our property goes into the ditch about a few feet, but we want to put it before this.

MS. CHAPMAN: We may want to have the Building Inspector determine the exact location of the road right-of-way to keep it on your property line.

MS. SAYLOR: O.K.

MR. NEWMAN: Is this to be a chain link fence?

MS. SAYLOR: Yes.

MS. CHAPMAN: Are you leaving the fence clear, or, are you planning to weave something through the chain link?

MS. SAYLOR: We thought we would put hedge inside it.

MR. BURNETT: How long have you owned the home?

MS. SAYLOR: One and a half years.

MR. BEAN: How high is the adjacent fence?

MS. SAYLOR: 4 feet.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

APPLICATION NO. 4

Application of June Babiuk, 50 Humphrey Road, Scottsville, New York, 14546, for variance for free-standing sign 25" x 40" for Trojan Pines Florist in RA-10 zone.

NO ONE WAS PRESENT to represent the application.

APPLICATION NO. 5

Application of Mrs. Agnes Burns, 4257 Buffalo Road, North Chili, New York, 14514, for variance to allow 31' front setback to rebuild a burned down fruit stand (100' required) in R-1-12 zone.

MS. CHAPMAN: Mrs. Burns called me to indicate the property is in the name of her mother, Agnes, so the application, as read, was incorrect.

MR. MILLER: She can make that amendment verbally. It is not a material change at all.

MS. CHAPMAN: The ZIP code is 14514, not 14526.

MR. SCHICKLER: I am speaking on behalf of Mrs. Burns. I have two letters here. One from the President of Roberts Wesleyan College.

MS. CHAPMAN: The material information in this letter is that they have no objections to this. It may offer service to some people in the community.

MR. SCHICKLER: I also have a hand written letter from the owner of the Convenient Food Mart just down the road.

MS. CHAPMAN: He gives his support to Mrs. Burns to rebuild this food stand. The letter is signed by Daniel M. Smith.

MR. SCHICKLER: I also have turned in a drawing with setback specifications and the location of the stand. It will be approximately 30½ feet from the front setback and 148 feet from the east, and 145 feet from the western boundary requirements with at least 900 feet to the rear.

MS. CHAPMAN: What are the dimensions of the stand?

MR. SCHICKLER: Approximately 30 ft. by 11 ft. frame building with a front opening door to bring out the items from the stand. An exit door in the back with a rear and west side window. I am not sure of their exact location. It will be texture siding, stained or painted, whatever they decide. It will be on the rear-most portion of the existing foundation from the other stand that burned down.

MS. CHAPMAN: Is the proposed building to be used for people to come inside to buy products?

MR. SCHICKLER: It probably will be a shelter during inclement weather, but people primarily will be outside with the products outside on a rack.

MS. CHAPMAN: I am concerned with the product being closer to the road.

MR. SCHICKLER: If they are outside, they will be within 4 feet of the front of the building. There will still be room for cars to pull in and out. There is ample parking to the west side of the building, which is all graveled.

MS. CHAPMAN: It is not too well graveled, and I am a little bit concerned about the condition of the driveway area.

MR. SCHICKLER: If the Board insists, accommodations could be made to bring in further gravel.

MS. CHAPMAN: Also, is there some way to indicate that area as customer parking?

MR. SCHICKLER: A small sign on the building?

MS. CHAPMAN: It must be one foot by two foot on the building. That perhaps will discourage people from stopping in front, which is what creates the traffic hazard.

MR. BURNETT: The large building to your west?

MS. CHAPMAN: Flow, Inc.

MR. BURNETT: Coming out of your property, you have got sort of an obstruction there.

MR. SCHICKLER: THE EXISTING HOUSE IS ONLY #& FEET BACK. I don't know if that extra 7 feet will make that much difference. The building that previously existed stuck out another ten to twelve feet. If anything, the fire did you a favor there. You have to be very cautious pulling out of any street.

MS. CHAPMAN: We are glad of the opportunity to move the stand back as far as we can.

MR. NEWMAN: Your previous building was 25 foot by 30 foot?

MR. SCHICKLER: Yes.

VIRGINIA BURNS: There is a 17.5 acre parcel of land between our building and the house next door, then the Flow building. That is a clean lot with little bush. There is, also, a parking lot in front of our lot that is all taped and marked off. There is ample view. There are no trees near the stand or obstructions at all.

IN FAVOR OF THE APPLICATION:

JEROME BRIXNER, 14 HARDOM ROAD: I would like to speak in favor of the application with a couple of suggestions. I would suggest parking be encouraged to the west side of the site. This is a very good consideration. I am told the business is important to the family and should be encouraged and my observations is that there is fine visibility there. It is an appropriate site.

NO ONE SPOKE IN OPPOSITION TO THE APPLICATION.

APPLICATION NO. 6

Application of Ron Bolduc, 31 Baylor Circle, Rochester, New York, 14624, for 58' front setback for addition of garage (60' required) in R-1-12 Zone.

MS. CHAPMAN: There is a letter here from you, which I will read to the audience. (Basically, the letter stated--it is for a garage, 58 feet from the right-of-way. The house is at 31 Baylor Circle, and the house is 62 feet from the right-of-way. The addition of 4 feet to the garage is so an entrance door can be built into the garage. In the future, a porch will be added to the front of the house. The addition will also add to the appearance of the house.)

MR. BOLDUC: This is a 24 by 30 foot garage, with two, nine-foot doors in front. I have a truck, and this will make it easier to get in and out. I also do alot of work on cars. I would also like a door on the side because with the two, nine-foot doors, there is no room in front. Plus, the addition of the porch area.

MS. CHAPMAN: How are you proposing to design the roof of the garage?

MR. BOLDUC: It is going to be made by Mathews and Cobbles with a 4:12 pitch. The same as the house. It will run just the opposite of the house roof pitch.

MS. CHAPMAN: What about the water from the garage roof?

MR. BOLDUC: There will be gutters along the side away from the house, and over the 4 foot section.

MS. CHAPMAN: What sort of siding will you have?

MR. BOLDUC: Asbestos, the same as on the house.

MS. CHAPMAN: It will look like the rest of the house?

MR. BOLDUC: Right.

MR. BURNETT: The gutters go into the septic tank?

MR. BOLDUC: They just run into the ground. There are sewers over there. There is an easement in the back that runs along the whole tract. It is a drainage easement, and the backyard does slope down a little.

MS. CHAPMAN: The water goes out the back corner and into this drain?

MR. BOLDUC: Yes, or it would run out the front as the rest of the house.

MR. BURNETT: You are adding on as much water as your house and diminishing the capability of your land to absorb water.

MR. BOLDUC: I really don't know about that. If I was to build any garage, I would have that problem. The neighbor on the left has higher land than mine. The water would not go that far to the other neighbor.

MR. BEAN: Do you have a water problem there now, or have you ever had one before?

MR. BOLDUC: No.

MS. CHAPMAN: Do you have a sump pump?

MR. BOLDUC: Yes.

MS. CHAPMAN: Are you planning an entrance from the garage into the house?

MR. BOLDUC: There is a door on the side of the house now that will head into the garage.

MR. BEAN: You said before you worked on cars alot. Do you work on just your own?

MR. BOLDUC: Yes. It is strictly a hobby. Just for myself. I just bought the house and we have two cars and definitely want to garage them. I have a car I work on as a hobby.

MS. WHELPTON: There will be a rear exit?

MR. BOLDUC: Yes.

MS. WHELPTON: Are there any safety precautions between the garage and the house?

MR. BOLDUC: Yes, a fire wall. I have to have that for the building permit.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

APPLICATION NO. 7

Application of Norman B. LaTour, 895 Paul Road, Rochester, New York, 14624, for variance to a low 63' front setback for garage addition instead of 100' required on all major roads in R-1-15 zone.

MR. LATOUR: I propose to incorporate the existing garage into a new structure. It is 23 x 22½ feet, double car garage. I want that increased to 40 foot by 60 foot. We have a full time accumulation of cars that I would like to put under one roof. I have to maintain a truck and building materials to service income property I have in the city. I also have a wood shop. I will be using 17.5 square feet as the dat to day garage for our cars. The present walls of that garage will be retained. I will lift the roof off the garage and keep the salt and moisture in one area during the winter. 382.5 square feet will store the truck, a ¾ ton pick up. 250 square feet for strictly storage. Mostly of building materials, snow tires, and lawn and garden equipment. 300 square feet for a 1967 Dodge, classic car, which I have in my possession. I am retaining it as an investment. I have a 1973 Gremlin, which I drive only in the summer. I will use the rest as a sma-1 work area with tool boxes. This addition will match the roof line of the house. I am using the same siding, yellow vinyl. It is 412 pitch structure. The gutters will run to the rear. I have almost 150 feet in the rear of the building to my lot line. There will be two pieces of PVC under ground. I have plenty room to absorb the roof run off. It will be insulated, also. Any noise from the inside will be fully muffled by insulation. I understand the rules of the noise ordinance from 10 p.m. to 6 a.m. We have owned the property since February 20. The only thing visible from the road will be the front of the garage, and it will look as though it is always been there. My lot faces all back yards on Shrubbery Lane. It will not block any visibility of the neighbors.

MS. CHAPMAN: You are retaining the two garage doors and adding a third?

MR. LATOUR: Yes.

MS. CHAPMAN: You are not converting any of the area into living space?

MR. LATOUR: No. I do intend to turn those partition walls into a second fire stop. The garage will also be heated. Electrical service, -ut no water or plumbing. That I do not require.

MS. CHAPMAN: How close are you to the lot line?

MR. LATOUR: I clear the side at the closest point by 10 feet and 8.5 inches. It is important to note, the garage will not stick out. I just want it parallel to the face of the garage. It will not be used for any type of repairs. I am allowed 25 percent on the land and with the easement, I will only be filling up 12.33 percent.

MR. BEAN: You are going to have a larger garage than the house?

MR. LATOUR: I can downsize this somewhat, if I have to. I do plan to add on to the house next summer, with a family room and den. We bought the house with the intent of moving into one property. The roof won't match for one year. I am going to put a white roof on the addition and next xummer, will put a white roof on the house.

NO ONE FPOKE IN FAVOR OF THE APPLICATION.

IN OPPOSITION:

MR. BALL, 13 SHRUBBERY LANE: I live to the rear of Mr. LaTour, and I do have a water problem. My land is about 4 foot below.

MRS. ERWIN, 893 PAUL ROAD: My objection is the resale value of my property. We have the place on one side of us, already.

MS. CHAPMAN: I received a petition from the area stating, "We, the undersigned residents and property owners in the Town of Chili, request denial of the application of Norman E. LaTour. We object to the attempt of Mr. LaTour to increase the garage space to 2,400 square feet because it will block the natural view, increase noise pollution, depreciate the property values, and is a potential nuisance to the properties in the area."

DECISIONS

APPLICATION NO. 1

Application of James Perna for variance to allow front setback of 60' (100' required) and side setback of 10' (50' required) on lots A, B, and C on Union Street in RA-5 zone.

UNANIMOUSLY APPROVED subject to the following terms and conditions:

1. The houses are to be located on the lots under the direction of The Building Inspector, Town of Chili;
2. There is to be a minimum of 30 feet setback from the future street easement adjoining lots A & B.

APPLICATION NO. 2

Application of Wilbur B. Miller, for variance to allow building lot to be 3 acres large (10 acre required) and lot width of 187' (500' required) at property located on 335 Chili-Scottsville Road in RA-10 zone.

ADJOURNED to June, 1980, m-eting pending further information.

APPLICATION NO. 3

Application of Susan Saylor for variance to erect 5' fence on corner lot (Maximum 3' required) on 21 Lonran Drive, west corner of Kuebler Road in R-1-12 zone.

UNANIMOUSLY APPROVED subject to the following terms and conditions:

1. The fence shall not extend forward of the back of the garage;
2. Fence shall be 10 feet from the right-of-way of Kuebler Road.

APPLICATION NO. 4

Application of June Babiuk for free standing sign for Trojan Pines Florist.

ADJOURNED WITHOUT PREJUDICE - the applicant did not appear.

APPLICATION NO. 5

Application of Agnes Burns for variance to allow a 31' front setback to rebuild burned down Fruit Stand (100' required) in R-1-12 zone.

APPROVED by the following vote:

Ms. Chapman, aye; Ms. Whelpton, aye; Mr. Burnett, abstain; Mr. Bean, aye;
Mr. Newman, aye;

SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. Parking be discouraged in the front of the stand;
2. There be a sign on the building - no more than 3 foot square - to encourage parking on the west side, if possible;
3. Crushed stone be put in front of the building

APPLICATION NO. 6

Application of Ron Bolduc for 58' front setback variance for addition of garage (60' required) in R-1-12 zone.

APPROVED BY THE FOLLOWING VOTE:

MS. Chapman, aye; Ms. Whelpton, aye; Mr. Burnett, abstain; Mr. Bean, aye; Mr. Newman, aye.

APPLICATION NO. 7

Application of Norman E. LaTour for 63' front setback (100' required) for garage addition in R-1-15 zone.

APPROVED BY THE following vote: Ms. Chapman, aye; Ms. Whelpton, aye; Mr. Burnett, no; Mr. Bean, aye; Mr. Newman, aye.

SUBJECT TO THE FOLLOWING TERM AND CONDITION:

1. The garage is for Personal use only.

OLD BUSINESS:

APPLICATION NO. 1

Application of Lyell Metals/Steward Bobry, 1515 Scottsville Road, for a free-standing sign, 48" x 120", approximately 7' high in M-2 zone.

UNANIMOUSLY APPROVED subject to the following term and condition:

1. The sign be turned o-f at 2 z.m. to be consistent with the Neighbors.

Meeting Adjourned at 9:30 P.M.

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dai

ZONING BOARD

June 24, 1980

A meeting of the Zoning Board of Appeals, Town of Chili was held on June 24, 1980 at 7:30 P.M. in the Chili Administration Offices, 3235 Chili Ave. Rochester, N.Y. 14624. The meeting was called to order by Chairwoman Janice Chapman.

Roll Call: Janice Chapman, Leo Bean, Bob Burnett, Shirley Whelpton, Vic Lynd, Bob Newman.

Also Present: Daniel L. Miller, Dept. Town Attorney; Bob Conolly, Bldg. Insp.

The minutes of the Meeting held on May 27, 1980 were amended and accepted unanimously as amended.

APPLICATION NO. 1

Application of Ken Schnabel, 34 Sequoia Dr. Rochester, N.Y. 14624 for a variance to erect 5' x 26' garage addition to be 5'5" from side lot line (10' required) in R-1-12 zone at 34 Sequoia Dr.

MR. SCHNABEL amended the application to read 5' 5" from the lot line and 24 feet by 5 feet addition size.

MRS. CHAPMAN: (read his letter of application to the Board stating that they have two cars and the existing garage needs repairs anyway. By expanding the garage they can make these needed repairs at the same time as providing the necessary additional space.) The one story garage you have now lines up with the rest of the house?

MR. SCHNABEL: It sets back slightly.

MRS. CHAPMAN: If your application is granted, your proposal is to have the same sort of siding as on the house?

MR. SCHNABEL: Yes. Cedar shingle with a white roof.

MRS. CHAPMAN: How pitched?

MR. SCHNABEL: The same pitch as the existing garage. It is not attached directly to the house.

MR. LYND: You have a fence on the west side, is that owned by you?

MR. SCHNABEL: It was put up by the neighbors I believe.

MR. LYND: Have you talked with your neighbor on this?

MR. SCHNABEL: Yes. He is agreeable to it.

MRS. CHAPMAN: Are they ten feet from the lotline on their side?

MR. SCHNABEL: Yes.

MRS. CHAPMAN: Is there a fire wall between the porch and the house?

MR. SCHNABEL: No, there is not

MRS. CHAPMAN: That may be a requirement. Since you are going to repair the garage anyway, you should check into that.

NO ONE SPOKE IN FAVOR OR AGAINST THE ABOVE APPLICATION.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date.....*6-20-80*.....

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated.....*6-18-80*.....

Geraldine C. Snyder
.....
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y. Monroe Co.
My Commission Expires March 30, 19*81*

Patricia M. Smith
.....
Patricia M. Smith
Publisher

Legal Notice

LEGAL NOTICE CHILIZONING BOARD OF APPEALS

Pursuant to Section 267 of Town Law, a public hearing will be held at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on June 24, 1980 at 7:30 p.m. to hear and consider the following applications.

1. Application of Ken Schnabel, 34 Sequoia Drive, Rochester, New York 14624 for variance to erect 4'x26' garage addition to be 6'5" from side lot line (10' required) at property located at above address in R-1-12 zone.

2. Application of William

Rowland, 235 Eugene Street, Rochester, New York 14606 for variance to create two undersized lots—Lot 1 to be approximately 7.6 acres having a lot width of 305' and Lot 2 to be approximately 6.6 acres having a lot width of 305' (10 acres required, 500' lot width required) at property located at 100 Stottle Road directly south of Black Creek in RA-10 and FPO and FW zones.

3. Application of W.C.M. Builders, 3315 Chili Avenue, Rochester, New York 14624 for variance to allow two-story addition to be 5' from side lot line (10 feet required) at property located at 14 Benedict Drive in R-1-12 zone.

4. Application of Ralph J. Wilson, 995 Paul Road, Rochester, New York 14624 for variance to allow garage addition to have 60' front setback (100' required on affected major highway) at property located at above address in R-1-15 zone.

5. Application of William Friday, 3100 Chili Avenue, Rochester, New York 14624 for variance to allow childrens' playhouse to be 3'8" from garage (10' required for accessory structure) at property located at above address in R-1-12 zone.

6. Application of Kayex Corp., 1000 Millstead Way, Rochester, New York 14624 for variance to allow twenty-three adjacent parking spaces (10 allowed) within the front setback of the building (parking in front

zoning Board

APPLICATION NO. 2

Application of William Rowland, 235 Eugene Street, Rochester, N.Y. 14604 for a variance to create two undersized lots--lot 1 approximately 7.6 acres having a lot width of 305' and lot 2 approximately 6.6 acres with a lot width of 305' (10 acres required) at property at 100 Stottle Road directly south of Black Creek in RA-10 and FPO and FW zones.

JERRY PASSERO, ENG: Shown on the map is the 500 year flood plain elevation. The proposed house on lot 2 which encroaches upon this elevation is on higher ground. We are seeking variances on width and area more in line with the RA-5 zone. To the south of us and across the street and to the west, the existing residences are on 5 acre parcels.

MRS. CHAPMAN: When the Board varies from the requirements of the the Town Ordinance we need to have evidence of some hardship on the land that makes it impossible to comply with the ordinance. Have you attempted to acquire additional land?

MR. PASSERO: The only land available is to the North and that is totally in the flood plain area. There is no useable land to the north. This parcel is for both Mr. Rowland and his son. This economical situation is that one house on this property is economically unfeasible.

MRS. CHAPMAN: We have a letter from Debbie Voorheis in the Building Department that says this leaves the majority of remaining property with no road frontage. An access road is proposed by the current owner for development of future estates. Is this true?

MR. PASSERO: On the extreme left on the map, there is a 75 foot access.

MRS. CHAPMAN: Does the property belong to you?

MR. ROWLAND: Yes.

MRS. CHAPMAN: You are buying just these two lots?

MR. ROWLAND: Yes.

MRS. CHAPMAN: What is the flood plain status of the other two properties? Will some attempt be made to develop this in the rear?

MR. PASSERO: If they stay along the south side of that property, they can. They are in the same condition as we are.

MRS. CHAPMAN: You have not succeeded in acquiring additional property?

MR. PASSERO: There is property to the south, but the width would still be the same.

MRS. CHAPMAN: You are setback quite a way from the road. Is you r intention to have a 300 foot driveway?

MR. ROWLAND: Yes.

MR. CONNOLLY: This is an area that may soon be changed to RA-1.

IN FAVOR OF THE APPLICATION:

JACK GOODBERLET, 150 STOTTLE ROAD: I am in favor of this. It is a family venture and one side of this is flood plain and the other side takes away from the next parcel to be sold. It would limit the next person. It is wiser to leave that with an in road back to the property.

DICK BENNA, 123 STOTTLE RD. He can have two good building lots there and as I looked at this property, I cannot see where the

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date.....*6-20-80*.....

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
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GATES-CHILI NEWS

Issue Dated.....*6-18-80*.....

Geraldine C. Snyder
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GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y. Monroe Co.
My Commission Expires March 30, 19*81*

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1. Application of Ken Schnabel, 34 Sequoia Drive, Rochester, New York 14624 for variance to erect 4'x26' garage addition to be 6'5" from side lot line (10' required) at property located at above address in R-1-12 zone.
2. Application of William

Rowland, 235 Eugene Street, Rochester, New York 14606 for variance to create two undersized lots--Lot 1 to be approximately 7.6 acres having a lot width of 305' and Lot 2 to be approximately 6.6 acres having a lot width of 305' (10 acres required, 500' lot width required) at property located at 100 Stottle Road directly south of Black Creek in RA-10 and FPO and FW zones.

3. Application of W.C.M. Builders, 3315 Chili Avenue, Rochester, New York 14624 for variance to allow two-story addition to be 5' from side lot line (10 feet required) at property located at 14 Benedict Drive in R-1-12 zone.

4. Application of Ralph J. Wilson, 995 Paul Road, Rochester, New York 14624 for variance to allow garage addition to have 60' front setback (100' required on affected major highway) at property located at above address in R-1-15 zone.

5. Application of William Friday, 3100 Chili Avenue, Rochester, New York 14624 for variance to allow childrens' playhouse to be 3'8" from garage (10' required for accessory structure) at property located at above address in R-1-12 zone.

6. Application of Kayex Corp., 1000 Millstead Way, Rochester, New York 14624 for variance to allow twenty-three adjacent parking spaces (10 allowed) within the front setback of the building (parking in front

Zoning Board

lots to the east would be that accessible. With this layout, it will look nice.

PAT BURLEY, 141 STOTTLE ROAD: I agree with what both these guys have said, and across the street on my side, we have the same size as what they are proposing.

MR. JOHN PECK, 1000 PAUL ROAD: I have an interest in purchasing part of the property on the left parcel, so I think this applicant should be approved as submitted.

TIM CASSIDY, 1000 PAUL ROAD: For the same reasons as John, we are trying to build on some of that property, so I am in favor of the application.

NO ONE SPOKE IN OPPOSITION TO THE APPLICATION.

APPLICATION # 3

Application of W.C.M. Builders, 3315 Chili Avenue, Rochester, New York, 14624, for variance to allow two story addition to be 7.5 feet from side lotline (10 feet required) at property located at 14 Benedict Drive, in R-1-12 zone.

DONALD LOTTA: To make one correction, we are asking for 7.5 feet from the side lot line so the variance is for 2.5 feet. This is the only possible space to construct this addition. The Mayers have shopped for another home and found it to be too expensive. They need the extra room due to a new addition to the family. I have a petition from 12 neighbors in favor of this application. This will not dystroy any of the neighbors or change the character of the neighborhood.

MRS. CHAPMAN: How far will it be from the garage?

MR. LOTTA: 10.5 feet

MRS. CHAPMAN: What sort of rooms are you proposing?

MR. LOTTA: The upstairs will be a bedroom and the downstairs will be a den.

MRS. CHAPMAN: Are you proposing additional plumbing?

MR. LOTTA: yes.

MRS. CHAPMAN: Outside will conform with the rest of the house?

MR. LOTTA: Yes. The roof lines will be the same pitch, going back, as the main house.

MRS. CHAPMAN: The addition is 14.5 feet by 20 feet.

MR. MEYER: Right.

MR. LYND: Would you explain how the additional run off is going to be handled?

MR. MEYER: We are going to run one gutter in back and maintain the one in the front. The present run off runs to the front. It lands on splash blocks. We will use them also on the addition and reroute it toward the front. The structure itself will be reversible. There is a chimney in back so we have to go over the ten feet to get any width to the structure.

MRS. CHAPMAN: How old is the house?

MR. LOTTA: It was built around 1940.

NO ONE SPOKE IN FAVOR OR IN OPPOSITION TO THE ABOVE APPLICATION.

APPLICATION NO 4

Application of Ralph J. Wilson, 995 Paul Road, Rochester New York 14624, for variance to allow garage addition to have 60' front setback (100' required on affected major highway) at property located at 995 Paul Rd. in R-1-15 zone.

MR. WILSON: The house sits back 60 feet from the main road. I would like to add this right on to the house rather than set in way back in the the yard.

MRS. CHAPMAN: How far will you be from the side lot line?

MR. WILSON: 10' 3". The property tapers toward the back into the park area and that is where the water runs off. There would be no problem at all.

MRS. CHAPMAN: What about siding?

MR. WILSON: It is vinyl siding as the rest of the house. The same color as the house. The roof will be the same as the existing garage. It will add to the looks.

NO ONE SPOKE IN FAVOR, OR IN OPPOSITION, TO THE ABOVE APPLICATION.

APPLICATION NO 5

Application of William Friday, 3100 Chili Ave. Rochester, New York 14624 for a variance to allow a childrens playhouse to be 3' 8" from the garage, (10' required for accessory structure) at property located at above address in R-1-12 zone.

MRS. CHAPMAN: I have a letter from the applicant stating the playhouse was built and a building permit was not required, but I did not realize a variance was needed. I have 200 dollars and 40 man hours into that playhouse. It would be costly and a hardship to move it from its present location.

MR. BURNETT: How far from the pool are you?

MR. FRIDAY: That is in my neighbors yard, not mine.

MRS. CHAPMAN: Your yard is fenced?

MR. FRIDAY: Their yard is fenced.

MRS. FRIDAY: We put it near so that when I am in the kitchen, I can see the kids and watch them.

MR. FRIDAY: I intend to put cedar shingle on it and stain it a wood grain. I have white siding on the house now.

MR. BURNETT: Are you planning to put gutters on that?

MR. FRIDAY: No.

MRS. CHAPMAN: How does your lot drain at the moment. Do you have any problems?

MRS. FRIDAY: No

IN FAVOR OF THE APPLICATION.

VIC WALL, 3104 CHILI AVENUE: I will say this is well constructed. There are no dangers to any of the kids. I think it is very attractive and there is no reason for any qualms to this being built. This is set on telephone poles that are 4 feet into the ground, and it would be a great hardship for him to take it down.

NO ONE SPOKE IN OPPOSITION OF THE APPLICATION.

APPLICATION #6

Application of Kayex Corp., 1000 Millstead Way, Rochester, N.Y., for variance to allow 23 adjacent parking spaces (10 allowed) within the front setback of the building (parking in front setback not allowed) at property at above address in M-2 zone.

PETE ROBSON: We have looked at alternative parking. The existing parking spaces in front is used for customers, suppliers, and other visitors. We find it hard to control this. People are parking on the street and the lawn. We had thought of extending the parking lot but since this is a major highway we should leave that open. We have the parking spaces facing toward Millstead because we intend to build an addition someday. Our intentions are to continue the office space across the front of the building. There is no precedent set by allowing us to park in that setback. We are in a light industrial zone and other businesses park in their front setback in the area.

MS. CHAPMAN: With the addition you are intending, how many additional employees will you have?

MR. ROBSON: Probably 50. In that addition, we are adding parking space in another area and their parking will be taken care of there. It is the people that come to our front door that we have problems with.

MS. CHAPMAN: Might you be acquiring additional land?

MR. ROBSON: There is none on this side. It is owned by Moorgood Tools.

MS. CHAPMAN: Was the existing parking granted previously?

MR. ROBSON: It was put in with the building when it was built.

MS. CHAPMAN: The additional exit has been approved.

MR. ROBSON: Yes it has.

MR. LYND: Do you have a sign indicating that parking is for visitors?

MR. ROBSON: No. We have no intention of putting signs there. We instruct our employees not to park in that area. It is the logical place to visit our building since that is our front door and we are on Millstead Way.

MR. MILLER: The prettiest part of your building faces Paul Road anyway.

MR. ROBSON: Right. The rest is concrete block.

MS. CHAPMAN: Could you think about putting extra road cuts in when you put in these additional parking spaces.

MR. ROBSON: That is certainly no problem. We will do it.

MR. NEWMAN: Will this be blacktop?

Mr. ROBSON: Yes.

Ms. WHELPTON: Any plans for landscaping across there?

MR. ROBSON: We have none. We are landscaping the addition. Right now, I would prefer to spend landscaping on the Paul Road side. This area would have really low priority. There is a lot of green area in here now.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

APPLICATION NO 7

Application of Frito-Lay, Inc., 797 Beahan Road, Rochester, N.Y. 14624, for variance to allow 8' fence, including 3 strands of barbed wire at top (6' maximum allowed, no barbed wire allowed except on farms) at property at above address in M-2 zone.

MR. BOB FARREN: We have had a lot of problems in the area. We have submitted sheriffs reports and newspaper clippings to this effect. We have spent over \$2,000 in the past few months on this.

MS. CHAPMAN: What is the fence itself to be made of?

MR. JIM PALMERI: Chain link, 7 feet high.

MR. MILLER: Facing in or out of your property - the barbed wire?

MR. FARRON: Facing in. The barbed wire will face in.

MR. PALMERI: We have caught boys in there about 9 years old. We are trying to stop this. Windows have been broken, our products has been thrown all over the parking lot.

MS. CHAPMAN: Once the fence is built, there will be a gate so the trucks can get in and out?

MR. FARREN: Two gates.

MS. CHAPMAN: The trucks will drive inside and be parked inside if left on the property?

MR. FARREN: Right.

MR. MILLER: Do you go down a private road to get to your building?

MR. FARREN: Yes.

MR. MILLER: This is within an industrial park?

MR. FARREN: Right

MR. BURNETT: I am safety advisor for my company and chain link is not the deterrent you say it is. Unless you have concrete underneath to stop them from tunneling under it. Another answer is an alarm hooked up to the fence to alert the sherriff. You had better put at least 36 inches of apron underneath. Why not consider a butler building to put up, which is inexpensive.

MR. FARREN: We do not own the property. That would have to come through our headquarters.

MS. CHAPMAN: The county review states this will have no effect on the airport zone.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

APPLICATION NO. 8

Application of June Babiuk, 50 Humphrey Road, Scottsville, New York, 14546, for variance to allow 25" x 40" freestanding sign, 36" from ground for florist shop (Customary home occupation) at property at above address in RA-10 and FPO zones.

MS. BABIUK: I started a business in April and when I started the girl in the Building Department told me I really didn't need a sign. I was told that I would need a variance for a sign. We do have one in the front yard that we think is quite neat.

MS. CHAPMAN: There is another sign on the rear of the property?

MS. BABIUK: That was for the Corner of 386. The lady that owns that property has not given me permission to put up a sign on their property.

MS. CHAPMAN: We usually don't allow signs off the property.

MR. LYND: What proportion of the building do you use as a florist shop?

MS. BABIUK: Only our double car garage has been converted. The rest is our residence.

NO ONE SPOKE IN FAVOR OF OR IN OPPOSITION TO, THE ABOVE APPLICATION.

OLD BUSINESS: WILBUR MILLER - he was not present.

MR. MILLER: Mr. Wilbur Miller did call me and essentially, they have made an illegal subdivision here.

DECISIONS:

APPLICATION NO. 1

of Ken Schnabel for variance to erect 5' x 26' garage addition to be 5'5" from side lot line (10' required) at 34 Sequoia Drive in R-1-12 zone.

UNANIMOUSLY APPROVED.

APPLICATION NO. 2

of William Rowland, 235 Eugene St., Roch., N.Y. for variance to create two undersized lots, lot 1 to be approximately 7.6 acres with a lot width of 305' and lot 2 approximately 6.6 acres with lot width of 305' (10 acres required, 500' lot width required) at 100 Stottle Road, directly south of Black Creek in RA-10, FPO, & FW zones.

UNANIMOUSLY APPROVED.

APPLICATION NO. 3

of W.C.M. Builders, 3315 Chili Ave., for variance to allow two-story addition to be 7.5' from side lot line (10' required) at 14 Benedict Drive in R-1-12 zone.

UNANIMOUSLY APPROVED.

APPLICATION NO. 4

of Ralph J. Wilson, 995 Paul Road, Rochester for variance to allow garage addition to have 60' front setback (100' required) at property located at R-1-15 zone.

UNANIMOUSLY APPROVED.

APPLICATION NO. 5

of William Friday, 3100 Chili Ave., for variance to allow childrens' playhouse to be 3'8" from garage (10' required) in R-1-12 zone.

UNANIMOUSLY APPROVED.

APPLICATION NO. 6

of Kayex Corp., 1000 Millstead Way, for variance to allow 23 adjacent parking spaces (10 allowed) within front setback of building (parking in front setback not allowed) at property in M-2 zone.

APPROVED by the following vote: Ms. Chapman, aye; Ms. Whelpton, aye; Mr. Burnett, abstain; Mr. Lynd, aye; Mr. Newman, aye; Mr. Bean, aye; provided road cuts are put in at the time this additional parking is added.

APPLICATION NO. 7

of Frito-Lay, Inc., 797 Beahan Road, for variance to allow 8' fence, including 3 strands of barbed wire at top (6' maximum allowed, no barbed wire allowed except on farms) in M-2 zone.

APPROVED by same vote as Application No. 8, below.

APPLICATION NO. 8

of June Babiuk, 50 Humphrey Road, for variance to allow 25" x 40" freestanding sign, 36" from ground for florist shop (Customary Home occupation) in RA-10 and FPO zones.

APPROVED by the following vote:

Ms. Chapman, aye; Ms. Whelpton, aye; Mr. Lynd, aye; Mr. Burnett, abstain; Mr. Bean, aye; Mr. Newman, aye.

OLD BUSINESS:

WILBUR MILLER - reserved decision until such time as application is made to the Planning Board to Legitimize the illegal subdivision.

MEETING ADJOURNED.

DAI/ds

ZONING BOARD OF APPEALS
July 22, 1980

A Meeting of the Chili Zoning Board of Appeals was held on July 22, 1980, at 7:30 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The Meeting was called to order by Chairwoman, Janice Chapman.

ROLL CALL: Janice Chapman, Shirley Whelpton, Vic Lynd, Bob Newman, John Mallette.

ALSO PRESENT: Daniel L. Miller, Dept. Town Attorney, Bob Connolly, Bldg. Inspector

The Minutes of the Zoning Board Meeting held June 24, 1980, were deferred until next month.

APPLICATION NO. 1

Application of Scott McMullen, 146 Chestnut Ridge Road, Rochester, New York, 14624, for variance to allow kitchen addition to be 27' from rear lot line (30' required) at property located at above address in R-1-12 zone.

MR. McMULLEN: I want to add to the kitchen because the size it is now, it is not big enough even for a table. The house was built so long ago that it doesn't conform to the zoning now.

MS. CHAPMAN: The section that is 19 feet from the back lot line is not where you are going to add?

MR. MCMULLEN: No.

MS. CHAPMAN: That is pre-existing?

MR. MCMULLEN: Yes.

MS. CHAPMAN: How long have you owned the house?

MR. MCMULLEN: Just a year.

MS. CHAPMAN: What is the size of the addition you are proposing?

MR. MCMULLEN: A 6 by 10. We would be just filling in a corner.

MS. CHAPMAN: You are proposing to make the outside of the addition conform to the rest of the house?

MR. MCMULLEN: Right.

MS. CHAPMAN: Will the roofline be changed in any way?

MR. MCMULLEN: It should be the same.

MS. CHAPMAN: What about guttering or external run-off?

MR. MCMULLEN: The house has nothing, right now. It will have gutters when I am done.

MS. CHAPMAN: Will you have a downspout in the corner?

MR. MCMULLEN: I will have to because there is a door.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

APPLICATION NO. 2

Application of Edward J. Frame, 150 King Road, Churchville, N.Y. 14428, for variance to allow 24' x 24' garage addition to be 34' from future street right-of-way, 60' required, at property located at above address in R-1-15 Zone.

MS. CHAPMAN: Currently, there is no garage?

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date.....*7-16-80*.....

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated...*7-16-80*.....

Geraldine C. Snyder

Notary

GERALDINE C. SNYDER

NOTARY PUBLIC, State of N. Y. Monroe Co.

My Commission Expires March 30, 19*81*

Patricia M. Smith

Patricia M. Smith
Publisher

Legal Notice

Chili Zoning Board of Appeals

Pursuant to Section 267 of Town Law, a public hearing will be held at the Chili Town Hall, 3235 Chili Avenue, Rochester, New York 14624 on July 22, 1980 at 7:30 P.M. to hear and consider the following applications:

1. Application of Scott McMullen, 146 Chestnut Ridge Road, Rochester, New York 14624 for variance to allow kitchen addition to be 27' from rear lot line (30' required) at property located at above address in R-1-12 Zone.

2. Application of Edward J. Frame, 150 King Road, Churchville, New York 14428 for variance to allow 24' x 24' garage addition to be 34' from future street right-of-way (60' required) at property located at above address in R-1-15 Zone.

3. Application of Harold Ford, 230 Chestnut Ridge Road, Rochester, New York 14624 for variance to allow freestanding signs for each of two farm markets, one at 2669 Chili Avenue in R-1-15 Zone, and one at 1136 Paul Road in R-1-20 Zone, each sign to be 8' high by 4.5' wide.

4. Application of The Taylor Kids, Inc., 175 Winton Road North, Rochester, New York 14618 for variance to allow freestanding sign to be 24' high (18' allowed), 100 square feet in area (32 sq. ft. allowed) having four colors (three allowed) at property located at 1415 Scottsville Road in M-2 Zone.

5. Application of Gordon J. Hepworth, 241 Golden Road, Rochester, New York 14624 for variance to allow existing 8' x 12' shed to be 4' from side lot line and 3' from rear lot line (10' required) at property located at above address in R-1-12 Zone.

6. Application of Page Airways, Inc., 1265 Scottsville Road, Rochester, New York 14624 for variance to extend a non-conforming use and variance for 27' front setback (100' required on affected major highway) for 22.5' x 70' two story addition at property located at above address in M-2 Zone.

7. Application of First Presbyterian Church of Chili, 3500 Chili Avenue, Rochester, New York 14624 for variance to allow 30' x 26' addition to be 17' from rear lot line (40' required) at

property located at above address in R-1-15 Zone.

8. Application of Carl Marsocci, 194 Stenson Street, Rochester, New York 14606 for variance to extend a non-conforming use by installing additional parking area at North side of present driveway, and for variance to allow 2' x 4' freestanding sign and for renewal of variance to allow wall 4' x 8' illuminated wall sign at property located at 12 Chestnut Ridge Road in R-1-12 Zone.

9. Application of Earthborn Builders, Inc., 4415 Buffalo Road, North Chili, New York 14514 for variance to allow single family dwelling to be 41' from front lot line (60' required) and 25' from rear lot line (40' required) at property located at 10 Mapleton Drive (corner lot) in R-1-15 Zone.

At such time all interested parties will be heard. By order of the Chairwoman of the Chili Zoning Board of Appeals.

Janice M. Chapman
Chairwoman

*zoning Bd Book
July 1980*

MRS. FRAME: Right

MS. CHAPMAN: Which way are you proposing the driveway on the site?

MRS. FRAME: Going up King Road.

MR. NEWMAN: Is the stair structure between the garage and existing house, now?

MS. FRAME: It is the outside steps right now. They will probably have to be taken out of there. We are extending the roof to cover the stairs from our walk out basement so in the winter, all the snow will not cover it up.

MR. LYND: Do you know if the property owner to the east has a variance on their side setback on the proposed road, as well?

MRS. FRAME: He has a garage and it has been there at least ten years. I think it is closer than ours will be when it is done.

MS. CHAPMAN: What provisions have you made for carrying run-off water? Will there be downspouts?

MRS. FRAME: Yes. Behind to the north because our property slopes that way. We will also have a center drain in the garage.

NO ONE SPOKE IN OPPOSITION TO THE APPLICATION.

IN FAVOR:

MR. ARTHUR JOHNSON, 149 KING ROAD: I live directly across the street. It will improve the value of their property, and everyone else's property around them. I don't think it is unreasonable to put this garage in.

APPLICATION NO, 3

Application of Harold Ford, 230 Chestnut Ridge Road, Rochester, N.Y. 14624, for variance to allow freestanding signs for each of two farm markets, one at 2669 Chili Avenue in R-1-12 zone, and one at 1136 Paul Road in R-1-20 zone, each sign to be 8 feet high by 4.5' wide.

MS. CHAPMAN: We have received correspondence from the Chili Planning Board indicating they have deferred action on Mr. Ford's application for renewal of a conditional use permit pending the variances on the signs from the Zoning Board of Appeals.

MR. FORD: The 8 foot sign is the post that is 8 feet high. The sign is 3 by 2. 3 feet high and 2 feet wide. We are in compliance with the setbacks. The signs will say Ford Farms. I am going to take the market sign off because to me, a farm market is not a farm. They sell everything except farm produce.

MS. CHAPMAN: What colors are you proposing?

MR. FORD: Blue and white. Just two colors.

MS. CHAPMAN: These are painted signs made of wood?

MR. FORD: Yes.

MS. CHAPMAN: Are they 2 faced.

MR. FORD: Yes

MS. CHAPMAN: Is there any lighting involved with these?

MR. FORD: No. We take them down as soon as we are finished with them. At the end of the season, we take them down.

MS. CHAPMAN: The posts are already in place?

MR. FORD: Yes. I take the posts down.

MS. CHAPMAN: Are they set in concrete?

MR. FORD: No, because I take them down.

MR. CONNOLLY: Are you going to repaint them?

MR. FORD: Yes. These signs have been up there for ten years or so. No one ever said anything before.

MS. CHAPMAN: It is time now for us to look at them again. We do warn anyone who is proposing to put a new sign up that they may in the future be asked to remove them if the zoning ordinance prohibits them.

NO ONE SPOKE IN OPPOSITION TO THE APPLICATION.

IN FAVOR:

MR. ELDER, 2 BELLMAWR DRIVE: I don't think these signs hurt anything.

MANDY RICHARD: I operate the other farm market. The sign is very much needed in order for business to continue. People need to know what we have in the market.

MR. MILLER: I am confused, I thought the sign was to say Ford Farm Market?

MR. FORD: We have a smaller sign that says what specials we have on our products. We have to have some way to let the people know what we have.

MR. MILLER: You are asking for a temporary sign to be changed, approximately 1 by 3 foot, with the specials of the week?

MS. CHAPMAN: We would prefer to have hanging signs rather than a separate A-frame sign.

Mr. FORD: I take that A-frame in every night.

APPLICATION NO. 4

Application of The Taylor Kids, Inc., 175 Winton Road North, Rochester, New York, 14610, for variance to allow freestanding sign to be 24' high (18' allowed), 100 square feet in area (32 sq. ft. allowed) having four colors (three allowed) at property located at 1415 Scottsville Road in M-2 zone.

MR. TAYLOR: It is an existing gas station, and I wish to continue to operate as such. There is a sign on the front pole that is in poor shape. I want to erect this other sign in its place. I didn't realize I would be applying for so many different things on this variance. Basically, I had this sign at a previous gas station and I would like to install it on the base at this gas station. It is an illuminated sign. It has a black border. I would paint that white, if I had to have only three colors. The building doesn't have any rendering on it at all, and I wanted to leave it that way.

MS. CHAPMAN: You are going to use the existing pole?

MR. TAYLOR: I am going to use the concrete base, but not the existing pole.

MS. CHAPMAN: There is a possibility it need not be that high?

MR. TAYLOR: The sign I am proposing is mounted at the bottom. The pole has a plate to the bottom and is tapered. If you cut it at any one spot, it won't match. I could try to buy another pole if that would be a problem. I don't know if they have one or not. It is an 18 foot pole.

MS. CHAPMAN: Do you know how far that is from the road right-of-way?

MR. TAYLOR: It is 22 feet from the curb line inside the property. There is nothing within a 100 foot radius of the sign.

MS. CHAPMAN: I realize this is a large commercial area, and there are many large free-standing signs in the area that have been in existence for many years.

MR. TAYLOR: I would just like to have some identity. My name is the best thing I can put out there because I take pride in my business. I will need 3, one foot signs required by the state on the top of the pumps, also.

MR. LYND: What is the width of the sign?

MR. TAYLOR: It is 63 inches wide at the widest point, by 46 inches at the smallest.

MR. LYND: What is the value of that sign?

MR. TAYLOR: I paid \$1,400 for it four years ago. I would just reface the one that is in existence now before I would buy a new one, but that doesn't look very nice.

MS. CHAPMAN: This is internally illuminated?

MR. TAYLOR: Yes.

MS. CHAPMAN: Will it be on a timer?

MR. TAYLOR: No.

MS. CHAPMAN: What hours will the sign be illuminated?

MR. TAYLOR: 7 A.M. to 9 P.M. at night.

MR. LYND: This would be the only sign? There will not be a sign on the building?

MR. TAYLOR: Right .

MS. WHELPTON: Is the sign of heavy plastic?

MR. TAYLOR: Yes, about a quarter inch thick. It is a major oil company sign that I had refaced. I would agree with the Board in the event it isn't kept up, I will take it down.

MR. MILLER: What colors are on the plastic face?

MR. TAYLOR: Yellow, blue and a white background.

MR. MILLER: The sign has only 3 colors with a black face?

MR. TAYLOR: Yes. I left it black because the sign company said you can see it better in the daylight with a black border. If you paint it, it will be hard to open because it tends to paint it shut. It is hard when you have to change a bulb or something.

MS. CHAPMAN: Mr. Connolly, is this back from the County?

MR. CONNOLLY: We have a verbal communication that it is a local matter.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO THE APPLICATION.

APPLICATION NO. 5

Application of Gordon J. Hepworth, 241 Golden Road, Rochester, N.Y., 14624, for variance to allow existing 8' x 12' shed to be 4' from side lot line and 3' from rear lot line (10' required) at property located at above address in R-1-12 zone.

MR. HEPWORTH: The shed that I have in the back is completely done except for the roofing and paint. The reason why it is not apparently where it looks is that I did check with the Town and was told by Mr. Connolly's secretary at the time that the shed would be alright where it was.

MR. CONNOLLY: I would like to confirm that.

MS. CHAPMAN: What size is the shed? 8' x 4'?

MR. HEPWORTH: Yes.

MS. CHAPMAN: There is a roof overhang on one side?

MR. HEPWORTH: Two dogs go there for some shade, but other than that, there is no reason for that overhang.

MS. CHAPMAN: You use the shed for storage of garden equipment?

MR. HEPWORTH: Right. Just storage.

MS. CHAPMAN: Have you had any complaints from any neighbors about this?

MR. HEPWORTH: No.

MR. CONNOLLY: I did. That is why he is here.

MR. HEPWORTH: I do plan to paint it the same color as the house. The shingles I bought for it are the same as are on the house, now. I plan to plant roses around it, but I can't just yet.

MR. CONNOLLY: He called my secretary and requested the information, and she told him it didn't matter as long as it was under 99 square feet. She told him at the time the setbacks were not necessary.

MS. CHAPMAN: This is not the case?

MR. CONNOLLY: It didn't come to my attention until I had a complaint.

NO ONE SPOKE IN OPPOSITION TO THE APPLICATION.

IN FAVOR:

LINDA HOLFORT, 249 GOLDEN ROAD: We are right next door. We are very open there and it is an asset and could be more of an advantage to us. I don't have any objections at all.

APPLICATION No. 6

Application of Page Airways, Inc., 1265 Scottsville Road, Rochester, New York, 14624, for variance to extend a non-conforming use; for 27' front setback (100' required on affected major highways) and for 22.5' x 70' two story addition at property located at above address in M-2 zone.

JEREMIAH M. KENNEDY, ATTY., 888 CROSSROADS BUILDING, 2 MAIN STREET EAST: It might be well to review the operation. They have had this site for a long period of time. General aviation has continued to grow and Page Airways, which has its corporate headquarters in Rochester, has grown likewise. The parcel of land, which most of the building is on is in the Town of Chili. The City of Rochester has the land beyond the Dotted line on the map. Sometime back, I think in 1972, we made an application to the Board for an addition on the front. Now, there is a driveway that runs across. If this permit is granted, that driveway will be out and it will all be grass area. The reason for that addition request was for Gannetts operation. Page also built to the north a terminal, which resulted in an expanded parking lot to the east allocated for rental cars for the Xerox operation that comes in here. Page has built a substantial operation in other town, and we find we want to keep the corporate headquarters here. They have just run out of space with all the expanding we have been doing. There are more personnel and paper work. We are locked in to the west

with parking for the office personnel and to the north, we have another building, and we are pretty locked in if we want to keep our corporate headquarters here. This will be set back away from the highway about 5 feet further than the existing offices.

MS. CHAPMAN: How far is that from the right-of-way?

MR. KENNEDY: The existing Gannett Parking is 22" from the right-of-way. This is about 16'. This is a family corporation, but we want to create some jobs and expand.

MICHAEL FORTIER, ARCHITECT: I would like to apologize for a couple of things that are incorrect on your plan. The dimensions to the existing Gannett addition are 16'2 $\frac{1}{4}$ ". To the new addition, it is 17'1 $\frac{1}{2}$ ". The percentage of coverage is 9 percent for the total building. For the total property. This is the entire site Page has control on. We are proposing an addition for several reasons. One being we are limited on the site for space and secondly, this area adjacent to the addition, is the logical way to expand to tie the two buildings together and make them functional. It will help the architectural end of the building, also. We are maintaining the original entrance. We are attaching this to the Gannett addition, although now we are two stories against their one story. The first floor consists of the Executive Offices. The only conference room will be included here. There is some expansion area here plus space for their present needs. The second floor is basically an accounting floor with general operations and office area. We are providing one conference room. We are also providing a new stairway out to the first floor. We are connecting into an entrance out of the Gannett area. We are connecting the proposed addition out in the front, butting into the Gannett addition in back of the first window, but in front of the doorway. We believe the front of the building is being enhanced. There will be windows and insulation panels. We are taking out the driveway that presently comes in front and just adding grass and planting across the front of the building.

MS. CHAPMAN: There is a very large propellor there and a sign which says Wilmore Wright General Contractors. Will those continue to be there?

MR. FORTIER: They are not in the area being discussed right now. As far as I know, they will continue to be there. They are in the grass area that exists beyond where we are and the road comes in. We are anticipating removal of the Page Airways sign in the front of the building, and we will come in for a sign on one side with the new location.

MR. LYND: The addition was built in 1872. Was a variance given at that time for it?

MR. FORTIER: Yes. There was, also, a variance for the lobby, which came shortly after that.

MR. LYND: Will this increase your work force in the area?

MR. FORTIER: Not presently, but it allows for expansion.

MR LYND: Is there a provision for increased parking?

MR. FORTIER: We do have sufficient space. The total anticipated additional people is 20. There are about 106 spaces there.

MS. CHAPMAN: Are those road cuts currently existing?

MR. FORTIER: Yes. They are existing.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE APPLICATION.

APPLICATION NO. 7

Application of First Presbyterian Church of Chili, 3600 Chili Avenue, Rochester, N.Y. 14624, for variance to allow 30' x 26' addition to be 17' from rear lot line (40' required) at property located at above address in M-2 zone.

MS. CHAPMAN: I would like the record to state that I am a member of this church and disqualify myself from the deliberations on this application.

WARREN MEININGER, HILLARY DRIVE: Our plans are to add on to the present building, an education wing. The back already is at the 17 foot rear property line. We would add Sunday School classrooms on the first floor and basement of the structure. The roofline and exterior siding will match the present structure.

MR. LYND: Would there be any reason why that cannot be added to the west of the building.

MR. MEININGER: The variance is on the back of the church.

MS. CHAPMAN: Does the church have a variance for the 17 feet on the back of the existing wing?

MR. MEININGER: I assume they do, but I don't know.

MR. CONNOLLY: They did have a variance previously, for the ten foot for an addition.

MS. CHAPMAN: Perhaps we should state the property is surrounded on two sides by school property so there is no way of acquiring additional property there.

MS. WHELPTON: Full basement?

MR. MEININGER: Yes, it will be extended as a full basement. This will give us the facility for some small meeting places during the week and Sunday School classrooms on Sunday.

MR. MILLER: Is there a basement under the church proper?

MR. MEININGER: Yes. The majority is dirt and not a full height.

MR. MILLER: How old is the original structure?

MR. MEININGER: It was built in 1826, approximately. It is a natural historical site.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

APPLICATION NO. 8

Application of Carl Marsocci, 194 Stevson Street, Rochester, New York, 14606, for variance to extend a non-conforming use by installing additional parking area at North Side of present driveway, and for variance to allow 2' x 4' freestanding sign and for renewal of variance to allow wall 4' x 8' illuminated wall sign at property located at 12 Chestnut Ridge Road Road, in R-1-12 zone.

MR. MARSOCCHI: The 2' by 4' sign was there, but when the road was redone, my sign was almost in the street, so I installed a new sign, which is a little more than 20 feet from the road.

MS. CHAPMAN: It is a better looking sign than the original sign.

MR. MARSOCCHI: Right. This one is properly done.

MS. CHAPMAN: Is that sign illuminated internally?

MR. MARSOCCHI: Yes. This other sign has been there for about 3 years and is really not illuminated. It has a light that goes on at night and off in the morning to protect the property against vandalism. The driveway extension is for my own purpose because I have a boat, and I usually park it back there. It is easier to get it out on gravel than grass. I could have done that without the gravel but the boat sinks in the rain and I really didn't know I needed a variance to do something like this. You really can't park any more cars now than you did before.

MS. CHAPMAN: How many cars can you park there now?

MR. MARSOCCHI: Ten to twelve.

MS. CHAPMAN: Is it often full?

MR. MARSOCCHI: It depends. Right now some people do use it. I could put up a sign there saying no parking on the gravel. As far as making the parking lot bigger, it is still the same number that can fit there.

MS. CHAPMAN: How wide is the gravel area?

MR. MARSOCCHI: About 8 feet - just wide enough for me to take the boat out.

MS. CHAPMAN: What hours is the light on?

MR. MARSOCCHI: It is on a timer that goes on at dark and off at light. It is only the parking lot so it is safer for the people and vandalism is cut down.

MS. CHAPMAN: That is an area where we have had vandalism problems in the past.

MR. LYND: The gravel area is how far from your property line?

MR. MARSOCCHI: From about 35 to 40 feet. It was never intended to be a parking lot to begin with. People do park there, but I can remedy that with a few signs. They could park on the grass if they want more spots.

MS. CHAPMAN: How would the Board feel about putting some barrier in there?

MR. NEWMAN: Yes. This is a private driveway for your boat?

MR. MARSOCCHI: Yes.

NO ONE SPOKE IN FAVOR OF THE APPLICATION.

OPPOSED:

VIRGINIA HASE, 141 Fenton Road: I don't know if I am in opposition, but it looks as though this parking lot is coming closer and closer to my home. I am wondering how much longer it will be until they come over a little closer to our home. You have to draw a line somewhere and I believe the original variance stated there was to be no illumination after 9.

MS. CHAPMAN: Are you bothered by the light?

MS. HASE: My children are when the leaves are not on the trees, but my main concern is the parking area. We were there before this business was ever opened, and feel we deserve to have some type of consideration.

MR. HASE: This man is right. People do park there, and cannot tell the difference from the regular parking lot. Our property line is not that far from there and we do not want cars up too close to us. If there is a question of additional parking, why not go toward Chestnut Ridge which is more commercial.

MR. LYND: Did you feel you have adequate parking with the parking lot as it was?

MR. MARSOCCHI: Yes I do.

MR. LYND: Do you have any objections to putting in a curb barrier so the cars cannot go over the parking area? How about a curve area for your boat?

MR. MARSOCCHI: It doesn't matter to me as long as I can get my boat in and out. I would prefer the curb to block it off. I would be willing to have that as a condition to this variance.

APPLICATION NO. 9

Application of Earthborn Builders, Inc., 4415 Buffalo Road, North Chili, New York, 14514, for variance to allow single family dwelling to be 41' from front lot line (60' required) and 25' from rear lot line (40' required) at property located at 10 Mapleton Drive (corner lot) in R-1-15 zone.

JIM HOWARTH, PRESIDENT: The lot in question is corner lot 75. The Problem is it is 94 feet deep and to meet all the requirements, there is no room for the house. We have in mind facing the house to the west, the long way on the lot, preferably a ranch, and we need roughly 28 feet. The other thing we wanted the Board to consider is that there is a large tree line on the east side, which we would like to save so we have asked for a 25 foot setback, 41 feet in the front, which gives us 28 feet for the house. We feel we have a definite hardship as far as not having enough room to put our house. The house directly to the north is set back 21 feet so we will be set back 20 feet further than the house on the other corner. We feel the house we are projecting on the lot will fit in with the neighboring development.

MS. CHAPMAN: Do you have a specific design in mind?

MR. HOWARTH: I do not. The house we have is not a family lot. It is more a couple only, either elderly or just starting out. It is probably around 1,200 square feet with a two car garage. We are also suggesting the driveway unload southerly, which gives the house a larger front view. This particular lot, if you built a two story house, would be too small for kids so we are trying to find someone with no children or a smaller amount of people in there. The other thing is the tree line, which makes the ranch the best looking house for that lot. We have had an opportunity to build a cape cod on that lot, but we did not. We are sticking to a ranch.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

DECISIONS:

APPLICATION NO. 1

of Scott McMullen, 146 Chestnut Ridge Road, Roch., N.Y. 14624, for variance to allow kitchen addition to be 27' from rear lot line (30' required) at property located in R-1-12 zone.

UNANIMOUSLY APPROVED.

APPLICATION NO. 2

of Edward J. Frame, 150 King Road, Churchville, N.Y. 14428, for variance to allow 24' x 24' garage addition to be 34' from future street right-of-way (60' required) at property located at above address in R-1-15 zone.

UNANIMOUSLY APPROVED.

APPLICATION NO. 3

of Harold Ford, 230 Chestnut Ridge Road, Roch., NY, 14624, for variance to allow freestanding signs for each of two farm markets, one at 2669 Chili Avenue in R-1-15 zone and one at 1136 Paul Road in R-1-20 zone, each sign to be 8' high by 4.5' wide.

UNANIMOUSLY APPROVED subject to the following terms and conditions:

1. variance is for "hanger" signs, also - no more than 1' x 2' and no more than two hangers up at one time.
2. No "A" Frame signs.

APPLICATION NO 4

of The Taylor Kids, Inc., 175 Winton Road North, Roch. NY, 14610, for variance to allow freestanding signs for 24' high (10' allowed) 100' foot square in area (32' square allowed) having four colors (three allowed) at property at 1415 Scottsville Rd. in M-2 zone.

UNANIMOUSLY APPROVED.

APPLICATION NO. 5

of Gordon J. Hepworth, 241 Golden Road, Roch., NY, 14624, for variance to allow existing 8' x 12' shed to be 4' from side lot line and 3' from rear lot line (10' required) at property located at above address in R-1-12 zone.

UNANIMOUSLY APPROVED

APPLICATION NO. 6

of Page Airways, Inc. 1265 Scottsville Road, Roch., N.Y. 14624, for variance to extend non-conforming use and for 22.5' x 70' two story addition and 27' front setback (100' required) at property at above address in M-2 zone.

DECISION RESERVED pending Monroe County Planning Dept. comments.

APPLICATION NO. 7

of First Presbyterian Church of Chili, 3600 Chili Ave., Roch. NY, 14624, for variance to allow 30' x 26' addition to be 17' from rear lot line (40' required) at property located at above address in M-2 zone.

UNANIMOUSLY APPROVED-Note-Mrs. Chapman abstained on vote, as she is a member of the church.

APPLICATION NO. 8

of Carl Marsocci, 194 Stevson St., Roch., N.Y. 14606, for variance to extend a non-conforming use by installing additional parking area at north side of present driveway, and for variance to allow 2' x 4' freestanding sign and for renewal of variance to allow wall 4' x 8' illuminated wall sign at property at 12 Chestnut Ridge Road in R-1-12 zone.

UNANIMOUSLY APPROVED subject to the following terms and conditions:

1. 3 year time limit on parking variance
2. Two steel poles with a chain are to block the entrance to the gravel area, to prohibit customer parking in the area or
3. 6" high curbing or railroad ties or the equivalent to block the entrance to the gravel area, to be installed under the direction of the Town Bldg. Inspector.

APPLICATION NO. 9

of Earthborn Builders, Inc., 4415 Buffalo Road, N. Chili, NY, 14514, for variance to allow single family dwelling to be 41' from front lot line (60' required) and 25' from rear lot line (40' required) at property located at 10 Mapleton Drive (corner lot) in R-1-15 zone.

UNANIMOUSLY APPROVED

MEETING ADJOURNED AT 10:15 P.M.

dai/ds

ZONING BOARD
August 26, 1980

A Meeting of the Zoning Board of Appeals was held on August 26, 1980, at 7:30 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624. The meeting was called to order by the Chairwoman, Janice Chapman.

ROLL CALL: Janice Chapman, Vic Lynd, Bob Newman, Bob Burnett, Shirley Whelpton

ALSO PRESENT: Daniel L. Miller, Deputy Town Atty., Bob Connolly, Bldg. Inspector.

The minutes of the Zoning Board Meetings held on June 24, 1980, and July 22, 1980, were amended and approved as amended.

APPLICATION NO. 1

Application of Chili Associates, 28 Church Street, Buffalo, New York, 14202 for variance to allow 4' x 5', directory wall sign, containing more than 10 items of information, at property located at 3240 Chili Avenue (Chi-Paul Plaza) in C-2 Zone.

LINDA SARKOSI, PROPERTY MANAGER: The only thing not shown on the drawing is color, which is orange and black, which is consistent throughout the plaza. It will be on the brick wall between the Bank and Super Market. A lot of the tenants located down the walkway cannot be easily found by people. The tenants are complaining about this to us, the management. They feel their advertising is somewhat in vain. That is our basic purpose, in asking for the sign.

MS. CHAPMAN: On the wall next to the Big M?

MS. SARKOSI: There is probably a ten foot, yellow brick wall next to Marine Midland.

MS. CHAPMAN: Not free-standing?

MS. SARKOSI: No, it will be an attached sign to the wall.

MS. CHAPMAN: The names will be uniform in color, size, and print with space for additional businesses?

MS. SARKOSI: Right. We do have vacancies in the plaza. There will be a small sign inserted stating for lease or vacant.

MS. CHAPMAN: If you do that, will you consider removing the painted real estate sign on the property?

STEVE HUNT, REAL ESTATE AGENT: We do have 7840 square feet behind the 2001. We want people to know we have extra space there. Since we have put the sign up, we have had a good response to potential tenants. We feel it is important.

MS. CHAPMAN: I am talking about the real estate sign on the east boundary of the lot.

MR. HUNT: That is not our sign.

MR. NEWMAN: How far will this protrude from the wall?

MS. SARKOSI: Probably not more than 8 inches. The only thing behind it will be the illumination bulbs.

MR. BURNETT: You have island facilities in the plaza. Your location is well into the plaza.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date.....*8-21-80*.....

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated.....*8-20-80*.....

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y. Monroe Co.
My Commission Expires March 30, 19*81*

Patricia M. Smith
Patricia M. Smith
Publisher

*Zoning Board Book
Aug 1980*

Gates-Chili NEWS, Rochester, N.Y., August 20, 1980

Legal Notice

Chili Zoning Board of Appeals

Pursuant to Section 267 of Town Law, a public hearing will be held at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on August 26, 1980 at 7:30 p.m. to hear and consider the following applications:

1. Application of Chili Associates, 28 Church Street, Buffalo, New York 14202 for variance to allow 4'x5' directory wall sign, containing more than 10 items of information, at property located at 3240 Chili Avenue (Chi-Paul Plaza) in C-2 zone.
2. Application of Edward Shadders, 68 Ballantyne Road, Rochester, New York 14623 for variance to allow fence to be 6' high in side yard (3' allowed) on corner lot at property located at above address in RA-20 and FPO zone.
3. Application of Arthur H. Stock, P.O. Box 656, Spring Lake, New Jersey 07762, for variance to expand a non-conforming use by adding

19.5'x23' office addition and 6'x6' detached shed at property located at 1509 Scottsville Road in M-2 zone.

4. Application of Jeffrey A. Mason, 68 State Street, Pittsford, New York 14534 for variance to allow externally illuminated, freestanding sign to be 7' high and 12' wide; for variance to allow parking within the required front yard; and for variance to allow addition of freestanding building as part of piano and organ business on a lot having a depth of 150' (250' required) at property located at 3220 Chili Avenue in C-2 zone.

5. Application of Richard Forsey, 39 Cutter Drive, Rochester, New York 14624 for variance to allow 8'x10' shed to be 27" from garage (10' required) at property located at above address in R-1-15 zone.

At such time all interested persons will be heard. By order of the Chairwoman of the Chili Zoning Board of Appeals.

Janice M. Chapman
Chairwoman

MS. SARKOSI: The majority of the people in the plaza are for Marine Midland. I would like to say we could afford to put two up, but we really cannot. We are hoping people will go into this area. Anything else would have to be larger to attract people going by the plaza. I didn't want to put up a free-standing sign due to vandalism. I figured it would have a little longer life attached to the wall. We have to invest some money to put this up, and I want to make sure it stays there.

MS. WHELPTON: What is the face of the sign?

MS. SARKOSI: It will be non-breakable with a door in the front to open so we can change the sign faces. According to the picture, I have here, it is 6.5 inches deep. It will protrude 6.5 inches from the wall.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

APPLICATION NO. 2

Application of Edward Shadders, 68 Ballantyne Road, Rochester, New York, 14623, for variance to allow fence to be 6' high in side yard (3' allowed) on corner lot at property located at above address in RA-20 and FPO zone.

MR. SHADDERS: I must tell you, the fence is already up. My neighbor brought to my attention there is supposed to be a variance for the fence, so I came down to apply and hope for the best. There are two reasons for the fence. One for privacy because I am on the corner and get a lot of traffic. I have three big dogs, and the wood fences keep the barking down to a minimum. Also, anything under 5 feet, they can jump.

MS. CHAPMAN: It is a stockade fence, solid. You have one gate facing toward your house?

MR. SHADDERS: Right, on the inside of the property so you don't see it.

MS. CHAPMAN: It comes by the side property line. Does it come up to the back corner of the house?

MR. SHADDERS: It is attached right on to my garage. It doesn't cover my whole property.

MS. CHAPMAN: Is the rear property line also fenced?

MR. SHADDERS: Yes, by the other neighbor.

MS. CHAPMAN: How far is the fence from the side street?

MR. SHADDERS: Probably between 20 and 25 feet, just estimating. The people that owned the house before me had a big shed out there, which I tore down, that was closer to the road than this.

MR. MILLER: I would say about 12 foot from the lot line. You are saying probably 25 feet from the pavement.

MR. LYND: You have three dogs. Do you kennel dogs on professional basis?

MR. SHADDERS: No. I got a Collie about four years ago. There have been three or four robberies around my house. I now have a Great Dane at the house. I have a German Shepard that my wife brings back and forth to her Beauty shop in Greece. She uses it for protection. There are no problems with the neighbors. They have no objections.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

APPLICATION NO. 3

Application of Arthur H. Stock, P.O. Box 656, Spring Lake, New Jersey, 07762 for variance to expand a non-conforming use by adding 19.5 x 23' office addition and 6' x 6' detached shed at property located at 1509 Scottsville Road in M-2 zone.

MS CHAPMAN: This application is currently being reviewed by the Planning Board. Have you received site plan approval?

MR. MOSSIEN: Not yet.

MR. CONNOLLY: It has site plan approval subject to variances.

MR. MOSSIEN: We went backwards on this so we could get started before winter. We went to them first to speed this up a month. Our application is for an office addition to the rear of the building. Also, for a small parking shelter for parking attendants to operate the parking lot from. The addition siding will be rough cedar with planters, the same as the building. The floor level will be equal to the floor level of the existing building. I brought a copy of the drawing the Planning Board looked at so you can see what the proposed addition will look like. You will see the addition in the back when heading south on Scottsville Road. The trim is the same as on the existing building.

MR. BURNETT: I am concerned with the parking shed construction. It allows very little visibility. Was it purposefully designed that way?

MR. MOSSIEN: There are windows on all sides. There is a door on one side.

MR. BURNETT: Are you planning to heat that in any way or illuminate it?

MR. MOSSIEN: No heat. It is mainly to see the parking. It will be insulated but something that small can be heated by one person without the use of additional heat. It is easier to see the parking lot without a light on in the building.

MR. BURNETT: In a snow storm, this building will not be the most visible piece of property there.

MR. MOSSIEN: I am sure we will have bumpers around it.

MR. BURNETT: You are right in your flow pattern of traffic.

MR. MOSSIEN: We will make sure we get bumpers on it.

MR. LYND: What is the function of the attendant?

MR. MOSSIEN: With an unstriped lot, people can park anywhere. The attendant can make sure people park in one row and work down. He is mainly directing traffic. There is usually a few men out there. Also, to make sure there is no vandalism.

MR. CONNOLLY: Also, a place for him to keep warm in the winter time.

MR. MOSSIEN: Right. When the lot is full, he won't stand outside for hours.

MS. CHAPMAN: We have received a copy of the letter from Mr. Hunter, Chairman, Chili Planning Board, stating this was approved and the final site plan was waived. They would like to call to our attention the dumpster plus the enclosure. We have another letter from the County of Monroe Dept. of Planning and they state basically, as nothing has changed, it is approved in regard to airport considerations. The variance request is a local matter, but again, flood proofing measures are required to maintain eligibility in the flood insurance program.

MR. CONNOLLY: Both I and the Town Engineer have decided that this is not in a FPO zone. We have had several applications and none ever came back saying it was an FPO. We have decided that this is not in an FPO district.

MR. LYND: Is there an open dumpster on the property?

MR. CONNOLLY: I have not seen one there.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

APPLICATION NO. 4

Application of Jeffrey A. Mason, 68 State Street, Pittsford, NY, 14534, for variance to allow externally illuminated, freestanding sign to be 7' high and 12' wide for variance to allow parking within the required front yard; and for variance to allow addition of freestanding building as part of piano and organ business on lot with a depth of 150' (250' required) at property located at 3220 Chili Avenue in C-2 zone.

MS. CHAPMAN: We are in receipt of Mr. Mason's letter explaining in further detail exactly what he is asking. A diagram of the sign and plot plan of the property are also here. I would like to read his letter and the letter from Mr. Hunter of the Planning Board regarding the application. Mr. Hunter's letter stated a conditional use permit for piano and organ sales/store with a residence on top was approved as was preliminary site plan approval. They suggest consideration be given to allowing traffic to flow between your property and the Chili-Paul plaza.

BILL LEHMAN, ATTY: We would like to make an additional request, the proposed setback is 64 feet. We request an application for that at this time, also.

MR. MILLER: I see no reason why this cannot be amended to include the variance from the 100 foot setback. The people notified in the area would be here if they are interested in the area. I don't feel this is a major request.

UNANIMOUSLY APPROVED to amend the application to include a 64 foot setback.

MR. LEHMAN: There is an existing residential dwelling on the property, which has been rezoned for sometime to C-2. The existing residence will be converted on the first floor to a piano and organ store. He has the Rochester franchise for the Baldwin organ store. He has a business in Pittsford, now. He plans to use the second floor as a residential apartment. He will also construct the 40' x 60' building you see on your plan with the proposed sign and front parking.

MR. LUCIEN CURRIE, 191 Highledge Drive, REAL ESTATE BROKER: I have had a lot of experience with selling and appraising commercial property for clients. With respect to the neighborhood, the original lot and house were created in 1930. It was a residential neighborhood. Later the commercial uses developed up around it. It is one of the few residential houses on that side of the street as well as on the other side of the street. There are commercial properties immediately on all sides of the property. The property is not unusual in size. The liquor store, Stop 'N Go Market and Vail Insurance Agency are all lots of similar development and size. They have varying depths but all are approximately one half acre in size, which is the same as this property. Part of the application has to do with the Uniqueness of the property. There are only two houses in the area that are used as residential. Most of the area has been developed commercially. The other unique factor is that it is surrounded by paved area to the north and west, which is Chili-Paul Plaza. The present use of the property would make it difficult as a residence to yield any kind of return to an investor. In 1973, the property had a value of \$33,000. If you look at this as a residence only, in a commercial zone, there are certain ill effects. The traffic access to Chili Avenue are fine for commercial use, but are detrimental to residential use. The lighting in the plaza and odors of commercial zones would produce a value of only \$38,000 today. If this were placed in a residential area, it would have a comparable value of \$45,000 to \$50,000. As commercial property, the property would have a value of \$70,000. An economic use for rental property would amount to \$250 a month. The taxes are \$843 plus insurance, maintenance, water and heat would only produce to an investor with a residential use, \$250 a year, which would be uneconomical. This does not include any mortgage money they may take out. The free-standing sign is because

Mr. Mason wants to retain the trees that are there to fit in with the motif he has designed for the building and to shield the building to give you some privacy. This will preserve much of the trees and maintain the character of the land. There are several free standing signs in the area that have been done in good taste. The parking in front of the property is the next variance. This business does not require frequent parking, but his business is not one people just stop in for. He will not effect the property's traffic or the ability to get in and out of the property. The Liquor Store next door has front parking as do others in the area.

MS. CHAPMAN: The Planning Board suggested you explore the possibility of access to your property in the Chi-Paul Plaza. Have you contacted the owners of that property?

MR. MASON: About four days ago, I did and there was a drainage question. I will be willing to have it drain into any proper receptacle. It would serve both our purposes to have it more or less continuous to have it drain properly.

MS. CHAPMAN: Your proposed parking places is 18?

MR. MASON: As a maximum. I would love to think they will all be used at once, but it is very doubtful.

MR. LEHMAN: We have not contacted the Chi-Paul Plaza. Our intentions are minor improvements to the existing driveway and that will be sufficient access. Dave Pole of the Transportation Dept. said no further permits will be necessary. If, in the long run we could form a parking agreement, we would do that, but our application is independent of that possibility. The existing access, with the low traffic density here, will be quite sufficient.

MR. LYND: What is the main purpose of the additional building?

MR. MASON: That is where I wish to have that put up to conduct my business out of. I would never put in what I need to put in; it would never fit. I know what space requirements I have already from the other building, and I know it is not enough. I also want to have the grand piano in the store to show. A 9 foot grand is a space hog, but I still want it there. It adds up to a fairly sizeable amount of floor space. It has to be one floor, also. The idea of moving pianos and organs up and down floors does not appeal to me.

MS. CHAPMAN: What is the access to your parking lot? Will it all be blacktop to get into the parking lot?

MR. MASON: That is what I would have. I don't want to have just one, big, desolate blacktop. There are ways to route traffic around trees. I have always liked big trees and would like to leave basically what is there.

MS. CHAPMAN: You proposed selling space on the ground floor, you are not going to live there?

MR. MASON: No. I cannot have that second floor as display space.

MS. WHELPTON: Is this going to be another commercial rental other than pianos?

MR. MASON: It will have something on it to do with musical instruments.

MS. WHELPTON: You will not have rental above the new addition?

MR. MASON: No. I want to display these large church organs and anyone above that would be raised off the floor. I would just as soon leave it one floor.

MR. BURNETT: You are proposing no wall changes on the lower floor?

MR. MASON: Just stiffening the stairs coming in.

MR. BURNETT: How can you adapt this into commercial sales with no wall changes?

MR. MASON: All I can do is put a few instruments there and then put up another building later. I have to have two locations at least, until I can get this addition built. It will be a modest affair nowhere to what I will need to be there on a long term basis.

MR. MILLER: What will you do with the house when you build the store?

MR. MASON: I will try to find a tenant who would like to sell musical instruments besides pianos and organs.

MR. BURNETT: You are proposing a musical center, then. I would rather see your building moved forward toward Chili Avenue, with parking in the back. That will eliminate the view of blacktop in the whole area.

MR. MASON: I thought my biggest problem was a lot not deep enough to begin with. Moving it farther toward the back, from a visual impact would be terrific. What is there already tends to be more or less along that setback, though. It would also stand out like a sore thumb and look ugly. This way, it will pretty nearly fall in line with the other buildings in the area.

MS. CHAPMAN: What colors are you proposing and materials for the sign?

MR. MASON: White background with rich blue letters. It is Baldwin's standard logo. The sign itself, will be weather resistant with wood trim edges. Probably a solid mounting. Also, two cedar posts to support the sign. There will be a stone surrounded base in which there will be basically extra with flood lights not visible directly. I dislike bright light shining so would like to make sure there will be illumination from a hidden source so it will not shine in anyones eyes.

MS. CHAPMAN: The planter base will be perpendicular to Chili Avenue?

MR. MASON: Yes.

MS. CHAPMAN: Two sided?

MR. MASON: Yes.

MS. CHAPMAN: It is 7 feet high and 12 feet long, with blue and white colors so it is two colors and externally illuminated and free standing?

MR. MASON: Right.

MR. MILLER: How many feet from the road right of way will it be placed.

MR. LEHMAN: Only a few feet from the road right of way. I believe there is a drainage swail in there anyway.

MR. MASON: If ten feet is the requirement, then it will be ten feet. Whatever the requirement is, I don't want to put this right on the house. It will make it look so unattractive and this will keep the house looking like a house and keep me from cutting down trees in the area.

MR. CONNOLLY: The minimum is 15 feet from the lot line.

MR. MASON: Then 15 feet. Whatever the minimum is.

MR. BURNETT: Are you planning underground lighting?

MR. MASON: Yes sir. The power source will be in the building. The sign will be placed close enough to the building so people will know where the business is.

MR. MILLER: How did you consider such a big sign?

MR. MASON: The dimensions were drawn up rather suddenly to get them in for the application. I took peoples' opinions on what a good looking sign would look like. It was based on what most people thought was a reasonable sign.

MR. MILLER: Could you live with a smaller sign, if this Board so decides?

MR. MASON: Yes sir. I am not exactly sure what an appropriate sign would be in size.

MS. CHAPMAN: The actual sign is 4' by 8'. The posts and that are included in the 7' by 12'. Normally, we take just the sign face.

MR. MASON: This will be lit at least during my hours of business. I want to at least let people know I am there so I would at least want to have it lit while I am open.

MS. CHAPMAN: Your hours are Monday, Wednesday, Friday, and Saturday, 10 A.M. to 5 P.M. and Tuesday and Thursday, 10 A.M. to 9 P.M. No Sunday hours.

MR. MASON: It is Thursday and Friday until 9 P.M. I am not open Tuesday evening.

MS. CHAPMAN: Other business in the area are open later and are illuminated later than 9 P.M.

MR. NEWMAN: You plan 18 parking spaces?

MR. MASON: Right. That is according to the code.

MR. NEWMAN: I question the need for 18 parking spaces.

MR. MASON: I really think that is more than enough.

MR. NEWMAN: Has there been any consideration of utilizing some existing parking and blacktop area to eliminate the necessity of 18 parking spaces?

MR. MASON: Part of my area will be a work shop area. Not all of it will be sales area. I would like about 500 feet for work shop area.

MS. CHAPMAN: Do you have other employees?

MR. MASON: A cabinet man and a piano technician. I have one salesman and I will need one or two other salesmen.

MR. BURNETT: How are you going to handle the refuse?

MR. MASON: I would like to have a small dumpster, which can be picket fenced in. I would like to find space for the dumpster if all those parking spaces are not necessary.

MS. CHAPMAN: I would like to suggest that when you go to the Planning Board with an application, that you request to eliminate parking spaces on the side of the house. It will be relatively hidden. We can suggest to the Planning Board that in our view, this business does not need 18 parking spaces.

IN FAVOR OF THE APPLICATION

ED SHADDERS: I like this gentleman's idea and he should have a chance to put in this business.

NO ONE SPOKE IN OPPOSITION TO THE APPLICATION.

APPLICATION NO. 5

Application of Richard Forsey, 39 Cutter Drive, Rochester, New York, 14624, for variance to allow 8' by 10' shed to be 27" from garage (10' required) at property located at above address in R-1-15 zone.

MR. FORSEY: I purchased this shed from Chase Pitkin and erected it. I based the distance on others I have seen in Chili. After it was up, someone mentioned that it should be further away so I filled out the application for the variance. I have talked to my neighbors, and got a petition (which he presented to the Board).

MS. CHAPMAN: "We the undersigned neighbors would like to let the Town know of our approval of their request on locating the shed they have. They have tried to make it as unobtrusive as they can and due to the shape of the lot, looks better there than locating it elsewhere." There are 7 signatures. This is a wood shed?

MR. FORSEY: Right, with a plywood base nailed on 4 by 4's, which are sitting on patio block.

MR. BURNETT: Why that location? You must have a gutter overhang?

MR. FORSEY: There are no gutters on the shed. The house gutters run north and south. They don't run parallel to the shed. The garage is insulated and it is adjacent to the garage. The reason I didn't put it in the back is that I have my yard gardened and trees are back there with a clothes line. If I were to place it 10 feet from the lot line, it would be in the middle of my backyard and will destroy my whole yard. We are at the bottom of a hill and this is naturally drained off my property. If we stay there, I may put an addition in that area.

MR. CONNOLLY: If it is of non-combustible material, as the garage is, it will be all right without a fire wall.

MS. CHAPMAN: How many feet from the side of the shed to the lot line?

MR. FORSEY: 16 feet

MS. CHAPMAN: There is room for an emergency vehicle to get in between there?

MR. FORSEY: Right.

MR. CONNOLLY: What do you store in there?

MR. FORSEY: Lawn mower, snow blower, rakes, shovels.

NO ONE WAS PRESENT TO SPEAK IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

DECISIONS

APPLICATION NO. 1

Application of Chili Associates, 28 Church St., Buffalo, N.Y. 14202 for variance to allow 4' x 5' directory wall sign, containing more than 10 items of information, at property located at 3240 Chili Avenue (Chi-Paul Plaza) in C-2 zone.

UNANIMOUSLY APPROVED.

APPLICATION NO. 2

Application of Edward Shadders, 68 Ballantyne Road, Rochester, NY 14623, for variance to allow fence to be 6' high in side yard (3' allowed) on corner lot at property located at above address in RA-20 zone.

UNANIMOUSLY APPROVED.

APPLICATION NO. 3

Application of Arthur H. Stock, P.O. Box 656, Spring Lake, NJ, 07762, for variance to expand a non-conforming use by adding 19.5' by 23' office addition and 6' x 6' detached shed at property located at 1509 Scottsville Road in M-2 zone.

UNANIMOUSLY APPROVED.

APPLICATION NO. 4

Application of Jeffrey A. Mason, 68 State Street, Pittsford, NY 14534, for variance to allow externally illuminated, freestanding sign to be 7' high and 12' wide; for variance to allow parking within the required front yard; and for variance to allow addition of freestanding building as part of piano and organ business on a lot having depth of 150' (250' required) at property located at 3220 Chili Ave. in C-2 zone. PLUS the following amendment/addition for the application--for a 64' front setback....

1. Free-standing sign- UNANIMOUSLY APPROVED SUBJECT TO THE FOLLOWING:
 - a. the sign be no closer than 15' from the north right of way line on Chili Ave.
 - b. the sign is to be installed under the direction of the Building Inspector.

2. Parking variance --UNANIMOUSLY APPROVED SUBJECT TO THE FOLLOWING:
 - a. There be only 13 parking spaces
 - b. the 5 parking spaces in front of the existing residence (south side of the building) be eliminated.
3. ADDITION OF Free Standing building with front setback of 64'
UNANIMOUSLY APPROVED.

APPLICATION NO. 5

Application of Richard Forsey, 39 Cutter Drive, Rochester, NY 14624, for variance to allow 8' by 10' shed to be 27" from garage (10' required) at property located at above address in R-1-15 zone.

UNANIMOUSLY APPROVED.

OLD BUSINESS

Application of Page Airways, Inc., 1265 Scottsville Road, Rochester, N.Y. 14624, for variance to allow 27' front setback for 22.5' by 70' two story, office addition.

UNANIMOUSLY APPROVED.

Meeting adjourned at 10:00 P.M.

dai:ds

ZONING BOARD
September 23, 1980

A Meeting of the Zoning Board of Appeals, Town of Chili, was held on September 23, 1980, at 7:30 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624. The Meeting was called to order by Chairwoman Janice Chapman.

ROLL CALL: Janice Chapman, Bob Burnett, Shirley Whelpton, Vic Lynd, Leo Bean, Bob Newman

ALSO PRESENT: Robert Connolly, Town Building Inspector

APPLICATION NO. 1

Application of Winsor Ireland, 268 Archer Road, Churchville, NY, 14428, for renewal of variance to allow existing outbuilding to be used as living quarters at property located at above address in R-1-20 zone.

MS. CHAPMAN: How long has this been used as a dwelling?

MR. IRELAND: I have some prints of this. This has been in use for 22 years. The variance has been usually for five years and renewed every five years. There is a single person living there now, who has been there for 8 years. It was originally used for my mother and since she dies, we have been renting it. This is one great, big lot.

MR. BURNETT: Does this have a separate entrance?

MR. IRELAND: It has its own entry. There is a driveway.

MR. BURNETT: Could you convert this on resale?

MR. IRELAND: If the property were sold, it would all be sold.

MR. BURNETT: Is the barn part of your property?

MR. IRELAND: It is all my property.

MR. BURNETT: Does the renter have the same access to the barn?

MR. IRELAND: No.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO THE APPLICATION.

MS. CHAPMAN: I have received a letter from Eleanor Walton, 14 Beaver Road, indicating she is in support of this application.

APPLICATION NO. 2

Application of Darwin Turner, 14 Ronnie Lane, North Chili, NY, 14514, for variance to allow shed to be 3 feet from rear lot line (10' required) at property located at above address in R-1-12 zone.

MS. CHAPMAN: This is a wood shed, shaped like a barn?

MR. TURNER: Right.

MS. CHAPMAN: Is it on a concrete slab?

MR. TURNER: Just a slab where the other shed was. It is bolted down. I had to replace this one as the other one some kids got on the roof and broke through it.

MR. TURNER submitted a petition from three adjacent neighbors in favor of the application.

MR. BURNETT: Why put it that far back?

MR. TURNER: The only reason is that is where the other one was and I just put it on the platform I had before. The other one was there for the last 12 to 15 years, I anchored it to the same site.

NO ONE SPOKE IN OPPOSITION TO THE APPLICATION.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date.....*9-18-80*.....

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated.....*9-17-80*.....

Geraldine C. Snyder

Notary

GERALDINE C. SNYDER

NOTARY PUBLIC, State of N. Y. Monroe Co.

My Commission Expires March 30, 19*81*

Patricia M. Smith

Patricia M. Smith

Publisher

Zoning Book - Sept 1980

Gates-Chili NEWS, Rochester, N.Y., September 17, 1980

Legal Notice

Chili Zoning Board of Appeals

Pursuant to Section 267 of Town Law, a public hearing will be held at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on September 23, 1980 at 7:30 p.m. to hear and consider the following applications:

1. Application of Winsor Ireland, 268 Archer Road, Churchville, New York 14428 for renewal of variance to allow existing outbuilding to be used as living quarters at property located at above address in R-1-20 zone.
2. Application of Darwin Turner, 14 Ronnie Lane, North Chili, New York 14514 for variance to allow shed to be 3' from rear lot line (10' required) at property located at above address in R-1-12 zone.
3. Application of Bernard Iacovangelo, 610 Wilder Building, Rochester, New York 14614 for variance to build 35'x50' detached garage to be 5' from side lot line (10' required) and 5' from rear lot line (10' required) at property located at 2660 Chili Avenue (Lexington Manor Apartments) in MR zone.
4. Application of Grace Welch, 7 Grenell Drive, Rochester, New York 14624 for variance to allow 10'x24' garage to be 7 1/2" from side lot line (10' required) at property located at above address in R-1-12 zone.
5. Application of Pizza Villa, 3313 Chili Avenue, Rochester, New York 14624 for variance to allow addition of 4'x9'8" sign to existing freestanding sign at property located at above address in C-2 zone.

At such time all interested persons will be heard. By order of the Chairwoman of the Chili Zoning Board of Appeals.

Janice M. Chapman
Chairwoman

APPLICATION NO. 3

Application of Bernard Iacovangelo, 610 Wilder Building, Rochester, N.Y. 14614, for variance to build 35' x 50' detached garage to be 5' from side lot line (10' required) and 5' from rear lot line (10' required) at property located at 2660 Chili Avenue (Lexington Manor Apartments) in MR zone.

BERNARD IACOVANGELO: We are proposing to construct a one story, masonry, concrete garage. We are asking for the variance from ten foot setbacks to the rear and side lot lines to a 5 feet based upon the fact that we only have two parking areas on the site, and this area presently is a parking area. There is limited parking along Chili Avenue and West Side Drive, and in order to maximise the parking facilities, we would like to get this proposed garage as close to the lot lines as we can. We need the five feet around it in case we have to get in there to do any work. We are in tremendous need of this garage based upon the fact there is no facility at all for any type of equipment, lawn maintenance, parts or supplies or inventory. In order to operate and maintain this proposal in the proper fashion, it is mandatory that we have this garage. It will be masonry and about 12 feet high. It will have a peaked roof. There will be no windows but two - nine foot metal garage doors, and one - three foot door. It will be strictly for storage of equipment and parts; there will not be any water or gas or heat. It will just have electrical hook ups. It will have a concrete floor and that is all it will be.

MR. BURNETT: You have 1,750 square feet, that seems like a tremendous amount of storage space you are taking away from your present parking areas. Why hasn't the previous owner had this same need for this on site equipment?

MR. IACOVANGELO: Lee Gardens did very little maintenance or repairs. He had a number of citations from the Building Department of the Town, and Fire Marshal for storage in the boiler rooms and hallways and closets. He used every improper place in his building to store whatever items he had. He never housed any new equipment for snow operations or lawn care. He never maintained a substantial inventory to keep the area maintained. We intend to upgrade the property, and we need proper equipment, inventory, and supplies. In fact, we are in the process of renovating all the bathrooms and apartments as they come up for renewal, and we are putting in new kitchens. We are running out of space to house the old cabinets and fixtures we are pulling out until they can be sold or processed by some means. We have a new truck on order and a lawn tractor. Although this seems large, and it is large, we have 132 units on the site, and to properly maintain it and keep it in condition suitable for ourselves and the Town, we have to have something of this size.

MR. BURNETT: You are doing this work yourselves?

MR. IACOVANGELO: Yes, all ourselves. We have employed full-time people, a resident manager to supervise the project, plus we have two full-time maintenance men that are skilled in work of this nature. We are only having the cabinets hung by outside work. Everything else, we do through our own staff.

MR. LYND: Neither of the houses on West Side Drive are close enough to be bothered by this?

MR. IACOVANGELO: Right.

MS. CHAPMAN: Is there an existing variance for the sign in front?

MR. CONNOLLY: I will have to look that up.

MS. CHAPMAN: Also, the dumpsters?

MR. IACOVANGELO: I talked to Mr. Connolly earlier on this and to Supervisor Powers. They had two, large green dumpsters. We eliminated these unsightly dumpsters. We have changed companies and have gone to a smaller dumpster. Two cubic feet with brown color to fit in. They are located on the project and blend right in with the color scheme of the project.

MS. CHAPMAN: (Informed him that dumpsters have to be enclosed per the ordinance.)

FRANK IACOVANGELO: There is a driveway along to the front of the project. We spent around \$7,000 installing curbing so people would not park there or on the sidewalk. This makes it a better looking project. For the Town, there is no place to put these dumpsters or enclose them without taking away from the necessary parking needed.

MS. CHAPMAN: How about one beside the garage?

MR. FRANK IACOVANGELO: We have one by the garage. You could put all of them back there, and they will still dump it on Chili Avenue. People will not walk that far to the dumpsters. We would like to keep this project as clean as possible. In addition, there are low income tenants in the project, and they have lived there for some years, and it is hard to change their habits. We want the project to run as efficiently as possible.

MS. CHAPMAN: You could have a more frequent pick up to assure they are not over filling the dumpsters?

MR. FRANK IACOVANGELO: There is an economic feasibility that has to be a part of this project. We have increased that by one third. We understand it would be in everybody's best interests to enclose these dumpsters, but there is not a way to do that because of the existence of the project for such a long time. We would like to get the project in a better condition. We had added extra dumpsters in the back, and made them look more attractive. We would like to get this place back on its feet.

MR. BURNETT: Have you given consideration to disposal shoots in the buildings?

MR. BERNARD IACOVANGELO: This has an incinerator room with no shoots and only one door access to it.

MR. FRANK IACOVANGELO: Incinerators have been outlawed and cannot be used. The garbage has to be taken by the tenant to the dumpster. There are no shoots. There is nothing like that. We are not novices in running apartment projects. We run them as efficiently as we can.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO THE APPLICATION.

MR. FRANK IACOVANGELO: We have not applied for a variance for the sign, but if one is necessary, we will apply for one.

MR. CONNOLLY: There is no record of any variance for the sign, and I would say it is probably pre-existing, non-conforming.

MS. CHAPMAN: There is an old, frame base there that needs to be removed.

MR. BERNARD IACOVANGELO: We will do that. We established those signs because people coming on Chili Avenue cannot see the entrance and exit signs very well. We would like to put signs in making one an entrance and one an exit.

MR. FRANK IACOVANGELO: We will comply with everything we have not complied with right away. We are trying to upgrade the property. We hope to bring this project up to standards.

APPLICATION NO. 4

Application of Grace Welch, 7 Grenell Drive, Rochester, N.Y. 14624, for variance to allow 10' x 24' garage to be 7½" from side lot line (10' required) at property located at above address in R-1-12 zone.

GRACE WELCH: It is an addition to a one car garage that I have now.

MS. CHAPMAN: It is already there?

MS. WELCH: It has been there about 25 years.

MS. CHAPMAN: There was never any variance.

MS. WELCH: I need another car and will keep it. The roof line may have to come out just a little bit.

MS. CHAPMAN: How far is the house setback from the road?

MR. CONNOLLY: 65 feet.

MS. CHAPMAN: The setback requirement is 60 feet. How close is the house next to you from his lot line?

MS. WELCH: No more than ten feet from the lot line.

MS. CHAPMAN: We run into a big problem with the Fire Marshal because he needs room enough to get a fire truck in between the two houses if necessary. Has this always been a one car garage?

MS. WELCH: It is really a one and half car.

NO ONE SPOKE IN OPPOSITION TO THE APPLICATION.

IN FAVOR:

I am the neighbor next door and I don't see that there will be that much difference. The houses are closer already. There are bushes on that side of my house and I am not losing any view. The property line line, as sited by those stakes, is over another two feet further than I expected this. But in fact, I don't think it will be too close.

APPLICATION NO. 5

Application of Pizza Villa, 3313 Chili Avenue, Rochester, NY, 14624, for variance to allow addition of 4' x 9'8" sign to existing freestanding sign at property located at above address in C-2 zone.

FRANK PRESCUTTI: I am the owner.

MS. CHAPMAN: The size of the proposed sign is 4 feet, which corresponds to width of the others, by 9'8". What color will it be?

MR. PRESCUTTI: The color we had in mind is written on the top. We don't really care what color it is. The other two signs are different colors, but the background is the same.

MS. CHAPMAN: Have you talked to the owners of the other signs?

MR. PRESCUTTI: I have talked to Pat DeCroce and he said it was fine with him. The color makes no difference to him, either.

MS. CHAPMAN: You would like a yellow background with Pizza Villa in red, and the rest of the letters in black. It is a two sided sign facing both east and west, and the lighting is in between the two surfaces?

MR. PRESCUTTI: Yes.

MS. CHAPMAN: Are there hours during which this sign is operated?

MR. Prescutti: Right now I think all the lighting in the plaza, which is on a timer, is changed according to the sun set at the time of year. It comes on about 7 right now.

MS. CHAPMAN: What time does it go on in the morning?

MR. PRESCUTTI: My guess would be around 1 o'clock. I am not sure about that.

MS. CHAPMAN: We have a little problem with this sign in the first place. The ordinance says there will be one sign in shopping plazas, identifying the plaza and no signs for any individual businesses. Of course, we have on this already two signs of individual businesses, and there is no specific name for this plaza. Also, when Mr. DeCroce got his sign for Chili Lanes, the Zoning Board at that time, specifically said there would be no further signs allowed for any other businesses.

MR. PRESCUTTI: I am here tonight. I would like to defend myself. I need that sign. I am not here to break any laws, but it is a small business. I make a living, but I am not rich. It is a very competitive business, and it is getting more competitive all the time. I have been doing everything I can to increase the business. I have spent the last 5 years there improving what I could. I want to stay in business, and right now, I will be perfectly honest with you, it is a question of life and death for that business. All I can tell you is that I need that sign.

MS. WHELPTON: How many more businesses are there?

MR. PRESCUTTI: Three, if you are traveling east on Chili Avenue, there is no way in the world you can see us, and even know we are there. It is very discouraging after 5 years of being in business to hear people tell you they have never heard of you. I hear that all the time. It is a very low traffic plaza, too. It is not like Chi-Paul where you have a lot of businesses. There is no traffic in that plaza. The bowling alley helps us a little, but the parking lot is usually empty.

MS. CHAPMAN: Do you know what it is made of?

MR. PRESCUTTI: A hard plastic. It is being made of a harder material than the other two signs. We also have permission from the landowner to move his sign up if we have to.

MR. CONNOLLY: Are you going to raise that existing sign up?

MR. PRESCUTTI: If we have to.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE APPLICATION.

APPLICATION No. 1 - OPPOSITION

ARTHUR BUTTARAZZI'S daughter spoke in opposition to the renewal variance of MR. Ireland as there is a lot of variances on that street, and because it is zoned single family residential. Mr. Ireland had his property up for sale, and that would be a reason for him obtaining this variance at this time.

The Minutes of the Zoning Board Meeting held on August 26, 1980, were unanimously approved as submitted.

DECISIONS

APPLICATION NO. 1

Application of Winsor Ireland, 268 Archer Road, Churchville, NY, 14428, for renewal of variance to allow existing outbuilding to be used as living quarters at property located at above address in R-1-20 zone.

APPROVED by the following vote; Mr. Bean, no; Mr. Burnett, no; Ms. Chapman, aye; Mr. Lynd, aye; Mr. Newman, aye; Ms. Whelpton, aye.

Subject to the following terms and conditions:

1. The variance is for a one (1) year period only.
Vote on the amendment to the application - APPROVED by the following vote: Mr. Bean, aye; Mr. Burnett, aye; Ms. Chapman aye; Mr. Lynd, no; Mr. Newman, aye; Ms. Whelpton, no.

APPLICATION NO. 2

Application of Darwin Turner, 14 Ronnie Lane, North Chili, New York, 14514, for variance to allow shed to be 3' from rear lot line (10' required) at property located at above address in R-1-12 zone.

UNANIMOUSLY APPROVED.

APPLICATION NO. 3

Application of Bernard Iacovangelo, 610 Wilder Building, Rochester, New York 14614, for variance to build 35' x 50' detached garage to be 5' from side lot line (10' required) and 5' from rear lot line (10' required) at property located at 2660 Chili Avenue (Lexington Manor Apartments) in MR zone.

APPROVED BY THE FOLLOWING VOTE: Mr. Bean, aye; Mr. Burnett, abstain; Ms. Chapman, aye; Mr. Lynd, aye; Mr. Newman, aye; Ms. Whelpton, aye.

APPLICATION NO. 4

Application of Grace Welch, 7 Grenell Drive, Rochester, NY, 14624, for variance to allow 10' x 24' garage to be 7½" from side lot line (10' required) at property located at above address in R-1-12 zone.

DENIED: by the following vote; Mr. Newman, no; Mr. Burnett, abstain, Ms. Chapman, no; Ms. Whelpton, aye; Mr. Bean, aye; Mr. Lynd, aye.

APPLICATION NO. 5

Application of Pizza Villa, 3313 Chili Avenue, Rochester, New York, 14624, for variance to allow addition of 4' x 9'8" sign to existing freestanding sign at property located at above address in C-2 Zone.

UNANIMOUSLY APPROVED.

Meeting Adjourned.

dai

Z O N I N G B O A R D

October 28, 1980

A Meeting of the Zoning Board, Town of Chili, was held on October 28, 1980, in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624, at 7:30 P.M. The Meeting was called to order by Chairwoman, Janice Chapman.

ROLL CALL: Janice Chapman, Bob Burnett, Shirley Whelpton, Vic Lynd, Bob Erwin.

ALSO PRESENT: Bob Connolly, Bldg. Inspector; Daniel L. Miller, Deputy Town Atty.

APPLICATION No. 1

Application of James Hart, 11 Bishopgate Drive, Rochester, New York, 14624, for variance to allow 9' x 10' shed to be 7' from side lot line (10' required) at property located at above address in R-1-15 zone.

MR. HART: Because I have a stockade fence now around my house, I am 12 foot back from my back lot line because of water problems, and I have a Willow tree and swimming pool, I would like to place my shed here. If I start my shed in more than ten feet, it will be into the swimming pool or tree. I also must have access around the shed. It will be almost invisible to any of my neighbors. The only person is one on the north side and if they came up to their swimming pool deck, they could look over the stockade fence and down and see it.

MS. CHAPMAN: Your fence is nowhere near your lot line?

MR. HART: Right. If I move to the back, I have water problems.

MS. CHAPMAN: How close is your garage to the side lot line?

MR. HART: I believe about 15 feet off the lot line.

MS. CHAPMAN: I thought the side of the garage was closer to the lot line?

MR. HART: No. I think I am 15 feet off.

MR. LYND: Will you build this yourself, or is it a purchased style shed?

MR. HART: The one I have now I am afraid to move. It will not take the move, so I will have to purchase this new. A 5 by 10. The one I now have forces the water to run to the lower area of the yard.

MR. ERWIN: Your diagram indicates your stockade fence is 12 feet from the lot line. Your letter says you are 72 inches from the lot line.

MR. HART: From my north lot line, it is 7 foot to the tool shed. The diagram is correct. I guess my letter is not.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

APPLICATION NO 2

Application of Charles A. & Robert W. Miller, 4280 Union Street, North Chili, New York, 14514, for variance to create two undersized lots - one lot being approximately 17 acres and one lot being approximately 17.9 acres at property located at above address in RA-20 zone.

DAN WHITE, ATTY: What we are doing is subdividing a 207 acre farm. The Planning Board has already approved the subdivision.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date...*10-23-80*.....

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated...*10-22-80*...

Geraldine C. Snyder

Notary

GERALDINE C. SNYDER

NOTARY PUBLIC, State of N.Y. Monroe Co.

My Commission Expires March 30, 19*81*

Patricia M. Smith

Patricia M. Smith

Publisher

Legal Notice

CHILI ZONING BOARD OF APPEALS

Pursuant to Section 267 of Town Law, a public hearing will be held by the Chili Zoning Board of Appeals at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on October 28, 1980 at 7:30 p.m. to hear and consider the following applications:

1. Application of James Hart, 11 Bishopgate Drive, Rochester, New York 14624 for variance to allow 3' x 10' shed to be 7' from side lot line (10' required) at property located at above address in R-1-15 zone.

2. Application of Charles A. and Robert W. Miller, 4280 Union Street, North Chili, New York 14514 for variance to create 2 undersized lots - one lot being approximately .17 acres and one lot being approximately 17.9 acres at property located at above address in RA-20 zone.

3. Application of Dominick Critelli, 20 Dawnhaven Drive, Rochester, New York 14624 for variance to allow new 50 sq. ft. sign on existing pole at property located at 2575 Chili Avenue (Cutala's

Farm Market) in C-1 zone.

4. Application of Frank Gulla, 1 Grenell Drive, Rochester, New York 14624 for variance to allow fence to be 6' high on corner lot (Chili Avenue) where 3 feet is allowed at property located at above address in R-1-12 zone.

5. Application of Peter Pastecki, 6 DaVinci Drive, Rochester, New York 14624 for variance to allow 8' x 10' shed to be 2'7/4" from garage (10' required) at property located at above address in R-1-20 zone.

6. Application of Theofanis Manos, 18 Bucky Drive, Rochester, New York 14624 for variance to allow 5' x 8' enclosed porch to be 57' from front lot line (60' required) at property located at above address in R-1-15 zone.

At such time, all interested persons will be heard. By order of the Chairwoman of the Chili Zoning Board of Appeals.

Janice Chapman,
Chairwoman
Chili Zoning Board of Appeals

Zoning Bd heard

MS. CHAPMAN: How many lots will there be there all together?

MR. WHITE: Four, The large one on the west side of the road we are not concerned with. The other three are on the east side of Union Street. The one in the middle is almost 27 acres. It is the remaining two lots. One will be purchased by Robert Miller, who owns this parcel here. It will be even larger. It is an enlargement of his existing lot. When combined with his lot, it will be 20 acres or more.

MS. CHAPMAN: Is he currently living there?

MR. WHITE: Yes. The lower lot will be purchased by Tim Sands. His house is in the upper corner of the parcel and will give him more than 20 acres when combined with his current lot. The odd formations of these lots are really not that odd. The fence line was put there because of the lay of the land. It drops off sharply. Given the use the owners want the land for, this was a logical break for their property lines as well. The fence line gives each of the adjoining owners the size lot they want. It actually is logical when you look at the history of the land.

MS. CHAPMAN: Will the large area continue as a farm?

MR. WHITE: I am not sure. I don't know much will be farmed. Quite a bit of this is pasture. It would be small scale farming.

MS. CHAPMAN: Is the fence currently there?

MR. WHITE: Yes, and it is shown on the map here.

MS. CHAPMAN: It seems this will attempt to bring the existing small lots into conformity with the zoning.

MR. BURNETT: Is there any intent of appearing before the board to sublet another portion along Union Street?

MR. WHITE: As far as I know, at this moment, there is nothing considered.

MS. CHAPMAN: Do the property owners actually own those little pieces where their homes are?

MR. WHITE: Yes. Tim Sands is Charlie's son-in-law and has had his home there for many years.

NO ONE SPOKE IN OPPOSITION.

IN FAVOR:

1. Timothy Sands
2. Gerald Miller, 4275 Union Street
3. Robert Miller, 4274 Union Street
4. Robert-J. Miller, 4270 Union Street

APPLICATION NO. 3

Application of Dominick Critelli, 20 Dawnhaven Drive, Rochester, New York, 14624, for variance to allow new, 50 sq. ft. sign on existing pole at property located at 2575 Chili Avenue (Cutaia's Farm Market) in C-1 zone.

MR. CRITELLI: Tonight, I would like to represent both Mr. Cutaia and the Campbell Drive Beverage Company. This sign will replace the existing sign on a pole structure from Carl's Nursery to Cutaia's Farm Market and Grocery. The pole is existing and it is just a matter of replacing the sign with the proper identification.

MS. CHAPMAN: The actual sign is 5' by 5'?

MR. CRITELLI: Right.

MR. MILLER: It just has three colors?

MR. CRITELLI: Right.

MS. CHAPMAN: Two-sided with internal illumination?

MR. CRITELLI: Yes.

MR. LYND: Is that the same size as the existing sign?

MR. CRITELLI: The existing sign is 3' by 6'.

MS. CHAPMAN: Is the existing sign pole of reasonable condition?

MR. CRITELLI: Yes. We normally as a matter of practice check them out because the company does have an insurance bond to cover these things. I cannot just put a sign on there unless I feel secure it has the proper specifications.

MR. MILLER: This pole is about 30 feet from the edge of the road?

MR. CRITELLI: It is more than that.

MR. MILLER: I know it is quite a way back.

MS. CHAPMAN: Has he indicated to you that this is to be on a timer basis?

MR. CRITELLI: It can be, but he has not conveyed that idea to us. That is not a difficult thing to do.

MS. WHELPTON: What weight plastic?

MR. CRITELLI: The faces will be either acrylic or lexon material. The sign casing will be aluminum.

MS. WHELPTON: These light weight plastics are damaged very easily. This makes for ugly signs in the Town.

MR. CRITELLI: Because the Canada Dry emblem is on it, I am responsible for that sign and it always will look nice. Lexon is an unbreakable material to start with. Usually, the owner calls the company and we immediately go down and replace the face. I pride myself on that. I like to have the reputation that these are kept up. This can be verified by inspectors. I can appreciate what you are saying. I am for pleasing, good-looking signs that are kept up.

MS. WHELPTON: We need signs, but we need good signs.

MR. CRITELLI: These signs are manufactured very well. The plastic is extremely good. We haven't had any problems with it.

MR. BURNETT: What is the purpose of the sign?

MR. CRITELLI: First of all, to identify his place of business. Secondly, he does not have the complete terminology on his face sign so he wanted another word put in on the sign. The word grocery. And, thirdly, to alert people to the fact he is there. He does set back quite a bit.

MR. BURNETT: Is it necessary to have Canada Dry on the top?

MR. CRITELLI: I don't know Mr. Cutaia's financial status. Beverage signs are given to the business operator.

MR. BURNETT: Did Mr. Cutaia request this sign from you, or did you go to him?

MR. CRITELLI: Mr. Cutaia requests a sign at the minimum amount of expense. The beverage company gives him the sign and assists him in his operation. These signs are approved by engineers and the Board of Underwriters. Some signs may not be as nice as these.

MR. MILLER: He will be carrying Canada Dry beverages?

MR. CRITELLI: Absolutely.

MS. CHAPMAN advised him of the new ordinance. They will be allowed by permit only. Mr. Connolly has requested we either approve or disapprove of the sign until such time as the ordinance is in effect, and then he will have to come in for a permit, as well as everyone else who has a sign.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

APPLICATION NO. 4

Application of Frank Gulla, 1 Grenell Drive, Rochester, New York, 14624, for variance to allow fence to be 6' high on corner lot (Chili Avenue) where 3 feet is allowed at property located at above address in R-1-12 zone.

MR. GULLA: The original idea for the fence occurred to me last spring. The traffic often backs up on Chili Avenue and people sit there 25 feet from my nose while I sit in the back yard. It would be nice to have a screen there for when I sit in the back yard. The initial work for the first three sections of the fence have been done since June. The other 5 posts were put up shortly before I was notified. The need for the waiver was a misunderstanding on my part. The supplier assured me that there would not be any need. So, I stand here with 5 posts and three fence sections up.

MS. CHAPMAN: Will this come any further than the back of your garage?

MR. GULLA: No. Presently, it is about 16 foot from the back edge of the garage. I would like to extend the two sections toward the garage.

MS. CHAPMAN: How far away from the road is this?

MR. GULLA: About 8 feet from the road on the straight, but there is a deep gully there. I am a foot to two feet inside my property line.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

APPLICATION NO. 5

Application of Peter Pastecki, 6 DaVinci Drive, Rochester, New York, 14624, for variance to allow 8' by 10' shed to be 2'7 $\frac{1}{2}$ ' from garage (10' required) at property located at above address in R-1-20 zone.

MR. PASTECKI: This is the most convenient for me. This will be used to store general garden tools and tires and that. Secondly, this is the most unobtrusive spot in the yard. My neighbors will have the least reason to complain. It is not visible from the road. The back of my property has a drainage swale so I cannot put it back there. I know that regulation now. It is wet back there and those are my only reasons.

MS. CHAPMAN: There is not a common wall between the shed and garage?

MR. PASTECKI: No.

MR. CONNOLLY: This will be metal?

MR. PASTECKI: No, wood.

MR. ERWIN: This cannot be seen from the road, but at ten feet from the garage, it could be seen from the road.

MR. PASTECKI: When I received the notice from the Building Inspector that it had to be moved, I did not want to move it because it is on a wood platform. You can see it from the road, but it is not a sore thumb.

MS. CHAPMAN: The road has a peculiar configuration in that subdivision, anyway.

MR. PASTECKI: If you are concerned with drainage, the soil is very sandy. My sump pump has never been on. My walls in the basement are dry.

Mr. BURNETT: What is your structure, your house?

MR. PASTECKI: The house is asbestos siding. I believe it is Straddlelight.

MR. BURNETT: Will gasoline be stored in there?

MR. PASTECKI: During the summer I would put a lawn mower in there. But, I would not store the gas in the shed, itself. I won't be storing paint either. I have two small kids and I keep that stuff put away.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

APPLICATION NO. 6

Application of Theofanis Manos, 18 Bucky Drive, Rochester, New York, 14624, for variance to allow 5' x 8' enclosed porch to be 57' from front lot line (60 feet required) at property located at above address in R-1-15 zone.

MR. STEFANO, 55 Shrubbery Lane was present for Mr. Manos.

MS. CHAPMAN: Is that right in the center?

MR. STEFANO: Yes. We are going to enclose that to protect it from the wind.

MS. CHAPMAN: It will be a straight line in the front of the house?

MR. STEFANO: We are coming out 5 feet further than the face of the house right now.

MS. CHAPMAN: It is between the garage door and window?

MR. STAFANO: Right. The addition will match the existing siding with a thermopane window. It will have roof over the top. There will be an overhand roof. It will be about 40 square feet of enclosure.

NO ONE SPOKE IN FAVOR OF, OR IN OPPOSITION TO, THE ABOVE APPLICATION.

DECISIONS

APPLICATION NO. 1

Application of James Hart, 11 Bishopgate Drive, Roch., NY, 14624, for variance to allow 9' x 10' shed to be 7' from side lot line (10' required) at property at above address in R-1-15 zone.

UNANIMOUSLY APPROVED.

APPLICATION NO 2

Application of Charles A. & Robert W. Miller, 4280 Union St., North Chili, NY, 14514, for variance to create 2 undersized lots - one lot being approximately 17 acres and one lot being approximately 17.9 acres at property located at above address in RA-20 zone.

UNANIMOUSLY APPROVED.

APPLICATION NO. 3

Application of Dominick Critelli, 20 Dawnhaven Drive, Rochester, New York, 14624, for variance to allow new 50 sq.ft. sign on existing pole at property located at 2575 Chili Avenue (Cutaia's Farm Market) in C-1 zone.

APPROVED by the following vote--Ms. Chapman, aye; Ms. Whelpton, aye; Mr. Burnett, no; Mr. Erwin, aye; Mr. Lynd, aye.

SUBJECT to a one year permit or until such time as the new Zoning Ordinance is enacted, whichever time period is the lesser.

APPLICATION NO 4

Application of Frank Gulla, 1 Grenell Drive, Rochester, NY 14624, for variance to allow fence to be 6' high on corner lot (Chili Avenue) where 3 feet is allowed at property located at above address in R-1-12 zone.

UNANIMOUSLY APPROVED.

APPLICATION NO 5

Application of Peter Pastecki, 6 DaVinci Drive, Roch., NY, 14624, for variance to allow 8' x 10' shed to be 2'7 $\frac{1}{2}$ " from garage (10' required) at property located at above address in R-1-20 zone.

UNANIMOUSLY APPROVED.

APPLICATION NO. 6

Application of Theofanis Manos, 18 Bucky Drive, Roch., NY, 14624, for variance to allow 5' x 8' enclosed porch to be 57' from front lot line (60' required) at property located at above address in R-1-15 zone.

UNANIMOUSLY APPROVED.

MEETING ADJOURNED AT (:00 P.M.

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Z O N I N G B O A R D

November 18, 1980

A meeting of the Zoning Board, Town of Chili, was held on November 18, 1980, in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624, at 7:30 P. M. The meeting was called to order by Chairwoman Janice Chapman.

ROLL CALL: Janice Chapman, Bob Burnett, Ralph Barbaro, Robert Connolly, Barbara Whelpton.

ALSO PRESENT: Dan Miller, Deputy Town Attorney.

Mr. Miller stated that notice of this meeting was posted on the Town Clerk's bulletin board and has been advertised in the Gates Chili News. Mrs. Chapman introduced the members of the board and stated that they would delay approval of the minutes of the previous meeting because all members were not present.

APPLICATION NO. 1

Application of Eldon and Loretta Simmons, 785 Beahan Road, Rochester, N.Y. 14624, for variance to allow 50' x 80' warehouse addition to be 15' from south side lot line (30' required) and 34' from rear lot line (40' required) at property located at above address in M-2 zone.

MRS. SIMMONS: Informed the board that the addition will conform to the present building. The metal building will be the same make, color and style.

MRS. CHAPMAN: Visited the property and noticed there is a power line on one side and would this interfere?

MRS. SIMMONS: Stated that they are 15 feet from what is considered their lot line. The existing building has been there for 15 years. She also stated there is no other property on either side to be used for building.

MR. BURNETT: Asked whether the creek rises?

MRS. SIMMONS: It hasn't since they have been there.

MR. BARBARO: He is concerned about the drain in the floor of the building and would like to know what is draining into the creek. Would it be oil or some such material?

MRS. SIMMONS: Stated that they would be storing and selling sewer and water pipes and no corrosive materials would be draining into the creek.

MRS. CHAPMAN: Asked if there would be septic tanks and was told it would be sewers.

The application has Monroe County Planning approval and can be voted on this evening. No one spoke in favor or opposition of the application.

DECISION: Unanimously approved.

APPLICATION NO. 2

Application of Miles Woodcock, 5 Queensbury Lane, Rochester, N.Y. 14624, for variance to allow 10' x 16' shed to be 6' from the garage (10' required) and 5' from side lot line (10' required) at property located at above address in R-1-15 Zone.

MR. WOODCOCK: Explained that the shed will be wood with asphalt roof and will be painted to match the house. He needs the storage space and is using the best quality materials to keep the appearance neat.

MRS. CHAPMAN: Why do you want to put the shed on the side lot? She is concerned about the room for emergency access if necessary.

MR. WOODCOCK: Explained that there is enough room for emergency

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date.....*11-13-80*.....

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated.....*11-12-80*.....

Geraldine C. Snyder
.....
Notary

GERALDINE C. SNYDER

NOTARY PUBLIC, State of N.Y. Monroe Co.
My Commission Expires March 30, 19*81*

Patricia M. Smith
.....
Patricia M. Smith
Publisher

*Open book
Zoning Book 1980
1980*

Gates-Chili NEWS, Rochester, N.Y., November 12, 1980

Legal Notice

CHILIZONING BOARD OF APPEALS

Pursuant to Section 267 of Town Law, a public hearing will be held by the Chili Zoning Board of Appeals at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on ~~November 13, 1980~~ at 7:30 p.m. to hear and consider the following applications:

1. Application of Eldon & Loretta Simmons 785 Beahan Road, Rochester, New York 14624 for variance to allow 50'x80' warehouse addition to be 15' from south side lot line (30' required) and 34' from rear lot line (40' required) at property located at above address in M-2 zone.
2. Application of Miles Woodcock, 5 Queensbury Lane, Rochester, New York 14624 for variance to allow 10'x16' shed to be 6' from garage (10' required) and 5'

from side lot line (10' required) at property located at above address in R-1-15 zone.

3. Application of James Tindale, 4 Red Bud Road, Rochester, New York 14624 for variance to allow 18'x20' garage addition to be 51' from front lot line (60' required) at property located at above address in R-1-15 zone.

At such time, all interested persons will be heard. By order of the Chairwoman of the Chili Zoning Board of Appeals.

Janice Chapman,
Chairwoman
Chili Zoning Board
of Appeals

access and he would like it here because it will be more convenient for him. He presented photographs of what the shed will look like.

MRS. WHELPTON: Asked why he wants to put it 6 feet from the garage? He stated that there are shrubs and a flowering tree on the side of the garage and he does not want to damage these.

MR. WOODCOCK: Stated that the floor would be 3/4 inch plywood.

MRS. CHAPMAN: The board is concerned where the shed is being placed.

MR. BURNETT: Are there other sheds in this area? was told there and some were also on the side of houses. Mr. Woodcock stated he could not put it in the back because he has a patio with plants and flowers. He would have to tear up garden area.

MR. MILLER: Asked how high the shed would be and was told it will be 8 feet high. He also asked if Mr. Woodcock had talked to his neighbors about the shed.

MR. WOODCOCK: Yes, and a few neighbors have offered to help him put it up.

MR. DAVID STORY: Spoke in favor of the project. He stated there is no obstruction on the east side of the property and the west side is open from the property to the neighbor's line. A shed in the rear would not be an advantage because the backyard is open to all the neighbors.

MRS. CHAPMAN: This application does not need Monroe County review.

No one spoke in opposition of the application.

DECISION : Unanimously approved.

APPLICATION NO. 3

Application of James Tindale, 4 Red Bud Road, Rochester, N.Y. 14624. Variance to allow 18' x 20' garage addition to be 51' from front lot line (60' required) at property located at above address in R-1_15 Zone.

MR. TINDALE: Explained that he would like to expand his kitchen into the garage and add a bathroom. He can not add it in the back because he has a patio there. The header in the back is sagging and he would also like to repair this.

MR. MILLER: Asked whether there will be a firewall and was told yes, he wants to do this properly. The addition will be more than 50' from the road with the overhang in front of the garage. He will be changing the peak of the roof by putting up a gable roof with a slantback. The roofing material will match because he just put on a new roof.

MR. BURNETT: Asked how many existing bathrooms there are, was told only one.

MRS. CHAPMAN: Asked about drainage and was told it will drain to the front.

MR. CARL WEBBER: 14 Red Bud Rd. appeared to speak in favor. He understands the problem they have and why they need this addition.

MR. DAVID FINGAR: 31 Brights Oaks also spoke in favor of the project. He stated that this addition should not bother anyone and most of the neighbors wanted come and speak in Mr. Tindale's behalf.

Mrs. Chapman presented a piece of correspondence from Mr. Bud Messe, 20 Red Bud Rd, whose property is behind Mr. Tindale's. He stated he has no objection to the project.

MRS. CHAPMAN: This application does not have to go to Monroe County Review.

NO one spoke in opposition.

DECISION: *Unanimously approved.*

*Janice Chapman, Chairwoman
Chili Zoning Board of Appeals*

ZONING BOARD
December 16, 1980

The meeting of the Zoning Board of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Ave. Rochester, N.Y. 14624 on December 16, 1980. The meeting was called to order by Chairwoman Janice Chapman.

Present: Janice Chapman, Chairwoman
Robert Burnett
Ralph Barbaro
Victor Lynd
Robert Newman Jr.
Robert Irwin

Also Present: Dan Miller, Deputy Town Attorney
Robert Connolly, Building Inspector

Mr. Miller stated that notice of this meeting was posted on the Town Clerk's bulletin board and has been advertised in the Gates-Chili News.

1. Application of Richard Lindsay, 5256 West Ridge Road, Spencerport, N.Y. 14559 for variance to allow parking; within the required front yard for customers, employees, and for used car sales purposes at property located at 3501 Union Street in H-2 zone.

Mr. Lindsay was present to inform the Board that he wants to use the front setback for the parking of 30 cars including employees. The rear of the building is for car storage. None of the area has been paved and there is no proposal for paving. The septic system will be approximately 20 feet back.

Mr. Barbara asked if this is a body shop or a mechanic's shop and was told it is a used car and parts shop. He also questioned how long the cars would be stored there. Mr. Lindsay replied that there is no definite answer; it depends on the vehicle.

Mr. Lindsay also stated that the vehicles will be late models and be purchased at auctions.

Mr. Burnett asked Mr. Lindsay if he is presently in this type of business. He has been in the car business approximately 3 years, but this will be different because he will not be dismantling cars. His present company is Statewide Auto Parts located on Ridge Rd.

Mr. Lindsay stated he will be taking some parts off of used cars and utilizing them. He will use half of the building for storage of parts and half for mechanical repairs.

Mr. Connolly informed the Board that Mr. Lindsay had assured him that he is spending \$30,000 to make this building meet the necessary safety requirements.

Mrs. Chapman questioned Mr. Lindsay as to what stage he is in with the Planning Board and was informed that the application was approved with the formal hearing except that he still needs letters of approval from the Conservation and Health Departments.

Mr. Lund asked if a majority of the vehicles would be parked in the grass and was told yes. Mr. Lynd further stated that from an aesthetic point of view they should be parked on gravel instead of grass. Mr. Lindsay answered that he will eventually go with gravel, but it can also look good if the grass is kept well groomed.

No one spoke in favor of this application.

Mrs. Anna Liese, 3504 Union St. spoke in opposition. She stated that 19 cars will look crowded and the area will not look good. She and all of her neighbors do not want to see a junk yard; they would like to see something decent. They feel that the parking will look messy.

Mr. Burnett asked what the hours of the operation will be and was told Monday through Saturday 8 A.M. to 6 P.M. They will have the same type of lighting that Prescott Motors has.

Mr. Lindsay stated that he has kept the lawn well groomed even though he has not moved in yet.

Mr. Miller stated that this is an H-2 district and this type of business is allowed, but both the Planning and the Zoning Boards do not want it to look like a junk yard.

Mr. Lynd asked how many employees there will be and was told 2 or 3 to start.

Mrs. Chapman wanted to know if this application had been sent to Monroe County. Mr. Connolly answered yes and the County said this is a matter for local determination.

DECISION: Approved for 1 year trial period with vehicles reasonably lined up 20 feet back from the westerly right-way line; 53 feet from the centerline of Union Street, and provided crushed stone is installed by July 1, 1981 in the front parking area. There will be a maximum of 19 used cars on the premises. VOTE: Ralph Barbaro-no, Robert Burnett-no, Janice Chapman-yes, Victor Lynd-yes, Robert Newman-yes, Robert Irwin-yes.

2. Application of Empire Signs, 727 E. Main Street, Rochester, New York 14605, for a variance to allow a 9' x 24' (216 sq. ft.) illuminated sign on false mansard roof (100' required) containing three colors advertising "Super Duper"; and for a variance to allow the 9' x 24' sign to be above gutter line at property located at 4390 Buffalo Rd. (Towne Plaza) in C-2 and MR zones.

Mr. Bob White, Sales Manager for Empire Signs was present to inform the Board that there are three aspects for application; 1. A sign which is smaller than the previous sign, 2. Renovation of the Plaza causes them to put up the sign before approval, and 3. Corporate size of the sign is not a deviation.

Mr. Newman asked what the size of the original sign was and was told approximately 300 square feet which is larger than the one proposed. The new one is 2/3 the size of the old sign.

Mr. White said the application is being made in the name of Super Duper, not the owner of the plaza. It will have a plexiglass covering and is basically nonbreakable. Installation is approximately 30 inches above the average mansard roof and the gutter line.

Mrs. Chapman stated that the application has been submitted to the County and is a local decision.

No one from the audience spoke in favor or opposition to this application.

DECISION: Unanimously approved.

JANICE CHAMPAN, CHAIRWOMAN
Chili Zoning Board