

PLANNING BOARD
January 12, 1982

The meeting of the Planning Board of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624 on January 12, 1982. The meeting was called to order at 7:30 p.m. by Chairperson Betty Bartok.

Present: Betty Bartok, Chairperson; Ray Bleier; Bob Hunter; Mitch Rakus; Dr. Ed. Rague; Bob Newman; Bill Dean.

Also Present: Mr. Miller, Deputy Town Attorney; Walt Bloss, Drainage Committee Chairman; Robert Connolly, Building Inspector; and John Flint, Bergmann Associates.

Mrs. Bartok stated this is a legally constituted meeting of the Chili Planning Board and that notice of the meeting has been advertised in the newspaper of general circulation and also posted on the Town Clerk's bulletin board.

1. Application of George Rath, 134 Attridge Road, Churchville, New York 14428 for Conditional Use Permit to allow the sale of firewood at property located at above address in R-1-15 zone.

Mr. Rath was present to discuss this with the Board. He submitted a letter to the Board which stated he intends to keep a modest supply of firewood, neatly stacked, along the left side of his driveway, and also a possibility that firewood would be stacked neatly in the back of his house along the rear of his property line. At no time will this supply of firewood grow to a size that would be an eyesore to the neighborhood. Any parking will be in his driveway, and he will be selling firewood from around 10:00 a.m. to 5:00 p.m., with the average number of customers per day around 3-4. The majority of his business would be on a delivery basis, using his own pick-up trucks.

Mr. Bleier asked if he was cutting wood on his property and was told no. Mr. Newman asked what a "modest supply" meant? Mr. Rath stated as indicated in his letter, no more than could be stacked neatly. Mr. Rakus inquired as to whether Mr. Rath was hauling in logs and cutting them on his property? Mr. Rath said no, he did do one load. Mrs. Bartok asked if Mr. Rath planned on having any signs? Mr. Rath said yes, if allowed. Mrs. Bartok asked if he was planning on advertising and was told none. Mrs. Bartok asked if this was to be a full-time business and was told no. Mr. Rague asked if he has been selling wood previous to this, and was told that he has his own wood-burning stove and the wood there is his own. Mr. Newman asked if he intended to store the wood for 12 months out of the year and was told pretty much for 12 months, at times this would be cleared. Mr. Bleier asked if this was just for individuals or dealers, too; and Mr. Rath said no dealers.

Mr. Carl Mengel, 140 Attridge Road, stated he was against this. Vehicles are now parked in the front lawn, and a lot more traffic. He stated that logs are brought in, dumped in the driveway, and cut up there. There are from 1 to 4 trucks parked in the front lawn.

Mr. Kreckman, 3258 Union Street, North Chili, in favor of this. He has a similar business. Feels if this man wants to do this, we should leave him alone.

Mr. Piccchetta, 160 Attridge Road, feels that this is in the middle of a string of well-kept homes in R-1 zone. To maintain this business in the front yard as he has seen in the past should not be allowed. He showed the Board pictures of Mr. Rath's property. Opposed.

Nancy Rath, 134 Attridge Road, stated that cars are not parked haphazardly in the front yard. They own two cars and have children in the home with cars. This business would give them an income. Her husband is trying to augment their income. Have talked with immediate neighbors and they see nothing wrong.

Mr. Benson, 131 Attridge Road, stated that this man is without work and has got initiative to make a living, and keep of relief. In favor.

DECISION: Unanimously rejected.

2. Application of Alan Alaimo & Frank Pessia, 601 Jay Street, Rochester, New York 14611 for preliminary site plan approval for a change of use to allow a retail seafood business with carry-out service in portion of existing building at property located at 3209 Chili Avenue in C-2 zone.

Mr. Alan Alaimo was present to discuss this with the Board. He stated that they want to open a seafood business in the Town of Chili; there is no place in Chili to purchase seafood now. This will be a carry-out business. Will be fresh fish, and fish dinners.

Mr. Rakus asked if any food would be consumed on the premises; and was told none whatsoever. Mr. Hunter inquired as to what kind of traffic they would expect to generate; and was told the peak would be in the afternoons of Thursday, Friday and Saturday. He further inquired if they felt there was ample parking and was told yes, that the bulk of their business would be before 8:00 p.m. Mr. Alaimo further stated that he felt there would be 4-5 at a peak period. Mr. Hunter asked how many at one time and how long they would be there; and was told 10 at the most, and approximately 3-7 minutes.

There were no comments either in favor or opposition.

DECISION: Unanimously approved, finals waived.

3. Application of Eric A. Ruhle, Ampor Beach, Hilton, New York, 14468 for preliminary site plan approval for a general contracting business with offices with the storage of contracting equipment and mixing and packaging of asphalt and cement patching at property located at 3535 Union Street in M-2 zone.

DECISION: Adjourned pending additional information on the second story office addition to the existing building.

4. Application of William Winchell, 38 Archer Road, Rochester, New York 14624 for preliminary site plan approval for a change of use to allow a radio/television repair shop in existing building at property located at 3532 Union Street in M-2 zone.

Mr. Winchell was present to discuss this with the Board. He said they were originally located in North Chili for 10-11 years. They have done a little modernizing and face-lifting and think this will be a nice place and has some merit.

Mrs. Bartok asked if they were planning on putting up a sign; and was told yes, they are scheduled to go before the next Zoning Board Meeting. Mrs. Bartok asked if they felt there was enough parking, and was told ample parking. About 70 percent of their work is out of the shop, and 30 percent in shop. Mrs. Bartok asked when they would like to start, and was told immediately.

Mr. Newman asked if they were asking for vestibule to be on west entrance; and was told yes.

DECISION: Unanimous approval, finals waived.

5. Application of McDonald's, 3313 Chili Avenue, Rochester, New York 14624 for preliminary site plan approval to erect a 13' x 4' enclosed entranceway at property located at above address in C-2 zone.

DECISION: Unanimous approval with finals waived.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date *1-6-82*

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

GATES-CHILI NEWS

Issue Dated 1-6-82

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER

NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 19 83

Patricia M. Smith
Patricia M. Smith
Publisher

Gates-NEWS-Chili

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Legal Notice

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on January 12, 1982 at 7:30 p.m. to hear and consider the following applications:

1. Application of George Rath, 134 Attridge Road, Churchville, New York 14428 for Conditional Use Permit to allow the sale of firewood at property located at above address in R-1-15 zone.

2. Application of Alan Alaimo & Frank Pessia, 601 Jay Street, Rochester, New York 14611 for preliminary site plan approval for a change of use to allow a retail seafood business with carry-out

service in portion of existing building at property located at 3209 Chili Avenue in C-2 zone.

3. Application of William Winchell, 38 Archer Road, Rochester, New York 14624 for preliminary site plan approval for a change of use to allow a radio/television repair shop in existing building at property located at 3532 Union Street in M-2 zone.

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

Robert Hunter
Chairman
Chili Planning
Board

A public hearing at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York on January 12, 1982 at 9:00 p.m. was held to review the conditions placed on Spector's Waste Paper Company, 1436 Scottsville Road, Rochester, New York 14624 at the time of Site Plan Approval. The meeting was called to order by Betty Bartok, Chairperson.

Mrs. Bartok, Chairperson, stated the Planning Board had received complaints from Logan's Party House, Minute Man Service Station, Barney's, Jim, Christian, Fire Marshal, Roert Erwin, Zoning Board Member, Supervisor Powers, Town of Chili.

Mr. Jerry Greenfield, Esq., 67 Chestnut Street, Rochester, New York, 14614, was present with Mr. Spector to discuss this with the Board. Mr. Greenfield stated that at other hearings there were containers there that might stand as high as a table and paper was put into them, dumpsters are a part of his business. Now they will pick up containers, bring in and dump them. Some of those containers might remain overnight. He indicated there is a difference from an open container and a roll-out box. In their business they have several of them around, which they take out to stores and change for full ones, Paper is dumped, sorted, and put inside into compactor. The old containers are gone, this is a roll-out box.

Mr. Hunter indicated that last Sunday he was in that area, and counted a half dozen trailers there. Mr. Greenfield explained the most modern and efficient way is to have somebody come in and load it. Mr. Hunter indicated that he saw 3 semi-trailers there that looked like they had been there for years. Mr. Spector indicated that a trailer and tractor was recently removed, and most of them are being used and some of them are licensed. There are 3 there that are licensed but never used. Mr. Spector said they used to bring material in on trailers, now bring in on roll-out boxes and ship out.

Mr. Dean indicated that in the November 27, 1981 letter - no outside dumpsters, and he felt roll-out box is a dumpster. Mr. Spector said they have to unload containers, 99 percent are empty. Mr. Greenfield explained that all dumping was done inside the building.

Mrs. Bartok inquired as to any way they can be secured so vandals cannot set fire to contents, and Mr. Spector said there is no way. Mr. Greenfield indicated that Mr. Spector has rented another facility, and he is trying not to store bales on his premises there. They are trying to eliminate fire hazard situation.

Mr. Rakus asked if there was anything that could be done about cleaning up, e.g., blowing papers. Mr. Greenfield said they only dump in the big building, and the garage doors are open only when a truck comes in. Mr. Spector indicated that they still have a problem with people coming in and dumping papers. They have tried to enclose as much as they can, this is the nature of their business.

Mr. Rague said he felt it could be swept once a day, and this could be kept cleaner. Mr. Spector said in the summer months they could make a bigger effort to do a better job housekeeping.

Mr. Rague asked if they had put a sign up discouraging people from dumping there? Mr. Spector said there was no signs, even on the building.

Mr. Hunter inquired about keeping the gate closed to discourage people.

Mrs. Bartok said today it looked neat. She stated that they had complaints of odors and rats. Mr. Spector said they have mice and rodents come out of the containers, this is the nature of their business. they have used an exterminator and done it themselves.

Mr. Rague asked how many times the compactor goes to the landfill, and was told a couple of times each day. Mr. Greenfield said that it is waste material, and the cardboard may be wet.

Mrs. Bartok read a letter from the Fire Marshal and they have corrected - no known violations of this business. He was very

pleased with their cooperation.

Mr. Lawrence Peters, whose father runs Barney's, said they were not unhappy being next door to them. Just feel things should be corrected. Don't smell odors. There are rodents and rats there.

DECISION: Removal of loose papers from the outdoor area. Doors to be kept closed during warm weather to help contain objectionable odors.

Outside storage of paper and other materials should be eliminated.

Gates to be locked at all times other than working hours.

Betty Bartok, Chairperson
Chili Planning Board

PLANNING BOARD
March 9, 1982

The meeting of the Planning Board of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624 on March 9, 1982. The meeting was called to order at 7:30 p.m. by Chairperson Betty Bartok.

Present: Batty Bartok, Chairperson; Bob Newman, Vice Chairman; Bob Hunter; Dr. Rague; Bill Dean.

Also Present: Mr. Miller, Deputy Town Attorney; Robert Connolly, Building Inspector; and John Flint, Bergmann Associates.

Mrs. Bartok stated that this is a legally constituted meeting of the Chili Planning Board and that notice of the meeting has been advertised in a newspaper of general circulation and also posted on the Town Clerk's bulletin board.

1. Application of Panorama Car Wash, 1210 Scottsville Road, Rochester, New York 14624 for extension of a Conditional Use Permit to allow a propane tank on lot at property located at above address in GB zone.

Mr. Sam Arichiello from Suburban Propane and Mr. Tom Voll of Panorama Car Wash were present to discuss this with the Board. They hope to put a propane dispensing unit for the dispensing of propane to be sold for retail. There will be guard posts surrounding the unit and they will send all of their employees to school to learn the proper use of this. Their hours of operation will not change. They feel this will be a very safe system. Mr. Voll stated that the residents have asked where they can purchase propane.

Mr. Hunter asked if someone could back into their tank? He was told the tank would be protected by guard posts, and the tank is on skids and very heavy. The product weighs a ton and the tank weighs approximately a half a ton.

Mrs. Bartok stated that the Fire Marshal indicated no special permit is required in a letter. Mr. Arichiello said that besides the protective fencing there is a padlock.

Dr. Rague asked if there was a tank there now; and was told there was a gasoline storage tank there when they purchased this, and they will pump it dry.

Mr. Dean inquired as to the location; and was told that they picked that location, and originally had thought about bringing it up closer, but took into account cars coming from the car wash. It would be down about halfway between the exit and the road.

Mrs. Bartok indicated that she thought this should be sent back to Monroe County for their review because the original letter didn't say above or below ground, since they are so close to the airport zone.

Mr. Arichiello said they had wanted this to be set up by April 1, the primary season starts April 1. He further stated that they won't fill this until after the Fire Marshal inspects it. He said they give all employees full training, and have a periodic check, and train all additional employees as hired.

Mrs. Bartok inquired as to the cost of the project and was told \$100. Mr. Miller asked if Suburban Propane maintain ownership of this, was told yes. Mr. Miller asked if they have a liability insurance policy, and was told yes, have corporate liability and are definitely covered. Mr. Miller inquired as to the turn off devices; and was told there is a main valve and pump shut off, and safety relief devices. Mrs. Bartok asked if a plane crashed in the vicinity of this tank, if there was a possibility of it exploding and was told no, that he has never heard of one exploding.

No one spoke in favor or opposition.

DECISION: Unanimous approval contingent upon airport review approval for an above ground propane tank. The tank must be installed according to national codes pertaining to construction and protection of outdoor storage of liquid

propane. The Chili Fire Marshal's requirements must be met.

2. Application of Anthony Iacovangelo, 2660 Chili Avenue, Bldg. 12 Apt. 17, Rochester, New York 14624 for preliminary subdivision of one lot (Parcel now illegal), 100' x 132' at property located at 2908 Chili Avenue in R-1-12 zone.

Mr. Klingenberger was present representing Mr. Iacovangelo who is the contractor and owner of parcel of land situated on Chili Avenue. He stated this has 100' frontage and is 16,500 square feet from the center line of Chili Avenue, or 13,200' from highway boundary line.

Mr. Newman asked about pipes and was told 4" in diameter, sunk in ground below the frost lines, iron pipes secured with concrete, spacing will be such a small car can get through. They will follow requirements. Will be serviced by existing water main. Sanitary sewer will be to the rear and into existing pure water sewer.

Mrs. Bartok inquired as to why this was an illegal lot and Mr. Connolly said it was broken off by a deed, now has to be legally subdivided. Mrs. Bartok asked if this lot was unusually wet and Mr. Klingenberger said no, according to contours it drains toward the back and there is a slight swale, it is draining northwesterly into an existing swale. Mr. Flint indicated that as far as storm water from the house, doesn't think there will be a problem.

Ms. Mary Elizabeth Ford of Nixon, Hargrave, Devans & Doyle law firm, spoke on behalf of Mr. Melvin Simon who owns a substantial piece of property to the north and west of the property. She said that Mr. Simon opposes this because he feels drainage will be onto Mr. Simon's property. She urged the Planning Board to make use of Section 5.033 of the Town's Subdivision Ordinance by having the Town Engineer request a subdivision plat drainage report from Mr. Iacovangelo.

Mrs. Bartok asked if Ms. Ford had a topography map and was told no, they are working on one. Mrs. Bartok stated that the drainage swales are poorly maintained there, and there is neither the equipment nor funds in the budget to maintain these drainage swales.

DECISION: Approved and finals waived.

3. Application of North Chili Community Church, 3355 Union Street, North Chili, New York 14514 for preliminary site plan approval to erect a 46.4' x 78.4' and 35.2' x 12.8' addition to church at property located at above address in RM zone.

Mr. Don Avery was present representing North Chili Community Church. He showed the Board the old site plan, which was approved by this Board, and this was built essentially as indicated. Using about 1100 gallons of waste water per week. He showed the Board their new plan. He said that the present drainage swale is in and working property and eventually this goes into Black Creek. Presently 300 people or 108 cars on a Sunday. There are 123 actual spaces and proposes 181 spaces. Town requires one car for every three seats. He stated that he is extending the parking over the swale so will either put pipe in or swale parking lot. Will have to provide a different means of taking care of the sewage. Will have to provide for 1620 gallons per day. He said they would like to have an entrance in the new building in the form of a circle.

Dr. Rague asked about the two additions, and was told one refers to building in the back and one in the front. There is still one building, but in order to describe it put two buildings, will be 95' from the right of way, but will conform to new zoning.

Mr. Newman asked the square footage of the existing building and was told 2800 square feet; he then asked the square footage of the new building and was told another 4000 square feet. Mr. Newman said then the proposed addition will essentially be going over parking lot and was told yes.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *3-3-82*

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

GATES-CHILI NEWS

Issue Dated... *3-3-82*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y. Monroe Co.
My Commission Expires March 30, 19*83*

Patricia M. Smith
Patricia M. Smith
Publisher

*Planning
March 1982*

Mrs. Bartok

Legal Notice

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York, 14624 on March 9, 1982 at 7:30 p.m. to hear and consider the following applications.

1. Application of Panorama Car Wash, 1210 Scottsville Road, Rochester, New York 14624 for extension of a Conditional Use Permit to allow a propane tank on lot at property located at above address in GB zone.

2. Application of Anthony Tacovangelo, 2660 Chili Avenue, Bldg. 12, Apt. 17, Rochester, New York 14624

for preliminary subdivision of one lot (parcel now illegal), 100'x132' at property located at 2908 Chili Avenue in R-1-12 zone.

3. Application of North Chili Community Church, 3355 Union Street, North Chili, New York 14514 for preliminary site plan approval to erect a 48.4'x78.4' and 35.2'x12.8' addition to church at property located at above address in RM zone.

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

Betty Bartok,
Chairwoman
Chili Planning
Board

Mr. Dean asked if they had taken into consideration what effect and change of use for that building would have on their wast treatment if they were occupying that during the week? Mr. Jerry Talo, business manager, said they have nothing in the works for a day school or child care center. Mr. Bartok stated that if they do in the future plan on child care center or day school they should be aware of standards they have to meet.

Mrs. Bartok inquired as to any proposed future expansion. And was told it depended on the future, might put on 10 square foot addition which would be a main sanctuary, but at this point it was too early to tell.

Mr. Hunter asked the approximate value of this addition and was told approximately \$200,000. Mr. Hunter asked if they had any plans for the use of the rest of this land and was told on the north-west corner planned on a soccer field; south, softball; far west campground area. Mr. Hunter inquired if this would be for the exclusive use of the church and was told they don't know.

Mr. Flint indicated a concern about drain to the west and their maintaining it. Mr. Flint also was concerned about a possible chlorine treatment and stated he will look into this.

Dave Robbins, Chairman Conservation Board, stated that he thought drainage was fairly adequate and that he would verify this.

Mr. Miller stated that the building code is such that requirements to attempt a change into a school, they will run into problems with the code, building code restrictions are much tighter.

DECISION: Unanimously approved, subject to the following conditions: 1. Keep the original road cut and eliminate the two new road cuts. 2. Add more catch basins in the parking lot, subject to approval of the Town Engineer; 3. This structure is not to be used for a school or day care center.

Final site plan approval has been waived.

OLD BUSINESS:

1. Application of Eric Ruhle, Ampor Beach, Hilton, New York 14468 for Final Site Plan Approval for a general contracting business with offices, with the storage of contracting equipment, and mixing and packaging of asphalt & cement patching at property located at 3535 Union Street in CI zone.

Mr. E. Ruhle was present to discuss this with the Board. He indicated plans on his drawings. Will have Texture 111 siding, the front will be stucco and painted, providing for fire access in the rear, will be in compliance with fire code and regulations. Would like to begin construction this spring.

Mrs. Bartok asked if he had talked with the Buffalo firm about the cyclone system, and Mr. Ruhle answered he has talked with them, they have drawings and they assured him they can provide this. Mrs. Bartok also asked if he had talked with the Health Department about this, and Mr. Ruhle answered he was trying to get in touch with them, and probably will buy aggregate until they obtain the Health Department's approval.

DECISION: Approved, with the conditions that he submit a set of drawings for the cyclone system to the Building Inspector, a letter of credit will be requested for landscaping and a "certificate to operate" must be obtained from the Monroe County Health Department, Section 115-42 (G), paragraph 4 will be vigorously enforced.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *4-7-82*...

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Issue Dated... *4-7-82*...

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Notary

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NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 19*83*

Patricia M. Smith
Patricia M. Smith
Publisher

Legal Notice

CHILI PLANNING BOARD

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on April 13, 1982 at 7:30 p.m. to hear and consider the following applications:

1. Application of Hunt Real Estate, 237 Main Street, Suite 500, Buffalo, New York 14203 for Conditional Use Permit to use existing building as a single family dwelling at property located at 3220 Chili Avenue in GB zone.
2. Application of A.J. Transportation, 24 Lincoln Avenue, Rochester, New York 14611 for preliminary site plan approval for a change of use to allow the outside storage of tractors and trailers, with the maintenance and repair at property located at 1525 Scottsville Road in GI zone.
3. Application of A.J. Transportation, 24 Lincoln

Avenue, Rochester, New York 14611 for Conditional Use Permit to allow the outside storage of tractors and trailers, with the maintenance and repair at property located at 1525 Scottsville Road in GI zone.

4. Application of Don Vogler, 1250 Paul Road, Churchville, New York 14428 for preliminary site plan approval to erect a 32'x40' barn at property located at above address in LI zone.

5. Application of West Chili Exxon, 3610 Union Street, North Chili, New York 14514 for Conditional Use Permit to allow an above ground propane tank at property located at above address in GB zone.

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

Betty Bartok
Chairwoman
Chili Planning
Board

Meeting Board - April 1982

PLANNING BOARD
April 13, 1982

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Present: Betty Bartok, Chairperson; Bob Newman, Vice Chairman; Bob Hunter, Bill Deans; Mitch Rakus, Ray Bleier.

Also Present: Mr. Miller, Deputy Town Attorney; Robert Connolly, Building Inspector.

Mr. Miller stated that this is a legally constituted meeting of the Chili Planning Board and that notice of the meeting has been advertised in a newspaper of general circulation and also posted on the Town Clerk's Bulletin board.

1. Application of Hunt Real Estate, 237 Main Street, Suite 500, Rochester, New York 14203 for Conditional Use Permit to use existing building as a single family dwelling at property located at 3220 Chili Avenue in GB zone.

Mr. S. Hunt of Hunt Real Estate was present to discuss with the Board this application. He stated that this building was the Baldwin Piano Store previously. Rented it to two girls on a month-to-month basis. They have no intention to keeping this as a residential use, and in the future hope to begin development in the same context of the plaza as a whole.

Mr. Newman asked what changes they have made to this dwelling, and was told none whatsoever, 3-bedroom house, living and dining rooms and kitchen, there has been no change of character.

Mr. Connolly said they had a conditional use permit to operate as business, and what Mr. Hunt is saying is that they want to use as a home on a temporary basis.

Mr. B. Deans inquired if they planned tearing this down or how they planned to use this structure, and was told their plans would be according to what a tenant would want. Don't know what needs of a prospective tenant would be. Present tenants have a 9-month minimum rental with 3-month notice.

Mr. Rakus asked how long they would like this conditional use for and was told two years.

DECISION: Unanimously approved for a period of two years.

2. Application of A. J. Transportation, 24 Lincoln Avenue, Rochester, New York 14611 for preliminary site plan approval for a change of use to allow the outside storage of tractors and trailers, with the maintenance and repair at property located at 1525 Scottsville Road in GI zone.

Mr. Anthony Ulgiati was present to discuss this with the Board. He said that he has a trucking company there and would like to use as original building for parking, maintenance and repairs.

Mr. Rakus asked him what his plans were and he was told that they intend to clear under brush out and put gravel in.

Mr. Newman asked if they planned on doing any maintenance outside of the building, and was told no, it would be all inside.

Mr. Rakus asked when they park trailers will they have materials in them for storage purposes, and was told they will be mostly empty. Mr. Rakus asked if they had checked and investigated the traffic on Scottsville Road, and Mr. Ulgiati explained that most of the trailers would be stored and taken out as needed.

Mr. Hunter inquired as to the hours of operation and was told 6 a.m. to 6 p.m., if it would be after 6 p.m., they probably wouldn't bring it in until the next day.

Mr. Deans asked the location of their main facility now and was told 24 Lincoln Avenue.

Mr. Hunter asked how many trailers there are there now and was told 12, but intend a lot more. Mr. Hunter inquired as to how many five years from now and was told maybe 100.

Mrs. Bartok stated that it looked like there were spaces for 60 trailers and was told each space is 20 foot wide and would accommodate two trailers. Mrs. Bartok inquired as to their intention on using gravel parallel to Scottsville Road, and was told they intend to put grass back in there and will keep it mowed. She further asked when they intended to repair the entrance to the rear of the building and was told this summer, before September. Mr. Ugliati said if needed they can sell waste oil. Mrs. Bartok asked if they were planning on having a dumpster and was told the trucks do this **dumping off site**. She asked if they are planning on removing trees, and was told they will be cut and removed. She asked if the loading docks will remain and was told yes. Mr. Ugliati explained that quite a bit of the refuse there will be removed immediately.

Mr. Deans asked if they planned on transferring material on the site, and Mr. Ugliati said yes, but they don't intend to put a terminal or warehouse in at this time.

Mr. Miller inquired as to what they generally transport and was told freight, computer parts, and buildings, similar to the old-fashioned voting booths only made out of steel.

Mr. Bleier asked if they had any garbage trucks and was told no. He asked if they have perishables as a commodity and was told yes.

Mr. Connolly asked if they planned on putting up a tower and was told no. Mr. Hunter asked if there were plans for altering the building and was told no, other than a facelift. Mr. Hunter asked how many employees and Mr. Ugliati said 6-10. They expect to do their own repairs on some of the trucks, like oil changes, etc. Mr. Hunter asked if they stated there would be no outside storage would that be a problem for them, and Mr. Ugliati said none, there is plenty of storage in the building.

Mr. Bleier asked if these trailers would be licensed and was told yes, no storage of unlicensed trailers.

Mr. Connolly asked where they wash their trailers out and was told they have a contract with Sparkle Car Wash on Jefferson Road. Mr. Rakus inquired if they plan in the future to have cleaning system on their on-site facility, and was told no, they feel they will stay with Sparkle.

Airport Review said matter for local determination.

Mrs. Bartok asked if the freestanding sign will be maintained? Mr. Ugliati said they would like the sign to say A. J. Transportation. Mr. Connolly informed Mr. Ugliati that he would need a variance to change the sign.

Mr. Ugliati stated that he wanted to point out the fact that these trailers are very expensive and range from \$75-100 thousand dollars. Mr. Ugliati's business is to see that these trucks are in use and that they are maintained. In favor of this.

Mr. Nesbitt, Trooper with the New York State Police, Henrietta Substation, said he would give Mr. Ugliati a 4-star rating. In favor.

DECISION: Approved preliminary site-plan approval.

3. Application of A. J. Transportation, 24 Lincoln Avenue, Rochester, New York 14611 for Conditional Use Permit to allow the outside storage of tractors and trailers, with the maintenance and repair at property located at 1525 Scottsville Road in GI zone.

(See 2 above)

DECISION: Approved with the following conditions:

1. No unlicensed vehicles to be stored on the premises.
 2. No outside storage of materials or parts.
 3. No flushing or cleaning of trailer interiors on site.
 4. Tractors and trailers to be parked in a neat and orderly fashion.
 5. No additional tanks for storage of oil or fuel without permission of the Fire Marshal.
 6. Waste oil to be collected and stored inside building until removed from site, subject to approval of the F.M.
 7. All maintenance to be performed inside the building.
4. Application of Don Vogler, 1250 Paul Road, Churchville, New York 14428 for preliminary site plan approval to erect a 32' x 40' barn at property located at above address in L1 zone.

Mr. Vogler was present to discuss this with the Board. He said that he bought this farm two and a half years ago, and needs more barn space so equipment can be put inside. The property now has a house, garage and a barn. He showed the Board a picture of the barn he intends to put up. He wishes to upgrade his property, this barn will be in the vicinity of his house so wants to put something decent up.

Mr. Hunter asked if he was basically a dairy farmer and was told he has some beef steer there, raises corn, etc., and would like to rent an additional 30 acres behind his property.

Mr. Miller asked him how many acres he owned and was told 40 acres. His house and barn are basically in the center, there is roughly 900 feet from the back of the building to back property line.

Mr. Newman asked if this building would be equipped with electricity and water? He was told there would be no service from the pole, but from the house, and he was thinking of running this underground. Mr. Newman asked if he planned any storage of flammable materials? Mr. Vogler said no, none at all.

DECISION: Unanimously approved, with finals waived.

5. Application of West Chili Exxon, 3610 Union Street, North Chili, New York 14514 for Conditional Use Permit to allow an above ground propane tank at property located at above address in G3 zone.

Mr. Thomas Hardy, a representative of Suburban Propane, was present to discuss this with the Board. He said this would be a 500 pound dispensing unit, the distance would fall within the approved distances, and they will instruct personnel of West Chili Exxon on the proper procedures for filling of these cylinders.

Monroe County states this is a matter for local determination.

Mrs. Bartok inquired as to where this tank would be with respect to the grassy area and pavement on their property? Mr. Gene Nowak, 926 Coldwater Road, of West Chili Exxon, stated the ends of the tank would be east and west and it would be on the grass. Mr. Miller asked what was directly across the street and was told an empty lot.

Mr. Hunter stated that he would like to note for the Board that one of the conditions in the original application was for a screening of trees, and this might be a good time to remind Exxon of this condition because of the residents in the area. He would like to see the original conditions fulfilled.

DECISION: Approved with the following conditions:

1. The tank must be installed according to national codes.
2. Adequate and stable vehicle barriers to protect the tank from any outside forces from an out of control vehicle. Barriers must be in place and installation by the Fire Marshal and Building Inspector prior to charging the tank.
3. Proper training and fire safety procedures for all personnel.
4. Place the tank in such a manner that the ends are not aimed at the building or pump islands.

FOR DISCUSSION:

1. Browning-Ferris Industries, P. O. Box 13440, Rochester, New York 14613.

Mr. Nichols was present to discuss this with the Board. He said they were under construction of a new facility and wish an extension to July 1, 1982 to extend time limit for the storage of tractors and trailers.

DECISION: Extension granted until July 1, 1982.

The January 12, 1982, July 14 and 21, 1981 minutes were approved.

Betty Bartok, Chairperson
Chili Planning Board

PLANNING BOARD
May 11, 1982

The meeting of the Planning Board of the Town of Chili was held in the Chili Administration Offices, 3236 Chili Avenue, Rochester, New York 14624 on May 11, 1982. The meeting was called to order at 7:30 p.m. by Chairperson Betty Bartok.

Present: Betty Bartok, Chairperson; Robert Newman, Vice Chairman; Ray Bleier, Bob Hunter, Mitch Rakus, Dr. Rague, and Bill Deans.

Also Present: Mr. Miller, Deputy Town Attorney; Robert Connolly, Building Inspector; John Flint, Bergmann Associates, Mr. Bloss, Drainage Committee.

Mrs. Bartok stated that this is a legally constituted meeting of the Chili Planning Board and that notice of the meeting has been advertised in a newspaper of general circulation and also posted on the Town Clerk's bulletin board.

1. Application of B. R. DeWitt (Marion Brokaw), 20 Transport Drive, Rochester, New York 14623 for preliminary site plan approval to erect a 9' diameter fly ash silo - 45' high at property located at 1533 Scottsville Road in GI & FPO zone.

Mr. M. Brokaw appeared before the Board, stating that this has appeared in front of the Zoning Board. Since that time it has come in and they have put this on a concrete platform and it is not hooked up yet and will not be until they get approval. They need this to be competitive with the concrete business. This is an energy saver plus it will help to keep concrete stabilized at a price. Fly ash is a waste material and the Federal Government is backing the use of fly ash because they have no way of getting rid of it. This has been proven to help strengthen concrete. He showed the Board pictures of facility. He stated he wants to put this silo up next to concrete plant.

Mr. Rakus stated he had visited the plant and was confused as it has been placed into position and no one notified any Board. He feels it is already built there and should have gotten permission before to put this structure up. It appeared to him as though someone has been using this structure and there was a truck there which appeared to be taking cement.

Mr. Brokaw said he would give his word there is nothing in there, no electrical has been put in.

Mr. Hunter asked how far back from the street this would be and was told 750 feet. He asked if they had gotten a variance from the Zoning Board and was told yes; Mr. Hunter asked if they (Zoning) had requested any screening? Mr. Brokaw stated that the Zoning Board asked for small pine trees but this was just suggested. Mr. Hunter said that if this wasn't in the right spot, it would put the Board in a difficult position if this were already in place. Mr. Brokaw said they would move it someplace else, if it is not in the position the Board wants.

Mrs. Bartok said one of their concerns, along with that of the Zoning Board, is air pollution. She asked how this fly ash would arrive to them and was told tanker trucks, and the silo has a dust bag. Mr. Brokaw further stated that the Monroe County Department of Health checks this every year. This is a shielded unit, goes into scales in dust bag, presently mixed and dumped into the trucks. Mrs. Bartok asked then if this would not be exposed to the air and was told no. She asked if there were vents that could be opened, and was told it goes through a dust bag and then into the air. She asked when you mix fly ash with concrete product is that done inside the building, and was told presently it is mixed inside drum and dumped into truck. Monroe County is satisfied, zoning local matter. Will not require additional environmental review by this agency.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *5-5-82*

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

GATES-CHILI NEWS

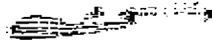
Issue Dated... *5-5-82*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER

NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 1983

Patricia M. Smith
Patricia M. Smith
Publisher



Legal Notice

CHILI PLANNING BOARD

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on May 11, 1982 at 7:30 p.m. to hear and consider the following applications:

1. Application of E.R. DeWitt (Marion Brokaw), 20 Transport Drive, Rochester, New York 14623 for preliminary site plan approval to erect a 9' Diameter fly ash silo-45' high at property located at 1583

Scottsville Road in GI & FPO zone.

2. Application of Amateur Sports, 53 Hay Market Road, Rochester, New York 14624 to enlarge and extend upon the previous Conditional Use Permit. Applicant is proposing to sell beer on premises at property located at 525 Ballantyne Road in RA-20, FPO & FW zone.

3. Application of Joseph Yachette, 70 Hillary Drive, Rochester, New York 14624 for preliminary subdivision of one lot consisting of 16.8 acres at property located at 136 Stottle Road in PRD & FPO zone.

4. Application of Joseph

Yachette, 70 Hillary Drive, Rochester, New York 14624 for Conditional Use Permit to allow a guest house at property located at 136 Stottle Road in PRD & FPO zone.

5. Application of Joseph Yachette, 70 Hillary Drive, Rochester, New York 14624 for preliminary site plan approval to erect a guest house at property located at 136 Stottle Road in PRD & FPO zone.

6. Application of Jeff Curts, 68 Allandale Avenue, Rochester, New York 14610 for preliminary site plan approval for a change of use to allow the retail sale of

automotive parts & accessories, with the minor repair of automobiles at property located at 1288 Scottsville Road in GB zone.

7. Application of Jeff Curts, 68 Allandale Avenue, Rochester, New York 14610 for Conditional Use permit to allow the minor repair of automobiles at property located at 1288 Scottsville Road in GB zone.

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

Betty Bartok
Chairwoman
Chili Planning Board

Handwritten: Betty Bartok
Chairwoman
Chili Planning Board
May 1982

Mr. Newman asked what their change in operation was that requires this? Mr. Brokaw explained that within a matter of a couple of years the Federal Government is backing the use of fly ash, and he feels that it will become mandatory in all state and federal work. Mr. Hunter asked if this was an additional product in your components and was told yes. Mr. Hunter asked if this silo was a storage type of facility and was told yes, it comes out of here and then mixed and dumped into trucks. Mr. Hunter asked how this was transferred and was told shielded tank trucks and blown up with air, they remove it with air too into hoppers.

Mr. Deans asked if there would be an increase in the number of trucks bringing this fly ash in and was told none, that this will take the place of some of the cement.

Mr. Flint asked the dimensions of the concrete platform and was told 5" deep, 2" wide footers all the way around. 4,000 pounds of concrete in all.

Mr. Keith Lape, 19 Alfred Avenue, spoke in favor of this, as a member of the Riverdale Community, and said he never realized they were even there. Hard to tell they are back off that road.

No one spoke in opposition.

DECISION: Approved with Mr. Rakus voting no. Finals waived.

- 2. Application of Amateur Sports, 53 Hay Market Road, Rochester, New York 14624 to enlarge and extend upon the previous Conditional Use Permit. Applicant is proposing to sell beer on premises at property located at 525 Ballantyne Road in RA-20 and FPO and FW zone.

Mr. D. Aselin, representing Amateur Sports, was present to discuss this before the Board. He stated he wanted this in order to improve and make his property look the way they have and to make income. They have contracted with Canteen Corp. as a vendor, and this would be allowed only in the concession area. They do not allow alcoholic beverages along playing areas. There will be no bottles or cans. Their people walk up and down road to pick up litter, some of which they do not feel is generated from their park. They maintain this to keep in good with neighbors and towns.

Mr. Deans asked about their alarm system and was told this year they have a fail safe system which will ring into the Sheriff's Department. Mr. Deans asked what their biggest concern was in regards to this and was told vandalism stemming from teenagers 14-16 years old, that it costs them thousands of dollars--they are driving through gates, destroying picnic tables, etc. They will need to generate money from other avenues other than playing fields in order to control this.

Mr. D. Whitney, representing Canteen Corp. of Rochester, was present. They will hold the liquor license and will be open 7 days a week, Monday-Friday in the evenings and Saturday and Sunday noon until they shut down. Beer will not be served until after 12 on Sunday.

Mr. Rakus asked if they were going to remain open after the games and was told they estimate within a half an hour after games they would close, around 9:30. Mr. Bleier asked if they imposed a 10:00 p.m. closing if it would inconvenience them and was told no.

Mr. Hunter commented on their nice job and asked about a question in terms of trailers, and asked about screening in regards to trailers. Mr. Aselin stated they are hoping to eliminate trailers this fall and put up a building.

Mrs. Bartok asked about the possibility of the selling of beer bringing in packaged liquor, and was told they have a staff of 4 there now and our staff spends 2 hours picking up trash. They have a parking attendant and when he sees someone taking beer out of their car will

ask them to put it away and if they don't, are asked to leave and then will call the Sheriff's Office. Umpires in the field see to it no one is drinking there. The only thing for sale is plastic cups with beer in them. There will be controlled areas only where they can eat and drink draft beer.

Mrs. Bartok stated this system has worked at the drag races and is rigidly enforced there. Mr. Aselin stated that he had given every manager a copy of the "open container ordinance" from the Town, and said hopefully this will stop beer from being brought in.

Mr. Miller asked what type of facility they were planning on putting up and was told they have two smaller trailers and one side is office and other side with sink, hot water heater, shelves, etc. Concession area will be a secured area where they can eat and drink.

Mr. Newman asked if they anticipated having any signs where they can eat and drink and was told at this time are not planning on any signs.

Mr. Wanzenried, 700 Ballantyne Road, concerned with litter and drinking. They clean up trash once a month and come up with two trash cans full of trash. Feel they get in cars and drive off and put trash in neighbors' lawns. Would like to see a 10:00 p.m. limit imposed. Also commented them on the nice job they are doing.

Gail Elder, had a question about people bringing in beer to the games, and was told that participants do not drink beer at all until after the game is over. If a spectator wants a beer he can drink one, in specified areas. They do not invite the public to come in.

Jerry Domski, Westway Drive, said that umpires at baseball games control this and will get rid of players who try to drink beer.

Ed Ramaletti, umpire, 27 Meetinghouse Drive, in favor of selling beer in this park. He said that umpires control use of beer by players. He thinks a controlled area is a good idea.

Jeff Austin, 233 Privetway, said that he had helped Don Aselin, and this way could control it and they won't have to worry about the mess of beer bottles.

Joe Quack, 15 Chili Scottsville Road, feels cups are much better than bottles.

No one spoke in opposition.

DECISION: Unanimous approval with the following conditions:

1. Extension of Conditional Use Permit for one year.
2. Concession stand closes at 10:00 p.m.
3. Mr. Aselin request that the Town enforce the Open Bottle Law on his property.

3. Application of Joseph Yachette, 70 Hillary Drive, Rochester, New York 14624 for preliminary site plan approval to erect a guest house at property located at 136 Stottle Road in PRD & FPO zone.
4. Application of Joseph Yachette, 70 Hillary Drive, Rochester, New York 14624 for preliminary subdivision of one lot consisting of 16.8 acres at property located at 136 Stottle Road in PRD and FPO zone.
5. Application of Joseph Yachette, 70 Hillary Drive, Rochester, New York 14624 for Conditional Use Permit to allow a guest house at property located at 136 Stottle Road in PRD and FPO zone.

Mr. H. Klingenberger was present to discuss this before the Board on behalf of Mr. Yachette. This land is approximately 1700 feet north of Bowan Road. Mr. Yachette's intention is to build a guest house and also in the future to build house located in center of this land. Proposed septic system leech fields, two facilities will be serviced, guest house and house. The guest house will not have any kitchen facilities in it. It will be strictly bedroom facilities, and toilet facility. The house will have normal facilities.

Mrs. Bartok asked if they would be planning on building the guest house first and was told yes. Mr. Rakus asked what this guest house would be used for and was told Mr. Yachette has horses on the property and if someone is they they can use that. He understands he is going down there on weekends and using it now, and in the future could use it for visitors.

Mr. Hunter asked if this guest house will be used prior to the house and was told yes. Mr. Hunter asked how they were going to eat and was told by Mr. Connolly he told him they were going to put in a barbeque outside. Mr. Connolly said that Mr. Yachette understands that if he does not put a kitchen in it is the only house he can put on this lot. Mr. Connolly said that he made him well aware of PRD and what the zoning is.

Mrs. Bartok asked if he was planning a driveway for access to this guest house and was told by Mr. Klingenberger no.

Mr. Rakus asked if they were planning a basement and was told he doesn't know. Mr. Rakus asked if there would be two separate heating facilities and was told he doesn't know.

Mrs. Bartok stated that the Board would like to have Mr. Yachette present. Mr. Klingenberger said that Mr. Yachette could not make it tonight and would be at the next Board meeting.

No one spoke in favor or opposition.

DECISION: Reserved.

6. Application of Jeff Curts, 68 Allendale Avenue, Rochester, New York 14610 for Conditional Use Permit to allow the minor repair of automobiles at property located at 1288 Scottsville Road in GB zone.
7. Application of Jeff Curts, 68 Allendale Avenue, Rochester, New York 14610 for preliminary site plan approval for a change in use to allow the retail sale of automotive parts & accessories, with the minor repair of automobiles at property located at 1288 Scottsville Road in GB zone.

Mr. Curts was present to discuss this before the Board. He presently has his business at 291 Dewey Avenue and sold this property. He has relocated and intends to do the same business he has done for the past 4 years and expand into wider automobile business. Would like to expand into minor repairs.

Mrs. Bartok asked if short term vehicle storage was for anything other than repairs and was told he will not have sales as far as motor vehicles. He does occasionally take in seats on trade and they are stored inside the building.

Mr. Rakus asked if he had planned to pump gas in the future and was told no, hasn't done it in the past and doesn't plan on it in the future. Asked by Mr. Rakus if he was going to change oil and was told yes. He stated that he has a subcontractor who is a New York State Inspector.

Dr. Rague asked if he was going to buy or rent and was told buy, contingent upon the Board's approval.

Mr. Deans asked what he intended to do about trailers around the building and was told the trailers will be removed, he intends to renovate within the first month the interior and exterior, he will clean this up and make presentable. A condition of his purchase will be that all this is cleaned up and cleared out. Mr. Deans asked him about signs and was told he doesn't have any definite plans, there will be a sign affixed to the building itself.

Mr. Rakus asked if he would be dismantling cars and was told no. Mr. Hunter asked his estimate for refurbishing the building and was told interior about \$2,000, electrical work inside, needs overhead door, windows, roof. Total estimate would be about \$5,000 just to get it to operate. Mr. Rakus asked if he were going to sell parts out of his office and was told yes.

Mrs. Bartok stated that his location on Dewey Avenue is very attractive. She asked when he intended to pave the parking area and was told he hopes to do this within a year or so. He is an established business and he feels it will help business being in this area.

Mr. Flint asked if it would be a standard practice to keep cars overnight, and was told inside the building, he stated that he does not protect outside the building and he doesn't want vehicles there.

Keith Lape, 19 Alfred Avenue, asked if he would be storing cars there overnight, and was told occasionally. He asked if he would be buying and selling cars on the property and was told no. Felt that the Board should put condition there as to how many cars can be left outside at night.

Mr. Rakus asked him if a condition were put on how many cars would he want parked overnight and was told 4 vehicles would be unusual for any given period of time.

No one spoke in favor or opposition.

DECISION: Unanimous approval for preliminary site plan approval, finals waived.
Unanimous approval for a Conditional Use Permit with the following conditions: 1. Minor mechanical repairs be limited to tune-ups, oil changes, tires and similar repairs, 2. Not more than 4 (four) cars are to remain on the premises overnight, 3. Remove trailers and debris, 4. No outside storage of parts or materials, 5. No car sales.

INFORMAL:

1. Application of Perna Homes, 1075 Paul Road, Churchville, New York 14428 for sketch plan layout of 65 lots at property located at 150 Archer Road in R-1-15 zone.

DECISION: Reserved decision pending a report from the Townwide Drainage Committee.

OLD BUSINESS:

- Eric Ruhle - Approved landscaping plans submitted April 27, 1982. The plans were approved contingent upon landscape architect's signature.

Betty Bartok
Chairperson, Planning Board

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PLANNING BOARD
June 8, 1982

The meeting of the Planning Board of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624 on June 8, 1982. The meeting was called to order at 7:30 p.m. by Chairperson, Betty Bartok.

Present: Betty Bartok, Chairperson; Robert Newman, Vice Chairman; Ray Bleier, Bob Hunter, Mitch Rakus, Dr. Rague; and Bill Deans.

Also Present: Robert Connolly, Building Inspector; John Flint, Bergmann Associates; and Mr. Bloss, Drainage Committee; (Mr. Miller, Deputy Town Attorney, appeared at 7:45 p.m.).

Mrs. Bartok stated that this is a legally constituted meeting of the Chili Planning Board and that notice of the meeting was advertised in the Gates-Chili News and also posted on the Town Clerk's bulletin board.

1. Application of Joe Benson's Service, Inc., 1421 Scottsville Road, Rochester, New York 14624 for renewal of Conditional Use Permit for the temporary storage of towed/unlicensed vehicles at property located at above address in GI zone.

Mr. Benson appeared before the Board and stated that plans are no different than they were last year outside of the fact they have discontinued police towing which eliminates a lot of vehicles they have to store assisting the insurance companies. Plans for beautification and maybe face lifting of the building.

Mr. Bleier asked what his main business was and was told a combination of auto repairing and towing for the State Police. They store these towed cars for the States Police and this is minor. Towing is a major part of their business. Mr. Bleier asked how many cars they have stored there and was told 25 maximum. Mr. Bleier stated that he understood a lot of cars in front are customers and was told yes, they are open 24 hours a day and are employees cars too. Mr. Hunter stated he saw an unlicensed car there which looked to be in a bit of distress. Mr. Benson said all those cars in front are employees' cars, and that might have been someone to pick up a car. Mr. Rakus inquired that Mr. Benson had mentioned he has a used-car for sale, and asked if this meant he was in the used car business? Mr. Benson answered no, he just had a car for sale. Mr. Rakus asked if he were planning on selling used cars in the future and was told no. Mr. Rakus asked if he had permission to park cars under the power line there and was told no.

Monroe County states matter for local determination.

No one spoke in favor or opposition.

DECISION: Unanimously granted with the following conditions:

1. Granted for the 150' x 150' property owned by the applicant;
 2. Gate on rear fence of property to be permanently closed and sealed;
 3. No stacking of automobiles on premises;
 4. No dismantling of automobiles on premises;
 5. Continue to improve cleanliness and beautification of area;
 6. Storage of unlicensed vehicles, parts or merchandize to be confined to the present enclosed area;
 7. Limit of 15 vehicles in front of building.
2. Application of Elmer Taylor, 1965 New Michigan Street, Canandaigua, New York 14424 for renewal of Conditional Use Permit for a single family dwelling combined with a gas station at property located at 1415 Scottsville Road in GI zone.

Mr. Taylor was present stating he opened his business two years ago and applied for Conditional Use Permit which he got. He has built a substantial business and applying to stay the way it is now. Mr. Hunter stated he would like to compliment him and his operation is very nice and very clean. Mr. Taylor thanked him and said he enjoys keeping things nice. He would like to get the State to fix the shoulder of the road there. He would like to do some additional landscaping and intends to

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date *6-2-82*

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

GATES-CHILI NEWS

Issue Dated *6-2-82*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER

NOTARY PUBLIC, State of N.Y. Monroe Co.
My Commission Expires March 30, 1983.

Patricia M. Smith
Patricia M. Smith
Publisher

Legal Notice

CHILI PLANNING BOARD

Pursuant to Section 271 of Town Law, a public hearing will be heard by the Chili Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on June 8, 1982 at 7:30 p.m. to hear and consider the following applications:

1. Application of Joe Benson's Service Inc., 1421 Scottsville Road, Rochester, New York 14624 for renewal of Conditional Use permit for the temporary storage of towed/unlicensed vehicles at property located at above address in G1 zone.
2. Application of Elmer Taylor, 1985 New Michigan Street, Canandaigua, New

York 14424 for renewal of Conditional Use permit for a single family dwelling combined with a gas station at property located at 1415 Scottsville Road in G1 zone.

3. Application of Linda & Wayne Morrison, 2601 Scottsville Road, Scottsville, New York 14546 for preliminary subdivision of one lot to be 2 acres (270'x325') at property located at 876 and 880 Brook Road in PRD zone.

4. Application of Charles Cutais (Cutais's Farm Market), 2575 Chili Avenue, Rochester, New York 14624 for preliminary site plan approval to erect a 19'x41' greenhouse at property located at above address in NB zone.

5. Application of Charles Cutais (Cutais's Farm Market), 2575 Chili Avenue, Rochester, New York 14624 for extension of Conditional Use Permit to erect a 19'x41' greenhouse at property located at above address in NB zone.

6. Application of Adriano Centi, 105 Attridge Road, Churchville, New York 14428 for preliminary resubdivision of 2 lots at property located at 105 & 107 Attridge Road in R-1-15 zone.

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

Betty Bartok,
Chairwoman

*Planning Board Book
June 1982*

maintain it. Mr. Rakus asked if they decided to grant Conditional Use Permit how many years would he like it for, and was told anytime they feel, planning on being there for a long time, he thought five years would be better.

Mrs. Bartok stated his place looks very nice. Mr. Newman asked if there is a residence there and if so, if he intended to keep it there? Mr. Taylor answered yes to both questions.

(Mr. Miller appeared.)

Monroe County states matter for local determination.

No one spoke in favor or opposition.

DECISION: Unanimously granted for five (5) years.

3. Application of Wayne and Linda Morrison, 2601 Scottsville Road, Scottsville, New York 14546 for preliminary subdivision of one lot to be 2 acres (270' x 325') at property located at 876 and 880 Brook Road in PRD zone.

Mr. Morrison stated to the Board that he originally bought property to do over house that is on the property. He worked on it and had a stop work order put on until he got a subdivision. Since he started this project, he has bouth another property and no longer lives there and has a purchase offer on it.

Mr. Miller asked if he had removed part of the building under variance, and he stated no. Mr. Connolly read the variance which was granted to him at the Zoning Board on September 23, 1981.

Mrs. Bartok asked him about the lots and was told one lot was willed to him and the other one he purchased. Mrs. Bartok asked if there was a septic system there, was told there is an existing system, but he hasn't dug it up to see what it is.

Monroe County states matter for local determination.

No one spoke in favor or opposition.

DECISION: Unanimously granted with final subdivision waived.

4. Application of Charles Cutaia (Cutaia's Farm Market) 2575 Chili Avenue, Rochester, New York 14624 for preliminary site plan approval to erect a 19' x 41' greenhouse at property located at above address in NB zone.
5. Application of Charles Cutaia (Cutaia's Farm Market) 2575 Chili Avenue, Rochester, New York 14624 for extension of Conditional Use Permit to erect a 19' x 41' greenhouse at property located at above address in NB zone.

Mr. Cutaia was present to discuss this with the Board. He informed them that the greenhouse will be put up for flowers and would like to leave it up for some of the evergreens we have left over to keep them from the wind in the winter. Mrs. Bartok asked if this was a temporary structure, and was told it is temporary in that he can take up and down with no time at all, but he would like it if they agreed to keep it up. Mrs. Bartok asked if he had a permanent foundation and was told no, it is anchored with railroad ties.

Mr. Rakus asked him what kind of framework and was told it was plastic, 1½" tubing anchored into railroad ties.

Mr. Deans asked why he wants it where he has it, and was told the reason is that there is no place else, and that he was in the process of buying more land near there.

Mr. Hunter asked if this is the structure that is there now and was told yes. Mr. Hunter asked what he intended to do in the winter and

was told he would like to leave it up if the Board will allow him to. If the Board says no, he will take it down. Mr. Hunter asked if this was convertible, if he purchased land he might put this in a different spot? Mr. Cutaia said he would like a whole new building there one day.

Mrs. Bartok asked him if his propane tank was within 14 feet and was told 25 feet. Mrs. Bartok asked if the Fire Marshal checked this out? Mr. Cutaia said no. Mrs. Bartok stated that the tank would tend to blow out at end and this faces right toward this building. Mr. Cutaia said the people who sold him the tank said that is where it should be, and that is where the tank was when he purchased this building. Mrs. Bartok read the Fire Marshal's requirements to Mr. Cutaia. She further asked how he took tanks to be charged? Mr. Cutaia explained the only thing he allows near the tanks is campers because tanks are attached. Mr. Cutaia indicated he would have no objection to the Fire Marshal coming down and looking at this. Mr. Connolly said he would talk to the Fire Marshal.

Monroe County states matter for local determination.

No one spoke in favor or opposition.

DECISION: Granted for one year. Preliminary site plan approval, granted and requirements for final site plan approval waived.

6. Application of Adriano Centi, 105 Attridge Road, Churchville, New York 14428 for preliminary resubdivision of 2 lots at property located at 105 & 107 Attridge Road in R-1-15 zone.

Mr. Arnold Carmichael, a licensed engineer, was present representing Mr. Centi. He showed the Board plans and stated that the houses are built parallel to lot line and not parallel to the road. Setback of 140' from center line of that road. Width would be the same as the original. Change would be in the depth. R-2 would have very little privacy as it is. Mr. Hunter asked if there were two homes there now, and was told R-1 and R-3 are built on, R-2 (107) is not built on at the present time. That is the reason we are asking for the 200 feet. Mrs. Bartok explained that at the time the lots were reduced in size it was done to reduce the cost of the lots to entice the customers and Mr. Carmichael agreed.

Mrs. Bartok stated that Monroe County Planning reviewed application and said it was a matter for local determination.

No one spoke in favor or opposition.

DECISION: Granted.

OLD BUSINESS:

1. Application of Joseph Yachette, 70 Hillary Drive, Rochester, New York 14624 for preliminary subdivision of one lot consisting of 26.8 acres at property located at 136 Stottle Road in PRD & FPO zone.
2. Application of Joseph Yachette, 70 Hillary Drive, Rochester, New York 14624 for preliminary site plan approval to erect a guest house at property located at 136 Stottle Road in PRD and FPO zone.
3. Application of Joseph Yachette, 70 Hillary Drive, Rochester, New York 14624 for Conditional Use Permit to erect a guest house at property located at 136 Stottle Road in PRD & FPO zone.

Mr. H. Klingenberger and Mr. Yachette were present to discuss this before the Board. Mr. Klingenberger stated that subsequent to the last meeting they had received a variance from the Zoning Board, and that the application last month was tabled until tonight so Mr. Yachette could answer some questions.

Mr. Rakus asked the purpose of the guest house? He was told they first had went to Mr. Connolly to build guest facilities over the barn. They entertain a lot and spend weekends there. Need facilities, laboratories there. Mr. Connolly stated that he frowned on putting the guest facility over the barn because of safety reasons. They eliminated that and

updated and made better facilities and that is how they came about applying for this type of structure. Mr. Yachette already owns a home in Chili and we're trying to add class to the place on Stottle Road. Mr. Rakus asked when he proposed the 2-bedroom house would be built? Mr. Yachette said he could not say at the present time. Mr. Rakus asked if he planned on renting the guest house after the 2-bedroom house was built, and was told no.

Mrs. Bartok stated that Mr. Klingenberger had indicated that he may change the location of the two houses and asked if he had made a decision yet where you will put each house and was told just the way it is proposed on the map. Mrs. Bartok said another concern was with regard to the driveway reaching the guest house. She was told that the adjoining piece of property already has a driveway, would be about 100' from that driveway, and that is also his lot. Mrs. Bartok wondered if this would be an adequate access to the guest house and was told yes.

Mr. Bleier inquired as to why they were planning on putting up the guest house and have no time frame for other house, and was told because of the cost.

Mrs. Bartok asked if there were any plans to convert the guest house to a single family residence and was told no. She also noted that the proposed septic system would be large enough to convert this, and was told it was better to go with a bigger system, the cost isn't that much more. Mrs. Bartok wanted Mr. Yachette to be aware that if he did want to convert the guest house to a single family dwelling in the future it is only 85 feet away from northern edge of property, and the house would need a side lot variance. Mr. Yachette answered he hasn't looked at that that way, he would have to sell this as a full parcel.

Mr. Bleier asked what type of facilities he planned on installing in the guest house, and was told water, electricity and heat.

Mr. Connolly stated that no cooking facilities would be allowed in the guest house, adding that Mr. Yachette understands that and will use the kitchen area as a mudroom.

Mr. Miller asked how he plans on heating this and was told with electrical heat.

Mr. Hunter stated that since he has indicated there will be no kitchen in the guest house, and that he plans on not building the 2-bedroom house for a while how he planned on cooking, and was told they enjoy cooking out.

Mr. Rakus asked if he was saying that he would not use electric fry pans, microwave oven inside the guest house and was told yes.

No one spoke in favor or opposition.

DECISION: Granted - approved preliminary subdivision of 16.8 acres, finals waived. Conditional Use Permit for guest house granted. Preliminary site plan approval granted, finals waived.

Betty Bartok, Chairperson
Planning Board

PLANNING BOARD
July 13, 1982

The meeting of the Planning Board of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624 on July 13, 1982. The meeting was called to order at 7:30 p.m. by Chairperson Betty Bartok.

Present: Betty Bartok, Chairperson; Robert Newman, Vice-Chairperson; Bob Hunter, Mitch Rakus; Dr. Rague; Bill Deans.

Also Present: Robert Connolly, Building Inspector; John Flint, Bergmann Associates; Mr. Miller, Deputy Town Attorney; and Mr. Bloss, Drainage Committee Chairman.

Mrs. Bartok called the meeting to order. Mr. Miller stated that this is a legally constituted meeting of the Chili Planning Board and that notice of the meeting has been advertised in a newspaper of general circulation and also posted on the Town Clerk's bulletin board.

1. Application of Michael Weber, 647 Beahan Road, Rochester, New York 14624 for Conditional Use Permit to allow a machine shop in garage at property located at above address in RA-10 zone.

Mr. Weber was present and stated he wants a small machine shop in his garage consisting of a couple of machines and will be working at it part time. This is a small garage so there will not be many people in there at one time. Will not be any more growth in this garage, if the business catches on, they will move.

Mr. Rakus asked if this would create much noise and was told no. Mr. Rakus asked what type of work he was planning on doing and was told small fixture work, gauge work, milling, bridge-port, and lathe machines. Mr. Rakus asked if his garage was insulated and Mr. Weber said no, but it will be when he receives a permit.

Mr. Deans asked what he anticipated the average time per week he would operate this shop? Mr. Weber answered 6-9 p.m. during the week, but might not be every single day, and Saturdays. Mr. Deans asked if he were planning on doing work in the middle of the night and was told no. Mr. Hunter asked Mr. Weber what hours he would operate on Saturdays, and was told 8-4 or 5. In response to a question by Mr. Hunter, Mr. Weber stated there would be no Sunday hours.

Mr. Rakus asked how many people would be working along with him? Mr. Weber stated he had one partner and maybe one more person.

Dr. Rague asked if he presently owned the machines and was told he has one and would be buying one more.

Mr. Newman asked where he intended to store the raw materials and the finished products? Mr. Weber answered in the garage. Mr. Newman asked if he intended any outside storage and was told no.

Mrs. Bartok asked if he were planning on having any signs; and was told he hadn't thought about it, maybe just a little sign. Mrs. Bartok asked if there would be any large trucks making deliveries or picking up; and was told just UPS. Mrs. Bartok asked if he had received any complaints from his neighbors? Mr. Weber said none.

Mr. Hunter asked assuming that Mr. Weber did not have a sign, would there be any way to know that he had this business and was told no.

Mr. Rakus asked how he would dispose of oil; and was told probably a metal container.

No one spoke in favor or opposition.

DECISION: Approved for one year with the following conditions:
1. No signs; 2. No outside storage of parts or materials; 3. Hours of operation limited to 6-9 p.m. on weekdays, and 8-5 on Saturdays.

2. Application of William Alexander, 4375 Buffalo Road, North Chili, New York 14514 for preliminary site plan approval to erect a 26' x 14' outside storage cooler at property located at above address in GB zone.

Mr. Alexander was present to discuss this before the Board. He stated this cooler was mainly for storage for ice cream, etc.

Mrs. Bartok asked if this was up already and was told yes, they didn't realize they needed a permit for this. Mr. Deans said there is a white cooler there and a aluminum cooler and Mr. Alexander answered that is correct, they are all one unit and are combined together.

Dr. Rague commented on the graffiti and hoped they would clean this up.

No one spoke in favor or opposition.

DECISION: Approved with the following condition: 1. The rear of the building and the connecting metal building be painted in 60 days.

3. Application of Gary Salerno, 483 Rock Beach Road, Rochester, New York 14617 for preliminary site plan approval for a change of use to allow automobile sales and repair, and sales of automobiles at property located at 1525 Scottsville Road in GI zone.

Mr. Salerno was present and stated he plans to do automobile repairing, namely, collision and mechanical and plans to sell cars but not on a used-car basis and no specific plans on doing at the moment.

Mrs. Bartok asked if he would primarily be doing repair work and as a sideline selling used cars? Mr. Salerno answered yes, but his background is in repairing.

Mr. Hunter asked how many used cars and was told not more than 10. Mr. Rakus asked if he were planning on dismantling cars and was told no, there will be no junk cars or junk yard, no litter, no fenders-- will be a clean operation. Mr. Rakus asked if he were planning on having a body and fender shop; and was told yes.

Mr. Deans asked if he planned on doing work inside and outside and was told just inside. Mr. Hunter asked the days and hours of operation? Mr. Salerno answered 8-5 Monday-Friday; 8-2 Saturdays, no Sunday hours.

Dr. Rague asked if he would be dolling up cars for dealers and was told no, this is private.

Mrs. Bartok asked if he intended to have the gravel in the front remain and was told yes. In response to a question by Mrs. Bartok, Mr. Salerno stated he plans on doing the interior and would change the signs, but they will be basically the same, no additional signs.

Mrs. Bartok asked if he planned on repaving the entrance and parking area and to maybe 50' behind the garage area; and was told right now plans on not doing anything there, that will be in the future. Mrs. Bartok asked if he planned to grade and remove the trees in the rear and was told not at this time.

Mr. Miller asked how many cars the building would hold and was told 15-20 cars at one time, probably 20 additional on the premises at one time. Mr. Miller asked if he would keep all his parking back behind the wall, and was told he felt some parking will have to be in the front of the building, behind the sidewalk, the rest in the back alongside the building. Mr. Miller asked how many employees, and was told initially 4, but up to 10.

Mrs. Bartok asked what his total cost of renovations would be, and was told it will be mainly in the form of paint and clean up, about \$2,000. Mrs. Bartok asked if he would be the sole owner, and was told his brother-in-law owns 50 percent. Mrs. Bartok asked if he had any

Gates-NEWS-Chili

1289 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date *July 7, 1982*

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

GATES-CHILI NEWS

Issue Dated *July 7, 1982*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y. Monroe Co.
My Commission Expires March 30, 1983

Patricia M. Smith
Patricia M. Smith
Publisher

Legal Notice

CHILI PLANNING BOARD

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on July 13, 1982 at 7:30 p.m. to hear and consider the following applications:

1. Application of Michael Weber, 647 Beahan Road, Rochester, New York 14624 for Conditional Use Permit to allow a machine shop in garage at property located at above address in RA-10 zone.
2. Application of William Alexander, 4375 Buffalo Road, North Chili, New York 14514 for preliminary site plan approval to erect a 26'x14' outside storage cooler at property located at above address in GB zone.
3. Application of Gary

Salerno, 483 Rock Beach Road, Rochester, New York 14617 for preliminary site plan approval for a change of use to allow automobile sales and repair, and sales of automobiles at property located at 1525 Scottsville Road in GI zone.

4. Application of Harold Ford, 230 Chestnut Ridge Road, Rochester, New York 14624 for preliminary site plan approval to erect an 80'x40' professional building at property located at 2661 Chili Avenue in R-1-15 zone.

5. Application of Robert Fallone, 237 Fisher Road, Rochester, New York 14624 for final subdivision approval of 36 lots to be known as West Forest Estates Section #3 at property located at 100 Emerald Point in R-1-15 zone.

6. Application of Frank Phillipone, 3116 Chili

Avenue, Rochester, New York 14624 for rezoning of properties located at 3116, 3124, 3127, 3134 Chili Avenue all from R-1-12 to GB zone.

7. Application of Sandra Foley, 150 Archer Road, Churchville, New York 14428 for preliminary subdivision of one lot consisting of 1.4 acres from a total 34 acre parcel at property located at above address in R-1-15 zone.

8. Application of Farna Homes, 1075 Paul Road, Churchville, New York 14428 for preliminary subdivision of 66 lots to be known as Clay Hill Farms at property located at 150 Archer Road in R-1-15 zone.

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

Betty Bartok, Chairwoman
Chili Planning Board

*Planning Board
Meeting July 1982*

7/13/82

to whom he might want to lease part of the building, and was told could be an automobile appraisal, or small insurance office.

Mrs. Bartok informed Mr. Salerno that the airport approval takes into consideration the number of people on the property and informed him that would be something he would have to take into account.

Mr. Hunter informed Mr. Salerno if he decided to lease this later on he would have to come back to this Board for that.

Mr. Flint asked about parking behind grassy area, and wanted to know if there would be a problem removing gravel road and reseeded this area, namely to improve appearance of this area? Mr. Salerno answered that could be a display area for cars, but if it is real problem he would make it a grassy area.

Mrs. Bartok stated that in the County letter, recommendation was for screening and asked if he had any plans to do any additional shrubbing in front? Mr. Salerno said he planned in the future for some shrubbing along the orange pipe on the next property.

No one spoke in favor or opposition.

DECISION: Approved with the following conditions:

1. Employee and customer parking be behind the front line of building, unless a variance is obtained from the Zoning Board of Appeals to allow parking in front of the building.
 2. Debris left on property should be removed in a timely fashion.
 3. No dismantling of cars on the premises.
 4. No outside storage of materials or parts.
 5. Any additional uses, other than permitted ones, must be returned to this Board for approval and to Monroe County Planning Department for an airport review.
- Final site plan approval waived.

4. Application of Harold Ford, 230 Chestnut Ridge Road, Rochester, New York 14624 for preliminary site plan approval to erect an 80' x 40' professional building at property located at 2661 Chili Avenue in R-1-15 zone.

Mr. Donald Avery and Mr. Ford were present. Mr. Avery stated they were back for preliminary approval. This is the former Ford Farm Market. 1.01 acres on one lot and .053 on the other side. Mr. Avery said he came before this Board in March and they recommended they go before Zoning Board and they did. He read April 30, 1982 letter from the Zoning Board. This would be similar to the building on Chili Avenue west of Hinchey Road. Parking is such that will come in one way and there is an exit. Will not need any additional variances. Provided screening in the back and left all of the trees there. Will not be putting any more volume of water into Chili Avenue than is there now. Have been before Drainage Committee. He explained the drainage to the Board, explaining they could either go to a dry well or drainage well. They could connect to Lexington Subdivision drainage system. Will be removing the shed on the property.

Mr. Hunter asked what their preference would be for drainage? He was told would rather see drainage connected to permanent system. Mr. Avery said he was told Mr. Parent would be agreeable to this, if they would do some filling there. Feels they would be solving some drainage problems there.

Mrs. Bartok stated that Monroe County Planning limits 18 people per acre, counting full-time employees on the site. Mrs. Bartok asked if the Farmer's Market would be discontinued and was told yes.

Mr. Avery said he talked to Mr. Parent and Mr. Daunton and they were both receptive to this proposed drainage. He felt this would be a great advantage to everyone to have this drainage completely piped.

Mr. Flint stated that the other proposal which was to collect water and pipe it into dry well and then overflow into system, stated that he doesn't think that is something that should be allowed because of problems

with filtering and products getting into wells, etc.

John Merklinger, 11 Cannon Hill, stated that the ditch there is a mosquito haven, and the yard grows like a jungle now. Sump pump runs 12 months a year now. He asked how many offices would be in the building and was told 6-8. There was a discussion on the feasibility of this professional building. Mr. Merklinger said he feels traffic is hazardous there now. Mr. Avery stated that the volume of traffic would be about the same as the Farm Market generates. Mr. Avery explained the ditch, and they would put in a catch basin and pipe and would be entirely underground, which will be enclosed, and they will backfill entire ditch. Mr. Avery said this would be better than what is there now. Mr. Merklinger asked if this line was capable of handling additional water and was told yes. Mr. Flint said the problem appears to be right at the inlet and that is an open pipe; the proposal is to enclose this and properly grade it. They will have catch basins in order to grade properly. He stated that the problem is upstream and the ground water problem is a different problem.

Joe Galusha, 2691 Chili Avenue, wanted to know feasibility of having this professional building there? Feels vacancies in other professional buildings in Chili. Wanted to know what sort of an analysis was done to see if this is going to be rented? Mr. G. Elder stated that it was true there was some vacant spaces in the professional building in North Chili, but there are people who want to be in Chili Center, and there is a demand for people to be in Chili Avenue. They are proposing a condominium type of office. If the demand isn't there, the building will not be built.

Chris Galusha, 2691 Chili Avenue, stated she works in Beahan Medical Center and knows there will be a lot of traffic, and feels there will be empty offices. Feels this will be a big mistake to destroy this residential neighborhood, and doesn't like the Farm Market being there, too.

Tom Keller, 9 Cannon Hill Road, stated that the back corner of his property is the storm ditch. Worried about drainage. Has had to replace his cellar wall, feels they don't realize the water problem there. Mr. Avery explained this drainage proposal to him. Mr. Keller said he feels this is only a proposal and what would happen if this does not go through, and Mr. Avery said then it would remain as it is now. Mr. Flint commented that he felt the cellar and garage wall is a ground water problem. Mr. Avery said he should have less water aimed at him when this is constructed and designed than he has right now. Mr. Keller said he felt himself and neighbors don't want this and wanted to know what guarantee he had about drainage? Mrs. Bartok said this would be an imposed condition.

Gary Lanford, 6 Cannon Hill, concerned with the amount of traffic. Mr. Avery explained this and said the site distance would be fine.

Mr. Hunter asked the estimation of traffic? Mr. Avery said he felt most of the people would be in and out during the day, feels there would be less of a congestion than the Farm Market. Mr. Hunter asked the number of estimated traffic; and Mr. Avery said he could get this for the Board. Mr. Hunter asked the days and hours of operation? Mr. Avery said 9-5, 5 days a week, probably.

Mr. Merklinger asked the estimated cost and was told \$320,000.

No one spoke in favor.

DECISION: Approved with the condition that the stormwater be removed from the site, via the enclosed pipe system, across the Parent and Dauntion properties.

5. Application of Robert Fallone, 237 Fisher Road, Rochester, New York 14624 for final subdivision approval of 36 lots to be known as West Forest Estates Section #3 at property located at 100 Emerald Point in R-1-15 zone.

Mrs. Bartok, Chairperson, excused herself from chairing this application because this subdivision is next to her home. Mr. Bob Hunter, took over as Chairman.

Mr. Charles Costich, P.E. and Mr. Butarazzi, Esq., were present representing Mr. Fallone. Mr. Fallone was also present. Mr. Costich stated that the layout of these lots is exactly as approved on the preliminary plan. Will all drain to existing detention pond approved by Monroe County Water Authority. Need final approval of the Town Engineer and Health Department.

Mr. Rakus asked about drainage problem in this area? He referred to a letter dated March 17, 1980 on the reduced size of the detention pond by one half. He believed this detention pond was half the size they previously had. Asked if present detention pond was adequate? He was told on the preliminary plan they extended this further to the east because of the existing woods, they did compensate by going farther to the west over to the pipe. He said they could submit volume calculations to the Town Engineer to check on this. The only difference was that. Difficulty they have had with detention pond is on two occasions kids got in there and blocked it up.

Mr. Hunter said he felt that the tract was very nice appearancewise, and stated that there were a number of conditions laid down on the approval, and asked if they basically followed that plan? Mr. Costich said he felt they did exactly as preliminary plan and there was minor revision.

Mr. Hunter asked Mr. Connolly if he had any problems with Section III, and Mr. Connolly stated he has had no problems and thinks that Mr. Fallone is honest builder, and if he did find something, talks to him and he brings it into compliance. He added he has never seen any surface water there when they were digging a cellar.

Mr. Hunter asked about land that would be deeded to the Town? Mr. Costich said that would be done at such time as they do the final dedication of the roads and will be 11.86 acres located along sanitary sewer on the southern side of the project. Mr. Hunter asked if that were basically a wetland area, and was told it was determined by DEC and will be dedicated as conservation land.

Dr. Rague asked what impact this would have on the neighborhood? Mr. Costich said they were swaling along Baylor Circle lands. Dr. Rague stated then there would be no way of water going from this tract into Baylor Circle and was told no, they had agreed to that. Baylor Circle is 561' and the wetland is 563'. Dr. Rague said he understood then they were saying that they were not adding any water to Baylor Circle and was told emphatically they were saying that. Mr. Flint said he felt they did not show birm on their final and wanted to know if they could describe what their rear yard might look like? Mr. Cotich said there would be a swale completely on their property that is lower than the Baylor Circle land, will be putting in 3 pipes that will go through the yards. There will be a swale that will drain both points to each of these 3 inlets. There is an old road that has been filled up to prevent water from going into other drainage system. These swales cannot be lower than Mrs. Bartok's property, because she is lower than the wetlands. Mr. Flint said he felt if it is installed properly can only help Baylor Circle. As far as Baylor Circle itself, cannot do anything because it is too low. Feels detention pond is adequate in size. Mr. Newman asked for the specific location of the swale and Mr. Costich indicated this on the map. Mr. Newman asked if they planned on bringing in any fill and was told no, none at all. This will be the same construction as the other homes on the tract. There was a discussion on the berm in relation to lots 319 and 320, and Mr. Costich showed this on the map.

Mr. Deans inquired as to where the berm would be, and was told there will be swale right before the easement, and Mr. Doans asked if this would be pitched towards the berm? Mr. Costich said it will go through berm at a point beyond lot 317. Grades over to detention pond area, elevation of birm is 566', so will go over top of berm. On a question about 100' buffer by Mr. Flint, Mr. Costich explained they met with DEC and agreed with them on where the buildings and back yards should be. Mr. Hunter stated that the Conservation Board had looked at this when this was brought in originally and asked if they had received any comments from them and was told no.

Mr. Stuller, 29 Baylor Circle, said no objections, just concerns. Living on the east side of this subdivision and concerned with how this swale was going to be built. Stated that this would be acceptable. Would like to ensure buffer of brush between subdivisions would stay there. Mr. Costich said they would try to preserve anything that is good there. Mr. Stuller inquired about land going to the Town and cutting of the trees on this dedicated land. Mr. Connolly said this would be designated woodlands and there could not be any cutting there without a permit. Mr. Stuller said he would like this to remain in its natural state. Not against subdivision in favor of it, feel he is a good builder. In the spring of '81, 43 Baylor Circle and his property were flooded, storm water came and went into his basement. Compounded problem may be because trees and bushes were destroyed.

Mr. Flint stated have all of the drainage easements and road easements and don't have description of land to be donated to the Town.

Mrs. Bartok, 43 Baylor Circle, indicated would like someone to check on kids sticking debris in outlet to detention pond. Mr. Costich said there is no interconnection between storm systems. When they installed pipe also swaled and put in an overflow elevation so that in the event detention pond got plugged up there was an overflow elevation that went to King Road. Mrs. Bartok indicated that she felt differently. Mr. Fallone said the pipe was plugged three times, and he and his children cleaned it up. He asked the Town to take a look at it when it was plugged up, and they didn't, it was plugged up with stones. He assumed the Town would clean this up.

Mr. Nardi, 40 Woodside Drive, asked if the subdivision was totally complete with Section III and was told yes. Wanted to know if Watchhill would be connected up to this subdivision and was told no.

No other questions.

DECISION: Approved with the following condition: Applicant is requested to provide a topographical map to include the Section #3 area and 200 feet east of his entire eastern boundary line (a portion of Baylor Circle). Finals plans subject to approval of Town Engineer.

6. Application of Frank Phillipone, 3116 Chili Avenue, Rochester, New York 14624 for rezoning of properties located at 3116, 3124, 3127, and 3134 Chili Avenue all from R-1-12 to GB zone.

Mr. Phillipone was present stating he was here to petition the Board to recommend to the Town Board that the zoning which pre-existed may be restored to those 4 residences that were left out. It was his understanding that when the lines were drawn for General Business use they were to be included back in the same district. He has been to Monroe County Planning office and they have recommended and there is no objection that it would not hamper change as designed by the County. Based on that his property should be rezoned commercial.

He stated three properties on the north and one property on the other side wish to be included back again so that they may be able to continue to use their property as commercial use. Feels it would create a hardship for himself and he plans to stay in the Town. If the property were zoned back to commercial use he was sure they have enough regulations and restrictions where the Town would have the type of use which would not be detrimental to the Town and properties.

Mrs. Bartok asked if the owners of the other parcels of property were requesting rezoning and was told yes. 3124 Chili Avenue was not present. 3127 Chili Avenue, Mrs. Lechner, stated they bought this in '66 zoned commercial. When it was zoned back residential, was sure it was in the paper, but didn't know about it. Don't understand why this stopped at next door, lives close to Chili Center. Would like it zoned back. 3134 Chili Avenue, was not present.

In response to a question by Mr. Deans, Mr. Phillipone stated that he cannot see himself being a spot zone property and asked why adjoining properties were zoned differently. 3134 was a craft shop, next building was a swimming pool builder. 3127 has not been used commercial. His property is real estate office.

Mrs. Bartok inquired of Mr. Phillipone why he was asking for rezoning to General Business instead of Neighborhood Business? Mrs. Bartok explained the difference to him, and Mr. Phillipone said he would prefer offices in there rather than barber shops, etc. There was a discussion on this. Mr. Phillipone said he felt that neighborhood business would create more of a problem than general business. Mrs. Bartok felt it might be difficult to rezone to GB because of residences in the area.

Mr. Rakus inquired as to why they hadn't come before Board when this was rezoned, and was told they have been denied this at the Town Board level.

Questions or comments from the audience.

C. Mullaney, 3025 Chili Avenue, asked about conditional use at Mr. Phillipone's property? And wanted to know what guarantees the people have that they wouldn't take these three lots and build another K-Mart? There was some discussion on this.

Mr. Humphrey, 21 Sierra, stated feels there is no guarantee for anything, feels this could open up the block for anything. Showed the Board signatures of 30 people who felt that this would jeopardize their neighborhood. Would like this application denied.

Mrs. Chapin, 19 Sierra, doesn't want building in back of her house and yard. Doesn't think they need this.

H. Cole, Grennell Drive, bought to be in residential area, feels this will be like Ridge Road.

Ms. Y. Young, 9 Grennell Drive, getting debris and traffic from Chili Center. Feels doesn't need to go to GB zone. Have had problem now with snow removal and water problems.

Mitchell Moore, Sierra Road, feels his conditional use permit is fine. Should remain residential area.

Mr. Chapin, 19 Sierra, against this, and doesn't feel Mr. Phillipone would take a loss when he sells this if this is not rezoned.

Mr. Seiles, 7 Sierra, against this. Asked about where zoning stops now.

Mr. DeGroate, 2 Grennell, opposed to having change in the zoning.

Mr. McGovern, 11 Grennell, feels doesn't need any more traffic. Feels that is shallow driveway there.

Mrs. Bartok took a vote on this in the audience and 27 were against this and 2 were for it (Mr. Phillipone and Mrs. Lechner).

DECISION: Recommendation to the Town Board that the properties not be rezoned to GB. The character of the neighborhood is residential and no specific uses for the rezoned properties were proposed.

7. Application of Sandra Foley, 150 Archer Road, Churchville, New York 14428 for preliminary subdivision of one lot consisting of 1.4 acres from a total 34-acre parcel at property located at above address in R-1-15 zone.

Don Avery and Sandra Foley were present to discuss this application. Mr. Avery said they want to renovate the house and still will be single family dwelling. Shed will be removed. They will do nothing but improve the property, on existing sewer and water. Sandra Foley said they want to retain this for the family.

Mr. Rakus asked what future use they had for the barn, and was told the barn will stay and will use it for a garage. Mr. Foley will fix up the barn. Mr. Connolly asked if the present driveway was to stay and was told yes.

No one spoke in favor or opposition.

DECISION: Approved with final subdivision approval waived.

8. Application of Perna Homes, 1075 Paul Road, Churchville, New York 14428 for preliminary subdivision of 66 lots to be known as Clay Hill Farms at property located at 150 Archer Road in R-1-15 zone.

Don Avery was present and Mr. Perna. He showed the Board the map and explained this to the Board. Farm land is across the street. Two driveway entrances. Along Archer Road is 75' setback, entrance road 50' setback. First phase has 9 homes for fall of this year, some work will be started on this then. Phase 2 - 19 homes spring of '83; Phase 3 - 22 homes, fall of '83; Phase 4, spring of '84. Sewer, water main, and high pressure gas main along front. Showed Board storm sewers. Explained drainage plan to the Board.

Mr. Bloss explained their concern was Janice Drive and topographic contours. Asked if they were going to be dumping water into the houses that are already there and was told no, there is hedge and any swale would be to the side of this. Mrs. Bartok asked if they had enough grade so that they can swale so that it will drain and Mr. Avery said he would check on this. Mrs. Bartok asked if they had a drainage report together yet and was told no.

Mr. Flint concerned about 200' survey and thinks it is a good idea all the way around. He stated he has walked the whole area and doesn't think detention pond is necessary. Mrs. Bartok had a question on the drainage pond on the northeast corner, and asked how deep they anticipate this will be and was told around 3'. Mrs. Bartok asked how long they thought it would hold water and was told don't know, over half a day.

Mr. Yantz, 633 Paul Road, concerned about drainage problem in the area on the left, sump pump going all the time. Thinks every house on Paul Road will be affected if they are going to send more water.

DECISION: Reserve decision. Additional information is needed on topography, 200' from the parcel to be subdivided as required in Section 5.020(d) of the Subdivision Ordinance, and the drainage report is required in Section 5.020(k).

INFORMAL:

1. Application of Charles Manley, 3465 Chili Avenue, Rochester, New York 14624 for simple alteration of lot lines, adding 63.68' x 190' to existing parcel at property located at above address in R-1-20 zone. Applicant is requesting that formal subdivision procedures be waived.

Mr. Manley was present and stated that this was a piece of land left over from Renaissance South.

DECISION: Approved, finals, formals waived.

Betty Bartok,
Chairperson, Chili Planning Board

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PLANNING BOARD
August 10, 1982

The meeting of the Planning Board of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624 on August 10, 1982. The meeting was called to order at 7:30 p.m. by Chairperson Betty Bartok.

Present: Betty Bartok, Chairperson; Robert Newman, Vice-Chairperson; Bill Deans; Dr. E. Rague; Mitch Rakus; and Ray Bleier.

Also Present: Mr. Connolly, Building Inspector, Mr. Flint, Bergmann Associates, and Mr. Bloss, Drainage Committee.

In the absence of Mr. Miller, Mrs. Bartok stated this to be a legally constituted meeting of the Chili Planning Board and that notice of the meeting has been advertised in a newspaper of general circulation and also posted on the Town Clerk's bulletin board.

1. Application of Harry Gitsis, 6 Wingate Drive, Rochester, New York 14624 for Conditional Use Permit to convert existing single family dwelling into a two-family dwelling at property located at above address in R-1-15 zone.

Mr. Gitsis was present and said that he had bought this vacant house and would like to convert it into a double, sewers and water are there.

Mr. Bleier asked if he were planning on rental out both apartments, and was told yes. In response to a question by Mr. Rakus, Mr. Gitsis said there will be two driveways, will be off the road parking. Mr. Deans asked if he intended to blacktop driveways and was told yes, this would be done before it is rented. Mr. Rakus asked if he planned on having separate outside entrances and was told yes, separate outside entrances. Mr. Rakus asked how many entrances and was told one for each apartment. Dr. Rague asked if there would be any external addition and was told no.

Mrs. Bartok said that across the street is a gas station, north-west--apartments, and further added she feels it is not out of character to the appearance of the neighborhood.

Questions from the audience?

Raymond Stenglein, 3753 Chili Avenue, stated that this was a small home and he doesn't think it is big enough for two families and it is very close to the main road. Mrs. Bartok asked Mr. Connolly if this was adequate according to the codes and Mr. Connolly answered that it is a single family home, our ordinance permits duplex with conditional use, the use is not changed. Objects to this Mr. Stenglein said, feels will make this into two-family and will not even live there.

Mr. Gitsis said his house is open everyday and anyone can inspect it, he will maintain the yard and everything himself.

DECISION: Approved unanimously.

2. Application of David & Barbara Kelly, 308 Paul Road, Rochester, New York 14624 for Conditional Use Permit to convert existing single family dwelling into a two-family dwelling at property located at above address in R-1-15 zone.

Mr. and Mrs. Kelly were present to discuss this before the Board. Mrs. Kelly said their house is a great big farm house and too large for them. Would like to take two existing closets and make into bathroom downstairs and convert bedroom into kitchen. Upstairs would make one bedroom into kitchen. Downstairs would make large bedroom over garage for themselves.

Mrs. Bartok asked if they planned to live there and was told yes. Mr. Rakus asked if there were adequate parking facilities and was told they can park three cars there and have an existing two-car garage, have two acres of land. Mr. Rakus asked what kind of entrance to upstairs, and was told private foyer with entrance upstairs, there are stairs and door there now.

No one spoke in favor of opposition.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date. *8-4-82*

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

GATES-CHILI NEWS

Issue Dated. *8-4-82*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER

NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 1983.

Pat M. Smith
Patricia M. Smith
Publisher

Legal

CHILI PLANNING BOARD

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester New York 14624 on August 10, 1982 at 7:30 p.m. to hear and consider the following applications:

1. Application of Harry Gitsis, 6 Wingate Drive, Rochester, New York 14624 for Conditional Use Permit to convert existing single family dwelling into a two family dwelling at property located at 3771 Chili Avenue in R-1-15 zone.

2. Application of David & Barbara Kelly, 308 Paul Road, Rochester, New York 14624 for Conditional Use Permit to convert existing single family dwelling into a two family dwelling at property located at above address in R-1-15 zone.

3. Application of Joe Benson's Service Inc., 1421 Scotisville Road, Rochester, New York 14624 for Preliminary site plan approval to erect a 24'x40' addition to repair shop and a 46'8"x28' second story office addition at property located at above address in G1 zone.

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

**Betty Bartok,
Chairwoman
Chili Planning Board**

DECISION: Approved unanimously.

3. Application of Joe Benson's Service Inc., 1421 Scottsville Road, Rochester, New York 14624 for Preliminary Site Plan Approval to erect a 24' x 40' addition to repair shop and a 46'8" x 28' second story office addition at property located at above address in GI zone.

Mrs. Ann VerHague was present representing Joe Benson. She said Mr. Benson has a large truck that has no garage for, so proposing addition on the south side of his building. He has had complaints that he has stored this outside, this will also give capability for repairing vehicles. The trailer he has there now, he will eliminate to upgrade property.

In response to a question by Mr. Bleier, Mrs. VerHague said Mr. Benson will store this truck at night inside and in the winter. Will repair large trucks during the day. She showed the Board photographs.

Mrs. Bartok asked about general intent, cost estimate, number of employees, etc. She asked about separate drainage report on where storm water runoff will go, and Mrs. VerHague showed the Board a revised drawing from when they appeared before Drainage Committee. Mrs. Bartok stated that in the County letter, they indicate removal of the trailer and additional landscaping which will improve site, and asked what their additional plans were? Mrs. VerHague explained there were no formal landscaping plans as yet. Mrs. Bartok felt the Town Board would require a letter of credit. She asked if there would be an increase in vehicles or off-street parking and was told no.

Dr. Rague asked how they will get to the back of this new addition and was told on the north side. Mr. Connolly asked if the office were associated with the business, and Mrs. VerHague said it was for Joe and his wife.

Questions from the audience?

Al Marshal, stated he owns adjacent property and wondered the purpose of the addition. He stated Mr. Benson has received complaints from the Town because he stores trucks outside and works on trucks outside. He asked about the conditional use permit issued to Mr. Benson. He was told that was for the use of the trailer and Mr. Connolly said it was for outside storage of vehicles. Mrs. Bartok explained the conditional use and read the conditions put on that conditional use. Mr. Marshal said there was quite a bit of acreage adjoining Mr. Benson's property and they were in the process of developing industrial siet and quite frankly don't think this type of operation is not the type they would like to be next to.

DECISION: Approved subject to obtain side yard setback variance.

Betty Bartok, Chairperson
Chili Planning Board

PLANNING BOARD
September 14, 1982

The meeting of the Planning Board of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624 on September 14, 1982. The meeting was called to order at 7:30 p.m. by Chairperson Betty Bartok.

Present: Betty Bartok, Chairperson; Robert Newman, Vice-Chairperson; Bob Hunter, Bill Deans; Ray Bleier; and Mitch Rakus.

Also Present: Robert Connolly, Building Inspector; John, Flint, Bergmann Associates; and Mr. Miller, Deputy Town Attorney.

Mrs. Bartok called the meeting to order. Mr. Miller stated that this is a legally constituted meeting of the Chili Planning Board and that notice of the meeting has been advertised in a newspaper of general circulation and also posted on the Town Clerk's bulletin board.

1. Application of James Blonsky, 27 Hallock Road, Rochester, New York 14624 for Conditional Use Permit to construct an in-law apartment at property located at above address in R-1-12 zone.

Mr. Blonsky was present to discuss this before the Board. He proposes for his wife's mother to come live with them. She previously lived in Chicago and is in the process of selling her house there. Because they are a family of six, she feels she needs area to herself which would consist of a bedroom, kitchen, living room and bathroom. This addition would extend out of the house on the southwest side. Approximately the size would be 20' x 25'.

Mr. Rakus asked the cost of the addition and was told a rough estimate would be \$20,000 with a lot of finishing done by himself. Mr. Rakus asked that in the event his mother-in-law should de cease, what would you plan to do with this particular structure that has been added on? Mr. Blonsky said he currently doesn't have a family room, that would be a possibility, and could keep the bathroom. Mr. Rakus said then he was saying in the event your mother-in-law moved out or deceased, you would not use this as a piece of rental property? Mr. Blonsky said no, sir.

Mr. Bleier asked what type of entrance? Mr. Blonsky said a window in the current den would be turned into a doorway, and there would probably be a doorway going out into the back yard; Mr. Bleier asked how long he had been there and was told two years.

Mr. Rakus asked if this addition would have a basement, and was told no, a block foundation, built on footers with crawl space underneath, would hook up to furnace, etc.

Mr. Newman asked what provisions he was making for additional storm water and drainage and was told regular storm gutters and drains. If need be, Mr. Blonsky said can put drums in the ground, he will take this up with his engineer.

Mr. Bleier asked about siding, and was told the same cedar shakes as on house currently.

Mrs. Bartok inquired about such a great expenditure being put in this apartment, would he consider coming to the Board asking for rental unit there in the future? Mr. Blonsky said that is not his intention, wouldn't think about even considering it. Mrs. Bartok asked if there was a woman living with them who was not part of their family and was told there is a young woman living with them who is from their church. Mrs. Bartok asked if he would consider it a hardship that the conditional use be granted for in-law only and the use would cease when the in-law left? Mr. Blonsky said it wouldn't be a hardship. She further asked about a condition that this would not be used for rental unit in the future, and if that would be a hardship and was told no.

Mr. Newman asked the distance of this proposed addition would be from the lot line and was told 10' from side lot line. Back close to 40', approximately.

No one spoke in favor.

In opposition:

William Stenglein, 31 Hallock Road, concerned if in-law doesn't want to stay there will Mr. Blonsky want to have income to supplement his income and taxes? He stated he was not in favor of having apartment built on the back of this house, not objecting to a room.

Carol Stenglein, 31 Hallock Road, opposed, feels he has four children and this will cut down on his yard size. Feels he should have talked to them first, if would have been better but he said nothing.

Bob Wood, 2826 Chili Avenue, stated his property backs up to Mr. Blonsky's lot, opposed.

Kenneth Connor, 23 Hallock Road, had a question how this would effect resale of their house, and if Mr. Blonsky would get his money back when he resells.

Mrs. Martha, 2816 Chili Avenue, opposed to this. Single family homes in this neighborhood.

28 Hallock Road, opposed, lives across the street. Feels structure that size would not be to the best interest of the neighborhood.

DECISION: Unanimously approved with the following conditions:

1. Granted for use by in-laws only, and shall cease when the in-law ceases to use it.

2. Apartment may not be used as a rental unit.

3. Copy of this decision must be filed in the County Clerk's Office under miscellaneous records and tied to the Liber and page of your deed.

2. Application of George Rousey, 53 Sunnyside Lane, North Chili, New York 14514 for Conditional Use Permit to allow an in-law apartment or duplex at property located at above address in R-1-15 zone.

Mr. Roushey was present to discuss this before the Board. He said he would like to make apartment on the existing building by raising roof. Would cost \$7,000 and intends to make mortgage out for five years. Would ask to rent property while I am paying off this mortgage.

Mrs. Bartok said in his letter he said one year. Mr. Rousey said he would have to rent it to pay off mortgage.

Mr. Newman asked about proposed parking and was told there is parking area behind garage and parking area beside driveway. Mr. Newman asked if this existed now and if so, if it was paved and was told yes.

Mr. Rakus asked if this would be a one or two-person apartment, and was told one person, probably a student. Mr. Rakus asked if he were basically building this for a future use of an in-law and was told yes.

Mr. Hunter asked if this usage were allowed and if the need for an in-law apartment would cease, would Mr. Rousey visualize wanting to rent this and was told yes.

Mrs. Bartok asked if this would be a hardship if conditional use were granted for in-law use only? Mr. Rousey said yes, he probably couldn't take out a mortgage.

No one spoke in favor or opposition.

DECISION: Unanimously denied.

3. Application of Amateur Sports, 53 Hay Market Road, Rochester, New York 14624 for renewal of Conditional Use Permit to allow a concession stand at property located at 525 Ballantyne Road in RA-20 zone.

Don Aselin was present representing Amateur Sports. He would

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *9-8-82*

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GATES-CHILI NEWS

Issue Dated... *9-8-82*

Geraldine C. Snyder
.....
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 1983.

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

Planning Bd Book - Sept 1962

CHILI PLANNING BOARD

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on September 14, 1962 at 7:30 p.m. to hear and consider the following applications:

1. Application of James Blonsky, 27 Hallock Road, Rochester, New York 14624 for Conditional Use Permit to construct an in-law apartment at property located at above address in R-1-12 zone.

2. Application of George Rousey, 53 Sunnyside Lane, North Chili, New York 14514 for Conditional Use Permit to allow an in-law apartment or duplex at property located at

above address in R-1-16 zone.

3. Application of Amateur Sports, 53 Hay Market Road, Rochester, New York 14624 for renewal of Conditional Use Permit to allow a concession stand at property located at 525 Ballantyne Road in RA-20, FPO zone.

4. Application of Kimberly Town Homes & GRT Management, Inc., 700 Warren Road, Ithaca, New York 14850 for preliminary subdivision of 3 lots-Parcel 1 to be .505 acres, Parcel 2 to be 18.8 acres, Parcel 3 to be 7.9 acres at property located at 401 Beaver Road in RM & FPO zone.

5. Application of GRT Management Inc., 700 Warren Road, Ithaca, New York 14850 for preliminary

site plan approval to convert existing 94 unit apartment complex known as Kimberly Town Houses to condominiums at property located at 401 Beaver Road in RM & FPO zone.

6. Application of Frank Philippone, 3116 Chili Avenue, Rochester, New York 14624 for rezoning properties located at 3116, 3124, 3127 and 3134 Chili Avenue from R-1-12 to NB.

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

Betty Bartok,
Chairwoman
Chili Planning
Board

like an extension of conditional use from April to February for cross country skiing and football. He further asked the Board to allow all of his conditional use permits to run concurrently.

Mr. Bleier asked him what conditional use permits he presently had and was told original use, special use, concession, total of 5-6 and all are on different time frames and about two months apart.

Mr. Deans asked if this was new using the facility from April to February and was told no, it has been open right along, football starts and goes until January when cross country skiing starts.

No one spoke in favor or opposition.

DECISION: Granted to extend permit for a concession stand and other Conditional Use Permits for ballfields, ski trails, and sale of beer to expire March 1, 1984 with one condition: No on street parking. Umpires must stop all games until all cars are removed from the road.

4. Application of Kimberly Town Houses & GRT Management Inc., 700 Warren Road, Ithaca, New York 14850 for preliminary subdivision of 3 lots Parcel 1 to be .505 acres, Parcel 2 to be 18.9 acres, Parcel 3 to be 7.9 acres at property located at 401 Beaver Road in RM and FPO zone.
5. Application of GRT Management Inc., 700 Warren Road, Ithaca, New York 14850 for preliminary site plan approval to convert existing 94-unit apartment complex known as Kimberly Town Houses to condominiums at property located at 401 Beaver Road in RM and FPO zone.

Frank Monfredo, Esq., 31 Main Street, was present to discuss this before the Board. Showed Board map and subdivision proposal. Sole purpose of this application is the desire to convert this to condominiums. Lot 3 is in the flood plan, and its current configuration would be undersized, realizes this Board's approval would be contingent upon the Zoning Board's approval.

Mrs. Bartok said one of the things missing is the absence of flood way and 100-year flood plan. Mr. Monfredo said he realized that. Mr. Miller said that when this proposal came before the Board 15-20 years ago it was granted in its present state. One of the things was that the people who lived there could use it for themselves.

Mr. Bleier asked Mr. Monfredo what his feeling would be about a condition that if the subdivision was granted of this parcel it be subject to being rezoned residential? Mr. Monfredo said he felt that this Board could do that under the ordinance and could make a recommendation to the Zoning Board.

Mr. Monfredo said they proposed no change in structural configuration or any other aspect of the development. He showed the Board a proposed draft of the by-laws. Has been approved by the County Map Department. He explained the two types of units, den and utility. All of the units are essentially the same. He stated had met with the Health Department and water authority. This originally was dedicated July 26, 1971 and showed Board a map of the easements. Said he spoke to Town Engineer today and they were prepared to do whatever he wanted them to do.

Mr. Bleier asked how they planned to incorporate phasing out of apartments into condos? Mr. Monfredo said existing leases will be honored and tenants will have right to buy their own unit for 90 days and will be given a discount. He said the present tenants would not have to pay an increase for maintenance while they were renting. The first board of managers are nominated by the sponsor and at the first annual meeting elected by the owners.

Mrs. Bartok indicated that they did not have a full disclosure statement, and Mr. Monfredo said he would get it to them. He said the townhouses would be sold for \$40,000 and tenants there would be able to buy their townhouse for \$35,000, they were not using FHA or government subsidized mortgages, no additional recreational facilities are planned.

Mr. Rakus asked if they planned on separating units by senior citizens, younger families, etc., and was told no, there was no plan to do so.

Kathy Baun, 51 Creekside, feels this has been improved, storm windows, insulated buildings, grounds nicely groomed and are maintained.

Don Proudy, 207 Creekside, feels there have been a lot of improvements done this past summer.

No one spoke in opposition.

DECISION: Reserved pending additional information required under Section 115-29A(1) of the Chili Zoning Ordinance, a full disclosure statement.

6. Application of Frank Philippone, 3116 Chili Avenue, Rochester, New York 14624 for rezoning properties located at 3116, 3124, 3127 and 3134 Chili Avenue from R-1-12 to NB.

Mrs. Bartok read the definition of NB district and GB district to the audience.

Mr. Philippone, 3116 Chili Avenue, was present and read letter to the Board (copy on file in Building Inspector's office.)

Mr. Lechner, 3127 Chili Avenue, read Section 2 of the letter. He further said this was a matter of principal, had no intention when purchased property to set up general business. His intention was to have a second lot for children to use or sell the lot. Again, he was claiming discrimination. Asking for GB zoning back, asked why two other lots were rezoned back to GB and why their lots were not.

Al Graham, 3134 Chili Avenue, said he didn't understand why two other properties were changed back to GB. His wife is a licensed physical therapist and might want to use home for that. Feels they have upgraded property.

Frank Stadler, 3124 Chili Avenue, said he was a mason contractor for installation of swimming pools. In the future would like to put in an in-ground pool. Would like to live there the rest of his life and would like to see this neighborhood be the best it can be.

Mr. Miller stated that this Board can only recommend to the Town Board for the rezoning. It is up to the Town Board to either rezone or not.

Mr. Bleier asked if these were the original four parcels that came before the Board two months ago? Mrs. Bartok said yes. He further added that some of the uses are things that are normally considered to be conditional uses even in residential area. Guesses can't see why want to rezone, when they can get by with a conditional use. Mr. Philippone stated that conditional uses have to be renewed each year. Mr. Bleier explained they can be granted for one or up to five years, again this gives a measure of control by the Boards.

Opposition:

Helen Cole, Grennell Drive, asked what Mr. Philippone's intention was, if he planned on building addition or tearing this house down? Mr. Philippone said he needed more garage space and more office space. But doesn't have any specific plans in mind now.

Mrs. Humphrey, 21 Sierra, concerned about rezoning whole area, no guarantee of what will happen, drainage problem, vandalism.

J. Young, 9 Grennell, gave Board petition with 50 signatures, opposed. Concerns: L-shaped lot, drainage, snow removal, clay soil-run off, congestion, vandalism, resale, enough professional buildings now, Chili Center is half a mile away.

Mrs. Chapin, Sierra, opposed, asked about size of lots under ordinance for rezoning. Feels too busy there now.

Don McGray, 4 Sierra, question of what they intended to do there. Opposed.

Mr. DeGoate, 2 Grenell, opposed, doesn't want to see GB, feels matter of community interest, feels best interest of Chili.

Mr. McGovern, 11 Grenell, opposed, questions if rezoned and they sold, what would happen then.

Mr. Wahl, 3104 Chili Avenue, feels there hasn't been problem with traffic on Chili Avenue, no drainage problem.

Mrs. MacKay, 5 San Mateo Road, against this, feels litter is terrible from Chili Center now.

Mr. Schallmo, 16 Sierra, opposed to this.

DECISION: 3 to 3--voted to recommend to the Town Board that the above properties not be rezoned to an NB zone.

Berry Bartok,
Chairperson, Chili Planning Board

PLANNING BOARD
October 12, 1982

The meeting of the Planning Board of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624 on October 12, 1982. The meeting was called to order at 7:30 p.m. by Chairperson, Betty Bartok.

Present: Betty Bartok, Chairperson; Bob Hunter; Dr. Rague; Bob Newman, Vice Chairperson; and Ray Bleier.

Also Present: Mr. Connolly, Building Inspector, John Flint, Bergmann Associates, and Mr. Bloss, Drainage Committee.

In the absence of Mr. Miller, Mrs. Bartok stated this to be a legally constituted meeting of the Chili Planning Board and that notice of the meeting has been advertised in a newspaper of general circulation and also posted on the Town Clerk's bulletin board.

1. Application of Robert Wallace, 3737 Chili Avenue, Rochester, New York 14624 for preliminary site plan approval to erect a 28' x 10' addition to house at property located at above address in R-1-15 FPO and FW zone.

Mr. Wallace was present to discuss this before the Board. He stated he doesn't want to exceed garage line, doesn't plan any grading, will put footer, floor level will be the same as original floor in house now.

In response to a question posed by Mrs. Bartok, Mr. Flint said he has seen this and it is out of floodway.

No questions.

No one spoke in favor or opposition.

DECISION: Unanimously approved, finals waived.

2. Application of Glenn Wheeler, 6660 Lake Road, Bergen, New York 14416 for preliminary site plan approval for a change of use to allow a machine shop/tool & die/metal stamp shop in existing building at property located at 3467 Union Street in GI zone.

Mr. Wheeler introduced Mr. LaDue, architect, who handed out plans to the Board. Mr. LaDue said the site has two buildings consisting of 11,600 feet, is a steel structure with steel siding. He said the Board has plans on what the building looks like. Their operation is basically machine shop and will occupy both buildings, front and rear. Offices will be in the front. Some remodeling will be done inside basically to existing office area. Some modification to toilet facilities. There will be additional landscaping. Overhead door will be removed. Gravel will be removed and it will be seeded, gate will be removed. Crab apple trees will be planted on the southeast corner and three more in the front. Mr. Wheeler has 22 employees and anticipates growing to 30. There are no additions planned at this time, basically alterations. Showed Board brochure of their operation in Gates and said this will be the same.

Mrs. Bartok said Monroe County has determined this to be a matter for local determination.

Mr. Hunter asked why they were moving? He was told they are presently leasing 6,000 square feet which doesn't have any growth potential and wanted to buy a building. Mr. Hunter asked if there would be any noise involved in their stamping operation? He was told no, not outside the building, the largest press is 110 ton and well within OSHA guidelines and there will be no air or noise pollution.

Mr. Newman asked the present use of this building and was told now it is vacant.

Mr. Bleier asked about providing oil waste and was told they do not have a lot of this, they are tool and die, they build close tolerances, gauge fixtures, etc. There will be no oil residue.

No questions.

Gates-~~NEWS~~-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date 10-6-82

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

GATES-CHILI NEWS

Issue Dated 10-6-82

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER

NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 1983

Patricia M. Smith
Patricia M. Smith
Publisher

Legal Notice

CHILI PLANNING BOARD

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on October 12, 1982 at 7:30 p.m. to hear and consider the following applications:

1. Application of Robert Wallace, 3737 Chili Avenue, Rochester, N.Y. 14624 for preliminary site plan approval to erect a 28'x10' addition to house at property located at above address in R-1-15, FPO & FW zone.
2. Application of Glenn

Wheeler, 4660 Lake Road, Bergen, N.Y. 14416 for preliminary site plan approval for a change of use to allow a machine-shop/tool and die/metal shop in existing building at property located at 3467 Union Street in GI zone.

3. Application of Joe Benson's Service Inc., 1421 Scottsville Road, Rochester, N.Y. 14624 for final site plan approval to erect a 22'x40' repair shop addition and a 48'8"x28' second story office addition at property located at above address in GI zone.

4. Application of John Battaglia, 38 Pine Valley Drive, Rochester, N.Y. 14626 for

preliminary site plan approval to erect a single family modular home at property located at 180 Ballantyne Road in RA-20 & FPO zone.

5. Application of Pride Mark Development, 50 Lyell Avenue, Rochester, N.Y. 14608 for preliminary subdivision approval of 23 lots to be known as Woodbriar Estates Section 2 at property located at 301 Westside Drive in R-1-20 zone.

6. Application of Toper Construction, 1356 Buffalo Road, Rochester, N.Y. 14624 for preliminary subdivision approval of 17 lots to be known as Golden Estates at property located at 250 Golden Road in R-1-15 zone.

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

Betty Bartok,
Chairwoman
Chili Planning
Board

Planning Board

10/1/82

No one spoke in favor or opposition.

DECISION: Unanimously granted with finals waived.

- 3. Application of Joe Benson's Service Inc., 1421 Scottsville Road, Rochester, New York 14624 for final site plan approval to erect a 22' x 40' repair shop addition and a 46'8" x 28' second story office addition at property located at above address in GI zone.

Mrs. Ann VerHague, architect, was present representing Joe Benson. She said they were applying for final site plan approval.

Mrs. Bartok indicated that on the preliminary site plan there was error on the location of the building and lot plan. Mrs. VerHague explained that when they began project had whole survey map, thought they had 14' and applied for variance on that information. When they found out there was an error, called . Mrs. Bartok asked who did the survey and was told Don Dutton in Lakeville. She further asked if he drew a survey map and was told yes. Mrs. Bartok said that Scottsville Road was indicated as a 2-lane highway and it was a 4-lane highway. She asked the cost and was told \$45,000. Mrs. Bartok indicated that she would need, description of parking facilities, name of licensed professional engineer. She asked about written permission from Niagara Mohawk to use their land for a parking lot. Mrs. VerHague indicated that Mr. Benson is awaiting a reply from them.

Questions from the audience?

John architect, engaged by Morga, stated that existing development in the area is very high quality, felt conditional use permit will become permanent and board would not have control over the property if the tenant is allowed to build here. Feels business is too big for this site. He indicated that they intended to comply with all requirements of the ordinance and do not anticipate requesting any variances, and feels by allowing Mr. Benson it will be detriment to the Morga property.

Mr. J. Nichols, president of Asco Construction, said his client is Al Marshal, expressed some of his continuing concerns for the expansion of this operation. Spoke for Mr. P. Robson, who couldn't be here, expressing their concerns for the continued expansion of Mr. Benson's non compliance. Voiced concern with conditional use permit and Mrs. Bartok answered some questions for him.

Brad Nichols, felt a variance is usually granted when a client can show various hardships and this ability to produce or show hardships determines whether or not he is granted variance. Doesn't believe expansion should be considered hardship. Hopes on the final site plan, designated parking areas will be shown, and hopes that the Planning Board would use their good judgement in providing some kind of screen between Mr. Benson's and the Morga project to make it aesthetically pleasing.

DECISION: Reserved.

- 4. Application of John Battaglia, 38 Pine Valley Drive, Rochester, New York 14626 for preliminary site plan approval to erect a single family modular home at property located at 180 Ballantyne Road in RA-20 and FPO zone.

Mr. Battaglia was present and stated he proposes to put house on this parcel. He went in front of Zoning Board last year, and since that time found moving house onto the land would not be cost effective. Would like this without basement, would look like two-story house (showed Board picture of this house).

Mr. Hunter inquired as to flood plan elevation and Mr. Connolly said he had a variance to put lowest floor at 524'.

Monroe County said matter for local determination.

Mr. Newman asked about existing frame house and was told arrangements had been made for Fire Department to burn it, and will be removed this Sunday.

Planning Board

Mrs. Bartok asked when he would like to begin work and was told as soon as possible, if gets Board's approval will planning now and start construction next spring.

Mr. Flint asked if there was an existing driveway and was told no, not now.

No questions.

No one spoke in favor or opposition.

DECISION: Unanimously approved, finals waived.

5. Application of Pride Mark Development, 50 Lyell Avenue, Rochester, New York 14608 for preliminary subdivision approval of 23 lots to be known as Woodbriar Estates Section 2 at property located at 301 Westside Drive in R-1-20 zone.

Mrs. Bartok commented to the Board and audience that sketch plan was brought into this Board a month or so ago and did not receive approval for sketch plan at that time. She read Board's comments. Explained it was not necessary to obtain sketch plan approval before coming in for preliminary subdivision approval.

Walter Cole, LEK Associates, said they were there for approval of 23 lot subdivision near corner of Pixley and Westside Drive. Asking for no variances. There is an existing sanitary sewer running on property so is on site and available. Will tie into 6" main on Pixley and Wyncrest. Have 9 1/2 acres to the south that drains onto this property. Have approximately 24 which will drain into retention pond and will have ariation pump to keep water from getting stagnant. Will be water in pool at all times. If necessary will have swale constructed to the lots running to the east to culvert on Pixley Road. Will eliminate some of the downstream drainage. There will be 130-140 feet that will drain towards Pixley Road into existing detention that is in Woodbriar Section 1. Soil is receptive to building and road construction.

Mr. Bleier stated a concern with water flow across Pixley Road. Asked if he were saying that there would be less water flowing through that culvert than there is presently and was told yes. Mr. Bleier asked if their statistical data tends to prove that and was told yes. Mr. Bleier asked if this pond would be designed to contain water for 100-year flood and was told yes.

Mr. Hunter asked if the Drainage Committee has made a report. Mr. Bloss explained they did not have enough information when they met.

Dr. Rague said he didn't understand map and was told just a profile and explained it to him, adding they are trying to eliminate as much water as possible.

Mrs. Bartok added that some of the requirements of the Town's ordinance are now shown and explained this to him, topography for 200' of boundaries on map, back yards of lots 1-10 of Section 1 and Hallock Road, would be nice to have existing homes on Marshall Road and Wyncrest that abut to their property, she further asked about existing ponds on property and was told they were drained. Mrs. Bartok explained the soil types and added they might have quite a bit of problems with siltation, saying she thought the soil was sand. Will need overlay. Mr. Cole said he would be glad to make a test hole. Mrs. Bartok said they would need preliminary grading plan which is required in Section 520.20m. Would need setbacks. Mr. Cole said they would not be asking for any variances. Mrs. Bartok said the Gates boundary is not indicated. Mrs. Bartok read Oct 5 letter from Mr. Chudyk, Superintendent of Highways and read October 9th letter also.

Mr. Newman asked if they were intending to develop lot #11 and if so, in what manner? Was told will be regular lot, retention pond will be on lot by itself, adding they felt if this were fenced would make it more hazardous, feels children should be educated and have respect for water.

Mr. Newman asked if they were stating they would not put any more drainage water onto Pixley than what is there now and was told retention pond will get rid of this through evaporation.

Mr. Bleier asked how they intended to maintain this pond and who would be responsible for this? Mr. Cole said they would prefer to keep this private, but felt this would be up to the Town to decide.

Mr. Flint said they would review this plan as the Town Engineer. Seven percent grading is more than is allowed--six percent maximum. Storm sewer will have to have easement. Key thing to feasibility is drainage.

Mr. Connolly said he felt they should contact the Town of Gates to get their approval.

Mrs. Bartok indicated Monroe County comments have not been received.

Questions from the audience?

Dominic Mancini, representing Parkminister Church, said they always thought this land was designated as wetlands. Mrs. Bartok explained it was not on official map as wetlands, was looked at at one time as possible wetland and was not designated as such.

Dave Harp, 87 Hallock, wanted to register a concern about drainage. He said 80 percent of his back yard is flooded after a rain storm, has major concern about drainage. Concerned about retention being opened and children. Mr. Cole said they would not add to drainage problem, and they could not eliminate it.

Don Weiland, 11 Cardinal Drive, concerned about drainage. Feels basements will be filled with water if this storm drain is blocked off. Mr. Cole indicated his awareness of storm pipe and said no, this will be kept open.

J. Barbado, Pridemark Homes, said they haven't developed that at all, will volunteer to maintain this.

Jane O'Hare, 10 Wyncrest Drive, asked how big pool would be and was told 80,000 cubic feet of water, feels there should be some kind of barrier. Asked why they couldn't have swale and was told by Mr. Cole is drainage comes their way will put swale in.

No one spoke in favor or opposition.

DECISION: Reserved pending evaluation of the drainage information by the Town Engineer and the Townwide Drainage Committee.

6. Application of Toper Construction, 1350 Buffalo Road, Rochester, New York 14624 for preliminary subdivision approval of 17 lots to be known as Golden Estates at property located at 250 Golden Road in R-1-15 zone.

Mr. Yankanich, representing Toper Construction, was present to discuss this before the Board. He gave a copy of the County review to Mrs. Bartok. Mr. Yankanich stated this was presented to the Planning Board a number of years ago and was turned down at that time due to drainage. They have reduced lots from 29 to 17. Railroad ditch has been completed, feels can handle all detention water with no adverse conditions. Property to west discharges upon their property. Explained drainage proposal to the Board. There will be a long drainage swale, propose to put concrete paved channel to the back of these lots and hold it within and discharge it at a rate of two cubic feet per second. Water would stay in channel and discharge slowly into drainage swale. Will be served by sanitary sewer. All lots will meet size requirements, There will be an emergency spillway. Will completely severe water which runs on Mr. Spring's property. Mr. Wahley will be getting less water than he got previously. Channel will be maintenance free to the Town.

Mrs. Bartok explained what she thought soil to be, and felt might have a problem with siltation. Mr. Yankanich said that he thought soil was mostly clay. Mrs. Bartok indicated that topography was missing.

Mr. Hunter asked if the Drainage Committee had an opportunity to study this and Mr. Bloss indicated yes, and they also had a question on detention pond being large enough and worried if it would silt up.

Mr. Newman asked what would prevent this from silting up and was told homeowners usually maintain these. Mr. Newman disagreed. Mrs. Bartok agreed and felt this was a concern and usually winds up the Town has to maintain.

Dr. Rague asked if test holes were dug on this property and was told yes, approximately three years ago.

Mr. Flint indicated that he had reviewed calculations and he has some major differences, and would get back to Mr. Yankanich on this, there was a difference in the volume. From a technical standpoint, he added, he would say site is developable, provided can get area for drainage storage on the site.

Questions from the audience?

Martin Wahley asked elevations, and he felt is pond, would come onto his property. Asked about detention along railroad track.

Bob Hendrickson asked who would own pond and lots 11-12-13. This was explained to him.

Mr. Spring, said he didn't think cement would help him. Mr. Yankanich explained this would be put in to protect his property. Discussed drainage.

Jim Perna had a question on drainage of water going onto railroad.

No one spoke in favor or opposition.

DECISION: Reserved until additional information is available from the Town Engineer and Townwide Drainage Committee.

Betty Bartok,
Chairperson, Chili Planning
Board

PLANNING BOARD
November 9, 1982

A meeting of the Planning Board of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624 on November 9, 1982. The meeting was called to order by the Vice-Chairperson Betty Bartok.

Present: Betty Bartok, Vice-Chairperson; Ray Bleier; Robert Hunter; Mitch Rakus; Robert Newman; Edward Rague; William Deans.

Also Present: Dan Miller, Deputy Town Attorney; Robert Connolly, Building Inspector; John Flint, Engineer; Betty Glende, Drainage Committee.

Mrs. Bartok called the meeting to order. Mr. Miller stated that this is a legally constituted meeting of the Chili Planning Board and that notice of the meeting has been advertised in a newspaper of general circulation and also posted on the Town Clerk's bulletin board.

1. Application of Frank Mallia, 19 Island Drive, Rochester, New York 14624 for preliminary subdivision of one lot consisting of 13.75 acres at property located at 215 King Road in R-1-15 zone.

Mr. Herman Klingenberger was present to discuss this before the Board. He stated that this parcel of land was sold off of the main farm and without the consent or approval of the Planning Board. In May of this year, Mr. Mallia bought the land from the present owner. He stated that the parcel was shown on the plan on the lower left hand corner and that the northerly part of the portion of that parcel was sold to the North Chili Community Church. He stated that he was there to approval of this subdivision of the farm.

Mrs. Bartok asked where the RG&E easement was, if it was along King Road by the electrical power lines. She was told that they had not searched the deeds to determine where these easements are. Mrs. Bartok said that they really couldn't make any site plans for this parcel until they found that. Mr. Klingenberger stated that they would be at a future date and that these easements would show up. Mrs. Bartok said that would be very crucial in placing his building. Mr. Klingenberger stated that would be two or three years when they got to that stage, and said the site plans would show up on the plan.

Mr. Rakus asked for an idea of what they would be building there and was told that the owner had advised him in the future he wants to build his residence on the parcel of land, and that the owner was now trying to maintain the parcel by cutting down the weeds and the grass.

Mrs. Bartok asked if the County was misinformed about the intended use for a storage garage and was told that the owner is going to put a garage on the parcel to house the grass cutting equipment and that he had made application to the building inspector that he should come to the Planning Board to get the subdivision squared away. Mrs. Bartok also stated that the letter from the County advised that the application was a matter for local determination and stated the requirements as to the septic system and work done within the right-of-way of Route 259 would require a permit from the State of New York Department of Transportation. She was told that the owner was aware of those requirements.

Mr. Hunter asked if it was understood that the two potential uses would be one, the barn, and second, a residence and asked if those were the sole uses currently intended for this property and was told yes, but it was a garage not a barn.

Mr. Flint asked if there is any access to the road from King Road or Union Street and was told King Road. Mr. Flint asked if it had a culvert now and was told a driveway that would be towards the east side.

No one spoke in favor or opposition.

DECISION: Unanimously approved with the following conditions:

1. Easements on the property must be shown on the map to be filed with Monroe County.

Requirements for final subdivision approval have been waived.

2. Application of Armored Motor Service of America Inc., c/o Richard Callen, Atty., 228 Plymouth Avenue South, Rochester, New York 14608 for preliminary site plan approval for a change of use to allow an Armored Car Service in existing building at property located at 1525 Scottsville Road in GI zone.

Mr. Callen was present to discuss this before the Board. He stated that the application was for premises located at 1525 Scottsville Road and the applicant was Armored Motor Services of Amercia which is an armored carrier service in the business of transporting and storing valuables and said they have been in business in the Rochester area for five and a half years and they also have facilities within Buffalo and Syracuse. He stated their present premises are on Hudson Road.

Mr. Callen stated they did not want to make any changes to the exterior of the building and the only changes would be on the interior. He said they would have to install a vault and make certain other minor changes in the building, which would cost approximately thirty-five thousand follars. He stated they would have approxiamtely twenty employees and the operation involves ten armored vehicles. The vehicles average twenty feet in length and are basically on the road from the hours of eight in the morning until six o'clock at night. He said there would be little in-out traffic and they discourage any of their clients from coming on the premises so the only vehicles are business vehicles, the trucks in the morning and in the evening. He said they also plan to service and maintain the trucks at the service facilities and they will store the trucks overnight. He said the operation will involve minimal noise and minimal traffic in the area. He stated he thought it would fit in with the character of the neighborhood and the businesses on either side and that it is a very clean operation and will put the property to productive use and they intended on hiring some additional people.

Mr. Hunter stated that their site plan doesn't give any indication where they intend to park any of the vehicles of the business or the employees. Mr. Callen stated that a good portion of that was black topped now and stated there was two hundred and fifty-four feet involved at the end of the point of ingress driveway to the end of the parking area which would be ample for twenty-four or twenty-five vehicles.

Mr. Hunter stated that the code calls for no parking in the front yard and was told on the north side of the building.

James A. Nealy commented was the former owner had that cut off from the front and that it is all grass enclosed and everything starts from the building back. Mr. Hunter asked if he understood that all vehicles, employees and armored vehicles would be parked behind the building and was told the armored vehicles would be inside the structure and the employees parking, if outside, would be forward of the front line.

Mr. Bleier asked if this was a long term proposition and Mr. Nealy stated that due to the nature of the business there would be storage overnight situations but that it was not a warehouse.

Mrs. Bartok asked if they were planning on paving the parking area and was told that the parking area was partially paved and Mrs. Bartok stated that it was in bad shape. Mr. Nealy stated that he thought the part that was in bad shape was in front of the building by the doors and was told that it would be taken care of.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *11-3-82*

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

GATES-CHILI NEWS

Issue Dated... *11-3-82*

Geraldine C. Snyder

Notary

GERALDINE C. SNYDER

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

My Commission Expires March 30, 1983

Patricia M. Smith

Patricia M. Smith

Publisher

*Planning Board
Nov 1982*

Legal Notice

LEGAL NOTICE CHILI PLANNING BOARD

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on November 9, 1982 at 7:30 p.m. to hear and consider the following applications:

1. Application of Frank Mallia, 19 Island Drive, Rochester, New York, 14624 for preliminary subdivision of one lot consisting of 13.75 acres at property located at 215 King Road, in R-1-15 zone.

2. Application of Armored Motor Service of American Inc., c/o Richard Callen, Atty., 228 Plymouth Avenue

South, Rochester, New York 14608 for preliminary site plan approval for a change of use to allow an Armored Car Service in existing building at property located at 1525 Scottsville Road, in G1 zone.

3. Application of Harold Ford, 230 Chestnut Ridge Road, Rochester, New York 14624 for preliminary site plan approval to erect an 80' x 60' one story professional building at property located at 2661 Chili Avenue in R-1-15 zone.

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

Betty Bartok,
Chairwoman
Chili Planning Board

Mrs. Bartok asked if they were going to remove the gravel where PD Equipment used to display their large vehicle and was told there would be no signs of any kind on the premises other than the address. Mrs. Bartok asked if they would be putting grass in that and was told there would be grass in that front area. Mrs. Bartok asked if he had any plans for any additional landscaping and was told they would clean up the mess.

Mr. Rakus asked if they had plans to put up fences and was told there will be fences and additional security on their customers' property.

Mr. Newman asked what kind of services were they planning on doing on the armored vehicles and was told the repair and maintenance of their vehicles. Mr. Newman asked what they would be doing with the oil and was told they have a service that picks up the used oil, they sell their used oil. Mr. Newman asked about gasoline storage and was told they had no intention of putting in gas tanks. He said there was a possibility in the future they would be coming back to put in a gasoline tank. Mrs. Bartok told him that the fire marshal would discuss it with him.

Mr. Miller asked if his guards were armed and was told yes. Mr. Miller asked if when not in use the weapons are secured and was told totally secured in a room where there is no access to it from the outside. Mr. Miller asked if they check their arms and was told all arms are left behind and checked in by the company.

Mr. Connolly said that before they put any fences up to check with his office.

No one spoke in favor or opposition.

DECISION: Unanimously approved with the following conditions:

1. Gravel area parallel to Scottsville Road to be removed from the front lawn.
2. Freestanding sign is to be removed.
3. Application of Harold Ford, 230 Chestnut Ridge Road, Rochester, New York 14624 for preliminary site plan approval to erect an 80' x 60' one story professional building at property located at 2661 Chili Avenue in R-1-15 zone.

Mrs. Bartok stated this application was in before a month or two ago and it was for a building that was smaller 40' x 80' in outside dimensions that would be two story. Since the size of the building has changed to 60' x 80' it had to come back for preliminary approval rather than coming for final. Mrs. Bartok stated they met the conditions they put on for preliminary approval that they had obtained with the other size building so they should have their drainage problems pretty well resolved.

Mr. Avery was present to discuss this before the Board. Mr. Avery stated that this is what he brought before. He stated there would be no change in the perimeter of the parking lot. He stated he moved the entrance and they made it a one story. He stated the looks architecturally would be better with a one story. He stated they still have the number of parking spaces required. Mr. Avery stated he would like to speak about drainage. Mr. Avery stated that they did what was required in item number two.

Mr. Elder stated that there would be fifty cars a day using this facility going in and out. He stated that they had a request from the town to have an architect draw up the plan and stated they had a plan there by a registered landscaping architect. He stated that they have met the Board's requirements.

Mr. Flint asked what were the trees by the road and was told Douglas Firs and that they would keep the butternut tree and the Maples.

Mr. Elder, 2 Bellmawr Drive stated that the attorney was preparing the legal descriptions to the easements running from the catch basin. He stated he believed that was sixteen feet that goes out to the road, out to Daunton and there was another one back here on the Scott property. He stated for some unknown reason the Town was never given an easement, but the pipe is running there now and in the next property it is an open ditch. So they have been asked to connect that pipe and bury it and then put a culvert pipe in to cover this other area. He stated at the same time they were to get an easement from the two property owners and give them to the Town. Mr. Elder stated he understood the Town asked for the easement but they had no provision for getting them. Mr. Elder was asked if he talked with anyone in the Drainage Committee, that they were in full agreement and Mr. Elder stated he had not and that he hoped to have that accomplished. Mr. Elder stated the whole area would be vastly improved.

Mr. Rakus stated that Mr. Parent was concerned about his property, that he would have two or three inches of water and would that be improved. Mr. Elder said it would improve that because the water is going to come into the basin.

Mr. Deans asked if they were increasing the size of the building because of additional leases and Mr. Elder stated they were decreasing the size of the building in square feet and they were down to forty-eight hundred now, where they had six thousand before. Mr. Elder stated the one story was a better approach. He stated the style was going to be colonial and esthetically speaking, the one story is far more attractive.

Mrs. Bartok asked what sort of building materials or siding are they going to use and was told they hope to use some sort of brick and stone.

Mr. Hunter stated he would be interested in knowing the present estimate of the cost of the project based on the new building and was told they didn't know but probably three hundred and fifty thousand.

Mr. Flint asked if the farm market that they show on the adjacent property is going to remain and was told it would remain and be a garage.

Ralph H. Webber who owns the property to the west of this and has a beauty shop there asked if the area that is higher would be bulldozed off so there is no drainage. Mr. Avery stated that anything collected here would go into this catch basin. Mr. Webber stated that from the green tree over it was higher. He said it would be collected and then go out the ditch along the road. Mr. Webber asked if the butternut tree was going to stay and Mr. Avery stated that the plan said it is to stay. Mr. Webber stated that tree is tipped on an angle and the butternuts fall into his property and one woman fell on a butternut and suffered severe injuries. She received seven stitches in her head and Mr. Webber feels he may be sued. Mr. Webber stated he felt it was a hazard.

Otta Layer, representing W. C. Baird, owner of the property at 400 Paul Road asked about the drainage into the Lexington Subdivision system. Mr. Avery asked what the Board's policy on that would be on that. Mrs. Bartok said that was the responsibility of the Town Board. Mr. Flint said it was the Town Board's responsibility and he said he was not sure if this particular parcel would become its own drainage district and encompass the other two residential properties or whether it would added on. Mrs. Bartok asked if Mr. Layer would like it added on to the Lexington District. Mr. Layer responded that he was sure the people that live in Lexington would welcome help. He added that his question was more as to the Board's policy and whether it was the Board's policy in recommending to the Town Board that that become part of the drainage system. Mrs. Bartok said they certainly can. She stated they had not had occasion to, they had not had anything adjacent to an existing district like that culvert installed in Paul Road. Mr. Elder stated there were other parcels there not in a district that probably should be brought into it at same time.

Mr. Keller, 9 Cannon Hill Road asked if the open drainage ditch was going to be backfilled and landscaped. Mr. Avery said yes. Mr. Keller said the open drainage ditch clogs every year on his property and was asked by Mr. Avery if he was on the north or south side and was told the south side. Mr. Connolly asked if he was in Lexington and was told that is where the pipe is for Lexington, it starts right there.

No one spoke in favor or opposition.

DECISION: Unanimously approved with the following conditions:

1. Drainage easements are obtained.
2. A determination is made on who will install the drainage pipe.

FOR DISCUSSION:

1. Application for preliminary subdivision approval of 17 lots to be known as Golden Estates at property located at 250 Golden Road in R-1-15 zone.

The Board continues to reserve decision on the application until they receive advice on drainage from the Town Engineer.

2. Application for preliminary subdivision approval of 23 lots to be known as Woodbriar Estates Section 2 at property located at 301 Westside Drive in R-1-15 zone.

The Board continues to reserve decision on the application until they receive advise on drainage from the Town Engineer.

Betty Bartok
Chairperson, Chili Planning Board

PLANNING BOARD
December 14, 1982

A meeting of the Planning Board of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624 on December 14, 1982. The meeting was called to order by the Vice Chairperson Betty Bartok.

PRESENT: Betty Bartok, Vice-Chairperson; Ray Bleier; Robert Hunter; Mitch Rakus; Edward Rague; Robert Newman; William Deans.

Also Present: Dan Miller, Deputy Town Attorney; Robert Connolly, Building Inspector; John Flint, Town Engineer; Betty Glende, Drainage.

Mrs. Bartok called the meeting to order. Mr. Miller stated that this is a legally constituted meeting of the Chili Planning Board and that notice of the meeting has been advertised in a newspaper of general circulation and also posted on the Town Clerk's bulletin board.

1. Application of William C. Baird, 110 Allens Creek Road, Rochester, New York 14618 for final subdivision approval of 26 lots to be known as Lexington Section 11 at property located at 400 Paul Road (subdivision at end of Loyalist Avenue) in R-1-15 zone.

Mr. Otto Layer was present to represent William C. Baird. He stated the map was the preliminary map that was approved in 1976. Back when they got the preliminary approval the intent was the balance of this land that they wanted to develop. He stated that subsequent to the approval of this map sections eight and ten were approved, filed and have been built on. There are two lots left in section seven and a number of lots left in section ten that have not been built on. Section eleven was approved the same time as section ten. He stated the reason they had both sections approved at the same time was the fact they are related as far as lot layout, drainage and water connections, sewer and the overall development. He stated they made no changes and they are submitting this as a reapproval with no changes. The lot sizes all conform to what was approved on the preliminary map.

Mr. Flint asked if lots eleven, eighteen and seventeen was intended as an access to those lots and was told yes. Mr. Flint asked if it is a private lane or dedicated street and was told each one of the lots has a fifteen foot frontage on the street that is part of the lot and stated the way this is usually done is that you would simply have a common driveway and they would give cross easements to use. He stated there would be enough room if each wanted to put in a driveway. Mr. Flint stated his question had to do with easements along 104, 105, 106, 107. He asked if there was a reason those were originally filed or developed to have those sixteen foot drainage easements and was told it is really just wide yard grading. He stated that answer was going to be looked up.

Mr. Groves was present, 32 Loyalist Avenue, Rochester, New York, and asked what was the minimum required footage of the house that could be built on the property and was told this comes under Section 281 of the Town Law and 281 does not cover in anyway the house that is built on the lot, only the lot itself, so that the code for the sizes of the house is not changed at all or can't be changed under this zoning, only the sizes of the lots and some of the setbacks. The major thing that can't happen is that you can not build or have a greater density or a greater number of lots within an overall area than you could have if you had made all the lots the same size as is called for in the Zoning Code. The present zoning code allows for about 2.4 lots per acre.

Mr. Groves asked about the adequacy of the drainage system, the adequacy of the culvert on Paul Road. Mr. Groves stated he was not entirely satisfied with that. He asked if the additional houses would increase the amount of water that is going to be coming behind his house. He asked if they were going to improve that area. Mrs. Bartok said this area was the responsibility of the Town. She stated that was Park District and he should see the Town Councilmen.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *12-8-82*

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

GATES-CHILI NEWS

Issue Dated *12-8-82*

Geraldine C. Snyder
.....

Notary

GERALDINE C. SNYDER

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

My Commission Expires March 30, 1983

Patricia M. Smith
.....

Patricia M. Smith

Publisher

*Planning Bd Book
Dec 1982*

Legal Notice

CHILI PLANNING BOARD

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on December 14, 1982 at 7:30 p.m. to hear and consider the following applications:

1. Application of William C. Baird, 110 Allens Creek Road, Rochester, New York 14618 for final subdivision approval of 28 lots to be known as Lexington Section 11 at property located at 400 Paul Road (subdivision at end of Loyalist Avenue) in R-1-15 zone.
2. Application of William C. Baird, 110 Allens Creek Road, Rochester, New York 14618 to amend Lexington Section 10 Subdivision to include a 30' rear setback for all lots (40' required) at

property located on Loyalist Avenue in R-1-15 zone.

3. Application of Wilmorite Inc., 1265 Scottsville Road, Rochester, New York 14624 for preliminary site plan approval to erect a 20' x 16' second story office addition at property located at above address in GI zone.
4. Application of Robert Dugan, 425 Winton Road North, Rochester, New York 14610 for preliminary site plan approval to erect a 30' x 40' two story industrial building to be used for manufacturing wood, plastic, and ceramic components at property located at 2 King Road in LI zone.
5. Application of Bausch & Lomb, 465 Paul Road, Rochester, New York 14624 for preliminary site plan approval to erect a 30' x 40' and 16' x 9½' storage building at property located at above address in LI & RPO

zone.

6. Application of David Wohlers, 1221 Johnson Road, Churchville, New York 14428 for preliminary subdivision of 6 lots to be known as Wohlers Subdivision at property located at 82 Attridge Road in R-1-15 zone.
7. Application of Perna Homes, 1075 Paul Road, Churchville, New York 14428 for final subdivision approval of 21 lots to be known as Clay Hill Farms Section 2 at property located at 140 Archer Road in R-1-15 zone.

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

Betty Bartok,
Chairwoman
Chili Planning
Board

Mr. Groves asked about the growing number of trees that have died in front of each house. Mrs. Bartok stated the ordinance mandated trees be planted and it only requires that they survive one year.

Mr. Flint said the culvert may need to be cleaned.

Chris Willoughby, 60 Loyalist Drive was present and asked if there was a minimum size requirement for houses in this track and was told by Mr. Connolly there were requirements for square footage according to how many bedrooms are in the home. If you have one bedroom it is 850 square feet and those are the only requirements that he has to meet. Chris Willoughby asked if they could build one bedroom houses and was told yes. Mr. Layer was asked when they planned on doing the developing and was told they have started the grading and moved all of the earth. He stated they are now ready. He stated sometime this winter they would be putting in underground, which means the sewer, water, storm sewer, and then sometime in the spring they would put in the roads and houses in April. Chris Willoughby asked who the builder would be and was told they aren't certain. Mr. Layer stated he may do some himself.

No one spoke in favor or opposition.

DECISION: Unanimously approved with the following conditions:

- 1. 25' rear yard setbacks for lots 1114, 1113, 1111, 1110, 1109, 1121.
- 2. All other variances granted as listed in the engineering notes on the final subdivision plat.

It was noted that the original drawing showing this subdivision must be filed in the Monroe County Clerk's Office within 60 days after obtaining the necessary Town of Chili signatures.

The Board voted to amend final approval for Lexington Subdivision Section 10 to include 25' rear yard setbacks for lots 1005, 1006, 1013, and 1014.

- 2. Application of William C. Baird, 110 Allens Creek Road, Rochester, New York 14618 to amend Lexington Section 10 Subdivision to include a 3'- rear setback for all lots (40' required) at property located on Loyalist Avenue in R-1-15 zone.

(See application number 1.)

- 3. Application of Wilmorite, Inc., 1265 Scottsville Road, Rochester, New York 14624 for preliminary site plan approval to erect a 20' x 16' second story office addition at property located at above address in G1zone.

Mike Fortier was present representing the owners. He stated in April, 1974 they came in and requested to build a small addition in the corner of the Paige-Wilmorite building for a lobby for both parties and both floors. He stated that was approved. He stated part of that process was to design the building with a two-story foyer building with the thoughts they may add a second floor. Since that time the lobby has been built. He stated they are in a position to ask for a second floor. He stated they were not adding any people or parking or are they covering anymore ground. He stated they were asking to add to the existing lobby.

Mr. Rakus asked if they were adding water or bathroom facilities and was told, no, just one large room.

Mrs. Bartok asked if any existing grading would be disturbed and was told, no. Mrs. Bartok asked the approximate cost of the project and was told they don't know.

No one spoke in favor or opposition.

DECISION: Unanimously approved with no conditions. Final site plan was waived.

4. Application of Robert Dugan, 425 Winton Road North, Rochester, New York for preliminary site plan approval to erect a 20' x 16' second story office addition at property located at above address in GI zone.

Robert Dugan was present, 425 Winton Road North. He stated that the drawing is new and asked that the decision be made on the preliminary. He stated it conforms with the setbacks and all the side dimensions.

Mrs. Bartok asked what ordinance he used to find out what was required for preliminary site plan because there was a lot of things that are required that are missing according to the Chili Zoning Ordinance, like for instance, the requirements of Section 115-29 A, number one, the traffic flow to be generated, the height of the building, the parking lots, oil and chemical disposal, full disclosure of the names of the principles involved. Number two, cost of the project, square footage with respect to the number of parking spaces provided, the drainage report, the source of water, the signatures, the name of the professional engineer. Mr. Dugan stated the reason he was there was for preliminary site plan approval. He stated if there was no objection then he would go further. Mrs. Bartok stated this was required for preliminary site plan approval. Mr. Dugan stated the building would be used to manufacture wood products, plastic products. Mrs. Bartok asked if there would be oil or chemicals to dispose of and was told only sawdust, perhaps. Mrs. Bartok asked if the road cut was approved yet and was told no.

Mr. Flint stated all they could do was reiterated the requirements. He stated if he intended to have a light industrial facility he was going to have to get a health department approval, parking requirements and he was going to have to conform to the Town requirements.

Donald Voglroer, 1250 Paul Road was present and asked if it was going to be a machine shop, furniture. He was told it will not be a machine shop, possibly furniture, moving in components, making similar components.

Patricia Nothnagle was present and stated she has lived there for twenty-two years and there has been nothing there but homes leading into King Road and homes leading out. She stated they aren't receptive to a factory. Mr. Dugan stated it would not be against the light industrial zoning in the area. Mrs. Nothnagle asked how many they expected to employ and was told probably three.

Patricia Stein was present, 1200 Paul Road, and stated that it is supposed to be a park like setting, however, it has been the experience of the Planning Board that once permission is given for a business to locate there is virtually little you can do to have them comply. She stated she has concerns about possible environmental problems. She stated in towns where commercial and light industrial are mixed with residential areas the value tends to go down. Jan Stein was present and stated she had a petition signed with over a hundred names stating that they opposed the approval.

Mr. Miller stated he thought it was very unfair that these people that signed the petition did not come in and at least give the applicant a chance to present his case.

Mrs. Stein stated that Mr. Dugan wanted a feeling of the area residents and now he has a very good feeling of what the area residents want. Mrs. Stein stated she would like to remain in Chili and to be proud of living here and she stated she thought it was imperative of the Board to look at the total picture. If you start one area like this there will be others.

No one spoke in favor or opposition.

DECISION: The Planning Board voted to adjourn the application for a maximum of two months, to allow time to provide the detailed information required.

- 5. Application of Bausch & Lomb, 465 Paul Road, Rochester, New York for preliminary site plan approval to erect a 30' x 40' and 16' x 9 1/2' storage building at property located at above address in LI & FPO zone.

Peter Archbold was present and stated they wanted to put an addition into the existing manufacturing facility on Paul Road. The addition will be on the east side. He stated they were looking to increase the safety and decrease some of potential fire hazards that they might have from flammable liquids, solvents, oils, et cetera. He stated they tried to take into account any codes they were aware of.

Mrs. Bartok stated this was not a site plan and did not come close to meeting the requirements of the ordinance. She stated they did not know what types of soils they were dealing with, what kind of grading they would be doing. Mr. Archbold stated the grading would match the existing grading that is out there. The soil is the soil that the existing plant is on. He stated there would be architect drawings.

Mrs. Bartok stated she would like to know about the soil contaminants and was told this is the reason for doing this, to gain better control with this system. If they have a spill it will drain into holding tanks which would be a sealed concrete inground facility. The waste would be held in those tanks until it could be pumped out.

Mr. Newman asked if these chemicals are chemicals that they presently have and was told, they aren't addign anything new as far as chemicals. He stated they were trying to gain better control. Mr. Newman asked how this building would fit in architecturally and was told it would be painted concrete block. Mr. Newman asked if that is what the present building is and was told, no, the present building is metal siding but they could not match the metal siding. Mr. Archbold stated it works out to twelve hundred square feet -- thirteen square feet. He stated under no conditions will anything go into the sewer system. He stated anything that flows will go into the pit.

Mr. Flint asked if the oil storage and oil racks are separate distinct areas and was told the whole area is set up as a series of fire divisions.

No one spoke in favor or opposition.

DECISION: Unanimously approved of concept but unable to give preliminary approval until the detailed information required by the Chili Zoning Ordinance has been provided and reviewed.

- 6. Application of David Wohlers, 1221 Johnson Road, Churchville, New York 14428 for preliminary subdivision of 6 lots to be known as Wohlers Subdvision at property located at 88 Attridge Road in R-1-15 zone.

Don Avery from Denluch-Hyde Association was present to speak on behalf of the owner. He stated it is around nine hundred feet from the intersection of Buffalo Road to where the first lot would be and it is on the east side of Attridge Road. He stated it was presently spotted with pine trees, or oak trees. He stated what they were planning on doing was taking from the section of higher land and using it for fill over in number five and number six lots. He stated the next thing is frainage. He stated there is an undefined ditch in this area along the raod but it generally grades to the center of the property. There is a defined ditch coming from the south to the north and they plan on putting in a pipe in between the lights and they have an easement which will bring any drainage back to this wet area. Lots three and four, they have shown a common driveway and they have decided they can not do that. He stated there will be two separate driveways. He stated the soil is MDB which is very suitable for house foundations.

Mrs. Glende asked if there was a storm would this pipe bubble up. She asked if they could lengthen the pipe further into the yard and was told they could come back another ten feet.

Mrs. Bartok asked if they made a separate drainage report and was told they didn't feel it was required. Mrs. Bartok asked if they would need a wet lands permit to channel your drainage into the wet lands and was told the houses are outside the hundred feet. Mrs. Bartok said she meant the swale and was told they have shown an easement. Mrs. Bartok stated if they are going to do anything within the wet lands or the hundred feet above, they will have to get a permit or at least talk to them.

No one spoke in favor or opposition.

DECISION: Unanimously approved with the following conditions:

1. Separate the driveways between lot 3 and 4.
 2. Lengthen the drainage pipe 20' between lots 3 and 4.
 3. Separate the driveways between lot 1 and 2.
 4. Final Sub-division plat approval has been waived subject to Town Engineer's approval of final plat.
7. Application of Perna Homes, 1075 Paul Road, Churchville, New York 14428 for final subdivision approval of 21 lots to be known as Clay Hill Farms Section 2 at property located at 140 Archer Road in R-1-15 zone.

Don Avery, Denluch-Hyde Assoc., was present to speak on behalf of the owner. He stated the map is essentially the same as it was. He stated he extended the sewer a little at the cul-de-sac and the sewer connects into the pipe that is already there. He stated it is a forty-eight reinforced pipe that makes a connection to that that comes along between these two properties and then we extend it up to the cul-de-sac and there is three hundred feet in the next section, so that when they build the sewer is already in. He stated the water line will connect across the road.

James Perna was present and stated the only reason he asked for these is to pick up fifteen feet of back yards. He stated as long as they leave the setback on Archer Road he thought it would look nice. Because he is also faced with that sixty feet from both sides and there is no back yards whatsoever.

No one spoke in favor or opposition.

DECISION: Unanimously approved for the following reasons.

1. To provide more land in the back yards.
2. To allow corner lots more land in the back yards.
3. To provide a greater setback from the railroad for houses along the western boundary of the site.

Betty Bartok
Chairperson
Chili Planning Board