

PLANNING BOARD

January 10, 1984

A meeting of the Chili Planning Board was held on January 10, 1984 at the Chili Town Offices, 3235 Chili Avenue, Rochester, N.Y.

Present: Don Faso, Vice Chairman
Bill Deans
Mitch Rskus
Ray Bleier

Also Present: Bob Connolly, Building Inspector
John Flint, Town Engineer
Betty Glende, Drainage
Larry Hoy, DEC Liaison
Dan Miller, Deputy Town Attorney

The meeting was called to order at 7:30 p.m. by Mr. Faso. He asked Mr. Miller to make the legal statements, and he did so. Mr. Faso introduced the Board.

1. Application of Anthony Perraino, 10 Sandra Lane, Rochester, New York, 14621 for preliminary resubdivision of 2 lots at property located at 1041 Paul Road and 466 Chestnut Ridge Road in R-1-20 zone.

Mr. Perraino was present, and with him was George Scardetta, his engineer. Mr. Scardetta said he was here to help answer questions.

Mr. Bleier asked what is happening here. Mr. Scardetta, using a drawing he had brought with him, explained. The lot on Paul Road was very shallow. To give the Paul Road lot enough depth they are being rearranged so the back portion is being attached to R-1. Taking the back portion switches it from one lot to the other. They were individual lots.

Mr. Connolly mentioned that these were subdivided but never filed. Mr. Scardetta said they are thinking of building on R-2 fence--the one on Chestnut Ridge Road. They submitted drawings and will submit full site plans.

Mr. Deans asked if Mr. Perraino owns both R-1 and R-2, and Mr. Scardetta said yes.

Mr. Miller asked if this is near a drainage district or in a drainage district, and Mr. Connolly said he didn't know.

Mr. Hoy asked if any of this is wetland; Mr. Scardetta said he didn't know, but it would come out. No sanitary sewers now.

Mr. Flint asked if the two pieces were part of the original subdivision: Mr. Connolly said yes, it included one larger parcel. They are legally subdivided, that is, two parcels now. They got approval but never filed it.

Mr. Flint asked if we are restricting ourselves and limiting future access points. Mr. Connolly said he thinks there are other access points.

Mr. Faso asked if there were any questions from the audience.

Mr. Ronald Pikuet, 1030 Paul Road, was present. He said there is a swale that goes behind his father's house. The swale drained the property. He is concerned whether he will have drainage on Paul Road. Water has to go through this lot (indicating on map). He needs to get water off his property and wants an easement to do this. When this is divided, there is an opportunity for water to drain out.

Mr. Deans asked where the culvert comes out. Mr. Perraino said he was not sure. Somewhere in front of R-1. Between the house Perraino built and Perraino owns.

Mr. Rskus asked what diameter the culvert is, and Mr. Pikuet said he didn't know.

TOWN OF CHILI
3235 CHILI AVE
ROCHESTER, NY, 14624

*Planning Book
Jan. 9-1984*

State of New York
County of Monroe
City of Rochester

Ethel Stenshorn being duly sworn, deposes and says
that this person is the principal clerk in the office of

Democrat & Chronicle

A daily newspaper published in the City of Rochester,
County and State aforesaid, and that a notice of which
is annexed is a printed copy, was published in the said
paper on the following dates:

1/3

Signed Ethel Stenshorn

Sworn before me on 01/03/85

Linda M. Speranza
Notary Public/or Commissioner of Deeds

This advertisement is invoiced under

NUMBER 731886
ACCOUNT 76082
KEY CODE GTM

And published on each of 1
insertion in Class 010B
and in 70 lines
for charges due and payable to
The Gannett Rochester Newspapers
in the amount of \$135.80

LINDA M. SPERANZA
Commissioner of Deeds City of Rochester, N.Y.
MONROE COUNTY
Commission Expires August 22, 19....

Copies: 1

**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 January 9, 1984, at 7:30 p.m. to hear and consider the following applications:

1. Application of Elliott Press, 1400 Mt. Hope Avenue, Rochester, New York 14620 for preliminary site plan approval to erect a 180' x 80' 2^{1/2} story office building at property located at 1204 Scottsville Road in GB zone.
 2. Application of Robert Fallone, 237 Fisher Road, Rochester, New York 14624 for final subdivision approval of 20 lots to be known as West Forest Estates Section 5 at property located at 108 West Forest Drive in R-1-15 zone.
 3. Application of Walter Construction, 19 Howard Avenue, Churchville, New York 14428 for preliminary subdivision of 3 lots to be known as Golden Road Subdivision phase II at property located at 230 Golden Road in R-1-15 zone.
 4. Application of Victor Tifone, 34 Parkway Drive, Hilton, New York 14468 for rezoning of 31.6 acres from R-1-20 to R-1-15 at property located at 372 Chestnut Ridge Road.
- At such time all interested persons will be heard. By order of the Chairman of the Chili Planning Board.

J. Donald Faso, Chairman
Chili Planning Board

INFORMAL:
1. Application of Victor Tifone, 34 Parkway Drive, Hilton, New York 14468 for sketch plan approval for a 43 lot subdivision to be known as Sunset Hills at property located at 372 Chestnut Ridge Road in R-1-20 zone.
GTM, JJ DC

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *1-4-84*

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

GATES-CHILI NEWS

Issue Dated... *1-4-84*

Geraldine C. Snyder
.....
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N. Y., Monroe Co.
My Commission Expires March 30, 1985

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

*"Planning Bd"
Meeting
Jan 1984*

Legal Notice

CHILI PLANNING BOARD

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1. Application of Anthony

Peraino, 10 Sandra Lane, Rochester, New York 14621 for preliminary resub-division of 2 lots at property located at 1041 Paul Road and 466 Chestnut Ridge Road in R-1-20 zone.

2. Application of Toper Construction, 1350 Buffalo Road, Rochester, New York 14624 for final subdivision approval of 16 lots to be known as Golden Estates at property located at 250 Golden Road in R-1-15 zone.

3. Application of Robert Fallone, 237 Fisher Road, Rochester, New York 14624 for preliminary subdivision

of 76 lots to be future sections of West Forest Estates Subdivision at property located at 102 Emerald Point 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. George Woods, 1045 Paul Road, was present. He said he gets runoff. Mr. Ostry has drainage problems also. He loses a portion of his yard every spring. He asked the Board to please keep this in mind.

No further questions.

No one spoke in favor or opposition.

DECISION: Unanimously approved, with the following conditions:

1. Full Topo should be shown for both lots.
2. The culvert under Paul Road should be located on the map.
3. Proved for drainage, by easement if necessary.

2. Application of Toper Construction, 1350 Buffalo Road, Rochester, New York, 14624 for final subdivision approval of 16 lots to be known as Golden Estates at property located at 250 Golden Road in R-1-15 zone.

Mr. Joseph L. Yankanich, Professional Land Surveyor, 1726 Long Pond Road, was present.

Mr. Faso, surveying his documents, said he noticed that the conditions for preliminary approval have been met.

Mr. Yankanich said they have received recommendations from the Planning Board. We have bermed the south edge. Cleaning o- West Side Drive ditch is on the list.

Mr. Faso said this does not look like it has been bermed. Mr. Yankanich said there is a drainage swale and we added another foot. We will tie on inverts to the outfall pipe. We also moved outfall pipe 50 feet to the north. Mr. Miller has a copy of the drainage easement that we proposed to dedicate to the Town. Restriction of lot 14-- it will have a restrictive covenant. We have added screen plantings. Norway spruce which would screen the pond area.

Mr. Faso asked Mr. Flint if he felt that what is indicated as to the berm is sufficient. Mr. Flint answered that Mr. Yankanich's intent is clear. He might want to add another spot elevation on the plans. Mr. Yankanich said he would do this.

Mr. Hoy said that the Norway spruce appears to be very close to the road. This might block the view of people making turns or people coming out left. Mr. Yankanich said he is planning the placement of them so they will not impede on people's vision.

Mr. Vincent Spring, 1751 West Side Drive, was present. He asked if it was the same setup as last time. Mr. Yankanich said it is identical, they have only make the changes the Planning Board requested.

Mr. Richard Spring, (next door neighbor of Vincent Spring) was present. He had some questions, and wanted to inspect the drawing further. Mr. Yankanich showed drawing to him, and answered questions.

No further questions.

No one spoke in favor or opposition.

DECISION: Unanimously approved, with the following conditions:

1. Spot elevation to be shown on the end of the berm on lot 11.
3. Application of Robert Fallone, 237 Fisher Road, Rochester, New York, 14624 for preliminary subdivision of 76 lots to be future sections of West Forest Estates Subdivision at property located at 102 Emerald Point in R-1-15 zone.

Lee Sinsebox, of Charles J. Costich, Consulting Engineers, was present, representing Mr. Fallone. He refers the Board to a drawing of the subdivision which he had brought with him. He said they were asked to show additional topo, and here it is. The additional topo was on the west side of the property and behind Baylor Circle. (Points out wetland limits) (Indicates wetlands are all around proposed development.)

Problem area is the back side of Baylor Circle and westerly line of Baylor Circle. We are putting a road through here and will cut the water off. We have added pipe through rear yards here. We put another pipe slightly lower than the existing pipe. Drainage overall with storm sewer system draining everything into center--on the south end water would go into the pond area. We have worked with the DEC. Limit is 1.5 csf. 260,000 cubic feet of storage in the ponds. DEC wanted islands in the ponds. We put them in the most clear area of the ponds. We are processing the SEQR requirement and are here for preliminary approval, subject to SEQR requirement.

Mr. Faso said he was at the site. There is an area totally under water. No. 1402, 1403 and 1404 have standing water, which extends across the road.

Mr. Sinsebox said these are part of the low, flat area (indicating on the drawing). We will be raising the grade of the road 304 feet so those areas will drain into the pond. House at 02 is 568, and pond elevation is 562. We are depressing the area where the pond is.

Mr. Faso said the invert is 563.1. This end section is 563.8. (Mr. Sinsebox indicates the end section on Baylor Circle).

Mr. Flint said this will do what Mr. Sinsebox says. This new pipe will provide some relief during the worst times.

Mr. Bleier said he was concerned that adding all this could have a bad effect.

Mr. Sinsebox said the pipe they have added is 562.8. Mr. Miller asked how it compares with topo grades, and Mr. Sinsebox said they are 563.8. Our pipe is lower; the water should go there first and then into the ponds.

Mr. Faso asked what is the elevation of outfall into the ponds. Mr. Sinsebox answered 562.

Mr. Bleier asked how large the pipe will be, and Mr. Sinsebox said 15" with .24% slope.

Mr. Faso asked what about surcharging of the pipe when ponds are full? Mr. Sinsebox said John was concerned that pond would be 562 in a 100-year storm. If it went beyond that it would overflow. We could put a check valve in the manhole.

Mr. Miller asked if it wouldn't be better to have an open swale between lots 03 and 04. Mr. Sinsebox said yes, but you would burden these lots with standing water. For lesser storms the ponds would take all the water. The difference is 3/10 of a foot.

Mr. Miller asked what about an open swale with a concrete bottom. Mr. Sinsebox said they could do that with pipes. Mr. Miller said pipes get jammed--he thinks a ditch is better. Mr. Flint said he respectfully disagreed.

Mr. Hoy asked if there wasn't a problem already to the west of this property with a pipe being jammed? Mr. Sinsebox answered a sanitary sewer.

Mr. Flint said you can put an effective grate on pipes. Mr. Hoy said yes, but kids had gotten down in there.

Mr. Deans asked, what is the ideal situation with the ponds? The DEC wanted this to be a self-contained situation? Water is just going to sit there, no flow? Mr. Sinsebox answered yes. Retention vs. detention. The islands attract wildlife and are a refuge--leaving the land the way it is. To offset the effect of the road, the islands are being put in, in accordance with DEC's request.

Mr. Deans asked if the fertilizer wouldn't drain off into the ponds--he thinks it will be a stagnant area. Mr. Sinsebox said DEC feels the ponds are a plus. He said they have been working with Dan Carroll and Bill McGregor at DEC, and offers to get more information.

Mr. Faso asked if any engineering calculations were coming in off Watch Hill, from the design aspect. Mr. Sinsebox said there was a request to connect to this (indicating) when they first came in.

Mr. Flint said they have had discussions with Costich on this. They concluded that Watch Hill was not a good spot to connect to. It is right through wetlands. There is no way we can connect to Evergreen because it doesn't seem as though the property to the south will ever be developed. Town does not have right of way around the cul-de-sac at the end of Evergreen. So Town cannot help with the connection.

Mr. Deans asked, the total number of acres is 100? Mr. Sinsebox answered, what is highlighted in green is 60.6; there is more that is not on Map 39.

Mr. Deans asked what is the useable amount of land, and Mr. Sinsebox answered using zoning requirements for lot size--front and back portions. This could all be used if you could fill it and if you can figure out what to do with the water.

Mr. Bleier said on the south boundary line, it appears it will be draining further down south. Mr. Sinsebox said that is right. We have allowed yards to continue and have elevated house slightly. Mr. Bleier asked him to compare drainage before and after development. Mr. Sinsebox said it was hard to say. The front of these houses will drain into the pond (indicating).

Mr. Bleier asked what about the southeast. Mr. Sinsebox said the same thing. It is level to the railroad tracks.

Mr. Faso said, regarding lot 1614--the 100 foot buffer seems to end there. Wetland limit is there. Mr. Sinsebox said that was set by DEC when they walked the land.

Mr. Flint said he thinks that would go a little to the west and then go south to Evergreen. He has asked Lee Sinsebox to consider eliminating the existing detention pond. That increases the level of the three ponds in a major storm. He has asked Lee Sinsebox to comment about 3-4 small swales and foot bridges in the area including the drain to the southeast. What impact will development have on these?

Mr. Sinsebox said they don't intend to do anything where they fall within wetlands; where road crosses, it will be filled.

x Mr. Bob Bullock, of Conservation Board, was present. He was curious as to how the area between lots 1401 and 1402 would be filled. Mr. Sinsebox said they would elevate _____ so these houses would protect it; improve channel here (indicates).

Mr. Miller asked, what if kids damage the check valve? Mr. Sinsebox answered that it is placed in the manhole. Mr. Miller asked what the check valves are made of and Mr. Sinsebox answered brass.

Petty Bartok, 43 Baylor Circle, was present. She said the check valves are good, but the only way we will find out if one is damaged is after a flood. Should we have two pipes surcharging to Baylor Circle? Survey elevation indicated elevation in the ponded area. Those are water levels. I could find no area where holes were punched in ice. The water is more than one foot deep in places. Considerable field work would be needed. In the Baylor Circle watershed, water runs down the hill behind houses. If you are going to fill that storage area, you had better find another storage area. What if the system doesn't work as well as you think it will, or if the check valve sticks open? Our yards are one to 1.5 feet lower than the water. There is one swamp 25 feet wide in yard of 39 Baylor. Proposed ponds are in area that is already ponded. Water elevation is as high as 564 right now without additional holes. If system is designed to surcharge at 563.8 there could be a problem if an accident occurs. We have several alternatives off Watch Hill. It is high, dry, well drained. No pond to put road through; no trees to take down; no pipe in a high-risk area. Our drainage system surcharges in every rapid thaw now. We don't need any acceleration of surcharge. What is the proposed bottom elevation in Ponds A, B and C?

Mr. Sinsebox said DEC will dictate that.

Mrs. Bartok continued, water is on top of the soil in this area. It is my opinion if you dig deeper you will lay open the water table. The deeper the trench the deeper the water. Consider the addition to extra rooftops and pavement. You must look at the density. 12.3 acres were promised to the Town. The ponds were calculated into that density. Planning Inventory shows blue line water courses. They go in a straight line and join the main trench. We have four houses that will be on top of that. I wonder if sealing those off and building on top of them would have any ramifications?

Three lots in the southeast corner of Section III will have to be resubdivided into four plus roadway. Drainage plans would have to be submitted and recalculated. Risks of the proposal are very serious. We risk loss of storage capacity through filling of pond, roadway and three lots. Risk of surcharge from detention ponds. Flooding collapsing swimming pools on two properties. Yes, there are check valves, but there is vandalism in the area. Risk of flooding of new homes that are built inside of pond and new homes that are sitting on top of blue line water course. Watch Hill has enough space for lots 150 feet deep. Four homes on blue lines could be relocated. The land elevation is 565, 564. Traffic could flow on to West Side Drive through two existing openings rather than one. You could reshape the pond a little. It would be cheaper and easier. It would eliminate the risk of the surcharge to Baylor Circle. With the Watch Hill alternative, no need to resubdivide. No need for roadway in the pond or no need for three lots in the pond; a newly created pond to be part of 100-acre wetland not cut off from it, better access to wetlands for wildlife. There are many adverse impacts from the proposed entry through the pond. I think a full scale SEQR hearing would be unavoidable if this proposal is not for Watch Hill. The Section 281 Agreement was made to be honored by the developer and developer could use back parcel of land.

Pipes placed so that the surcharge onto Baylor Circle is a big risk. If we get flooded, we will unite and we will sue the Town. On Hillary a basement collapsed and people sued and they won!

The risks are so great it is not worth pursuing; but the alternative is fair and ought to be looked at.

Mr. Charles Costich was present, and spoke in rebuttal to some of Mrs. Bartok's remarks. He said in connection with the resubdivision, they are not increasing the number of lots. Four lots to be eliminated and replaced by four other lots. The pipe going over to rear side of Baylor Circle would have a flap valve; this was installed as the best attempt to alleviate problems that have existed. We will take it out right now. It is an effort to improve Baylor Circle drainage. There is nothing else you can do that would serve this better. We will eliminate pipe if John sees fit. It was our only way to alleviate the situation. Regarding Black Watch--we proceeded based upon sketch plan approval with DEC and the others. We are aware that new roads coming off Black Watch Drive would not be acceptable to DEC.

Our storage is above the standing pond elevation. We have a swale so that if the water hits and if the pipe does not function there is an overland flood situation and an easement covering it.

Mr. Sinsebox added that they have included the low area in their ponds.

Mrs. Bartok said that the water area in the proposed pond area now is already 2/10 of a foot higher than the elevation proposed. It is 156.4.

Mr. Costich said that the invert discharge pipe is 561.8. That will be the elevation of water at the time the storm starts.

Mr. Bleier asked if the surcharge would work in the event of a 100-year storm only, and Mr. Costich said yes. But they can eliminate the pipe.

Mrs. Bartok said that 1401-1405 currently drain onto Baylor Circle. If they were on the other side of the road there would be no problem. On this side they are potential disaster.

Mr. Eleier asked if DEC had requested elimination of the house on the other side, and Mr. Costich said yes.

Rich Lee of Evergreen Drive, was present. He asked where the water detention ponds were, and Mr. Costich pointed them out. Mr. Lee asked what the new ponds will do. He stated the pipe backs up into his back yard and overflows. If you go from one to three, will it increase the overflow? Mr. Costich answered it would not; it would still be 1.5 feet. They are increasing the amount of storage. They are not replacing the pipe. Mr. Lee asked if the quantity would increase, and Mr. Costich said it would flow for a longer time. Mr. Lee stated that when the retention pond is dry the pipe is still draining.

Mr. Martok stated that the shape of the detention pond on the drawing is not the actual shape. It is a perfect oval.

Mr. Jerry Brixner, 14 Horden Road, was present. He asked about the possibility of exchanging the property to the Town. Mr. Costich answered that this began with the application of 281 possibility. Conservation Board requested a certain amount of land be dedicated to the Town. Now they are talking about increased dedication to the Town. Town will control remainder of land on this property.

Mr. Brixner asked if the Conservation Committee reviewed this proposal, and if the Chili Recreation and Youth Commission reviewed the use of this land. There may be benefits. If there are benefits there should be acceptance. Also, there could be deficits. He said he would like the Planning Board to consider this.

Mr. Deans said they have discussed the different uses with Mr. Costich. It was the feeling of the Board that it would be better not to have any formal development of recreational facilities; that they would leave it as wildlife area. That was looked into and discussed with him.

Mr. Brixner asked if there would be an exchange to the Town for forever wild purpose, and Mr. Costich said there would be.

Ronald Buttarazzi, Esq., 625 Executive Office Building, Rochester, New York, 14614, attorney for Mr. Fallone, was present. He said there have been 100 houses already built in this development. He said Mr. Fallone will not build a house in the middle of ponds. Whatever is done will be done in accordance with the highest standards. Mr. Fallone desires to be a good citizen.

Mr. Brixner said he agreed. All he has heard about Mr. Fallone's work has been very good.

Mr. Dennis Bates, 41 Baylor Circle, was present. He said he has lived there for 5-6 years. The situation has gotten worse, not better. His house probably should not have been built there. And what they are proposing--some other poor soul will suffer. He said he can't believe they are not going to have problems.

Mr. Costich said if the situation is getting worse it is possibly because of deterioration of outfall from your property. Has it been cleaned? Mr. Bates asked, where can the water go? You are creating a problem. Mr. Costich said they have been able to do it further up. Mr. Bates said the difference is not that much. The water flow is tremendous--you will have backup in that pond.

Mr. Sinsebox stated that water seeks its own level; they are providing a depression. Mr. Bates said, you will hit water!

Mr. Sinsebox said we are doing that to satisfy DEC. If the ponds are six feet deep the bottom four feet just stays there all the time. In your subdivision the houses were constructed two feet lower; this new one is not designed like that. Mr. Bates asked, what is our assurance that we will not suffer in the end? I can't afford any more problems.

Mr. Buttarazzi said, he has done good work in the past.

Mr. Dan Smith, of Emerald Point, was present. He stated that his sump pump hasn't gone on six times. If this will help it, it's OK with him.

Mrs. Vogt, 39 Baylor Circle, was present. She showed the Board pictures from August, 1982 showing water in her yard. She said she agreed with Mr. Bates regarding the wetlands in the back of the house.

Mr. Flint said the majority of problems are on Baylor Circle. We do have a berm. There have been no complaints about water coming from west onto Baylor Circle. I haven't heard about them. This subdivision cannot solve your problems. They are restricted by economic considerations and by DEC--it has more control than the Town as to what happens to wetlands. DEC has required the ponds; it has dictated where the road would cross wetlands; six lots would be lost. The purpose of that pipe was to solve problems on Baylor Circle. We can create a berm. But I think the pipe will solve the problem. The wetlands will continue to be wetlands. It is controlled by DEC. There will have to be regrading. You must remember that just because you have problems, he should not be restricted unless it hurts you.

Mr. Bates said he thinks the two houses in the pond should be eliminated. Mr. Flint said DEC dictated that. Mr. Bates asked what about an open ditch? Mr. Flint answered we can barricade this property. If the ditch is where all this water flows. Mr. Bates said the ponds would be stagnant all summer. Mr. Flint said that is what DEC wants.

Mrs. Bartok stated that she had spent the day at a State SEQR Seminar. The plans can be changed. Alternatives must be explored in detail. This is not cast in stone. It is the responsibility of the Town to work with DEC and the developer to find a plan that is acceptable to all.

Mr. Flint said he didn't mean to imply it was cast in stone.

Mr. Faso said the Courts feel that if all alternatives are not addressed, you could be sent back to Square 1. Residents could form a class action suit and sue you. You must consider alternatives.

No further questions.

Mr. Paul Foggett, 126 Johnson Road, was present. He asked, if there was a problem with the pipe, could we then abandon it later? Mr. Costich said yes.

No one spoke in favor.

In opposition: Mr. Bartok, Mr. Bates, and their neighbors, by a SHOW OF HANDS (about 7). See the above remarks for their specific opposition.

DECISION: Approved, with the following conditions:

1. Conditional upon approval of SEQR review.
2. Flapgate to be shown on the map in the pipe located between lots 1402 and 1403.
3. Pavement width shall be 24' up to the "T" intersection.
4. Rear lot drainage for lots R-317, R-318, R-319, 1401, 1402, 1403 and 1404 shall not leave the proposed subdivision.

INFORMAL:

1. Application of Foggi-Bears, 510 Long Pond Road, Rochester, New York, 14626 for final site plan approval for a change of use in portion of building to allow a bar/restaurant at property located at 1280 Scottsville Road in GB zone.

Mr. Paul Foggett, 126 Johnson Road, was present. He said provisions have been made in back of the building for parking. Mr. Faso said the only problem was with ingress and egress and that has been addressed. Mr. Foggett, referring to a drawing, asked if it showed the buffer.

Mr. Flint said there was a question about the number of access points. State requires one access and the drawing shows two. The State allows one. Mr. Foggett said he was not aware of that problem, and asked if this affected him--he is paying rent.

Mr. Connolly said he has agreed to close it off.

No further questions.

No one spoke in favor or opposition.

DECISION: Approved unanimously, no conditions.

2. Application of Fred Stoffel, 580 Chestnut Ridge Road, Rochester, New York, 14624 for sketch plan layout for a four lot subdivision to be known as Stoffel Subdivision at property located at above address in R-1-15 zone.

Mr. and Mrs. Fred Stoffel and Lee Sinnebox of Costich Engineering, were present. Mr. Sinnebox stated that Mr. Stoffel lives on the site. He is retired, He is the developer. He has no intention to develop the back. Plans on staying in existing residence and conveying three properties. He has been there 27 years. Property is served by water main and sanitary sewers.

Mr. Rakus asked if these lots are for the purpose of building homes, and Mr. Sinnebox said they were. Lots are slightly larger than zoning requirements.

Mr. Rakus asked what about elevation of lots compared to road level? They go down. Mr. Sinnebox said yes, he was concerned also. If lot would require fill. Lot A--750 cubic yards.

Mr. Connolly said, 75 feet on major highway.

Mr. Bleier said, he could apply for a variance. Mr. Sinnebox said, they would ask for variance on setback for the new lots.

Mr. Connolly said we would like full topo, and Mr. Sinnebox said they would do that.

Mr. Miller asked if that is a County road, and Mr. Connolly said yes.

Mr. Sinnebox said that the sewer that Pure Waters put in original plans was to terminate south of here. They extended the sewer just past Stoffel's house to service this property. Four feet below road grade.

Mr. Stoffel said he intends to keep the rest of the farm the same. There are two driveways, it would be open.

Mr. Flint said this drains into Hillary Heights area. He has asked Lee to put runoff toward Chestnut Ridge rather than toward rear. Mr. Stoffel said he didn't think there would be that much.

No further questions.

No one spoke in favor or opposition.

DECISION: Approved unanimously, with the following conditions:

1. Full grading plan for Parcels, A, B, C.
2. First floor elevations to be one foot above road elevation.
3. Roof leaders shall drain to Chestnut Ridge Road.

J. Donald Faso, Vice Chairman
Chili Planning Board

PLANNING BOARD

February 14, 1984

The meeting of the Planning Board in the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624 on February 14, 1984 at 7:30 P.M. The meeting was called to order by Vice-Chairperson Don Faso.

Present: Don Faso, Vice-Chairperson; Bill Deans, Ed Rague, Mitch Rakus, and Ray Bleier.

Also Present:

Bob Connolly, Building Inspector; John Flint, Bergman Associates; Betty Glende, Townwide Drainage Committee; Larry Hoy, Conservation Board; and Dan Miller, Deputy Town Attorney.

Mr. Faso stated this to be 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.

Mr. Faso introduced the members of the Board and the front table.

1. Application of George Horeth, 3124 Chili Avenue, Rochester, New York 14624 for renewal of conditional use permit to allow a fire-wood business in the residence at property located at above address in R-1-12 zone.

Mr. George Horeth was present and stated that he has complied with all the regulations. He keeps a minimum amount of wood, none on the ground but on the truck to be delivered. He changed the truck from a diesel to a gas. He has met the condition of putting up a fence by putting up 75 arborvitae. This is a more natural barrier between properties. The people in back want to be able to see Chili Avenue, so I planted the trees 4 feet apart and I will keep them trimmed. I have not expanded the business or increased it in anyway. I have met all the conditions that the town set forth.

Mr. Bleier asks if he had permission to store the unsold wood. Mr. Horeth states that he hasn't found it necessary to do that yet. He loads it once and usually it is all sold. I won't be storing anything on my property. Mr. Bleier asks if that could be a condition and is told yes, he doesn't need to store the wood.

No one spoke in favor or in opposition.

DECISION: Granted unanimously upon the following conditions:

1. There will be no storage of firewood for resale on site.
 2. This application is granted for a period of 2 years.
2. Application of Leon Thieleman, 137 Chestnut Ridge Road, Rochester, New York 14624 for conditional use permit to construct a 30' x 23' in-law apartment at property located at above address in R-1-12 zone.

Mr. Walter Popen is present and representing Mr. Thieleman. He states that they will abide by all the side setbacks and rear setback. He states it is smaller, a 26' x 23' garage addition with the apartment above. He states the in-law is Mrs. Thieleman's sister.

Mr. Faso states that it can be an in-law apartment only. Mr. Popen states they will abide by all town laws and codes.

Mr. Bleier asks if it has its own front entrance and is told, coming off the breezeway and rear entrance.

Mr. Faso asks then there is an existing entrance to the house in addition to the rear entrance making 2 entrances from the back and is told yes.

Mr. Miller states this can only be used as an in-law apartment or for use of the immediate family. It can not be used as a 2 family rental unit in the future.

This must be recorded on the deed with the Monroe County Clerk's Office so if you sell this property in the future those examining the title would know the rule on this. The cost incurred in recording this decision with a certified copy must be born by you, is \$15 provided the board grants your application.

No one spoke in favor or opposition.

DECISION: Granted unanimously with the following conditions:

1. The conditional use is granted for use by in-laws only, and shall cease to exist when the in-law ceases to use it.
 2. The apartment may not be used as a rental unit.
 3. A copy of this decision must be filed in the Monroe County Clerk's Office under miscellaneous records and tied to the liber and page of your deed. The cost will be \$15.00 and payable to the Town of Chili.
3. Application of Joe Yankanich, 1726 Long Pond Road, Rochester, New York 14606 for preliminary subdivision of 2 lots to be known as Vangel Subdivision at property located at 1917 Westside Drive in R-1-15 zone.

Mr. Yankanich is present and states there are 2 items we would like to address: 1) He would require a variance in the side setback if this street goes through (reference to blueprint on board) to change the driveways on the lots off Westside Drive. 2) The pipe along the road be 12" and he would like the Planning Board to consider approval of the preliminary plans. The Health Department has reviewed already.

See drawing in relation to the following discussion.

Mr. Bleier states he understands they are going ahead with the road cuts and they are going to change the driveways location on to this. If the road is ever completed they would have access to the new road. You have your garages at the opposite end of the driveway into the garage. Mr. Yankanich states there is room to maneuver. We could change the garage location. There is no restriction on the driveway being on the right or left side.

Mr. Bleier asks how fast the home construction will be on the lot and is told soon. Mr. Bleier asks about a driveway entrance east off Westside Drive. Mr. Connolly states if you reverse your garage you'll be on Whittier Road. These people will complain. Mr. Yankanich states only 2 driveways are involved as far as he knows. Someone else owns this lot here, he has no plans for it except for his own use. It can't be subdivided, that's good for the town.

Mr. Faso asks if the lot #2 isn't too close to Whittier Road. Mr. Regue states the only thing that could be done is dictate how close the driveway could be to the line.

Mr. Faso states he wants a note to that effect put on the map if the street goes through. Mr. Yankanich states he would put a note to the effect that if and when the street is put through the driveways be constructed to the street.

Mr. Faso asks if there is any more from the board. He then asks if there are any questions from the front table.

Mr. Flint asks how close these houses are to the existing subdivision and is told to the west 70' and 90' to the east. Mr. states that they shown a 10' minimum setback - within the town's zoning ordinance. I'm not sure you can properly grade within that property line. Mr. Yankanich states there is only a minimum of grading there. Mr. Flint asks about #77 and is told there are 3' of contours running to the east of the property line. Mr. Flint asks if there is room for a swale and is told the property drops immediately in back. Mr. Flint asks if these were existing contours and was told yes. Mr. Yankanich states he is concerned about the back of the house, he can place fill up to the drop line and the side line just drops off. Mr. Flint states he thinks that will have to be done because they have had problems with that 10' minimum setback.

3-17-84. 11

Planning Board

Mr. Yankanich states he thinks he will set down the contours along the side of the building. Mr. Flint states someone could come in with a set of plans 10' from that lot line. Mr. Yankanich says he shows a large house and generally puts them to the setback rather than squeeze them on the map. Mr. Flint says how about a 25' setback and is told, how about a 20' setback. That is enough to put in a swale, 20' from the house and side line. Mr. Flint states you show 30', you have a 5' grade difference between the lot line and the house. Mr. Yankanich states he will slope it across the basement and minimize the fill a couple of feet-20' side line minimum and minimize the amount of fill sloping across the foundation. Mr. Flint says O.K.

Mr. Faso asks for questions from the audience.

Mr. Francis Russel of 5 Sutters Road wants to know where they're putting in the road off of Westside Drive and is told exactly opposite Whittier Road. Mr. Russel states the land is relatively wet there and doesn't drain well. I'm concerned about the trees, about ending up with a road right on my property line. Mr. Yankanich states we're talking about putting in 2 lots, there are no trees on the property except along the east line in the form of a hedge row. It is not our intention to disturb any trees. Mr. Russel asks whether this could be in writing because it is a very effective barrier between the 2 properties particularly with a road going in there. He asks how close the road will be to that property line and is told a future road would be around 200', a full row of houses would be between your property and the road. Mr. Russel states he understands.

No one spoke in favor or in opposition.

DECISION: Granted unanimously upon the following conditions:

1. Lot #1 shall have a 20' side setback.
2. Lot #2 shall have a 35' setback facing proposed street.

Please note that final subdivision approval has been waived and that the original drawing must be filed in the Monroe County Clerk's Office.

4. Application of Perna Homes, 849 Paul Road, Rochester, New York 14624 for preliminary subdivision of 21 lots to be known as Clay Hill Farms Section 4 at property located at 140 Archer Road and portion of 650 Paul Road in R-1-15 zone.

Mr. Don Avery is present and states the change is because of the purchase of new property. The reason for the purchase was twofold. First, there was a bad site distance probably 350'. We got another 50' with the road moved down so now we've got about 400' enough for a good site distance looking over that hill. Second, there is a natural drainage here. I show in this plan where we have an easement, no buildings back here, and a roadway for the town for maintenance of the area. Refer to the blueprint for details on water drainage and the size of pipes, etc. Mr. Avery continued on explaining the size of pipes and elevations.

Mr. Bleier asks if they are going to deed the 60' right of way to the town and was told yes just like in the Renaissance area. An easement to the town and the people will have in their agreement that they can't build anything in the area.

Mr. Faso asks if the correction on the map is between lot 69 and 70. A total of a 10' wide drainage easement to the Town of Chili should be 20'. The rest are all correct.

Mr. Deans asks if they are done tying in the storm by a 15" culvert across Archer Road and was told they were tying directly into it. Mr. Deans asks if the size pipe could handle an increase in water and was told yes that the pipe was large as you can see on the map. We have provided for a 50 year storm. (See Map)

Mr. Miller asks if the water will reach the basements of the houses and was told the structural opening on the outside, the level of water would be up to the basement but not in the basement. The houses (See Map) here are the same level the elevation of these are higher.

Mr. Faso asks Mr. Flint if he reviewed the drainage calculations and was told yes, a ten year storm is all that the town requires but that they have provided for a 50 year storm. Mr. Faso asks about the up stream acreage and was told west of Archer Road there is 18 acres.

Mr. Bleier asks if this is the last section and is told yes, also, they would like to request waving the final.

Mr. Connolly states that all these sections previously received preliminary approval.

Mr. Faso states the County of Monroe makes this application one of local determination.

Mr. Bleier asks what is the town going to do with the 60' right of way. We want to be sure one person doesn't buy the lot. We want this for access for maintenance and is told an easement will be given back to the town, there is an easement in the back of these houses.

Mr. Miller asks why can't you incorporate the 60' and give the town an easement and we want this filed so 5 years from now if someone wants to sell it as a lot. Mr. Valerio states we want to do exactly what you say to avoid this happening in the future. This will provide the town with easier access then to go through people's yards. You want it part of the easement and filed and subdivided between these two. Mr. Miller states deed it to them for egress or regress to get in it. The town doesn't need the problem of maintenance Donate it to the people adjoining it but reserve an easement by the town, also they can't build on it. Mr. Faso states deed 30' to the person on the west and 30' to the person on the east, but have the town hold the easement and they can't build anything on it and we can go across it. It won't raise the assessment much. If there is a problem see if the people on lots 57 and 58 want it.

No one spoke in favor or in opposition.

DECISION: Granted unanimously with the following conditions:

1. The 60' R.O.W. off Paul Road as shown on the map is to be changed to a drainage easement and property deeded to the adjacent property owners to the east and west on the Paul Road.
2. Furnish a time-stamped duplicate copy from the Monroe County Clerk's Office of the deeds involved to the building department.

Please note that final subdivision approval has been waived.

5. Application of Robert Fallone, 237 Fisher Road, Rochester, New York 14624 for SEQR review for future sections of West Forest Estates Subdivision and final subdivision of 19 lots to be known as West Forest Estates Section 4 at property located at 102 Emerald Point in R-1-15 zone.

Mr. Faso interrupts the Board meeting and this is now a public hearing.

Mr. Charles Costich is present and representing Mr. Robert Fallone. Mr. Costich refers to the blueprint on the board. He says he would like to work an agreement with the DEC which will minimize any effect on the wet land. They have included construction of 3 retention ponds with an island in the middle. This forever wild area will be dedicated to the town at the time they are willing to accept them. We have alleviated existing problems of drainage to the rear lots. We have made revisions requested by the Board.

Mr. Faso asks for questions from the Board.

Mr. Bleier asks if last time they were here the Board looked at a larger scope of some future development here outside of Section 4. Mr. Costich states this is the overall plan for Section 4. The first phase back in this rear is comprised of 19 lots.

Mr. Faso reads a letter dated February 2, from DEC asking for copies to review. Mr. Costich states they submitted those copies almost a year ago. We have submitted copies to the board within the legal period, January 20 was the cutoff date.

Mr. Miller states that they have allowed March 1 as cutoff date for comments from other agencies as well as concerned groups in the community. Mr. Connolly states they sent copies but not to all of the agencies. Mr. Miller states they will mail them out again.

Mr. Rague asks where this leaves them. Mr. Miller states the Board has until March 1 to receive written comments. Mr. Rague states we can proceed and then a decision would have to be made at a future date on SEQR review.

Mr. Faso reads a letter from Betty Bartok dated January 26 and addressed to the Planning Board. (See copy attached)

Mr. Faso asks for questions from the front table.

Mr. Hoy states we've received a draft of the environmental. You don't have a public hearing until you determine you need a final environmental and not a draft. I think the final is after the public hearing because the final is suppose to incorporate any comments from the public. Mr. Miller states that the draft EIS is on file for anyone to pick up and look at and that they have until March 1 to make any comments.

No one spoke in favor or in opposition.

DECISION: Tabled without prejudice.

Written comments on the draft EIS will be accepted until March 1, 1984.

6. Application of Pride Mark Development, 50 Lyell Avenue, Rochester, New York 14608 for final subdivision of 27 lots with revisions to be known as Woodbriar Section 2 at property located at 301 West-side Drive in R-1-20 zone.

A Woodbriar, Section 2 representative is present and states this did receive final approval a couple of months ago. A cul-de-sac would be more desirable from an engineering standpoint. Would shorten the road through the circle. The linear foot works out about the same. From the drainage standpoint it is slightly better having the houses on the higher elevation. If connection made to Wyncrest it could invite a thoroughfare.

Mr. Faso asks Mr. Connolly if he has seen a grading plan for this with the slope on this cul-de-sac and is told the natural grade is 6 percent and the drainage would be taken along the side lot line. The backs of these lots then drop off the lots by 6 or 7 feet. The drainage would come down from the swale. They would be built at grade. Mr. Faso says he is concerned about ponding. You are going to have to flatten out for the house plan. Mr. Connolly states the grading plan is pretty much the same as Renaissance. Take it down the lot lines and to the streets. The channel is exactly the way it was. Storm pipes shortened to pick up drainage in the cul-de-sac.

Mr. Faso reads letters received by the Planning Board.

Woodbriar representative states he doesn't think the developer is responsible for these dead end streets but if it helps to put in a turn-around for snow plowing, etc., they would try to help. Mr. Faso asks if there is enough room and is told yes.

Mr. Faso asks for any more questions from the Board and front table.

Mr. Miller asks if the Fire Marshal has reviewed this and is told yes. Mr. Miller asks where the fire hydrants are located and is shown on the blueprint.

Mr. Faso asks for questions from the audience.

Mr. Jerry Brixner of 16 Harton Road states the residents of Cardinal and Wyncrest support the cul-de-sac design as suggested.

Mr. Peter Pilaroscia also in favor.

No one spoke in opposition.

DECISION: Granted unanimously upon the following conditions:
1. A "T" turnaround be added on Wyncrest Drive.

7. Application of Dario Marchioni, 120 Old Chili-Scottsville Road, Churchville, New York 14428 for preliminary subdivision of 5 lots to be known as Beaver Road Subdivision at property located at above address in R-1-20 FPO & FW zone.

Mr. Arnold Carmichael is present and states they haven't made any changes other than approval by the Monroe County Health Department of the sanitary system.

Mr. Faso asks exactly how a curtain drain works and is told in the area of lots 2 and 3 the soil is sandy to a certain elevation, then a mineral deposit. Any runoff coming from the road and flooding out the sanitary system would be cut off with a curtain drain of french drain. It is basically a perforated pipe lower than the sanitary lines. Mr. Faso asks if the end sections will be seen in the yards and is told only a 4" pipe, at the ends of the lot, they will be covered up with topsoil.

Mr. Flint continued with an explanation of the curtain drain and how it works.

No one spoke in favor or in opposition.

DECISION: Granted unanimously.

Please note that final subdivision approval has been waived, and the drawing describing this subdivision must be filed in the Monroe County Clerk's Office.

8. Application of Faber Construction, 80 W. Main Street, Rochester, New York 14614 for preliminary site plan approval to erect 172 townhouse-condominium units at property located at 840 and 844 Paul Road in RM zone.

Mr. Frank Iacovangelo of 80 W. Main Street is present and states this project will be 172 units, condominiums for sale not for rent. It will be developed over a period of 3 years. It will commence off the Coldwater Road side and advance over to the Paul Road area. We have been in the construction business for sometime and have done numerous projects in Monroe County. This particular piece of property, 28 acres, is zoned multiple residence. We feel that 172 units will not be too dense on the property. We have set aside an area for recreation, tennis courts, and a pool and a maintenance area.

Mr. Stephen Buechner of Reimann-Buechner Partnership is present and referring to the drawing on the board explains the location of this project. We have plans for 172 single family homes not rental apartments. A legal document approved by the attorney general's office. Each person owns their own home and pays monthly fee for all maintenance, cutting of grass and exterior work, and recreation facility. They have a very detailed topographical study of the area. He says they will save as many trees as possible. There is a drainage easement which he shows on the map. They would like to target these homes for the young professional and empty nesters. We have talked to the school system to make provisions for school buses to pick up any younger children. Mr. Buechner proceeds to explain the traffic layout. He explains about the entrance road, loop road and series of cul-de-sacs. The units will not be all lined up along the street but have varying set backs. We are proposing 56 one story homes and 115 - 2 story homes in the center. Each home will have a place to park a car in the driveway. There will be a place for visitors to park and it will be screened from the road. He points to the map and explains a little of the drainage system and a possible connection with the shopping center.

Mr. Wayne Wegman of Passero and Associates is present. (He refers to the drawing on the board!) He states contour of land drains forward to Kenser and to the south to this retention pond, part of it along our east property line. The entire 28 acres of our land does drain into the pond. Along with this 28 acres also of wet field drain into our land and run off conveyed into this retention pond along with the rear lots of the lots south side of Stover.

Mr. Wegman proceeds to explain the drainage system, retention pond and runoff - SEE MAP. He says the present facility operates without any major problems - they will not increase the rate of runoff to this facility. Water will be contained on the site and discharged at a controlled rate. Each unit serviced by a sanitary sewer connected to existing sewer at 2 points. Connection to 12" water main of Coldwater Road. Run 8" water main loop to existing water main on Paul Road. No problems with water pressure.

Mr. William Pethick of Passero-Scardetta Associates states these homes would be in clusters from 3 units up to 7 units in a cluster. Units would have different roof lines and window structure. Some will be 2 stories - all 2 bedrooms and 1 1/2 baths. Some will be left hand or right units. Materials not decided on yet.

Mr. Rakus asks how do you plan to finance this and is told with cash. The financing has been in place for 18 months. Total financing involved for construction, cost of units and land development of about 7 1/2 million dollars. We are talking about sale value of from 15 to 16 million dollars. Mr. Rakus asks what is the cost per unit on a single house versus a 2 story and is told \$75,000 without amenities. Those could add from \$500 to \$13,000 depending on the choice, could range to \$85,000 up. We could hold those prices about 12 months.

Mr. Pazo asks if in condominiums you are required to put in appliances and is told everything comes in the unit but can be upgraded.

Mr. Miller asks how many square feet and is told 1100 to 1400 square feet.

Mr. Rague asks how many people approximately in the project and is told 2 people per home basically younger couples and retirees. Mr. Rague asks if there will be an organization that runs the condo's and how do you collect the maintenance fee and is told the Home Owners Association collects the fee. It is like a tax bill if you don't pay a lien is placed on your property. The lien law for condominiums goes into effect within 90 days and action is taken against the homeowner. Mr. Rague asks how their measurements on road and cul-de-sacs meet town requirements and what of maintenance and is told the roads are retained and maintained by the project. This is private development run by the HOA. We will not dedicate the roads. We have met with the highway superintendent and there is no difficulty with the roads. Mr. Rague asks how the width conforms and is told 20' wide and gutters on the east side. The makeup of the road is the same as town standards.

Mr. Pazo asks if there is a possibility in the future of them pushing the town to take over maintenance of the roads and is told under the law once we file a plan with the attorney generals office and it is approved, each one of these people owns a 1/2nd interest in that project - owns a part of that road. They are part of and built into the offering.

Mr. Miller asks but what if they did deed or dedicate them to the town and your road is only 4" and our town accepts 6 would you rebuild your roads.

Mr. Bleier asks what is the breakdown of 1 story versus 2 stories and is told 56-1 story and 115-2 story. All 2 bedrooms. Mr. Bleier asks if there are basements and is told no, all on slabs. Mr. Bleier asks about the external lighting and is told front lights on the outside, decorative lights on front and back, along the walkways and recreation areas. There will be light fixtures where not adjacent to the units. The lighting is not controlled by the individual. We don't want a situation that is not uniform. Mr. Bleier asks about the lights around the pool and tennis courts and is told we will plant conifers here. Mr. Bleier asks at Stover Road will the plantings be mature and is told conifers of various types.

Mr. Rakus asks if they are going to have a guard at entrance of the road and is told no.

Mr. Deans asks if they have any idea of the structural exterior and is told the best quality vinyl siding and we will use brick and a minimum amount of paint. We haven't made the final selection of materials.

Mr. Bleier asks about the road cutting through the project to Paul Road at what phase of the project will this happen and is told somewhere around the second last phase. Unless people want to buy units over here then we can put in the road immediately and develop some cul-de-sacs.

Mr. Faso asks if they are going to use dead ends - will there be room for fire trucks, etc. and is told yes. Always a place to turn around. We have met with the Fire Marshal and these were some of his concerns. We told him what we were going to do and that satisfied his concerns. Mr. Faso asks if a set of plans were sent to the school board and is told not yet. Mr. Faso asks if they are willing to enter an agreement and is told this is a common situation. Local school boards agree to go on the property. Indemnity agreement with the HOA: The school buses go on the project. We will sign an indemnity agreement.

Mr. Miller asks about looping water line from Coldwater Road and is told whether there is sufficient pressure or not we have already looped the water line. No problems in case of fire.

Mr. Faso asks for any more questions from the board or the front table.

Mr. Flint asks if they would indicate the visitor parking areas and is shown them on the map. There is a restriction on street parking that is in the HOA prospectus. Also, written into the offering, no boats or campers. They can use the garage if we provide a screened area. Mr. Flint asks at what point the pool and maintenance facility would be put in and is told the pool would go in somewhere halfway through the project and the maintenance facility would be in shortly after the second phase. There would be maintenance by the third phase.

Mr. Faso asks about the recreation membership and is told it would be closed with the HOA allowing a limited number of outside people. Mr. Faso asks if membership is included in the HOA and is told yes, everyone is automatically a member.

Mr. Bleier asks about control of outflow and Mr. Wegman states they will control inflow to the pond. We will detain runoff on our own property. He goes on to explain additional storm drains may be required if that is the case, we would expand to this pond. We don't want to change the outflow rate. Leave it operate as it does now.

Mr. Flint said the Conservation Department found no significant problems. Comments on the environmental have not come back. These were sent on the 18th, and they have 30 days to respond.

Mr. Bleier says they cannot take formal action.

Mr. Faso reads a letter from the Highway Department.

Mr. Buechner says they have met with the Highway Department Superintendent. He expressed concern about parking along the road for visitors. We now show the parking on the map. He asked us to widen out the cul-de-sac. He was concerned about snow deposits. We would be glad to sit down with him.

Mr. Faso asks for questions from the audience.

Mr. Stephen Hallatt of 116 Stover Road is present and is representing the majority of people in the audience.

Item 1. Dispute the zone of this particular piece of land. I refer to the Zoning Ordinance 115-13 title RM Residential Multiple Family District (Copy attached).

Item 2. What effect will this project have on the environment? We feel an Environmental Impact Statement is necessary.

Item 3. Not compatible with adjacent project. We talked with the DEC-wetlands on this front here. This is in direct disagreement with the statement of the Conservation Department.

Item 4. Site of this project has critical drainage problems. We are concerned about this looping up against Stover Road. Picture shows drainage problems we have had up to last year. Our concern of maintaining 8 cubic feet per second. There is a great deal of water coming off the back of these lots.

Item 5. Traffic volume increased. The Chili-Paul Road area already congested. There is going to be a Paul Road exit for access to 490.

Item 6. Provision for buffers on the residential areas. How big? We don't want to see something a foot high.

Item 7. Will this project cause a strain on existing facilities, such as schools, fire protection? Mr. Faso states enrollment declining.

Item 8. Who actually is the builder here. Mr. Iacovangelo states we are, it is my company.

Item 9. Would the Faber Construction Company be willing to post a bond to ensure completion of the project.

Item 10. How can you propose this project when you haven't purchased all the land.

Item 11. At the 11-15-83 preliminary meeting you mentioned a variance. What kind of variance and how will it effect the homeowners?

Item 12. There is mention of patios being build on the backs of these buildings. Will these infringe on the lot line?

Item 13. Provision for safety of children in our area. Barrier so the children will not get hurt?

Item 14. Mike Flanagan of the County Environmental - they feel these maps are inaccurate as to the wetlands. Difference as to actual location maps. Read section 115-29 of the Zoning Ordinance, ordinarily 500' designated on such maps. One more thing, the Zoning Ordinance requires a number of items be present during site survey.

Mr. Iacovangelo says pertaining to the ordinance, we were following the town ordinance and environmental people - we are relying on information we received from the town. What this land is zoned and wetlands - these are issues of more detail submitted prior to final approval. We are giving the town what is needed for a preliminary approval.

Mr. Hallett asks that approval be postponed on the grounds stated above.

Mr. Miller states that the town in cooperation with the County Planning Department did a study in 1980 and that indicated no designated wetlands in this particular area. The town will stick to this document.

Mrs. Kim Hallatt of 116 Stover Road states we have 2 conflicting informations. Mr. Mike Flanagan believes the maps are incorrect and Jack Cooper believes at least 6 acres are designated wetlands.

Jan Hegue of 2 Stover Road says I think the point is whether we can prove there is a wetland. The significance of this kind of thing should be thoroughly understood. We do not have an objection to the construction of this project. I think most of us would feel much happier having something like that, but there are those of us living every day with serious drainage problems. What has been done to this point, has not relieved our problems. It is a disappointment to us no one sees any necessity to address these concerns. I was quite shocked to find this determination by the environmental board. Could someone clarify what is the definition of that stream that flows behind all of our houses. We want someone to recognize these physical features and try to design the kind of project to deal with all of them and avoid creating more problems then to say they don't exist.

If you have a drainage problem try to do something to make it better rather than just do nothing about it.

Mr. Rague states there are N.Y. State designated wetlands and water problems. A water problem is not necessarily a wetland. You can't take a place with a collection of water and call it a wetland. This is not a wetland area according to this statement.

Ralph Wennen of 102 Stover Road states I have addressed the Town of Chili to control the detention basin. The town engineer, the highway supervisor will be out here. I am told we don't have the equipment to fix this. We will get back to you. Where are 172 more units going to help my problem?

Mr. Rague states that Chili is flat land and doesn't drain well. We want to address this before we finalize anything.

Mr. Miller says that the date this latest ordinance was adopted - the map adopted by the Town Board was 12-16-1981 and that area was designated multiple residential and does allow MR multiple residence.

Mr. Hallett says file a master plan then those areas and such time elect to change them or file a new master plan should we not even be informed to that. The builder builds a project similar to this rezone to a RM recommend to the Town Board and the Town Board grants it. That particular developer acts within a 2 year period in this case the town master map designates this RM Multiple Residence. Your getting the 2 confused. This is not a variance. It has the blessing of the town fathers. We may change that next year or 2 years down the road.

+ says my house is the last one right on the corner. The Stover Road development went in - everyone in the area came to the board and we went through the same thing. It is currently on what was our ice skating rink. Now I have drainage problems - no more natural retention pond. They changed the natural drainage now I have resulting drainage problems. If they do away with all the natural Stover Road open areas every time there is an open lot you allow people to build on it - you will have an overgrown area. Most of the open areas of Chili Center are already congested. I don't think everything needs to be developed like this. Mr. Hoy states that is taken into consideration. We do not say that there is no environmental impact. What we received from the beginning from the developer, environmental assessment evaluation basically 16 or 17 questions. From that we look it over and determine from there and by the maps of the town whether streams or wetlands are going to have a significant environmental impact. Something in the area changes. We have a determination from the information we had at the time.

Mr. Hallett asks if that is in the light of a wetland or definition of what a stream is and is told there is a difference in wetland and designated wetland. If you want to find out whether this is a wetland or designated state wetland, DEC comes in and re-evaluates. In some cases some are no longer a wetland. The Conservation Department looks at the type of vegetation and the surrounding area that is a "designated wetland". You have to get exactly what that is Mr. Hallett. We can only go with what we have. That is why we have a public meeting the 1st Monday of every month.

Mr. Miller answers a question about destruction of wildlife with the fact that someone is paying taxes on this property and this is taken into consideration to.

Mr. Hleydon is also concerned with the drainage problems and also the traffic problems at Hill Rise and Coldwater.

Mr. Michael Felluca of 46 Stover Road states we are concerned with our property. Am I going to lose 100' of my property. Some other people were told they had a "forever wild" section and I don't want what happened to them to happen to me. We are limited as to what we can do with this property. I don't want condominiums 85' from my back yard. Are they aware that we all had to sign a contract stating we would not build here. People come from Spring Valley and use it, don't they know we're responsible if they get hurt?

Mr. Vito DiPalma states Mr. Wegman indicates the water from Stover Road Project in his words they will control it. My question to the board is will the board allow someone else to control the water? When I bought my property, the town controlled the runoff. How are you going to do that if you give it to them to do for you?

Mr. Miller states we will have to get an easement.

Mr. Charles Knapp of 99 Stover Road refers to the drawing and is talking of drainage problems. He wants to be sure this outlet can take care of the water from all of this land. There was a problem with the Geldwell and Cook project. The town ended up paying for something they shouldn't have been responsible for. He also asks about the swale.
(SEE MAP)

Mr. Faso says money from the other drainage districts cannot be used, only money from the drainage district involved.

Mr. Hallett asks about if there has been a soil stability test. This would effect the property.

Mr. Buechner says we are concerned about the drainage on the site and the off-site drainage. We don't want to create or cause more drainage problems. We have done preliminary grading plans that show a positive drainage. Preliminary study of the retention basin size, how deep and pipe size. We believe the water problem is up in here. We have gone as far in the preliminary study, all is going to be worked out. It is going to solve your drainage problems.

Don Calmese of 114 Stover Road states I request you show a sewer easement. You don't show a major storm easement in here.

Mr. Buechner says we will pick up important drainage easement to the Town of Chili. Pick up this water and bring it over to this retention center. Mr. Calmese asks are you going to bury it and is told no. Mr. Buechner points to an existing drainage easement.

Mr. Neal Barones of 23 Witterfield says we have good professionals represented by this group but I don't see a professional response. Is there a possibility of getting a bond put up to guarantee more then a moral commitment to the community? This type of project would help all of our home values.

+ Ron ~~Kwasneski~~ of 24 Weathersfield Road asks about the actual construction itself. Are these units going to be constructed at one time or would you presell the units and then build them in clusters and is told we try to have as many sold before we put up another one. Do you know how long it will take to get them all occupied and is told about 3 years.

Barbara Barons asks about the school district. Is this area going to be Chili or Churchville and is told, don't know for sure.

Fat Perna of 31 Weathersfield Road asks about the trash pickup. Will have pickup like the other areas or trash bins and is told the people will take their trash out and trucks will pickup like in the other areas. She asks if the roads will be constructed to town standards and is told yes.

Mr. Faso allows no more questions.

DECISION: Voted to table without prejudice this application for the following reasons:

1. Lack of sufficient data as described in the code book of the Town of Chili, specifically section 96-24 preliminary plat, paragraph "D", Stover Road and Weathersfield Roads paragraph "I,K,S".
2. The Planning Board feels a traffic study of the area is needed.
3. Lack of Monroe County Planning Department comments.

OLD BUSINESS

1. Application of Gilbert Glidden, 3216 Union Street, North Chili, New York 14514 for preliminary subdivision of 24 lots to be known as Springbrook "E" at property located on King Road (subdivision to be off Parkway Dr.) in R-1-15 zone.

Mr. Don Avery is present and states we have looked at the drainage problem at King Road. We will investigate these pipes and be sure none are collapsed. If there is, we will take care of them. He explains the storm system on the blueprint on the board. He says they will clean this ditch out. He says they will raise the elevation of the pond and decrease outflow to 3CFS. They will increase the size of this pond and limit outflow to 2 CFS. This will hold for a 10 year storm.

Mr. Deans asks who is the owner of the land and is told the Chatmans. Mr. Deans says Mr. Chatman is concerned with the situation here and is told Mr. Glidden would be happy to talk with him again. Mr. Deans asks if there is a drainage easement - the town dug out 500' 3 years ago. If these have to be cleaned out every 2 or 3 years, will the town have to take care of it? Mr. Glidden will give an easement across his property to the tracks. Mr. Flint states there are small drainage districts on the east side of the road, these will have to be incorporated.

Mr. Miller states he recommends make this drainage district part of Springbrook. Mr. Faso states he got the impression that the Supervisor wanted the developer to do the work. Mr. Miller states to make that a condition.

DECISION: Granted unanimously with the following conditions:
1. Drainage easement is required through the Glidden property south between King Road and the railroad tracks.
2. Clean ditch south of outlet pipe and replace 180 ft. of pipe south of King Road if required by Town Engineer.
3. Increase berm north of King Road to elevation 566 and decrease outflow to 3 CFS.
4. Increase section "E" detention pond size and limit outflow to 2 CFS.

*Donald Faso, Vice Chairman
Planning Board*

PLANNING BOARD

February 22, 1984

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 February 22, 1984 at 7:30 P.M. The meeting was called to order by Chairperson, Betty Bartok.

Present: Betty Bartok, Chairperson; Bill Deans, Bob Newman, and Ray Bleier

Also Present: Bob Connolly, Building Inspector; Larry Hoy, Department of Environmental Conservation; and Dan Miller, Town Attorney.

Mrs. Bartok stated this to be 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 Otto Layer, P.O. Box 14, Victor, New York 14564 for final subdivision approval of 24 lots to be known as Pride's Crossing Section 3 (formerly portion of Lexington Section 14) at property located at 400 Paul Road in R-1-15 zone.

Mr. Otto Layer is present and states the preliminary map was approved sometime ago. We are making a change on the west side of the park area. We have submitted the utility plans to the engineer. We have made one change in the utility plan other than what you have in your hand - 1 storm catch basin on the west side of the street. It has been done. We have submitted estimates for the letter of credit to the engineers. We have a public hearing scheduled with the Town Board on March 7th. We are asking for approval of extension of the park district and extension of the drainage district at this March 7th meeting. We are asking the Town Board to set the amount of the letter of credit with approval of the Planning Board between now and then. No problems with drainage - looking into trunk sewer that comes through extending water main. We are of course, following the section 281 of State Law so that is why the lot size is less than what is called for in the ordinance. The minimum setback same as before - front setback from 35 to 40 feet, side setback 8 feet, back 30 feet and width 80 feet with 29% of the lots 75 feet wide.

Mr. Bleier asks if they will require any variance of lots and is told only on the odd shaped triangle lots 321, 308, 309, and 210. No problem with a normal size house and maintaining setback. Mr. Bleier asks will you be dedicating that open space at the time of approval of this and is told yes. There is public hearing on March 7th with the Town Board. The rest has already been dedicated. This would complete 22 or 23 acres. Mr. Layer states the concrete inverts for the drainage ditch have been installed all the way through.

Mrs. Bartok asks for any other questions from the Board.

Mrs. Bartok reads a letter from the Town Engineer and from RG&E.

Mrs. Bartok asks for questions from the front table.

Mr. Hoy asks, you have indicated a creek or a stream - you have an improved channel and is told that is what I refer to as the concrete invert. Mr. Hoy asks if it goes to 400 feet short of Paul Road and is told that we were the first subdivision in the county to go through a wetland situation and the compromise with DEC did classify this as a wetland area. We agreed to run that concrete invert to that point and the county and town agreed that would be OK. There is a stretch north of Paul Road - there is no paved inverts. We went ahead and put in parallel culverts and no inverts south of Paul Road.

Mr. Layer states the Conservation Board found no significant environmental impact. Mr. Connolly states there should be a SEQR review. Mrs. Bartok states, make this an unlisted action and we can make a negative declaration.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date *2-15-84*

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

GATES-CHILI NEWS

Issue Dated *2-15-84*

Geraldine C. Snyder

Notary

GERALDINE C. SNYDER

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

My Commission Expires March 30, 1985

Patricia M. Smith

Patricia M. Smith

Publisher

Feb 1984 Planning Board

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 February 22, 1984 at 7:30 p.m. to hear and consider the following applications:

1. Application of Otto Layer,

P.O. Box 14, Victor, New York 14564 for final subdivision approval of 24 lots to be known as Frides Crossing Section 3 (formerly portion of Lexington Section 14) at property located at 400 Paul Road in R-1-15 zone.

2. Application of Grace Covenant Church, 224 Chestnut Ridge Road, Rochester, New York 14624 for conditional use permit to

allow a full time day care center in existing building at property located at above address in R-1-20 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. Miller asks about the remaining lots and is told and is shown on the map. Mr. Miller asks if they will file an inventory on the whole 50 acres and is told they would do that during the next section. Mr. Miller states make a note - prepare for SEQR on all remaining property when next section comes in for final approval.

No one spoke in favor or in opposition.

DECISION: Granted unanimously with the following conditions:

1. Park land must be dedicated to the Town at the time of drainage district formation.
2. Setback variances are granted as follows:
 - a. Minimum front yard setback to vary, 35 to 40 feet.
 - b. Minimum rear yard setback to be 30'.
 - c. Minimum side yard setback to be 8'.
 - d. Minimum lot width to be 75'.
3. Front setback should be as shown on map drawn in January, 1984.
4. Shown storm water inlets near station 15+00 connecting to the existing manhole on the final drawing.

The Chili Planning Board declared itself Lead Agency under SEQR and found this proposal to be an unlisted action and found that it will not have an adverse impact on the environment. No additional environmental reviews will be required by this agency. Please prepare for SEQR review on all remaining property when the next section comes in for final approval.

2. Application of Grace Covenant Church, 224 Chestnut Ridge Road, Rochester, New York 14624 for conditional use permit to allow a full time day care center in existing building at property located at above address in R-1-20 zone.

Reverend Rodney Jones of 22 Old Scottsville Chili Road is present and states he has a copy of the amended application. We originally planned to have a kindergarten and grades 1, 2, and 3. We would like to have a day care in the existing building.

Mrs. Bartok asks for questions from the Board.

Mr. Bleier asks if they anticipate an enrollment of 12 for the 83-84 school year and is told there is no way of knowing at this time. Mr. Bleier asks about what age are you talking about and is told about 8 weeks and up.

Mr. Miller asks about the physical capacity of the modular classroom for individuals - something about so many adults for the number of children and is told a letter was sent showing this. For children 8 weeks to 1½ years, it is 1 adult to 4 children. As the children get older, so does the group size. How many square feet per child and is told 20 square feet per child.

Reverend Jones points to the diagram and explains the rooms, etc. Reverend Jones states they have done everything as far as physically handicapped and fire prevention.

Mrs. Bartok asks for questions from the front table and from the audience.

No one spoke in favor or in opposition.

Mrs. Bartok states they have not received the letter from the Monroe County Planning Department. They have 30 days to re-evaluate the situation. We should wait until March 13 for the comments to come in.

DECISION: Tabled amended application pending receipt of Monroe County Planning Department comments.

*Betty Bartok, Chairperson
Planning Board*

PLANNING BOARD

March 13, 1984

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 13, 1984. The meeting was called to order at 7:30 P.M. by Chairperson Betty Bartok.

PRESENT: Betty Bartok, Chairperson, Bill Deans, George Ford, Don Faso, Ed Regue and Ray Bleier.

ALSO PRESENT: Bob Connolly, Building Inspector; Jeff Benway, Berman Associates; Betty Glende, Drainage Committee; Larry Hoy, Department of Environmental Conservation; and Dan Miller, Town Attorney.

Mrs. Bartok stated this to be 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.

Mrs. Bartok introduced the members of the Board and the front table and then introduced Councilman Brixner. Mr. Brixner stated that the Planning Board of Monroe County is currently sponsoring a workshop. As part of that program the County distributed a guide book published by the State of New York, "The New York State Guide to Planning and Zoning." One of your members enrolled in the program. I would like to give this copy to Bill Deans for your use. Thank you.

1. Application of Earl A. Phillips, 80 Ballantyne Road, Rochester, New York 14623 for preliminary site plan approval to erect a single family dwelling at property located at 11 Lester Street, in RA-20 & FPO zone.

Mr. Don Avery is present and representing Mr. Phillips. He states this is an existing lot and there was a house on this site before. We have sewers and water facilities. He says he sent a letter on February 6 stating the items he is requesting.

Mrs. Bartok asks for questions from the Board. She then states this was sent back from Monroe Planning to be one for local determination as far as airport concerns it is approved. Under State SEQR review, this is found to be an unlisted action with no significant county wide impact. No further review is required.

No one spoke in favor or in opposition.

DECISION: Unanimously approved. Formal requirements for final site plan approval have been waived.

2. Application of Gilbert Glidden, 3216 Union Street, North Chili, New York 14514 for conditional use permit to erect 2 duplexes on property (to be subdivided if approved) at property located at 3309 Union Street in R-1-15 zone.

Mrs. Bartok asks for questions from the Board.

Mr. Regue asks what do you call a duplex and is told a 2 family house. Mr. Regue asks if he plans to make this a subdivision if given approval and is told just the 2 lots. Mrs. Bartok asks if he would be selling these duplexes or keeping them as an income property and is told sell them.

Mrs. Bartok asks for questions from the front table and the audience.

No one spoke in favor or in opposition.

DECISION: Unanimously approved.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *3-7-84*

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

GATES-CHILI NEWS

Issue Dated... *3-7-84*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y. Monroe Co.
My Commission Expires March 30, 1985.....

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 March 13, 1984 at 7:30 p.m. to hear and consider the following applications:

1. Application of Jean Phillips, 80 Ballantyne Road, Rochester, New York 14623 for preliminary site plan approval to erect a single family dwelling at property located at 11 Lester Street in RA-20 & FPO zone.
2. Application of Gilbert Glidden, 3216 Union Street, North Chili, New York 14514 for conditional use permit to erect 2 duplexes on property (to be subdivided if approved) at property located at 3309 Union Street in R-1-15 zone.
3. Application of Gilbert Glidden, 3216 Union Street, North Chili, New York 14514 for final subdivision approval of 24 lots to be known as Springbrook Section "E" at property located on King Road (subdivision to be off Parkway Drive) in R-1-15 zone.
4. Application of Joan Rosati, 111 Knights Trail, Rochester, New York 14624 for conditional use permit to allow a two family dwelling at property located at 883 Chili

Ctr. Coldwater Road in R-1-15 zone.

5. Application of Anthony Peraino, 10 Sandra Lane, Rochester, New York 14621 for final subdivision approval of 2 lots at property located at 1041 Paul Road and 466 Chestnut Ridge Road in R-1-20 zone.

6. Application of Fred Stoffel, 580 Chestnut Ridge Road, Rochester, New York 14624 for preliminary subdivision of 4 lots to be known as Stoffel Subdivision at property located at above address in R-1-15 zone.

7. Application of Ronald Perry, 495 Stoney Point Road, Spencerport, New York 14559 for preliminary subdivision of 7 lots to be known as Pershing Subdivision at property located at 4425 Buffalo Road in R-1-15 zone.

8. Application of Azco, Inc., 65 Spencer Street, Rochester, New York 14608 for preliminary subdivision of 7 lots to be known as Paul/Scotts Industrial Park at property located at 940 Millstead Way and 1431 Scottsville Road in G.I. 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 Book - March 13, 1984

3. Application of Gilbert Glidden, 3216 Union Street, North Chili, New York 14514 for final subdivision approval of 24 lots to be known as Springbrook Section "E" at property located on King Road (subdivision to be off Parkway Drive) in R-1-15 zone.

Mr. Don Avery is present and states the 24 lots serviced by sewers. This retention pond has been enlarged. I haven't changed the plans any, it still remains in this 100' of easement. Basically, no other changes. We asked for a 50' setback instead of 60'. We have been working on the drainage. In your letter of preliminary approval, you mentioned 4 conditions. First, the easement through the Glidden property to the railroad tracks. We have provided a description of that to the town. The easement itself is given by the owner. Second, we know of the condition here and we are working it out. I gave the Town Engineer - 25 year storm. We cannot see down this pipe but pledged to fix it if it is caved in. Someone must get down in that pipe and find out exactly how it is. We can't do that until the weather is better. You can put that in the letter of credit, it will be done. The other 2 things were increasing the berm and detention pond size. We have increased the height across the berm giving more protection and increased the pond and limited outflow to 2 CFS. The system is such, that if it got a 25 year storm or 30, this would start to hold water back of these houses. Another protection area for anything down stream. We will not back the water to effect any of these areas.

Mrs. Bartok asks for questions from the Board.

Mrs. Bartok asks when the easement will be given to the town and is told a description has been included in the drainage district when we put the application to the Town Board. Mrs. Bartok asks about the back yards at 79 and 11 on the map and is told it is in the hands of the lawyers. The lawyers and people must get together on this. It will be forthcoming.

Mrs. Bleier asks about removing and replacing the pipe, I believe you said 150' - I think it was 180'. Mr. Rague reads a part of a letter from the Town Engineer.

Mrs. Bartok asks for questions from the front table and the audience.

Don Gilluly of 138 King Road states this drainage system was put in, in 1976 and we have problems here. I would like this postponed until the thaw to see the drainage problems on King Road. I haven't seen an engineer or anything. I have complained many times. I walk out in my back yard into 4' of water. This system was put in like I said in 1976, this pipe shouldn't be clogged.

There is a discussion as to where the water is coming from.

Mr. Bleier asks whether the drainage problem will be worsened or improved by this development. Mr. Gilluly states he is on the other side of the ditch. Mr. Avery states the pipe is on Monroe County Road - we have tried to get them to do something here. Mrs. Bartok states the town has a responsibility here also - this hasn't been addressed in comments from Mr. Flint.

Mr. Fred Krafen----states during the February thaw we had creeks on both sides of the house and the front lawn was under water. There is a 4' pipe, I unplugged it with a stick and the water was gone in a day or two. I'm willing to clean the pipe out - it is full of sticks.

Mr. Roger Klick of 17 Mapleton Drive. I'm concerned with the water level in the ditch north of the retention pond. I understand the berm is to be raised and the outlet reduced. I'm concerned with raising the berm to the height of 5' that would raise the water level to 3'. Right now the water level is 18" and I don't consider this a wet time. I don't want water coming into the basement.

Mr. Don Battaglino of 19 Mapleton Drive. I'm concerned that there is standing water in this ditch at all times. Our particular area has never been cleaned out. You can't drain through plants and small trees and anything else down in that ditch.

I would like to ask the engineer a question. Is the purpose of the ditch to retain water at all times? Mr. Benway states it is not meant to be a retention pond. Water will flow to that point. The water remains here and restricting the flow at existing retention pond to the south. Mr. Battaglini states it backs ours up, if the existing water does not drain. This is the driest time of the year and we're talking of 18 to 20" of water in there at all times. That is a retention pond not a drainage pond. My concern is that water backing up on my property.

Mr. Roger Hill of 21 Mapleton Drive. The people of King Road have had a lot of problems. Who knows whose problem it is. But if it doesn't work, who is going to fix it - the contractor? I'm opposed to the whole thing.

Cliff Chapman of 160 King Road. I would like to know whatever happened to the ruling the Zoning Board made about any more development and that ditch goes under ground? Mr. Connolly states I don't know if it was made. Mr. Avery states maybe they meant in case of full development. Mr. Chapman asks about this retention pond being labeled temporary. I think this ought to be addressed. Mr. Avery states he isn't sure what that means except that the development was going to extend across this property here. That is probably why it was called temporary. Mr. Chapman states I don't know if dirt will hold back the flooding. I believe they have an easement to maintain that retention pond. I don't think an easement as far as raising the berm.

Mr. George Randy of 23 Mapleton Drive. I think some warm weather would be a good time to look at both sides of the retention pond. See if there is a significant run off.

No spoke in favor.

DECISION: Application tabled without prejudice for one month pending written information from the Town Engineer concerning the drainage problem at 138 King Road and the risk of basement flooding on Mapleton Drive as a result of the proposed retention pond design; and the determination by the Deputy Town Attorney concerning the piping of the swale along Mr. Chapman's property, the legality of making the retention pond on Chapman's property permanent and altering it.

4. Application of Joan Rosati, 111 Knights Trail, Rochester, New York 14624 for conditional use permit to allow a two family dwelling at property located at 883 Chili Center, - Coldwater Road in R-1-15 zone.

Mrs. Joan Rosati is present and states my husband and I want to purchase the property as a 2 family. The property on the west side of Chili-Coldwater Road and directly adjacent reside in Arizona and are not able to be here. There is a 3 room apartment located behind the garage. It has been used as a rental for several years. She wants to sell it in the present condition and can not make the repairs herself. My husband and I intend to purchase it and put it in top condition.

Mrs. Bartok asks for questions from the Board.

Mrs. Bartok asks if they plan to live in it themselves and is told no, a rental unit.

Mr. Bleier asks if it presently used as a 2 rental unit and is told yes, one rented to 2 fellows and the house to 4 unrelated people. Mr. Bleier asks about the junk cars and the property not being kept up on the outside and is the property adjacent to you privately owned and is told no, I think New York State owns it.

Mr. Deens asks what is your timing for getting it cleaned up, would you say by the end of the summer, and is told, my husband is retiring and that is his job. It will take at least 8 weeks for the inside. Mr. Deens asked if they would feel restrained by a time limit and is told no.

Mrs. Bartok asks for questions from the front table and from the audience.

Sally Spury of 902 Chili-Goldwater Road asks if there is a separate entrance and is told the way it is set up, is you walk in the door between the garage and house. There is a separate hallway going back to the apartment.

No one spoke in favor or in opposition.

DECISION: Unanimously granted upon the following conditions.

1. Remove the junk cars, rusty shed, and debris from the property by September 1, 1984.
5. Application of Anthony Perrino, 10 Sandra Lane, Rochester, New York 14621 for final subdivision approval of 2 lots at property located at 1041 Paul Road and 466 Chestnut Ridge Road in R-1-20 zone.

Mr. George Scardetta is present and states we were here earlier for preliminary approval. We have since been to Zoning and have approval from Pure Waters.

Mrs. Bartok reads a letter from the Engineer and then asks for questions from the Board.

Mr. Bleier states I'm sure we went over a lot of these points and it appears you don't have any answers for us at this time. I'm wondering why this is back here. It isn't a final according to the notice. Mrs. Bartok states she hasn't been able to screen these.

Mr. Bleier states we really couldn't take any action at this time.

Mr. Deans states we really didn't know where the culvert was. It is a very critical corner. That is going to be it as far as our ability to control the runoff there properly. I would be concerned about the piping versus the easement. Mr. Scardetta states this is the first time I'm hearing of the Engineer's points.

Mrs. Bartok asks for any other questions from the front table and from the audience.

Don Pikuett. I live across the road and as he speaks he refers to the blueprint on the board and shows the swale and catch basin.

Mr. Rod Woodtin of 1045 Paul Road. His property was graded and filled in. He has put more into that swale at least 4 to 5 feet. Water can't pass through here. Mr. Scardetta states we are still maintaining that swale. I can't see how to drain this property without piping it. Mr. Woodtin states all the property behind mine is going to drain into this swale and it is stopped up now.

Mrs. Bartok asks if the drainage situation worsened in the past few years and is told a certain amount of pocketing and absorption. We didn't have much runoff to speak of. Do away with the higher soil on the top and I don't know what you'll end up with. Mrs. Bartok asks then you don't feel you are in a worse condition and is told at this point it is taking the water.

Mr. Penway states it will have to be piped because of the size of the lot. Piping would be best.

Mr. Woodtin states I have nothing with this house on Chestnut Ridge. That's all natural drainage swale. I'm opposed to the house on Paul Road.

Mr. Passo asks if the subdivision of Chestnut Hills - you are one and the same? I see it is certified by Passero and Associates. Have you made provisions for this runoff? Mr. Scardetta states I use to be a partner in Passero & Associates. I left the firm and I'm on my own now. They have renamed themselves Passero & Associates and I am George Scardetta. When can I have a copy of the comments from the Engineer.

No one spoke in favor.

DECISION: The application was tabled for the following reason:

1. Until adequate information on drainage has been submitted.

6. Application of Fred Stoffel, 580 Chestnut Ridge Road, Rochester, New York 14624 for preliminary subdivision of 4 lots to be known as Stoffel Subdivision at property located at above address in R-1-15 zone.

Mr. Lee Sinsebox is present and he asks for questions from the Board.

Mrs. Bartok states we have received the Monroe County Planning Board Comments and they have found this to be a matter for local determination. She states that at the January 10th meeting approval was set with 3 conditions.

Mr. Sinsebox states condition 1 required full grading. We have done a new topography. We will be putting fill in there to bring the house up. #2. First floor elevation to be one foot above the road. We have done this. I might add the plans show full walkout basement. #3. Roof leaders drain to Chestnut Ridge. We could discharge the roof leaders to the front or side. No storm sewers to connect to setback. The zoning calls for 60' setback and we have asked for 40'. This will minimize the fill and also helps in getting the sewers under the basement.

Mr. Faso asks if the 10' reservation the County is asking for - is that from the new 10' reservation or can they use the old one. Mr. Miller states the County is asking for a 10' strip reservation of land, they are asking for another 10' plus 10' from the existing 10' line. If that is the case, we have to require them to build their houses back from that point. What is the setback? Mr. Connolly states 75' but they are asking for 50' and for a good reason. Mr. Miller states if the County widens that road there will be only 30' setback. Mr. Stoffel states they just built that bridge. They took 4' away from my front. They will probably never widen this road again. It has been widened on both sides all the way through. They wouldn't do anything in the next 10 or 20 years just for the record.

Mrs. Bartok asks how great a hardship would it be from where you show them now and is told actually it is at the top of the slope. Those houses would be in good soil and the footers would have to be on it. If we went back the full amount - 10' - it would be prohibitive. The cost would wipe a person out to try to fill that at \$80.00 a load. I don't think we could do it.

Mrs. Bartok reads a section of the County letter. They are concerned about the closeness of the setback and the reservation of land. Could we contact them and ask them if they have a problem with it?

Mrs. Bartok asks for questions from the front table.

Mr. Benway states there is a pipe running by the property. Did you take into consideration the flow coming out of there and is told maybe 2 acres have low points or pockets on Chestnut Ridge. It may be at capacity. It drains 3 or 4 front yards, not very much. I think the County put that in to keep the water from ponding. I could submit some calculations. Mr. Stoffel states that culvert was there before the house was there. There has never been a great amount of water in there. Anyone buying that lot would buy it with that flow of water. They would have to put a pipe there to drain it to the back of the farm.

Mrs. Bartok states the County also recommends 20' easement between lots A & B to maintain flow of water from that pipe and is told we are diverting that flow.

Mrs. Bartok asks for questions from the audience.

In opposition:

Mr. Richard Bellows states you are talking about 40' to 45' on Chestnut Ridge Road. These houses will be sitting on the road. Mr. Faso asks if he is on the west side - what is your setback and is told 90 or 100' and all the houses are setback like that except for one house which is 150 years old. It is only 50' or 60' back. If you put more houses like that it is going to deplete the values of the homes. The houses won't look good by the road and there will be less yard. I'm against it.

Mr. Bleier states it is not the intention of the Board to grant 45' minimum setbacks. This is only for this set. Mr. Faso states there is another subdivision coming before the Board next week and those plans have the proper setback.

Gene Turechek of 493 Chestnut Ridge asks if the project mentioned has been approved as far as drainage plans.

Mr. Bellows asks if they would consider putting the first floor below the road grade. It would help the values of the property and is told we would like to see the first floor above the road. Mr. Bellows states again he is opposed.

No one spoke in favor.

DECISION: Unanimously approved. Formal requirements for final subdivision approval have been waived.

Front setback variances for 40' where 75' is required have been granted under Section 96-7 of the Chili Subdivision Ordinance for the following reasons:

1. The topography of the property falls rapidly from road to the rear of the property.
2. To blend with the adjacent house and garage at 580 Chestnut Ridge Road.

Please note that the 20' drainage easement between lots A & B must show on the drawing to be filed with the Monroe County Clerk's Office.

7. Application of Ronald Perry, 495 Stoney Point Road, Spencerport, New York 14559 for preliminary subdivision of 7 lots to be known as Pershing Subdivision at property located at 4425 Buffalo Road in R-1-15 zone.

Mrs. Bartok reads a letter from the Engineer, then asks for questions from the Board.

Mr. Benway asks if on the western most house, should that finished floor be 580' and is told no, 586'. Mr. Benway asks if there is a subdivision to the west and is told no, there is a house there. Mr. Benway asks about the 4' contours levels. We suggest you change from 7 to 6 providing greater side lots.

Mrs. Bartok states the houses to the east and west are not shown. It is required by the ordinance and the ordinance also requires a topography and comments on soil conditions and is told these have not been done yet. There has been no deep test holes dug.

Mrs. Bartok asks if the drainage calculations have been received and is told no.

Mrs. Bartok asks if these lots are being cut from a larger parcel and is told no.

Mrs. Bartok asks for questions from front table.

Mr. Hoy states the Conservation Board has serious doubt about #9. How close to the wetlands and is told in view of the map from the County, it indicates no.

Mrs. Bartok asks if they can determine the distance and mark it on the map. We cannot take a vote on this until we find out.

Mrs. Bartok asks for questions from the audience.

Donald Huot, 4432 Buffalo Road asks what kind of houses will be built and is told single family. How big are the lots and is told 90' and one is 100'. How about the ground floor plan, is it quite low, and is told we are maintaining a 75' setback.

No one spoke in favor or in opposition.

DECISION: Above application has been tabled without prejudice pending receipt of the following information:

1. Topography 200' beyond the tract to be subdivided and show existing buildings on properties adjoining the site (Section 96-24 D).
2. Soil conditions (Section 96-24 I).
3. Drainage calculations (Section 96-24 J).
4. A determination of the location of the wetland boundary.

Please check with N.Y.S.D.O.T. for approval of road cuts. An access road will not be required by the Chili Planning Board for this subdivision.

8. Application of Azco, Inc., 65 Spencer Street, Rochester, New York 14608 for preliminary subdivision of 7 lots to be known as Paul/Scotts Industrial Park at property located at 940 Millstead Way and 1431 Scottsville Road in G.I. zone.

Mr. Hero is present and states we are here seeking preliminary approval. He refers to the map on the board and shows the drainage easement. There are 2 curb cuts rather than 4. We have narrowed the access way to 25'. A topography survey of the property determined that the drainage from these 5 lots - best to go with the flow. On the map we show the dark green is drainage easement, water service in red and sanitary sewers. The next departure from the original is that we have moved the easement slightly north. We have designed drainage for maximum development.

Mr. Rague asks if there will be any trouble getting an easement from RG&E and is told no, and is told that we have a letter saying they will be glad to negotiate that. Mr. Rague asks if they have any intention of dedicating the roads and is told no.

Mr. Deans asks about the drainage work across Paul Road and is told the flow of land of 6 & 7 to existing swale running along curb line goes underneath Scottsville Road under lot 7. Mr. Deans asks how large a culvert that is and is told 15".

Mrs. Bartok asks for questions from the front table.

Mr. Hoy asks if this will interfere with a wetland and is told there seems to be 2 maps. 2 different maps. We will have to get back to the DEC.

No one spoke in favor or in opposition.

DECISION: Unanimously approved. Formal requirements for final subdivision approval have been waived. Please note that the original drawing describing this subdivision must be filed in the Monroe County Clerk's Offices after obtaining the necessary Town of Chili signatures.

OLD BUSINESS

Faber Construction - Pumpkin Hill

Mr. Wayne Wegman and Mr. Frank Iacovangelo are present. Mr. Wegman states he would like to address the 3 conditions from the February 14, 1984 hearing. First, lack of sufficient data as described in the code book of the Town, specifically Section 96-24 and Paragraph I, K & S. We have tried to reduce the scale overall area plan. We show Wethersfield Road, Stover Road and the actual houses on these streets. Generally speaking the land to the north drains on to our site discharging to Springlake retention facility. The Board asked for an area topography. Item 2, again we took a 100' scale map and 2 types of soil, one slightly loamy and one loam and fine sand. We see no problems. He refers to the map. Item 3, separate drainage calculations. We did some preliminary drainage reports. We feel we have a final drainage report - 15 CFS. We have determined the retention facility as adequately sized to take on increased runoff. I figure we will resolve any questions of the Town Engineer. Last item is the Springlake retention and Spring-valley detention. Also, the Planning Board feels a traffic study of the area is needed. We have conducted a traffic study of the area. Mr. Wegman explains the traffic study they did. Also, lack of Monroe County Planning Department comments.

Mrs. Bartok states they have received these comments and she reads them. She states she hasn't had time to review everything.

Mrs. Bartok asks for questions from the Board.

Mr. Rague asks if all the traffic studies were done between 4 & 5 in the afternoon and is told we took the peak traffic hours.

Questions from the audience:

Tom Calmes of 114 Stover Road.

1. How many acres of this proposed site, if any, is going to be set aside for conservation easement?
2. The State's Environmental Conservation map doesn't indicate wetlands in that area, therefore, some residents have submitted wetlands determination requests to the DEC.
3. Any consideration taken in the traffic study for anyone living on Stover Road? Could we get out? Mr. Wegman states we don't feel that the traffic generated would at all effect traffic on Stover Road's access point. Mr. Calmes asks if that study was done in 1982, there wasn't any Stover Road. Mr. Wegman states we can only address our intersection, I don't know how we would show our project effecting your exit. I don't believe that can be shown.
4. Referring to the letter of 1-17-84 from Passero & Associates about minor variances to be addressed at the next scheduled meeting and also Item 11 of 2-14-84 minutes. Could we have a copy? He is told the map can be reviewed in the Building Department anytime.
5. The environmental impact study, Town and Conservation Departments didn't feel a study is necessary. According to short environmental assessment form, if there is a yes to any question, environmental maybe significant. Mr. Hoy states he is just a private citizen with no formal training. I'm not an officer of the Conservation Department, I'm a liaison to the Planning Board. I don't know what form you have seen, maybe there is another kind. Mr. Calmes states he thinks an impact study should be undertaken. Mr. Hoy states we had a meeting and no one came. Mr. Calmes states, just take a walk through that area and see what we mean. You will have significant problems.
6. My last concern is, and this concerns Mr. Buechner, extensive berming around the project. May we request this information?

Mrs. Bartok states we haven't had time to review it.

Mr. R. Wehner of 102 Stover Road.

1. A statement was made about a detention pond north of future project. It never runs dry. Help or harm it.
2. If we were invited to a Conservation meeting was it in the minutes?
3. Making all these cul-de-sacs for people to park, where do you plan to put the snow?
4. Last time here I made a statement about the forever wild or conservation easement and was told to write a letter. I would like to submit a copy and map to the Board. This was given to us on the day we signed for the house. It says we cannot subtract anything and no vehicles. What is 172 units going to do to this forever wild area.

Vito DePalma of 100 Stover Road. I was not invited to attend any meeting. I don't know when it happened. I object to the storm sewer. They show their down spout underground. How do they get permission to do that, that is, to put the storm sewers underground. Mr. Wegman says they will discharge the down spouts to our collection areas. Considering there is a slab on grade, we are not forced with basement sump pumps and reduce the rate of flow to the storm sewers.

Mr. DePalma says another concern is the rerouting of storm sewers. He refers to the map on the board. He says, I don't want the water from my property controlled by someone outside. The town took the control and I only consider a wholly dedicated conduit not something that goes through someone else's control.

Mrs. Hartok states that if the Engineer feels the system isn't going to work, we aren't going to approve it. No one has had a chance to review it. The plans are in the Building Department if you want to review them. Mr. Calmes says we asked you to find out about the wetlands within 100'. There are wetlands to the north and we question the distance.

Jane Hagen of 92 Stover Road. Relative to the wetlands issue. I was at the DEC to try and clear up this misunderstanding about wetlands rather than usurp the local agency. The only distance they have made is that a wetland is 12.4 acres and is required to be given certain consideration. They, in no way, encourage local government to give up consideration for smaller wetlands. Smaller wetlands can have a very serious impact. That is why we have a local Conservation Board.

No one spoke in favor.

DECISION: Tabled for lack of sufficient time to review plans submitted. Planning Board voted itself lead agency and determined that this unlisted action has no significant environmental impact. SEQR - determination should be attached here. No further review will be required by this Board.

SEQR - CONSIDERATIONS FOR PUMPKIN HILL

UNLISTED ACTION

Criteria for Determining Significance of environmental impact - 617.11:

A. List of Factors to be considered:

- (1) Substantial adverse change..in flooding or drainage problems
 - No flooding of homes has been reported to the Drainage Committee or Planning Board.
 - Detention ponds in Springlake Apartments and Stover Road do detain water and no problems are known to exist downstream.
- (2) Removal or destruction of large quantities of vegetation or Fauna...etc.
 - Substantial amounts of mature trees were removed for construction of the last sections of Stover Road, retaining some trees in the detention pond areas with deed restrictions to preserve them.
 - Small clusters of young trees and scrub weeds remain on this parcel. The size and appearance are inferior to what did and does now exist on Stover Road.
 - The wetland area existed overwhelmingly in the area of Stover Road's new sections. It was not protected under Article 24 as it was under 12.4 acres. 39 other wetlands of 12.4 acres or more remain in Chili, many with mature forests, which are protected under Article 24 and by this Board, such as West Forest Estates in which part of the wetland will be dedicated to the town for preservation.

- (3) Attracting a large number of people to a place... compared to the number of people who would come... absent of the action.
- Significantly more people and cars will be in the area than at present. However the proposed density is lower than the maximum permitted in the Chili Zoning Ordinance. 6.14 units per acre (172 units on 28 acres) are proposed in a zone that allows 8 units per acre. (224 units would be allowed) Compared to traffic attracted by adjacent K-Mart and Bells Plaza, this is not significant.
- (4) Creation of a material conflict with the community's goals as officially approved and adopted.
- Agrees with the official zoning map adopted December, 1981 and with the previous zoning map which was adopted in 1974.
- (5 & 6) Not applicable.
- (7) Creation of Hazard to human health or safety.
- Increase in traffic to the already congested area of Chili Center-Coldwater Road and Chili Avenue is a hazard.
 - But N.Y.S.D.O.T. should be able to resolve the problem, ample right of way for expansion of Chili Center-Coldwater Road to 4 lanes is available.
 - Plans for redesigning the intersection of Chili Center-Coldwater Road and Paul Road are to be done in the next few years.
- (8-11) Not Applicable.

Betty Bartak, Chairperson
Planning Board

PLANNING BOARD

March 20, 1984

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 20, 1984. The meeting was called to order at 7:30 P.M. by Chairperson, Betty Bartok.

PRESENT: Bill Deans, Don Faso, Betty Bartok; Chairperson; and Ed Regue.

ALL PRESENT: Bob Connolly, Building Inspector; John Flint, Bergman Associates; Betty Glende, Drainage; Larry Hoy, Department of Environmental Conservation; Dan Miller, Town Attorney.

1. Application of William O'Neill, 3221 Chili Avenue, Rochester, New York 14624 for conditional use permit to convert second floor of existing building to an apartment at property located at above address in GB zone.

Mr. William O'Neill is present and states I have offices I opened a month ago. I came before the Board in October for permission to change the use for simple family dwelling. Since that time, I have opened up again and started on the second floor, 4 bedrooms, bathroom and I would like permission to change it into a 2nd floor bedroom apartment. Siding will be applied to the building and new windows.

Mrs. Bartok asks for questions from the Board.

Mr. Deans asks if in November there was a decision about a time limit of July first and is told we will side after the windows are installed then we'll scrub the front. Mr. Deans asks if there will be a change in parking area or do you have enough and is told I will have to expand it a little--parking for 7 or 8 cars. I will have to bring it out the back or out the front a bit. Mr. Deans asks, you say you will bring it out a little in front and is told 45' by 45' beyond the setback of the house. I would just bring it up to the front room for 1 or 2 more cars.

Mr. Regue asks if there is an interior stairway coming from the front door and is told completely separate. They'll have one entrance and exit. Complete separation between occupants.

No one spoke in favor or in opposition.

DECISION: Unanimously approved.

2. Application of Anthony Comunale, 51 King Road, Churchville, New York 14428 for renewal of conditional use permit to allow an auto repairing business at property located at above address in LI zone.

Mr. Comunale is present and states I believe I first got the use for it for 3 years and I would like to have it for 5 years this time. Basically, nothing is different.

Mrs. Bartok asks for questions from the Board.

Mrs. Bartok asks what restrictions were on it before and is told when I applied I sent a copy basically the same as the first time. Mrs. Bartok states the conditions were: 1) no outside storage of refuse or auto parts, 2) no exterior signs on the premises and, 3) no Sundays. Mr. Comunale states there are 2 signs now but they are required by N.Y.S. Mrs. Bartok asks how many cars are normally there at any given time and is told it varies. I try to limit it as much as possible. If someone brings a car at night, we have 2 cars of our own, sometimes a car we're working on gets tied up because of a part but I try to limit it.

Mr. Faso asks do you do major overhauls and what is the turnaround time and is told, no not very much, usually a day.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *3-14-84* ...

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

GATES-CHILI NEWS

Issue Dated... *3-14-84* ...

Geraldine C. Snyder

Notary

GERALDINE C. SNYDER

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

My Commission Expires March 30, 1985

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 Highway Department, 3235 Chili Avenue, Rochester, New York 14624 on March 20, 1984 at 7:30 p.m. to hear and consider the following applications:

1. Application of William O'Neill, 3221 Chili Avenue, Rochester, New York 14624 for conditional use permit to convert second floor of existing building to an apartment at property located at above address in GB zone.
2. Application of Anthony Comunale, 51 King Road, Churchville, New York 14428 for renewal of conditional use permit to allow an auto repairing business at property located at above address in LI zone.
3. Application of Legris, Inc., 244 Paul Road, Rochester, New York 14624 for preliminary subdivision of one lot with a simple alteration of lot lines at property located at 210 & 244 Paul Road in LI zone.
4. Application of Legris, Inc., 244 Paul Road, Rochester, New York 14624 for preliminary site plan approval to erect a 100' x 60' warehouse addition, a 100' x 20' and 20' x 20' office addition at property located at 244 Paul Road in LI zone.

5. Application of Perna Homes, 849 Paul Road, Rochester, New York 14624 for preliminary subdivision of 4 lots to be known as Chestnut Hills Subdivision at property located at 268 Chestnut Ridge Road in R-1-20 zone.

6. Application of Faber Construction, 80 W. Main Street, Rochester, New York 14614 for preliminary subdivision of 120 lots to be known as Chestnut Heights Subdivision at property located at 492 & 550 Chestnut Ridge Road and 1055 Paul Road in R-1-20 zone.

7. Application of Howarth Builders, 159 Maplewood Avenue, Spencerport, New York 14559 for rezoning of approximately 11 acres from a total 36 acre parcel from RM to R-1-12 at property located at 3161 Union Street.

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

No one spoke in opposition.

In favor:

Jane Streen of 1200 Paul Road. I would like to speak in favor of this application. He keeps the area in a neat and orderly fashion.

Dean Turechek. I would like to say the property has been improved since he has moved in there.

DECISION: Unanimously approved with the following conditions:

1. The conditional use expires 4/1/89.
2. No outside storage of refuse or parts.
3. No operation on Sundays.

- 3& Application of Legris, Inc. 244 Paul Road, Rochester, New York 14624
 4. for preliminary site plan approved to erect a 100' x 60', warehouse addition, a 100' x 20' x 20' office addition at property located at 244 Paul Road in LI zone. (See Application #4 on Page 35)*

Anne Verhague is present and states we have a plant at 244 Paul Road. We are limited by the size of the site and so we purchased the adjacent property. We proposed to expand with offices and warehouse into the piece of property. That will be addition to the plant tends to go over the adjoining property line onto the new piece of property. The size of the plant will be 6000 sq. ft. The office addition is 2400 sq. ft. with new main entrance, new parking lot to the east of addition, with total parking facility to accommodate 74 cars. There will be a new curb out at east, a second access to the site. We have permission from the highway department for that. Legris will be hiring 10 more people, I'm sure. Our preliminary estimate that you received for 110,000 has been upgraded to about \$200,000 with site work and drainage accommodations. We plan to make catch basin in the parking lot and run foundation drains and drains from the down spouts. This drainage ditch is shared by neighbors to the north. We do have permission from the county to drain into this ditch and the storm water will go through that to airport property to Black Creek. I would like to say invert height on headwall is really 225'. The catch basin in the parking lot to the west are already there.

Mrs. Bartok asks for questions from the Board.

Mrs. Bartok asks if a rear setback is applied for in variance and is told yes, we're scheduled to appear next week. We also applied for a variance for visitor parking in the front. I think 7 new spaces. Mrs. Bartok asks if they will have new signs and is told no we plan to relocate the existing sign. Mrs. Bartok asks if there will be lighting in the parking area and is told minimal.

Mr. Faso asks if there is a steel stairwell on the east, is that a fire exit and is told the new entranceway is going to be 2 stories high and there will be a stairway in there. Right now the 2nd floor exits onto the roof of the plant and down the steel stairway. The new stairs will go into the side on existing building. It will be enclosed.

Mr. Deans asks how many people are employed in the plant now and is told there is a second shift between 40 and 43 people. Up from 35 last year. Mr. Deans asks how many people on the shift and is told between 11 & 12 on the second shift. Mr. Deans asks about the 75 parking places and is told more then we need now but we plan to expand in the next 2 years. Mr. Deans asks if the one story addition is designed for 2nd story and is told we would probably expand to the east and the north. Might go out to where the loading facility is now.

Mrs. Bartok states I have received your letter about drainage into the airport property. The County comments have not come back yet. We cannot vote on this yet.

No one spoke in favor or in opposition.

DECISION: Application tabled until receipt of the Monroe County Planning Department Comments and airport review.

- * 4. Application of Legris, Inc. 244 Paul Road, Rochester, New York 14624, for preliminary subdivision of one lot with a simple alteration of lot lines at property located at 210 & 244 Paul Road in LI zone.
5. Application of Perna Homes, 849 Paul Road, Rochester, New York 14624, for preliminary subdivision of 4 lots to be known as Chestnut Hills Subdivision at property located at 268 Chestnut Ridge Road in R-1-20 zone.

Don Avery is present and states there is an existing house. We do not go all the way to the next house-halfway between. We have appeared before this Board and have tried to keep the unique features of this property. We don't want to take down any more trees than we have to. We designed around the trees and agreed to keep these larger ones - pine and sugar maple. These 2 houses are split levels. We want to put 4 single family dwelling units on this property. You are probably wondering what this is here - 2/10 of an acre sold to the person who owns this lot making that lot zoning R-1-20. We are requesting as in my report some variances. All of the lots are over 20,000 sq. ft., setback 65' for this house where 75' is required and we also have 40' where we need 90' to the rear and lot #2 doesn't have the 100' we have only 95' at the setback. These are the variance we talked about before. Doing that utilizes the property and saves the natural features. I think you all know it is quite a bit higher here and sandy soil and lot spot in here. He refers to the map and explains the drainage. The storm water should be taken care of naturally with the deep lots. Your letter mentions low pressure and we will have to provide larger pipes to take care of that for proper pressure. As for erosion control - we don't want to disturb the property in the rear. The only berming work we are doing is near this line. Preventive measures for the storm water. We are not near wetlands or in the 100 year flood plan.

Mrs. Bartok asks for questions from the Board.

Mr. Deans asks how much of the land is being torn up and what is being done for erosion control and is told I have shown new contours - some movement of dirt and disturbance here, probably 30 percent. Mr. Deans asks are you putting dirt back here to build up that berm and is told yes some brought in here. I live on the same type of soil and the water may stand awhile but otherwise pretty good. Mr. Deans asks what is the time frame for construction and is told by Mr. James Perna, I would like to start my father's and brother's house April or May and we have a couple of clients interested. Mr. Deans asks spring or summer then and is told yes.

Mr. Faso asks about the historical value of the house that will be razed and is told we thought of renovating but the previous people made it beyond repair.

Mr. Rague asks are the variances necessitated by putting the houses between the trees and is told no the shape of the land.

Mr. Connolly asks about land that is either being sold or given to Sharma Leli and is told she inquired a year or so ago. Her lot is funny, very little backyard, this would enhance her house. Mr. Connolly asks if she is aware of the fact she would not be able to do anything to it and is told I could tell her she has to come in for a one lot subdivision. Mr. Avery states it could be a resubdivision. Mr. Connolly states I don't think we should leave it hanging there. Mr. Avery states we will have to work it out before the next meeting.

Mrs. Bartok asks for questions from the audience.

Mrs. Joyce Andrews Scheer asks is this going to drain into Hilliry Heights and is told no.

No one spoke in favor or in opposition.

DECISION: Unanimously approved with the following conditions:

1. The triangular parcel be resubdivided to and adjacent parcel before a building permit will be issued for the subdivision.
2. Variances for 65' front yard setbacks where 75' is required, a 45' rear setback for lot 4 where 90' is

required, and 95' lot width at the setback line for lot 2 where 100' is required is granted under Section 96-6 of the Chili Subdivision Ordinance to accommodate development on a large triangular shape parcel, and to save mature trees on the site.

Formal requirements for final subdivision approval have been waived.

6. Application of Howarth Builders, 169 Maplewood Avenue, Spencerport, New York 14559 for rezoning of approximately 11 acres from a total 36 acre parcel from RM to R-1-12 at property located at 3161 Union Street.

Mrs. Bartok states they have not received the Monroe County comments as yet.

Mr. Wayne Wegman is present and states we want to divide this existing 11 acres into single family lots. At one time this track of land was on a subdivision map. As I understand it, it never got developed. After that it got rezoned to MR. What Mr. Howarth would like to do is have it rezoned back to R-1-12. That would be more natural with the surrounding area. Better to develop it as a residential area.

Mrs. Bartok states Slate Drive proposed here was part of a subdivision down when? Mr. Wegman states I can't say right now I would have to look at the map. Mr. Connolly states I think it was OK'd by the Planning Board for rezoning and never went to the Town Board for approval. Mr. Howarth states it was probably in the 50's. Mrs. Bartok states I called Bill Steinfeld, it was previously approved and had maintained their allotment while not permitting additional hookups. These would be OK because they were planned for. I was contacted by Mrs. Joan Mackay. This was in for rezoning and she carried a petition around for favor of the building and they are still in favor of single family rezoning.

Mrs. Bartok asks for questions from the Board.

Mr. Deans asks who owns the property up there and is told (by Mr. Howarth) I have a purchase offer on the property technically, I own it. Mr. Deans states I'm concerned about the water in the Northwest of that and also the water table. Mr. Wegman states we did deep hole tests there. First, I would deal with the ground water. Next open detention facility. The land drains forward. He refers to the map. It is assumed it doesn't discharge it will reach a level, I think about a foot, that is why it is wet. It doesn't drain the run off. We propose to do is construct drainage in this area to limit discharge. We have been made aware of drainage problems downstream. We do not want to increase rate of run off and we could decrease it. We have an area reserved for an easement. We can assure the Town and Town Engineer no impact from our run-off. Mr. Howarth states one day there is water laying there and next day it is gone. There must be some kind of sand pockets there. A natural drainage for the whole area. Mr. Deans asks how do you think this is going to effect the northwest part of the shopping area and is told I don't think there will be any effect at all. Mr. Deans asks where the other inlets are and is told closer to the road.

Mr. Rague asks about the 20' easement going through here with 10' side setback? Mr. Connolly states he can build right next to it as long as the wall is not right on the easement.

Mr. Deans asks where is this ditch work and Mr. Flint explains. The problem on the north end of Howard Park appears to be from a spring in there. The Recreation Department is trying to solve it.

Mr. Howarth states I own the property and the area you're proposing to rezone is part of a larger parcel. Mr. Connolly states it is a 36 acre area and Mr. Howarth doesn't come to the west of the old school, that is the rest of the property. He states the County originally wanted to rezone the whole 36 acres, but they may not pursue that.

Mrs. Bartok asks for questions from the front table.

Mr. Flint states the proposal to have a detention area appears to be essential to the subdivision. It doesn't appear to include that boundary. Mr. Howarth states I put the line around the retention pond, it would be part of the subdivision. Any property we do buy to accommodate it, we'll work out something with the Town.

Mr. Faso asks if that is not included in this subdivision, how would money be used to maintain the drainage and Mr. Flint states, how you subdivide the property is the question. Mr. Howarth states I don't believe it is the people's responsibility, I would give it to the Town.

Mrs. Bartok asks that is OK. Other retention ponds are deeded to the Town. Ralph Barbaro states - retention must be included in subdivision plan for final approval. Whether owner wants to deed it to the Town or not, it should be deeded to the Town, not left in the ownership of others. Mr. Wegman states what we'll do is show the next parcel in our subdivision stating that retention facility is to be deeded to the Town of Chili.

No one spoke in favor or in opposition.

DECISION: Tabled pending receipt of Monroe County Planning Department comments.

7. Application of Faber Construction, 80 W. Main Street, Rochester, New York 14614 for preliminary subdivision of 120 lots to be known as Chestnut Heights Subdivision at property located at 492 & 550 Chestnut Ridge Road and 1055 Paul Road in R-1-20 zone.

Mr. Faso makes a disclosure statement. I am a resident of Hilliry Heights subdivision and this may have an impact on my home. Passero and Associates have subcontracted a mapping firm to do the subdivision and I directly participated in the mapping of this project. On the advice of the Town Attorney I leave it to Mr. Icovangelo whether I vote or abstain. Mr. Icovangelo states since you are a resident of Hilliry Heights and you have worked on the topography map if this effects you, if you already have your decision set at that point I would feel we would ask you to remove yourself if your objectivity has been effected. As a member of the firm that did the work we would feel confident to allow you to review this plan. Mr. Faso states as I stated to you if you want to hear my questions and reserve your decision until after your presentation. I should already state that in doing the mapping, I know the ground like the back of my hand. Mr. Icovangelo states we will reserve decision. NOTE: After the public hearing, Mr. Icovangelo states Mr. Faso may vote on this application.

Mr. Icovangelo states I am one of the stockholders of the Faber Co. of the proposed Chestnut Heights subdivision. I would like to welcome all the members of the Hilliry Heights, I feel there are many questions and I would like to remind you all to remain objective at least until Mr. Wegman has made his presentation.

Mr. Wegman states we plan to subdivide 80 acres of land into 120 single family lots under State Law 281. He refers to Blueprint on the board. The 58 acres shaded in green for the 120 units and the 22 acres outlined in brown will be reserved for a retention facility. Northeast of us is 13 acres of land-farmland drains from 15" culverts into our area. The remaining land to the north, 31 acres of land goes to the west halfway between our property line across over the X-way and eventually discharges into this area we're reserving for a retention. About 21 acres in the Gary Hill Dr. and Pine Ridge Dr. area located to the east of us discharge to this area and then south. That total area 164 acres of land and another 66 acres of land that bypasses our property and discharges into the wetland and underneath the railroad. It is very hard to tell you what the 100 year flow is under that railroad. We designed this pond to contain a 25 year storm. We did that based on a town-wide drainage study done in January of 1979. According to this drainage study there should be 3 steps: 1) construct a small detention facility adjacent to the more easterly portion of Hilliry Heights; 2) reconstruct all the storm sewers system but that was ruled out as to costly; 3) bring our parcel into consideration and he reads the comment: It is recommended these excavations as part of the land north of railroad. A number of conditions filed prior. What they're saying is, if we

excavate an area we could get enough to contain a 25 year storm. We were informed they're looking for more. That is what the Town Engineer is saying. They recommended to us we contain a 100 year storm. This is an 18 acre foot pond. We cannot state right now if this will be accepted by the DEC. We may have a problem with that. What I'm talking about is constructing an area that will only discharge 2 CFS. We're digging a sump and holding this water. Mr. Icovangelo has directed us to go ahead and reserve as much land as possible to benefit the water shed. We are required to do a standard 10 year storm. We're taking 28% of our land and using it for the town's benefit.

Mrs. Bartok interrupts and reads the conditions that had to be met.

Mr. Barbaro states we drew some conclusions. When we talked of upstream development, we talked of a fully developed upstream water shed. In sighting the same engineer's report under Hilliry Heights problem area, you'll note the upstream part of that water shed north of railroad tracks is 370 acres. Mr. Wegman states 270 acres and I will prove it. Mr. Barbaro states for the record, I was chairman of the town-wide drainage committee at that time and I am a mechanical engineer and have extensive knowledge. I've been Chairman of the Zoning Board for 2 years. I can site a study done in 1972 and a prior study in 1962. The storms are totally inadequate. The developer got away with it and everyone has suffered since then. The system has been modified since then with some detention facilities being built on school property and that has relieved the problem to some extent. The problem is it can only hold 6 cubic feet per second and that is if Black Creek is not at flood stage. When it is at its peak, outflow from Hilliry is 90% restricted by the flood conditions. It backs up in several places and one of the places is behind the homes at the foot of Hilliry Dr. You don't contend with any of these. Our recommendations from our Drainage Committee reports any development has to consider the downstream effect and size there pipes for a fully developed watershed. You are also required by law to handle at least 800' upstream.

Mr. Icovangelo states I would like to make a note on your comments. There is a problem developed by the builder of Hilliry Heights but that problem in and of itself burdens all the land surrounding it and upstream and forever forbids development of that land. I would be more willing to develop a larger detention shed here, in order to curb a lot of drain off and run off hitting the project. We are trying to remain sensitive but we cannot correct all the problems.

Mr. Wegman states we have 3 points of access into the 3 cul-de-sacs. We have received the topography and it is very good. We thought the land was a lot flatter. He explains the different elevations. We feel we can design a drainage system that works properly.

Mrs. Bartok asks to define that channel and is told we are going to have to pick up and convey it to our retention area.

Mr. Deans asks if the detention facility is it the same as the one you have here on our map and is told it is about half about 14 acres. Mr. Deans asks how far back are you into the wooded area and DEC wetlands and is told I'm sure DEC wants us to build this pond but not go into the wetland. This would be an area 1' x 1½' deep that would hold water. It would be a retention pond. It would percolate into the ground and the rest of it dry detention area excavated and bermed to hold a storm. If we cannot construct the pond, we will use the other areas. Mr. Deans asks if your discharging 545 then 543 would be the wet area. I talk about and is told whatever the berm would be to accommodate 18 acre feet that would be the height of the berm. Mr. Deans asks do you have any idea what the flow is through the railroad culvert and is told I can't say. Mr. Deans asks exactly what is the flow discharged through there and is told 8 CFS. We are taking our portion of water shed that goes through our parcel and into this pond and taking a percentage along with our discharge to be 2 CFS.

Mrs. Bartok asks what is the high water table in the area of the proposed pond and is told Pure Waters has 6', they have test pits. Mrs. Bartok asks are you ponding in that area already and is told that must be surface water. Mrs. Bartok asks if that land is ponding now and you dig a deeper hole but you can't determine the storm capacity because it is normally filled that is a critical concern when calculating the storm capacity and is told that point has been mentioned by the Town Engineer. There is ponding there also because of the damming of that culvert. I'm not saying it isn't wet. I've been informed we have to show him where the ground water is. It is correct to state our storm water is only what is above that.

Mr. Flint states that is a key factor in feasibility of that whole project.

Mr. Faso asks what happened to the calculations, I refer to the drainage report of 1972 - the CFS is listed as 7. Mr. Faso reads from the report. This is pertinent to the flooding of Hilliry. What about the calculations if you were to figure the 4.5 and is told the more you restrict the water at point of discharge then that would probably mean detaining less than the 100 year storm. We are going to make a pond and on 2 acres of land and limit the discharge. I submit the rate of runoff from this parcel and upstream of this parcel will be less than today. Mr. Faso reads from a letter dated February 14 and Section 281, Section A. Mr. Faso states there is a problem here with retention. Mr. Wegman states we cannot clear up the problems at Hilliry but we will take 22 acres and develop that into a retention-detention facility.

Mrs. Bartok states with 281 you're generally looking for some benefit you could with a smaller sized lot that we couldn't get with full size lots. What is special to warrant 281. Mr. Icovangelo states we purchased the land, we purchased all the acres to develop it into R-1-20 lots. You're saying to the developer, you have to take a loss plus give us a detention pond to cure Hilliry Heights. Mrs. Bartok says a retention pond is built to control flow of water, how much of a reduction in the flow of water are you providing and is told, we calculated a 100 year storm. The flow is approximately 9 CFS. We are going to discharge 2 CFS.

Mr. Deans asks what do you base your calculations on for the 100 year storm. Do you start at water level normally being in that retention pond and then up your additional capacity and is told, take the existing water level and storing above that. If we're digging out an area whatever the water level is, that is our calculations. It is the distance and the invert of your pipe that is the capacity of the pond. Mr. Deans asks is that difference the 100 year storm and is told that 18 acre feet would be that point of discharge to whatever the ground elevation is. If we find the ground water elevation is at 544, we know the discharge is 546 but I stated it was lower. Mr. Deans asks how do you phase a project like this and is told normally we would start in the lower area but because of the nature of the improvements and concerns we're going to build this first.

Mr. Rague asks you mention retention and detention, would they be in the same area and is told the outflow determines detention and retention.

Mrs. Bartok asks have you contacted DEC yet and is told no.

Mr. Deans asks this really only a retention pond under ideal circumstances once every 100 years if it isn't you would have a flood going out all the time. You don't want water going out of there except once every 100 years. Mr. Wegman states we're talking 2 CFS. We're talking about probably an 8" outflow pipe and berm around it. Retention is a more correct term.

Mr. Faso asks about sanitation. Do you plan to tie into the new sewer. Is the sanitation through Hilliry large enough to handle this site and is told I can't answer you. Allow me to research that. Mr. Flint states I wasn't aware of the Hilliry connection. It was my understanding that the new trunk line that ties into the Black Creek dips to handle residential development of the whole area. The trunk line ties into the sewer line at the foot of Hilliry Dr.

Mr. Barbaro states if it ties into the line, no way it can handle that amount of homes.

Mrs. Bartok reads a letter from Monroe County Planning Board dated March 13.

Mr. Flint asks about phase 3. Mr. Barbaro states if you look at both reports when they speak of phase 3, they call for it after phase 2. Phase 2 is necessary to put phase 3 into operation. Mr. Flint states I believe what Wayne says that the project has to improve the situation at Hilliry if done correctly.

Mrs. Bartok asks for questions from the audience.

Mr. Barbaro states that one of the prerequisites of Section 281 is no other zoning variances be requested. I see potential for some rear setbacks and 281 specifically states that to grant 281 there can be no other variances. As for the sanitary sewers, it seems to me when Hilliry Heights was built the people on Chestnut Ridge were included in the additional tax rate for sanitary sewers and paid them for years and never had sanitary sewers. Finally, a sewer line was put in down Chestnut Ridge and they tied into the backend of Hilliry Heights. I am pretty sure it is a 8 or 10" pipe. You can't ignore downstream. If the water from the north of the railroad tracks was restricted, maybe Hilliry could be safe, maybe not for 100 year storm and we have to address that. We asked for protection. You say you don't have responsibility for that, you sympathize. Your engineer talks of picking up drainage here. His comments, I can't promise that we'll size the pipes for existing flow that is the responsibility of the developer of that 15 acres. That is why the drainage committee wrote a report to the Town Board asking the Board to address this problem, consider the entire upstream of that watershed. That is a hardship on you. You are not going to lose money, you're going to charge enough for your houses because of the pipe. Mark Pride came in and said no way am I going to do that and pulled out. But that is the only solution that is going to work. If anything happens, take a look around and you'll see these same people again. You say 9 CFS flows now, no way. That water level is 447 stays at 446 most of the time above that. It is seeping up into the driveways on Hilliry Dr. 18 acre feet would only be a ten year storm for a 100 year storm I think it would be 50 or 60 acre feet.

Joyce Andrews Scheer of 114 Hilliry Drive. Our street is already over taxed and stressed and never mind 10 or 100 year storm. We can't handle the water now. On Feb. 14, my home flooded and came right into the foundation of my house. The majority of water came from the railroad tracks. Firemen came down and worked 5½ hours and it almost reached the paneling. They pumped the sewer into Black Creek. They had to pump the backyard. How can we handle water from 120 homes.

Gene Turechek. The water table you're talking about varies in that area 6 to 12" - below the surface in that pond area. Quote soil survey. They have limitations for different kinds of application. He quotes limitations from report. When I moved into my house there wasn't a running stream across the road. Since then there has been an increased flow and now there is a running stream. Anytime, it is up to your 8" boots. If you are going to pump 120 more basements you are going to have way more than that along there.

Colleen Denning. My question is about the holding pond or retention pond. I'm wondering about the danger to children and teenagers. Mr. Covangelo says it will be similar to the one at Springlake. I don't think we would treat it any differently.

Hans Daumester of 113 Hilliry Drive. The field north of Paul Road drains into my property line. I have seen that water come out of those pipes. I was in there on Sunday night and a lot of water coming out. That pond is going to be filled in 2 hours.

Robert Case of 478 Chestnut Ridge. My backyard is level with this area. My backyard would be underwater. How will you handle the drainage. He is told, we fully anticipate picking that up and pipe it through our system to this area.

Andy Oliver of 575 Chestnut Ridge. I own the property on the other side of the railroad tracks. You have to do something to develop the land. We're suffering. We can't sell our land. I don't know how many acres are involved. These people are trying to solve the problems for the landowners and Hilliry Heights.

Mr. Deans asks about the sandbags on property back there. Mr. Oliver states the sandbags have been there a long time. We stopped taking them out. Mr. Icovangelo states I heard you say the railroad didn't want them. What is the legal effects of the sandbags on the culverts and town?

Mr. Barbaro says we asked the railroad if we could put in a weir and they said no. It might undermine their embankment. They suggested to this arrangement of their right of way and build a 4' dike and they would allow a weir at their underpass. As far as liability, we're definitely flooding your property. We got a bunch of people and talked to Mr. Oliver's father and he said it was OK, better to flood vacant land then people's land.

Sam Utter of 471 Chestnut Ridge. Have you considered the traffic problem. Another thing on the elevation. In the spring time, my sump pump runs once every 3 minutes. I don't see how you build on a lower elevation. Mr. Wegman states we do maintain that a properly located intersection - we don't foresee any problems. We haven't done a traffic study.

Elaine Warner of 547 Chestnut Ridge. I am wondering about environmental impact. There is a row of pines and trees in back, also, how much fill will be brought in to build on this. We would love to have that land developed and I'm sure we will see it developed. About the retention pond advisable to consider danger to children.

Mrs. Bartok asks for comments on the preservation of the trees and is told the topography located mature trees. We can tell you what trees we'll take out and those that will remain. Mrs. Bartok asks about the amount of fill to level for building and is told last thing we want to do is truck in a lot of fill. We plan to do earth work, but don't plan to truck in fill from off site.

Steve Pikuet of 70 Chestnut Ridge. First question is the name. Second, Mr. Wegman stated he'll take care of drainage on the northwest corner. He didn't mention future development of that property. Mr. Wegman states I didn't know the town ordinance required us to take on the drainage from a parcel that maybe developed. I thought our responsibility was for the drainage existing today.

Mrs. Bartok states it isn't formally written up in the ordinance to make sure we get pipes and culverts installed for future development. Mr. Wegman states if that be the case and the town requires us to take on the drainage for potential development we will have to do it.

Nick Barbato of 109 Hilliry Drive. The amount of water to be held there for the longest period of time - how much plainer it can be and boils down to that when the water downstream goes down then you start releasing the water from the holding area.

Ron Pikuet - The second point that detention or retention pond. If that isn't in the lowest level or point I would think excavating it in there you could be into heavier soil. I don't think there would be any percolation. The third point on the northside sewer district, we have paid into over the years and development might or might not come, it must come from across Paul Road. Plans make no provision of the main trunk line that we have paid taxes for and have no facility for. We are interested in the north side of Paul Road. It looks like a gravity sewer. Mr. Wegman states throughout our subdivision our last main ends in this area. If the town requests, I don't see any problem extending it to Paul Road. I submit an 8" sewer line will handle this subdivision and upstream.

Mr. Gates. Are those lots accurate and is told relatively.

Mr. Barbaro. I want to restate. I believe it is 370 acres in that upstream portion of that. A good portion of that I recall was in the median of 490 and part of watershed runs to the west of Union Street. Some of the land up behind the apartments west of Union Street and drains into the median of the highway right of way and east of the railroad tracks. I'm positive 370 acres, much of the land upstream from you and from us is developable land. Your pipes should be sized for a 100 year storm and that is for detention nor retention. With retention you're asking for trouble. Keep detention pond. That ground is solid clay and cannot percolate anything through it.

Mr. Robert Gates of 478 Chestnut Ridge. What kind of homes are you putting in and is told split levels, ranch and colonials - \$75,000 and up.

Joyce Andrew Scheer. I just want to mention of phase 2 and 3 drainage pipe you talk about runs between my yard and the person next door. Water runs through, it is very full and the yards fill up quite ways down the street and we have a mosquito problem. Also, I would like to know where is phase 2 - is it possible if they implemented Hilliry Heights may not have such a water problem. Mr. Faso states phase 2 - lack of money in the town. Town wouldn't commit itself on these problems. Mr. Barbaro states a lot of the problems is providing the money on these projects. It was turned down in the voter referendum. There is legal problem extending money in the State law governing how town acts. No money collected in that district can be used outside of that district. Also, town cannot commit revenue to solve a problem for a specific district. The only thing to do was to get this town wide drainage district, then we would have the money.

Dick Castaldo of 1075 Paul Road. I'm not familiar with zoning restriction of lot size. These are already undersized lots. We could have 750 sq. ft. homes on these sites.

John Cochran of 26 Longberry. What's the process, there are a lot of unanswered questions and comments and future research. What is the process now. Mrs. Bartok explains the process.

Mr. Barbaro states I recommend no approval to be given until another public hearing after all questions have been answered.

Mr. Faso says many people were not notified of this hearing outside of the 500' boundary. Mr. Connolly states I go with the Town Law 500' is the Town Law. Further discussion as to who should be notified.

Mr. Miller mentions Section 96-18a.

Mrs. Bartok asks for a show of hands in favor (1) and against (38).

No one spoke in favor.

DECISION: Tabled until feasibility of the project can be evaluated.

*Betty Bartok, Chairperson
Planning Board*

PLANNING BOARD

April 10, 1984

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 April 10, 1984. The meeting was called to order at 7:30 P.M. by Chairperson, Betty Bartok.

PRESENT: Betty Bartok, Chairperson; Bill Deans, George Ford, Don Faso, Mitch Rakus, Ray Bleier, and Ed Rague.

ALL PRESENT: Bob Connolly, Building Inspector; John Flint, Bergman Associates; Betty Glende, Drainage; Larry Hoy, Department of Environmental Conservation; and Bill Kelly, Town Attorney.

Mrs. Bartok stated this to be 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 Amateur Sports Program, 53 Hay Market Road, Rochester, New York 14624 for renewal of conditional use permit for concession stand, ballfields, ski trails, and sale of beer at property located at 525 Ballantyne Road in RA-20 & FPO zone.

Don Aselin, President of Amateur Sports Program is present. I request renewal of the permit we already have.

Mrs. Bartok asks how the parking is working out and is told it is still a problem. Mrs. Bartok asks if it helps to have empires stop the game and is told they are there to officiate the game not worry about cars.

Mr. Faso asks if there is something that can be done to help keep the dust down and is told calciumchloride is used. It takes moisture out of the air. We use about 1800 pounds a year.

Mrs. Bartok asks if there is still a problem with the consumption of beer and alcohol and bottles being thrown around in the parking lot and is told in part of our permit it states the Town bottle ordinance would be enforced. The attorneys will not enforce the law on private property.

Mrs. Bartok reads the conditions of the use permit. On September 16, 1982 permit to allow a concession with no on street parking. May 13, 1982 application to sell beer on the premises - original permit just for food. Condition was the sale of beer for one year and second stand closes at 10 P.M. September 16, 1982 application for shot gun and archery for a one-time turkey shoot. December 12, 1982 days and hours to operate skiing including Saturday, 10:30 A.M. to 5 P.M. and Sunday, 12 noon to 5 P.M. All permits are on the same schedule and have to be renewed at one time.

Mrs. Bartok asks if there are still arcade games and told yes.

In favor: Joe Klapp. I'm in favor of it. It keeps a lot of people out of the parks and keeps bottles out of the street. As for parking, not much he can do.

No one spoke in opposition.

DECISION: Unanimously granted for a period of 2 years with the following conditions:

1. Days and hours of operation for cross country skiing be Saturdays from 10:30 A.M. to 5:00 P.M. and Sundays from Noon to 5:00 P.M.
2. The concession stand must close at 10:00 P.M.
3. That Mr. Aselin request the town enforce the open bottle law on his property.
4. No on-street parking.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date *4-4-84*

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

GATES-CHILI NEWS

Issue Dated *4-4-84*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER

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

My Commission Expires March 30, 1985

Patricia M. Smith
Patricia M. Smith
Publisher

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Ballantyne
Bartok

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 10, 1984 at 7:30 p.m. to hear and consider the following applications:

1. Application of Amateur Sports Program, 53 Hay Market Road, Rochester, New York 14624 for renewal of conditional use permit for concession stand, ballfields, ski trails, and sale of beer at property located at 525 Ballantyne Road in RA-20 & FPO zone.

2. Application of Jack Greco, Creekside Antiques, 1611

Scottsville Road, Rochester, N.Y. 14624 for preliminary site plan approval to erect a 26.5' x 50' addition to antique shop at property located at above address in GI & FPO zone.

3. Application of Maranatha Landscape, 1600 Attridge Road, Churchville, New York 14428 for preliminary site plan approval for a change of use in portion of building to allow a teen center at property located at 3313 Chili Avenue 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

2. Application of Jack Greco, Creekside Antiques, 1611 Scottsville Road, Rochester, New York 14624 for preliminary site plan approval to erect a 26.5' x 50' addition to antique shop at property located at above address in GI & FPO zone.

Mr. Jack Greco is present and states I want to rebuild the building in the front because it was burned. I want to erect a 2 story building where there was a 1 story and use the upstairs for storage.

Mrs. Bartok asks for questions from the front table.

Mrs. Bartok asks how soon would you like to have the project under construction and is told as soon as possible.

Mrs. Bartok states we have Monroe County Comments and this is a matter for local determination. No significant impact and no further review is required by the County.

No one spoke in favor or in opposition.

DECISION: Unanimously approved. Formal requirements for final site plan approval have been waived.

3. Application of Maranatha Landscape, 1600 Attridge Road, Churchville, New York 14428 for preliminary site plan approval for a change of use in portion of building to allow a teen center at property located at 3313 Chili Avenue in GB zone.

Jerry Leastman is present and states I'm simply out to do what it says a place for teenagers to come under supervision. A place of activity not just for recreation but maybe a teen force. I know of companys who could employ some of these teenagers. We plan to offer counselling and so forth.

Mr. Deans asks what would a typical week day be like, a typical Friday or Saturday and is told on weekdays we would open up for basket-ball, pool, ping pong and so forth pretty much of a lull during the week. On the weekend we could open up the floor space and have a group come in and sing. As far as numbers it would be hard to say. Maybe around 240 total capacity. Mr. Deans asks what about operating hours and is told 11 P.M. on weekdays and maybe a little later on week-ends. Maybe a curfew of midnight. Also, we would like to have a 24 hour counselling service. Mr. Deans asks it is not your intention to have people living there and is told no. We would like to open a home for unwed mothers. Mr. Deans asks how much money will be needed to operate this and is told approximately \$20,000 for the first year and that would come from Maranatha Landscape.

Mr. Rague asks could I hear about your background and is told I just have it in my heart to work with kids. This would not be church affiliated. I have been a Sunday School teacher and I have been involved with the teen center in Brockport. I just want to get people off the street instead of alcohol, drugs and sex. I have had a landscaping business for 10 years. We'll be behind the teen center. Also, Chili Lanes is behind us and some of the neighbors like Pizza Hut.

Mr. Faso asks what kind of supervision would you have for 50 to 100 kids and is told I would like to have 10%. A lot of kids would be from our own youth group. Mrs. Faso asks can you clarify the 24 hour counselling and is told I'm talking about a telephone. Mr. Faso asks you could live with a midnight curfew and is told yes.

Mrs. Bartok asks who are your counselors, who trained them and how old are they and is told volunteers. The ages I would say from just out of high school to past retirement age. Mrs. Bartok asks do they have special training and is told we would like to get into that, there is a course in the city.

Mr. Connolly states I have already talked with the applicant. The use can be changed from business to public assembly but the requirements are greater. He fully intends to submit to me plans drawn by a professional engineer.

Mr. Rague asks do you think most kids will come from the Chili community and is told yes.

Mr. Bleier asks if this is a temporary situation and at what point in time and is told we would eventually like a base with living conditions, gym and equipment. But of course, it would have to go through the town. As far as time that is open.

Mrs. Bartok asks for questions from the audience.

Joe Klapp. Are you going to have music and is told yes. Mr. Klapp states at Pizza Villa at 3 a.m. they have radios playing. If you have a midnight curfew, you are going to blast me out. I think they should be in bed at midnight. All I've heard in favor are businesses. I haven't heard from the neighbors. When you talk counselling - there are certain degrees, certain requirements. Are you aware of these limitations and is told yes. We would need further professionals.

Jerry Hanson, Director of Operations. Mr. Klapp mentioned music. That needs to be addressed. If you are putting a curfew of midnight on closing there certainly could be an earlier one on music.

Mr. Klapp asks about parking and radios and is told what we are teaching these teens is responsibility. They have the responsibility of maintaining the opening of the teen center. They have certain requirements if those aren't taken care of the center closes down. If you have rules those rules will be broken at least once to see what you will do. If the rules hold solid, he will back off and accept them. If it gathers that type of person, I will have to work out something to take care of that. We may not be able to deal with cars effectively. They are the rules if not we'll just close earlier or not open at all. Mr. Klapp asks what is the age group and is told 13 and up. Mr. Klapp says we had a teen center once and had to close because 19 year olds were taking out 15 year olds. Mr. Hanson says the only control we have is whether the center stays open or not. They'll have to help control themselves.

Ralph Warner of 102 Stover Road. Are you looking for a permanent permit from the Board or a temporary one and is told I think we are looking for something that keeps communication open, that means a temporary.

Elaine Warner. I think there is a need for teens here. But 2 things we question. If you have kids putting their trust in people you need people with a degree of training. They need to know they are getting the true answers. Second, I question the need to be open until 11 during the week. I think you need to encourage them to go home at 10 P.M.

No one spoke in favor or in opposition.

DECISION: Unanimously approved as a conditional use with the following conditions:

1. The Conditional Use is for a period of one year.
2. Closing time shall be 10:00 P.M. on school nights; using the public school calendar.
3. Closing time on non-school nights shall be 11:00 P.M.
4. Adequate qualified supervisors must be provided.
5. Noise levels should be kept low.
6. Details of operations and conduct of the center shall be made readily available to the Town of Chili upon request and shall meet with the approval of the Town on a continuing basis during the period of operation.

*Betty Bartok, Chairperson
Planning Board*

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *5-2-84*

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

GATES-CHILI NEWS

Issue Dated... *5-2-84*

Geraldine C. Snyder

Notary

GERALDINE C. SNYDER

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

My Commission Expires March 30, 1985

Patricia M. Smith

Patricia M. Smith
Publisher

*Planning Bd Meeting
May 8 - 1984*

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 8, 1984 at 7:30 p.m. to hear and consider the following applications:

1. Applications of Gilbert Glidden, 3216 Union Street, North Chili, New York 14614 for preliminary subdivision of two lots to be known as Fairview Subdivision II at property located at 3309 Union Street in R-1-15 zone.

2. Application of William C. McCombs Company, 3315 Chili Avenue, Rochester, New York 14624 for preliminary site plan ap-

proval to erect a 10' x 17' solar addition at property located at above address in GB zone.

3. Application of North Chili Community Church, 3355 Union Street, North Chili, New York 14614 for preliminary site plan approval to erect a 60' x 40' one story addition to church at property located at above address in RM zone.

4. Application of Chili Country Club, 760 Chili Scottsville Road, Scottsville, New York 14546 for preliminary site plan approval to erect an 30' x 34' addition to pro shop with a 40' x 34' dwelling on second floor at property located at above address in RA-20 & FPO zone.

5. Application of Convalescent Hospital for

Children, 2075 Scottsville Road, Rochester, New York 14623 for preliminary site plan approval to erect a 1,700 square foot addition to existing building at property located at above address in RA-20 & FPO zone.

6. Application of Faber Construction, 80 W. Main Street, Rochester, New York 14614 for preliminary site plan approval to erect 172 townhouse condominium units at property located at 840 & 844 Paul Road 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

PLANNING BOARD

May 8, 1984

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 May 8, 1984. The meeting was called to order at 7:30 P.M. by Vice-Chairperson, Don Faso.

PRESENT: Don Faso, Vice-Chairperson; Bill Deans, George Ford, Betty Bartok, Mitch Rakus, Ray Bleier and Ed Rague.

ALSO PRESENT: Bob Connolly, Building Inspector; Jeff Benway, Bergman-Associates; Larry Hoy, Department of Environmental Conservation; Dan Miller, Town Attorney.

Mr. Miller stated that notice of this meeting was posted on the Town Bulletin Board and advertised in the Gates-Chili News.

1. Application of Gilbert Glidden, 3216 Union Street, North Chili, New York 14514 for preliminary subdivision of two lots to be known as Fairview Subdivision 11 at property located at 3309 Union Street in R-1-15 zone.

Mr. Don Avery is present and states I'm here to present this for a preliminary plan. The area identified is along Union Street. The fire-house is across the street and ? to the south of the project. Mr. Glidden was here and has been granted a conditional use permit. Mr. Glidden owns the property here. (See Map) There are sanitary sewers running between the 2 lots. There is water across the street. We'll bring in a line to each duplex. We have just one driveway shown. There is also a detention area to hold back additional runoff. We have gone ahead and shown this plan to the Water Authority and it was approved today and so has Pure Waters. I think you have a letter from DEC. I think those are the only things requiring a review.

Mr. Faso says County Comments have been received and this is a matter for local determination.

Mr. Bleier asks about the steep side swale on the edge of lot #2 and is told I haven't changed the grading and I have added 2' here. I didn't feel it was excessive. I could orientate the house a little closer. I could add 5' here. I will limit that. I will move the whole thing over.

Bob Connolly states if you have to move it over that should be binding.

Mr. Bleier asks do you need a formal approval for the road cut and is told yes.

Mr. Benway asks since you're moving the duplex over, it may be possible to grade the ditch to a 3 on 1 side slope and is told yes. Mr. Benway states that is the town standard and is told I will take care of that.

Mr. Hoy states there is no environmental impact.

No one spoke in favor or in opposition.

Mr. Avery asked if final approval can be waived and is told we'll consider it.

DECISION: Approved upon the following conditions:

1. Move the north side setback to 35' on lot #2.
2. South side of swale shall be graded to be a 1 on 3 slope.

Please note that final subdivision approval has been waived and that the original drawing must be filed in the Monroe County Clerk's Office after obtaining the necessary Town of Chili signatures.

2. Application of William C. McCombs Company, 3315 Chili Avenue, Rochester, New York 14624 for preliminary site plan approval to erect a 10' x 17' solar addition at property located at above address in GB zone.

David Soble of 3315 Chili Avenue is present. He states McCombs application is to erect a solar addition to our building within our property line in our parking area. No closer than the front setback and over 50' to the side lot line. The building is to be used for display and then probably turned into office space.

Mr. Faso states I see it has already been started.

Mr. Connolly states this to be a hardship to Mr. Soble and he wanted to put it up because it is the season and the foundation was in anyway. I said go ahead and not to hold the Town responsible and he signed a release.

Mr. Faso states Monroe Comments find this to be a matter for local determination.

No one spoke in favor or in opposition.

DECISION: Approved. Final site plan approval has been waived. Please note you should now obtain a building permit.

3. Application of North Chili Community Church, 3355 Union Street, North Chili, New York 14514 for preliminary site plan approval to erect a 60' x 40' one story addition to the church at property located at above address in RM zone.

Jerry Fallo of 313 Stoney Point Road is present. I'm the business manager for the church. We are currently in the process of finishing a recent addition and we hope to move in soon. The main thing we lack is a large meeting room. All of the space upstairs and down, we are using. They are used for nursery, Sunday school and small group meetings. What we lack is a fellowship hall. Our objective is a 1 story structure with a peaked ceiling to use as a multiple purpose room for men and women to hold meetings, bible studies and to use as a cafeteria.

Mr. Deans asks at what level will this addition be and is told 3 to 4' higher, we'll tie into the existing westwall of first structure gable into it.

Mrs. Bartok asks any problem with multiple use? Does this have to meet building code requirements? Mr. Connolly states this is an additional use of the ministry. Mrs. Bartok asks if there are provisions for the handicapped and is told yes.

Mr. Rakus asks how many members and is told 50 church members; 40 committed adults.

Mr. Deans asks if there will be outside windows and is told we'll eliminate all windows to the southern most part of this wall but won't effect the rest. There are no classrooms in that area.

Mrs. Bartok asks has the fire marshall reviewed the plan and is told no not yet.

Mr. Benway asks if new parking is being added and is told yes. We are in the process of putting in catch basins. Everything will be finished by June.

Mr. Faso asks what the grading in the field to the north is and is told we put the septic system there. We had to excavate to maintain level. We are trying to rectify that by bringing in fill to make it drain sufficiently into the swale.

No one spoke in favor or in opposition.

DECISION: Approved and final site plan approval has been waived.

4. Application of Chili Country Club, 750 Chili-Scottsville Road, Scottsville, New York 14546 for preliminary site plan approval to erect an 80' x 34' addition to pro shop with a 40' x 34' dwelling on second floor at property located at above address in RA-20 & FPO zone.

Geogfrey Alan of Geoffrey Alan Associates is present and states I would like to give you some background. The nature of the golf club business, Mr. Pompa, finds himself in a position requiring a little more to keep the business profitable. If you have been to the club, he has done extensive renovations. The pro shop is something less than functional. We have opted to go with a new building to facilitate access of his patrons to the pro shop and golf course. The pro shop is necessary to keep the golf course going. As this is a residential area, he has asked to be allowed to incorporate in this building a residential office and residence for his own use. We have been working with Mr. Connolly for the additional topography map and drainage. He explains water supply, septic system - all explained in a letter sent to the board. Mr. Pompa wants to have his place as attractive as possible. We have opted to work with Mr. Connolly and the Board. We are open to having the Board's input.

Mr. Faso states it is hard to formulate questions because the plans are insufficient as to property lines and grading. There is some question on property lines, something in the minutes of August 27, 1963. I have not had time to verify the conditions set forth in 1963. That was not met or nonregard paid to them from what I could determine.

Mrs. Bartok states what bothers me the most is the plan doesn't show the existing building or where building will be in relation to the other buildings. Our ordinance requires buildings be displayed on the map.

The following questions were questions pertaining to the wording of the application.

Mr. Faso asks (Mr. Miller) the preliminary plan was to erect an addition - this is a new structure. Mr. Miller states we can accept a variable amount of what they have before us. Mr. Connolly states I think it is the wording of the application. Mr. Alan states it was an addition entered as a planned new structure. Mr. Connolly states our notice stated that it was an addition to the pro shop and that was misleading. There is a problem as to the wording of the application and what is being applied for here.

Mr. Eleier asks if there is an intention of renting the 2nd floor out and is told no.

Mr. Connolly states that a variance must be obtained to use the upstairs as an office. This application is for use as a personal residence. To be used as an office, all handicapped conditions must be met.

Mr. Deans states we want to see maps, etc... I don't think that what was intended to be done is written up properly. The ordinance should be followed. I don't think anything should be left up to the Town Board as to buffers or anything. You are to do that. Mr. Connolly states I know we gave you our requirements for site plan approval.

No one spoke in favor or in opposition.

DECISION: Application tabled by unanimous decision. The application was tabled because your preliminary plans were not in accordance with the Chili Zoning Ordinance regarding site plan approval.

5. Application of Convalescent Hospital for Children, 2075 Scottsville Road, Rochester, New York 14623 for preliminary site plan approval to erect a 1700 square foot addition to existing building at property located at above address in RA-20 & FPO zone.

Mr. Macomber is present and states this is the overall plan of about 47 acres and the existing buildings are shown. The latest building was the pre-school building. This proposition is to create 2 classrooms and 2 office additions -- 1700 sq. ft. I have photographs if you would like to see them.

Mr. Deans asks do you intend to match up to the front classrooms and is told as near as possible.

Mr. Rakus asks how many students are presently enrolled and is told 46. Also, that because of the N.Y.S. new mandate that there cannot be more than 6 disturbed children in a classroom, we must add additional classrooms.

Mr. Bleier asks about the treatment center for those children not living there and is told the out patient department children come in for 1 or 2 times a week for 1 hour sessions and usually part-time students are counselled and is told that this is a condition of treatment. Mr. Bleier asks if at some point a dog kennel could be added and is told I understand your comment. Mr. Miller asks if the dogs are used as part of the treatment and is told yes. Sometimes, we can get a child to relate to a dog, who'll not relate to a human. The dog is not demanding and the child finds it easier to form the relationship.

Mr. Faso states that Monroe County Comments find this to be a matter for local determination.

Mr. Bleier asks how many employees and is told 150 but they are not there all at the same time.

No one spoke in favor or in opposition.

DECISION: Unanimously approved upon the following conditions: No conditions but the Chili Planning Board recommends that a more adequate means of dog control be instituted. Please see Chapter 44 Article 2 Section 44-16 of the Chili Code. Final site plan approval has been waived.

6. Application of Faber Construction, 80 W. Main Street, Rochester, New York 14616 for preliminary site plan approval to erect 172 townhouses condominium units at property located at 840 and 844 Paul Road in RM zone.

Mr. Benway explains why Faber Construction is back for a preliminary. Problems brought about by the inverts along Springvalley and changes by us and also changes brought about by comments from residents of Stover Road on drainage through the project.

Mr. Wayne Wegman is present and representing Faber Construction. He states the purpose tonight is 2-fold. First, to review with the Board the revisions to preliminary plan on which we received preliminary approval on April 10. He reads the letter of approval dated April 17, 1984.

We have reorientated and adjusted the recreation area. Originally, we had tennis courts located at the northern end of the community recreation facility. We have pretty much flipped that layout around. There were several reasons for doing that. First, a southern exposure to the pool and tennis court areas and second, additional parking now numbering 31. Secondly, we have completed boundary surveys. Originally, we showed property lines but did not have a complete boundary survey. We have tied sewers into this. That sewer has been shifted 10' to 15' to the west. That has encroached on 3 units so we found it necessary to relocate them in the southwest area adjacent to Springlake. There was a concern from the fire marshall but there is no problem now. (Mr. Faso reads a letter from the fire marshall.) There is a revision relative to drainage. This change was due to incorrect invert. That invert as we showed it on the plan was incorrect. I would like to point out to the Board that is the only thing incorrect with our topography survey. We sent surveyors out to check critical points and the reason it happened was solely a mistake on our part. This put me in a position where I could not comply with a statement I made in which I said we would never surcharge into Springvalley because of our drainage system. I said we would hold a 100 year storm and never back up water.

What we have done is to construct a separate piping system to take this water and some water to the west from Springvalley and Springlake. It now bypasses our detention system. During a 100 year storm-pond elevation would be 566.45. That is very close to what we originally designed for. For all practical purposes the pond and stage elevation will function the same as we previously submitted. The Board wanted it on record, a written statement as to the type of materials we will use--I submit that letter now.

Mr. Stephen Buechner is present and represents the landscaping firm. He states we have selected plant materials we feel will do very well with existing soil conditions and water table and elevation. We are basically, using conifers and deciduous trees (please refer to map for locations). We are retaining as many existing trees as possible. We have shown a group of homes and how the plants will be located in front of them. We are basically using red maples, white oak, willow, shablow, redbud and various white fir and norway spruce and conifers and smaller growing shrubs. The buffer for the forever wild area, we'll use multiflora rose. You can't penetrate it after a few years. We have provided a heavy screening of K-Mart Plaza with conifers planted on 10' centers. We have provided plants at the entrance. The size of trees are listed (see copy). The recreation facility has been changed. We now have 2 entrances in this area. Also, there will be about 6 shrubs in the front of each building. These will be placed in groups.

Mrs. Bartok asks if the size of the trees (6 to 7') does that include length of roots and is told the above ground height. How far apart and is told 10 to 15'. Mrs. Bartok asks do you have a sketch of how the material will look in front of the house and is told just on this but not in elevation. They will be primarily low plantings.

Mr. Faso asks for questions on landscaping from the front table.

Mr. Hoy asks have you thought of Austrian pines and is told no, I haven't had good luck growing those, but we'll be happy to look into it.

Mr. Bleier asks will you check out the multiflora bush. You'll have multiflora rose all over the place, they'll spread and is told I was just trying to respond to something that will be impenetratable.

Mr. Faso asks about plantings taking to the steep slope and is told we'll plant at the toe of the slope. What type of ground cover and is told grass. We'll keep a 3 to 1 slope to maintain grass.

Steve Hallatt of 116 Stover Road. The height of the conifers on the side of Bell's. If you're putting 6' to 7' trees in, they'll be below the level of parking lot. Won't that defeat the purpose of stopping the view. Mr. Buechner states no, they'll grow quickly. You could move in something 15' to 20' but the shock of moving could prove to much.

Mr. Wehner of 102 Stover Road. I'm glad about the roses. Where the hedgerow is, how high a hedgerow. Are there some trees in here and is told what I proposed would get 10 to 12' high. Yes, we're still leaving the whole back wide open to view. Mr. Wehner states there is probably a 20' area with no trees and is told we can add more trees. Mr. Wehner states you originally said yes but they're not added. Mr. Buechner states I thought these with existing ones would do the trick but if the Board feels we shouldn't put in the multiflora rose or add trees, we will.

Mr. Hallatt asks what kind of fencing will be on the patio and is told 6' wide fence compatible with the building.

Mr. Faso asks what portion of trees do you think you'll lose and is told all of the trees and shrubs will be according to standard of nursery society and are guaranteed.

Mr. John Flint reads 2 letters, one from Vito DePalma and Ralph Wehner and also one from Steve Hallatt and Tom Calmus. Both are addressed to the Planning Board and concern drainage. (See copies) Mr. Flint states the 2 concerns are first, implementing the entire pipe which ends at Springlake during the first stage and second, is concerned with the same pipe and the upstream invert elevation of 565.5 - the outlet from Springvalley pond.

This item suggests connection directly to Springvalley Pond. The reason for the request is a 9/10 difference between these two. (See attached for particulars) The 2 reasons for not doing this would be this is off the property so that maybe a problem and also the outlet pipe as it exists doesn't have a traprack on it. If you pick it up directly and run with a closed system you may have problems with it plugging. The open ditch doesn't have that. In conclusion, after talking with Jeff and Wayne, we would recommend to the Town that the system stays as is with the addition of paved inverts at Springvalley Pond and the upstream invert be raised to the next foot-keep 564 as is but adjust outlet.

Mr. Faso asks do you still recommend the swale and is told yes.

Mr. Flint continues with Item 3, the 18" pipe and is based on entire system. It effects Springvalley on the north end of project. This concerns a difference in elevation which would cause water to back up in the pipe. Residents concern is we try and design to lower that elevation or provide an emergency spillway. We designed for a 1' freeboard. (See map)

Mrs. Bartok asks how will this effect sump pumps and is told I can't say whether it will or won't effect them. Mrs. Bartok states this is a concern because they tie directly into that pipe. I've seen that ditch with 2' of water in it. Theoretically, it could have more water. This detention pond in Pumpkin Hill will surcharge back into swale. When you have a 100 year storm detained into that pond with that capacity to surcharge, won't you have more water in that swale then now? How can you have less? Mr. Flint states the reason you have less is you're opening this up and piping into a pond. Right now you have an unmaintained system.

Mr. Bleier asks what is the elevation of the basement of the houses on Stover Road in comparison with the elevation of the 100 year storm level. If the water comes up will it be backing up into the basements. Mr. Wegman states I'm not sure of the elevations of each basement. This is 568 up here. We anticipate the pond will go to 566 $\frac{1}{2}$. The overall effect will not back up water.

Mr. Rague asks what if this project was not a 100 year storm and is told a lot more water in the swale.

Mrs. Bartok asks the ground elevation is higher then the proposed water level for normal conditions in the pond. How can you be sure that the existing water will drain down to proposed level. Mr. Wegman explains test results. Mr. Flint states this is the best data collected over the years put into a form engineers can use. We do the best we can, keep that in mind.

Mr. Wegman explains that in putting the pipe in, in Stage One, we would not like to do this. Once we lay that pipe and do the earth work then we have to pass everything underneath that. That pipe will just have to come up. We don't want to do that. We have to leave this channel open during Section One. We could redesign this here and this shouldn't function any differently.

In the second letter, the first concern is the 24" storm pipe backing up into the 18" pipe. The concern is for the 30 degree angle that pipe would have to make to get into this. I understand the concern but I don't feel it is a major concern. The second item pertains to runoff from the proposed townhouses into this swale. They'll be adding significant runoff volume to this swale and this is contrary to some of the original comments. I don't feel this is true. The natural runoff as exists is also to that swale. It is included in the design. To mandate in a site such as this that the developer do something contrary to what is natural, I don't think we can ask that.

Mr. Hallatt states your natural runoff increases significantly. You are alternating the rate of runoff. Mr. Flint says yes that is right but that is taken into consideration in runoff factors of the entire design.

Mr. Wegman states that 18 acres of land collects on that swale along with existing portion of land. We're talking about collection of a couple of acres into that swale. We are increasing rate of runoff to that swale for a couple of hundred feet. As a practical matter, I don't feel you'll see any difference.

Mr. Hallatt states it will effect overall drainage system. Mr. Wegman states we feel the benefit is that we have a pond that will detain a 100 year storm. Mr. Brixner asks this use to runoff but now it is picked up in the street system and piped? Mr. Wegman explains that discharge rate will be faster.

Mr. Flint continues with the second letter. There are 2 more items on this letter pertaining to concern expressed to insure all of runoff acres coming into this site be considered. First, is the south-east corner of the site along Chili-Coldwater Road. This is a high point and everything flows into this. In addition, water from the K-Mart/Bells Parking lot will add water. How much of this was considered or was it considered at all. The answer to that question is yes. The portion behind the building was included. The portion in front and along the east side does not drain into that site. I believe that answers all of the questions.

Mrs. Bartok asks are you satisfied with these drawings? That these are correct and is told yes. (By John Flint) Mrs. Bartok asks are you satisfied with the calculations and is told yes.

Mr. Vito DePalma of 100 Stover Road. I am in support of Item 1. We are just trying to insure that no changes take place. We would like your support on that. I would like to point out that the numbers I have given are accurate to the best of my knowledge. That is why we requested a change in elevation in Stage 1 - change in pattern. I would request Town support in that area too. On Item 2, implement 9/10 (0.9') in elevation. Here we request this be implemented to insure functioning of that area. The other thing is the runoff point brought out in the letter. Mr. DePalma continues discussion with various drawings at the board. Mr. Deans asks have you ever computed as it is now on a 100 year storm and is told no but I maintain you check the Sear/Brown map and find out.

Mr. Bleier asks do your sump pumps work all the time now and is told my sump runs 24 hours a day.

Mr. Deans states I have a hard time understanding -- your talking about the swale. If there is going to be less water in the drainage ditch, theoretically, during 99 of the 2nd worse storms there is going to be less water in that ditch during that period. You have to be better off with the sump pumps then you are now. You are taking the one worse case and comparing it to this. Mr. DePalma states right now we are an open system. Where will the water go? This 18" pipe will get at least 17' of water. All these homes connect through this 18" pipe.

Mr. Miller asks why won't the water overflow the spillway and is told because the wier is to high, 563. Mr. Miller states if they cover the pipe to the spillway, they said they would compromise.

Mr. Wegman states the way the system works, this water will not sit here and stop at 566.4. This water will flow at a controlled rate. I submit this flow will help the sump pumps. This water is constantly moving and discharging. Mr. Flint states it is more complicated then that. The Town Code requires pipes be designed for a 10 year storm. Mr. Wegman comments on the flow of water, static water and elevation - we look at to design the pond.

Mr. DePalma states this important. I was looking at a vehicle for sale over here at Coldwater-Chili. Why would you live in here. There was a time that thing was all plugged. When Caldwell & Cook started this project, that was filled with water and when they opened this house the basement floor had to be replaced because of the water.

Mrs. Bartok says you said before the spillway and height of water in detention pond was a trade-off. As far as I know upstream has a problem but none downstream. Mr. Flint states everything runs underneath Grossman's and I don't know if it was designed to handle increased capacity but I do know it was constructed poorly. Any increased flow downstream will effect town property.

Mr. Faso asks those sump pumps tie directly into that pipe and is told yes.

James Perna of 26 Florentine Way. On any subdivision you don't get a 100 year storm. Let me say this, I have seen some pretty bad rain storms. The system couldn't handle that storm for an hour or two but as long as water flows through that pipe the sump pump has had to work. They're all like that. What I'm saying, if you get a bad storm right now in any subdivision that system will hold water. It won't take it. This new system has to help.

Mr. DePalma says I request this drainage system be put in in Stage One. I believe the reasons in my letter bring that out. Second question: The Town consider line here to remove blockage, third, consult the Sear-Brown maps and this pipe be fully implemented during this phase. The ground water hasn't been allowed for.

Ralph Wehner of 102 Stover Road. I agree also about putting in the pipe - 100%.

Steve Hallatt of 116 Stover Road. I agree also about putting in the pipe.

Mr. Wegman states we agreed with Town Engineer on these concerns. The one thing, I haven't had time to review it with John. I would like the Town to allow us to look at profiles to see about this pipe. Maybe propose some alternate method be used for Stage One. As far as the concerns we have already agreed to do. Again there are considerations. What you normally want to do is get the storm sewers and things and then put in the road and maintain the road. Several things we can talk over with the engineer - a number of ways to constrain drainage from Springvalley to Springlake and allow us to go ahead with Section One and then so that pipe in Section 2.

Bob Barret of 108 Stover Road. The existing swale does that stay the same and is told as we get into Section 2 that existing swale would be eliminated and we would go with the drainage system. The pipes would follow the existing swale route. Mr. Barret asks are you going to pipe from there down and is told no, directly to Springlake. Mr. Barret states right now the swale is coming off my property. What's going to drain this up here and is told we are going to pick up right where that swale is and discharge right into that pond.

No one spoke in favor.

DECISION: Unanimously approved with the following conditions:

1. Snow plowing must keep parking spaced on cul-de-sacs open.
2. Look into ways to impede trespass through the adjacent forever wild area.
3. Repair the embankment of the Springlake Apartments Wier.
4. The Condominium homeowners association shall be responsible for maintenance of the drainage system. The Town has access through the drainage easement in case of emergency.
5. Roads shall be built to Town standards but not be dedicated to the Town. The Condominium homeowners associates shall be responsible for road maintenance.
6. A paved channel be constructed between the 18" pipe and DD-2.
7. A paved channel be constructed between the 24" pipe and D-5 with the addition of a trash rack and headwall.

The Planning Board also voted unanimously to waive the requirement for final site plan approval of Section One of Pumpkin Hill with the following conditions:

1. That you dig and maintain the drainage swale between the Springvalley detention pond and Springlake.
2. That you clean and maintain the drainage swale from the 18" pipe to Springlake.
3. Landscaping and planting shall be completed by the spring following the fall after completion of construction of each phase.

*Betty Bartak, Chairperson
Planning Board*

PLANNING BOARD MEETING

May 15, 1984

The meeting of the Planning Board in the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624 on May 15, 1984 at 7:30 P.M. The meeting was called to order by Chairwoman, Betty Bartok. She stated this meeting was called to hear two applications under old business.

Present: Betty Bartok, Chairwoman; Bill Deans, Don Faso, Mitch Rakus, Ray Bleier

Also Present: Robert Connolly, Building Inspector; Betty Glende, Drainage Committee; and Dan Miller, Town Attorney.

1. Application of Legris, Inc., 244 Paul Road, Rochester, New York 14624, for preliminary site plan approval to erect a 110' x 60' warehouse addition with an office on the second floor, a 100' x 25' two story office addition and a 15' x 16' two story office addition at property located at above address in L1 zone.
2. Application of Legris, Inc., 244 Paul Road, Rochester, New York, 14624, for preliminary subdivision of one lot with a simple alteration of lot lines at property located at 210 & 244 Paul Road in L1 zone.

Ms. Ann VerHague, architect, and Mr. Anthony Parris, engineering manager, were present representing Legris, Inc.

Ms. VerHague indicated that they had asked the Zoning Board for a second curve cut, less setback than required and more front parking. The Fire Marshall felt that more front parking was not proper and that a fire vehicle could not get through. They had compromised and put more parking on the other side. Put 30 foot radius on curve cuts for more width. Legris, Inc.'s parent company, which is located in Paris, France, has given them permission for a larger building. They are proposing a 15' setback rather than a 20' setback to the front office. Keeping a two-story entry lobby. Proposing another story to the office - to be done in the future. Will be putting in shell now. 40.85' setback for original building. 25' determination is depth to the offices. Coming out 10' to the east of the plant. Adding 600 sq. ft. to the plant, which will be finished right away. Plant in Paris gave permission for office over plant (unfinished at present), the whole addition will be two stories. Instead of 8,400 square feet, Ms. VerHague indicated that they are requesting for 9,340 square feet (ground floor only).

Mr. Faso indicated according to his calculations application should be for 18,680 square feet for the two-story building.

Ms. VerHague said the cost of this project has tripled. They plan on starting construction in August, and are hoping to be finished by the end of the year.

Mrs. Bartok asked the Board members if they had any questions?

Mrs. Bartok asked if the setback from the rear remains the same? Ms. VerHague indicated yes. Mrs. Bartok also indicated that the Board is aware that Legris has made changes asked for in the parking facilities. Felt that there would be no problem with the change and shape of the building. Felt the proposed landscape plan was a good one, and had been approved by landscape architect.

Mr. Faso read letter from the Town Engineer, and indicated that the engineer recommends that they provide signage for one-way traffic flow through front parking area (13' wide access road); pertaining to parking - one spot maximum to number of people per shift; set inverts for catch basins (to insure proper drainage); and that they show where existing catch basins drain into.

Mr. Rakus indicated that if no other problems what about with regard to drainage? Bob Connolly and Betty Glende indicated there were none.

Mr. Bleier asked if there was front parking? He was told that they were adhering to what the Fire Marshall had asked for, and any parking will be angled parking from one-way drive.

Mr. Bleier asked the maximum number of employees per shift? Mr. Parris said 40 now. Mr. Bleier indicated he was concerned about the front diagonal parking. Ms. VanHague indicated that the front parking was for clients, salesmen, and guests. Mr. Parris indicated that every employee has a designated parking spot. Mrs. Bartok added that she felt they have more than adequate space for additional parking facilities.

Mr. Faso indicated that they had verbal approval for drainage. Mrs. Bartok added airport review approval, environmental impact study okay, and was determined a matter for local determination.

- DECISION: Unanimously approved with the following conditions:
- A. The temporary building be removed six months after completion of the new addition.
 - B. Set inverts for catch basins to insure positive drainage.
 - C. Show where existing catch basins drain.
2. Unanimously approved with the formal requirements for final subdivision approval waived.

Betty Bartok, Chairwoman
Chili Planning Board

CHILI PLANNING BOARD

June 12, 1984

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 12, 1984. The meeting was called to order at 7:30 P.M. by Vice-Chairperson, Don Faso.

Present: Don Faso, Vice-Chairperson; Bill Deans, George Ford, Mitch Rakus, and Ray Bleier.

Also Present: Bob Cannolly, Building Inspector; Jeff Benway, Bergman Associates; Larry Hoy, Department of Environmental Conservation; and Dan Miller, Town Attorney.

Mr. Faso stated this to be 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 Lancaster Interior Contractors, 17 Embury Place, Lancaster, New York 14086 for preliminary site plan approval to erect a 14' x 14' walk-in cooler at property located at 3208 Chili Avenue (Pizza Hut) in GB zone.

Mr. Kurt Schirmer and Joe Schwad are present.

Mr. Rakus asks can you give us a brief description of how it will work after it is built and is told basically, it is a walk-in cooler where we'll be preparing things. Just to give us more room for the business we are doing. Mr. Rakus asks are you going to increase the number of personnel at Pizza Hut and is told we have always hired as our business increased.

Mr. Faso asks do you happen to know off hand how far the edge of the building is to the property line? Will that be kind of tight for cars and is told the space is big enough for a tractor trailer to get thru there.

Mr. Benway asks who prepared these plans and is told the Regional Office out of Albany. Mr. Benway asks who takes care of local codes and is told I do.

Mr. Faso states Monroe County has found this to be a matter for local determination.

No one spoke in favor or in opposition.

DECISION: Approved 4 yes - 1 abstention.
No conditions and the Planning Board has waived the requirements for final site plan approval.

2. Application of Graham Smith, 1400 Blossom Road, Rochester, New York 14610 for conditional use permit to allow an in-law apartment at property located at 6 Majestic Way in R-1-15zzone.

Mr. Smith is present and states are there any questions.

Mr. Faso asks this is used as a in-law apartment now and you're just going to cut in a door? Normally, on a conditional use permit when the in-law ceases to use the apartment it ceases to be an apartment and is told yes.

No one spoke in favor or in opposition.

DECISION: Granted 4 yes with 1 abstention.
The conditions are as follows:

1. The Conditional Use is granted for use by in-law only and shall cease when the in-law ceases to use it.
2. The apartment may not be used as a rental unit.
3. A copy of this decision must be filed in the Monroe County Clerk's Office under miscellaneous records and tied to the liber and page of your deed. The cost will be \$15.00 and is payable to the Town of Chili.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *6-6-84*

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

GATES-CHILI NEWS

Issue Dated... *6-6-84*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER

NOTARY PUBLIC, State of N.Y. Monroe Co.
My Commission Expires March 30, 1985

Patricia M. Smith
Patricia M. Smith
Publisher

*June 12 a Planning Bd Meeting -
in Min Book*

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 June 12, 1984 at 7:30 p.m. to hear and consider the following applications:

1. Application of Lancaster Interior Contractors, 17 Embury Place, Lancaster, New York 14086 for preliminary site plan approval to erect a 14' x 14' walk-in cooler at property located at 3208 Chili Avenue (Pizza Hut) in GB zone.
2. Application of Graham Smith, 1400 Blossom Road, Rochester, New York 14610

for conditional use permit to allow an in-law apartment at property located at 6 Majestic Way in R-1-15 zone.

3. Application of Daniel Nicholas, 1504 Scottsville Road, Rochester, New York 14624 for preliminary subdivision of 1 lot at property located at 1502 and 1504 Scottsville Road in GB, FPO, FW zone.

4. Application of Howarth Builders, 169 Maplewood Avenue, Spencerport, New York 14559 for preliminary subdivision approval for a 29 lot subdivision to be known as Westside Manor at property located at 3161 Union Street in R-1-12 zone.

5. Application of Faber

Construction, 90 West Main Street, Rochester, New York 14614 for preliminary resubdivision of 1 lot with an alteration of lot lines at property located at 840 and 844 Paul Road in RM zone.

6. Application of Anthony Perrotta, 1350 Buffalo Road, Rochester, New York 14624 for preliminary subdivision of 7 lots to be known as Topex Subdivision at property located at 20 Province Drive in R-1-15 zone.

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

Betty Bartok, Chairwoman
Chili Planning Board

3. Application of Daniel Nicholas, 1504 Scottsville, Road, Rochester, New York 14624 for preliminary subdivision of 1 lot at property located at 1502 and 1504 Scottsville Road in GB, FBO and FW zone.

Mr. Daniel Nicholas is present.

Mr. Faso states I have the County Comments and reads them.

Mr. Bleier asks what are you doing here and is told combining 2 lots into one. Mr. Nicholas states we bought a triangular piece of land from the neighbor. The property was sold to us in one piece and is shown as one piece on the map. We have been operating as one lot but now we would like to put a building back there.

Mr. Connolly states you have been operating as is and you want to erase this lot line. They got some land from Mary Bart. It is zoned commercial but used for a residential. He isn't in here for site plan but for resubdivision.

No one spoke in favor or in opposition.

DECISION: Approved 4 yes with 1 abstention.

There are no conditions on this application and the Planning Board has waived the requirements for final approval. Please note that the original drawing describing this application must be filed in the Monroe County Clerk's Office after obtaining the necessary Town of Chili signature.

4. Application of Howarth Builders, 169 Maplewood Avenue, Spencerport, New York 14559 for preliminary subdivision approval for 29 lot subdivision to be known as Westside Manor at property located at 3161 Union Street in R-1-12 zone.

Mr. Wayne Wegman of Passero Associates is present. He states I realize the Board just received some plans but they are the same plans submitted in February. We delivered the wrong plans. I have resubmitted the plans to the Board. They are the same plans, but with revisions to this detention area which was discussed with the Board. Preliminary approval of 29 R_L_L@ lots. Our proposal called for connection from Union Street to a street called Slate Drive, and dedicated to the Town. 1600 feet of road dedicated to the Town and also utilities. This was once Section 4 to Westside Manor Subdivision. We have in our possession plans having this subdivision design. It was essentially approved but never done. The Town rezoned it. We need to have this rezoned. We went before the Town Board in May. We are here for site plan approval. There are 8" sanitary sewers that service the majority of the lots. The other 3 lots on the southwest of the parcel, we'll install sewers. We'll connect to 6" water main on Union Street and loop it around. Drainage is presently draining to southeast and there is a pit and low area where the water sits. There isn't a good place to discharge runoff so we are going to make use of existing storm sewers and we'll have to detain runoff for this area. We'll try to maintain that and have a positive flow to sewer. The majority of water is going to have to be detained in this area. Our proposal is to dedicate this area to the Town with an easement to maintain it. We foresee this as an open area. The soil is a mixture of sandy gravel and sand. We'll experience some ponding during storms.

Dan Schum, Attorney for Howarth Builders is present and states we have the right to purchase as much land as necessary for drainage. We are going to detain as much as possible.

Mr. Faso asks you are dedicating a 24' wide drainage easement. Are you going to purchase this land and is told we have the right to as much of Mr. Perry's land as necessary for an easement. I don't know exactly, we have a right in contract to purchase additional land. I am in negotiations. I received this letter from an adjoining owner. It is from Mr. & Mrs. Olver. She complains of a ditch on her property that runs under Slate Drive and she is concerned about it. We show a catch basin here. We hope to alleviate any problems, she might have. We'll catch existing drainage at the northeast corner of lot 400 and run it southerly.

We have attempted to address that as far as drainage concerns. If the Town is concerned about maintenance, we have no problems with forming a drainage district that would provide funds for this. We have dug 3 test holes in excess of 4 feet and found nothing but soil. We'll comply with all County Comments.

Mr. Faso reads Monroe County Comments.

In reference to Comments, Mr. Schum says we can get an affidavit from the owner. Mr. Wegman states we'll investigate further. I will interview individuals in the County. There is some material like concrete slabs in the area and we know up in this area some earth was cut away.

Mr. Bleier asks on the proposed detention pond what is going to happen, will it be adequate enough to hold a 50 year storm and is told we are allowing for a 10 year storm. We are trying not to increase the rate of runoff downstream.

Mr. Faso states I did get a call about whether there was going to be a fence around there? How long will it hold water of the storm? He is told it will depend on the amount of the storm. It is going to be 1 on 3. It won't be deep. Mr. Benway states 2' at the berm section.

Mr. Benway asks will the storm pipe leading, will this have a slope where it ties in and is told 3/10 of a slope. You'll hold at 2.22 CFS.

Mr. Miller asks is Mr. Perry going to give an easement wherever the pipe is put in and is told yes.

No one spoke in favor or in opposition.

DECISION: Approved with a unanimous vote.

1. Items 1 & 3 of Monroe County Department of Planning review letter dated 5/25/84 must be completed. Please note that the Chili Planning Board has discussed and decided that no fence will be required.
5. Application of Faber Construction, 80 West Main Street, Rochester, New York 14614 for preliminary resubdivision of 1 lot with an alteration of lot lines at property located at 840 and 844 Paul Road in RM zone.

Mr. Wayne Wegman of Passero Associates is present and states we are here tonight as I see it because of a technicality. This is under 2 tax account numbers. We are here to combine the tax account numbers so they will be under one number.

Mr. Connolly states this big parcel was broke off illegally and this was bought later and all put into one. This was never brought before the Town to be combined for a subdivision.

No one spoke in favor or in opposition.

DECISION: Approved with a unanimous vote.

- There are no conditions on this application and the Planning Board has waived the requirement for final subdivision approval. Please note that the original drawing describing this application must be filed in the Monroe County Clerk's Office after obtaining the necessary Town of Chili signatures.
6. Application of Anthony Perrotta, 1350 Buffalo Road, Rochester, New York 14624 for preliminary subdivision of 7 lots to be known as Toper Subdivision at property located at 20 Province Drive in R-1-15 zone.

Mr. Klingenberg is present and states Mr. Perrotta has approached some of the people around the subdivision and these neighbors have expressed a desire to purchase property in this area here and we have indicated this on this first sheet. We are coming before the Planning Board requesting approval of this 7 lot subdivision. At the first public hearing there was some requests for additional information. We feel we have submitted that to the Board and the drainage calculations have been submitted.

We have met with DEC from Avon and have shown boundaries as staked out by the environmental conservation and we have also obtained an opinion from Pure Waters. I believe you have a copy of that letter. To bring you up to date, we are proposing a 7 lot subdivision on the end of Province Drive. There is an existing cul-de-sac and sidewalk. We have minimum setbacks of 60' and 65'. We have clustered everything around the cul-de-sac. There is an existing storm sewer through this headwall and continue it on down this lot line and 50' more down onto the south, going to occupy existing channel in this area here. We are matching that. What is in the ground today. There is an existing catch basin between lot 66 and it is 12" pipe and conveying this here. There is an existing wetland area coming through here and a 100' buffer zone here.

Mr. Hoy states I don't know whose fault it is but we didn't receive a map. It is difficult to look this over without a map. The environmental impact was well written. There is a question about the 45 degree angles but you have removed those. Now what we recommend is a full public hearing according to SEQR be held according to Section 5. Mr. Hoy reads Section 5. We are concerned about the drainage pipe coming from the Province Drive area. Question: You plan to go to a 30" pipe from a 38" pipe? Mr. Klingenberger states this is an equivalent size pipe. Mr. Hoy states we also recommend a final environmental impact statement be drawn. We feel there are too many concerns with the wetlands and drainage. We had 2 members walk this wetland and we felt it differs to what your map shows. There will be drainage problems. This swale is always full and deep. This comes and just stops. The water goes no place. The concern is with this drainage downstream.

Mr. Klingenberger states this is an existing problem and I don't think this will cause more problems. We are not working in the wetlands at all.

Mr. Hoy states if this backs up, it is going to surcharge into the Loring and Spicewood areas. That is our concern and this is why we recommend that.

Mr. Klingenberger states we are adding the equivalent size pipe. We have submitted over 12 copies of this map and I was told I didn't have to submit a plan to each member of the committees. I don't know why you don't have a map. Now you are telling me you don't have enough information.

Mr. Benway states there is nothing for us to hold him up. We feel he followed all regulations.

Questions from the audience.

Mr. Findak of 229 Chestnut Ridge. Where is this property located?

Mr. John Jenkins of 41 Spicewood Lane. I have been led to believe the property we are talking about was originally condemned. Is that true? He is told there was a moratorium at one time. Mr. Miller states it was an unofficial moratorium by the Planning Board.

Mr. Charles Murphy of 10 Loring Place. I brought a few pictures so you can see the drainage problems we have. You'll see a great amount of water (See Pictures). This water has to go some place. It will take a great amount of pressure to push this water. This swale is under water 12 months of the year. I have been there 12 years now and that channel has never been below 3'. You don't have a situation where you are replacing a drainage area but a retention pond. They have to replace it with something. In regard to what Larry Hoy said about the railroad line. The Conrail line has been blocking the swale. It doesn't dump out. There is area to the west where our water comes in. If we remove additional channel and try to force it over, we'll kill more land off. Also, 10 Loring is where the cross pipe comes through. I still have problems and mine dumps into the swale. Is this pipe going to be high enough above the channel to let water enter? I am not opposed to building. I just want to protect my rights. These pictures were taken on the 17th of May.

Mr. Hoy states we sent a man to walk that. (See comments) The drainage ditch has to overflow the land and someone has dumped sand and stone into these pipes. Mr. Benway asks if a backhoe can get in there and is told we tried taking a rig in to put out a fire and we couldn't get out. More and more of this area is becoming wetlands.

Mr. Klingenberger states if removal of the ditch is questioned, we could widen out this area in here to compensate for this.

Mr. Faso asks then your main concern is loss of retention. 7 homes is not going to cause significant runoff. Mr. Murphy states there is water laying in there.

Mr. Robert MacArthur of 12 Spicewood Lane. Could I use your map for a moment? We were the first people there 12 years ago, when it was first built. We thought there could be problems here. We contacted a builder, we were told this land was unbuildable. This swale back here, I'm not sure this swale will have enough pitch to take this water to this point. My property will be lower than the swale. If we start having problems with sewers at 3 o'clock in the a.m., with water coming up through your split level floor. He explains what happened and what he did. It took 6 hours to drop the water level one inch in the shower stall. I called the Town to find out what happened. One answer was maybe the storm sewer would not take the water off but the water was clear. It wasn't sewer water. There is a problem and a complex problem in this area. We should take this into consideration, whatever decision is made.

Bob Dewey of 14 Spicewood Lane. We have indicated some pretty bad water problems and he has indicated his intentions to put in a swale and make some provisions for drainage for Spicewood. My question is if that land was unbuildable, what has happened to make it buildable now?

Mr. Klingenberger states up in this area here the drainage comes across here and through actually 3 pipes coming out here. There is an existing 20' easement to the Town of Chili, we are building our house on lot 7 here. I think it is probably a local problem. This swale was either not constructed when the subdivision was built or not constructed properly.

Mr. Dewey asks if Mr. Perrotta said there should be some type of swale to take care of that, is there a provision for that and is told no, not that I can see. Mr. Dewey states he would give an easement across the back but not the middle of his property.

Mr. Deans asks I don't see a drainage easement along the back of lot 42 thru 45, is there an easement along there and is told yes.

Mr. Perrotta states there is a definite drainage course along the back of this property right here and right in the middle of the course is stone for enforcing a pool wall.. I have offered Mr. MacArthur this piece of land for \$500 and he thought it was too much. Mr. MacArthur states we are talking about a piece of land 100' by 200' not acreage.

Mr. Josephson. My land has finally dried up with this warm spell. I tried digging a ditch myself it doesn't work. I have 3 kids who play here all the time. I would not like a large pool.

Mr. Bob Buler of 3 Province Drive. I have a petition from the people on the drainage problems. I asked the Town months ago when I was in why Mr. Sidell and Ryan Homes were turned down. I do have an answer and I will give you a copy.

Mr. Klingenberger states the only comment I have on this letter is that maybe their proposal was for standard size lots. We are proposing larger lots.

Mr. Faso asks would you have a problem with cleaning and shaping the swale along this line and is told I would have to look at it.

Mr. Jenkins states let us say this gets passed through and the houses can be built on the lots. Can there be something to say whoever is there that, that must be left natural. The owners cannot touch the drainage or fill it in or anything. What will happen if they build these houses and everything gets full of water. Who will be liable and is told we'll discuss this.

Mr. Bruce Beisheim. I live down the block. The water lays in opposite points of the yard. I'm not opposed to having houses built but if water backs up in my yard because I'm lower. Seven houses can make a hell of a lot of difference.

Jan Wright of 19 Loring Place. Just a comment. Take a look at how the Town of Chili is maintained. There existing pipes at least one pipe is clogged. I think once you put these houses in downstream, I think you should look at what it will do to these houses upstream.

Lee Iscessaeceli. I'm here representing the Baylor Circle Group. We made some recommendations to Mr. Perrotta and he has been cooperative. I feel I have seen some other problems and I don't think by putting up seven houses, it is really going to disrupt that land. We have approached Mr. Perrotta about buying and straightening out that back line. He has agreed to sell us that property. He was in favor.

No one spoke in favor.

15 opposed.

DECISION: Tabled by a vote of unanimous.

1. Until a detailed drainage evaluation and determination can be made by our Town Engineers. The Chili Planning Board declared itself lead agency under SEQR review process.

Donald J. Fox, Vice Chairperson
Planning Board

CHILI PLANNING BOARD

July 10, 1984

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 10, 1984 at 7:30 P.M. by Chairperson, Don Faso.

PRESENT: Don Faso, Chairperson; Bill Deans, George Ford, Mitch Rakus, and Ray Bleier.

ALSO PRESENT: Bob Connolly, Building Inspector; Jeff Benway, Bergman Associates; Betty Glende, Drainage Committee; Larry Hoy, Town of Chili Conservation Board, and Dan Miller, Town Attorney.

In the absence of Mr. Miller, Mr. Faso stated this to be 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 Genesee LeRoy Stone Corp., Box 263, Batavia, New York 14020 for preliminary site plan approval to erect a portable blacktop batching plant at property located at 1535 Scottsville Road in GI and FPO zone.

Mr. Hicks is present and states it is our intention to build this plant. I have several photos to show. This is an aerial photo of the area itself. This is the concrete plant and the area we would like to put the plant on is back in this corner - $1\frac{1}{2}$ acres. This will enable us to use the existing stock piles. This is what the plant looks like. The new one is similar to the old one.

Mr. Faso asks what is this notation that says 46' high and is told we would need a variance for the height.

Mr. Rakus asks what do you mean by portable and is told we are proposing only temporary footers persay, to set it on and stabilize it. We have owned it since 1983 and this has been on the facility in Stanford and now we would like to bring this down to the Scottsville Road site. Mr. Rakus asks if the tank is portable too and is told yes.

Mr. Bleier asks weren't you in here a couple of years ago and is told yes. This is a photo of the batching plant we obtained a permit for a couple of years ago. Mr. Bleier asks is there a likelihood this one will be moved and is told I would hope the business climate would hold and we could leave it there. If a road job came up we would like to service the site.

Mr. Rakus asks you have a batching plant and you're going to add one and is told yes.

Mr. Bleier asks why the distinction of portable and is told by Mr. Connolly I don't know.

Mr. Miller asks how many portables on this site and is told 2. Mr. Miller asks how many tons a day do you put out and is told 2000 tons. Mr. Miller asks how many trucks coming in and out of the site and is told 40 a day. Mr. Miller asks how many trucks going in and out and is told a conservative estimate would be 85. Mr. Miller asks if the Board granted this request it would be about 125 truck loads and is told yes.

Mr. Bleier asks are all the trucks kept on the property and is told our concrete truck station is on the property and we keep 45 trucks in Henrietta and we do not have any trucks for the blacktop.

Mr. Rakus asks are you going to have additional trucks bring in material and is told occasionally it would be our intention to use empty trucks after bringing in a load to carry things out. Mr. Rakus asks would a good estimate be 200 trucks in and out in a day and is told awfully close.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *7-4-84*

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

GATES-CHILI NEWS

Issue Dated... *7-4-84*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 1985

Patricia M. Smith
Patricia M. Smith
Publisher

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 July 10, 1984 at 7:30 p.m. to hear and consider the following applications:

1. Application of Genesee LeRoy Stone Corp., Box 263, Batavia, New York 14020 for preliminary site plan approval to erect a portable blacktop batching plant at property located at 1535 Scottsville Road in GI and FPO zone.
2. Application of John F. Burns Jr., 560 Chili Scottsville Road, Scottsville, New York 14546 for preliminary subdivision of one lot to be 1 acre from a total 61 acre parcel at property located at above address in RA-20 zone.
3. Application of David Gleason, 42 Lawnsbury Drive, Rochester, New York 14624 to extend upon a conditional use permit to allow minor repairs of automobiles and a U-Haul business at property located at 4210 Buffalo Road in NB zone.
4. Application of Empire Beef Co., 171 Weidner Road, Rochester, New York 14624 for preliminary site plan approval to erect a 75' x 28' and 22' x 21' enclosed loading dock at property located at above address in GI zone.
5. Application of Daniel

Nicholas, 400 Westfall Road, Rochester, New York 14620 for preliminary site plan approval to erect a 65' x 36' garage at property located at 1502-1504 Scottsville Road in GB, FPO, FW zone.

6. Application of Joe Benson's Service, 1421 Scottsville Road, Rochester, New York 14624 for preliminary site plan approval to erect a 21½' x 63' addition to repair shop at property located at above address in GI zone.

7. Application of Hunt Realty, 237 Main Street, Buffalo, New York 14203 for preliminary subdivision of 2 lots with an alteration of lot lines at properties located at 3220 & 3240 Chili Avenue in GE zone.

8. Application of Dr. William Canon & Dr. Louis Baskin, 3187 Chili Avenue, Rochester, New York 14624 for preliminary site plan approval to erect a medical office building at property located at 3220 Chili Avenue in GB zone.

9. Application of Howarth Builders, 169 Maplewood Avenue, Spencerport, New York 14559 for final subdivision approval of 29 lots to be known as Westside Manor at property located at 3161 Union Street in R-1-12 zone.

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

J. Donald Faso, Vice
Chairman
Chili Planning Board

*Hearing In Board
July 10, 1984*

Mr. Bleier asks is this site the type you recycle at and is told yes. It has those capabilities.

Mr. Rakus asks what about the smell the neighbors are complaining about and is told I'm not aware of any complaints.

Mr. Faso asks what is the base elevation, is it the same as the one in the photo and is told 524.8'.

Mr. Benway asks what is behind to the west and is told the railroad. Mr. Benway asks you'll be taking down some trees and is told no. Mr. Benway asks you'll maintain 150' to the trees and is told I'm not sure of the tree line but we'll not take down any trees.

Mr. Faso reads the Monroe County Comments.

Mr. Faso asks for questions from the audience.

August Greco of 1611 Scottsville Road. I have lived here for 50 years. My question is - Is this piece of portable equipment tax free? Is this true? We tried to get a building put up and we couldn't get a permit because of airport regulations. But they are getting away with a 46' high tower. If you get there between 11 to 1 in the afternoon, all you'll see is blue mist. You will smell hot tars. When this plant was built, it was not to have hot emulsion. Now there is hot stuff and the people across the road are suffering. I pay good taxes and don't want to be subjected to this.

Eleanor Greco of 1611 Scottsville Road. I have a lot of allergies and out eyes are red. We are in it all of the time. It has affected our health. I live in that home and I don't want to move. But I can't go out doors. I can get something from the doctor if you want proof. It has hurt my health. It effects the people across the river. There were supposed to be more people here. It has affected our health with asthma. I went over there to buy some tar for the driveway. It has injured my health and the childrens health. I don't want to suffer any more.

Elmer Anderson of 2000 East River Road. Originally, when this plant was proposed they promised no odor. There has been times we can't go in the yard because of the smell. Now if this plant is going to be larger than the one in existence, our problem will be 3-fold instead of 2-fold.

Jean Phillips of 80 Ballantyne Road. I recall this road is in a primarily industrial area but we have to take into consideration the type of business in that area. I'm concerned with vehicle traffic. I have noticed an odor when going by the plant. These are things I can't understand. I really take exception to the word portable. We have a portable crusher on Union Street and no taxes because it is portable. Your company reaps the benefits because it isn't a permanent structure and we'll be subsidizing you with property taxes. I would ask the Board to really consider this. I'm not opposed to commercial and business but ask that the type and location be considered. You really can't see the trucks at least you have screened the plant. I would like to contact whoever sent this letter and I think he ought to be replaced because he is incompetent. (Mrs. Phillips is referring to the County Comments and Airport review.)

Cheryl Kreutter of 2020 East River Road. I too am concerned about the odor of hot tar. The first time I smelled it was where they were tarring. I noticed it day after day. It is a terrible smell. As residents we're entitled to not have to breathe and smell pollution from that plant. I have a child and she is already showing signs of asthma. I don't think that will help her. I protest the area and odor pollution.

Sally Anhart of 1990 East River Road. I would like to clarify that statement the Board has before them. This requires additional information. I think it would be a mistake without asking for additional environmental studies because of the height of the structure and the truck traffic and the odors in the area.

Mr. Faso asks if the original application was for a coal batching plant-no hot emulsion. Mr. Faso asks how long this plant has been in operation and is told since the 1960's.

Mr. Jim Gilman, Plant Manager of LeRoy Stone Corp., states the original plant was built in 1968. The name of the company was LeRoy Coal. It has always been a hot facility.

No one spoke in favor.

DECISION: Denied with a vote of 4 to 1 for the following reasons:

1. The increased truck traffic on Scottsville Road will exceed what this Board feels is acceptable.
 2. There are presently 3 batching plants on the premises. The Board feels one more plant is excessive.
 3. Noxious fumes are being emitted into the atmosphere by your asphalt batching facility. As per the Chili Zoning Ordinance, Section 115-18 paragraph E--3, "At no time shall any use result in or cause dissemination of dust, smoke smog, observable gas, fumes, odors, radiation or other atmospheric pollution, objectionable noise, glare or vibrations or hazard to any adjacent buildings or to any plant growth or any land adjacent to the site". The prevailing west winds blow these fumes directly across the Town Line into a residential district in the Town of Brighton. The Planning Board recommends corrective action be taken to rectify the violations.
2. Application of John F. Burns, Jr., 560 Chili-Scottsville Road, Scottsville, New York 14546 for preliminary subdivision of one lot to be 1 acre from a total of a 61 acre parcel at property located at above address in RA-20 zone.

Mr. John Burns is present and states the application is wrong. It is 110 acres.

Mr. Faso reads Monroe County Comments.

Mr. Bleier asks have you subdivided lots on this property before and is told no, this is for my son.

Mr. Faso asks if this land is under cultivation now and is told yes.

Mr. Rakus asks is there a fence line going through there and is told on the south side. Mr. Rakus asks do you plan to cover up or put a bridge across the drainage ditch? How do you plan to cross that lot and is told there is a driveway to that lot.

Mr. Faso asks is there a culvert under that land and is told yes, the State put that in when they built it.

Mr. Miller asks if any perk tests have been done and is told yes and it perks O.K.

No one spoke in favor or in opposition.

DECISION: Approved by a vote of unanimous. NO conditions. Please note that final subdivision approval has been waived.

3. Application of David Gleason, 42 Lawnsbury Drive, Rochester, New York 14624 to extend upon a conditional use permit to allow minor repairs of automobiles and a U-Haul business at property located at 4210 Buffalo Road in NB zone.

Mr. David Gleason is present and states all I can say is I want to have the conditional use changed to operate a mechanical use and I have a business on Attridge Road where I operate a U-Haul business.

Mr. Faso reads the conditions of the original application. Mr. Faso states there has been a question about trees behind the service station.

7/10/84

Mr. Ford asks do you own this property and is told no, it is Mr. Leo McKinney's.

Mr. Faso states the original application was for sale of gas, oil, and promotional toys in 1981, and the hours of operation were 6:30 A.M. to 9:30 P.M.

Mr. Bleier asks what type of minor repairs and is told lubes and tune-ups - just routine things.

Mr. Rakus asks no storage of junk and is told no.

Mr. Ford asks how many trucks and trailers do you plan to have parked there and is told maybe 1 or 2 trucks and trailers. I would keep the bigger trucks at Attridge Road. Mr. Ford asks how many days a week are you opened and is told 7.

Mr. Bleier states there were comments about the trees and that seems to be an issue. At one time there were trees around the back. I'm quite certain the last time the application was in, there was mention of an intention to replace the trees - that was a condition.

Mr. Faso states according to the last application the landscaping was carried out.

Mr. McKinney states they wanted trees planted in July, I planted them and they died.

No one spoke in favor or in opposition.

DECISION: Approved by a vote of 4 to 1, with the following conditions:

1. The U-Haul business be limited to 1 truck and 1 trailer on premises.
 2. The hours of operation shall be between the hours of 6:00 A.M. and 10:00 P.M.
 3. Screened planting shall be provided on the west property line.
 4. No automotive body repair work shall be allowed on the premises.
 5. The Chili Planning Board has agreed to extend upon the existing conditional use permit which has an expiration date of 9/86.
4. Application of Empire Beef Co., 171 Weidner Road, Rochester, New York 14624 for preliminary site plan approval to erect a 75 x 28' and 22' x 21' enclosed loading dock at property located at above address in GI zone.

My name is Sidney Levine as the application states we just want to enlarge the loading dock. The height of the proposed loading dock is no higher than the building is now. The new loading dock addition is 30' in front of the building. We are a quiet and isolated piece of land and really don't seem to bother anyone.

Mr. Faso asks are you going to keep the same facade and is told I don't know, we may brick it.

Mr. Rakus asks basically, you want to modernize the loading facility? Are you going to add employees and is told if we did it would be minimal. Mr. Rakus asks does this take away from the front parking area and is told no, we don't park in that area.

Mr. Faso reads the County Comments.

No one spoke in favor or in opposition.

DECISION: Approved by a vote of unanimous. NO conditions. Please note that final site plan approval has been waived. A building permit will be required prior to construction.

5. Application of Daniel Nicholas, 400 Westfall Road, Rochester, New York 14620 for preliminary site plan approval to erect a 65' x 36' garage at property located at 1502-1504 Scottsville Road in GB, FPO, FW zone.

Mr. Daniel Nicholas is present and states I would like to erect this building here and he shows a picture. This building was on Joe Schillers property and I want to set it up on my property to store equipment. I have to leave my equipment outside now and I would like to store them and get them out of sight. My tractors have had batteries stolen and windows broken.

Mr. Faso asks do you want to dismantle this building and reconstruct it and is told it is already dismantled and on the property.

Mr. Rakus asks you are going to use it for your own storage, not for rental and is told yes, I have a backhoe, loader and 2 hauling trailers and movers. I want to put this stuff in there.

Mr. Faso reads the Monroe County Comments.

Mr. Connolly states he is 2 feet above flood plan elevation.

Mr. Benway asks are you putting in a concrete floor and is told yes. Mr. Benway asks who is putting it up and is told the Steel Erectors.

No one spoke in favor or in opposition.

DECISION: Approved by a vote of unanimous with the following conditions:

1. Property line dimensions should be included on the final map, plus tie distances to the nearest intersection.
2. The final plan should include a note indicating that the 520 ft. contour line shown on the final plan is the boundary of the 100 year flood plain of the Genesee River.

Please note that final site plan approval has been waived.

7. Application of Hunt Realty, 237 Main Street, Buffalo, New York 14203 for preliminary subdivision of 2 lots with an alteration of lot lines at properties located at 3220 and 3240 Chili Avenue in GB zone.

Mr. C. Stuart Hunt of Hunt Real Estate Corp. is present and states what is taking place here is that the shopping center is exchanging 13,000 sq.ft. of land for 950 sq. ft. of land here to provide these doctors with land for their facility.

Mr. Connolly asks are you planning to erase this lot line and is told yes, this will become part of the shopping center.

No one spoke in favor or in opposition.

DECISION: Approved by a vote of unanimous. NO conditions.

Please note that final subdivision approval has been waived and the original drawing describing this subdivision must be filed in the Monroe County Clerk's Office after obtaining the necessary Town of Chili signatures.

8. Application of Dr. William Calnon & Dr. Louis Baskin, 3187 Chili Avenue, Rochester, New York 14624 for preliminary site plan approval to erect a medical office building at property located at 3220 Chili Avenue in GB zone.

Mr. Alan Knutewitz is present and states the property is the colored part and approximately 283' deep and follows the adjoining property line along the east side medical office building. The white area is 4500 sq. ft. of office space. We have a 24' entry drive. We have submitted to the State DOT and it seems to be no problem. We plan to landscape the property as shown. The building itself is one story approximately 17' at maximum height. I have a rendering of what it will look like, brick exterior, pitched roof and a skylight type of opening. All is designed to be accessible to the handicapped. The parking runoff is confined to the site with catch basins. A drainage study has been done and there are no problems as far as we can see.

This is the project as we foresee it at this time.

Mr. Faso asks is that planted area adjacent to the parking area where existing line is to be cut and is told the pavement cut is at property line and there is a 5' grassy area and a planted area to screen the site. Mr. Faso asks are you also asking for a front setback variance and is told yes.

Mr. Miller asks what is the distance from the northwest corner of the liquor store to the proposed building and is told 8'. Mr. Miller asks how would emergency equipment get through and is shown 2 routes on the blueprint. Mr. Miller asks if both buildings have blank walls here and is told yes.

Mr. Faso asks has the fire marshall seen this and is told yes.

Mr. Deans asks what kind of construction is this and is told wood with brick veneer - frame structure. Mr. Deans asks what is going to be done with the parcel that goes back over to the shopping center area and is told for the time being, grass and we will just keep it cut.

Mr. Rakus asks do you plan a basement in the building and is told a partial basement just for plumbing and things.

Mr. Bleier asks are you tearing the existing frame dwelling down and is told it will be removed from the site. Mr. Bleier asks will Drs. Calnon and Baskin be the only residents and is told no, there is room for another tenant.

Mr. Faso reads the Monroe County Comments.

Mr. Rakus asks what kind of doctors are these and is told an optometrist and a dentist.

Mr. Deans asks does the corrugated pipe end here and is told we're tying into this. We're not leaving open culverts or anything of that nature.

Mr. Hoy states the Environmental Conservation Committee found no significant impact.

Mrs. Glende states we want to make sure that snow piled up doesn't flood out the doctors property and is told we have left grassy areas for snow blowing, and also at ends of the driveway.

Mr. Benway states the downstream swale is to 560.0 and is told I hope the State will take care of that.

Mr. Deans states we're all aware of the problems we've had at the east entrance of the plaza and is told if we can cover up that ditch we would.

Mr. Rakus states I like what I see but it would be nice to speed up repair of the sidewalk in the plaza especially in the Monroe Bank area. Mr. Hunt states it should be done this month, we have done the underground work and it should be done this week.

Mr. Faso asks for questions from the audience.

Mrs. Grover of 3250 Chili Avenue. I'm concerned about the entrance as to the eastern entrance of the plaza. We're at least 150' over here, my concern, as someone else mentioned, is where the barricades are down. Is that drainage ditch underground just in front of the plaza because we don't have a drainage ditch on our property. We are at the western entrance. There is a ditch there which seems to end there. Someone has put a large board over it and everyone throws cans in there. The storm sewer must go along the front but it is a mess. The pavement is breaking up every winter. It is an unattractive plaza.

Mr. Grover of 3250 Chili Avenue. We have a pool of water there. It never leaves.

Jean Phillips of 80 Ballantyne Road. I'm in favor of this particular project. We sorely need it. I'm tired of going out of Chili for medical help, when we could have it in our own town.

Mr. Miller asks are you going to rip down the existing house and is told yes.

No one spoke in opposition.

DECISION: Approved by a vote of unanimous with the following conditions:

1. Landscaping plans must be signed & sealed by a licensed landscape architect.

Please note that final site plan approval has been waived.

9. Application of Howarth Builders, 169 Maplewood Avenue, Spencerport, New York 14559 for final subdivision approval of 29 lots to be known as Westside Manor at property located at 3161 Union Street in R-1-12 zone.

Mr. Wayne Wegman of Passero Associates is present and representing Howarth Builders. He states I believe the Board is aware of the proposal to subdivide 29 R-1-12 lots north of Buffalo Road and west on Union Street. I would like to get to the resolution letter. We received preliminary subdivision approval granted upon these conditions. (He refers to a letter stating the conditions). We have requested the Water Authority update the information. As soon as we get that information we'll replace it on the map. Item #1. The concern was of the possibility of this site being used as a disposal site in the past. I have a letter from Oliver Perry confirming it was not.

Mr. Faso states this is sufficient according to the Health Department and so it too satisfies our concern. Mr. Faso states we have received a letter addressed to the Planning Board (See Copy) from Nancy and Howard Preston. Mr. Wegman states we are proposing to construct a catch basin at this property corner which will go to your pipes.

No one spoke in favor or in opposition.

DECISION: Approved by a vote of unanimous. NO conditions.

6. Application of Joe Benson's Service, 1421 Scottsville Road, Rochester, New York 14624 for preliminary site plan approval to erect a 21½' x 63' addition to repair shop at property located at above address in GI zone.

Mr. Norbert Hausner is present and representing Mr. Joe Benson. I am his architect. We are proposing as you read in the plan. We are going to renovate the interior of the building and add an office type addition. The plan will not require any variances. I believe there is a 36' setback on the west boundary and 45' on the east boundary. The total square footage of the addition is roughly 1350 sq. ft. The total building will be 2260 sq. ft. Basically, it is going to go to here. It is going to have a pitched gable roof, sided with texture 111 and will generally uplift what is there now.

Mr. Bleier asks is the nature of the business going to change and is told no. Joe has a rather expensive tow truck that should be inside and he can pull it in there. He wants to put in a lounge for the workers and an office for himself and his wife. Right now they work out of a trailer. Mr. Bleier asks will that trailer be removed from the site and is told yes.

Mr. Rakus asks by adding this addition, won't you take away from the parking facilities? We are aware of the permission to use the property next door for parking. Mr. Hausner states right now Joe has a storage trailer that covers this area here. The trailer facility is taking up square footage. So we're not taking any away. Mr. Hausner states as far as the contract with Niagara Mohawk that is a working relationship. That won't change, it is entirely the same.

Mr. Deans asks are your plans to start immediately and is told our intention is as soon as we can the building permits, we are talking 30 days maybe 60 days at the most. Joe Christa will do the building.

7/10/84

Mr. Benway asks have you worked on the contours and is told the site drains naturally. There is 3 foot difference from front to back.

Mr. Faso states this has been sent to Monroe County and has been sent back to be a matter for local determination.

Mr. Bleier asks how will you put the gabled roof up and is told it will all be done simultaneously.

Mr. Faso asks what will happen to the business while this is being done and is told Mr. Benson will do his best to operate.

Mr. Jim Nichols, agent for Alexander Marshall. Mr. Chairman, I have some questions. It appears the area above the first floor gives adequate room for a second floor expansion. Mr. Hausner states there is no intention to use that. It is truss space, Mr. Nichols states you can see by observing the plans, the area above the first floor seems to be the same height as on the first floor. Since April of 1982, I have been representing Mr. Marshall. We have gone through the process to effect a subdivision for what Mr. Marshall has chosen to call the Paul Road Subdivision. This represents 1½ years of work. If the Town grants us permission to go ahead, Mr. Marshall plans to go ahead. He has people to buy the individual lots. I have knowledge that this represents at least \$100,000 in money. We haven't had one client who has not expressed concern about the Benson property in a negative way. In view of Mr. Benson's track record, we would ask this permit be denied.

Jean Phillips of 80 Ballantyne Road. I have been here before in regard to Mr. Benson. Most of you who drive Scottsville Road and over the past few years he has cleaned the property up somewhat. Mr. Benson is on a year by year basis but if he intends to go through with this expense and then to be denied down the road. The point is, it is not a very picturesque operation and I can understand why Mr. Marshall would not like to locate next to Mr. Benson. What if in some point in time when Niagara Mohawk wants to sell off its property then what does Mr. Benson do then. He no longer tows for the sheriff's department. I don't think it is very nice looking. I'm opposed to it.

Mr. Hausner states this is the first time I have been here in Mr. Benson's favor. The present building is not a good looking building now. What he is trying to do here is roughly put \$50 or \$60,000 in a business in Chili. He has run this business for quite awhile. I don't know how you can question that. First of all, we're really talking about whether the Town of Chili allows a business and effects laws set up. He has been here a number of times to make changes and upgrade his business here. He doesn't operate a medical center, bear that in mind. Also, we're talking about a straight forward building that functions for his business. He would like to operate and continue to operate in Chili.

Jean Phillips of 80 Ballantyne Road. I have indicated he has cleaned up the place over the years but we have had to force him to do that. It is rather junky. I'm looking down the road. He might put up this building but what if in the future he is denied an extension on the use variance. What happens then? Are we going to have an abandoned gas station? I want to see Chili upgraded.

Mr. Hausner states he has turned around from what you folks have been telling him. He only has a certain amount of money. He has a towing business.

Mr. Rakus asks is he or is he not going to use the second floor and is told definitely not. It is a truss structure. There is no way to use that upper floor.

No one spoke in favor.

DECISION: Approved by a vote of unanimous with the following conditions:

1. Landscaping shall be provided on site as per the plans submitted.
2. There shall be no 2nd floor occupancy or use thereof.
3. Trailers are to be removed from the premises within 60 days of the completion of the building.

Please note that final site plan approval has been waived.

Donald Faso, Chairman Planning Board

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *8-1-84*

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

GATES-CHILI NEWS

Issue Dated... *8-1-84*

Geraldine C. Snyder

Notary

GERALDINE C. SNYDER

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

My Commission Expires March 30, 1985

Pat M. Smith

Patricia M. Smith
Publisher

*Planning Book
Aug 84*

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 August 14, 1984 at 7:30 p.m. to hear and consider the following applications:

1. Application of Susan Carter, 54 Jemison Road, Rochester, New York 14623 for preliminary site plan approval to erect a 48' x 16' addition to house at property located at above address in

RA-20 & FPO zone.

2. Application of Perna Homes, 849 Paul Road, Rochester, New York 14624 for preliminary subdivision approval of 45 lots to be known as Pines at Wildwood at property located at 862 Marshall Road and 805 Marshall Road in R-1-15 zone.

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

J. Donald Faso, Chairman
Chili Planning Board

CHILI PLANNING BOARD

August 14, 1984

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 14, 1984. The meeting was called to order at 7:30 P.M. by Chairperson, Don Faso.

Present: Don Faso, Chairperson; John Cross, Mitch Rakus, and Ray Bleier.

Also Present: Bob Connolly, Building Inspector; Jeff Benway, Bergman Associates; Betty Glende, Drainage Committee; and Dan Miller, Town Attorney.

1. Application of Susan Carter, 54 Jemison Road, Rochester, New York 14623 for preliminary site plan approval to erect a 48' x 16' addition to house at property located at above address in RA-20 & FPO zone.

Susan Carter is present and states I have already been before the Zoning Board for a variance. That has been granted. You can ask me questions.

Questions from the Board.

Mr. Faso asks if Mrs. Carter is aware of the flood plan elevation and is told yes, 518.2'.

Mr. Connolly states she already got a variance for the side setback and the elevation. She'll show me plans by an architect or such before I grant building approval.

No one spoke in favor or in opposition.

DECISION: Approved by a vote of unanimous with the following conditions:

1. Final plans must be certified by a registered professional engineer or architect.

Please note that final site plan approval has been waived.

2. Application of Perna Homes, 849 Paul Road, Rochester, New York 14624 for preliminary subdivision approval of 45 lots to be known as Pines at Wildwood at property located at 862 Marshall Road and 805 Marshall Road in R-1-15 zone.

Don Avery of the Firm of Demlock-Hyde is present and representing Perna Homes. He states that coming from Paul Road just before you come to the first curve in Marshall Road there is a culvert close to this entrance. This property belongs to the Gates-Chili School District. This additional 30 acres here belongs to the Town and this is vacant. The total number of acres here are 30.8. Perna Homes has purchased this parcel of land. The zoning in here is R-1-12 and every lot conforms to this as far as area. On lot #100 we have a 70' setback and here a 60' setback. We are requesting this setback of 70' instead of 85' and this 60' instead of 65'. We have 2 phases here. This where the wooded area is. We have left this for 6 large lots and for retaining water. Most of the subdivision is outside of the wooded lot. This plan is not different than the one before - 5 years ago. At the highest house the sewer line will hook into the line here. Basically, it will come through here up to subdivision. There will be 2 houses that will have to connect on to the existing sewer line. The water line is on the west side of the road. The sight distance is no problem for this entrance road. The speed limit is 35 mph.

We have to handle the water along the road and this 14 acres. The water will come into a pipe to a manhole here and go directly across here and out. Water from the south will be coming here. We have not increased the pipe underneath Marshall Road. That is an 18". The other part of the storm sewer goes here and comes around the back of the hill.

We have an easement which we'll give to the Town. Asphalt gutters come to here. Mr. Avery explains the drainage on the blueprint.

Questions from the Board.

Mr. Rakus asks that water is going to drain into the ditch at Sunderland and is told yes. It goes into the subdivision and then into the big ditch along the back of the house. We did find some erosion back here. This outlet is around 539'. This would be lower than the present ground water that would be coming into it.

Mr. Benway states Sear-Brown had to size all their pipes. Whoever deals to the west will have to change that.

Mr. Bleier asks do you have a way of holding this water back when you start getting a heavy rainfall? Mr. Benway states there is a retention area back here. He will only allow his share of water in here. Mr. Bleier states I see the retention pond. Mr. Avery states this is just to hold back water.

Mr. Rakus asks how deep is the asphalt gutter going to be and is told 4' to 5', in this area. I want to mention we don't want to knock down all the trees. We want to avoid this. The flow line now for this is shown here.

Mr. Cross asks is there a manhole with a cover on it and is told by Mr. Perna, it needs to be redone. The water is spilling over to the other yards now.

Mr. Rakus asks is your present system going to be adequate to take care of future problems of water and is told I have allowed for the pipe size on the west side of Marshall Road. The water is to be for 25 acres fully held with a 10 year storm. Mr. Rakus asks do you mean the existing 18" pipe and is told no, my pipe. We don't plan to do anything with that pipe.

Mr. Faso asks Mr. Benway if the system can handle this and is told he is controlling it. It will satisfy this quite a bit then was planned for with a 36".

Mr. Bleier states I assume some of these drainage problems are in Section 2. Are you going to do some of them in Section 1 and is told I am going to put this in Section 1. Mr. Bleier asks the rate of flow of the water as it is now to Sunderland Channel will it be faster than now or is it going to be held back? Mr. Avery states I think the Town and Jeff have the figures of what we're allowed. We're not putting more into this pipe. We'll not violate that. Remember we are figuring for this area not developed yet.

Mr. Miller asks what are the pro's and con's of the concrete bottom as opposed to asphalt? Mr. Benway states the Town standard is concrete. You will have to change that.

Mr. Benway asks are you going to extend the channel down to here between lots 106 and 105? Will it extend to lots 107 and 109? Mr. Avery states it has to extend back here.

Mr. Bleier asks you show a cul-de-sac with a temporary easement that is over the parcel and is told by Mr. Perna, we are working on that. We may end up with Sections 3 & 4. There is a temporary turnaround but we don't know what will happen with that. We are getting an easement for it.

Mr. Miller asks will you give an easement if you don't acquire the rest of the property and is told yes.

Mr. Faso reads the Comments from the Fire Marshall. The Monroe County Comments state airport considerations are satisfactory. Mr. Faso reads Monroe Developmental Comments.

Mr. Faso asks do you plan to build the road to Town standards and is told you voted on this. I stated I wanted private drives so we wouldn't have to cut trees down. Mr. Faso states I meant as to width and depth and is told O.K.

Mr. Faso asks are you aware all our drainage all flows to Little Black Creek? Is there an agreement with Otto Laer and is told yes.

Mr. Faso states the Drainage Committee recommends a 20' easement. Mr. Benway states I think the pipes are on an easement.

Mr. Faso asks for questions from the audience.

David Hayes of 31 Sunderland Trail. My main concern is that your retention pond is going to be in my back yard. We've had a drainage problem for 7 years. No one has done anything. It appears it is going to get worse. Having a retention pond 60' from my land. I am number 10.

Mr. Avery explains the drainage to Mr. Hayes at blueprint on the board.

Mr. Hayes states that is how it is intended. The Town was going to fix this but we were told there was no money. Mr. Avery asks Mr. Hayes to explain again on the map where the water is. Mr. Hayes states this water is supposed to come to this swale and then go down here. It needs a tile in here. They decided it would cost the drainage district too much money. You can't convince me this would work. Mr. Avery states I could put a swale here.

Mr. Hayes shows photographs of water problems to the Board members.

Mr. Hayes states the detention will be 4' lower than this. Mr. Perna states if you go to Archer Road, we designed that. You can look at that. Mr. Hayes states I'm more concerned. I never considered a retention pond. We're infected with mosquitoes. If it doesn't work, we'll have more water and more problems. I'm sure you're going to have more children in that area as with any type of retention pond. I'm not easy with that ideal. Water was backing up in people's yards over the winter - up to their houses.

John Giffen of 32 Sunderland Trail. I live across the road from Mr. Hayes. I have seen water 10' deep in here. If you have water settling in here 10' deep and you have water from this culvert here, you're creating a wash. You're blocking that water up. It is eroding the land on my property. It is about 15' from my garage. I am not immediately affected by it but this is really getting bad. This ditch is a dangerous situation. You're going to find a kid is really going to get hurt in here. The land is eroding and needs fill. I am faced with major problems of erosion because it is from drainage upstream. I want this on record this whole area is going to be affected.

Don MacDonnell of 43 Sunderland Trail. My concern is the water here. Not all the water flows to Dave or Ed's. There is a natural drainage that comes through here. In the spring we have 3' of water back here. One of my concerns is that the contractor is going to change the elevation of the land. The natural contour of water is flowing east. Mr. Avery states we'll intercept that. Mr. MacDonnell asks are you going to change the elevation? You don't plan on putting any fill in here? Mr. Avery states only here. We are lowering the grade of the ditch which comes through here. We are right here at 539.06'. Here we have 536.44' and most of the elevations are lower. Mr. MacDonnell states another question is this a retention ditch or retention pond and is told retention area. Mr. MacDonnell asks how many trees are you going to take out of here and is told as little as possible. Mr. MacDonnell asks how far are these houses over the property lines and is told the closest is 40 and one is 60. Mr. MacDonnell asks are you not planning to change the contours of the land here and is told no, just where the swale is. Mr. MacDonnell asks do you guarantee this? Can you put this in writing that these new property owners will maintain the water on their land?

Mr. Perna states we feel our subdivisions are good. When we bought this area we didn't anticipate disrupting you people at Sunderland. We don't have to put a paved invert there. We have done this on our own. The houses we anticipate building here are going to be at least \$100,000 and these people don't want to live in a swamp. The biggest problem you

people have is right here because this land and this land were never joined together properly. By completing these structures, we should eliminate many problems. We cannot dump water on your property and we won't. Mr. Hayes asks do you mean I have to go to the people who own the woods? Mr. Faso states no, that is an existing watershed. Mr. Perna states we did quite a bit of surveying in there. We are going to lower that pitch at least 3'. I don't want garbage lots. We want nice lots. Mr. Hayes asks how do you lower the level of the land without cutting any trees and is told I don't want to cut many trees. For every tree I cut I lower the price of my lots.

Mr. MacDonnell asks when do you plan on building phase 1 and is told within the next 3 weeks. Mr. MacDonnell asks when do you plan on doing phase 2 and is told in the spring.

Emma Maher of 45 Sunderland Trail. I was under the impression that the woods behind us was forever wild. Am I wrong in assuming that? Mr. Perna states if someone told you that they were wrong. The land is owned by Mrs. Thron.

Pat Cannon of 23 Sunderland Trail. Explain what he was saying about the drainage hooking up to the second private drive on Sunderland and is told this is a sanitary sewer.

David Measday of . That existing sanitary sewer is my front yard. Will it handle more flow? Mr. Avery states it will only be if this gets to high, this sewer up here. Anything developing up here would have to go into the sewer on Marshall Road.

Mr. Cross asks are there any problems with capacity and is told this is all approved by Pure Waters.

Mr. Measday states my concern is the same as other people's. I paid an additional \$1000 for my lot because it was up against the woods. I just started a month ago to build an addition onto my house. I'm afraid the value of my house will decrease. I'm going to have a swale 40' from my land. Board please be with me, I moved outside of the city. He has a sales pitch too! He is selling a subdivision. Mr. Avery states we'll not put more water through there then can be handled. Mr. Measday states that is what you say. The second problem is how you have this retention ditch back here. I have 4 children in my house. Mr. Perna states you have a drainage ditch in your front yard now. Mr. Measday asks who am I going to go to if this doesn't work 6 years from now. What recourse do we have then.

Mr. Faso states a drainage district will be created and deeded to the Town, then we can go in there and maintain this.

Mr. Measday states we had a water problem then and we have one now. It didn't work 7 years ago after the builder got done and he is gone. You haven't paid enough taxes to take care of this problem, that is what the Town said.

Marlin Morris of 39 Sunderland Trail. We would live to have you between us. Our main concern is the drainage. If the Town would have taken care of the problems before but we would love to have you. Let me tell you what is going on behind us. We have a sewer catch basin and the water never goes in it. Another basin was put in about a year ago but it always gets filled up with leaves now. What I'm saying is that we get water flowing like a river half way up our back yards. The land is eroding around the pipe and they have tried to fill it in. There is a hole like this next to the catch basin and they've a little board over it. I have kids and I'm disgusted. Any comments on that.

Mr. Faso states I agree with you but before the Board makes a decision, we'll give this complete consideration. You can't expect a developer to take care of problems created by another developer but if Mr. Perna is willing to give you a little relief.

Mr. Avery states we'll make an appointment to look at that.

Mr. Cross asks are we talking about if the Town doesn't have the funds to fix this? Are we talking about the builder helping to fix this? Mr. Perna states if there is something down further I can't help but if this is the place where we tie into we'll have to help fix it.

Nick Thomkins of 56 Sunderland Trail. How much woods are you going to leave between the line and is told we are not touching any of that only for the houses.

Tom Plate of 414 Paul Road. You mentioned a possible phase 3 and 4. What direction would the flow of water go from that area and is told you know the existing ditch there-that is where our water is going to go.

Jerry Brixner of 14 Hartom Road. I know you haven't had any discussion tonight, the discussion on the private road was brought up as to service. For an individual buying into a property like this, would that add to the saleability of the property for it to be a private road and not a dedicated road? Mr. Avery states the reason we did that was we would have to have a cul-de-sac and we would have to take a great number of trees down. We would have to meet standards. This way we don't take out so many.

James Valerio of . I think it is more pleasing to have this than a row of homes on a cul-de-sac.

Mr. Hayes states presently water comes from the woods. You are saying no more water should flow than what is flowing now. How does one go about to prove that yes I have less water than before or more water than before. Mr. Faso states once the house pad goes in, he cannot have drainage coming from the land. He can't channel water into your property but if there is a natural slope, that will stay.

Mr. Benway states because of the houses and roadways less water can soak in. None of that water can drain on your land.

Mr. Hayes states we have had problems since moving in there. Mr. Faso asks was your problem immediate or over the years and is told immediately. The builder had a man with a rototiller with a man in his seventies using it. Mr. Hayes asks would it be feasible instead of a retention ditch or area and the swale, would it be feasible to have a catch basin or 2 out there instead of a retention area. Mr. Avery explains this on the blueprint on the board.

Pat Cannon. I had a comment for the record - we were talking about a private drive. Another comment I have for the builder-could he make plans now for others, like for cable television, etc. Mr. Perna states that is down now underground.

John Giffen. You say there is an 18" culvert here, was any study done to diverting that down here. Mr. Benway states maybe the developer on the west side could do that. He doesn't own that land.

Mr. Cannon asks what is the timetable and is told by fall we'll have blacktop. Mr. MacDonnell asks will there be a hearing for the drainage district and is told by Mr. Connolly there should be a public hearing unless they waive the final. Mr. MacDonnell asks will there be copies of the drainage specs available to the public and is told yes.

Mr. Measday for the record. I'm against this.

Mr. Hayes states yes, I second that.

Show of hands in favor - none.
Show of hands opposed - none.

- DECISION:** Approved by a vote of unanimous with the following conditions:
1. That you repair the catch basin and regrade the ditch along the rear of Sunderland Trail from houses number 25 to 35.
 2. That you relocate the hydrant in front of lot #126

to the front of lot #111 and that you add one additional hydrant in front of lot #133 at the corner of the private drive.

3. That the paved gutter shown on the plans be constructed of concrete and extended to the inlet at the rear of lots #107 and 109.
4. That an easement must be provided to the Town for the proposed temporary turnaround adjacent to lots #138 and 139.

*Donald Faso, Chairperson -
Planning Board*

CHILI PLANNING BOARD

August 27, 1984

A Special Hearing of the Chili Planning Board was held in the North Chili Community Center, 4400 Buffalo Road, North Chili, New York 14514 on August 27, 1984. The meeting was called to order at 7:30 P.M. by Chairman J. Donald Faso.

Present: Don Faso, Chairman; John Nowicki, Mitch Rakus, Ray Bleier, John Cross, and Bill Deans.

Also Present: Bob Connolly, Building Inspector; Dan Miller, Deputy Town Attorney; and Betty Glende, Drainage Committee.

1. Application of Perna Homes, 849 Paul Road, Rochester, New York 14624 for final subdivision approval of 25 lots to be known as Pines at Wildwood, Section 1 at property located at 805 and 862 Marshall Road in R-1-15 zone.

Mr. Don Avery from the architectural firm of Denluck-Hyde was present representing Perna Homes. Referring to the map, Mr. Avery stated there would be 25 lots in this section and they have a 35' setback where it should be 60', and lot 100 has 70' from the edge of the road where they should have 75', and down there they have 60' for the side instead of 75'. There are no other variances or requests for any different type of variances. Each lot has the acreage required and rear setback of 40' required. Since they were there the last time, the Board wanted to change the location of a hydrant which he has done. Other requests were to look into the drainage. These plans have been submitted to the three agencies. They have heard from the Water Authority and they are ready to sign today. Phase 2 will have to show individual laterals. Pre Waters will sign. They needed another easement which was new. They will accept 25 lots. They talked to the neighbors and they have three things to say about the water. One is everybody recognizes where the sanitary manhole is. It flows either to the center or is picked up to the catch basin. No water flowing from this property to the Sullivan Subdivision. Walk along drainage path to a 12" pipe which is reinforced concrete. They could see six homes in this area. Rather flat - some of the water will go one way or the other. No. 31 house very close to the woods, then it has a pitch. Divert it into paved invert. Major drainage system for water across Marshall Road across subdivision. From 31 down they have a good pitch. All they want to do is by having this paved invert, they will prevent water from crossing this land. They thought they could save as many trees as possible. The east is another problem. It seems that the grading along the back of these houses is such that water will tend to flow into catch basin. Plan on leaving catch basin exactly the way it is because it is down below. He didn't know what they could do - since the grading is already established.

Mr. James Perna was also present and stated that part of that swale was filled. Mr. Avery stated they are going to leave it as it is. He thinks the water going in that direction across the woods will be prevented. When Section 2 is put in, there will be another swale which should divert anything coming down. The water off the back will have to find its way back.

Mr. Deans asked who filled it in and Mr. Perna stated the owners. The swale is 30' off but there is nothing they can do about it. The swale is supposed to be in the rear lot land but it is not there any more. Once they do develop the area, any water from the woods shouldn't get in.

Mr. Rakus asked when they talk about the 40' distance for drainage ditch, do they mean to the center of the drainage district or to the edge? Mr. Perna stated center to the property line. Mr. Rakus asked how wide? Mr. Avery stated about 25'. They did that so they would have some backyards in there. It could be located further down but it does limit development there. Mr. Rakus stated that is the area where they are going to have the large lot size. That shouldn't be a problem. Mr. Avery stated he didn't want to get it over so that they would have to close it.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date. *8-22-84*

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

GATES-CHILI NEWS

Issue Dated. *8-22-84*

Geraldine C. Snyder

Notary

GERALDINE C. SNYDER

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

My Commission Expires March 30, 1985

Pat M. Smith

Patricia M. Smith
Publisher

Planning Book

Legal Notice

Pursuant to Section 271 of Town Law, a special public hearing will be held by the Chili Planning Board at the North Chili Community Center, 4400 Buffalo Road, North Chili, New York 14514 at August 27, 1984 at 7:30 p.m. to hear and consider the following application:

1. Application of Perna Homes, 849 Paul Road, Rochester, New York 14624 for final subdivision approval of 25 lots to be known as Pines at Wildwood Section 1 at property located at 865 and 862 Marshall Road in R-1-15 zone.

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

J. Donald Faso, Chairman
Chili Planning Board

Mr. Perna said the natural course is just about the way it is. Mr. Avery stated it does vary a bit. The natural course does head right towards that pipe. It is not a very good way of doing it. They are swinging it more this way but then it puts it close to this area (referring to map). If you go down there, there are spots where it is a little low. That is where they are going to bring their pipe across. Mr. Perna stated if you keep it close to where they have it, it is going to look the best. Mr. Bleier stated the advantage being that the closer you are, you are going to pick up that much more water.

Mr. John Flint was present from the Town Engineer's Office and stated that the purpose for the swale being exactly where it is mainly to get it as far away from the new homes as possible and maintain a reasonable buffer between existing and new homes and it follows the drainage course.

Mr. Bleier asked if there were any repairs to the catch basin and Mr. Perna replied they are typing into the existing catch basin. Mr. Avery stated the erosion is in three spots - the manhole around the catch basin, in here and along the pipe. Mr. Perna stated they talked to the owners on Saturday and they shouldn't be able to clear that up. Mr. Perna did tell the owner they would get some top soil. Can't put machines on it. Mr. Bleier asked if they were going to reseed it and Mr. Perna answered no. Mr. Rakus asked if a concrete collar would help at all. Mr. Avery stated the water wouldn't have any place to go. It is too small. Suction is pulling the dirt in it. Mr. Rakus stated the collar would swale it and prevent erosion or dirt. Even if it is reseeded, it will disappear. Mr. Perna stated he didn't think there would be a problem there. They will have 80% less water.

Mr. Cross stated he was concerned about the property owner who filled the swale. Was he present? A Mr. David Hayes was present and stated the main reason people have filled in the swale is to reduce the water. It doesn't do much where he is. It doesn't get down to his house so it doesn't concern him. Mr. Perna stated they are not going to have a problem. When people throw garbage in the swales, that is when there is a problem. Mr. Avery stated they are trying to prevent that. This seems to be a good spot. They feel it is the best spot because it is the low spot.

Mr. Hayes stated he had a few concerns about the detention holding area which is 25' wide approximately. Mr. Avery stated that he was right. It is only going to be retained when they have a big storm, otherwise, it will flow just like the ditch on the other side of the road. Mr. Hayes asked if it was 4' deep roughly and was told yes. Mr. Hayes asked how long will the detention area be. Mr. Avery, referring to the map stated all this area. Mr. Hayes asked 25' wide and Mr. Perna stated the whole thing. Mr. Avery stated he spread it out so he was flatter here, referring to the map. Mr. Perna stated it is tapered. Mr. Hayes stated he was under the impression it was going to be about 4' down. Mr. Avery replied that is to offer them the storage they need for the requirement of the Town. They want to have the net effect of storage. They are going in and taking a lot of trees down. Mr. Hayes asked if they thought it would be dry 90% of the time and Mr. Perna replied 95% of the time. Mr. Hayes asked if it was going to increase the mosquito population and Mr. Avery stated there is more standing water the way it is now.

Mr. Donald McDonald was present and asked if the meeting was for the final approval of Phase 1 only? Mr. Faso stated they were granted a preliminary approval. Mr. McDonald asked if they were granted Phase 2 yet and Mr. Faso replied no, except what is needed to be encompassed into Phase 2. Mr. McDonald stated he didn't have any water problems. They are roughly 10-15' above it and they have never had any drainage problem. When the builder built the tract, he tapered it off. The only reason he was there that night was because they stripped the land and took the topsoil. The only one who has a problem is Dave Hayes. Mr. Avery stated the water should drain down here, referring to the map.

There being no further discussion, the Public Hearing was closed at 8:00 P.M.

DECISION: Unanimously approved with the following conditions:

1. That the concrete swale have a minimum distance of 35' off the rear property line of Sunderland Trail Subdivision.
2. As discussed at the preliminary hearing on the application, the Assessor's Office has requested that the acreage for each lot be shown on the final plans.

Requested front yard setbacks are granted under Subsection 96-7 of the Chili Subdivision Ordinance for the following reasons:

1. To provide more land in backyards.
2. To allow corner lots more land in backyards.

A 45' front setback is granted for lots 101 through 124. A 70' front setback is granted for lot 100. A 60' side setback on Marshall Road is granted for lot 119.

Donald Jacob, Chairman
Planning Board

CHILI PLANNING BOARD

September 18, 1984

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 18, 1984 at 7:30 P.M. The meeting was called to order by Chairperson Don Faso.

Present: Don Faso, Chairperson; Bill Deans, John Cross, Mitch Rakus, and Ray Bleier.

Also Present: Bob Connolly, Building Inspector; Jeff Benway, Bergman Associates; Larry Hoy, Town of Chili Conservation Board, and Dan Miller, Town Attorney.

1. Application of Anthony Comunale, 51 King Road, Churchville, New York 14428 for preliminary subdivision of two lots, one lot being 4.011 acres, the other being .793 acres at properties located at 45, 51 and a portion of 53 King Road in LI zone.

Mr. Comunale is present and states the only change in this is this piece of property at the top, that isn't going to be considered in this. The 4.01 acres is only to be considered.

Mr. Faso asks you are not including the top part and is told right. This piece of property was just purchased this year and has to be included into what I already had. We were going to try to get this property but we didn't. Mr. Faso states I have a copy of a tape location map. Is a part of the garage on this Mr. Mack's property now and is told this property is .06 acres. I purchased this approximately 6 years ago. Through one thing or another it never got added to the property. I heard Bob say I could be issued a permit, I had to have all this property together.

Mr. Connolly states he came in 2 years ago and subdivided this but never filed it. Now he bought the rest of this parcel. Originally his building was 10 feet over the other man's property. He bought enough property so he didn't have to get a variance. Now, he is going to legally try to subdivide it.

Mr. Faso reads the Monroe County Comments which state if the Board intends to require this applicant to have this "subdivision map" filed with the County Clerk, then the following additional information will be necessary.

- a. A location sketch.
- b. A name for the subdivision.
- c. Each of the new lots should be numbered with the corresponding tax account number shown.
- d. The location of existing structure.
- e. Points of access.
- f. All utilities.
- g. Existing and proposed changes in topography.
- h. Signatures for all necessary approvals.

See copy attached.

Mr. Comunale states it sounds like if I was going to develop it into a subdivision. Mr. Faso states this is what the County Clerk will need to have to have it filed. I don't think you will need the topography. Mr. Faso asks you're just putting an addition onto existing garage and is told yes. I have no plans to develop the land.

Mr. Faso asks for questions from the Board on the first application.

Mr. Rakus asks is this parcel going to become 2 lots and is told right, it could all be one. It doesn't matter. Mr. Rakus states it seems to me if it were one lot you will only need one tax account. Mr. Connolly states no problem with one lot or 2 lots. My suggestion would be to see your engineer.

Mr. Faso states drainage has no problem with this application.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date.....*9-12-84*.....

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

GATES-CHILI NEWS

Issue Dated.....*9-12-84*.....

Geraldine C. Snyder
.....
Notary

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

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 1985

Planning Book
Sept 84

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 September 18, 1984 at 7:30 p.m. to hear and consider the following applications:

1. Application of Anthony Comunale, 51 King Road Churchville, New York 14428 for preliminary subdivision of two lots, one lot being 4.011 acres, the other being .793 acres at properties located at 45, 51, and a portion of 53 King Road in LI zone.

2. Application of Anthony Comunale, 51 King Road, Churchville, New York 14428 for preliminary site plan approval to erect a 24' x 36.5' addition to garage at property located at above address in LI zone.

3. Application of Edward Kowalski, 465 Pinnacle Road, Rochester, New York 14623 for preliminary subdivision of one lot to be 11 acres at property located at 844 Chili Scottsville Road and 569 Morgan Road in RA-20 zone.

4. Application of Mark Bushman, 295 Stoney Point Road, Rochester, New York 14624 for preliminary site plan approval to erect a 50' x 30' automobile parts storage building at property located at 3452 Union Street in LI zone.

5. Application of United Refining Company of Pa., 125 Chautauqua Avenue, Lakewood, New York 14750 for preliminary subdivision of one lot to be .71 acres with a simple alteration of lot lines at property located at 3255 & 3267 Chili Avenue in GB zone.

6. Application of United

Refining Company of Pa., 125 Chautauqua Avenue, Lakewood, New York 14750 for conditional use permit to erect a service station/convenience store at property located at 3255 & 3267 Chili Avenue in GB zone.

7. Application of United Refining Company of Pa., 125 Chautauqua Avenue, Lakewood, New York 14750 for preliminary site plan approval to erect a service station/convenience store at property located at 3255 & 3267 Chili Avenue in GB zone.

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

J. Donald Faso
Chairman
Chili Planning Board

Mr. Faso asks for questions from the audience.

Mr. Chodo states I have to see to get these points taken care of.
Mr. Ron Stubs is the surveyor.

Mr. Faso asks for questions on the second application from the Board.

Mr. Bleier states I don't see a problem as long as he gets the 2 lots combined.

No one spoke in favor or in opposition.

- DECISION: Approved unanimously with the following conditions:
1. A location sketch should be shown on the final plan.
 2. Name of subdivision should be indicated on the map.
 3. Each of the new lots should be numbered with the corresponding tax account numbers and the acreage of each lot.
 4. The location of existing structures, points of access and all utilities should be indicated on the final plan.
 5. The plan should also show any existing or proposed changes in topography, if any.
 6. The map must be filed with the Monroe County Clerk's Office within 60 days after obtaining the necessary Town of Chili signatures.

Please note that the above information will help expedite the filing of this map with the Monroe County Clerk.

2. Application of Anthony Comunale, 51 King Road, Churchville, New York 14428 for preliminary site plan approval to erect a 24' x 36.5' addition to garage at property located at above address in LI zone.

DECISION: Approved by a vote of unanimous with no conditions.
Please note that final site plan approval has been waived.

3. Application of Edward Kowalski, 465 Pinnacle Road, Rochester, New York 14623 for preliminary subdivision of one lot to be 11 acres at property located at 844 Chili-Scottsville Road and 569 Morgan Road in RA-20 zone.

Postponed.

4. Application of Mark Bushman, 295 Stoney Point Road, Rochester, New York 14624 for preliminary site plan approval to erect a 50' x 30' automobile parts storage building at property located at 3452 Union Street in LI zone.

Mr. Bushman is present and states the map is self-explanatory, a 30' x 50' building, concrete block. I have the plans of the building too, if you want to look at them.

Mr. Deans states I was trying to get an idea of where this place is. Are you taking over the old sub-station that they're selling and is told right, I want to build inside where the transformers were.

Mr. Faso states the County Comments find this to be a matter for local determination. Mr. Faso states drainage has no comments.

Mr. Faso asks for questions from the Board and from the front table.

Mr. Hoy states we had 2 questions from the environmental assessment form. Question #9 asks is the project to be located within 100' of a wetland. There's a little creek, we were questioning it. It was like you weren't sure. We don't see a wetland or creek on the map they presented us. There is a wetland and creek but it doesn't show here. We had problems with whether there would be any environmental impact or not so we had to delay it until we get more information or a better map.

Mr. Connolly asks who makes this out the engineer or you.

Mr. Hoy states apparently there's a wetland but whether it is within 100' or not we couldn't determine that. Mr. Bushman states the land borders....Mr. Hoy asks this is on your southern border.

Mr. Faso asks Mr. Benway about drainage problems. Mr. Benway states it is low and one requirement of the site plan approval is finished floor elevation because there is water in there right now. You only have 5' around here. Someone told me there is a problem, that water ponds in here in winter. Are you going to have a bathroom in here and is told no. I build old cars, kit cars and restore old stuff. I don't have enough room anymore and I need a place to put the equipment and parts. Reasonably secure and close to home. The fence is already there and the grading is done.

Mr. Faso asks do you sell the kit cars and is told yes. Mr. Faso asks are you going to be selling from here and is told no. Everything is to be under lock and key. I have a lot of money invested inside.

No one spoke in favor or in opposition.

DECISION: Approved by a vote of unanimous with the following conditions:

1. Center line of road elevation of Union Street and the first floor elevation of the proposed building should be indicated in the final plan.
 2. The building be used only for the storage of automobile parts.
 3. There be no retail sales.
 4. There be no outside storage.
 5. Indicate the location of the stream on the final plan.
5. Application of United Refining Company of Pa., 125 Chautauqua Avenue, Lakewood, New York 14750 for preliminary subdivision of one lot to be .71 acres with a simple alteration of lot lines at property located at 3255 & 3267 Chili Avenue in GB zone.
 6. Application of United Refining Company of Pa., 125 Chautauqua Avenue, Lakewood, New York 14750 for conditional use permit to erect a service station/convenience store at property located at 3255 & 3267 Chili Avenue in GB zone.
 7. Application of United Refining Company of Pa., 125 Chautauqua Avenue, Lakewood, New York 14750 for preliminary site plan approval to erect a service station/convenience store at property located at 3255 & 3267 Chili Avenue in GB zone.

Mr. Alan Knutowicz, architect for the project and representing Marshall Brownwell is present. We'll probably start with the resub map which I think you have in front of you. The 2 parcels over there right now are vacant pieces of land. One parcel has the station on it now. The point of the resub is to combine these into one piece of property so we can construct a convenience store and gas station.

I have tried to indicate the original service station and entrance and exits as they exist now. This sets approximately 150' back from the 2 existing roads. We have an entrance from Chili Avenue which sets back 110' from the 2 roads. We have 2 entrances from Chili-Scottsville Road. We are proposing to move the building back so it is 230' from the roads and relocate this entrance back so it is 60' and relocate these 2 entrances too so they're another 60' back, which I think will improve the situation at the corner. The building is 1224 sq. ft. and there is a sidewalk all around it. There is an island out here with a 30' x 40' canopy. We have 12 parking spaces in here which is 2 more than is required. We have tried to maintain some green spaces with shrubs and trees and a split rail fence which will go around the whole building. The dark green is the existing wood which will remain in tact. Mr. Knutowicz shows a finished picture.

Mr. Faso asks on the resub, I don't see the acreage shown on the map. I think that should be indicated on there and is told O.K., no problem. Mr. Faso states that while the County Comments finds this to be a matter for local determination they do have one comment for the Board's consideration.

This site was originally two separate lots which were combined to create this .71 acre site. The width of the existing curb cut onto Chili Avenue exceeds recommended design standards.

We would recommend that the Planning Board require the curb cut on Chili Avenue be reduced in size from its present 64' to 22 to 30' according to NYS DOT's Policy and Standards for Entrances to State Highways. If the Planning Board chose not to reduce the width of this curb cut, it should consider requiring a median to channel traffic entering and leaving this site. We further recommend that the Planning Board require the applicant to eliminate the northern curb cut onto Old Chili-Scottsville Road. A single curb cut of 35' is quite adequate to serve the ingress and egress needs of this use. Eliminating the northerly curb cut would reduce potential turning movement conflicts because this northern curb cut is so close to the intersection of Chili Avenue and Old Scottsville Road. This is a difficult intersection because traffic moving east bound on Chili Avenue must negotiate an extremely sharp turn onto Old Chili-Scottsville Road.

Mr. Faso reads the Comments from the Monroe County Development Review Committee which state:

1. The applicant or developer should inform the Supplier of water, the Monroe County Water Authority of the intended use of their public water supply. Information about the intended use will enable the Authority to make a determination as to whether the Authority must require the user of water to protect the Authority's water distribution system against backflow contamination. (F) and (D).
2. The proposed project is considered a Realty Subdivision pursuant to Article III of the Monroe County Sanitary Code and will require the submission and approval of subdivision plans by the Monroe County Department of Health. (F)
3. Note Number 8 on the plans states that masonry and concrete rubble from demolition work may be used as fill. This type of material should not be used as fill around underground utilities or storage tanks.
4. These plans should be submitted to the New York State Department of Transportation for preliminary review since access to Route 33A, Chili Avenue, will require a highway work permit. The driveway width seems to be excessive. (E)
5. No Comments at this time. (C) and (G)

Mr. Knutowicz states this has already been submitted to DOT. We had quite a bit of thought put into egress and ingress. I think we have here a little bit of unusual circumstances. First of all, normally in a general business district traffic in and out would be limited to one time period during the day and limit type of traffic. With a convenience store and gas service area, there would be quite a lot of traffic in and out of here and a peak time during the day when this is going to happen. Filling trucks are going to enter and exit from here. I would dare to say Chili Avenue has 10 times the traffic than Old Chili-Scottsville Road. I think the plan would be to gear traffic to Old Chili-Scottsville Road. Right now people coming down of course, if you had a line of cars back here there might be more problems. With a larger opening people coming from here have a hard time making a left hand turn from Chili Avenue. You already have people coming into the store, you want to make these exits larger so people can get around the people getting gas. I think this, in this particular instance, we should try to encourage people to use these here. If we cut this back down to 30' and this to one exit, people aren't going to use this here. Needless to say, I think no matter what the standards say, we have a special situation and we would recommend it stay that way.

Mr. Bleier asks, do you need to have a wide entrance into this, you could have cars spewing out of here all at the same time causing safety problems and is told again there is a 64' entrance here. Right now I could go back to the owner but I wouldn't want to get to small, or put a median in here. Mr. Bleier asks on the plans about the fill and is told no problem on information to Supplier of Water or submission of plans to the Monroe County Health Department.

9/18/84

Mr. Faso states I haven't had time to talk to the Fire Marshall, has the Fire Marshall said anything to you Bob, and is told yes, he has seen the plans.

Mr. Rakus asks how many feet are the gas tanks from the building and is told 80' to the center of the tanks and another one here approximately 30' away.

Mr. Deans asks what is the construction of the store going to be like and is told the standard white brick and red, tellow, and black canopies. Mr. Deans asks are there similar store in the area and is told we have one in Spencerport at 31 and Union.

Mr. Bleier asks will the store be carrying the typical type of convenience store goods and what hours of operation and is told yes, and the normal hours of operation are from 7 A.M. to 10 P.M. You could set any standard but that is about the time we open maybe 6 A.M. I don't think we plan all night.

Mr. Cross asks I don't understand the significance on the County application of item #5--are any of the following within a 1000' of the site. The answer is no. There is about 12 different types of facilities listed, I would guess at least one of these is within a 1000' of the building. Does anyone know the significance of this and is told I think it maybe for environmental impact.

Mr. Bleier states this is about the third time your company has been in to improve the facility, we keep giving approval but nothing seems to get done and is told I think the last time we were in for the curb cuts but the marketing people have given approval and it is ready to go.

Mr. Faso states the drainage committee has a concern this is flowing into the retention pond for the bowling alley. Mr. Benway states in the engineer's report the existing storm pipes are undersized. It is recommended to increase these. Mr. Knutowicz states we brought the problem up recently. Our calculations indicate the pipe is undersized. We don't feel we're adding that much as far as the pipe is concerned, but that is a problem and you should be aware of it.

Mr. Benway states he's concerned with offsite runoff and especially that coming off Chili Avenue and is told right now you have a drainage gutter that goes along Chili-Scottsville Road and a catch basin. Mr. Benway states we probably should have another catch basin located in the middle of the driveway and is told no problem, we could put one in.

Mr. Faso states the drainage committee also recommended cleaning out the retention pond and is told that has to be the Town or owners responsibility.

Mr. Benway states that cars coming down, turn into Old Scottsville Road, the site distance isn't very good for the cars pulling out of the northern exit. You might have a problem bringing that down a little bit - give a little more distance for someone coming around the curve and is told we might be able to decrease that center median.

Mr. Rakus asks you have a note here about excavating underground tanks to be removed and is told one is to be reused, the other one is to be removed. The one to be relocated is the one on the map going north and south. Mr. Rakus states the reason for my question is that if the old tanks weren't very good, there could be the possibility of problems and is told we'll inspect them.

Mr. Hoy states the Chili Environmental Conservation Board finds no environmental significance, however, on the landscaping map you have the botanical name, common name and size. It was brought up in a meeting that it should be done in the future. Some businesses have put in trees with a diameter of an inch. I would like that put into the landscaping diagram. Those trees should have a good diameter or they might snap off.

Mr. Benway states the notes say maintain drainage culverts but I don't see what it is pointing to and is told there is an asphalt drainage culvert and we're just saying keep it.

Mr. Bleier asks could you indicate what the hours would be so that we could include them in the conditional use and is told maybe 6 to 10 would be reasonable, maybe 6 to 11. Mr. Connolly states the service station is the conditional use. The store can stay open but the station must be regulated. We would like to be able to come back and have that amended if needed.

Mr. Bleier asks what is the timetable when would you actually begin and is told this year. Mr. Faso states didn't I see a timeframe of 5 months.

Mr. Bleier asks are you going to tear down the existing building and is told yes, but we would like to continue business as long as possible. Mr. Bleier asks are you anticipating any trailer storage after this is completed and is told no.

Bev Longine. I came in late, maybe the question has been answered. What is the need with all the other convenience stores around and is told we perceive a need for our operation. While we don't plan on having any gigantic grocery business, we'd like to improve our unit sale to keep profitable. If we can increase our sales just a few dollars, we'd be satisfied. It is a matter of survival.

No one spoke in favor or in opposition.

DECISION: #5 Approved by a vote of unanimous with the following conditions:

1. You must show the acreage on the final map. Please note that final subdivision approval has been waived, and that the original drawing describing this application must be filed in the Monroe County Clerk's Office within 60 days after obtaining the necessary Town of Chili signatures.

#6 Approved by a vote of unanimous with the following conditions:

1. Hours of operation shall be between 6:00 A.M. and 11:00 P.M. NOTE: As discussed at the public hearing, you may apply to the Planning Board to amend the hours of operation.
2. The approval of the application is pending review and approval of the Town of Chili Fire Marshall.

#7 Approved by a vote of unanimous with the following conditions:

1. Eliminate the northerly curb cut on Old Chili-Scottsville Road and the southerly curb cut shall be 190' from the center line of Chili Avenue and shall be a maximum of 35' wide.
2. Catch basins shall be installed in the parking area as determined by the Town Engineer.
3. Install a 15" CMP along Old Chili-Scottsville Road and it shall be connected to the existing 18" pipe.
4. Caliper of tree trunks shall be indicated on the landscape plans and shall be a minimum of 2 inches.
5. Site plan approval is pending review and approval of the Town of Chili Fire Marshall.

*Donald Faso, Chairperson
Planning Board*



MONROE COUNTY DEPARTMENT OF PLANNING

301 County Office Building
39 West Main Street
Rochester, New York 14614

Don B. Martin, Director
(716) 428-5461

September 10, 1984

Town of Chili Planning Board
3235 Chili Avenue
Rochester, New York 14624

Dear Board Members:

SUBJECT: Application by United Refining Company for a special permit and preliminary site plan approval for a convenience store/service station in a General Business District at 3255 and 3267 Chili Avenue. (File #CI-157 SPZ)

We have reviewed this application according to Sections 239-1 and -m of the New York State General Municipal Law. Our review was based on information contained on two maps entitled "Kwik Fill Convenience Store" drawn by Alan M. Knutowicz, Architect and dated August 14, 1984. Also included in this application was the town's Preliminary Site Plan check list. While we find this application to be a matter for local determination, we have a comment for the board's consideration:

This site was originally two separate lots which were combined to create this .71 acre site. The width of the existing curb cut onto Chili Avenue exceeds recommended design standards. We would recommend that the Planning Board require the curb cut on Chili Avenue be reduced in size from its present 64 feet to 22 to 30 feet according to NYS DOT's Policy and Standards for Entrances to State Highways. If the Planning Board chose not to reduce the width of this curb cut, it should consider requiring a median to channel traffic entering and leaving this site. We further recommend that the Planning Board require the applicant to eliminate the northern curb cut onto Old Chili Scottsville Road. A single curb cut of 35 feet is quite adequate to serve the ingress and egress needs of this use. Eliminating the northerly curb cut would reduce potential turning movement conflicts because this northern curb cut is so close to the intersection of Chili Avenue and Old Chili Scottsville Road. This is a difficult intersection because traffic moving east bound on Chili Avenue must negotiate an extremely sharp turn onto Old Chili Scottsville Road.

Please contact Gerald E. Charipar at 428-5630 if you have any questions about this comment. In addition the Monroe County Development Review Committee (DRC) has also reviewed this application. The attached Project Review Report identifies points requiring action by the applicant before submission of final plans to the DRC member agencies for approval.

Sincerely,



Don B. Martin

Director of Planning

DBM:GEC:kam
Attachment

xc: Development Review Committee
Applicant

Subject:

Application by United Refining Company for a special permit and preliminary site plan approval for a convenience store/service station in a General Business District at 3255 and 3267 Chili Avenue.
(Attachment to File #CI-157 SPZ)

The Monroe County Development Review Committee (DRC) has reviewed the subject application and has identified the following points that will require appropriate action **PRIOR TO SUBMISSION OF FINAL PLANS FOR APPROVAL.**

(NOTE: The letter in parentheses following each comment identifies the DRC member listed at the bottom of the page making the comment. Applicant or local board questions should be addressed to the appropriate DRC agency.

1. The applicant or developer should inform the Supplier of Water, the Monroe County Water Authority of the intended use of their public water supply. Information about the intended use will enable the Authority to make a determination as to whether the Authority must require the user of water to protect the Authority's water distribution system against backflow contamination. (F) and (D)
2. The proposed project is considered a Realty Subdivision pursuant to Article III of the Monroe County Sanitary Code and will require the submission and approval of subdivision plans by the Monroe County Department of Health. (F)
3. Note number 8 on the plans states that masonry and concrete rubble from demolition work may be used as fill. This type of material should not be used as fill around underground utilities or storage tanks. (F)
4. These plans should be submitted to the New York State Department of Transportation for preliminary review since access to Route 33A, Chili Avenue, will require a highway work permit. The driveway width seems to be excessive. (E)
5. No comments at this time. (C) and (C)

(A)-Monroe County Department of Health, John Felsen, 442-4000, ext. 2860 or 2861

(B)-Monroe County Department of Health, Joe Albert, 442-4000, ext. 2864

(C)-Monroe County Office of Physical Services, Steve Nesbitt, 428-2326 or 461-3160

(D)-Monroe County Water Authority, Don Doe, 442-2000

(E)-New York State Department of Transportation, Douglas Mackay, 442-9550

(F)Monroe County Department of Health, Dawn Dobbertin, 442-4000, ext. 2860.

(G)Monroe County Environmental Management Council, Louise Hartshorn, 428-5745.



MONROE COUNTY DEPARTMENT OF PLANNING

301 County Office Building
39 West Main Street
Rochester, New York 14614

Don B. Martin, Director
(716) 428 - 5461

September 4, 1984

Town of Chili Planning Board
3235 Chili Avenue
Rochester, New York 14624

Dear Board Members:

SUBJECT: Application by Anthony Communale for preliminary approval of a conventional two-lot subdivision in a Light Industrial District at 45-53 King Road. (File #CI-154S)

We have reviewed this application according to Sections 239-1 and -n of the New York State General Municipal Law. Our review was based on information contained on a map drawn by Ronald W. Staub, dated August 1, 1984 and entitled "Map of a Survey, Lands to be Conveyed to Anthony F. Communale." While we find this to be a local matter, we wish to offer the following comment for the board's consideration:

If the board intends to require this applicant to have this "subdivision map" filed with the County Clerk, then the following additional information will be necessary:

- a) a location sketch;
- b) a name for the subdivision;
- c) each of the new lots should be numbered with the corresponding tax account numbers shown;
- d) the location of existing structures;
- e) points of access;
- f) all utilities;
- g) existing and proposed changes in topography;
- h) signatures for all necessary approvals.

The inclusion of this information will help improve the review of this application by both the town and this department and also make it easier to file this map with the County Clerk's office.

In addition, this application was reviewed by the Monroe County Development Review Committee (DRC). None of the member agencies had any comments to make at this time.

Please feel free to contact Gerald E. Charipar at 428-5630 if you have any questions about these comments.

Sincerely,

Don B. Martin
Director of Planning

DBM:GEC

xc: William Kelly, Town Attorney
Daniel Miller, Deputy Town Attorney
Applicant

PLANNING BOARD

October 9, 1984

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 9, 1984 at 7:30 P.M. The meeting was called to order by Chairperson Don Faso.

Present: Don Faso, Chairperson; Bill Deans, John Nowicki, John Cross and Ray Bleier.

Also Present: Bob Connolly, Building Inspector; Jeff Benway, Bergmann Associates; Larry Hoy, Environmental Conservation Committee; Dan Miller, Town Attorney.

For Discussion: Mark Bushman regarding 3452 Union Street. Approval given on September 18, 1984 for automobile storage building.

Mr. Bushman is present. He states there is the probability of partial assembly of cars but not total assembly. I talked to the engineer - the land is low and it is not feasible to put a septic leach in.

Mr. Faso asks will you have a portable john in and is told I can.

Mr. Nowicki asks how many employees and is told none, this is part time.

Mr. Cross states you will have to remove that on condition. I think it should say assemble and storage.

Mr. Bushman states I know you brought up the point of a toilet. If I were to go with this unit it would be O.K. Mr. Connolly states I guess that would meet my approval. You would have to meet all N.Y. State Building Codes and be able to close on the land with the approval of the Town. If you don't get it, you don't get it. I will not issue a building permit until you come into compliance with the building codes.

DECISION: The Chili Planning Board, at their October 9, 1984 meeting, has discussed your application which was approved on September 18, 1984. We would like to point out that approval was granted for the storage of automobile parts only. If you intend to rebuild or repair on the premises, you must first apply to this Board for a conditional use permit.

1. Application of Glenn Wheeler, 6660 Lake Road, Bergen, New York 14416 for preliminary site plan approval to erect a 60' x 55' addition to machine shop at property located at 3467 Union Street in GI zone.

Mr. Robert Herradine of 479 Wiler Road, Hilton, New York 14468 is present. There is a side line variance on the lot and the addition was shown on the prints. You have them in your possession. In the meantime he has changed the width of that building, not affecting the side-line variance. It is going to be a total of 84' to line up with the back edge of the building. I have a copy of those points, if you'll take them into consideration. There are several comments I have on size - 3300 sq. ft. not 3600 sq. ft., block building, square roof with bathroom facilities in the building. We're having Herman Klingenberg design the sanitary.

Mr. Faso states the Board might want to see a better sketch plan if you're going to go to that extent.

Mr. Deans asks what is the schedule like on this and told we're trying to beat winter. We asked that the final be waived.

Mr. Nowicki asks what was the decision of the Zoning Board and is told it was approved.

Mr. Deans asks what is going to be in here as far as shop area and process work or storage and is told sheet metal processing, bathroom facility and lunch room.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date *10-3-84*

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

GATES-CHILI NEWS

Issue Dated *10-3-84*

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 9, 1984 at 7:30 p.m. to hear and consider the following applications:

1. Application of Glenn Wheeler, 6660 Lake Road, Bergen, New York 14416 for preliminary site plan approval to erect a 60' x 55' addition to machine shop at property located at 3467 Union Street in G1 zone.

2. Application of Gilbert Glidden, 3216 Union Street, North Chili, New York 14514 for rezoning of 7.6 acres from R-1-15 (residential) to GB (General Business) at properties located at 3283, 3305, 3309 and 3311 Union Street.

3. Application of Mary Engles, 270 Galahad Drive, Rochester, New York 14623 for conditional use permit to allow a dwelling unit on the second floor of beauty shop

at property located at 3183 Chili Avenue in GB zone.

4. Application of the estate of Clawson Coman, c/o Robert Wendt, Atty., 305 Reynolds Arcade Building, Rochester, New York 14614 for preliminary subdivision of one lot to be 20.053 acres at property located at 961 Chili Scottsville Rd. in RA-20 zone.

5. Application of Legris, Inc., 244 Paul Road, Rochester, New York 14624 for preliminary site plan approval to erect an 80' x 25' one story warehouse addition and a 10' x 25' two story office addition at property located at above address in L1 zone.

6. Application of St. Pius X School, 3032 Chili Avenue, Rochester, New York 14624 for preliminary site plan approval to erect an addition to school at property located at above address in R-1-12 zone.

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

J. Donald Faso, Chairman
Chili Planning Board

Planning Board - Oct 9 - 1984

Mr. Nowicki asks is the one with the flower business a conditional use and it told yes. See attached 1 and 2.

Mr. Faso asks what month was that granted and is told last year.

Mr. Nowicki asks how long is the permit good for and is told one year.

Mr. Deans asks weren't you in here a few months ago for multi-residential and is told Mr. Nagel presented me with a purchase offer subject to getting it rezoned commercial.. I'm aware that if something isn't built on it during the 2 year period it goes back to its natural state. Mr. Deans states I hope Mr. Nagel understands that it is one thing to run a stand and developing this site into more use. You're talking about alot of money. We're not talking about a few more stands

Mr. Cross asks what type of expansion are you proposing for those lots and is told I have a conditional use as far as selling and all items in the garden line. Mr. Cross asks would you be putting up in front and is told what I hope to do is put a building in the nature of the garden center. That is not a high density type of building. It would be more spread out, not quite as packed as some retail sites. Mr. Cross asks - you said you may expand to other annuals, what are some of the things and is told more in the line of a normal garden center.

Mr. Bob Connolly states once a conditional use and a building permit are issued.....

Mr. Nowicki asks what protection do you give the Town if you don't issue a time limit and is told you can run into a problem. Mr. Nowicki states I think you should have a time limit on it. Mr. Miller states if you have no time limit on it, it is usually considered one year with the building allowed to be built in conjunction with the conditional use. Mr. Nowicki states you have usurped the powers of the Board. Mr. Miller states I guess I it could be considered a land use variance.. Mr. Nowicki states I would question the legality of these conditions. There should be a time limit where he has to respond to the Town. Mr. Miller states - more apt to go along with this application before you tonight as I said it goes without saying it is one year. Mr. Connolly states I have been under the impression that the Zoning and Planning Boards thought they had more control with a conditional use than a land use. Mr. Miller states it is my impression that a land use restricts to one use. Mr. Faso states for the Boards information Mr. Glidden asked for a meeting based on our findings here.

Mr. Cross asks are you ready to answer some of the questions from the County. See copy attached 3 and 4.

Mr. Faso asks have you contacted DEC and is told the property in the wetlands, we'll probably never use it, seeing it is in the same tax account number we just included that in it. It could be omitted as far as we're concerned.

Mr. Cross asks it there is any development on these lots they have to come before us for site plan approval so we'd cover any of these.

Mr. Miller states I think that statements #2 and 3 are diametrically opposed.

Mr. Cross states looking at that property the only immediate residence is immediately behind. Mr. Faso states there is a house there. Mr. Glidden states the only residence is west of us. We're talking about a strip. Mr. Faso states maybe we would like to hear Mr. Nagel expand a little. Mr. Nagel states we feel it lends itself more to a street of shops. It isn't deep enough or nature of the location and across from the fire house and between multiresidences. We feel it lends to smaller shops, more a convenience area.

Mr. Faso asks how many acres do you have and is told 4 acres - that takes in the back land. Mr. Faso asks the total parcel is 7.6 acres and is told yes, that plus Mr. Nagel's one acre.

Mr. Faso reads a letter from Donald Koop. Mr. Connolly states that they have moved to Spencerport. See attached 5.

No one spoke in favor or in opposition.

DECISION: Application denied by a vote of 3 to 2.

3. Application of Mary Engles, 270 Galshad Drive, Rochester, New York 14623 for conditional use permit to allow a dwelling unit on the second floor of beauty shop at property located at 3183 Chili Avenue in GB zone.

Ms. Mary Engels is present.

Mr. Faso asks you want to convert this from storage to an apartment and is told a studio. Mr. Faso asks would you be occupying it and is told for rent, my daughter needs a place. Mr. Eastman is going to add the bathroom and smaller kitchen.

Mr. Cross asks you're not changing the outward appearance and is told we'll be replacing a couple of windows.

Mr. Faso asks are you going to keep the stairway downstairs and is told yes.

Mr. Faso states the Monroe County comments find this to be a matter for local determination.

No one spoke in favor or in opposition.

DECISION: Granted by a vote of unanimous with the following condition:

1. Approval is for a single family dwelling only.

4. Application of the estate of Clawson Coman, c/o Robert Wendt, Attorney, 305 Reynolds Arcade Building, Rochester, New York 14614 for preliminary subdivision of one lot to be 20.053 acres at property located at 961 Chili Scottsville Road in RA-20 zone.

Mr. Robert Wendt is present and representing the estate of Clawson Coman. I have prepared a memo concerning this application which I have copies for each of you. This application results from unusual circumstances. Mr. Coman acquired the farm in 1922. In 1952 the N.Y. State Thruway appropriated a large part of the farm and put the road right through the farm. This left a small 3 acre parcel on the south side. Mr. Coman died shortly afterward and left an unusual will. He gave the life use of the farm to Oscar Pride. When Mr. Pride no longer lived on the farm it is to be sold. Originally, I planned to have a 5 acre lot with the building on the front on the road. We were confronted with an agricultural code so we had to make a larger lot. We had a surveyor prepare the map before you. You'll notice there is a 30' right of way to get in the rear property. Actually, there will be no change in the area, no new buildings. I feel this carries out your ordinance to maintain the agricultural character of the area.

Mr. Faso asks what are you going with the remaining acreage and is told it has been sold to a farmer, Mr. Burns. Mr. Faso asks does he have adjacent property and is told I'm not sure.

Mr. Faso asks without a right of way it will be landlocked and is told the chance of it being developed are remote. Mr. Faso asks is that parcel sold and is told Mr. Burns, who is being represented by Mr. Levine, planned to close on that Thursday of next week.

Mr. Nowicki asks what is the reason for the 30' right of way and is told to permit the man who bought that piece a right of way.

Mr. Cross asks does this total parcel consist of this piece to the back - shouldn't that be part of the subdivision and is told it is for parking purpose. I didn't consider it necessary to approve more than the front parcel.

Mr. Connolly states we would earmark that as an illegal split and is told he has approved this transaction.

In favor: Mr. Donald Sayman of 939 Chili-Scottsville Road. I'm curious about the driveway. The only driveway is the 30' set aside for Art Burns to drive through. Mr. Faso asks what is your concern and is told I'm in favor of this.

Mr. Miller asks is he giving an easement and is told the estate is giving an easement to Burns but the man with the fee owns it.

No one spoke in opposition.

DECISION: Approved by a vote of unanimous with no conditions. Final subdivision approval is waived. Please note that once variances are approved for this subdivision, the original drawing must be filed in the Monroe County Clerk's office after obtaining the necessary Town of Chili signatures.

5. Application of Legris, Inc., 244 Paul Road, Rochester, New York 14624 for preliminary site plan approval to erect an 80' x 25' one story warehouse addition and a 10' x 25' two story office addition at property located at above address in LI zone.

Anne Verhague of 88 East Main Street, Leroy, New York and Anthony Parrus are present for Legris. We went through the Planning Board process and met with the Zoning Board because Legris proposed to build a warehouse addition of 6600 sq. ft. to compliment their plant. In front of that 1 story addition is a 2 sotry office addition. We had recieved approval for that. The 2 story office was 2500 sq. ft. and that is now under construction. We planned for a larger parking lot to the east and we received curb cut from DOT. We are coming before the Board to aks permission to add a couple of additions. If you'll look at the sheet you'll see that the original building is cross-hatched in one direction and the addition under construction is cross-hatched in the opposite direction and approximately the same size. We now have additional funds and we would like to fill this space with office space. If you look at the cross hatched area in the southeast corner that is where we're proposing to fill in. It could be done now. The other addition is this cross hatched area here in the rear of existing warehouse. We realize we would need a variance at the west corner-set back of 36.98'. There would still be room back here for fire equipment. We are set to appear before the Zoning Board for a variance.

Mr. Parrus states we have been talking with people from Gotfrey about whether it is feasible for us to buy additional land behind them. The land back there is landlocked and useless. There is one obstacle - a railroad spur that comes off of Gotfrey. There is a question of boundaries. If we keep growing we'll either have to move or go across the street.

Mr. Nowicki asks what affect would expansion have on parking requirements and is told we had a suplus before. We now have 50 people instead of 45.

Mr. Faso reads conditions that were to be met. Mr. Parrus states I talked with John Flint about the 3rd point. He felt assured the additional catch basin would work properly. The temporary building is almost down - that was 6 months after construction finishes.

Mr. Faso asks Mr. Benway have you seen calculations for drainage and is told we're satisfied.

No one spoke in favor or in opposition.

DECISION: Approved by a vote of unanimous with the following conditions:

1. All trailers must be removed from the premises within six months of completion of the building.

Please note that final site plan approval has been waived. If, in the future, the need arises for use of the trailers on the site, you ^{must} reapply to the Town Board for the appropriate permits.

6. Application of St. Pius X School, 3032 Chili Avenue, Rochester, New York 14624 for preliminary site plan approval to erect an addition to school at property located at above address in R-1-12 zone.

John Low of 235 Park Avenue, Rochester, New York 14607 is present. He states the school wishes to add to their school building. There will be some alteration to the existing building in the area of the library and to a portion of the building that was the worship place. It is now used as a gym. The addition is located to the southwest of the present school - 4000 sq. ft. and about \$400,000. We feel there is little or no affect on the Town. We have submitted drawings.

Mr. Faso asks is that temporary school coming down and is told relocated to the other side. Mr. Connolly states they have another year - I feel it is coming down after that is built.

Mr. Nowicki asks will you try to follow or match existing building and is told it will be brick, roof and windows to harmonize with present building.

Mr. Cross asks is this one floor and is told yes.

Mr. Miller asks how will this be heated and is told perimeter hot water steam. Mr. Miller asks what are the concillatory uses you are referring to and is told credit union, meeting rooms for groups and church committees, storage room for gym equipment and bathroom. The remainder of the space to be for kindergarten and class rooms.

Mr. Nowicki asks will this affect the parking situation and is told no. We are planning 2 median strips here.

Mr. Miller asks about the credit union and is told it will be relocated from the front.

Mr. Nowicki asks is this a sprinkler building and is told no.

Mr. Miller asks do you have to meet the State Educational Codes, N.Y. State Building Code and Fire Pprevention Code.

Mr. Nowicki asks does this require sprinklers and is told no.

Mr. Faso states County comments find this to be a matter for local determination.

No one spoke in favor or in opposition.

DECISION: Approved by a vote of unanimous with no conditions.

Please not that final site plan approval has been waived.

Donald Faso
Planning Board Chairman

/ke

TOWN OF CHILI

Originated in 1822

TOWN OFFICES 3235 CHILI AVENUE, ROCHESTER, NEW YORK 14624 TEL: 889-3550

JAMES J. POWERS
Supervisor
CAROL A. O'CONNOR
Town Clerk

ROBERT L. CRIDDLE
JEROME F. BRIXNER
LORRAINE V. ANDERSON
RANDY C. PIKUET
Council Members

March 12, 1984

David Nagle
3311 Union Street
North Chili, New York 14514

Re: Your application for conditional use permit to allow a greenhouse and nursery business at property located at above address in R-1-15 zone.

Dear Mr. Nagle:

The Chili Zoning Board of Appeals, at their March 9, 1984 public hearing voted unanimously to approve the above described application with the following conditions:

1. Limited to sale of non mature vegetable and flower bedding plants and potted houst plants.
2. No trees or shrubs would be sold.
3. No plants other than what is raised on site.
4. No on street parking.

Sincerely yours,

Ralph Barbaro (RB)

Ralph Barbaro, Chairman
Chili Zoning Board of Appeals

RB/kr

cc: Wm. Kelly, Town Atty.
Robert Connolly, Bldg. Inspector
file

TOWN OF CHILI

Originated in 1822

TOWN OFFICES: 3235 CHILI AVENUE, ROCHESTER, NEW YORK 14624 TEL: 889-3550

JAMES J. POWERS
Supervisor
CAROL A. O'CONNOR
Town Clerk

NOTICE OF DECISION CHILI ZONING BOARD OF APPEALS

ROBERT L. CRIDDLE
JEROME F. BRIKNER
LORRAINE V. ANDERSON
RANDY C. PIKUET
Council Members

DATE: March 12, 1984

APPLICATION OF: David Nagle
RESIDING AT: 3311 Union Street, North Chili, New York 14514
FOR: Variance to erect a 46' x 24' greenhouse to be 1,104 sq. ft. (120 sq. ft. allowed) to be 10 ft. High (8' req.) at property located at above address. (application amended at hearing for greenhouse to be 12' high).
ZONING DISTRICT: R-1-15

PLEASE TAKE NOTICE that at the March 9, 1984, 1984 meeting of the Town of Chili Zoning Board of Appeals, the above application was:

GRANTED UNANIMOUSLY

TABLED

DENIED

The application was granted upon the following conditions:
NO CONDITIONS

Please note that a building permit will be required prior to construction.

The application was denied/tabled for the following reason:

Sincerely yours,
Ralph Barbaro
Ralph Barbaro, Chairman
Chili Zoning Board of Appeals

RB/kr
cc: Wm. Kelly, Town Atty.
Robert Connolly, Bldg. Inspector
file

3.

County of Monroe



LUCIEN A. MORIN
COUNTY EXECUTIVE

County Office Building
39 West Main Street
Rochester, N.Y. 14614

716 • 428-5301

DON B. MARTIN
DIRECTOR

47 So. Fitzhugh St., Suite 200
Rochester, N.Y. 14614-2299

716 • 428-5475

Department of Planning

October 2, 1984

Town of Chili Planning Board
3235 Chili Avenue
Rochester, New York 14624

Dear Board Members:

SUBJECT: Application by Gilbert Glidden to rezone from R-1-15 Residential to G B General Business 7.6 acres at 3283 - 3311 Union Street. (File # CI-170 Z)

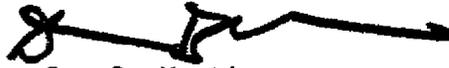
We have reviewed this application according to Sections 239-1 and -m of the New York State General Municipal Law. We find this application for rezoning to be a matter for local determination. However, we wish to offer the following comments for the Board's consideration:

1. The Chili Comprehensive Plan identifies this area of North Chili as residential in character, and it is not apparent how the proposed helps implement the goals and objectives of the plan.
2. The irregular shape of the proposed commercial district does not lend itself to commercial uses other than strip commercial along Union Street. Without a concept plan for what the applicant intends to do, it is difficult to envision what kinds of commercial uses would be appropriate for this parcel.
3. The southern boundary of the proposed new zoning district contains a state designated Fresh Water Wetland, CI-1 II. Any development of this portion of proposed commercial district must get a permit for the New York State Department of Environmental Conservation. Because this is a class II wetland, the second most significant wetland in the state's classification system, any development permits will be difficult to obtain.
4. On July 23, 1984 a map was filed with the County Clerk's Office which identified lots 3305 and 3309 on Union Street for proposed duplexes.

5. Any rezoning request must take into account the impact of the proposed rezoning on the residential character of this small subdivision.
6. An alternative use for the site may be higher density residential of some form. It would be more compatible with adjacent residences, would act as a transition or buffer development between the residences and the business uses in this vicinity, and would provide additional people to support these businesses.

Please contact Gerald E. Charipar at 428-5630 if you have any questions about these comments.

Sincerely,



Don B. Martin
Director of Planning

DBM:GEC:kam

xc: applicant

(5)

3331 Union St.
North Chili, NY 14514
Oct. 5, 1984

Mr. J. Donald Fass, Chairman
Chili Planning Board
3235 Chili Ave.
Rochester, NY 14624

Dear Mr. Fass:

Re: Application of Gilbert Slidden

As I am unable to attend your October 9th meeting I am herewith expressing my opinion for your consideration.

I am strongly opposed to the rezoning of properties located at 3283, 3305, 3309, and 3311 Union St. from R-1-15 to GB. The granting of permission for commercial-type use to turn the corner from Buffalo Rd. and head down Union St. would start a bad trend for the area. All of the property to the south of the subject properties is essentially residential or open land. I am aware of many examples of commercial creep on a plot by plot basis once the trend is initiated. It becomes like a cancer inoperably spreading. The subject properties lend themselves very well for residential use including a nearby park. I have supported other residential proposals for the area such as a halfway house for retarded persons. I am not at all interested in changing the character of the area.

Very truly yours,
Donald A. Kays

3216 Union Street
North Chili, NY 14514
September 7, 1984

Town of Chili
Town Planning Board
3235 Chili Avenue
Rochester, NY 14624

Dear Board Members:

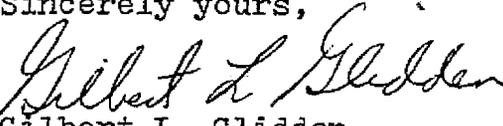
We are owners of property located at 3311, 3309, 3305, and 3283 Union Street, in North Chili, NY. This land is presently zoned R-1-15.

We would like to have it re-zoned G-B, a General Business District, that we may create a shopping area such as permitted under G-B zoning.

We are presently bordered by commercial zoning (G-B) to the north of us, residential on the west boundry, RM Multi-residential on the south boundry with a town park across the street east of us.

We believe this land lends itself to G-B zoning and hopefully this will meet with your approval.

Sincerely yours,


Gilbert L. Glidden


David Nagle

CHILI PLANNING BOARD

November 13, 1984

The meeting of the Chili Planning Board was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624 on November 13, 1984 at 7:30 P.M. The meeting was called to order by Chairperson Don Faso.

Present: Chairperson, Don Faso; Bill Deans, John Cross, John Nowicki, Mitch Rakus, and Ray Bleier.

Also Present: Bob Connolly, Building Inspector; Jeff Benway, Bergmann Associates; Betty Glende, Drainage Committee; Larry Hoy, Town of Chili Conservation Board and Dan Miller, Town Attorney.

1. Application of Four Point Rod and Gun Club, 3420 Union Street, North Chili, New York 14514 for conditional use permit to allow skeet shooting/hunter safety training at property located at 4310 Union Street in RA-20 zone.

Carl Tarricone is present and representing the Four Point Rod and Gun Club. There is a club house and it conducts shooting matches throughout the year. It also conducts competitions of not more than 80 but some meets have at least 180. The shooting competitions consist of shooting at clay pigeons. The engineers drawing shows the distance range for 7½ shot and 9 shot. The smaller one are the 9 shot, the larger ones are 7½ shot. The club could have as much as 6 contests a year and could expect up to 130 people. The contests are supervised and you will note during the 52 years in our present location, you have never heard of an accident and you have received no complaints. However, the present location is developing a population. The move is desirable because we'll be going to a 50 acre parcel of land on Union St. at 4310 near the thruway. I understand this is being a recreation area - there is a golf course and baseball field. Where the shooting will be is almost classified as swampland, not suitable for anything. This is what realtors call the best use for this parcel of land. All surface drainage will be limited to this property. The members want to construct a club house. The club house will be much like the one room with bathroom facilities for men and women. The field layout are by a recommended engineer - Tongun Co. If you'll note the price on the purchase offer comes to \$450 an acre. I use this price to show this is not used for agriculture. It has been on and off the market for some time. I think this is the only use for this. For that reason I request the application be passed.

Mr. Rakus states you have a nice layout as far as skeet is concerned, but on the back of the purchase contract you say gun club with outdoor rifle range and is told no rifle shooting on this property only skeet activities. Mr. Rakus asks is this the area south of the thruway, would a skeet shoot go into the thruway property and is told we have 670' for the #9 shot and we have 740' for the 7½ pellets but we have over 900' from the point of shooters to N.Y. property. Mr. Rakus asks are these going to be trap houses or skeet and is told skeet. Mr. Don Harding, Chairman of the Building Commission states there will be trap houses.

Mr. Faso reads the County Comments and states the wetland is a Class 2. See copy attached. Mr. Jerry Mascarella states the wetland has been flagged.

Mr. Nowicki asks what is the status of lead shot on the wetland and is told this wetland does not support a duck population.

Mr. Cross asks what about steel shot and is told it is not available.

Mr. Bleier asks is this going to be shotguns, no rifles and is told no rifles at all.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *11-7-84*

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

GATES-CHILI NEWS

Issue Dated... *11-7-84*

John M. Robortella
Notary

JOHN M. ROBORTELLA
NOTARY PUBLIC, State of N. Y. Monroe County
My Commission Expires March 30, 19*86*

Patricia M. Smith

Patricia M. Smith
Publisher

*1700.
Planning book 1984*

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 13, 1984 at 7:30 p.m. to hear and consider the following applications:

1. Application of Four Point Rod and Gun Club, 3520 Union Street, North Chili, New York 14514 for conditional use permit to allow skeet shooting/hunter safety training at property located

at 4310 Union Street in RA-20 zone.

2. Application of The Taylor Kids, 1965 New Michigan Road, Canandaigua, New York 14424 for preliminary site plan approval to erect a 24' x 40' pole storage building at property located at 1415 Scottsville Road in G1 zone.

3. Application of Edward Kowalski, 465 Pinnacle Road, Rochester, New York 14623 for preliminary subdivision approval of one lot to be 9.9 acres at property located at 844 Chili Scott-

sville Road and 569 Morgan Road in RA-20 zone.

4. Application of Walco Construction, 19 Howard Avenue, Churchville, New York 14428 for preliminary subdivision approval of six lots to be known as Golden Road Subdivision at property located at 230 Golden Road in R-1-15 zone.

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

J. Donald Faso, Chairman
Chili Planning Board

Mr. Hoy asks who is going to pick up the shot and is told it has been the practice after competitions, to have a firm come in and scrape off a layer of topsoil and return the soil later. Mr. Hoy asks are the clay pigeons actually clay and is told by Mr. Harding, clay with a mixture of other things - the majority is clay. Mr. Hoy states my concern is the pollution of clay and whatever else is in it and is told we shoot in a certain area all the time and it will eventually go into the earth.

No one spoke in favor.

In Opposition:

Milton Fesst. The corner of the property adjoining the site in question are entrance and exit ramps. This property is actually on the southern approach to the bridge. I think the ramp extends beyond at 200'. I think the guardrails were stopped at this point because of the ramps. I make this point because vehicles of any kind would come onto a stream of traffic at a rapid rate. Now coming up the south trucks come at a high rate of speed and any vehicle which has to enter and exit at this spot in both directions. The vehicles to the left would be impaired. I think it seems to be a situation that the gun club... It is dangerous. It seems to be if a loss were to occur because of the situation and if a court of law was to find this, it seems to me that next to the thruway seems an inappropriate site. This year the Zoning Board permitted a zoning change on the lot across the street and this would be terrific damage to this home site. It seems to me there are more suitable areas. I think the Board members should question this installation.

DECISION: The application was tabled for the following reasons:

1. That you supply the Board a review and approval from the following agencies:
 - a. N.Y. State Thruway Authority
 - b. N.Y. State Dept. of Environmental Conservation
2. Application of the Taylor Kids, 1965 New Michigan Road, Canandaigua, New York 14424 for preliminary site plan approval to erect a 24' x 40' pole storage building at property located at 1415 Scottsville Road in GI zone.

Elmer Taylor of 1415 Scottsville Road is present. He states this use to be a gas station. It was previously opened by Southern Oil of N.Y. About 2 years ago, I acquired a gasoline truck about 30' long. It is hard for me to start the truck in the winter time and I have to park it in my driveway. I want to put a building up to house this truck. I got some building plans. It is a pole panel structure by Interstate Prepaneled Structures. This is one of their standard sizes of pole types and popular in this area with farmers and agricultural people. The building is scheduled to be done this fall. I would like it to be 24' wide and 24' long and contain 6 x 6 pressure treated timbers and trusses 16" on center. I'm sure you are familiar with these. I also require gutters for it to take the rain water and channel it. My property drains well. The site plan - I will have to raise the ground area 2' on one side so the building sits up a little way. The adjoining property won't be affected.

Mr. Nowicki asks what kind of floor and is told gravel.

Mr. Faso asks are you going to have a driveway and is told yes, there is an existing one cut in the station at one time. There was a house or garage in back, I wish to utilize it. Mr. Faso states I didn't see a driveway or curb cut. Mr. Faso asks are you going to move the tanks and is told no, I'm no where near it.

Mr. Faso reads the County Comments which find this matter to be for local determination. See attached.

Mr. Rakus asks are you going to do any repairs and is told no. Mr. Rakus asks are you going to have electricity to heat it and is told I might want to run a line. I haven't thought about it but it is a possibility. I'm not planning on a water line or any kind of lighting.

Mr. Nowicki asks what is the difference between this and the one on Ballantyne Road and is told by Mr. Connolly, this one is a commercial and one is RA-20. All construction in a commercial has to go before the Planning Board. Mr. Nowicki asks has the Fire Marshall reviewed this and is told no, not yet.

No one spoke in favor or in opposition.

DECISION: Granted by a vote of unanimous with the following conditions:

1. This application be reviewed and approved by the Chili Fire Marshall.
Please note that final site plan approval has been waived. The Planning Board also declared itself lead agency under the SEQR review process and determined there will be no significant environmental impact with this application.
3. Application of Edward Kowalski, 465 Pinnacle Road, Rochester, New York 14623 for preliminary subdivision approval of one lot to be 9.9 acres at property located at 844 Chili-Scottsville Road and 569 Morgan Road in RA-20 zone.

Mr. Don Avery is present and representing Edward Kowalski. This is presently located at Morgan Road and bounded by Chili-Scottsville Road. Now you will notice the map is not drawn to scale. Mr. Kowalski would like to build a single family house and bring the driveway so you could see down here far enough. Presently, there is site distance down the road for anyone coming out of the driveway. Perks are satisfactory. We have shown a trench drains to lower the water. There is a hedge-row and we have appeared before the Zoning Board because this lot is not the required area of 20 acres. We got a variance since then. We traded a piece of land for one here and we have less acreage. We still have about 276' frontage. This will be all on Morgan Road. This is where we would like to locate this house.

Mr. Faso asks were you aware that the culvert under Morgan Road has been undermined and the County is fixing it as of Thursday and is told no. Mr. Faso states that the County Comments find this to be a matter for local determination. See attached.

Mr. Hoy states we were unable to make a decision on the information we received November 7th. We did have one question on #10 - the answers were all no however, there is a creek or stream on the property. Mr. Avery states I don't think I filed the first one and second I think it just flows during certain seasons. Mr. Hoy states it is a minor point but we didn't get it in time. It came 3 days after the meeting. Mr. Kowalski states when he inspected the land there was no stream, just cattails. Mr. Hoy states the comment was that the direction not be changed. We just want to indicate no change to this stream would be made. Mr. Kowalski asks by no change in direction do you mean in and out of it. Could I fill in some of the swamp property? Mr. Hoy states I don't know legally if you change it. Mr. Connolly states you can't fill in anything by more than 6" without a permit. Anything over that would be considered a swimming pool. We also have excavating and fill requirement. You can't either fill or excavate more than 6" without a permit.

Mr. Rakus asks why can't anything he wants done with the marsh area be included in this site plan and is told it could be.

Mr. Benway asks you said you're moving the sanitary system now and is told no, just the well. Mr. Benway asks is the blind drain going all the way around and is told I guess it should go all the way around.

Mr. Faso asks explain the purpose of the blind drain trench and is told to drop the water level. We did that so we wouldn't have to have more fill around the house. Mr. Connolly states I would like to make one think clear to you. He doesn't have to go through site plan. He should address the problem at that time and we can look it over.

Mr. Kowalski states the house is suppose to be parallel with the road. This shows it at an angle facing the road. Mr. Hoy asks last time you were in here wasn't there litigation and is told I was suppose to purchase 2 pieces of land. Then we found there was a first right of refusal on Mr. Herrow's property. Now we are close to finalizing.

Mr. Nowicki asks do you plan to start construction this year and is told no, not until next year.

No one spoke in favor or in opposition.

DECISION: Approved by a vote of unanimous with no conditions.

Please note that final subdivision approval has been waived and the original drawing must be filed in the Monroe County Clerks Office after obtaining the necessary Town of Chili signatures.

4. - Application of Wallco Construction, 19 Howard Avenue, Churchville, New York 14428 for preliminary subdivision approval of six lots to be known as Golden Road Subdivision at property located at 230 Golden Road in R-1-15 zone.

Mr. Don Avery is present and states we have 15 lots and we have gone along with your suggestions. We show just 6 lots here. We want to develop the first phase. We have left 30' across and have this saved for a couple or 3 lots. We are in here now to look at these lots - 90' and 300' in depth. We are not asking for any difference in setback. I have shown this coming across the road with one cut and 2 laterals within cut to service these houses. We have a water line on the east-side of the road and every lot we have 90' across the front. The storm water is taken care of by a system along the front that takes care of Stonebarn Road. There is an inlet here by lot #4 that takes drainage along the road to this ditch. The rear of the lots would drain to the back. There is a swale along here that we have put here to this ditch. We decided to put the lots this way for more room and enough area for no water coming over on other people's property.

Mr. Faso reads the County Comments. See attached.

Mr. Hoy states I would like to make a comment on the dump site. We have been told that will be taken care of this month.

Mr. Bleier asks is this really a 7 lot subdivision and is told yes, if you want to say it that way. Mr. Bleier asks are you planning a drainage easement along the back of this land, it would be a good thing to show.

Mr. Rakus asks Bob, is that back portion of the property going to create a problem to you or to the Town of Chili in the future. We had problems with road cuts and people complaining about snow removal. You have a 30' right of way. There are ordinances which say a lot has to abut the road by 40' in depth. This lot is an illegal lot. If he does it, it would be an illegal lot. Are we blocking ourselves over here. He is talking about a private drive.

Mr. Nowicki asks what were the previous comments. Mr. Faso states we took a straw poll as to whether this Board would allow it and we were split 3 to 3.

Mr. Benway states but they got approval anyway. Mr. Connolly asks is this a 6 or 7 lot subdivision. We mark it as an illegal split.

Jerry Wall. We tried to leave the back open and if the Board doesn't like a 3 lot subdivision, we'll go with one lot. Mr. Connolly states I say he has to get a variance for this lot because it doesn't abut a street for 40'. Mr. Faso states we have the option to object or approve an illegal lot. You could give it if they show a hardship.

Mr. Rakus asks where will the sewer pipe connect for in the back and is told tap into this sewer here. Now a 30" sewer here, around and comes out with manhole and from that have either length of pipe and some 3 laterals off of that.

Mr. Faso asks on lot #5 & 6, the Assessor's Office would like the acreage of lot. Mr. Connolly states on each of these driveways you show a turnaround. Would this be a requirement at the time built? In essence the Town approved with that turnaround. I'm talking about each driveway but yet maybe with a contract with the owner you don't include it.

On Archer Road some people don't have them and they have come to me and complained.

Mr. Faso asks are we just approving a concept and is told by Mr. Miller, I think as a concept it goes between the homeowner and the contractor. Mr. Avery states on some county roads we are required to show a turnaround. It ends up here with a cul-de-sac. Mr. Connolly states I would like this clarified.

Mr. Nowicki states my question would be how without back approval as far as seeing it on the drawing. Mr. Miller states no, they insist on an instrument survey as built not as proposed. The best way is to make the developer lay it out in his notes that each house will show a turnaround and look as shown. I think if the Board wants to tie it down, the developer must be required to put it in his notes that each home along such and such have a turnaround.

Mr. Faso asks are you running into a lot of that Bob and is told 3 people have complained.

Mr. Nowicki states if the builder-developer happens to take the final map and use it as a sales pitch then I think your point is well taken. Some people may be misled and their first impression is that they are going to get a turnaround and they use this as a sales tool.

Mr. Miller states people get misled all the time. That is where the complaints are coming from. If you want something tied down, it must be in the specs and plans.

Mr. Faso states it will be up to the Planning Board if a drainage district will be formed. There have been a few that have slipped by.

Bob Hendrickson. I live on the property next to there. If you have received a letter about a woods - where is the woods. We use to fly in and out of there with planes. They must be looking further down near this easement. That is a main trunk line.

Red Wehle. There is an easement. Mr. Hendrickson states there is a road that runs there - they are using it. Mr. Wehle states I roughed a 50' temporary easement. I said go work off the railroad. You left piles of concrete and we don't want you on the property. If we write you a letter that we'll clean and seed it and take care of it, will you give us an easement. They did approve.

Mr. Connolly states the people across the street, they call regularly and say something is back in there. People are going in and out there. It is not a road - it is our property. We can't control we have them 2 easements one permanent and one temporary.

Mr. Faso asks won't that be on top of the easement and is told by Mr. Avery, there is a 20' easement here. We would have to get permission from them. I think a road would be an advantage to them. Mr. Connolly states you are not showing the 20' permanent easement and is told this is from the property line here.

Mr. Wehle states the parallel sewer is on the railroad side of this permanent easement.

Mr. Nowicki asks what is that and is told the original sewer 18" - then the parallel sewer between the railroad and this. Mr. Miller states you could use the land on top of the easement but they can come in and dig it up. Mr. Wehle states where the easement is it isn't even in use.

Mr. Russell Spring. One goes up to Westside Drive. It hasn't been used. Mr. Faso asks is this on the east side of your property that goes over to Westside Drive and is told I don't know if it was in use till the new one was requested. If you go ahead and build those houses and there is a problem. There will have to be a gate with a lock on it.

Who will be responsible. I don't know who checks them out. They have to be able to get through Golden Road and get way down. The sewer goes all the way to Westside Drive. Mr. Wehle asks why would you need the gate. Mr. Spring states we can't control it now but with homeowners there if there are houses in front.

No one spoke in favor.

DECISION: Granted by a vote of unanimous with the following conditions:
1. A 20' wide drainage easement along the rear of lots
1-6 centered on the property line.

Please note that in granting approval for this subdivision, the Planning Board realizes you are creating an illegal lot. The rear portion of the property is lacking the 40' minimum highway frontage. The Planning Board has agreed that it will not grant future approval of this lot under any circumstances as it is presently shown on the plans.

CHILI PLANNING BOARD

December 11, 1984

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 December 11, 1984 at 7:30 P.M. The meeting was called to order by Chairperson Don Faso.

Present: Don Faso, Chairperson; Bill Deans, John Cross, John Nowicki, Mitch Rakus, and Ray Bleier.

Also Present: Bob Connolly, Building Inspector; Jeff Benway, Bergmann Associates; Larry Hoy, Chili Conservation Department, and Dan Miller, Town Attorney.

Mr. Faso stated this to be 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 Pizza Hut, c/o 1001 Construction Concepts, 804 Seventh North Street, Liverpool, New York 13008 for preliminary site plan approval to erect a 16' x 8' enclosed entranceway at property located at 3218 Chili Avenue in GB zone.

Carlton Viulhauer. We were under contract to do a foyer at the Chili store. We have 3 other ones in the area. Pizza Hut is trying to get into the drive-in window business and the window would be for the lunch-hour people. The addition is 16' long and 8' wide. The entranceway will be moved to the right side of the entranceway to the south. The existing doorway will stay where it is. The passway cut through that is the concept of the operation. The architecture will be the same. The interior of the addition will match the existing store and the red roof will be the same.

Mr. Nowicki asks do you see a problem with the cars and is told we counted the spaces and it will effect 2 spots but we'll be saving one.

Mr. Bleier asks will you have tables and chairs and is told a courtesy booth where they can sit for a short time while waiting. Mr. Bleier asks will the patrons be able to consume the food in the area and is told there won't be any tables but we couldn't stop them.

Mr. Faso reads County Comments which find this to be a matter for local determination and there was no environmental impact.

No one spoke in favor or in opposition.

DECISION: Approved by a vote of unanimous with no conditions.

Please note that final site plan approval has been waived.

2. Application of Rochester Turf & Tree, P. O. Box 24751, Rochester, New York 14624 for preliminary site plan approval for a change of use to allow a landscaping form with the storage of firewood at property located at 799 Paul Road in GB zone.

Dick Minuia, owner and president of Rochester Turf & Tree. Since being vacated by Ace Swim, we would like to use this location to consolidate our business in this town. We are a service business, we provide lawncare, tree spraying. We are not a construction company. All of our trucks are medium to light duty trucks or enclosed vans. The new location would be used to house office and supplies. We are not a retail business. We would generate less traffic then the previous use.

Mr. Faso reads the County Comments which find this to be a matter for local determination. Mr. Faso also reads a letter from Jim Christian, Fire Marshall, see attached.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date. *12-5-84*

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

GATES-CHILI NEWS

Issue Dated. *12-5-84*

..... *John M. Robortella*
Notary

JOHN M. ROBORTELLA
NOTARY PUBLIC, State of N. Y. Monroe County
My Commission Expires March 30, 19*86*

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

Planning Book

12/1/84

Legals

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 11, 1984 at 7:30 p.m. to hear and consider the following applications:

1. Application of Pizza Hut, c/o 1001 Construction Concepts, 804 Seventh North Street, Liverpool, New York 13088 for preliminary site plan approval to erect a 16' x 8' enclosed entranceway at property located at 3208 Chili Avenue in GB zone.

2. Application of Rochester Turf & Tree, P.O. Box 24751, Rochester, New York 14624 for preliminary site plan approval for a change of use to allow a landscaping firm with the storage of firewood at property located at 799 Paul Road in GB zone.

3. Application of Colombini Development Corp., 3193 Chili Avenue, Rochester, New York 14624 for preliminary subdivision approval of one lot to be 4.70 acres at property located at 3193, 3197 and a portion of 3205 Chili Avenue in GB and R-1-15 zone.

4. Application of Colombini Development Corp., 3193 Chili Avenue, Rochester, New York 14624 for rezoning of 4.70 acres from R-1-15 (residential) to GB (General Business) at property located at 3193, 3197, and a portion of 3205 Chili Avenue.

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

J. Donald Faso,
Chairman
Chili Planning Board

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *12-5-84*

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Issue Dated. *12-5-84*

John M. Robortella
Notary

JOHN M. ROBORTELLA

NOTARY PUBLIC, State of N. Y. Monroe County
My Commission Expires March 30, 19 *86*

Patricia M. Smith

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

J. Donald Faso,
Chairman
Chili Planning Board

Mr. Minuia states to address the first portion of the letter, we are currently selling firewood. We would sell about 300 face cords of firewood. We have not had on hand at one time more than 100 cords.

The firewood business is unstable. We have a tentative order for 300 to 500 face cords of wood which we'll have to buy in the spring. We will have to set on it till fall and let it season. There is a site formerly occupied by the swimming pools away from the general view that we have earmarked for storing the wood. This will be empty usually by this time of year and restocked in early spring or summer. The wood we purchase is already split. As to the second park, I'm well aware of the fire marsh's concerns. According to the current state law & DEC, everything we handle exceeds the requirements for container types and handling. We are checked by a group from workmen's compensation. We got a letter stating no violations. As to chemicals interreacting, we store fertilizers, all of which are soluble and many of which are totally organic. They can be found in any farm store. The pesticides are weed control and insecticides aimed at controlling bugs. The fungicides are supplied and stored as wettable powder. We have other small quantities of tree spray materials. None of the materials are flammable. All are water soluble. All of them are in containers received in and these are approved by DOT. They are sealed method of transfer - cold storage. They are not open containers - the safety inspectors would not allow it. We are inspected by DEC and building, when we determine the area we'll keep these chemicals in. We'll provide a list of names, common name, location and quantity. We don't want to create a situation that is undesirable. We have not had one safety violation in 8 years. Each truck must carry an inventory of what is on the truck in case of an accident and also in-house.

Mr. Faso asks are the trucks stored empty or loaded in the evening and is told generally they are loaded in the evening. If you are referring to vandalism, I couldn't say about that but what is in the truck is in a form you would put on your lawn. We have labels saying toxic and poison - we do not use the poison label.

Mr. Deans asks give me an idea of a typical evening, what would I expect to find as to packaging, trucks and firewood and is told coverage on the ground, we are going to limit to the area pointed out approximately 50' x 100' on the outside of the parking lot. Service vehicles, we have 5 trucks and room to store one inside and one I usually have. We have 3 to 4 trucks on the average. Mr. Deans asks what are you planning to store outside and is told generally nothing. There are occasional times we might get a shipment that can be stored outside. Mr. Deans states so we might see some pallet-sized material stored outside and is told yes, but it won't be visible. I think you would find we are very aware of esthetics. We don't want it to look like a pigpen.

Mr. Cross asks about vandalism and is told it is a high traffic area but I'm sure there isn't much to stop anyone from doing that.

Mr. Rakus asks how many tank trucks and is told the size varies from 300 gallons to 500. The 2 newest are vans with 300 gallon tanks inside and one 1200 gallon tank truck - 2 ton vehicle.

Mr. Bleier asks approximately how many trips a day are made back and forth and is told each truck contains a full days supply. Mr. Bleier asks where is all the mixing going on inside or outside and is told most material is purchased in a diluted form and further diluted with water. It can be directly introduced to the truck and then water added on inside the building. We find that from an efficiency view. Mr. Bleier states all is prepared inside and pumped into the truck.

Mr. Rakus asks how large is the tank inside the building and is told 2-1600 gallon tanks.

Mr. Nowicki asks what are they made of and is told a plastic material not fiber glass, approved storage tanks for fertilizer. Mr. Nowicki asks are the trucks themselves steel and is told the 1200 gallon truck is steel and the others fiber glass. Mr. Nowicki asks are any of these materials corrosive and is told maybe to truck decks but not like an acid. Mr. Nowicki asks could you explain what would happen if everything was spilling all over the ground and is told the first

12/11/84

thing I have to do is notify the hazardous material team of the Dept. of Conservation. We immediately use material on hand to contain the spill and begin pumping it up. Any material involved in a runoff or spill we are required to have \$500,000 worth of liability. Mr. Nowicki asks what is the effect of materials being combined and is told they are not

Mr. Nowicki asks how is the maintenance performed on these trucks and where and is told washing of the trucks and minor maintenance is done in the bay area in the building anything else is performed outside the area. Mr. Nowicki states you mentioned paletined material - what do you mean by shorttime and is told we have bagged lime that we would get in the middle of March. It would be gone by the end of April. Mr. Nowicki asks on the wood itself - do you just store the wood, do you deliver or do people come in and take it themselves and is told all wood is sold mostly to our lawncare accounts. We might have people who might want to pick it up themselves but I would say 100% of our wood is delivered. It is not our intention to retail.

Mr. Bleier states I have reservations about allowing this type of business here it is close to the heart of town and is told the nature of the material we are looking at here can be found next door at Mr. Henderson's farm, the hardware store or K-Mart. Mr. Bleier states but they're using it at their place. Mr. Minuia states by the nature of our business, we can't have any leakage or rinse material can't be pumped outside. We try to prevent all this from happening.

Mr. Rakus asks when you rinse the tanks and trucks where do you pump the residue and is told it stays in the tank and is incorporated into the next batch.

Mr. Nowicki asks what requirement do your people have for mixing this, what protection is afforded them and is told we provide the employee with eye protection, rubber gloves and aprons. For diluted material, they are required to have rubber gloves and boots. Persons involved with foliage spray have respirators - depending on the type, we also provide clothes. Most materials have low dermal toxicity. We provide an outside service that comes in and takes blood levels. We monitor this level and we have never had a problem.

Mr. Faso asks is a certificate required to handle any of these materials and is told a certificate is required for application into private residences but not just to handle them. We are required to be registered with DEC and certified. We do have to attend upgrading seminars to accumulate training credits. We are to have 15 training credits.

Mr. Nowicki asks are you governed as to what type of material you handle and store - what protection would we have if you went from dangerous to poisonous and is told then I would take it upon myself to tell the Fire Marshall. We are governed by the labels. EPA sets a standard and we have to abide by those regulations.

Mr. Faso states you're going to be occupying an older building, what fire protection are you going to put in and is told the bulk of the material is diluted with water. The material itself will not burn or anything. It is not noxious.

Mr. Miller asks do you keep anything that goes from grandular to solution and is told fungicides. Mr. Miller asks how long would your trucks be agitating this material and is told it is not required to be agitated. It is all soluble. Mr. Miller asks any onsite mixing in the trucks and is told no.

Mr. Cross asks in as much as your business is seasonal what do you do with the trucks in winter and is told they are parked in the winter. Mr. Cross asks other then selling firewood do you have any other intentions of doing any retail and is told absolutely not.

Mr. Miller asks what and where do you get the wood and is told it is trucked from the southern tier or the Adirondecks.

Mr. Rakus asks how many employees do you have at the height of the season and is told now, we have 3 full time, myself, my wife and one more man. At peak season we would employ another full time in the office and another parttime. Then maybe 3 or 4 more service people for a total of 7 or 8.

Mr. Faso asks what type of vehicles do you deliver the wood with and is told we have a truck.

Questions from the audience:

Mr. Wehner of 102 Stover Road. How long is this piece of property. My concern is how the property is going to be taken up with this wood and trucks. I don't want to see a mess in the area.

Mr. Faso asks do you feel the driveway is adequate and how close are the tanks going to be to the front of the building and is told the driveway to the west is adequate but not for delivery trucks. I don't know exactly where the tanks will be inside the building yet. Mr. Faso asks would you object if we recommended a barrier and is told no.

No one spoke in favor or in opposition.

DECISION: Denied for the following conditions:

1. The conditions you described in your letter dated October 11, 1984 and discussed at the public hearing on the operation of your business are better suited to a light industrial zone. The Board feels that your intended use of this parcel is categorized as warehousing and distribution. This is not a permitted use in a GB zone.
2. The Board also feels that there is always a hazard to the public where the storage of chemicals is involved.
3. The planned use is not considered compatible with the surrounding area.

3&4 Application of Colombini Development Corp., 3193 Chili Avenue, Rochester, New York 14624 for preliminary subdivision approval of one lot to be 4.70 acres at property located at 3193, 3197 and a portion of 3205 Chili Avenue in GB and R-1-15 zone.

Application of Colombini Development Corp., 3193 Chili Avenue, Rochester, New York 14624 for rezoning of 4.70 acres from R-1-15 (residential) to GB (General Business) at property located at 3193, 3197 and a portion of 3205 Chili Avenue.

Mr. Colombini is present and states I'm the owner and operator of the bakery. I'm asking for a conventional 1 lot subdivision. It is my intention to purchase the land and the house located at 3197, so I will own the entire house. At the present time the house is vacant and I intend to purchase it and keep the property vacant. The purpose is to erect a new and larger building for my business. I'll then have the present building demolished. We have lot line going through the house. The reason for that is Mr. Pascarella wants to lease 20' around.

Mr. Nowicki asks are you asking for that line to meander to the west around the house and is told we want to draw an agreement where I get title to the house when the house is demolished, Mr. Pascarella gets the land back.

Mr. Connolly asks are you putting a lot line around the house that will be a separate deed for you to own the land?

12/11/84

Mr. Nowicki asks are you looking for a 2 year time period where this house would sit there and is told yes. Mr. Nowicki asks do you own the parcel of land in the background. What effect on the site plan for the restaurant will this have and is told by Mr. Connolly the restaurant will become an illegal subdivision. He will be giving him more because he is going to use where the house is for parking. Mr. Colombini states he is gaining 15', that is why he is asking me for that.

Mr. Faso states assuming that we approve the subdivision, how soon would you be back with a site plan and is told my intentions are to start this in the spring. I would be in by the end of August.

Mr. Bleier asks where is the proposed building to go and is told as far to the eastern boundary as possible.

Mr. Deans asks in terms of legality, don't the plans have to show the lot line going around that. Mr. Miller states he would be creating an illegal subdivision. Revise the map to show the property line going around the building. Mr. Connolly states he will have to have a resub. Mr. Miller states I think it is better to have him revise the map showing the entire structure so there is no future mistakes. Revise the maps presently before us to include the southern side of the house. By contract you can agree to give it back to him.

Mr. Miller states supposing this subdivision you are requesting is granted when do you project your building will be erected and is told by July of '85. Mr. Miller asks what is your sequence of events here and is told build the new building and then demolish the house.

Howard Chalpt of Chili Carpets. I think it is a wonderful thought. I'm in favor.

No one spoke in opposition.

DECISION: Approved by a vote of unanimous with the following conditions:

1. The property line be altered west around the perimeter of the vacant house at 3205 Chili Avenue so that the entire house will be one parcel.

Please note that final subdivision approval has been waived and the original drawing must be filed in the Monroe County Clerks Office after obtaining the necessary Town of Chili signatures.

Approved by a vote of unanimous to recommend to the Town Board, rezoning of the above captioned properties. The Town Board will be notified of our decision by copies of this letter.

Resolution is offered by Mr. Faso on the procedure for approval of Town-home lots for Pumpkin Hill Townhouses. See copy attached. Resolution seconded by Mr. Nowicki and approved by a vote of all-aye.