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MINUTES
PLANNING BOARD, TOWN OF CHILLI, N.Y.
January 10, 1967

Present: Mr. Winsor Ireland, Chairman
Mr. Frederick Bean
Mr. Selden Crow
Mr. Ernest Keasling
Mr. Jowell S. Titus
Mr. Mitchell Rakus
Mr. John Coyle

Also Present: Mr. Dungan, Town Engineer
Mr. Miller, Deputy Town Attorney
Mr. Burchill, Director of Public Works.

The hearing was called to order at 8:10 P.M. by Mr. Ireland, Chairman

1. Application of Robert Kelleher, 21 Fair Oaks Drive, East Rochester, N.Y. for approval of re-layout of Section 2, Pincknoll Sub Division, consisting of 3 lots located on North Side of Chestnut Ridge Road, north of Section 1, Pincknoll Subdivision.

Mr. Kelleher appeared and passed out maps of the subdivision to the Board. Mr. Robert Schoenberger, Engineer from Scar Brown Associates, representing Mr. Kelleher advised they were presenting this final plan for Pincknoll Section 2 again because of development of property to east, Knollwood, which he believed was to have an unadvertised hearing later in the evening. They had presented Knollwood in an unadvertised hearing as a cul de sac street off Fenton Road. The Planning Board requested meeting it to Pincknoll, which was already approved. That is why they were merely bringing in changed sepia to show how will appear if approved. Was in process of filing before. They are now presenting this again tonight. Basic change is street which comes in beside lot 45 which will connect on to Knollwood to east. Also in doing this lost a lot and made it up on other side by inserting another lot. This is D zoning and all lots are properly sized. Have allowed 10' extra between property line and right of way, giving 20' by the old lot 13, minimum of 10' from property line. Basic layout outside of these changes remains same. He explained change in lots on one side of the street. The map was studied by the Board. The map of the suggested plan for Knollwood subdivision were presented so both could be studied together, and the connecting street explained to the Board.

Mr. Ireland asked if there were any questions from any one present at the hearing. He first read a statement setting forth the policy of the Planning Board as follows:

"It is the policy of the Planning Board to consider land subdivision as part of a plan for the orderly, efficient and economical development of The Town and in a manner that is reasonable and in the best interest of the community. The Planning Board will be guided in its consideration of an application for the subdivision of land by the Town Master Plan. Streets shall be of such width, grade and location as to accommodate prospective traffic and to facilitate fire protection. Streets shall form a convenient system conforming to the Town Master Plan Map."

"Street systems shall be designed with due regard to the needs for: convenient traffic access and circulation; access for fire fighting, snow removal, and street maintenance equipment. Streets in contiguous subdivisions shall be coordinated so as to compose a convenient system."

"Where a subdivision adjoins undeveloped land its streets shall be laid out so as to provide suitable future street connections with the adjoining land when the latter shall be subdivided."

Mr. Ireland commented that he hoped this will give everyone a general idea of what the Planning Board is trying to do. He requested each as they rose to speak to give his or her name and address to the secretary.

Mr. Jim Law, 32 White Birch Circle said they would like to see a map. Maps were placed on bulletin boards to be studied by those present at the hearing. Mr. Law noticed on end of Pineknoll Drive going to be cul de sac down there and questioned is that eventually going to be connected with tract going to west? Mr. Ireland advised that is temporary cul de sac. Would assume that someday it will be extended one way or other. It is not a permanent cul de sac. Mr. Law advised he would like to go on record as objecting to entrance to Pineknoll from Knollwood tract.

Mr. Stan Sliwka, 9 Pineknoll Drive first wished to mention there is before the board a petition carrying the majority of residents in Pineknoll tract. That petition was handed to Mr. Ireland and he presumes the balance of the Board is aware of that. Most of people here tonight representative of Pineknoll tract and signatories of that petition. He would like to state some of the reasons objecting to connection from Knollwood into Pineknoll tract. Basically their objections are matter of safety and nuisance. They have safety problem in existence already from the standpoint, first of all perhaps, has only been in residence since April, this safety factor has noticed since that time growing rapidly. Safety factor particularly during summer, visitors and what have you are entering tract. Traffic increase over and above normal flow of residents, more specifically being subjected to some pretty fast driving on part of outsiders, motor cycles driving throughout whole tract constitute safety and nuisance hazard. By connecting these two tracts are going to add to that problem by adding on number of people in Knollwood tract and in extension plus fact can see good deal of traffic from Fenton down through tract and hence to their tract. Concurrent with safety factor points out fact at end of Pineknoll Drive school bus stop where children congregate. Is across from St. Pius Church which draws a lot of traffic, can see it come from Fenton through tract toward Coldwater Road. Florence Brasser School, can see children going to that school through their tract. Also have additional traffic having one plus having the children congregate at end of street, increase of traffic due to attendance at church, they have nuisance factor of it. Personally himself, during summer, had to on several occasions come down off his lot onto street and flag down cars racing through. This is going to increase of its own if make that connection or if it is approved. He foresees the whole area being a hide and seek playground for hot rodders. Think just before Pixley, drag strip there already, feels this is safety factor and it is going to grow. One more thing might point out, as far as safety factor is concerned, their children move pretty freely throughout the tract. They are a compatible group, children move freely back and forth, very well to say watch children, but must admit this is not 100% possible, with these cars barrelling through there it is a definite safety hazard. One more thing, a good many of them moved into this tract under impression were moving into an area of some privacy that was predominant in their thinking as far as buying into area. They see this being destroyed. One other point might be consideration of town personnel, Planning Board and Town officers, we have here one of most beautiful tracts in Town and hope there will be more of them. This could discourage builders coming into area if they are going to be faced with possibility of opening tracts where will not be able to extend to possible buyers privacy and quietness. Could discourage buyers.

He questioned was his understanding correct that original plan offered by Mr. Kelleher for cul de sac in Knollwood was turned down on basis of being maintenance problem on standpoint of town? Mr. Ireland advised partly the reason. Mr. Sliwka said that leads to another question, asked why the cul de sac, in opinion of town, presents problem of maintenance.

Mr. Churchill advised one of reasons is snow removal. For a large snow fall this presents somewhat of a problem, have to send loader in on cul de

State of New York

COUNTY OF MONROE,

CITY OF ROCHESTER.

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Legal Notice
TOWN OF CHILI--PLANNING BOARD
 NOTICE IS HEREBY GIVEN that there will be a public hearing of the Planning Board of the Town of Chili to be held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624 on January 10, 1967 at 8:00 P.M. to consider the following application:

1. Application of Robert Kelleher, 21 Falroaks Drive, East Rochester, N.Y. for approval of relay out of Section 2, Pineknoll Sub Division, consisting of 8 lots located on North Side of Chestnut Ridge Road, north of Section 1, Pineknoll Sub Division.

All interested parties are requested to be present. By order of the Chairman of the Planning Board of the Town of Chili.

WINSOR D. IRELAND
 Chairman

Z-11-January 6.

Eleanor E. Williams

..... being duly sworn, deposes and say that she is principal clerk in the office of THE TIMES-UNION a daily newspaper published in the City of Rochester, County and State aforesaid, and that a notice of which the annexed is a printed copy, was published in the said paper on the following dates:

January 6, 1967

Eleanor E. Williams
.....

6th

Sworn before me this.....

day of January..... 1967

Nancy B. Fromm
.....

NANCY B. FROMM Notary Public
NOTARY PUBLIC, STATE OF N. Y., Monroe County
My Commission Expires March 30, 1968

sac, cannot plow snow around circle. Other thing is sometimes town trucks cut across, plow dirt up with their wheels and consequently car traffic does so. Town is responsible to maintain the lawn, seed area, etc. Primary reason cul de sac was turned down on Knollwood was because of the access angle, the lands to the north for one thing. He thought there was 27 acres to the north of existing subdivision that we should have access to. When talk about temporary cul de sac at end of Pineknoll, now thinks this is only way out of there at present time. Mr. Sliwka questioned was he correct in his assumption, as far as land over and above to north there is no access to it other than through Knollwood or Pine Knoll? Mr. Burchill advised at present time. Mr. Ireland advised no other access. Mr. Burchill said he believed Pencewood Development owns all the acreage. Mr. Kelleher advised they own about 12 acres back there roughly. Mr. Ireland advised it is not as much as 27 acres. Mr. Burchill said there was about 27 acres involved that is landlocked, did not know who owns all of it.

Mr. Sliwka questioned what were possibilities of that acreage being developed north of present tract and proposed tract, he understood it was quite low. Perhaps his understanding is incorrect, but has been given to understand such low elevation practically impossible to develop. Mr. Burchill advised it is low land, but thought Mr. Kelleher could answer that best, he purchased it October 6, 1966. Mr. Keller advised when ^{surface} drainage problem is settled, then could be developed, until then, not much chance. Mr. Sliwka questioned that surface drainage, in his present opinion, is it a problem he felt could be solved? Mr. Kelleher advised he felt the Town eventually will solve some of its problems in drainage.

Mr. Sliwka went on now as far as the reason that Mr. Burchill brought up about snow plowing, they have done some investigation on that to determine if possible, just how much of a problem a cul de sac does present with respect to snow plowing. Contacted a gentleman in Pittsford for one. In his present estimation sees no problem whatsoever. Questioned was it a 40' radius, he believed it was.

Mr. Clarence Young, 24 Pineknoll advised he took liberty to contact some people in Pittsford, Penfield. Thinks that is area to aspire their area to come up to. Came into Pineknoll, liked Chili, liked it over here and when Mr. Kelleher put improvement in Pineknoll came and liked it. They all have somewhat of loyalty to each other, think people of Pineknoll have been loyal in keeping up their property, can come in and see them working hard in yards trying to help town. Nevertheless checked with Allen McComber. Not unusual for 40' radius on circle, thinks Mr. Keller has projected 60' radius. Certainly all have problems in our work every day. Does not think fathers of town want to subject people to their problem. Think their job and Towns to work together. Loyalty among all of them may carry to Bob Kelleher, he should have a little loyalty to them. Seriously, this is basically our job to work together for Town of Chili. What better example and type of people living in area, thinks they are credit to Town. This is what we like to keep. Talking about over all plan, all of us intelligent enough to realize any plan that funnels traffic into Chestnut Ridge is absurd. Think they are stepping on private property with widening road out, are going to funnel all over Chestnut Ridge Road and have safe road. School buses, children and women that are moving around and feels talking about funnelling all this traffic up Chestnut Ridge ridiculous, have to fight it to stay on road, it is tremendous and you have ruts and craters on side of road, think would be good test for "quiet Ford". He advised how come into angle on Pineknoll drive have to go on left hand side when making turn. You cannot beat it, notch jutting out from piece of property puts you right on road. There has to be, with intelligence of all men, better plan than this. Should search to find it, have to find it, this is not the answer.

Mr. Sliwka advised would like to add something to safety. Pointed out location of Florence Brassler, St. Pius, he would like to point out location

of two other businesses. No. 1, have the Bungalow Supermarket. Some of you gentlemen if you go down Pincknoll Drive will make left hand turn, stones throw on Chestnut Ridge. Draws a lot of traffic. Chi-Paul Shopping center, they draw all that traffic out of area. If additional units added will flow into their area out to all these areas. It is conceivable that even a good number of residents of Fenton Road will funnel through their area. There is one more thing along those lines, the expressway, as they know, Coldwater Road runs parallel with Pincknoll Drive, nearest access to Expressway. For sure every morning and night going to have additional flow of traffic going to and return from work, add to that all people going into Town must come through their area to Coldwater to Expressway. Only other way pretty nearly all way into Town to get on there. Nearest entrance Westside Drive, no one is going into Town when can go through their area. So just to recap factors of safety and nuisance value, they have additional units going in, now draw all from adjacent area, Fenton Road and so forth start plowing through. All this additional traffic going to all these points constitutes safety hazards, children in area, children congregate from school, summer visitors come through and he stated again he flags down cars himself. Some gentlemen will substantiate him on that, have done it themselves. One of neighbor's dog just about hit the other night by someone barreling through. From standpoint of rat race, number of lawns cut up with cars coming through at night and barreling across lawns. They may say this has nothing to do with this. It is happening, going to get additional hazard, perfect for hot rodders, more of problem than ever.

Mr. Robert O'Connor, 26 Pincknoll Drive would like to plead for one more cul de sac. Has been told there is no rule against cul de sacs in Town. Each one considered on its merits. Do think in this case, cutting into existing development, not like new development where nobody has bought any homes. Cuts right next to him, is 20' away, which he was assured would not happen. Said if every developed would go straight, said probably not developed because of drainage problem. In connection, two sections of 19 houses and 44 houses, actually tied two major roads together, Westside Drive and Chestnut Ridge Road. Felt in this instance they could O.K. cul de sac.

Mr. Jim Tuohy, 41 White Birch Circle understands there is an objection to cul de sac coming into new Knollwood Subdivision and basic reason for this is street maintenance. Down at end of Pincknoll have circle on cul de sac there. This is not clear to him whether temporary or permanent. If this is permissible if you can clear snow around that, why impossible to come in off Fenton and clear snow there? Mr. Ireland advised not impossible, it is difficult. Mr. Tuohy questioned any more difficult at end of Pincknoll than road off Fenton? Mr. Ireland advised essentially at Pincknoll temporary, which indicates some day eliminated by extending street. Mr. Tuohy questioned started building there now, presumably will complete that circle, this will be end of it? Mr. Ireland advised there was no indication at time, still temporary cul de sac, open land because land up there some day we feel will be developed. Mr. Tuohy questioned until such time will still have problem and feel will be able to handle it at end of Pincknoll? Mr. Ireland advised Town has others that are being plowed, but it is difficult. Mr. Tuohy questioned, based on merits people have raised he would like to raise, if going to do it at Pincknoll, is there that much difference to do it end of Knollwood? Mr. Ireland advised the cul de sac in Knollwood would be permanent, never be any hope of getting rid of that at any time because lots around it. At end of Pincknoll temporary one and possibility of eliminating it at some time. Have other permanent ones in Town like Yolanda and Tarrytown, cut off by Expressway, no hope of extending those. Those are permanent and will be always, but Board feel would like to eliminate permanent cul de sacs wherever can. Admit there are places where have to have them. Mr. Tuohy asked no permanent guarantee at this time this will be open cul de sac? Mr. Ireland advised since it is temporary cul de sac, this would indicate at sometime would be extended.

Mr. Raymond Trabucco, 22 Pineknoll Drive said he had many things he wanted to say when he came here, all have been said. Was wondering one thing, would there be any possibility of sidewalks in their area if this road was to go through. Does not know who is responsible, merely concerned with safety factor, they have youngsters. Does not know who is, present builder or Town, but would like to go on record mentioning possibility if this cul de sac does not go through, the possibility of sidewalks as safety factor. Mr. Ireland advised some Towns require sidewalks in subdivisions, some not. Some in some subdivisions here think might be necessary. If required in subdivisions, builder builds them when building subdivision. If it is built only way to get sidewalks in there is for tract to form sidewalk district like water, sewer or lighting district and district would consist of 44 lots in Pineknoll and sidewalks would be paid for by bond issue which would be extended over period of 10, 20, or 30 years. Each one would pay equal share every year on tax bill. This is only way could get sidewalks, unless Mr. Kelleher wants to go in and build them. Mr. Trabucco said perhaps Mr. Kelleher would like to do that, they all thought going up there, place pretty private.

Mr. Clarence Young, 24 Pineknoll advised one more thing overlooked, very important, during winter months, most houses have been built with residential area in mind in Pineknoll, the houses on elevated plateau, all laid well up. Monday A.M. when came out of his garage he started out of garage and lost complete control and slid right onto road, what would happen with fast moving traffic? He would say 80 to 85% of those homes on hill coming down into Pineknoll. This happened last year, this is why put lugs on car. If he were on Chili what would happen?

Mr. Sliwka advised situation does exist in there, they are on hills, cars do slide down, he himself has trouble, lots with high incline and during summer kids go down on their bikes, situation does exist, not going to contain it by adding greater flow of traffic, hot rod factor part of safety factor which is danger, very definitely in their area.

Mr. Leahy, 20 White Birch Circle questioned how many houses propose or can fit in this area north of Knollwood. Mr. Kelleher said he had no idea, would say somewhere between 50 and 20. Mr. Leahy said with new addition on Pineknoll would bring their tract to 50 houses. If cul de sac on end of Knollwood could be run north into proposed area, seems to him this would equal the traffic flow, does not know two or three years from now, one thing, next year going to be developed, even more of need of evening off flow, 52 now with Pineknoll and White Birch plus another 20 or 30 in north factor. Seems logical way of thinking keep traffic flow even, this would be thing to bring north traffic into Penton Road instead of into Chestnut Ridge. A great deal of this seems to boil down to snow removal. Thinks they have done a great job. But he would rather take less snow plowing than lose one child in that tract. Maybe that is an emotional feeling, not realistic. If the traffic, speed and volume is going to increase on Pineknoll where it would jeopardize even one child it does not make sense. If trucks had to back three or four times, he would agree to that, if people on White Birch lose 6' to 20' of lawn which had to be replaced, even with that would like to see little extra work than to take chance on losing a child in that tract or maiming or injuring one.

Mr. Schwendy, 25 Pineknoll would like to go on record as being opposed to a connection of Pineknoll Drive and Knollwood to Penton Road. Would ask if possible to reconsider original decision when opposing original for cul de sac. Would help if can be done. Would like to request original with cul de sac in Knollwood and possibility of coming north to gain access to Knollwood, this as opposed to coming off Pineknoll Drive because it will equalize flow of traffic by half out of Pineknoll and half out Knollwood to Penton Road.

Mr. Voellinger, 27 Pineknoll Drive said he would just like to go on record

as stating not any of them are against developing of Knollwood as a subdivision, basically their objection is Fenton Road through Knollwood to Pincknoll. His objection is safety. He too bought in Pincknoll for the fact, secluded, private, safe area up to this point. Feels this is intrusion into safety of their tract.

Mr. Young questioned about cul de sac in Knollwood, has been mentioned running 60' of road north of this cul de sac toward north? Mr. Ireland advised this would be other possibility for eliminating cul de sac there either coming out into their street or going north and leaving a stop street into vacant land to north so could go out there. These are two possibilities, have butt street in there without cul de sac. Is that possibility. Mr. Young questioned what about possible owners that would be adjoined to this cul de sac, what could they look forward to in years to come if road becomes a reality? Mr. Ireland advised if this possibility was taken, there would probably be a temporary cul de sac with street opening left to north which would not be built at time and cul de sac would exist on temporary easement on front of lots. When taken to north these people would reoccupy that portion of their lot which was being used as temporary culdesacs. Mr. Young questioned would it be gravel or fill? Mr. Ireland advised gravel base and crushed stone in pavement. Mr. Young questioned what would be access to these homes, one road not useable facing people living around cul de sac? Mr. Ireland advised they would have enough frontage on final road to have driveway. Mr. Young asked if he was telling him similar to corner in White Birch where lots taper to front and width enough in front of their property to drive on to Town Road? Mr. Ireland advised at least enough frontage for driveway onto final road after cul de sac eliminated. Mr. Young said at least they might have temporary parking space in front of their house. Mr. Ireland advised after reoccupy could do whatever they want, because this easement would be temporary until such time as road went through. Mr. Sliwka questioned concerning last point brought up in Knollwood, is there any reason why a cul de sac could not be put in with road running north out of it and should that road ever be opened up, situation as originally put in maintained, that way not being any revision of cul de sac, responsibility given up by Town and that turned over to people living around it? Perhaps he did not understand it correctly. Must the cul de sac be temporary, must it be turned over to people living around it? Mr. Ireland advised idea eventually to get rid of it. If wanted to keep it there, leave dead end. Want to eventually get rid by street going out to north for reason they are problem to plow and maintain.

Mr. Sliwka asked if he could take this stand, since they stated reasons to board and since are exploring possibility of way out, he trusts there is some solution other than cutting through. By exploring that possibility, the question he made about cul de sac for road going north, thinks perhaps might be accomplishing what board is looking for, access to lands being developed north. With cul de sac you people have experienced your problems where land might be opened up, we in turn have our concern for safety, etc. being maintained. So, in other words, seems to him problem is in joint solutions. Is possible solution cul de sac to road going north which would satisfy Town and certainly satisfy them. Asked if could explore and see, could Board in view of their arguments, make exception of maintaining this one cul de sac in Knollwood. In others words, road going north out of it, giving access to north. It is that cut out road from Knollwood into their area which they are petitioning and are against. In other words would achieve their purpose, only thing remaining, maintaining that cul de sac in Knollwood area. Possibly the Board can see towards maintaining it, making an exception in view of their arguments, particularly so in view of fact from their investigation no objection to maintaining 40' radius cul de sacs and he thinks Mr. Kelleher has this on 60' radius.

Mr. Schoenberger, Mr. Kelleher's engineer advised they have explained this land up to north not type of land that is going to be developed next year. He cannot do it himself because has major drainage problem. Concerns most other owners beside himself along north property line. Is steep embankment which does not lend itself to extending street to north from Knollwood subdivision. Has pictures to show it which do not want for this meeting, could go on for many minutes concerning this, but a street to north from Knollwood, will have some major difficulties with that solution also. Mr. Sliwka said he would say problem right now with them. 51, 52 homes would be extension northward in five or ten years? Mr. Schoenberger advised he would say if Town would say going to spend a lot of money and solve major drainage problems, would have developable land when done, but these are major questions before Town Board, would not seem within next year this would be developed. Mr. Kelleher explained how the property drops off behind Knollwood street 10, 15, 20' to Style Rite Homes. He and engineers feel not feasible. As developers felt could not go along with that solution.

Mr. Burchill questioned he spoke of this 10 or 12 acres to north undeveloped because of drainage, but he purchased it, was wondering if did so for possibility of a pumping station? Mr. Schoenberger advised if put storm sewers down 7' below street cannot find outlet for these storm sewers. Can pump sanitary sewers without any difficulty. Mr. Burchill questioned what is solution. Mr. Schoenberger said would be to take any existing drainage ditches and deepen them. Dealing with this is not something Mr. Kelleher can do by himself, requires some plan and money by the Town. Mr. Dungan said and lot of heart on part of State of New York. Mr. Young said he did not think any doubt in his mind with coming of industry, particularly with Kodak, heard figures of 8,000. last 20,000, does not think going to be problem of whether can get water out of here, will be how much can get for this property. Believes this thing good investment. Mr. Schoenberger said there is lot of land without this problem that would be developed first.

Mr. O'Connor questioned about how many times a year does plow have trouble? Saw plow in there the other day. Mr. Burchill questioned did he not sand street? Had plow to get some drifts, minimum amount of snow. Depends upon your snow fall, can run from two to twenty times. Mr. O'Connor said if five inches, but are asking them to put up with a menace. Thought they had a major objection. Mr. Burchill advised the Board decides. Mr. O'Connor said Town Board does not care if they have cul de sacs. Planning Board advised depends upon Director of Public Works. Mr. Burchill said it depends upon situation. Mr. O'Connor said they have situation here. Mr. Burchill advised at previous Planning Board meeting when this was discussed, situation did not exist, you people came in here tonight to express your opinion. Mr. O'Connor said go on record Department of Public Works does not object to cul de sac. Situation now, all right with Town and Planning Boards which has power to approve or disapprove. Mr. Burchill said on behalf of Department of Public Works did not know what they decide, but knows Department of Public Works makes some recommendations. Very possibly on Knollwood may cost Mr. Kelleher couple of lots.

Mr. Miller asked Mr. Sliwka where he felt this additional traffic coming from. Mr. Sliwka said to start if off from Knollwood Road running completely from Knollwood into their area, start drawing from Fenton Road area reason being drawing from them coming through to Chi-Paul Shopping, down to St. Pius and presumes might even be coming to dump their children down at entrance of Pincknoll to wait for school bus. (Was discussion if school bus would not pick them up). Mr. Sliwka continued entrance to expressway on Coldwater parallel to Pincknoll Drive. It is nearest and most readily acceptable entrance to expressway for any one living in that area. Their area, Knollwood and Fenton area, drawing all that traffic off there, only feasible way to get there, to come down through their area. Mr. Miller questioned how they go now. Would it not be more direct route

to follow Fenton and then Chestnut Ridge? Mr. Sliwka said that is open to question (discussion had on how many turns to go through Pincknoll Drive or drive through Fenton on to Chestnut Ridge). Mr. Miller questioned would it not be three turns instead of one. Mr. Sliwka said two turns, Mr. Miller felt three turns. Mr. Sliwka felt hazardous intersection at Fenton and Chestnut Ridge intersection. There is a drop here. Chestnut Ridge jogs into Chili Avenue, that is stop street as it exists now. Thinks it is traffic problem and all you have to do is add to it by way of volume and have something there. There is Bungalow Super Market with their parking lot, congestion of traffic right there. Would say a lot of people coming off Fenton would just as soon barrel through their tract. Mr. Miller questioned even if had three turns? Mr. Sliwka thought a woman would. Mr. Miller questioned is it not true wherever you have new development some service road or adjoining road is going to pick up more traffic? Mr. Young said cross roads. Mr. Miller questioned is it not true when developed 41 homes, cars go down in AM, and evening that persons on Chestnut Ridge never had before and if could cut up through Pincknoll. Mr. Young said but whenever you can avoid it does not make sense not to do a little something to avoid it. Mr. Sliwka questioned just because someone else picked it up in another area does that mean we should not, if can, prevent it and at same time maintain reasonable safety standpoint. Does not follow because picked up in one area that they in turn take it. To be honest have legitimate reason. We are all subject to additional traffic, but where can be prevented and legitimate reason, should be considered and ruled on accordingly. Thinks great hazard to give more road in which to play hide and seek, have those now. Mr. Miller questioned suppose put Knollwood in and go along with cul de sac, would not individual who chose home on Fenton Road have to stand more traffic? He was answered, let's assume for sake of argument, say he accepts your condition, what will they pick up, 19 or 20 units of homes. Numerically he cannot take any stand as to how many more will come through their area, surely more than 20 additional cars. Will not be picking up those 20 in first place, but traffic coming off Fenton Road area. He might point this out, projecting it into future way for Pixley Road area, industrial development going up, it is conceivable with that complex up there developing they will start drawing industrial traffic barreling through on way to Pixley development. It occurs to him in center of two ends that are going to draw traffic, Chili-Paul, school, Church, whatever in that area, north Pixley situation which may in time be as important as Chi-Paul Shopping, etc. and then possibly third point, entrance to Expressway, draw all that traffic. Another possibility be Coldwater and entrance there going west to Buffalo or Town. Nobody will go Fenton Road then Chili, no comparison. It is going to be like a magnet drawing traffic.

Mr. Young said do not think they have objection to routine traffic in area, but it is transient people going to go back and forth. Finds himself taking short cuts. This is type of thing they certainly would not like to see come to pass. Those that come in and barrel through with no concern, this is what they think is going to happen.

Mr. Wm. Young, 89 Fenton Road advised he bought next to this road here. He would like or would rather see cul de sac at end than have through traffic there. Mr. Ireland said he could readily see his point.

Mr. Sutton, 6 White Birch Circle would like to think Pincknoll unique. Think would blemish image of Chili. Asked if had seen the place. They think it is really different, is it necessary to break it up? This is different think, little unique there. Think can be preserved without any exertion on the Board's part. Think it is good for Town. Thinks Kodak executives will be interested in it. Should not break it up, it is one think to see.

A gentleman who had spoken before advised he would like to state again

would like board to consider original proposal of Mr. Kelleher and accept that as plan. It is only cul de sac in whole area, other is still apparently proposed for Pincknoll extension which in future will be joined in with other lots. Would prefer traffic coming in from area developed from north rather than throughway from Fenton Road. Would like to see original property plan before Board approved.

Mr. Ryan, 28 White Birch Circle advised Mr. Kelleher he was one of first that moved into Pincknoll. At time questioned what was going to be developed, what was told was not the land talking about developing now. According to him and his partner Mr. Gifford required pumping station costing \$23,000. This same pumping station going in there or has some one taken care of it? Mr. Ireland advised pumping station not necessary right now, but if land to north toward Expressway developed, there would have to be pumping station for the sanitary sewers. Mr. Kelleher explained if certain land was developed would have to have pumping station, so what he was told remains the same.

Mr. VanArman, 13 Pine Knoll Drive thought safety as far as children going to school, St. Pius School at end of Church, many children that walk there to school, no school bus, which again brings in safety factor as far as increased traffic problem. Would like to go on record as being opposed.

Mr. Young questioned should a road connection be made, would a stop sign be erected for people coming off into Pincknoll Drive? Mr. Ireland said that was a fine point that they have not thought of yet, would probably be necessary, yes.

A gentleman from White Birch Circle questioned how many cul de sacs approved in the last eight months? Mr. Ireland advised off hand could not answer that. Mr. Burchill said 3, 4 or 5. Mr. Ireland advised not a lot. Some of these were undoubtedly ones that could not be eliminated, no possibility of carrying through. Have a number of plans in which we have eliminated cul de sacs where possible to carry them through. Mr. Young questioned mostly in tracts that people do not live in?

Mary Young, 24 Pincknoll Drive advised after looking all over Gates and Chili, picked Pincknoll as their home because it was safe place for grandchildren and children to play, Would certainly dislike seeing anything happen to what was once their beautiful home.

Mr. Wayne Caltrider, 30 White Birch Circle questioned as he understands it, Board have several reasons for objecting, 1 maintenance, 2 easement to the North. Was he correct on both of these. Mr. Ireland advised easement to north is not objection, this was alternate solution. Mr. Caltrider went on, first all agree maintenance is going to be greater, Town right now has one in extension tract, those people on it may not have quite the service as on straight, they are willing to put up with this. As far as access to north, what is wrong with O.K.ing this, this road is headed that way now. He felt this should be considered, should be very important factor and justify this cul de sac.

Mr. Dungan advised one point not brought out, cul de sacs under emergency conditions become hazardous as well as convenient. If you have a fire at end of ambulance emergency, these cluttered with traffic, hard to get these vehicles to one, that should be considered with this. Mr. Ireland advised he covered this in his statement which he read, this is point for emergency vehicles. Mr. Matheson, 7 White Birch Circle observed if it is an emergency factor, Town should not approve any, and they have it on their own tract, on Bright Oaks several of them over there. Mr. Ireland advised not cul de sacs in Bright Oaks, have two turnouts, there is double street going in and out, not a cul de sac. (A drawing of each was put on the board to explain the difference) Mr. Matheson wondered would Town be wrong to approve any if hazardous. Mr. Burchill advised

ones approved roads on cul de sac 300' or 400'. A gentleman advised fire trucks on Pine Knoll twice, no problem, went right in and went right out. Mr. Trabucco, 22 Pineknoll said it boils down to having to consider idea that Town's objection about this being a possible hazard due to emergencies, this is hazard 365 days a year the other way. When considering this, have to take two things, fire once a year or three times, weigh that against idea of safety factor, talk about that all night. Mr. VanArman, 13 Pineknoll Drive said talking about fire truck and what about moving trucks and delivery trucks. Mr. Dungan said he did not say emergency vehicles, it is the traffic that comes with it that creates a hazard.

Mr. Kelleher was questioned can they do anything like in Bright Oaks, can they do anything in Knollwood? Mr. Kelleher advised a lot of confusion with cul de sac in Bright Oaks, thought they were. It was again explained the difference between what in Bright Oaks and a cul de sac. Mr. Burchill advised come in on one and out on another. Mr. Ryan said two separate streets, but only one way traffic. Mr. Ireland advised in emergencies, this is two streets, cul de sac is only one.

Mr. Chas. Young, 3 White Birch Circle questioned when Mr. Kelleher mentioned Knollwood Drive from Renton and has purchased 17 acres back in there, why not temporary cul de sac and eventually come back into Everett? Mr. Ireland advised no place to go to Everett. This is fine example of one could not avoid.

Question was asked before ambulance came into situation, was snow removal that created problem, is snow removal any easier in Bright Oaks cul de sac than one they hope may go through? Mr. Burchill advised just about as difficult on either type of street. On question he advised he was not here when this was put in. Mr. Ireland advised they have only two.

A gentleman observed, seems Board appears not to be favorably disposed to a cul de sac, could they ask Mr. Kelleher whether he will resubmit this plan to the Planning Board. Mr. Kelleher advised he would be glad to. Mr. Caltrider questioned if this plan is resubmitted, what procedure will be taken as far as reconsidering here, will it be made known at next meeting or decision made in few days?

Mr. Schoenberger advised they have original plan here, would like to say one thing about how it would probably end up. They were ready to file this. Would like decision after this meeting either going back to original plan without street, would like lots on this side to remain same with five lots and pick up another lot here (pointed out on map). If approved with through street, then plan stand as shown. Advised he had original plans and there is a preliminary hearing scheduled later on tonight for discussion on Knollwood, but they had to be discussed together in regard to this. Mr. Burchill was questioned did plan engineer had just submitted provide him with necessary maneuverability? Mr. Schoenberger went on they brought out not practical with cul de sac to north. The street would follow drainage swale with eighter side with trees intend to preserve that, so are not going to take trees out, will have help on either side of street, one difficulty going to north land because of embankment in back at other end, maybe 10', quite a problem getting into north. Would say choice of two plans, cul de sac or straight through.

The question to Mr. Burchill was restated, said couple of lots indicate he had maneuverability, does this plan permit this. Mr. Burchill advised it shows 75' radius on cul de sac, it is sufficient.

The hearing was declared closed by Mr. Ireland at 10:00 P.M. Mr. Ireland complimented all for being courteous, gentlemanly and ladylike.

DECISION: The Planning Board unanimously approved the plan of Section 2 of Pinemoll Subdivision pending submission of map showing an additional lot between lot 13 and lot 45 to replace the proposed street, as submitted at public hearing.

Mr. Sundell and Mr. Kwasnick appeared before the Board for an unadvertised hearing with an alternative plan of the first section of West Canan Estates. Mr. Sundell explained first thing, on the original plans, only one permanent cul de sac on it, two temporary cul de sacs. If goes through will be 98 lots and only one permanent cul de sac, two outlets on Westside Drive, one that would be in immediately and one on the other side after do back of the houses already there. He then showed the alternative plan eliminating the one cul de sac. It is physically possible without losing any lots, without causing any serious economic hardship. But, first of all one problem is that immediately create 5 lots on Westside Drive where before had only one facing on Westside Drive. So meet objection to that with County Highway people, they do not like any more fronting on main streets than have to, know they will object to this creates additional traffic hazard and people do not like it. Another problem is general aesthetic problem. Because of shape and location of lots setbacks are such going to have houses being jagged (explained the different frontages), streets will not be particularly attractive. Felt the first plan with the cul de sac would be much more satisfactory, and much more satisfactory than the alternative plan. After discussion it was the general feeling of the board that Mr. Ireland contact Mr. Kwasnick and have him advise Mr. Sundell to go ahead with the alternative design of Section 1 without the cul de sac as submitted.

Mr. Tom Frazer appeared with map of Mitchell Acres Section 1 with the request they change the names of the streets. Had approval of the map in 1966, but have a developer that wishes the names changed. They would also like to change the setback on lot 71 so it conforms to rest of subdivision. The Planning Board unanimously had no objection to the change of names from those originally shown on the map originally approved, if approved by the Post Office. They also approved the 25' setback requested on lot 71 from Empress Drive (old name) in place of 60' setback previously shown. The temporary turnaround at end of Sovereign Drive (old name) must be 75' radius.

Mr. Schoenberger presented preliminary plans for Knollwood subdivision with street straight through. Would like to go ahead whether decide to put the street through or revert back to original plans. He submitted pictures of bank along north property line, drainage swale pointed out, going to put street down low into drainage swale, land on either side higher. If attempted to put street to north would go down steep embankment Do not think it practical to extend street. Would ask approval of either straight street design or go back to preliminary type design. After discussion, Mr. Ireland, Mr. Burchill and Mr. Dungan made a date to go look this land over.

Patricia D. Slack
Secretary.

MINUTES
PLANNING BOARD, TOWN OF CHILI, N. Y.
February 14, 1967

Present: Mr. Winsor Ireland, Chairman
Mr. Frederick Bean
Mr. Selden Crow
Mr. Ernest Keasling
Mr. Lowell S. Titus
Mr. Mitchell Rakus
Mr. John Coyle

Also Present: Mr. Dungan, Town Engineer
Mr. Miller, Deputy Town Attorney
Mr. Burchill, Director of Public Works

The Hearing was called to order at 8:00 P.M. by Mr. Ireland, Chairman

- #1. Application of Paul Peraino, 290 Laurelton Road, for approval of Section 4, Chestnut Ridge Road Extension, consisting of one lot, 98.76' x 170' facing on Chestnut Ridge Road, 376.61' to south line of Paul Road.

Maps were presented to the Board for study. Mr. Peraino appeared to answer any questions by the Board. Mr. Ireland advised the reason only one lot is, it is an addition to the existing subdivision. Mr. Peraino wants to build a house on this to live in himself. Mr. Miller questioned what is done about a drainage district on this. Mr. Ireland advised none there, rest of tract developed before drainage districts required. That is something that will have to be decided afterwards. Mr. Ireland explained to Mr. Peraino they were talking about a storm water drainage district, all subdivisions now have to form drainage district for storm water, rest of this was not in a drainage district. Mr. Miller questioned on what side of street this lot is on and was told the west side, it is part of Chestnut Ridge that goes from Paul Road down to Chili, there is a jog in Chestnut Ridge Road. Mr. Keasling questioned if it was in sewer district. Mr. Ireland advised in sewer district, but no street bed there so have to have leech bed. Advised there is only four houses on west side of Paul Road.

No one else at the hearing appeared for or against this application. Mr. Ostrye, 1035 Paul Road questioned if sewers were likely to go in that area pretty soon. Mr. Ireland advised the Sewer Agency could answer that better than he, in his opinion they would not.

DECISION: Application unanimously granted with the stipulation this lot shall become a part of any future drainage district that shall be created by the Town of Chili for the adjoining property and will be subject to all assessments and costs, if any, of such drainage district. If a transfer is necessary before this lot is built upon, it would be appreciated if the above covenant is incorporated in the deed.

WEST CANON ESTATES. Mr. Kwasnik of Sear, Brown Associates, Inc. and Mr. Sundell appeared with new plans for West Canan estates. Mr. Kwasnik advised this is the lay out they revised which will conform to what Board indicated will be more preferable for Section No. 1 of West Canon estates consisting of eighteen lots. All lots conform to zoning, which is D residential, in fact quite a bit larger, more E or better. Also have sanitary sewers, water, etc. Mr. Kwasnick presented an overall map of the subdivision which he explained to the Board. Mr. Dungan questioned if Spicewood Lane extended to the west, was told yes, and shown it on the overall map.

State of New York

COUNTY OF MONROE,

CITY OF ROCHESTER.

ss.

Legal Notice
TOWN OF CHILI PLANNING BOARD

NOTICE IS HEREBY GIVEN THAT there will be a public hearing of the Planning Board of the Town of Chili to be held in the Chili Administration Office, 3233 Chili Avenue, Rochester, N.Y. 14624 on February 14, 1967 at 8:00 P.M. to consider the following application: Application of Paul Perrino, 290 Laurelton Road, for approval of Section 4, Chestnut Ridge Road Extension, consisting of one lot, 98.76' x 170' facing on Chestnut Ridge Road, 376.61' to south line of Paul Road.

All interested parties are requested to be present. By order of the Chairman of the Planning Board of the Town of Chili.

WINSOR D. IRELAND
CHAIRMAN
F-4 3/8-T-U.

Eleanor E. Williams

..... being duly sworn, deposes and say that she is principal clerk in the office of THE TIMES-UNION a daily newspaper published in the City of Rochester, County and State aforesaid, and that a notice of which the annexed is a printed copy, was published in the said paper on the following dates:

February 8, 1967

Eleanor E. Williams

Sworn before me this 8th

day of February 1967

Nancy B. Fromm

Notary Public

NANCY B. FROMM

NOTARY PUBLIC, State of N.Y., Monroe County
My Commission Expires March 30, 1968

- DECISION: The Planning Board unanimously approved the first section of West Canon Estates as per maps presented February 14, 1967 with the following stipulations:
1. Formation of drainage district
 2. Letter of credit for improvements
 3. Approval of Monroe County Department of Health
 4. Permanent survey monuments to be set at important corners to be specified by the Planning Board Chairman of the Town of Chili and the Town of Chili Engineer.
 5. Builder of subdivision to be required to plant trees on both sides of streets in the subdivision, at least 5 feet high and 1 inch in diameter, every 90 feet of the subdivision 10 feet back from front property line. Planning Board to designate the kind of tree.
 6. There shall be a temporary barricade at west end of Spicewood Lane.
 7. Temporary "Dead End" sign to be placed 300' east of barricade at end of Spicewood Lane.
 8. "No Outlet" sign to be placed on Spicewood Lane off of Westside Drive.
 9. Future street opening to the south to be paved to the rear lot line of lot 18. If house built on lot 18 before the street to the south is extended, driveway should enter on Spicewood Lane.
 10. Street signs to be in place before Certificates of Occupancy are issued and street signs are to be maintained by the developer until time of dedication of roads.

Mr. Malone of Smith, Hershey, Malone & Norton appeared for an unadvertised hearing on Westside Acres Section 6. Presented maps for study and advised this is a brief preliminary submission of what will be Westside Acres Section 6, extension of first five sections, and first section within Barber property. Plan 44 lots, none of which are in violation of any existing zoning standards for that particular area. This particular lay out will enable section 5 of Westside Acres which has temporary connection road running across and connect Brian Drive, Watchhill Drive, Adrian Drive, at end of section there, extension of this subdivision, will enable dedication of Town standard road to be completed for group in there. Explained how this particular area only will drain by gravity back into section 5, remainder of land will be drained by gravity to lift station located at King Road. Has been preliminarily worked out with Monroe Sewer Agency. They will be petitioning Town Board to create an extension to this sewer district incorporating this entire farm. It is not now within a sewer district. Around lots 97 - 96 to bring in temporary cul de sac arrangement to permit turning radius of school buses and plows. He pointed out on the overall map the trunk lines of the sewer. None of Section 6 is within sewer district, all of Section 5 is. This will be first development on Barber property. The maps were studied by the Board.

Mr. Malone also presented plans for an unadvertised hearing on Sunset Hills Subdivision. The only difference on this plan, Mr. Amego who now owns the land, has 70 lots instead of 66 that had been approved on preliminary basis before. Mr. Dungan questioned what about drainage. Mr. Malone advised still there, question of resolving it with State, Gates and Chili. Explained there had been a conference before between State of New York, Mr. Kent and Mr. Ireland, which resolved State felt the two towns plus any interested developers work out some sort of program. This was prior to Kodak expansion. He has not gone into it any further. His impression, if something worked out, can discharge

February 14, 1967

it to State's drainage system and eventually it gets over to little Black Creek. Mr. Dungan did not see how could approve subdivision until the State is willing to accept discharge. Mr. Malone advised new owner involved is aware of the problem, He does not know how serious this will have to be pressured by private developer until such point as worked out. Assumes because had received preliminary approval before it is probably satisfactory, there are only some minor changes, that do not violate anything. He advised for this subdivision, has to get into lift station to get into sewer agency.

Mr. Ireland read the Board a thank you note from the residents of Pineknoll Drive, signed by Mr. Young, that had been sent to him for the way they were treated at the previous hearing.

Mr. Ireland advised the Board Mr. Dungan, Mr. Burchill and he went down with Mr. Kelleher and his engineer to look at parcel of land north of Knollwood and they, of course, want them to leave opening out here into this property they said too steep a bank. They had all kinds of reasons not to do it. Were afraid if they did not leave an opening out there, would end up with more cul de sacs, so Mr. Kelleher offered to make lay out of this piece down to north to show what could be done. Mr. Ireland presented to the Board the layout they submitted in conjunction with the layout submitted for Knollwood. After study and discussion it was the decision of the Board Mr. Ireland to advise Mr. Kelleher to resubmit plans for Knollwood showing access to property to the north.

Patricia D. Slack
Secretary

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MINUTES
PLANNING BOARD, TOWN OF CHILI, N.Y.
March 14, 1967

Present: Mr. Winsor Ireland, Chairman
Mr. Frederick Bean
Mr. Selden Crow
Mr. Ernest Keasling
Mr. Lowell S. Titus
Mr. Mitchell Rakus
Mr. John Coyle

Also Present: Mr. Dungan, Town Engineer
Mr. Miller, Deputy Town Attorney
Mr. Burchill, Director of Public Works

The Hearing was called to order at 8:10 P.M. by Mr. Ireland, Chairman

#1. Application of Michael DiPiazza, 986 Joseph Avenue, Rochester, N.Y. for approval to rezone from E Residential to B Commercial, Lot R-1, Section 2, Chi-Paul Gardens Subdivision, located in the 3300 block of Chili Avenue, Tax Acct. 1756-015, lot being 204.51' x 98.38' x 200' x 141.07'.

Mr. DiPiazza appeared before the Board. The location of the lot was pointed out on the plat map of the County of Monroe. It is located across the street from Suburban Propane Gas Company. He advised his intent was putting in a few stores, similar to what Wehle has, four small ones, Real Estate Office, building office, that is extent so far. Building will not exceed 50' in depth, stores will be 30' wide. Mr. Ireland advised 100' required on commercial so front would be parking.

Mr. Kleven, 3324 Chili Avenue and Mr. Kuns, 3326 Chili Avenue appeared to look at the map and spoke in opposition. Inquired about traffic with Flame Ex across there, also brought up question of railroad tracks and 50 mile speed limit there. Mr. Burchill question if he had checked with the State of New York. Mr. DiPiazza advised had no chance to check with the State. Mr. Burchill advised State may have some objection of railroad and speed limit. Mr. DiPiazza advised the type of business intended is not likely to cause more traffic. Mr. Kleven advised if lot is rezoned, no factor governing what type of business in there. Questioned if make commercial zone in there, then any type can go in there? Mr. Ireland advised anything that is allowed. The gentleman then questioned why not have insurance, put through under a variance and leave residential? Mr. Ireland advised Mr. DiPiazza had not asked for a variance. Mr. Kuns felt for the protection of himself, Mr. Kleven and any one else, if variance have some protection. Mr. Kleven felt Town made big mistake to let shopping center out here, When he bought out here they said was going to be 125 homes in this area. He can understand why no one would want this lot. If put four stores in there, means traffic, more congestion if make this commercial. Felt the Town has the responsibility to protect the people. Pointed out what commercial has done to Henrietta, asked the Board to consider that and then make decision. If he had asked for variance to put one building, like insurance, he would say O.K. but when talking four stores, a different matter. Mr. DiPiazza pointed out Wehle's, can count the cars going into it, no congestion, has real estate, his own business and insurance business. Mr. Burchill pointed out he did not have the railroad.

Mr. Kuns questioned what has changed in eleven years, to make this a worthless lot? Mr. DiPiazza advised it is not worthless lot, it is not desirable. Mr. Kuns advised same lot, same gas company, he cannot see this lot much different related to railroad track as lot out here,

(pointing to lots on map). Discussion was had on the two lots. Mr. Kleven admitted would not want to live right on top of railroad, but advised in summer he heard them from his home. Mr. Kuns pointed out with a 100' setback that is parking area, that at 11:00 P.M. somebody could blow a horn right under this bedroom window. He could see if where zoned residential and then the railroad put spur line through, or something or little back road change or gas company arose, but these things were all there.

Mr. Thomas Steimer, 57 Shrubbery Lane appeared and asked what would be put behind there. Mr. DiPiazza advised two sides, where drainage not going, something that grows fast and quick, tight growing tree, would leave that up to landscaper.

Mr. Kleven advised he lived second house to lot, no one ever came to his door, never said a word, now come here and say no trucks, would have tile and trucks. He is in tile and marble business. Discussion followed and Mr. DiPiazza advised that business was on Joseph Avenue and would not be brought out here. He advised F.J. Florin wants a store strictly for store front to get franchise for certain type of carpet and does not do over counter contracting. They are four small stores. Mr. Kleven did not like four stores. He understands new Wegman coming across in here (pointing it on map), if continues will have another Henrietta Road.

Mr. Patrick Pietropaoli, Attorney appeared representing Mrs. Ruth Meister who lives opposite 3206 Chili Avenue, she is two houses away from Commercial Shopping Center. It is their feeling if this piece of property were to be rezoned commercial by the Board, they should consider entire strip between this and shopping center. Thinks would work tremendous hardship if done piece by piece. If entire piece were considered and these gentlemen were rezoned as commercial surely could realize would be best. Discussion followed. Mr. Steimer advised he would not want to see commercial along Chili Avenue because would ruin Shrubbery Lane. Mr. Ireland advised would not rezone any of these commercial unless all property owners asked for it and came in for a request to rezone whole strip, but would not rezone any one's unless wanted it. Mr. Kleven advised Mr. Pietropaoli indicated a few people wanted it. Mr. Pietropaoli pointed out assuming this is rezoned commercial here. Mr. Kuns thought instead of people coming in one at a time, perhaps Planning Board should consider entire thing before going ahead. Mr. Pietropaoli advised would like to see Mr. DiPiazza put his stores in, they are down here, but if come down this way be in position of these gentlemen here. Mr. Kleven advised could if it is inevitable, are all going commercial down here, and he might go commercial himself, but if you get commercial on both sides, you have ruined your Town.

Mr. Steimer would like to see Mr. DiPiazza get a chance to do what he wants to do, but would not like to see it in general commercial. Would favor a variance on the property.

No one else appearing in favor of or opposed to this application, the hearing was declared closed at 8:30 P.M.

DECISION: Unanimously reserved pending information from State Department of Public Works.

#2. Application of Robert Kelleher, 21 Fair Oaks Drive, East Rochester, N.Y. for approval of Knollwood Subdivision, consisting of 21 lots, Located off 87 Fenton Road, in D zone.

Mr. Kwasnick, Engineer appeared before the Board and presented maps which were studied by the Board.

State of New York

COUNTY OF MONROE,

CITY OF ROCHESTER.

ss.

Legal Notice

TOWN OF CHILL PLANNING BOARD

NOTICE IS HEREBY GIVEN that there will be a public hearing of the Planning Board of the Town of Chill to be held in the Chill Administration Office, 3235 Chili Avenue, Rochester, N.Y. 14624 on March 14, 1967, at 8:00 p.m. to consider the following applications:

1. Application of Michael DiPiazza, 986 Joseph Ave., Rochester, N.Y. for approval to rezone from E Residential to R Commercial, lot R-1, Section 2, Chi-Paul Gardens Subdivision, located in the 3100 block of Chili Avenue, Tax Acct. 1756-015, lot being 204.51' x 98.38' x 200' x 141.07'
2. Application of Robert Kelleher, 21 Fair Oaks Drive, East Rochester, N.Y. for approval of Knollwood Subdivision, consisting of 21 lots, located off 87 Fenton Road, in D zone.

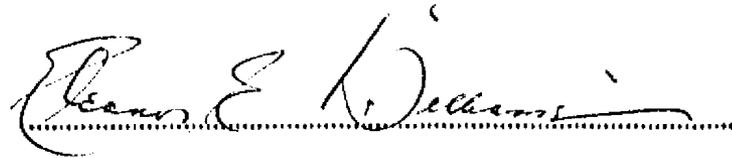
All interested parties are requested to be present. By order of the Chairman of the Planning Board of the Town of Chill.

WINSOR D. IRELAND
Chairman

Eleanor E. Williams

..... being duly sworn, deposes and say that she is principal clerk in the office of THE TIMES-UNION a daily newspaper published in the City of Rochester, County and State aforesaid, and that a notice of which the annexed is a printed copy, was published in the said paper on the following dates:

March 4, 1967



Sworn before me this 4th day of March 1967



NANCY B. FROMM
Notary Public
NOTARY PUBLIC, State of N. Y., Monroe County
My Commission Expires March 30, 1968

Mr. Keasling questioned the rear lots and Mr. Kwasnick explained how some of the more expensive homes seemed to be on these rear lots, that these were premium lots. Mr. Burchill discussed the private driveways to these rear lots with Mr. Kelleher, and that they should have private driveway signs. In deeds will be stipulated for roads they are private roads.

On question of Mr. Ireland if any one at hearing in favor of or opposed to this application, no one appeared.

Hearing was declared closed at 8:50 P.M.

DECISION: RESERVED.

Unadvertised Hearings:

Mr. Kaddis, Mr. Landry, Dr. VanGrafland appeared before the Board. They were interested in a piece of property over in the general location of Scottsville Road and Old Beahan Road to build a small industrial plant. Small sketch of property presented to Board. Same business as Morgood Tools, it is in back of Rotary Station on Scottsville Road, in back of Matthews property. It is now vacant land. Picture of plant in Tennessee shown to Board. Have two small plants in Rochester area which want to consolidate into one building. The property is now commercial and they wish to have it rezoned industrial. They wish to sell Hudson Avenue plant and one on Jefferson Road and come here. Discussion followed and Mr. Ireland suggested they make application for rezoning for next month's meeting.

Mr. Leland, Engineer, appeared with maps of Springbrook Subdivision Section B (Charles Glidden subdivision). Pointed out existing trunk sewer that is in. Thought rather than just deadend would have a loop instead of cul de sac. Advised storm water all has to go into ditch. Will be nothing open along back lots. The suggested layout was discussed between Mr. Leland and the Board.

Sgt. Redmond appeared with a plot plan for a four unit apartment house he would like to build on Paul Road near Archer Road, on south side where riding stables used to be, about 5 lots east of Archer on south side of street. Would have two-2-bedroom and 2-1-bedroom apartments and his family would be living on one of the two bedroom apartments. It will resemble a two-story structure, center entrance, carpeting, disposals, dishwasher, refrigerators and stoves furnished, with brick front and vinyl siding resembling clapboard. Building will be 60' x 25' one building, four units, two up, two down. Will be basement under ground, first floor right at grade level. Has not definitely planned on garages as yet, planned on parking space at present time, would depend on what tenants feelings about it. If justified would put them up, showed two places where could be placed. If did, would be four car garage. He has just one lot there. Four more lots left to corner. He had talked to Sewer Agency and they said could extend the sewer up here all right. At present time ends at center of last house built to the east. Mr. Ireland felt there was some question referring to a drainage district being formed down there. He advised he would check into it. Mr. Dungan discussed the grading.

Patricia D. Slack
Secretary

MINUTES
PLANNING BOARD, TOWN OF CHILI, N.Y.
Special Meeting, March 20, 1967

Present: Mr. Winsor Ireland, Chairman
Mr. Frederick Bean
Mr. Selden Crow
Mr. Ernest Keasling
Mr. Lowell Titus
Mr. Mitchell Rakus
Mr. John Coyle

Also Present: Mr. John Burchill, Director of Public Works
Mr. Daniel Miller, Deputy Town Attorney.

The Meeting was called to order at 7:30 P.M. by the Chairman. Meeting was being held for further consideration of:

Application of Robert Kelleher, 21 Fair Oaks Drive, East Rochester, N. Y. for approval of Knollwood Subdivision, consisting of 21 lots, located off 87 Fenton Road, in D. Zone

which application was heard at public hearing held March 14, 1967.

Mr. Ireland gave a brief resume of the case to the other Board members and exhibited a petition containing 83 names of nearby residents opposed to the proposed subdivision layout.

A discussion followed.

DECISION: Application unanimously disapproved for the following reasons:

1. Does not comply with Zoning Ordinance of the Town of Chili.
2. Is not good planning or in the best interests of the Town.
3. Unsafe because of possible inaccessability for emergency equipment.
4. Approval of the plan with the five lots in the rear of other lots would set a precedent which could be exploited to an extreme in the future.
5. Future maintenance of the private driveways and sanitary sewers and private water mains lying therein could become a problem to the Town Department of Public Works in the future.

The meeting was closed at 9:00 P.M.

Patricia D. Slack
Secretary

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MINUTES
PLANNING BOARD, TOWN OF CHILI, N.Y.
April 11, 1967

Present: Mr. Winsor Ireland, Chairman
Mr. Selgen Crow
Mr. Ernest Keasling
Mr. Lowell Titus
Mr. Mitchell Rakus

Also present: Mr. John Burchill, Director of Public Works
Mr. Daniel L. Miller, Deputy Town Attorney

- #1. Application of Augustus and Barbara Glennon and Chas. Kohlmetz, for approval of an apartment project consisting of seven, 6 unit apartment buildings, on property located at 3610 Union Street, south of Western Expressway, of approx. 4.3078 acres, E zone.

Mr. Kohlmetz appeared before the Board and presented plans to the Board for study. He pointed out where it abuts the Throughway fence, where the bridge is. He advised there would be six units per building, plans showed possibility of what can be done. All he proposed to put up are seven units now. There will be parking for 1-1/2 cars per unit, will be one bedroom and two-bedroom units. Discussion between Mr. Kohlmetz and the Board with regard to the State approval and nearness to the Throughway.

Mr. Ireland questioned if any one present at the hearing interested in this application.

Mr. D'Amico, 25 Creekview Drive objects on this. Project having seven apartments and 42 families on four acres of land, seems to be out of question. Cramping all that in that spot would create parking problem within that area, there will be cleaning problem in that area and hazard getting onto Union Street with Expressway so close.

Mr. DeAngelo, 9 Labrae Drive questioned did he understand 42 family units? Mr. Kohlmetz advised 42 units, 6 units in a building, seven buildings. Mr. DeAngelo questioned on four acres, could he assume that would be equivalent to 42 family units? Was told yes. He inquired how about taxes, take 42 families on four acres, would like to know if the school and county taxes were going to be the same as one family homes. Mr. Kohlmetz advised it runs a little more. Mr. DeAngelo questioned it would put 42 families with children into schools. Mr. Kohlmetz advised would not put 42 families of children into schools, if build two-bedroom apartments, usually one child any way. Mr. DeAngelo advised objected on other grounds. Are mostly people that have moved in last few years to Chili and surrounding towns and have done so to get away from apartments are presenting, exactly what trying to get away from. If permission given here, where is this going to stop? Mr. Kohlmetz felt they are never going to get away from them, certain amount of people who want to live in apartments. Are going to get them not only in Chili but all over. Thousands of people who do not want to take care of yards, the bother of keeping up a house, have a house in Florida in winter, an apartment in summer. Mr. DeAngelo thought that fine for those that want apartments. But a lot of people in this town do not want them. Speaking for himself, he is against apartments in this area.

Mr. Hoppe, 37 Creekview Drive questioned if the zoning would have to be changed for this. Mr. Ireland advised probably. Mr. Hoppe thought there is excellent zoning in Town of Chili, there is land to the north zoned where can be built, felt should build them where zoned to build them.

Mr. Arbor of 46 Red Bud Road questioned whether the applicant owns this property or has it on option. Mr. Kohlmetz advised him the Glennons owned

the property. Mr. Arbor advised his viewpoint, which he would like to bring up for consideration, is he firmly believes at the moment there is no need for an apartment in the Town of Chili because first of all there are available homes for people who want to live here, do not have work force which must be housed and those industries supported by people working there. In other words no need for apartments. Thinks this is one of the things the Board should consider and also how it fits in with the Town. Also believes apartments cause slum housing and agrees with other gentleman, do not want to see apartments in Town of Chili, or multiple dwellings of any kind. If people wish to live in apartments, let them live elsewhere. That summarizes his way of thinking about it.

Mr. Davey, 16 Creekview advised he sympathized with Mr. and Mrs. Glennon in the position they are in with their property, and the State taking it. On other hand, it is his understanding not too long ago there was a motel project for this property and the State would not approve it because of access way onto this property being so adjacent to Thruway. Questioned has this changed because become apartment instead of motel? Mr. Ireland advised the State policy has not changed. Mr. Davey advised you have similar situation, right against Western Expressway, cannot understand why this comes up again, so close to former proposal of motel which was turned down by State. Questioned if have information State would approve? Mr. Ireland advised no. Mr. Kohlmetz advised he was led to believe through Glennon that he has talked to State, they said it is a possibility they would approve it because land is landlocked. Mr. Davey questioned even though would not approve it for a motel? Mr. Kohlmetz advised because ingress, egress would have been bad problem. Mr. Davey advised he objected from standpoint of traffic hazard. He is in sympathy with way they were left with this land, but does not believe apartments should be in this particular spot.

Mr. Pontarelli, 19 Creekview Drive would like to object to proposal, does not think would like to have it back up to his property, which it would.

Mr. Seiler, 17 Creekview Drive objects to it for reasons given here tonight. Has spoken to Mr. Tenhagan of State and he claims State will not approve this being built there. There has been talk of State buying this property. He questioned if this is true? Mr. Kohlmetz advised he did not know and asked Mr. Glennon who owns the property if they had been approached. Mr. Glennon advised no.

No one further appearing in favor of or opposed to this application, the hearing was declared closed by Mr. Ireland.

DECISION: Reserved until matter discussed with the State Department of Public Works.

#2. Application of Eugene Redmond, 182 Goldenrod Lane, Rochester, N.Y. for approval to build a four unit apartment house on lot 5, 631 Paul Road, lot being 90' x 174.39', to occupy 3,000 sq. ft. in E zone.

Mr. Redmond appeared with plans that were presented to the Board for study. He advised it will resemble a large 2-story colonial, apartment same dimensions of large home, will have two-two bedroom apartments and two 1-bedroom apartments, family and himself will occupy one of the two-bedroom apartments. Plans of the house desired to be built and also plot plan showing lot, presented. There will be wall to wall carpeting through out. Mr. Dungan pointed out that it would have to be graded up, go 2% from road up. Discussion followed between the applicant and the Board. Mr. Ireland invited any one present who wished to come forward and look at the plans. Several people appeared to study them, parking area was pointed out.

State of New York

COUNTY OF MONROE,

CITY OF ROCHESTER.

ss.

Legal Notice

NOTICE IS HEREBY GIVEN that there will be a public hearing of the Planning Board of the Town of Chili to be held in the Chili Administration Office, 3235 Chili Avenue, Rochester, N.Y. 14624 on April 11, 1967 at 8:00 p.m. to consider the following applications:

1. Application of Augustus and Barbara Glennon and Ches. Kohlmetz, for approval of an apartment project consisting of seven, 6 unit apartment buildings, on property located at 8610 Union Street, south of Western Expressway, of approx. 4.3078 acres, E zone.

2. Application of Eugene Redmond, 182 Goldenrod Lane, Rochester, N.Y. for approval to build a four unit apartment house on lot 5, 631 Paul Road, lot being 90' x 174.39', to occupy 3,000 sq. ft. in E. zone.

3. Application of Indian Hills Development, 2655 Chili Avenue, for approval of Section II, Lexington Subdivision, consisting of 31 lots, being an extension of Lexington Parkway off 2600 Block Chili Avenue, running into Revere Drive and into Dauntion Drive, E. Zone.

4. Application of Kaddis Realty Corp., 316 Hudson Avenue for approval to rezone from B Commercial to A industrial property in the Town of Chili, Tax Acct. No. 1527-500, being an irregular parcel of vacant land, approx. 3.07 acres with approx. 400' frontage on Weidner Road and approx. 340' frontage on Old Beahan Road and also property in the Town of Chili, part of Acct. No. 1159-500, being that parcel of rear land remaining from a division line of 125' on Old Beahan Road, balance 67' and running parallel to Scottsville Road, located on the Northwest corner of Old Beahan Road and Scottsville Road.

5. Application Eugene Evangelist, 2707 Clover St., Pittsford, N.Y. for approval of Westside Acres Subdivision, Section 6, formerly the Barber Property, south of Section 5, consisting of 50 lots, including extension of Brian Drive, West Canon Drive, and Evergreen Drive, plus two additional streets, EE zone.

All interested parties are requested to be present. By order of the Chairman of the Planning Board of the Town of Chili.

WINSOR D. IRELAND
Chairman

Form No.

BV-11-41-T-U.

Eleanor E. Williams

being duly sworn, deposes and say that she is principal clerk in the office of THE TIMES-UNION a daily newspaper published in the City of Rochester, County and State aforesaid, and that a notice of which the annexed is a printed copy, was published in the said paper on the following dates:

April 1, 1967

Eleanor E. Williams

Sworn before me this 1st

day of April 1967

Nancy B. Fromm

NANCY B. FROMM
Notary Public
NOTARY PUBLIC, State of N. Y., Monroe County
My Commission Expires March 30, 1968

Mr. Ireland questioned if any one in the audience would like to speak on this application.

Mr. Smith of 596 Paul Road objected on grounds of growth, no large industry that needs close by dense housing to support working force. Sufficient building for present use put up under very good conditions on size lots governed by Town, people take pride in home ownership, does not think Town should lend itself to this. In general think should stick to single dwellings unless Town finds some place to have apartments built in general but not spotted in general. Unless very high rental where apartments were able to afford to keep them up, they deteriorate. Lee Gardens Apartments do not look as they did when built, have deteriorated, grass never seems to be cut, junk outside the place, does not want this near his home and is sure others do not.

Mr. Messer, 61 Bright Oaks Drive cannot see where that would be conducive to surroundings adjacent to school and other type homes.

Mr. Manning, 35 Janice Drive objects to apartments in general for reason would overtax now overtaxed sewer district and also school, which now have an enrollment in kindergarten of 700, so to bring in apartment would greatly add to these overtaxed facilities.

Mr. Johnson, 617 Paul Road objected on same grounds rest of people have. A gentleman from Bright Oaks Circle objected on same grounds given. Mr. Shmanski, 15 Janice Drive objected on same grounds about apartments in their area. Seems to him a lot of time spent in Town lying out industrial and commercial areas, do not see why apartments spotted in all over town, seems to him if and when require apartment houses, should be laid out in specific area for that purpose and not just in all over the place.

Mr. DeAngelo, 9 Labrea Drive objected on same grounds as other people. Mr. Zavacki, 22 Janice Drive objected on same grounds, Does not think want, as most of people, spot zoning for apartments. If an area set aside does not think anyone would object. Another gentleman mentioned Lee Gardens, He has a friend who lives there, is getting out fast because it is a dump. Certainly was not that when first built. This is type of people they attract, do not want them in better residential area in Town of Chili.

Mr. Boldt, 59 Red Bud Road objected to any apartments being built in Town of Chili and after Lexington Development operation that came about last year, was surprised Board accepted any more applications. Mr. Ireland advised have to accept any application that comes to them. Mr. Miller advised him they have to accept any application any one makes. Mr. Arbor of 46 Red Bud Road objected on same grounds he voiced on previous application.

Mr. Stapler, 43 Red Bud Road objected to those apartments, nice neighborhood, he lives around corner from this location, likes those single dwellings.

Mr. Arbor made suggestion that planning Board give this serious consideration. If it is declined by Planning Board it will save all these people and more, the trip to the Zoning Board. Mr. Ireland again advised they have to accept any application that is made.

Mr. Ireland as no one further appeared to speak for or against this application, declared the hearing on it closed.

DECISION: Application unanimously denied as multiple family dwellings not allowed in E zone.

- #3. Application of Indian Hills Development, 2655 Chili Avenue, for approval of Section II, Lexington Subdivision, consisting of 31 lots, being an extension of Lexington Parkway off 2600 Block Chili Avenue, running into Revere Drive and into Dauntton Drive, E zone. (correction made should be 36 lots not 31 lots)

Mr. Tom Sear of Sear, Brown Associates, Inc., appeared before the Board with plans which were presented to the Board for Study. Mr. Rash of Indian Hills Development Corp. also appeared. Mr. Sear advised Section II of subdivision consists of 36 lots and the section will involve a southerly extension of Lexington Parkway of subdivision and construction of side street known as Revere Drive which will connect Lexington Parkway and extension of Dauntton Drive and also Knights Trail which is a dead end cul de sac which will be extended to Lexington Parkway. Lots all conform to zoning requirements in width and area. Are a few setback variances, shown on plans, that have been presented to and cleared previously with the Board of Appeals. Have some rear setback variance requests on lots 92, 93 and 94 which is necessitated by the narrowness of piece of land continuation of already developed Knights Trail and the property to East, so had no alternative but to provide lots somewhat shallower than average and so needed this rear setback variance, and a couple of front setbacks on lots 113 and 114 also, but comply in every respect with the area.

Mr. Crow asked if they had eliminated the cul de sac and was told yes, plan is to eliminate and remove paving in cul de sac and continue the street.

Mr. Ireland inquired if any one present interested in this application, or any one in favor or opposed to this application. No one appeared and hearing declared closed.

DECISION: Application unanimously approved with the following stipulations:

1. Two storm sewers to the south carried out about 200' to the next manhole.
2. 10' utility easements down both sides of Lexington Parkway, water lines in one easement, gas lines in the other easement to be provided.
3. Formation of drainage district
4. Letter of credit for improvements
5. Approval of Monroe County Department of Health
6. Permanent survey monuments to be set at important corners to be specified by the Planning Board Chairman of the Town of Chili and the Town of Chili Engineer.
7. Builder of subdivision to be required to plant trees on both sides of streets in the subdivision, at least 5' high and 1" in diameter, every 90 feet of the subdivision, 10' back from front property line. Planning Board to designate the kind of tree.

- #4. Application of Raddis Realty Corp., 316 Hudson Avenue for approval to rezone from Commercial to A Industrial, property in the Town of Chili, Tax Acct. No. 1527-500, being an irregular parcel of vacant land, approx. 3.07 acres with approx. 400' frontage on Weidner Road and approx. 540' frontage on Old Beahan Road and also property in the Town of Chili, part of Account No. 1159-500, being that parcel of rear land remaining from a division line of 125' on Old Beahan Road, balance 67' and running parallel to Scottsville Road, located on the Northwest corner of Old Beahan Road and Scottsville Road.

Mr. Centner, Attorney with offices at 725 Times Square Building, appeared on behalf of applicant. He would first like to make an amendment to application in that the second parcel of land which is included, they have been informed is no longer available; will make application with

reference to first parcel, which is shown on map as part marked X (small tape maps which he had presented to the Board for study). They still wanted to continue for a rezoning of the first parcel of land. He advised this property is now zoned commercial. This application is to have a recommendation to change the zoning of it to industrial. The applicant is the Kaddis Realty Corp., which is a corporation which owns realty but which leases the property to Kaddis Manufacturing Corp., related corporation. Business of Kaddis Manufacturing Corp. which intends to erect plant on this property and conduct its operation there is basically a screw machine manufacturer, a corporation which uses screw machines to manufacture precision parts. He presented a sample part to the board as an example. No smoke, no odor, no noise, refined type of manufacturing of precision parts. He advised sample he presented are some of the smaller parts which are made, but there are other parts. General automatic operations from these machines. This corporation has at present a manufacturing operation on Hudson Avenue which it hopes to eventually abandon by reason of fact plant no longer suits, due to its needs for size. Also has operation in Tennessee. Presented newspaper reproductions to give some idea of type or example of its operations. He also submitted pictures of Tennessee plant to be observed by the Board.

Mr. Centner advised they had already made an application before Zoning Board of Appeals for variance on grounds of hardship for purpose of securing change of setback with reference to this particular piece of property. This piece of property, by reason of certain events which have transpired, the location of airport and also by reason of its peculiar shape, which is almost triangular, is unique, and the Zoning Board of Appeals found fit to change the required setback to that of 40' and 50' on certain side lines so it could accommodate industrial building. Otherwise within setbacks required in ordinance, property would be practically useless, but the Board of Appeals found fit to grant that variance. He then submitted layout of building on property with the variance granted, pointing out the parking facilities, access road for loading and unloading. Advised this is the artist rendering of type of plant which would be constructed. He again observed, this property now zoned commercial they feel would be useless as a commercial piece of property, that no one would use it for a commercial enterprise.

Mr. Willis, a Realtor with Slade & Suter came forward and advised he thought in particular this is an unusual piece of property due to fact basically two dead end roads presently formed. Everything to north owned by airport, to south by power lines, this leaves piece of property isolated by itself so he cannot conceive a commercial type of operation in this setup to any extent because where would your traffic be, the type to draw from, but as industrial parcel would make suitable setup to get use of land itself and give town some needed revenue. Proceed a little further to south, same type operation, Morgood Tool, Gillette and in immediate vicinity Hamco have a parcel and across Scottsville Road, industrial, so this lends itself to an industrial type of business. Mr. Centner asked about immediate neighbors. Mr. Willis advised neighbor adjacent, Mr. Matthews house, moving business, further to the East is a gas station operating as truck terminal, there is on Scottsville Road an individual residence, next to them individual residence that has septic tank business, then on corner Rotary Gas Station. Mr. Centner inquired, is the septic business and house moving business operation from the property? Mr. Willis advised they were. Mr. Centner advised the board they felt under circumstances of uniqueness, the property cannot be used for purposes for which it is zoned. It can be used for purposes for which they propose and if the Planning Board make recommendation that this property be rezoned from its present zoning to industrial, they can proceed with their project.

Mr. Ireland questioned would they have adequate parking without the

additional parcel of land? Mr. Centner advised yes, their purpose was never to use it for parking, he had an additional layout to show extent of parking that can be provided for in area, believed it comes out to 54 cars. In this connection he wished to call their attention to fact this operation is on two or three shift basis so that really the number of employees will be staggered throughout day, the place never really flooded at one time. Mr. Miller inquired what is the maximum work force. Mr. Kaddis advised presently about 100, they would probably have 120. Maximum at any one time 35 per shift. Mr. Miller inquired if that number in the new building. Mr. Kaddis advised at present building 35 to 40 at one time, in proposed building between 50 to 60 at one time, and in answer to Mr. Center have parking for 54. On questions of Mr. Miller he was advised the proposed sq. footage was 35,000. and roughly at a \$355,000. expenditure for this and land. Mr. Miller inquired did they say property now north and south industrial? He was told airport to north and power lines to south. He was shown on map where Morgood Tools, Gillette and Hamco own property. He was also advised properties to eas commercial at this time. Mr. Craw questioned if one building would be the limit and was told yes.

Mr. Ireland inquired if any one present at the hearing wished to ask anything about this proposal. If any one present in favor of or opposed to this application?

Mr. Messer, 61 Bright Oaks Drive advised he was present when they had first application from Morgood Tool and he thought that was good ide to have them locate in area, brings in tax revenue, area apparently cannot be used for anything else. He would like to see this approved.

Mr. Matthews, adjacent neighbor to the property said he would like this approved too.

Mr. Dungan gave one word or caution, have large share of area in impervious surface, should give good consideration to storm drainage in this area.

No one appeared in opposition to the application.

DECISION: The Board unanimously voted to recommend to the Town Board this property be rezoned from B Commercial to A Industrial. It is a unique situation and lends itself to industrial use.

#5. Application of Eugene Evangelist, 2707 Clover Street, Pittsford, N.Y. for approval of Westside Acres Subdivision, Section 6, formerly the Barber Property, south of Section 5, consisting of 50 lots, including extension of Brian Drive, West Canon Drive, and Evergreen Drive, plus two additional streets, EE zone.

Mr. Malone, Engineer for Mr. Evangelist appeared with plans which were presented to the Board for study. He advised only unusual feature is flat topography and existing sanitary sewer going by gravity into existing Section 5. Entire district will have to go into Sewer Agency and they are about to submit petition. Section 6 will drain by gravity, by lift station on King Road, it will be eventually pumped up into trunk sewer into Section 5 drainage system is such existing ditch construction for section 1 through 5 which continues from what would be northeast corner of section 6 continuing on down to King road, all of section 6 will tie into this particular drainage system. Split up into two patterns going through large swale, concrete in bottom and wide slopes (pointed it out on profile map where other section will drain westerly portion. It parallels railroad on north side and goes down culvert on King Road and he pointed out to Mr. Craw where went down under railroad, pointed out culvert which crossed King Road and then were culvert is under railroad. He further discussed the drainage, pointing it out on the overall plan. Pointed out rear lot swales and front and side lot swales and where receiving basins will be and where carried down into ditch. He advised

he had submitted drainage details to Mr. Burchill and Mr. Dungan and if system properly constructed will service the district, if properly installed the Town will not suffer for it. Mr. Malone explained to Mr. Miller the depth of swales and the pitch of the front of the houses to the swales and explained the rear lot swale and the depth and the whole drainage system proposed. He is going to petition to create entire Barber property in one storm district. Mr. Malone advised it is not a conventional system and requested Mr. Dungan discuss it with him.

On question of Mr. Ireland if any one present at the hearing in favor of or opposed to this application, no one appeared.

DECISION: Reserved

Mr. Kwasnick of Sear, Brown Associations, appeared before the Board with new plans for Knollwood Subdivision, which was heard at Public Hearing held March 14, 1967 which he presented to the Board. Mr. Ireland invited any one present who was interested in the plans to come forward and examine the maps. The following appeared, examined the maps and voiced no objections to plans as presented:

- Mr. Caltrider, 30 White Birch Circle
- Mr. Collins, 34 White Birch Circle
- Mr. Law, 32 White Birch Circle
- Mr. Jacobs, 36 White Birch Circle
- Mrs. Donald Heffer, 111 Fenton Road
- Mr. & Mrs. Joseph Gill, 107 Fenton Road

No one further appeared for or against this application.

DECISION: Application unanimously approved with the following stipulations:

1. Formation of drainage district.
2. Letter of credit for improvements
3. Approval of Monroe County Department of Health
4. Permanent survey monuments to be set at important corners to be specified by the Planning Board Chairman of the Town of Chili and the Town of Chili Engineer
5. Builder of subdivision to be required to plant trees on both sides of streets in the subdivision, at least 5' high and 1" in diameter, every 90 feet of the subdivision, 10' back from front property line. Planning Board to designate the kind of tree.
6. Granite curbing around cul de sac mall to be set at a 45 degree angle
7. Easement to be given to the Town of Chili for the northerly spur of Bent-Oak Road, the center line of which would begin at point 4+92.28 c/l of Bent-Oak Road and at an 90° angle thereto running in a northerly direction to the north line of the Knollwood Subdivision. Said easement will be 60' in width and have radius of 300' at its intersection with Bent-Oak Road as shown on a drawing No. 937-10 dated February 1967 made by Sear Brown Associates, Consulting Civil Engineers.

Messrs. Caldwell and Cook appeared for an unadvertised hearing on a proposed apartment and town house project in the Town of Chili on their property on Paul Road and Chili Coldwater Roads. They showed the Board an artist rendering of what they proposed, the town houses creating a buffer zone between the single dwellings into the apartments, showing the proposed layout showing recreational facilities proposed, garages, parking space, location of town houses and apartments, what would be private roads and public roads, what parking facilities would be available, advising this would be an all rental project, nothing individually owned.

Planning Board

April 11, 1967

Pictures of town houses in various parts of the country were shown to give the Board an idea of how they might look.

Mr. Costich appeared for a preliminary discussion of plans he proposed to bring in for an advertised hearing at the next hearing on Dortmund Estates, located off Chili Avenue about opposite of Amanda Drive.

Patricia D. Slack
Secretary

MINUTES
PLANNING BOARD, TOWN OF CHILI, N.Y.
May 9, 1967

Present: Mr. Winsor Ireland, Chairman
Mr. Selden Crow
Mr. Ernest Keasling
Mr. Mitchell Rakus
Mr. Lowell Titus
Mr. John Coyle
Mr. Frederick Bean

Also Present: Mr. John Burchill, Director of Public Works
Mr. Daniel L. Miller, Deputy Town Attorney

#1. Application of Milton P. Fess, Smith Road, Scottsville, N.Y. for approval to rezone property in the Town of Chili, N.Y. located on the north boundary of Chili-Wheatland Boundary Line, consisting of 40 acres, 15 acres on the east side of Union Street and 25 acres on the west side of Union Street, the northwest corner touching the New York State Throughway, being known as lots 4 and 5 Union Street, Tax Account No. 59, from EE Residential to A Industrial.

Mr. Fess appeared before the Board. A sketch of the property was submitted to Mr. Ireland, who advised he understands that the property owned by Mr. Fess adjoining that is in Wheatland is already zoned Industrial. Mr. Fess advised yes, 200 acres. Mr. Ireland inquired if he had any plans for it and was advised he has something in mind, very good man interested in it. Mr. Miller inquired if property adjoining it belonging to Mr. Alexander where golf course is had ever been rezoned and he was advised no. Mr. Fess advised the Town of Wheatland would like to see this property rezoned and he felt it was an opportunity for the Town of Chili.

Mr. Ireland questioned if any one present at the hearing had any questions about this application or who would like to come up and look at the map or any one who would like to speak in favor of or against this application.

Mr. Frank Lambert, 669 Beahan Road advised does not know how many people agree, but does not know if there is any questions to ask about. Point has in mind, he attended public hearing and would like to be able to hear questions asking developers so can be heard on the issue. He does not feel strongly on this piece of property. Mr. Ireland advised him they would be glad to have any questions, unfortunately cannot talk loud in discussion so everybody can hear, even with P.A. system.

Mr. Fess informed those at the hearing his farm is a 250 acre farm, 200 acres in Wheatland which has been rezoned, and 40 acres in Chili which would likewise like rezoned. Throughway interfered with it. Supervisors in Chili and Wheatland urged throughway and were supposed to make throughway opening there, but changed and substituted one near LeRoy. That is story gentlemen of the Board were asking him to define boundary. He then went on to explain just where property located and how it was bisected by the throughway, where it adjoins the Alexander property and is bounded on east by Krenzer farm.

Mr. Dungan advised those at hearing all the board was trying to find out from Mr. Fess was to pin the property on the map so they could find it.

No one further appeared to speak for or against this application. Hearing declared closed on this application.

DECISION: Reserved.

- #2. Application of Charles Costich, 1225 Ridge Road West, Rochester, N.Y. for approval of Dortmund Estates Subdivision, consisting of fourteen lots, being part of Town Lots 9 and 16, 3,000 Acre Tract, Town of Chili, N.Y. entrance off Chili Avenue opposite Amanda Drive, D zone.

Mr. Costich appeared before the board, maps were submitted and a copy of the map posted on the bulletin board for examination of those at the hearing. Mr. Costich explained this is exactly same map presented last month except last month he had not had time to petition for public hearing, no changes except now has Board of Health approval and Sewer Agency approval, otherwise exactly same map seen before. If there are any questions he would be glad to answer them.

Mr. Burchill questioned if he had contacted the State of New York Department of Public Works on the entrance. Mr. Costich advised he had and was told they have to give them the entrance, just one. Mr. Burchill questioned the catch basins and easement under Chili Avenue, pointing out positions on map. Mr. Costich advised he had storm water easement and showed it to Mr. Burchill, easement on Johnson's property. He pointed out on the map where the easement ran over to the culvert on Chili Avenue.

Mr. Costich advised he would like to get the approval and get on the agenda for the Town Board Meeting of May 17th and have a public hearing for the drainage district on the 7th of June.

Mr. Ireland questioned if any one present at the hearing had any questions or if any one opposed to or in favor of this application. No one appeared.

Mr. Dungan advised Mr. Costich he would like a profile and grade scheme showing the grades. He is interested in the grades on the houses and he advised Mr. Costich what the grades should be.

The hearing on this application was declared closed.

DECISION: Application unanimously approved subject to the following stipulations:

1. Formation of drainage district
2. Letter of credit for improvements
3. Approval of Monroe County Department of Health
4. Permanent survey monuments to be set at important corners to be specified by the Planning Board Chairman of the Town of Chili and the Town of Chili Engineer.
5. Builder of subdivision to be required to plant trees on both sides of streets in the subdivision, at least 5' high and 1" in diameter, every 90 feet of the subdivision, 10' back from front property line. Planning Board to designate the kind of tree.
6. Lot and Block Grading plan to be furnished to Mr. Dungan, Town Engineer before storm drainage hearing.
7. Show radius on snow plow turnaround which is to be constructed to Chili Road Specifications.
8. Furnish temporary easement on lot 5 for snow plow turnaround for as long as Town of Chili requires it.

State of New York

COUNTY OF MONROE,

CITY OF ROCHESTER.

ss.

Legal Notice

TOWN OF CHILI PLANNING BOARD

NOTICE IS HEREBY GIVEN that there will be a public hearing of the Planning Board of the Town of Chili, N.Y. to be held in the Chili Administration Office, 3235 Chili Avenue, Rochester, N.Y. 14624 on May 9, 1967 at 8:00 P.M. to consider the following applications:

1. Application of Milton P. Fess, Smith Road, Scottdale, N.Y. for approval to rezone property in the Town of Chili, N.Y. located on the north boundary of Chili-Wheatland Boundary Line, consisting of 40 acres, 15 acres on the east side of Union Street and 25 acres on the west side of Union Street, the northwest corner touching the New York State Throughway, being known as lots 4 and 5 Union Street, Tax Account No. 39, from EB Residential to A Industrial.

2. Application of Charles Coetich, 1225 Ridge Road West, Rochester, N.Y. for approval of Dortmund Estates Subdivision, consisting of fourteen lots, being part of Town Lots 9 and 16, 3,000 Acre Tract, Town of Chili, N.Y. entrance off Chili Avenue opposite Amanda Drive, D zone.

3. Application of Dario & Giuliana Marchionni, 21 Alfred Avenue for approval to resubdivide lots 12, 13, 14 and 15 Alfred Avenue, Block G, into two 60' lots and 1 eighty foot lot, D district.

4. Application of Phillip Howard, 143 Palmerston Road, Rochester, N.Y. for approval to rezone property in the Town of Chili, N.Y. being part of Tax Account No. 1498, Fisher Road, bordered on the southwest by Niagara Lockport & Ontario Power Co., on the southeast by Rochester Gas & Electric Co. on the north by lot, Acct. 1509-020 owned by William O'Neill, parcel consisting of approximately 5 acres of land, from B Residential to A Industrial.

All interested parties are requested to be present. By order of the Chairman of the Planning Board of the Town of Chili.

WINSOR D. IRELAND Chairman

BF-11-429-T-U.

Eleanor E. Williams being duly sworn, deposes and say that she is principal clerk in the office of THE TIMES-UNION a daily newspaper published in the City of Rochester, County and State aforesaid, and that a notice of which the annexed is a printed copy, was published in the said paper on the following dates:

April 29, 1967

Eleanor E. Williams

Sworn before me this 29th day of April 1967

Nancy B. Fromm

NANCY B. FROMM Notary Public NOTARY PUBLIC, State of N. Y., Monroe County My Commission Expires March 30, 1968

May 9, 1967

- #3. Application of Dario & Giuliana Marchioni, 21 Alfred Avenue, for approval to resubdivide lots 12, 13, 14 and 15 Alfred Avenue, Block G, into two 60' lots and 1 80' lot. D zone.

Mr. Marchioni appeared before the Board and map was submitted to Mr. Ireland and Board for study. Mr. Ireland asked if he had a surveyor's map of this and Mr. Marchioni advised no. Mr. Ireland told him he would have to have a surveyor's map to get an approval. Would have to be stamped and they could not stamp a map unless regular map with surveyor's seal because if approved will have to be filed in County Clerk's Office and they will not file it unless it is regular surveyor's map. Mr. Marchioni advised his map was according to map in the Town Clerk's Office. He pointed out where his house is situated on the one proposed lot, where he lives. He presented picture of the type of house he proposed to erect on the other two lots. They would be identical in style but not in color. He advised they are all existing 50' lots. His house is on 100' lot, wants to take 20' from his lot and make it 80' and two sixty foot lots. Mr. Lambert, 669 Beahan Road and Mr. Grey, 26 Andony Lane came up and examined the map and questioned Mr. Marchioni regarding the drainage.

Mr. Rakus, using a map of the Town questioned just where they were located on Alfred. Mr. Marchioni pointed them out on the map and pointed out where his existing house was and also showed where other houses were in this area. He advised it is the high spot of the street.

Mr. Ireland inquired if any one present at the hearing had any questions.

Mr. Lambert spoke, on this application, the lots down there, as they had informed him, map was set up in 1923 and require 50' minimum. Properly he would like to see Planning Board decide if going to build on 50' lots down there and if are fine, establish a minimum then decide on building application and take each three lots as come up for proper area, perhaps by reconsidering this whole area, they might meet Town's requirements and go through normal channels without variance. Mr. Miller advised as a point of interest, there is a Town Zoning Ordinance that describes minimum square footage per lot in effect since 1947. Mr. Marchioni advised there are houses existing there on 50' lots. Mr. Miller advised non-conforming, preexisting use, they were built prior to 1947 when zoning code went into effect, or they got a variance. Mr. Marchioni advised he did not want 50', wanted 60' lot and wanted to make a nicer looking and attractive house. Mr. Ireland advised this area is an old subdivision which was laid out about 1923 when no zoning ordinance or rules or regulations were in Town, County or State and as such these existing lots have to be considered, but before any one can build on a 50' lot they have to come to zoning board and get a variance.

Mr. Lambert advised that is his point, feels should not have to have each considered on individual basis. Next five years in Chili growth going to be growing, thinks should make up mind what going to have in Town and then stick to it. This way, go in and know this is your surrounding neighborhood and buy home in good faith. Gentleman mentioned minimum square footage required (Mr. Miller advised 12,000 square feet). These are 60' x 120', that breaks down better than half minimum requirement which on face of it does not seem to be in best interest of Town.

Mr. Marchioni advised there are houses existing there that have been built on 50' lots in last year. He is trying to build bigger and better house. Paid so much for property. Would not put on \$3,000. lot house like in that particular area, need \$20,000. house, most expensive down there is \$14,000. or \$15,000. If he does not build there going to be vacant land, swamp, gets mosquitos, etc. wants to upgrade neighborhood.

Mr. Lambert advised that is why asked about drainage. It is problem. Thinks if going to develop area should have some place besides swamp, has been through there within last two or three days, Mr. Marchioni asked him if he saw his house? Mr. Lambert brought out the houses that had been vandalized and should be demolished, he is familiar with this problem. Thinks should decide what we want in that area, should lay it out so people buying property know what is required. Mr. Burchill advised already laid out in Monroe County Clerk's Office in 1922 when map filed. What Mr. Marchioni is doing, upgrading lots, and would have to come before this Board in order to do this. Mr. Lambert advised only upgrading one half, of minimum required in Town. If going to upgrade, go all the way. Mr. Burchill advised rest of lots are 50' down there. Asked if Mr. Lambert wanted 100' lots down there? Mr. Lambert felt certainly men on Planning Board should decide what size they want and then when decide, let these people know and not be confronted with hearing. Mr. Marchioni advised there are lots of problems, owners of these properties, cannot find the owners, was trying to find owners next to him to make lots 75' or more, had everybody checking them out and County. Taxes have not been paid in last twenty years. Mr. Lambert inquired then why not tax foreclosures?

Mrs. Printy, of Fisher Road advised she could vouch for that on her own property, taxes not paid on it for forty years. Pretty hard deal to understand how this happens, very normal thing for any town to have that about.

Mr. Lambert advised thinks should as minimum required 12,000. square feet, be 100 x 120. Believes this gentleman has been caught in middle. Thinks should rezone or allow him to build on 50' lots, but should let all know what want in that area.

Mr. Ireland questioned if any one else had any comments, or if any one present in favor of or opposed to this application. No one appeared. Hearing was declared closed.

DECISION: Application Denied unanimously, based on fact that lots would be too small.

#4. Application of Phillip Howard, 143 Palmerston Road, Rochester, N.Y. for approval to rezone property in the Town of Chili, N.Y. being part of Tax Account No. 1498, Fisher Road, bordered on the southwest by Niagara Lockport & Ontario Power Co., on the southeast by Rochester Gas & Electric Co. on the north by lot, Acct. 1509-020 owned by William O'Neill, parcel consisting of approximately 5 acres of land, from E Residential to A Industrial.

Mr. Howard appeared before the Board. Presented sketch of what proposed to put up, pointed out parking facilities in front and proposed fountain. The Rochester Gas & Electric power plant is directly behind it. Niagara Mohawk borders this and has empty lot on other side. Railroad track and airport is directly behind it and he would like to put up attractive building there. Has franchise for Buster Crabbe Swimming Pools, would like to put up showroom with interior swimming pool in building. Sketch showing proposed layout was posted on the bulletin board for those present to see and examine.

Mr. Ireland inquired this would not take up all rest of property? Mr. Howard advised where he would put shrubbery and grass. Mr. Ireland inquired this would be retail sales place for pools and supplies? Mr. Howard advised yes.

Those present at the hearing came forward to study the colored sketch on the bulletin board and a black and white sketch that was also available.

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Mr. Ireland requested Mr. Howard to restate to the audience what his intentions are with this parcel of property, then after that he will ask for questions from the audience so can get names and addresses in the minutes.

Mr. Howard advised what would like to put up is an office building with an inground pool in the building to have display room. Would like to improve the property around there with landscaping, fountain out in front, parking lot. Bordered there on one side by Niagara Mohawk, have power plant and railroad and airport.

Mrs. Katharine Hart, 14 Douglas Drive asked why he wanted to build in residential section when Industrial Park a short distance from his place, that has been set up by Planning Board as major plan for Town. Mr. Howard advised because he did not have that kind of money. Plans on \$45,000. building but may realize it is kind of hard to get foot on ground, and got this property at reasonable price. Have always taken pride in his work and surroundings. Have Howard Bros. which he was president of a number of years, have always taken pride in all work. Can be checked through Better Business. Mrs. Hart advised we had this master plan set up for Chili. This is in residential area where must be children. There will be traffic. Think it would be hazard for children, would be one of our biggest concerns. Mr. Howard advised he had four children himself.

Mr. Lambert, 669 Beahan Road questioned how much did concrete trucks weigh when fully loaded? Mr. Howard advise have different weights. One weighs 18,000 lbs. and one 26,000 lbs. Mr. Lambert returned roughly 9 and 11 tons. Believes weight limit is 4 tons, so this means we would possibly have to build new Fisher Road. Have enough problems now.

Mr. Chapman, 29 McNair Drive remarked as far as location, has petition he would like to file. He invested close to \$24,000. for his house. Just a house that does not encompass any rezoning. Was aware of airport and railroad, but not aware of any factories, that is big objection he has. Mr. Howard advised pools are manufactured in Edison, N.J. Would not do any manufacture of pools there, they come out of Edison. Mr. Chapman advised not just a show room, has the back area. Have similar condition down road, Gottrey. Is aware of that and their promises. Bigger company with lot more money than this man. They can afford to landscape. All undoubtedly know they have a mess down there, they promised everything similar to this to improve property and they have not, so cannot see starting on a shoe string. Mr. Howard returned he says Gottrey have mess. He is in construction. Mr. Chapman replied he was in construction. He objects to it with this petition. Everyone he has talked to has objected to it.

Mr. Fieno, 27 McNair Drive questioned where there any homes that bordered the property. Mr. Howard advised no. Mr. Fieno inquired if there was a Church near it. Mr. Howard advised near them. Mr. Fieno questioned so between two residential areas he wanted to put this place? Mr. Howard again advised what bordered the property. More discussion followed regarding just where it was located in relation to the Church on Fisher Road. Mr. Fieno remarked we have residential area he wants to rezone this little piece of ground for business. He asked what kind of materials he was going to store on this land? Mr. Howard advised things you would need for a swimming pool? Mr. Fieno questioned sand, cement, gravel, trucks? Mr. Chapman remarked Mr. Syracuse wanted to put up a plant on the other side of airport which involved cement which is a hazard. He went through Supreme Court. Still has not changed, this condition. Under this plan is not as great, but the hazard is there. We cannot burn paper in our back yard. Mr. Fieno said this concerns dust and problem of dust if this gentleman going to store materials on property, sand, gravel

cement, forms, trucks, diggers, etc. this seems to him going to cause nuisance and dust problem and as said Planning Board already turned down Mr. Syracuse primarily on dust problem, thinks this should be looked into.

Mr. Robert Morgan, Attorney representing Dr. Wm. O'Neill who owns residential lot immediately adjoining Mr. Howard's property on north spoke. Just wished to register objection on part of Dr. O'Neill. Land been zoned residential, retained approximately 100' lot for residential purposes and would like to see property remain residential.

Mr. Robert Rhinehart, 16 Cherokee Circle remarked Mr. Howard had just said a few moments ago he did not have the money, incidentally directing this to Mr. Chairman, to build in the Town industrial park. Wanted to ask one question, is Town Industrial Park rental or sale? Mr. Ireland advised that is owned by Mr. Frank Breiner, it is private project. Does not know what he is charging, whether sales or rentals. Mr. Rhinehart inquired is there another industrial park in this Town? Mr. Ireland advised other industrial area. Mr. Rhinehart felt zoned as industrial, then he would propose these people come into the town and be placed in these areas. Has no animosity, believes if we have these established areas they should be put in there and not have established residential areas monkeyed around with until these other areas filled up and need some other land.

Mr. Stockmaster, 14 Jacklyn Drive advised that layout looks very nice. He would like to point out Fisher Road is on curve. Right at high point of curve, down to north 30' or 40' small hill that would obstruct this driveway. Wishes to go on record as being opposed.

Mr. Coyle, 16 Jacklyn Drive asked Mr. Howard, did he say he was going to have an open fountain outside? Mr. Howard advised yes, something, a fountain with water spraying up. Mr. Coyle questioned and this pool was going to be inside? Was informed yes. Mr. Coyle advised he was thinking of both children and animals in reference to this. The point is he is a little alarmed, children going to be attracted to something like this. Children curious, there 24 hours a day, children will investigate. Would be alarmed by those particular things. Agrees with Mr. Stockmaster on curve and hill.

Mr. Andrews, 653 Beahan Road remarked Mr. Howard has indicated to this hearing not a large businessman and does not have a lot of funds at his disposal. Would like to direct his advice to panel in event Mr. Howard becomes located in that area, granted variance, if business does work out to his expectations, perhaps this area would be rezoned residential or would always remain industrial, what would we be open to at that time? Mr. Ireland advised if rezoned industrial anything allowed could be built in there.

Mr. Mackese, 21 Jacklyn Drive questioned what is allowed in an industrial zone. Mr. Miller advised 37 set out in code too numerous to go into at this time, or they could check with Town Clerk or look at the code. He was questioned could they get another thing like Gottrey going in there? Mr. Miller then named the uses out of the code. Mr. Mackese advised he stands opposed to this.

Mr. Lambert, 669 Beahan Road advised he would like to make same point made in previous case, if we have plan let's stick with it. People have bought their homes in good faith. One land change is only short step to restaurant and gas station. Would not like to see it that way. Stands opposed to it.

Mr. Napolitano, 330 Fisher Road is opposed for the same reasons Mr. Lambert is.

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Mr. Fantauzzo, 15 Jacklyn Drive, advised he spoke to Mr. Howard a few minutes ago. Looking at layout see about 1/10 used for building and 9/10 vacant lot and in this vacant lot may have equipment there. Am sorry to say, from Mr. Howard, his truck has already been destroyed. Our children are going to be attracted to this equipment and thinks Mr. Pilato going to agree at times he has trouble. Going to be with this equipment either damage it or cause damage to themselves. He speaks for himself and everyone who has children, could be dangerous going in there mostly for equipment such as large trucks, maybe sand and different ladders, that can cause injuries to children, so he stands opposed.

Mr. Thiers, 36 McNair Drive would like to mention less than 2/10 of mile is McNair Drive, closer distance is Jacklyn Drive. On these two streets children live, leave on buses in morning and afternoon, over 40 children on buses. Thinks trucks which will be travelling on Fisher Road which is available for entry on two ends only and closed in between could cause lot of traffic. Children could be endangered by delivery of these pools, construction equipment. Also Mrs. Johnson, wife of the President, has beautification program. Does not think it would enhance beautification of area.

Mr. Stockmaster, 14 Jacklyn Road asked he believed Mr. Howard said these are Buster Crabbe swimming pools, are these the vinyl liner type or concrete reinforced steel? Mr. Howard advised vinyl liner, steel and aluminum inground pool. Do certain amount of concrete, put little more into their pools. Mr. Stockmaster questioned will be concrete though. Mr. Howard advised it is not concrete pool, around base put it where it is called for. Put concrete base around perimeter of pool.

Mr. Grey, 26 Andony Lane asked Mr. Howard if when bought this property he intended to use it for industrial land or originally for residential area? Mr. Howard advised industrial. Mr. Grey asked at this time did he look around for available industrial property? Mr. Howard advised looked around for a long time. Mr. Grey questioned he finds industrial area more expensive than residential area? Mr. Howard advised he would not say that.

Mr. Ireland questioned if any one wished to speak in favor of this application. No one appeared. He questioned if any one else wished to speak in opposition to this application.

Mr. Thiers, 36 McNair Drive would like number of people who attended from immediate area who are opposed to this change in zoning to be recorded. Mr. Ireland advised can only count number opposed who spoke.

There was a show of hands of those opposed, which was unanimous.

Mr. Chapman submitted a petition in opposition with 150 names signed to it.

Hearing was declared closed.

Mr. Fantauzzo questioned when and how they could find out the decision of the Board, when would the decision be made. He was advised he could call the Town Offices.

Mr. Chapman questioned in case their protest is overruled what formality would be. Mr. Ireland advised if this Board desires to recommend the rezoning they merely recommend to the Town Board and there will be another hearing before the Town Board and the Town Board will make final decision on rezoning. In any event the Planning Board make a recommendation only.

Mr. Lambert advised Wednesday night, Town Board meeting, was a hearing, same question arose which was how many signatures to override and they said, you will be told at time of hearing how many signatures you will be required. Same type hearing, what are you going to tell us? Question, if this land use is granted and zoning change is made, how many petitioners names do we have to get to get it to - Mr. Miller advised this is administrative board, Town Board is judicial board. Mr. Dungan advised he believed Mr. Lambert was talking about a referendum vote. Mr. Lambert questioned could you bring this to referendum, if this land is changed, how many petitioners to get it to go to referendum? Mr. Ireland advised a referendum needs a definite number of tax payers or property owners, it usually about some sort of improvement district which includes certain property and property owners and this usually reads 51% of assessed valuation plus 51% of property owners, but they have a definite number to work with that they desire it for. Mr. Lambert remarked referendum is a reconsideration to adverse decision what would be a reconsideration to adverse decision. Mr. Miller remarked election at polls in November. Mr. Lambert returned very good very good. Mr. Ireland remarked he thought everybody has made their thoughts known. Mr. Stockmaster inquired if these minutes were available. Mr. Ireland advised him they were open to public.

Hearing was declared closed on this application.

DECISION: The Board unanimously voted to recommend to the Town Board this application be denied for the following reasons:

1. Spot zoning.
2. The entrance into Fisher Road could cause a traffic hazard.
3. Pavement on Fisher Road not adequate to carry heavy vehicles which applicant proposes to use.
4. Petition with approximately 150 names opposing this rezoning was submitted.

Mr. Fraser, Engineer for Mitchell Acres Subdivision appeared before the Board for an unadvertised hearing on resubdividing six lots in Section 1, Mitchell Acres Subdivision. Section 1 has been filed in County Clerk's Office and they would like to resubdivide six lots to make others more saleable. Most of it regards corner lots. He put a map of the entire subdivision on the bulletin board and explained what they wanted. All lots will conform to zoning regulations; will not need variances for any of them.

The Planning Board made the following decisions on applications which had previously been heard and decisions reserved:

Application of Michael DiPiazza, 986 Joseph Avenue for approval to rezone from E Residential to B Commercial, Lot R-1 Section 2, Chili Paul Gardens Subdivision, located in the 3300 Block of Chili Avenue, Tax Account No. 1756-015.

DECISION: The Planning Board voted unanimously to recommend to the Town Board this rezoning be denied for the following reasons:

1. Spot zoning
2. No other commercial property on that side of the street
3. Feel it is unfair to the developer of the residential tract behind it as well as residents already living there.

MINUTES
PLANNING BOARD, TOWN OF CHILI, N.Y.
June 20, 1967

Present: Mr. Winsor Ireland, Chairman
Mr. Selden Crow
Mr. Ernest Keasling
Mr. Mitchell Rakus
Mr. Lowell Titus
Mr. John Coyle
Mr. Frederick Bean

Also present: Mr. Daniel L. Miller, Deputy Town Attorney

#1. Application of Dorothy Robidoux, 70 Kemphurst Road, for approval to rezone property in the Town of Chili at 3661 Union Street, Tax Account No. 90-000, being lots 88 and 105 bounded and described as follows: Commencing at the northwest corner of the farm formerly occupied by Timothy G. Baldwin; thence south $84-3/4^{\circ}$ east along the north line of said farm, 36 chains, 29 links to lands formerly owned and occupied by George H. Baldwin; thence south $9\frac{1}{4}^{\circ}$ west 9 chains, 50 links to the center of the highway; thence south 85° east along the center of said highway, 1 chain, 98 links; thence south $50^{\circ}5'$ west 9 chains, 35 links to the north line of lands formerly owned and occupied by Daniel W. Potter; thence north $85\frac{1}{2}^{\circ}$ west along said north line 29 chains, 47 links to a point in said line 8 $19/100$ chains distance from the west line of the farm formerly owned and occupied by Baldwin; thence north $5\frac{1}{2}^{\circ}$ east parallel with the said west line to a stake 75 links southerly from the north line of a farm formerly owned and occupied by Baldwin; thence north $84-3/4$ degrees west parallel with said last mentioned north line to a point in the west line of said farm 75 links southerly from the northwest corner of said farm; thence north $5\frac{1}{2}$ degrees east along said west line to the place of beginning, containing 54 $66/100$ acres. EXCEPTING AND RESERVING so much of the above described premises conveyed to George E. Peer by Ella B. Adams by deed dated May 11, 1909 and recorded in Monroe County Clerk's office in Liber 792 of Deeds at page 488 from R Residential to Commercial.

Mr. Arthur Hauck, Realtor, 19 Dallas Drive, appeared representing Mrs. Robidoux, presented an aerial photograph with the section marked off and a map of the property for each member of the Board, pretty close to measurement, to give them an idea of the layout. He is representing Mr. Robidoux who is Trustee for the estate of Anna Hart and he is representative of the estate. Is requesting complete parcel be rezoned, both west side and the 17 acres on north east and 14 acres south east. Approximately a mile of road frontage involved. Reason for this, not trying to spot zone, have Gates-Albert and gun club adjacent and are asking for commercial which understands can use either residential or commercial without any change. Have plans for development of this entire parcel into commercial development which would be of benefit of Town. Have spoken unofficially and have unofficial answer from Industrial Commission. They would buffer zone any houses on King Road, they would not be hurt. Has talked to Don Russell from Sewer Agency, last line is in front of No. 2 firehouse. In order to bring anything down there, according to Mr. Russell, would have to be pumping station in order to handle sewerage, or alternative come under railroad tracks but considering this is more expensive to handle would have to bring sewer across Carter property in order to develop property on both sides. Would have to form separate sewer district, they are aware of that fact. He cannot present any definite plans. Mr. Ireland questioned what sort of project he had in mind. Mr. Hauck advised not too definite, cannot really divulge too much, but will not be detriment, would have to come before Zoning Board to get approved for building and lay out, but developer required they come in here first. Checked drainage would have to work out, do have low area in back corner, but actually high area on side which he pointed out on aerial map and lot

Planning Board

May 9, 1967

Application of Mr. & Mrs. Augustus Glennon and Mr. Charles Kohlmetz for approval of an apartment project consisting of seven, 6 unit apartment buildings on property located at 3610 Union Street, south of Western Expressway, of approx. 4.3078 acres, E zone.

DECISION: Unanimously denied because apartments not allowed in any zone in the Town of Chili.

Discussion had on Westside Acres Subdivision Section 6. Mr. Dungan advised grading was not as ordinance called for. Mr. Dungan felt it would work, but does not meet requirements of resolution as passed. Mr. Ireland advised if does not meet standard, they should not accept it.

Patricia D. Slack
Secretary

The Planning Board amended its approval of Lexington Subdivision Section II which was granted April 11, 1967 concerning two items of the stipulations as follows:

Item No. 1 changed to read "Storm sewers shall be extended 100' to the south instead of 200'"

Item No. 2 should be changed to read "No utilities shall be located in the road shoulder within 34 feet of the center line of the right of way. This item to apply to Lexington Parkway only.

Patricia D. Slack
Secretary

State of New York

COUNTY OF MONROE,
CITY OF ROCHESTER.

ss.

Legal Notice

TOWN OF CHILI-PLANNING BOARD

NOTICE IS HEREBY GIVEN that here will be a public hearing of the Planning Board of the Town of Chili to be held in the Chili Administration Building, 3235 Chili Avenue, Rochester, N.Y. 14624 on June 20, 1967 at 10:00 A.M. to consider the following applications:

1. Application of Dorothy Robidoux, 30 Kemphurst Road, for approval to zone property in the Town of Chili 3361 Union Street, Tax Acct. No. 9-000, being lots 88 and 105, bounded and described as follows: Commencing at the northwest corner of the farm formerly occupied by Timothy G. Baldwin; thence south 84 3/4 degrees east along the north line of said farm, 36 chains, 29 links to lands formerly owned and occupied by George H. Baldwin; thence south 91 1/4 degrees west 9 chains, 50 links to the center of the highway; thence south 25 degrees east along the center of said highway, 1 chain, 98 links; thence south 75 degrees west 9 chains, 35 links to the north line of lands formerly owned and occupied by Daniel W. Potter; thence north 85 1/4 degrees west along said north line 29 chains, 47 links to a point in said line 8 19/100 chains distance from the west line of the farm formerly owned and occupied by Baldwin; thence north 5 1/4 degrees east parallel with the said west line to a stake 75 links southerly from the north line of a farm formerly owned and occupied by Baldwin; thence north 84 3/4 degrees west parallel with said last mentioned north line to a point in the west line of said farm 75 links southerly from the northwest corner of said farm; thence north 5 1/4 degrees east along said west line to the place of beginning, containing 34 66/100 acres, 6 EXCEPTING AND RESERVING so much of the above described premises

The Times-Union
Fri., June 9, 1967

5D

at Mitchell Acres Inc. by Deed, recorded in Liber 3637, Page 527, Monroe County Clerk's Office, E Zone.

All interested parties are requested to be present. By order of the Chairman of the Planning Board of the Town of Chili.

WINSOR D. IRELAND, Chairman

LL-It-June 9-T-U.

Eleanor E. Williams being duly sworn, deposes and that she is principal clerk in the office of THE TIMES-UNION a d newspaper published in the City of Rochester, County and State afore: and that a notice of which the annexed is a printed copy, was published the said paper on the following dates:

June 9, 1967

Eleanor E. Williams (Signature)

Sworn before me this 9th day of June 19 67

Nancy B. Fromm (Signature)

NANCY B. FROMM Notary Public
NOTARY PUBLIC, State of N. Y., Monroe County
My Commission Expires March 30, 1968

Planning Board

June 20, 1967

of swamp area, but that drains toward road. Would bring sewer line from firehouse. Pointed out on aerial photograph where property was and what it was bordered by, which was studied by the Board. He again advised they would give a buffer where it meets the houses. Advised they were not actually spot zoning, but most have industrial, into commercial and then into commercial within less than a mile. It is about 55 acres, then within 2/10 of mile into commercial again and Roberts Wesleyan owns property back of Socony Mobil station.

On question of Mr. Ireland if any one present at hearing had any questions or objections, Mr. Green, attorney appeared for the Carters who own property contiguous. His client is concerned about nature of development contemplated by applicant. As it appears now from rough sketch, the Carter property is now buffer property to that they seek to have rezoned and houses beyond the property his client owns. His clients' position whether for or against is dependent upon nature of development contemplated. He asked if they could be enlightened. Mr. Ireland advised he had already asked him that and evidently they were not entirely clear on that yet. Mr. Ireland advised he could only recite things in general which are allowed in commercial zone and these are in general retail stores, commercial does not encompass industrial and manufacture, but only retail business which he would imagine would be something like shopping center for anything of this size, this is only thing of this size that might be built in a big area, but he can only say, if this is zoned commercial, could bring anything in there allowed in commercial zone even though committed themselves ahead, if zoned commercial can build anything allowed, which is in general, retail business. Mr. Hauck advised the only thing they have in mind is recited under zoning, they will conform. Mr. Green inquired the entire parcel is being applied for rezoning? Mr. Hauck advised yes, and would give buffer zone to King Road side if required. Mr. Green advised the Carters have quite a bit of property and it appears they are acting as buffer zone. Time may come when his client may consider application for rezoning to commercial. He questioned if there is any limitation of amount of land required as buffer zone, or would that be left open? Mr. Ireland advised usually left to Planning Board to specify buffer zone of land, planting of evergreen trees of certain depth and height to screen existing residents from commercial. Mr. Green questioned would not be restricted to certain amount of land? Mr. Ireland advised probably to strip of land a certain width. Mr. Green questioned a discretionary area? Mr. Ireland advised usually discretion of Planning Board. Mr. Hauck pointed out would be no detriment because could still build residential and if went commercial would make property worth more than it is today.

Mr. Green inquired if it is rezoned still possibility of using it for residential purposes? Mr. Hauck replied if were to ask for industrial, could not build residential, if go commercial could still build residential. He questioned of Mr. Ireland if that were correct. Mr. Ireland advised if going to build residential would prefer to have it zoned back to residential. Mr. Hauck advised he was going by letter of law. Was he right? Mr. Ireland advised he was right. Mr. Green advised in line of those remarks his client is considering making similar application to have his property rezoned commercial and if it is decided to use if for residential, they could revert to it. He asked if this Board would entertain such an application at this hearing. Mr. Ireland advised his client would have to make an application for a hearing at some future meeting, asking for his property to be rezoned from EE to commercial. Application such as this cannot entertain it without advertising ten days in advance in the paper, etc. But if your client would like to make application for rezoning, this is entirely his privilege. Mr. Dungan questioned where Carter property is relative to this property. It was pointed out to him on the aerial photograph, which was studied by Mr. Green and Mr. Carter and discussion followed regarding the two properties and what zoning commercial would do to it. Mr. Hauck advised he would put a buffer zone on both sides of the property. Mr. Ireland advised on all sides would be a buffer zone between residential.

DECISION: The Planning Board unanimously voted to recommend to the Town Board this property not be rezoned from EE Residential to Commercial until the applicant comes in with a more definite plan of what the property will be used for.

- #2. Application of Thomas Frazer Associates, 2316 Lyell Avenue for approval to resubdivide lots 57, 58, 59, 60, 61 and 77 located in Weatherwood Lane in Mitchell Acres Subdivision, Section 1, E zone.

Mr. Thomas Frazer, 2316 Lyell Avenue, Consulting Engineer appeared before the Board and advised he presented this map to the Board at the last regular meeting and the only modifications that have been made, computations have been completed. If they remember, purpose of resubdivision was to provide more room for several lots in Section 2 which is also being heard this evening. If they would like he would go over it with preliminary map and show them, but if they recalled the last meeting he would skip details and just request this resubdivision be approved. Mr. Ireland advised all he was really doing is moving street over a little way and moving lot line in another direction. Mr. Frazer advised all lots conform to zoning and future lots will. Has made three or four lots much better. Took off on some and added onto smaller lots. He pointed out on map of Section 2 how this resubdivision effected it. Maps were studied by the Board.

On question of Mr. Ireland if any one present at the hearing interested in this resubdivision or opposed to it or in favor of it, Mr. Franke 1895 Westside Drive appeared. He advised they contemplated selling some ground that backs up to this subdivision. Consequently had a survey which was completed on the 10th of June and it appears that there is quite a mistake in surveys because they were informed that they do not have land where supposed to have if these lines of subdivision are true, are short matter of 8' or 10'. If that is case this entire subdivision is off every lot, he thinks. Have been to attorney, unfortunately he could not be here tonight, notice is so short could not do too much, thinks Board should reserve decision until they thrash this out. Had a licensed surveyor. Mr. Frazer asked if he had a copy of the survey with him. Mr. Franke advised had dimensions of deed if that would help any. It is quite serious to him. Reason had their property surveyed have been contemplating selling some of it, do not want to deed something if not right and does not think people with this subdivision want to either. Mr. Frazer thought this was a rather unfortunate time to bring it up. Mr. Franke advised he told them they were on his property, they would not listen to him, they went ahead and did as they pleased. They dug 10', they told them they were on property that did not belong to them. Mr. Ireland thought probably his surveyor and Mr. Frazer should get together. Mr. Franke advised have taken it to his attorney and will let them know definitely in a week or ten days if have claim or not. Felt certainly Board does not want to approve anything not right.

Mr. Frazer advised he has certified survey map furnished him regarding property in question done by some firm other than his. His firm checked and that proved accurate. He would be glad to speak to him about it but did not think should hold up subdivision because improvements all in. He did not think time or place to discuss it here, this is first contact has even had with him, and now he tells him he is 10' off. Mr. Franke did not feel qualified to talk about it. Mrs. Franke advised all they were asking was to reserve decision until such time as can get it straightened out. In middle of last week get notification about this meeting, knew nothing about previous meeting. Mr. Ireland advised that was a preliminary one. Mrs. Franke advised in meantime they have had surveyor in. In meantime they were encroaching on their property, driving their trucks on their property, parking their cars on their property, they have ruts in their lawn, this is not excusable to go on private property without asking, had a car parked in their driveway. They dug along their

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back lot line. Mr. Ireland felt this is a matter between them and property owner. Mr. Frazer advised this map is already filed, this property line established. Mr. Jack Herman, Attorney for Mitchell Acres questioned Mr. Franke if he was the gentleman that pulled the stakes. Mr. Franke advised yes, they were on their property. Mrs. Franke felt Board should reserve decision for anything on the back boundary line. Mr. Ireland advised they would not make decision that is around their boundary line. Mr. Franke advised if his surveyor is right, they are 8' to 10' north with that whole subdivision than they should be, which to him is no good. Giving deeds to property to people which are not correct. Mr. Ireland again advised they would not make any decision tonight that effects their boundary. Mrs. Franke felt something should be reserved until can establish their boundary line. Mr. Frazer advised just one item, this subdivision is filed and although they could hold up the second section because it is based on this resubdivision, the first section is already filed and line established. Construction they are talking about is the swale that drains all lands from the north of that line. If they had problem, should have called him up instead of pulling out stakes. They did not do it, they got surveyor instead of seeing him, could have had surveyors instead of lawyers. But it is a bad time in middle of construct on here. He is trying to get progress and they are trying to impede it. Mr. Ireland advised he thought at this time matter between them and the surveyor and not a matter for the Board.

Mr. Titus questioned Mr. Frazer about the survey he had used and its correctness. Mr. Frazer advised they had rechecked it and found it very close. He advised on ^{being} questioned he did not know who had surveyed it for the Frankes. But he felt it probably resolved around the question of a three rod or four rod road.

DECISION: This resubdivision was unanimously approved.

#3. Application of Robert Schickler, 64 Wilelen Drive, for approval to resubdivide Lot A, 691 Westside Drive, being 322' x 98.73' x 312.99' x 123.03' into two lots, Lot A facing on Westside Drive and being 203.76' x 114' x 194.99' x 98.73' and Lot B facing on Berna Lane and being 118.24' x 123.03' x 118' x 114.42' in D zone.

Mr. Schickler appeared before the Board and maps were given to the members for study. Mr. Ireland advised one thing that concerned him was the gas main, had he cleared this with RG&E. Mr. Schickler advised as long as he stays off right of way, would have to make sure no construction would infringe with these and have to say off easement. Mr. Ireland questioned the drainage and Mr. Schickler advised there is a small swale that drains. He plans to bring it to south and west line to do better job. This he has taken up with people next door, Mr. Washburn, and shown what his intent was. He will be glad to get rid of some of this that stays there. Mr. Ireland asked if RG&E would allow him to build that close. Mr. Schickler advised his driveway is there, no problem. It is question of subdividing, staying off easement, has applied for a 45' setback, will maintain side line setbacks. Sewer water relocated over to side line to do much better job than exists now, dress up lot that is there at present.

On question of Mr. Ireland if any one present at hearing interested in this application, opposed to it or in favor of it, no one appeared.

Mr. Dungan questioned this gas line, is this high pressure gas transmission? Mr. Titus advised low, it is Cabot line, but he did not know pressure, has to be over 250 to be high pressure. Mr. Ireland advised in opinion of State Health Department has to be over 250.

The hearing on this application was declared closed.

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DECISION: Application unanimously approved, with the stipulation that Lot B shall become a part of any logical future drainage district that shall be created by the Town of Chili for the adjoining property and will be subject to all assessments and costs, if any, of such drainage district.

#4. Application of Mitchell Acres, Inc., 101 Powers Building, Rochester, New York, for the approval of Section 2 of Mitchell Acres Sub-division, consisting of approximately 20 acres, being 41 lots, numbers 23 through 29, 41 through 56, 78 through 92 and lots 72, 73 and 74. Also being the South East Quadrant of the Loretta Johnson Farm as conveyed to Mitchell Acres, Inc. by deed, recorded in Liber 3637 Page 527, Monroe County Clerk's Office. E zone.

Mr. Thomas Frazer, Engineer appeared and maps were distributed to the Board for study. He advised as they knew construction started in Section 1, all houses sold and they have been requested to get Section 2 ready so these lots can be developed and sold in immediate future. That is why they were here tonight. This section ties directly into the section they previously submitted tonight. Had no comments to make except all lots conform to zoning, all utilities are designed to be constructed in accordance with Town standards. Section 1 in its entirety fits directly into this section. Storm sewer goes out to Golden Road and down. This will complete one circuit inside and furnish them with another access into this from Golden Road and furnish Golden Road with another outlet. Would like to keep utilities inside center of right of way so not to have any trouble with the residents. Are bringing storm water from underneath pavement in one place but cannot do it without getting into someone else's lawn of existing residents, that is why underneath in that one area. He explained to Mr. Dungan where piped and where comes into open channel.

Mr. Dungan advised he had looked it over before and had talked to Mr. Frazer about it, will probably have to speak to Mr. Burchill about 15' easement and he is pretty sure Town Board will have some questions on storm sewer outfall.

On question of Mr. Ireland if any one present at hearing interested in this application, opposed to it or in favor of it, Mr. Howard Fitzsimons inquired about storm drainage, and the railroad ditch, to get rid of the water. If going to put in more houses, should have the answer to it. Mr. Herman advised that Section 2 is dependent on taking surface water into this pipe under Golden Road into railroad ditch and dependent on getting easement from New York Central to clean out ditch. Has letter from them and they have also sent their maps to draw easement and they are in process of getting it to clean out ditch and if ditch maintained properly, once every 7 years, rate of flow is going and will take care of problem. Have gone to expense of \$28,000. to correct this problem and hope this is all part of drainage district approval. hope to get from Town Board. Did not know if they preferred to get into this at this point, this is matter for Town Board. Mr. Ireland agreed. Mr. Fitzsimons remembered on hearing on Section 1 were to take care of this before Section 2. Now Section 2 up for approval and not a shovelful of dredging to drain water, next thing will be full of houses. He will hold Town responsible, they have been hollering for last five years. When Mr. Steckel in he got it cleaned out and Mr. Fitzsimons cleaned it once. Mr. Craw asked if planned for surface water, this is no way to tell Planning Board, has not been taking care of it. Mr. Herman advised from technical and legal standpoint, prior to getting approval for Section 2, they will have to be satisfied before approve. Does not think Planning Board is giving approval for drainage district in Section 2. That is not in their province. They have submitted a plot plan and lots, etc. Felt time for his objections would be Town Board hearing. Mr. Ireland advised only thing Planning Board can give them at this time is pre-

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liminary approval of lots and street layout. Final approval is contingent on approval of drainage district, by the Town Board. Before final approval from Planning Board, that is last thing after everything approved. Only thing they approve at this time is street and lot layout so they can go ahead with rest of planning, all get is preliminary approval contingent on Town Board's approval of Drainage District. Mr. Fitzsimons advised he will object until they do something about drainage. Before this came up was all going to be open, about a year ago in Section 1. Drainage to be taken care of before asked for Section 2, no dirt moved when get houses. Mr. Ireland advised him where the storm sewer was and Mr. Herman advised it then goes into railroad ditch that is blocked. Mr. Ireland advised this is something definitely decided before drainage district approval, his use and maintenance of ditch is taken care of, if has to be done every seven years, has to be some definite decision. Mr. Herman asked to clear something up. He advised they have put up bond in sum of \$28,000. to take care of the problem including sum of money incorporated in this bond to clean out railroad ditch. This has been bonded with the Town of Chili, so thinks he is being a little premature. This enables them to get things rolling. They have to appear before Town Board to get approval. Have to start some place and according to good procedure start with Planning Board. What he is saying now thing Mr. Fitzsimons objecting to, the Town has already taken care of it. Mr. Dungan knows what is involved, they actually supplying bond in \$28,000. to take care of problem. On Section 2 cannot build one house until everything taken care of. Mr. Fitzsimons advised that is what he is here for. Mr. Crow questioned if the drainage was adequate for Section 1 the way it is now? Mr. Fitzsimons advised never a bit of dirt moved to help it, another builder put ditch in, was supposed to put stone in, not done yet. Mr. Dungan advised was supposed to fill it with stone. Mr. Ireland advised this is not their responsibility. Mr. Fitzsimons felt Town Board and Planning Board should work together. Mr. Ireland advised they try to.

No one further appearing on this application the hearing was declared closed

DECISION: This application was unanimously approved subject to the following stipulations:

1. Formation of drainage district.
2. Letter of credit for improvements
3. Approval of Monroe County Department of Health
4. Permanent survey monuments to be set at important corners to be specified by the Planning Board Chairman of the Town of Chili and the Town of Chili Engineer
5. Builder of subdivision to be required to plant trees on both sides of streets in the subdivision, at least 5' high and 1" in diameter, every 90 feet of the subdivision, 10' back from front property line. Planning Board to designate the kind of tree.
6. Procuring an easement from the New York Central Railroad for the disposal of storm water, length of easement to run from Golden Road to Westside Drive, along the north side of the railroad.
7. Railroad ditch to be dredged under the supervision of the Director of Public Works.
8. Granite curbing around the center of the mall on Majestic Way.
9. All standard cul de sac requirements be installed under direction of the Director of Public Works.

Mr. Robert Schoenberger, Engineer with Sear Brown Associates, Inc. representing Archer Homes, appeared with maps for a preliminary hearing on a subdivision of the Van Ingen property, off Chestnut Ridge Road between the Pineknoll subdivision and Jensen Meadow subdivision already developed along Kuebler Drive. parcel is rather narrow and did not allow much room for any development other than what they show here, 1 single street with lots on either side. Property slightly rolling, wooded in

spots, but intent is to develop parcel into 50 lots of residential D zone, would ask for variance on lots as enter the property and two frontage lots on Chestnut Ridge Road, would ask for variance on setbacks to stagger setbacks and work back to the 60', 40' on two, 50' on two, then would have 60' on others. Other than that not asking for any variances. Have contacted Mr. Kelleher of Pineknoll Subdivision and have his assurances he will make arrangements so can connect into Pineknoll Section 2, which was approved with a line running right through here with rounded corner on end lot, but no right of way roughed at that time. Have contacted him, he has assured us will grant right of way to come through there. Sewers are available, would be picked up from Kuebler Drive and bring them across lots or up frontage, preferably behind two lots in Jensen Meadows subdivision and bring sanitary sewers up here and work to point in back. If this plan is satisfactory they will proceed to make negotiations with these people, otherwise bring them up the front. Storm Drainage take about 1/3 of parcel in east storm outlet, natural drainage pattern, balance of parcel towards Western Expressway. There is tremendous swale along rear of Jensen Meadows that would be maintained. Next would go back along AT&T Line. Have contacted Mr. Kelleher to get easements along Expressway for drainage and he has assured them he will cooperate. He advised if this layout meets with approval will provide Mr. Keller with a couple more lots in Pineknoll and he would be in later for resubdivision on those lots. More discussion followed.

Mr. Avery of Chestnut Ridge Road questioned how the sewers were going to be for the purpose of perhaps tying in with them. Discussion followed and Mr. Ireland felt it was Sewer Agency Problem rather than the developers. Mr. Avery also questioned the street which would be directly across the road from his driveway. After discussion it appeared it would go slightly to the west of his driveway.

It was the feeling of the board that the general layout of this subdivision appears to be satisfactory.

Patricia D. Slack
Secretary.

MINUTES
 PLANNING BOARD, TOWN OF CHILI, N.Y.
 July 11, 1967

Present: Mr. Winsor Ireland, Chairman
 Mr. Selden Crow
 Mr. Ernest Keasling
 Mr. Mitchell Rakus
 Mr. Lowell Titus
 Mr. John Coyle
 Mr. Frederick Bean

Also present: Mr. Daniel L. Miller, Deputy Town Attorney
 Mr. John Burchill, Director of Public Works

The Public Hearing was called to order at 8:15 P.M. by Mr. Ireland, Chairman of the Board. He advised after the formal application was read he would ask Caldwell and Cook to make their presentation and then will ask for comments and questions from the audience, first would like them limited to people living in immediate area of proposed project, those from Coldwater Road, Paul Road, Spring Valley, Ranchmar, Regency Park. After these people in the immediate area have had their say, then he will ask for comments and questions from other people here. Everyone will have a chance to speak, but feels it only fair to give immediate people chance to speak first. Mr. Ireland made one more comment before presentation of Caldwell and Cook made, the meeting here tonight is only for purpose of considering application Caldwell and Cook have made, concerning this particular proposition and it is not a meeting to consider apartments in general, so try to stick to the subject and not get into broad subject of apartments all over town.

- #1. Application of Ellery J. Caldwell, residing at 49 Danbury Circle North, Town of Brighton, County of Monroe, New York, and Gerald E. Cook, residing at 160 Nob Hill, Town of Irondequoit, County of Monroe, New York, for approval to rezone property in the Town of Chili, Monroe County, New York, containing approximately 4 $\frac{1}{2}$ acres fronting on the west side of the Chili-Coldwater Road, and on the north side of Paul Road, located in Town Lot 110 of the John Smith Allotment, from "E" Residential to permit construction of Multiple Dwellings.

Mr. Ireland advised Mr. Caldwell and Mr. Cook would now make their presentation.

Mr. Dan Gullace an attorney with Woods, Oviatt, Gilman, Sturman and Clarke of Rochester, N.Y. appeared on behalf of Caldwell and Cook on their proposed apartment project. Mr. Cook was introduced and Mr. Caldwell was introduced to those at the hearing by Mr. Gullace. He advised Messrs. Caldwell & Cook have been generally engaged in home building industry in Rochester for past twenty years, have built in towns of Greece, Irondequoit, Chili and Pittsford, specific areas in Chili, Bright Oaks Subdivision and Spring Valley Subdivision. Purpose of this meeting, as stated, is an informational meeting so they can present specific proposal they feel people in Chili will be interested to construct, multiple units in area bounded on south by Paul Road and on east by Chili Coldwater Road. Area shown on map includes ten acre parcel zoned commercial at immediate intersection of two roads. Area consists of approximately 4 $\frac{1}{2}$ acres. On other side bounded by Spring Valley subdivision section 3, as yet undeveloped land. To make this presentation they have here tonight the architect who will be engaged in designing this project if and when it is approved by the Town officials. These architects Collins and Kronstadt office in Washington, D.C. This firm has designed over 85,000 housing units in 20 different states and Puerto Rico. Work cited by American Institute of Architects, House and Home and other magazines. Some projects built by this firm have been 10,000 unit Rossmore Leisure World and have done work in new town of Columbia,

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Maryland, and in Virginia. They have built luxury town houses in Cross Keys, Baltimore and town houses in South Carolina. Two members of this firm here tonight. Mr. Hayden, Land Planning Consultant, with 20 years experience in his field, and he is also civil engineer licensed in several states. Mr. Kronstadt, partner in firm for over twenty years, and knows what builders should know about garden apartments, he is a speaker on these in home community of Montgomery County, Maryland, is Chairman of Garden House Commission. Mr. Gullace advised first speaker would be Mr. Hayden.

Mr. Hayden appeared, address the Board and advised his name is Gifford Hayden. Corrected Mr. Gullace, he did not belong to firm of Collins and Kronstadt, they are Architects and Land Planners. He is a Land Planning Consultant with firm of Modd and Hayden Associates, Land Planning Consultants. They are land use experts and have been doing the land planning on many projects of land planning for Caldwell and Cook on their single family homes for past ten years. His old partner Seward Modd is dead, but started out here and he has taken over. He was first land planning Director for F.H.A. He was going to try to be brief and factual. Have heard lot about, and incidentally going to speak on two general aspects of this project and then Mr. Kronstadt will speak more specifically about details of the project. We have heard a lot about the population explosion and a lot of different statistics relative to that but he is in the business and is continually impressed by this population explosion and statistics that impress him most is fact that he heard it said one time it took about 1500 years from the time of creation or from time creation to 1492 when Columbus came over here to double world population at the time of Christ. Now world population is three billion and only going to take 35 years, or by the year 2000 for world population of six billion. What impresses him, going to have a lot of people looking for places to live, and you can see or hear about possibility of famine in world already. Here in United States as we know, about 80% of our population is in cities and we also know that it is projected that all of the new population growth is going to go to cities. On thing you did not know was last year 1966 is the first year when the population in the suburbs, which Chili is, a suburb of the city, 1966 is the first time where the population of suburbs actually passed and is now increasing beyond the population of the American cities. So we have real population problem in the suburbs. In his opinion and work, greatest growth or increase in the suburbs in the age range is in young adults and senior adults and of course at the present time they are the major occupants of multi family housing. These people have few children, particularly they have few school age children and he has statistics to back him up if they want to talk specifically about statistics. Would like also to say these people are not second class citizens either, they are his children and your children and they are our parents also living in these multiple family projects. He is suggesting when we plan for the people, we should not plan just for a few people but should plan for all the people. He is also of the opinion that a range of housing types, not just single family, but a range including multi family, makes better communities, psychologically, economically and aesthetically. In other words, multi family including town houses and garden apartments properly located and planned, and this project is properly located in his opinion and going to be properly planned, not only have no detrimental impact on the community and adjoining properties, but such a project is actually an asset, and he gathers that the Rochester Bureau of Municipal Research, Inc. which put out a little yellow pamphlet in April of this year, called "One Zoning and Housing Shortage" gather they generally agree with his general theme.

Now relative to this subject site specifically, which as Mr. Gullace pointed out consists of 41 acres and is shown on bulletin board, it has about 1200' of frontage on Paul Road and 550' on Coldwater Road, and meets all criteria for good multi family project. In other words

State of New York

COUNTY OF MONROE,
CITY OF ROCHESTER.

SS.

Legal Notice
TOWN OF CHILI PLANNING BOARD

Notice is hereby given that there will be a Public Hearing of the Planning Board of the Town of Chili, N.Y., to be held in the Chili Administration Office, 3253 Chili Avenue, Rochester, N.Y., 14624, on July 11, 1967, at 8:00 P.M. to consider the following application:

Application of Ellery J. Caldwell, residing at 49 Danbury Circle North, Town of Brighton, County of Monroe, New York, and Gerald E. Cook, residing at 160 Nob Hill, Town of Irondequoit, County of Monroe, New York, for approval to rezone property in the Town of Chili, Monroe County, New York, containing approximately 4 1/2 acres fronting on the west side of the Chili-Coldwater Road, and on the north side of Paul Road, located in Town Lot 110 of the John Smith Allotment, from "E" Residential to permit construction of Multiple Dwellings.

WINSOR D. IRELAND,
 Chairman, Planning Board.

G-1t-July 1-T.U.

Eleanor E. Williams

..... being duly sworn, deposes and say that she is principal clerk in the office of THE TIMES-UNION a daily newspaper published in the City of Rochester, County and State aforesaid, and that a notice of which the annexed is a printed copy, was published in the said paper on the following dates:

July 1, 1967

Eleanor E. Williams

Sworn before me this 1st day of July, 1967

Helen K. Stein

HELEN K. STEIN, Notary Public
 State of New York, Monroe County
 Commission Expires March 30, 1969

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has good accesses and has utilities, sewer, water and other utilities, good availability to shopping, to schools, recreation facilities and it is compatible with the existing land use and zoning pattern in area. Being a little more specific, in terms of good access, he has already pointed out it has 1200' frontage on Paul Road, which is major road, 550' frontage on Coldwater Road, and it is about 3/4 of mile via Coldwater Road from this site to the Western Expressway to the north, and there are also bus facilities available to this site. In other words, Rochester Transit Company runs about 64 trips to this site daily during regular day. Relative to this, he already pointed out there is sewer, water and other utilities available to site, there is shopping just across road to south on Paul Road and of course 10 acres commercial site right adjoining to this subject property, which in future may be a shopping center, all student are bused to schools and they will provide some of their own recreational facilities in addition, large parking area, Churchville Park within 10 minutes of site and in his opinion this site is compatible with the adjacent land use and zoning pattern in area. Has already pointed out there is a 10 acre commercial site zoned in the northwest corner of Coldwater Road and Paul Road and then there is some existing commercial to south on Paul Road and then the single family area which they had planned for this area backs on to the subject site.

Thinks that that about concludes his points. Mr. Kronstadt is going to talk more specifically about the project, so, in conclusion he would like to say that the general trend in cities and in suburban areas is for multi family projects of this type. They worked all over the United States east of Mississippi and have worked on number of projects like this and this is desirable trend in housing in his opinion and in opinion of many others and in his opinion this subject site does meet all the criteria for multi family project.

Mr. Kronstadt appeared before the Board and the people at the hearing and thanked them for the opportunity to present this project. Referred to China where twelve million people live underground in kind of housing that creates no objections, explained how they dig underground and level out as many rooms as need and as family expands carve out more, no zoning problem, and then come up from there by ladders. Advised he is sensitive to housing needs and values because lives in one and owns one, raised three children in apartments and house and only two more years to go before going to return to Town House or apartment. Aware of country's growth and change and shares concern for housing young people, young single people and married, and young couples with children, many will need housing and are not ready to buy a house, and and older couples who lived here for many years and children grown and leave and house too big to maintain, and all those people who want good housing and good community and whatever reasons they do not want, or do not need or that to own single family house. We know they all do not want to live in single family house, times when can't and wish some other form of housing available. Recalled the housing shortage after World War II. Referred to his daughter who was just married and could not live in their community because no housing available for her income level.

Advised they bring with them considerable experience in housing, feel this is your community and you are more sensitive to your needs, would like to give this presentation as something to bring forward ideas and modified plans for benefit of community and people who need this type in Chili, proposition contains town houses and garden apartments, 500 units, 100 of which town houses, 400 garden apartments, rents ranging to \$300. a month. Some units equipped with fire places and screened porch, own community building, own swimming pool, its own tennis courts and recreation facilities. Density is 12 units to acre.. In the whole area around the country doing town house work has yet to have density as low as 12 units to acre,, lowest they have planned for. In Rossmore Liesure World there are 10,000 housing units and he has some pictures of this to give an idea of kind of design and space. That is 18 units to

to an acre in area. Lee Gardens is 18 units to an acre, they are proposing 12 of these units to an acre. Approximately 5% two-bedroom and den, remainder will be one bedroom and two bedrooms in about similar amount. One bedroom range \$145 to \$165. - two bedroom \$170 - \$210. Two bedroom and den \$240 - \$300. and there will be baths up to 2½ per unit depending on unit itself. Brought out it being interesting to note, statistics show that multi family housing, with regard to children in kind of design they are talking about, will produce less children of school age than the same land built on in single family housing. These figures can be checked. 41 acres with 500 units on national average of this income level 2/10 of child per school age per dwelling, or 100 children. Same 41 acres subdivided in lots as per remainder of this acreage would produce approximately 100 housing units at 1½ of school age or approximately 150 children of school age. Referred them to Urban Land Institute Study and some other studies around country as to the apartments and how used in planning. They know basically have to provide for need, if not could not build. Know that they have excellent buffer between commercial land. Have commercial land at entrance of Paul Road and Coldwater Road, the site across way on Paul Road is also commercial, serves as good buffer for that. The use of apartments and multi housing avert suburban sprawl over acres and growth, provides variety of housing even within same project and provides variety for yourself and community. Proposed town houses, apartments have variety of building shapes and variety of materials and color. Had pictures to show that will show what proposed, which would be similar housing. They are speaking of attractive buildings, variety of buildings, Speaking of parking in proper amount, this has been laid out 1½ per dwelling unit, expand to two, advised would provide attractive facade to square off parking, hide laundry and storage area, would have building scale compatible with neighborhood building, if two story building in area, relate to that, staggered, do not have them in unbroken line, will have building design, will have proper setbacks, will have setbacks in excess from what might have in single family houses. Must be located and planned. Will have own ingress and egress as Mr. Hayden pointed out on Paul Road and Coldwater Road. Have direct access so do not have to go through single family unit to get to apartments. All recreation and community activities in scale with project. Variety in housing will be provided, range of apartments and town houses, one to two bedrooms, multiple baths and varieties within building and house units, will not be like motel, most important should have sound privacy. If you have need and if meet this need for multiple family housing and do not have this for people, is poor construction and a poor investment. Every time there is turnover of apartment costs more money. Need good room relationship, some private withdrawal space for each unit, furnishing of yard and it will be quality so perfect will live well and maintain itself without costly maintenance. Plenty of storage, kitchens equipped as single family house, living with income level people same as with single family houses. Basic design that recognizes sound economics and provides quality product and excellent location in keeping with need. He wished to show a few pictures thought relate to this, thought it important to see these pictures.

The slides were shown by Mr. Kronstadt of projects around the country. From Cross Keys, Baltimore where rents run to \$500. a month. Pointed out the privacy afforded to each individual town house, showing private screened patios on each. Showed ones where built 14 units to acre and various views of each. Showed pictures of Hilton Head, South Carolina town houses. Showed pictures of some in Dayton, Ohio where mixed town houses and garden apartments. Pointed out setbacks and variety of buildings. Pointed out ones with density of 21 units to acre. Even these have large open area. Showed one in Indianapolis. Showed pictures of ones at Rossmore Leisure World which is to have 10,000 units, and pictures of the recreational facilities and swimming pool, and advised are proposing similar one but smaller scale for the subject project. Plan a 30 meter pool with two tennis courts in this project.

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He showed slides of proposed layout of apartments, with proposed plans for the several different type of units. Showed slides of town houses that price range goes from \$125,000. to \$250,000, to show range they can go.

He concluded by saying the excellence of this location and need for good multiple family houses, the quality house already being provided by Caldwell and Cook, plus the established values and success of other fine multi family housing communities around the country, will provide insurance this will become a fine addition to Chili.

Mr. Ireland advised this concluded Caldwell and Cook's presentation. He would now call for questions or comments and as he said before, would like to keep first ones from people in immediate vicinity.

Mr. Robert Stewart, Attorney appeared before the Board representing group of people from Spring Valley who vigorously oppose this proposal. Would say at outset, may differ from them a little bit in presentation about fact that this is isolated apartment project in Town of Chili. Takes position it is inexorably mixed up with whole apartment subject. Was going to be brief, intended to voice a few opinions of his own and present what he believed are cogent arguments against this on their behalf. Thinks five main points would like to present to Board.

1. Believed that the consideration of this was zoning and this proposition is premature in Town of Chili. Understood Multiple Dwelling Committee in this Town approved and appointed by Town Board in month of May and Mr. Ireland is Chairman, that that committee has met, studies made, no determination of any kind, but study whole problem of multiple dwelling in the Town of Chili.

2. Would be rankest kind of spot zoning. 41 acre plot located primarily in huge residential complex and now have some reason want to change zoning of this area to allow not town houses and not garden apartments but multi dwellings. That is what notice says, this is beautiful layout, do not know what means in last analysis.

3. Think the Town of Chili should complete its study on this matter. Highly technical matter, matter of community housing, town houses, multiple dwellings, these are some questions your committee, your Board and Town Board must come to grips with, what kind of area for town houses or apartments or multiple dwellings, what kind of density, what standards you set up, what traffic problems as you see them, will you adopt multiple dwelling rules of State of New York or will you have your own. Thinks these should be established in Town before any proposition as this considered and before land rezoned for such a project.

4. Whatever happened to Spring Valley. Suppose a little square in this day and age to broach subject of morality. Has talked to people in Spring Valley who said when they bought that were taken down to Bright Oaks. He has been there, thinks beautiful spot, wants to congratulate Caldwell and Cook on nice development and so far in Spring Valley. These people taken through Bright Oaks were told substantially same thing would happen in Spring Valley. These or this was to be suburban Shangra Lai. Would have to say knows something like this can become tent city. These are some of objections, this he believes is moral objection because something happened to Spring Valley. All adults here and thinks all know what happened, think it is money. Thinks probably in this money market in this day and age more lucrative venture for Caldwell & Cook. Does not think people who have built and bought homes in Spring Valley should be forgotten by the Town Board and Planning Board. They object to this, and regardless of what experts say, thinks they believe property will be downgraded and devalued and in future anything can happen to such development like this.

5. Believed the Planning Board and Town Board will have to realize there is widespread opposition to this particular plan. There will be presented petitions with about 1,000 signatures, thinks Boards have to consider that

Mr. Dressler, 6 Chiswick Circle appeared before the Board. He advised first of all, moved here from Montgomery County, lived there for seven years, lived in Baltimore, last place was Grovenor Park. About project Caldwell & Cook's attorney, he called it apartment project, the land developer mentioned some apartments and architect had worked on,

mentioned Rossmore as one, if you know it, the prices are far and above apartments in our back yard and the land developer when mentioned homes said community with apartment, said project, mentioned utilities, Caldwell and Cook will put them in, but will Chili utilities be able to handle them. Apartments are not compatible with current zoning. Maybe with commercial 10 acres, but are they with 200 acres of Spring Valley? Mr. Kronstadt mentioned his daughter not being able to afford to live in Montgomery County, he has lived there, there are apartments in Montgomery County, space in residential area. How many apartments will rent for \$300. 90%? He doubted it. At one point he discussed providing housing for young married and on other hand says will not have many children, so wants young married couples in apartment but not children, so what does he want, and what is so terrible about acres and acres of houses as Spring Valley and Regency Park. Spring Valley is very nice community. They say are going to have parking with screens, he parks his car in his garage, will they when have street in? Also look at plan, notice at top have lots leading into Spring Valley where residential homes are. Will they look like Cross Keys in Baltimore? He doubted it. What trees-have you driven by there? Will they put in 40 acres of trees. 30 meter pool, that is 96', not very long. 30 meters may^{have} confused some of you, but did not confuse several of them. From looks of screen he could point out 6 cars, looks like very low screening. How many town houses shall we have? His big point is devaluation of his property. Many studies say property is and many say is not. He has talked to people in his office and friends, they all said they would not want to buy his house if find apartments in his backyard if he were to sell. That is devaluation of his property.

Mr. Joseph Ulterino, 995 Coldwater Road spoke and advised he did not know these gentlemen, in fact they refused him a job five years ago, but any development undertaken fine job. Thinks this will be asset to community. Because right over in Chili Road apartment house. Need a unit like this and asset to businessmen and asset to Chili.

Mrs. Sloan, 1043 Chili Coldwater Road questioned what asset do we need, her husband and six children, where is road, where is her house? Indicated white place on map on bulletin board, is this Chili Center Coldwater Road? Is that roadway into development? Lives at 1043, at 1041 small field. Also where is her house, is that road on other side? Mr. Ireland believed the houses are further up. Mrs. Sloan questioned where will they park cars? Mr. Ireland advised inside project. Mrs. Sloan questioned approximately how many apartments? Mr. Ireland advised believed said 500 living units. Mrs. Sloan advised she was definitely opposed against this.

Mrs. Richard Miller, 36 Gateway Road advised she was one of those persons who was driven to Bright Oaks and told going into area like Bright Oaks and at time was living in Paddy Hill. Had she known in advance property would be rezoned for multiple dwellings would never have built in Chili. They do not want to live near apartments. Was speaking for everybody in Spring Valley.

Mr. Marchitti, 48 Gateway Road would like to have them show where Gateway Drive is in relation to project. Usually will show you where existing housing is, as far as he knows, this development could be two or three blocks away from his home. With all planning someone should be able to tell where Gateway Road is in relation to this project especially when same people building and thinks lack of this representation on a project of this type makes him a little sceptical to this project.

Mr. Haydon held up the map plan for Spring Valley, pointed out the 40 acres they were talking about, advising same shape as one on bulletin board and pointed out Gateway Road in relation to it, pointing out there was two streets or four tiers of houses between. Pointed out part of development on record and where proposed lots were so in other words four house lots away from back of the lot that faces on Gateway Road, about 800'.

Mr. Marchitti said Gateway lots are not 200', think would be little closer than 800'. Would like to be on record as seriously opposing and down grading this area.

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Mr. Andrews, 12 Gateway Road appeared before the Board and advised he would like to say something after submitting to the Chairman of the Chili Planning Board a petition signed by over 1,000 residents which represents 20% of the registered voters in Chili. Mr. Andrews read the petition which he then presented to Mr. Ireland, Chairman of the Planning Board and the petition is on file in the Town Clerk's Office. He then asked Messrs. Caldwell and Cook if they felt apartments will be progress opposed to residential. Mr. Galluce felt they should not answer the question and Mr. Ireland advised if he chooses to speak for them, this is their choice to make. Mr. Galluce would prefer specific questions regarding apartment project, willing to answer any capable of answering. In event any remarks should make them to Planning Board, is for their consideration statements should be made. Mr. Ireland felt it unfair to ask Messrs. Caldwell and Cook if they think this represents progress. Mr. Andrews remarked were talking about 41 acres and Mr. Ireland felt they obviously think it is. Mr. Miller, Deputy Town Attorney advised not germane to issue.

Mr. Andrews advised for himself an attractive apartment does not necessarily mean will be progress. Do not think can measure it with flowers, thinks it is measured by people who live here, these people out here, this is progress by valuation and Board should measure it. They care about what happens to Chili, care about parks we have and playgrounds and quality of legislation and stopping cement factories in back yard, concerned for every reason for residents in Chili, and big investment. Would like to question is it not problem, 41-1/2 acres of apartments, that 200 people it brings, who may be very nice people, we are not better than they are, but by virtue of being in apartment, they may not care a hoot about what goes on in Chili. He has lived in five different apartments, from West Coast to East Coast prior to buying home. Cannot recall hearing any one making statement about community, civic affairs, that somebody did not have roots and did not feel belonged to community, those people that rent those homes will be transient people. Generally people that rent apartments do not care about what we care about. Sure we need progress, but do not think kind of progress Messrs. Caldwell and Cook handing us. Said let people of Chili decide what is best for them. Thinks capable of doing it for themselves, he not for one was going to be misled by hearts and flowers and pretty things up here. Noticed in slides where they were all pretty new, or five- ten years old, mentioned one.

Mr. Andrews had one more question, gentleman here said Caldwell and Cook built beautiful homes, but what guarantee would they have they were going to retain ownership, they may ~~decide~~ in two or three years to sell this, then could have speculator in here who would care less about what happens.

Mr. Westlake, 12 Chiswick Circle advised he had only been living in this area a short time and is quite surprised after merely six months confronted with depreciation of value of his home. Thinks bad enough when builder does it, but when have to be confronted by fact that apartment house going to do it is another thing. What is going to happen as a result of 2500 additional people in this community. This is possibility. Statistics show that average family size is 5, not two, but 5, three of which are children. This means we have 1500 additional children going to our schools. Might add being on this side of Coldwater Road automatically puts all the burden on one school district. Are they going to be too small, are teachers going to be limited as to what they can give their pupils. What is going to happen to fire protection facilities, going to be big enough water supply? Sewerage, what is going to happen as a result of this additional burden. This should be known before any decision made, before have impartial attitude toward these buildings.

Mr. Perrin, 1 Cutter Drive inquired if study that is being made on apartments, is that to take precedence over this rezoning or rezoning going to take precedence over study? Thinks if this study is valid, should take precedence over this rezoning and findings of study should be made public then this rezoning taken under consideration based on findings of this study.

Mr. Charles Gebo, 8 Gateway Road advised so far tonight heard some good arguments in opposition to proposed apartment. Few are natives of Town of Chili. In here by choice, considered other locations and ruled them out as undesirable because of high density and commercial enterprises. We did this in spite of fact could have homes for lower price in other

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areas. One point is heart of matter, substance of basis for objections to this project, have signed petition in objection to proposed plan, feel are living in nicest suburban residential town in area and would like to keep it this way. Are taxpayers here, do not want these apartment buildings attractive as many said when new, therefore should not be allowed. Hereby requests Planning Board reject proposal and maintain E residential zoning on land in question, and further he was one of the people who got the ride through Bright Oaks.

Mr. Fulton, 10 Gateway Road advised he, along with most of his neighbors oppose rezoning from E into this apartment project. Reason he feels this, has spent last five years of his life to work to point where could have a nice home. Came to Caldwell and Cook because felt one of better builders. In this community six months. When signed purchase offer, at that time was told the entire development of Spring Valley would be same homes as he was purchasing, would be of same price bracket, same type. He also was reminded of fact Bright Oaks was beautiful community, Caldwell & Cook Homes endeavor to make each community better than preceding one. Feels that after working for five years to obtain what he thought was best thing he could get for his dollar and capable of buying at the time, why now, after living in his home not five weeks should he find out this builder he placed this much faith in, is planning on rezoning so he can see brick wall in his backyard. He is not five lots from Paul Road, that line will back up to one more lot or two more lots, would guess 150 to 200 yards from beginning of the apartment project. He does not care how beautiful it will look, but he has worked for this past five years to get what he thought he had and wants to keep. Does not want any beautiful project regardless in his backyard, wants residential homes which he was told by his salesman he would have. Was also reminded by his salesman excellent facilities for education for his child. School bus came down his street, picks up children going to Chestnut Ridge Elementary School. Now seems difficulty passing school budget, possibly austerity budget which means she will not walk 1.8 mile from school, have to live 2 miles from school before bussed, which means his child will be on street from Paul Road walking in middle of road. Possibly 500 more cars every morning, certainly do not want his children's lives jeopardized by this when would not have come out in this area. Opposes this to the end, would not back down in the least. Very unhappy, his faith broken in Caldwell and Cook.

Mr. Schmitt, 40 Sequoia Drive. Some 200 odd people in Ranchmar. Only worked for seven years to get his property had some 13, 14, 15 years now. They are going to get objections from Ranchmar, a good share of the 1100 names on petition are people from Ranchmar, they are also violently opposed to it.

Mr. Ford, 1064 Coldwater Road inquired every homeowner pays sewer tax, would we have to bear some of their burden? Mr. Ireland explained every dwelling unit pays \$75.00 per year. In other words, whether one room apartment or two bedroom or three bedroom, each living unit would pay same sewer tax.

Mr. Heaney, 6 Gateway Cir. inquired to start off is this drawing to scale? He was shown tonight, along with everyone else, series of pictures showing great green belt. Has seen these things, are beautiful. Looks at this thing, if this is to scale see 20' to rear lot line of homeowner, parking lot 10' from sidewalk all way around, sure row of green area, but around periphery where they are, there is nothing.

Mr. Thompson, 22 Gateway Road. Questioned you say might be 10 blocks. Right now those blocks are not sold not sell four lots, what is to prevent them coming in and rezoning those and go up to his lot?

Mr. William Gray, 26 Andony Lane advised they have heard lot of talk about progress in Town of Chili and whether or not development they are trying to put in will be progress. Some years ago when Lexington tried same thing, at that time one of biggest opponents were Caldwell and Cook, afraid of devaluating Bright Oaks property. Thinks everyone of us in this room are interested in progress of Chili. Thinks what really need in terms of it is for some zoning ordinances that will make it impossible to carry petition to 1100 people. Hope in future Town of Chili will contain zoning ordinances so all agree here is a community we want to live in.

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Mr. Miller, Deputy Town Attorney advised that anybody at any time has the right to make application to the Planning Board or Town Board for rezoning. Any property owner has no matter what zoning ordinances you have in Town people will make application for change.

Mr. Stone, 20 Hitree Lane would like to make a point. It is his understanding from Supervisor Kent in Lee Gardens Apartments approximately 22 to 23 units per acre and this 6-1/4 acres give you approximately 131 apartments. Now at the gentleman's 2/10 of child per apartment you come up with something like 26 children and he understands 51. So that would make that one different. In this case would have about 200 out of 500 apartments. Did not know how many drove by Lee Gardens, he did twice a day sometimes four times. That apartment dwelling is what you can expect from this too, that will degrade your town. From tax point of view, multiple dwellings will be tax benefit. You have choice in Chili as many other Towns have had of accepting undesirable things in order to lower your taxes. You always pay for what you get. Choice is up to you.

Mr. Isabelle, 49 Gateway Road questioned are we going to have application for variance, why is there not master plan, and why every two months when someone digs hole in ground? Mr. Miller again advised there is master plan, they still have right to come in for a variance. Mr. Ireland advised this is Town Law. Nothing Town Law can do to prevent this. Anyone can ask for variance or change in zoning at any time if willing to pay the fee. Is sure Mr. Stewart will verify this. We just have no control over this. Mr. Stewart agreed with that.

Mr. Bergmann, 64 Bright Oaks Drive would like to compliment the Planning Board and zoning map they have done for growth of Chili. Grown from 12,000 to 13,000 people. Will double and be difficult to stop growth. Thinks very important to attract to Town type of people living there. Will not attract caliber of people if block the town of people who have moved in or plan to move in Spring Valley who will not if have apartments in area. Should be plain. This area 41 acres. More areas in Town of Chili many of which would be equally suitable for apartments. Zoning Board, Planning Board, Town Board should give careful attention to not blocking town of people who have moved here who have reputation for people who will be moving in in future years.

Mr. Andrews, 12 Gateway Road would like to request the Chairman have record made of fact 250 people at this hearing. Would like to have it in record. Mr. Arbor would like to go on record how many people are here. Mr. Ireland advised it would go in minutes about how many people are here. Discussion was had on getting a count. Mr. Miller advised Mr. Ireland to make a ruling. Mr. Ireland advised he would ask for show of hands how many opposed, how many in favor. This will be taken into consideration. As far as making an exact count, did not believe relevant to question. He asked for a show of hands of those opposed to the application. It appeared the greatest majority of the people raised their hands. Mr. Ireland asked for a show of hands of those in favor of the application. Mrs. Howard Whelpton raised her hand.

Mrs. Whelpton advised this is going to bring extra taxes. Some people have turned down school budget. This means certain children had to walk to school. This will mean more tax revenue. Should think of these things. These same people bought land knowing commercial land on Paul Road. Possible shopping center on corner, these are all commercial, they do not object to this. Would say this is far more favorable than commercial land to their community. A woman in the rear advised those people who did not know it, Mrs. Whelpton was Chili Carpet Company and belonged to Chili Businessmen. Mrs. Whelpton returned most of these units are carpeted and not by little businesses as theirs. Did not do Lee Gardens, so nothing to do with them-as far as business would like to see more commercial. This would be more advantageous to them than housing.

Mr. Wilbert, 945 Paul Road. Would like to join with the people who live across from him, Spring Valley, Regency Park, etc. in vehemently opposing this move to put apartments where houses should be. Would like to go on record for saying thank you Caldwell and Cook for bringing

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very decent high standard houses into town which we know will increase our own property, but do not thank them for this project being presented tonight.

Mrs. Jacuzzo, 64 Red Bud Road, observed Caldwell and Cook have just opened two other areas, one on Long Pond Road and other in Pittsford. Why not pick on these areas, why not mentioned it then, why only tell their salesman last week Friday this was going in, why everything done underhand. We just got through voting down on this school, do not have facilities for them, want to bring in more children. Does not know one woman who can have 2/10 of child.

Mr. Miller, 4 Ascot Drive believed one of first to buy. His family lived on west side of city since late 1890's. Had he known apartment development being considered in this section, definitely would not have purchased home on this part of city, would rather have moved to east side. Definitely opposed. In addition should state would rather pay increased taxes and maintain residential area than have a very fine tax decrease with rather unknown and unproved factor.

Mr. Reifsteck, 24 Gary Drive, Hillcrest Park. Few years ago had Lexington, opposed it then. Great majority still oppose this town house, quite definitely do not want them in immediate area.

Mr. Heaney, 6 Gateway Circle, did not know much about planning, very new about this, if this is passed and they have told us 12 units to acre, what is to keep them from growing to 22? Once this is zoned, would this definitely be stipulated? Mr. Ireland advised it would be definitely stipulated.

Mr. Stone, 20 Hitree Lane questioned young lady from business committee mentioned low taxes. Would be interested in where in Rochester taxes are lowest and decide if you wish to live there? ^{Are we} willing to pay taxes taxes where we live or are we not? To heck with getting a lower tax or something like this.

Mrs. Hart, 14 Douglas Drive would like to ask two questions. What is it going to do to traffic in the residential area around this project, and the exits and entrances, are they on Coldwater Road and Paul Road, any other other than those two? Mr. Heyden advised those main entrances, ingress and egress to major roads, Coldwater and Paul. However there are accesses into Spring Valley in order to facilitate the people from Spring Valley to get out onto Paul Road and Coldwater. Mrs. Hart thanked him, he had answered her question. Mr. Heyden would like to point out no real reason for the people in the multi family project to go back into Spring Valley unless they want to visit people, so would not be any reason to induce any traffic from area back into Spring Valley.

Mr. Corrado, 33 Gateway Road would like to go on record definitely opposed to rezoning. Think point when they bought this Spring Valley was supposed to be residential. They knew commercial property was there, did not know was going to be rezoned. When are some questions going to be answered, sewer facilities, power, do we have enough? Yes or no questions. Answer it now. Questioned if Board were paid officials. Mr. Ireland advised the Planning Board does not have answer to these questions, but would have to be answered or cleared up before building. Would be the Sewer Agency, County Water Authority. Obviously if not adequate to handle this, would not be allowed. Not what they can answer. It will be answered before it is built and before it is approved. Mr. Corrado questioned before it is rezoned? Mr. Ireland advised he was trying to explain, does not matter. Planning Board has no jurisdiction. Sewer Agency and Water Authority decide whether adequate or not. Mr. Corrado advised it was his understanding they came in a week ago, wished to have approved in one night without Planning Board and yet it almost got through. Mr. Ireland advised this is not true. There was no vote taken, no hearing, this is first legal hearing on this matter. Mr. Corrado questioned was there a meeting? Mr. Ireland advised merely came in and asked for Legal Hearing on this matter. Mr. Corrado advised had 1000 signatures, if people had more time would have lot more. He would like to know who runs this town, people or city planners.?

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Mr. Wilbert, 945 Paul Road came forward and advised he was listening to the previous gentleman talk. He would like to express his feelings. Thinks we should show just a little more respect to the gentlemen on the Board who are here to gather information from all of them. Pretty well brought out 99/100% of their feelings. But to interrogate the Board on an informational meeting is strictly out of Order. He would ask anybody else if they would treat them with as much respect as they would like to be treated themselves.

Mr. Lambert, 669 Beahan Road was sorry was not hear earlier. Only question in his mind is again we have spot zoning. Did not think good for Town for them to come up here with petitions every one or three months and decide on individual basis on exactly and how our Town going to grow. Thinks property investors here picked Chili as good Town to raise families. All concerned vitally as how to grow. Problems with school, business. Need' industry, need apartments, however do not think need them abutting \$40,000. homes. Thinks certainly area in Town where apartments might be decided advantage. However we should plan for this so that people that buy know exactly where this to be built, where industrial going to go, or come in the future and reflect different zoning according so will be able to plan ahead. His major objection is this right here for what shapes up to be real, real nice residential area of Chili. Does not think need Town Houses here.

Mr. Arbor, 46 Red Bud would like to state at the outset in opposition to this request made tonight, had some points would like to mention. Some has discarded because repeated several times. Before getting into this would like to explain his understanding of the Town Government in regards bids of this nature. Many of you people have not as yet had experience and if he is incorrect, plenty of experts here. First of all, three different Boards in Town, Town Board which is elected by the people, Planning Board, gentlemen who are devoting time here this evening, they are selected and put into office by the Town Board, they are appointed. Also have the Zoning Board of Appeals, that is appointed Board also. Now as far as whether or not multiple dwellings will go into Spring Valley, these gentlemen can only approve the petition so that it can be passed along to the Town Board, if these gentlemen decline this petition, that is the answer right there. Mr. Miller, Deputy Town Attorney, advised this Board, if it decides to turn it down, it still goes to Town Board. They can override the Planning Board. Mr. Arbor advised in either event must still go to Town Board. Mr. Stewart advised if it goes to Town Board and it wants to amend your ordinance, they will have to have another hearing. Mr. Arbor remarked not only if amends ordinance will also have to have referendum. Mr. Stewart advised Town Board is Town Legislature. Mr. Arbor asked if needed referendum. Mr. Stewart advised no, they will not have to.

Mr. Arbor continued in other words, this very well not going to be the end of it. Tonight is getting prepared. First of all, he is of definite opinion that apartments not needed in Chili, in Spring Valley or elsewhere. His reason being that we do not have shortage of homes, do not have work force that must be housed. Is not sure of this, that we shall have many senior citizens that require housing, but the rest of citizens do not have need for apartments, so why have spot zoning. Already covered this is residential area, etc. and have stated we are willing to pay taxes to maintain nice residential area. He is a little curious, after difficulty one gentleman ran into trying to ask Caldwell and Cook question, who would he direct this to, why does Caldwell and Cook want apartments? Mr. Ireland advised he can only answer that by saying probably think would be a profitable venture. Mr. Arbor questioned does attorney for Caldwell and Cook wish to add anything to that? Mr. Gullace did not care to comment. Mr. Arbor questioned was this question in order, does Caldwell and Cook own the land or is it on option or is to be developed within certain time before taking out of mortgage or may develop? Mr. Ireland did not believe that a relevant question. Mr. Arbor questioned are they pleading hardship?

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This is relevant question because when individual goes to Zoning Board of Appeals one of very few reasons. Mr. Miller advised he was before Planning Board. Mr. Ireland advised only place when can plead hardship is before Zoning Board.

Mr. Arbor would just like to be very serious again. There have been numerous rumours flying about, thinks Caldwell and Cook would be interested in these rumours because are effecting image of Caldwell and Cook in community. Here are some of them.

1. Caldwell and Cook are going to build apartments in all tracts except Knickerbocker Hill.
2. Caldwell and Cook now owns land east of Bright Oaks and will put in apartments.

Mr. Ireland advised he did not think these rumours relevant to subject at hand.

Mr. Arbor advised next thing he was interested in along line Caldwell and Cook did present in an unofficial gathering, group, somewhat similar presentation as was made here this evening. This is always good business he is sure in advance. In other words, they did have discussion. Mr. Ireland advised seems to be great deal of talk about this. Caldwell and Cook came in here approximately two weeks ago informally talked about this thing and asked if could present it for advertised legal hearing and we said they could. Mr. Arbor questioned then you gentleman naturally have to make decision and have been in position to evaluate some of this information prior to this evening and opportunity to evaluate everything this evening. Has not gone to as many Planning Board meetings as Town Board but few have attended, if memory serves him correctly, Planning Board never made decision that evening. In other words he would think with their advance information and information they have tonight, they could tell us before they leave what their decision is. Mr. Ireland advised he thought he could say right off, without any further comment, they will not tell them before they leave what decision is.

There were many cries of "why", "why"? Mr. Ireland asked did they realize a thing like this cannot be decided that way. Have to look through minutes and discuss this thing. Did they want them to make snap decision and say O.K. will approve it, they would not like that. This is not something can decide in five minutes after this is over. He was questioned could he tell them approximately when they would know. Mr. Ireland advised no. He was questioned how will they know. Mr. Ireland advised decision that is made by Planning Board is only a recommendation and the final decision will be made by Town Board before which there will be another hearing and they will have an opportunity to come again.

Mr. Arbor advised this is not a rumor, this he was told. If this Board passes this, then goes to Town Board and if the Town Board passes it, it will be with a permissive referendum which means if any resident objects the reason being the Town Board does not want to say yes because that will be political suicide.

Mr. Lambert, 669 Deahan Road advised question in his mind just arose. Gentlemen from Caldwell and Cook have certainly heard feelings of people of Chili this evening, and he thinks everyone here will promise him a lot of opposition and a lot more of us. Thinks at this time he would like to ask Caldwell and Cook if they would possibly consider withdrawing their request and allowing them all to go home.

Mr. Gullace questioned if there were any more comments from the audience for or against at this time.

Mr. Powell, 21 Gateway advised he was told very firmly they would be nice homes. Knew was business but certainly did accept word of Caldwell and Cook salesman that that was definitely single home dwellings. Lady said apartments would lower taxes, but not as much as your home would devalue. This he does not want it to do.

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Mrs. Wilcox, 516 Paul Road believed all people here tonight should be assured about this meeting, this gentleman could reapply have another publication in the newspaper and not just a hearing. Mr. Ireland advised here this meeting will not be adjourned. There will be a decision made one way or other on this meeting tonight. If there is another meeting held on the same subject, it will be advertised again.

Mr. Whelpton, 3187 Chili Avenue, actually Chili Carpet Center. He was not going to say opposing or for this project, but was under impression, understood Spring Valley was going to be of same type of structures as Bright Oaks, which he thought should be. If going to have apartment projects think should be in planned area. Town should set aside area same as would for industrial. We have lot of commercial area in Center of Town. Actually one building used by industrial and this industrial property bit of eyesore for center of Town. Thinks should have some sort of committee to clean up this area, this is not far from Spring Valley, this part of Spring Valley not yet been developed, but this is very close to it, very much of eyesore and neighbors living across street from this strongly opposed this. Actually approached Board Members to do something about it but actually just grown high with weeds, trash and rubbish, mess all the time. Another thing, there are people here saying would rather pay more taxes, but already turned down school tax budget, this is not saying you are willing to pay more taxes. If not willing to pay taxes need more industrial business in Town and other things to try and give you something to offset tax budget. If going to turn down everything, you are going to have to pay more taxes, cannot have just plain homes and not pay highest taxes. Not saying have got to have apartment project, but think should be in another area not developed and then if want to develop houses around it, people know what getting into.

Mr. Andrews, 12 Gateway Road would like to re-emphasize what Frank Lambert said, notice not too many people, others in here standing up. Thinks if have another hearing just that much time to get more people if voters have voice in local government. Thinks all wasting our time. Was certain Messrs. Caldwell and Cook would consider Mr. Lambert's proposal, let's all go home and forget everything about it.

Mr. Ireland questioned, quite a few statements made, possibly some not correct. Would like to ask gentlemen here if they would like to rebut any of these.

Mr. Menihan, 45 Laredo Drive advised he attended this meeting Wednesday. When people asked him what happened, he told what happened. This is what he told people. He attended this meeting. Caldwell and Cook then explained they were requesting for this proposal to be approved by Planning Board and went beyond that and said the meeting did not have to be advertised. He picked it up and Deputy Town Attorney agreed would have to be advertised. Was standard practice here. He asked is that true or false. Mr. Ireland advised told them would have to come for a public hearing. Mr. Menihan thought impression was a little different from some questions in that line.

Mr. Gullace advised they did not have rebuttal. Would rather, if any more objections they would be heard.

Mrs. Miller, 36 Gateway Road advised she would repeat, do know Spring Valley intend to fight and will to bitter end. Would be very embarrassing for a lot of people. Think suggestion Mr. Lambert made, Messrs. Caldwell and Cook take this into consideration, would benefit them as much as us.

Mr. Gullace thanked them very much for patience in listening to presentation thinks all went pretty well. Would like to explain procedure involved in rezoning land. The Planning Board is not a legislative body, as pointed out is appointed body by Town Board. Their function is to evaluate the proposal from point of view from if is or not good planning, then on to Town Board. New York State Town Law states any land to be rezoned,

petition must be made to Town Board, must be on motion, so regardless of what this Board does, petition must be presented to Town Board if property going to be rezoned. Only once with legislative authority to change zoning necessary. Insofar as public hearing concerned, there is absolutely no requirement in New York State Town Law. This hearing being made public was made public by request of Planning Board, was intended as information meeting so we could present to Town their views. The Town Board and Planning Board could have legally if so chose, had a closed meeting without inviting a single member of the public, without any notice, they chose to make it a public hearing.

Mr. Miller, Deputy Town Attorney advised by Town Law, the Legislative body, the Town Board enacted by resolution this Board must have a hearing must follow procedure we are following now, not specifically follow State Law, Town of Chili goes one step further than State Law. Mr. Gullace agreed he may be right by procedure in Town of Chili the hearing is a public hearing so no one can object, they have been given their opportunity, and no way without a public hearing before the Town Board. At one time in Chili was either Residential or farm. If not going to permit changes in line with progress, this would mean you could not have anything except residential or farm property. Could have no commercial, no industrial, nothing but farms. Briefly, this is not what they really want in this Town. Mr. Kronstadt has a few comments in rebuttal.

Mr. Kronstadt advised said in beginning, exchange of ideas. He is not convinced that the statements have been made relative to plan itself. Statements have been made very strongly for kind of community they want. He respects the views if this is what they want, but did offer the pictures of other communities and statements of other communities the size of Chili to help them to grasp picture of other communities and which he believed will eventually come to Chili. In this regard wished to point out at present time on national basis 50% of all housing units in this country are multi family housing. At rate of our growth, at the rate of increase in numbers of young married, the rate of increase in numbers of older citizens, there is going to be greater demand for multi housing. To estimate by 1972 70% of all housing in this country will be multi housing. He had a few comments on some remarks made. Mr. Stewart spoke of spot zoning. We have abutting this property 10 acres presently commercial. We have across Paul Road more commercial. Speaking of spot zoning, already is change in zoning there, already is commercial abutting across street. To leave this commercial when isolated and unrelated to past plans you need a transition. Transition is in good planning done to provide good housing or good living and good community. You may not like this, but do point out around the country there is this transition. Should there be single family houses backing right up to commercial, or should there be a transition. The gentleman who lived in Grosvenor Park, wanted to point out this, concerning comparing Grosvenor Park to Chili apartments, should not worry him because Grosvenor Park was built at rate of 44 units to the acre and we are taking here of 12 units to acre and they are 15 story buildings and top stories have penthouses at \$1500 a month. This is quite a difference.

The question of roads leading into Spring Valley. No community should be isolated from another. There was laugh when someone said people from apartment might wish to visit people in single houses, because they are going to be relatives, they would be your children and in future those of you that will become senior citizens, it may even be you. Also developers do not like to run roads into single family community, do not benefit any of roads into this project and all being put in and maintained by developer, one of reasons why have multi family community.

On the question of 500 units making 2500 people. Would agree if single family houses. As stated, proposed 5% three bedroom units and balance of community be between one and two bedroom units 47% one and 47% two. Just cannot have five people in one bedroom apartment and 5 people in two bedroom apartment, not reasonable. While speaking of people, the

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reference that he made to the Conference of Schools, 2/10 of child referred to children of school age and thinks if they study apartment projects around here all ones proposed to be built for this income level maybe less than this 2/10. He is not saying he knows this, but thinks you will find this the case as found in other communities. Mr. Fulton stated did not want brick wall in his back yard. He agrees. It was for this reason he tried to show to Board when properly planned should not be any difference between your view of back yard into single family and garden apartment, provided proper planning. On other hand, as said earlier, did not believe Mr. Fulton would want housebacking right up to commercial. He spoke of population growth and of their children who will be looking for apartments and therefore should think in relation not only of what we know but also what is going to happen and look at other communities and their success and failures and he did not believe that what they are proposing would be a detriment. You have active citizens league and planning Board and thinks they will control what goes on, but thinks what proposed should be on the basis of the future and by those that understand the consequence of these acts. Suggested taking look at single housing plans only coming into Chili and the resulting taxes if built for 12000 people and the taxes needed for providing services to accomodate them, you may have more taxes.

He would like to close saying that multi family housing is still residential not commercial because there is no selling of anything, it is not industrial and people living there and should be planned as such and what they are proposing felt would make fine residential community and good addition to Town. Two projects showed pictures of built 10 or 12 years. Have done 85,000 apartment houses. Invited anyone to see any they have done. Many in Ohio, in Pennsylvania. Thinks they are attractive. Had interesting experience when rezoning was first proposed in Montgomery County-there were almost 1,000 people, who did not sign names but showed up at meeting and in opposition and the opposition basis similar to yours. 450 units were built when land was rezoned. There was a little piece of land left over which they requested be rezoned and at second zoning application four or five years later, there was no opposition. Point this out, community having seen these units, did not oppose it. Liesure Homes rezoned for 10,000 units. At its opening President of County Council came forth and made some very fine statements about this and community has jumped. Just wanted to say again, all americans sooner or later get tired of cutting grass, and many find another housing. If this is case, thinks you should be looking.

Mr. Arbor, 46 Red Bud said one objection to gentleman's explanation, one point we do not want apartment. Gave us logical reason should have apartments, one for spot zoning in that section, that apartments would be an asset or credit. Let's look at it this way, we goofed. What guarantoe do we have not going to goof again and go from one to other? Within few years estimate 70% will be living in apartments. If Chili ends up as one of few communities in United States, might be interesting to our children's children that is way to live.

Mr. Ireland thought all have had long evening, doubted if any one can say anything more. Wanted to compliment all for being an orderly audience and taking your turn in good grace and thinking. We have all learned something and he is sure a wise and reasonable decision will be reached.

Question was asked of when next board meeting would be. Mr. Ireland advised it will be advertised within ten days of when it will come up. Mr. Gullace on question advised for the record they did not wish to withdraw their application. Mr. Fulton questioned when they say this will be advertised, does this mean will be advertised in local newspaper. Mr. Ireland advised will be advertised in designated newspaper of Town. He advised he did not want to shut people off but as stated before thought everything has been said that can be said. He declared the Public Hearing closed at 10:45 P.M. Decision to be made at a later meeting.

Patricia D. Slack, Secretary

MINUTES
 ADJOURNED MEETING
 PLANNING BOARD
 Town of Chili, N. Y.
 July 20, 1967

Present: Mr. Winsor Ireland, Chairman
 Mr. Seldon Crow
 Mr. Ernest Keasling
 Mr. Mitchell Rakus
 Mr. Frederick Bean

Also Present: Mr. Daniel L. Miller, Deputy Town Attorney
 Mr. John Burchill, Director of Public Works

The Planning Board of the Town of Chili, N.Y. held an adjourned meeting July 20, 1967, at 7:30 P.M. to further consider the application of Messrs. Caldwell and Cook, which application was heard at a public hearing held July 11, 1967.

Application of Ellery J. Caldwell, residing at 49 Danbury Circle North, Town of Brighton, County of Monroe, New York, and Gerald E. Cook, residing at 160 Nob Hill, Town of Irondequoit, County of Monroe, New York, for approval to rezone property in the Town of Chili, Monroe County, New York, containing approximately 41½ acres fronting on the west side of the Chili-Coldwater Road, and on the north side of Paul Road, located in Town Lot 110 of the John Smith Allotment, from "E" Residential to permit construction of Multiple Dwellings.

DECISION: The Planning Board unanimously recommends disapproval of this application. The Board feels that at this time it does not have sufficient detailed information on engineering and architectural data, details of plans, layouts, arrangement of buildings, building heights, buffer zones, screening between the proposed project and existing commercial zone, and street layouts.

The Planning Board made the following decision on application heard at Public Hearing held May 9, 1967.

Application of Milton P. Fess, Smith Road, Scottsville, N.Y. for approval to rezone property in the Town of Chili, N.Y. located on the north boundary of Chili-Wheatland Boundary Line, consisting of 40 acres, 15 acres on the east side of Union Street and 25 acres on the west side of Union Street, the northwest corner touching the New York State Throughway, being known as lots 4 and 5 Union Street, Tax Account No. 59, from EE residential to A Industrial.

DECISION: The Planning Board unanimously recommends disapproval of this application, due to lack of water and sewer facilities in the area and lack of definite plan for what they plan or what is intended to be built in there.

Patricia D. Slack
 Secretary

Planning Board

July 11, 1967

reference that he made to the Conference of Schools, 2/10 of child referred to children of school age and thinks if they study apartment projects around here all ones proposed to be built for this income level maybe less than this 2/10. He is not saying he knows this, but thinks you will find this the case as found in other communities. Mr. Fulton stated did not want brick wall in his back yard. He agrees. It was for this reason he tried to show to Board when properly planned should not be any difference between your view of back yard into single family and garden apartment, provided proper planning. On other hand, as said earlier, did not believe Mr. Fulton would want housebacking right up to commercial. He spoke of population growth and of their children who will be looking for apartments and therefore should think in relation not only of what we know but also what is going to happen and look at other communities and their success and failures and he did not believe that what they are proposing would be a detriment. You have active citizens league and Planning Board and thinks they will control what goes on, but thinks what proposed should be on the basis of the future and by those that understand the consequence of these acts. Suggested taking look at single housing plans only coming into Chili and the resulting taxes if built for 12000 people and the taxes needed for providing services to accomodate them, you may have more taxes.

We would like to close saying that multi family housing is still residential not commercial because there is no selling of anything, it is not industrial and people living there and should be planned as such and what they are proposing felt would make fine residential community and good addition to Town. Two projects showed pictures of built 10 or 12 years. Have done 35,000 apartment houses. Invited anyone to see any they have done. Many in Ohio, in Pennsylvania. Thinks they are attractive. Had interesting experience when rezoning was first proposed in Montgomery County--there were almost 1,000 people, who did not sign names but showed up at meeting and in opposition and the opposition basis similar to yours. 450 units were built when land was rezoned. There was a little piece of land left over which they requested be rezoned and at second zoning application four or five years later, there was no opposition. Point this out, community having seen these units, did not oppose it. Liesure Homes rezoned for 10,000 units. At its opening President of County Council came forth and made some very fine statements about this and community has jumped. Just wanted to say again, all americans sooner or later get tired of cutting grass, and many find another housing. If this is case, thinks you should be looking.

Mr. Arbor, 46 Red Bud said one objection to gentleman's explanation, one point we do not want apartment. Gave us logical reason should have apartments, one for spot zoning in that section, that apartments would be an asset or credit. Let's look at it this way, we goofed. What guarantee do we have not going to goof again and go from one to other? Within few years estimate 70% will be living in apartments. If Chili ends up as one of few communities in United States, might be interesting to our children's children that is way to live.

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Question was asked of when next board meeting would be. Mr. Ireland advised it will be advertised within ten days of when it will come up. Mr. Gullace on question advised for the record they did not wish to withdraw their application. Mr. Fulton questioned when they say this will be advertised, does this mean will be advertised in local newspaper Mr. Ireland advised will be advertised in designated newspaper of Town. He advised he did not want to shut people off but as stated before thought everything has been said that can be said. He declared the Public Hearing closed at 10:45 P.M. Decision to be made at a later meeting.

Patricia D. Slack, Secretary

MINUTES

PLANNING BOARD, TOWN OF CHILI, N.Y.

August 8, 1967

Present: Mr. Winsor Ireland, Chairman
 Mr. Selden Craw
 Mr. Ernest Keasling
 Mr. Frederick Bean
 Mr. Mitchell Rakus
 Mr. Lowell Titus
 Mr. John Coyle

Also present: Mr. Daniel L. Miller, Deputy Town Attorney
 Mr. John Burchill, Director of Public Works
 Mr. James Dungan, Town Engineer.

The Public Hearing was called to order at 8:00 P.M. by Mr. Ireland Chairman of the Board.

- #1. Application of Wilbur Miller, 3225 Chili Avenue, for approval to rezone property in the Town of Chili, owned by Harry Robinson, Tax Account No. 1756-050 from E Residential to Commercial, property described as follows: ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Chili, County of Monroe and State of New York, being a part of Lots 125 and 158 of the East Pultney Tract and Great Lot 24 of the Boughton Tract, more particularly described as follows: Commencing in the north line of Chili Avenue at the southeast corner of premises heretofore conveyed by Harry G. Robinson to Edwin L. Rague and wife by deed recorded in the Monroe County Clerk's Office in Liber 3690 of Deeds at page 75; thence (1) northerly making an interior angle with the northerly line of Chili Avenue of $81^{\circ} 40'$ and along the easterly line of said Rague's property a distance of 180' to an angle; thence (2) continuing northerly along the easterly line of said Rague's premises and making an interior angle with the last described line of $192^{\circ} 5'$, a distance of 739.55'; thence (3) northeasterly and making an interior angle with the last described line of $141^{\circ} 10'$, a distance of 128.7' to the right-of-way of the New York Central Railroad, Westshore lands; thence (4) southeasterly making an interior angle with the last described line of 90° and along the right-of-way of the said New York Central Railroad, Westshore land, a distance of 1274' more or less to a point; thence (5) southwesterly making an interior angle with the last described line of 112° , a distance of 299.64' to the north line of Chili Ave., thence (6) westerly making an interior angle with the last described line of 103° , a distance of 394' more or less to the southeast corner of premises heretofore conveyed by the first party to Robert J. Haver by deed recorded in Monroe County Clerk's Office in Liber 2836 of deeds at page 199' thence (7) northerly and along the easterly line of Haver's premises making an interior angle with the last described line of $81^{\circ} 45'$, a distance of 180'; thence (8) westerly and parallel with the said northerly line of Chili Ave., a distance of 545' to the northwest corner of premises heretofore conveyed by Alfred W. Ulrop and wife to Charles H. Dawson and wife by deed recorded in said clerk's office in Liber 2833 of Deeds at page 477; thence (9) southerly and making an interior angle with the last described line of $261^{\circ} 45'$ and along the westerly line of said Dawson premises, a distance of 180' to the northerly line of Chili Ave., thence (10) westerly along the northerly line of Chili Ave., a distance of 60' to the place of beginning, containing 13.8 acres be the same more or less.

Mr. Miller appeared and presented maps of the property to the Board which were studied by the Board. He explained he has a buyer for the property. Actually he is looking at it with a view of six months, or year and a half or two years in future. What he is thinking more for this property something which will associate itself with the Wegman tract across the street. Realizes anything must be approved by the Town which he is willin

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to go along with. It is something of commercial nature or retail business.

Mr. Ireland asked if any one present at the hearing would like to comment on this.

Mr. Charles Loomis, 3370 Chili Avenue questioned if this is zoned commercial would that include the homes along there as well. Mr. Ireland advised no. Homes would be excluded, only property would be this parcel. Mr. Loomis questioned proper drainage would be put in so their back yards would not be flooded. There is really a stream that flows down through there when it is wet weather behind his house and all others. Would not want that left there. Mr. Ireland advised if this is developed commercially, would have to be properly engineered down to take care of storm water and sanitary waste. Mr. Loomis would rather see that than tract or bunch of houses. He is for it.

Mr. Gerald Derleth, 3374 Chili Avenue questioned border stipulations building back up to residents as to border line backing up to their property, what footage would they have to stay away from property owners' lines? Mr. Ireland advised there is front setbacks and side setbacks stipulated, but where behind residential property such as this there are no setback stipulations. They would have to be determined by Board. Only thing definitely stipulated screen planting backing residential and commercial, a buffer zone. Mr. Derleth questioned made up by the Board itself? Mr. Ireland advised in a case like this behind residential, Board would have to determine this distance. Mr. Loomis questioned if it would have to be fenced? Mr. Ireland told him not necessarily unless Board specified but would have to have buffer zone and screen planting of some type of evergreen tree or hedge. Mr. Derleth questioned, there is five residential property owners there, do they have any holding on this property being rezoned commercial before they can put in request on their own property to be rezoned along with this, can they put hold on this or hold up on it? They have had a meeting and feel if those 14 or 16 acres are rezoned, they want to rezone to the road frontage back to road and up Chili. Mr. Ireland advised he thought they would all have to make a request to the Board to be rezoned. The Board cannot rezone a piece unless property owner requests it, but if they all request it, it could all be rezoned commercial at the same time. Mr. Derleth questioned would that be in one piece? Mr. Ireland advised this could be rezoned commercial then single parcels can be rezoned a month from now. Mr. Derleth commented is all commercial across the road, then they will be five individuals sitting there residential. They would like to get up petition to come in to the Board along with this. Mr. Ireland advised if they would all request it no reason why could not be done. They would have to make application for it. Mr. Derleth said they would like to know more specifically as to what is going to tie in with Wegman's, warehouse or industry or factory thing? Mr. Ireland advised would not be industrial, could only be commercial project. In general is retail business, not manufacturing and could be only allowed uses, which are mostly retail business.

Dr. Rague, 3390 Chili Avenue asked if there was a list as to what could go into commercial? Mr. Ireland read the 30 allowed uses in a commercial district from the code.

Mr. Kidder, 3372 Chili Avenue questioned assuming this were rezoned to commercial, would there be anything in the future then to determine what might come in as commercial business? Would there be any other hearing, would the Planning Board determine whether an organization can come in when once it is named commercial? Mr. Ireland advised when it is rezoned any of these 30 allowed uses can come in. Mr. Kidder questioned, would not have to be another vote? Mr. Ireland advised if use not sepc specified, would have to get variance from the Zoning Board.

Mr. Lambert, 669 Beahan Road spoke. The Town Board passed a resolution last week to have a master plan drawn for the Town to assure orderly growth. Questioned, at this time did they think it wise to proceed on an individual basis prior to the submission of this plan to the Town Board for approval? Mr. Ireland told him this master plan they are talking about might take a couple of years to come about. Have to employ either County Planning Council staff which are approximately two years back now in work or else employ a private firm of planners to make a master plan, in which case would probably take same time. Mr. Lambert continued, resolution introduced said if County were too busy, and would take a large amount of time, should apply for private people

State of New York

COUNTY OF MONROE,

CITY OF ROCHESTER.

ss.

Legal Notice

TOWN OF CHILLI- PLANNING BOARD

NOTICE IS HEREBY GIVEN that there will be a public hearing of the Planning Board of the Town of Chilli to be held in the Chilli Administration Office, 2235 Chilli Avenue, Rochester, N.Y. 14614 on August 6, 1967, at 8:00 P.M. to consider the following applications:

1. Application of Wilbur Miller, 3225 Chilli Avenue, for approval to rezone property in the Town of Chilli, owned by Harry Robinson, Tax Account No. 1796-050 from E Residential to Commercial, property described as follows: THAT TRACT OR PARCEL OF LAND, situated in the Town of Chilli, County of Monroe and State of New York, being a part of Lots 12 and 13 of the East Pultney Tract and Great Lot 24 of the Boughton Tract, more particularly described as follows: Commencing in the north line of Chilli Avenue at the southeast corner of premises heretofore conveyed by Harry O. Robinson to Edwin L. Ragus and wife by deed recorded in the Monroe County Clerk's Office in Liber 3690 of Deeds at page 25; thence (1) northerly making an interior angle with the northerly line of Chilli Avenue of eighty-nine degrees, forty minutes (89° 40') and along the easterly line of said Ragus' premises a distance of one hundred and eighty (180) feet to an angle; thence (2) continuing northerly along the easterly line of said Ragus' premises and making an interior angle with the last described line of one hundred ninety-two degrees, five minutes (192° 5'); a distance of seven hundred thirty-nine and fifty-five hundredths (739.55) feet; thence (3) north-easterly and making an interior angle with the last described line of one hundred forty-one degrees, ten minutes (141° 10'); a distance of one hundred twenty-eight and seven tenths (128.7) feet to the right-of-way of the New York Central Railroad, Westshore land; thence (4) southeasterly making an interior angle with the last described line of ninety degrees (90°) and along the right-of-way of the said New York Central Railroad, Westshore land, a distance of one thousand two hundred and seventy-four (1274) feet more or less to a point; thence (5) southeasterly making an interior angle with the last described line of one hundred and twelve degrees (112°), a distance of two hundred ninety-nine and sixty-four hundredths (299.64) feet to the north line of Chilli Avenue; thence (6) westerly making an interior angle with the last described line of one hundred three degrees (103°), a distance of three hundred ninety-four (394) feet more or less to the southeast corner of premises heretofore conveyed by the first party to Robert J. Hayes by deed recorded in Monroe County Clerk's Office in Liber 2836 of deeds at page 199; thence (7) northerly and along the easterly line of Hayes' premises making an interior angle with the last described line of eighty-one degrees, forty-five minutes (81° 45'), a distance of one hundred eighty (180) feet; thence (8) westerly and parallel with the said northerly line of Chilli Avenue, a distance of five hundred forty-five (545) feet to the northwest corner of premises heretofore conveyed by Alfred W. Ulrop and wife to Charles H. Dawson and by deed recorded in said clerk's office in Liber 2833 of Deeds at page 477; thence (9) southerly and making an interior angle with the last described line of two hundred sixty-one degrees, forty-five minutes (261° 45') and along the westerly line of said Dawson premises, a distance of one hundred eighty (180) feet to the northerly line of Chilli Avenue; thence (10) westerly along the northerly line of Chilli Avenue, a distance of sixty (60) feet to the place of beginning, containing thirteen and eight tenths (13.8) acres be the same more or less.

2. Application of Gerald R. Court, Jr., 81 Baley Drive, for approval to rezone property in the Town of Chilli located on Chilli-Scottsville Road, being a portion of land of Lois E. Ferguson, Tax Acct. 194 situated in Great Lot 19, Fitzgerald Allotment, East Pultney Tract, such portion containing 35.682 acres.

3. Application of Archer Homes, Inc., 2690 Chilli Avenue, for approval of Flat Top Subdivision, consisting of 46 lots on approximately 20.5 acres of land fronting on the north side of Chestnut Ridge Road, bounded on the east side by Sections 1 and 2 of Pineknoll Subdivision, on the north by Rochester Western Expressway and on the west of Sections 1 and 2 of O.K. Ridge Subdivision and Long Meadow Subdivision, located in residential zone.

All interested parties are invited to be present by order of the Chairman of the Planning Board of the Town of Chilli.

WINSON D. IRLAND, Chairman.

CC-11-July 28-67-U.

Eleanor E. Williams

being duly sworn, deposes and say that she is principal clerk in the office of THE TIMES-UNION a daily newspaper published in the City of Rochester, County and State aforesaid, and that a notice of which the annexed is a printed copy, was published in the said paper on the following dates:

July 29, 1967

Eleanor E. Williams

Sworn before me this 29th day of July 19 67

Helen L. Stearn

Helen L. Stearn, Notary Public, State of New York, Monroe County, Commission Expires March 30, 1969

Notary Public

to make study. Point in his mind, Chill has been around for a good number of years and will be for a lot more years. Understands building homes at rate of 50 a month. Quite frankly, as to what would look like if rezoned on individual basis, would hate to see it turn into sort of carnival strip down Chill. Have a nice town. Personally would like to see over all land use proposal made by professional. Mr. Ireland believed needed updating of master plan. Mr. Lambert understood had plan in 1959. and understood Town Board voted on master plan. Was advertisement hearing would be held to grant a variance to it. This he thought rather ironic, he recommended Kaddis Manufacturing going in there, when have a unique problem, think should solve on individual basis, but when take main road of Town and fool around with a few parcels, is against it. Mr. Miller advised in reference to his thinking, he goes along with that, however directly across the street has all been rezoned commercial. Where Voke house is, all commercial. The other side of Scottsville Chill Road, in back of H. Vokes, all commercial. This particular piece of ground is almost surrounded by commercial, only spot zoned residential, so to leave this residential feels are doing injustice. How many people would want to live surrounded by commercial or by railroad tracks. This is only spot residential in that particular area, the rest all commercial. Mr. Lambert agreed his point was well taken and neighbors more qualified to speak. He was making general observation as to spot zoning. Obviously if spot residential in commercial, provided people there want to change.

No one further appearing to speak in favor of or opposed to this application, the hearing on this matter was declared closed. Mr. Ireland suggested to the people who owned property in front, if all want to rezone their property, they make an application within next two weeks to the Town Clerk for a hearing next month and can all be done at once.

DECISION: Decision reserved.

#2. Application of Gerald R. Court, Jr., 81 Baler Drive, for approval to rezone from EE Residential to Commercial property in the Town of Chill located on Chill-Scottsville Road, being a portion of land of Lois E. Ferguson, Tax Acct. 194, situated in Great Lot 19, Fitzgerald Allotment, East Pultney Tract, such portion containing 25.68+ acres.

Mr. Court appeared before the Board. Wished land to build a kennel, either attached or semi-attached to home wishes to build on property, to continue to raise his dogs. It is his understanding Town Laws concerning kennels, you can get variance but this is something that would be taken away at the whim of Town. Mr. Ireland advised Boarding kennel is one of allowed uses in commercial zone. Mr. Court advised boarding would be on minor basis, mainly have own dogs. Lot of people think kennels detriment to area within five or ten miles. It is something that is going to be connected to his own home if this is allowed by Town or rezoning of lot. People think also of dogs barking during days or nights, this is why is attempting to purchase large parcel of land and there would be no one closer than he would be to any barking dogs. This is why they are making an application. If it is granted, sometime a year from now would be used. By time get through building his home and everything are going to have sizeable investment, feels only good business to attempt to protect it. Mr. Ireland questioned, in other words, what he is proposing is raising show dogs rather than boarding them? Mr. Court advised boarding would be strictly secondary. They only figure on putting up maybe 10 runs and kennel, 4 or 5 at most would be used for boarding, rest are own dogs. Also building house and garage, etc. Mr. Ireland questioned on which portion of this land did they propose to build. Mr. Court pointed it out on the tape location map which had been presented to the Board, but did not think it showed the full parcel thought it went back further. He pointed out where kennel proposed, they would probably put it at least 250' back from the road. He also pointed it out to those at the hearing interested.

On question of Mr. Ireland if any one present at the hearing who would like to comment, Mr. Elywn Tesch, 914 Chill Scottsville Road advised he was opposed to rezoning this property from residential to commercial. They have nice golf course in neighborhood and neighbors and himself feel they would like to keep this residential area. He presents petition which has 25 residents and 45 taxpayers signatures in the neighborhood concerning this property.

Mrs. Tesch, 914 Chill Scottsville Road would like to add of all residents who were contacted, 100% of population in that radius were opposed to it.

Mrs. Studeman, 891 Chill Scottsville Road was very much opposed, she has nice home there.

Mrs. Olive Tesch, 920 Chill Scottsville road advised she was opposed to it. The resident of 889 Chill Scottsville Road was very much opposed to this.

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Mr. Potter, 820 Chili Scottsville Road did not want to say anything to hurt any one's feelings, but if they say what they think, get places better. Feels this way, that certain things if they want to come in there and be reasoned, might at one time be favorable to it, but a kennel does not feel is the thing for that particular neighborhood because along with rest, feels is residential section. Realizes people have to make a living one way or other, but does not feel should be here, have other places joining commercial that could be obtained, or are zoned commercial for these things, does not feel would be depriving anybody of doing business so he is opposed to it. Feels regardless of what people say, are more or less disturbed by a kennel.

Mr. Lambert, 627 Morgan Road felt would be detrimental to area. Will have zoo so will have enough animals in area anyway.

Mrs. Laney, 590 Morgan Road was opposed to it.

Mr. DelMoro, 595 Stottle Road was opposed to this.

Mrs. Daugherty, 551 Morgan Road advised their property adjoins this property on east, are opposed to it.

Mr. Ed Crane, 839 Chili Scottsville Road advised would like to see fellow build beautiful home, have no objection to building home in there, kennel different thing. Thinks tendency to have town leash law. Ten dog runs with half of them on rental basis would be quite noisy. These dogs are brought in, they are lonesome, miss their masters and mistresses and they make rumpus. Good illustration in Pittsford, on Pittsford Road can hear them mile and half away.

Mr. Lambert, 669 Beahan thinks his basic remarks made relative to spot zoning apply here. Thinks very bad for town to make commercial property in residential, should make residential grow and not decrease in value.

Mr. Court thanked people for coming out. Would rather here it here. This is not his livelihood, they raise dogs for show purposes and this is only reason he is attempting to get commercial zoning, is to protect his investment in property in future. Not going to put up 100 dog boarding kennel, not his idea of living either. Only thing he is interested is building on end small building to take care of his dogs and few boarding. Did not know that many people in area or close by the property he had option on. This is reason for hearing to find out how things are going to stand in future so that any problems that may come up can be settled here tonight one way or other. Thanked all for coming and the Board.

Mr. Lambert, 669 Beahan Road, pointed out he had sympathy for Mr. Court, as he was dog lover himself and wished to come in to Board for a kennel license to raise Great Danes, but he objected to changing zoning to commercial because it is his understanding if once zoned commercial any approved use can go in there. He would have no objection to man breeding dogs, but would object to piece of property being rezoned commercial and the boarding kennels. Mr. Court explained he did not want variance only because would be faced with problem in five years from now someone across street or half mile away who does not like dogs or not want that there can eliminate your kennel license. Discussion followed regarding what a variance for this would allow, how the variance runs, to the land or to the person acquiring it. Mr. Miller advised it was not in this Board's jurisdiction to grant a variance, that would have to come before the Zoning Board of Appeals.

No one further appearing on this application, the hearing on this application was declared closed.

DECISION: The Board voted unanimously to recommend to the Town Board this be disapproved because of objections of the neighbors and it would be spot zoning.

- #3. Application of Archer Homes, Inc. 2690 Chili Avenue, for approval of Plat Mar Subdivision, consisting of 46 lots on approximately 20.5 acres of land fronting on the north side of Chestnut Ridge Road, bounded on the east side by Sections 1 and 2 of Pineknoll Subdivision on the north by Rochester Western Expressway and on the west of Sections 1 and 2 of O.K. Ridge Subdivision and Jensen Meadows Subdivision and Jensen Meadows Subdivision, located in D residential zone.

Mr. Schoenberger, Engineer with Sear, Brown and Associates appeared before the Board and presented maps for the Board to study. He advised they are proposing a 46 lot subdivision on the Van Ingen property, fronting on Chestnut Ridge Road, he pointed out small location sketch on lower left hand corner of the first sheet of maps. This layout they are showing tonight is basically same as they previously presented in preliminary plan, dropped one lot and stretched lots out. Zoning is D residential and have shown some lots larger than the minimum 80', many are 85' and some 90' and some larger. Depth is running on west side 187' - 188' up to 191' and on east side running about 107½'. The road they are putting down through here, they are rather limited in lay out, comes straight off Chestnut Ridge Road, comes back and connects into pineknoll. Have talked to Mr. Kelleher and he has agreed to cooperate with them. He did ask sanitary sewer be extended up to border of his subdivision, which they have done (pointed it out on map). Similar to their preliminary plan, are asking front setback variances on lots 3 and 4, 46 and 47 to allow transition from 20' wide setback of two corner lots. Only purpose of asking for this is to allow nice aesthetic transition, could, without any difficulty go straight. Their concept of way going to develop subdivision is going to try to preserve all trees can and do minimum amount of grading, meaning certain front yards nobs of earth with the driveway going up through nobs, try to keep it fairly rustic and confine most of grade within right of way area and far back to achieve sufficient driveway grade. Certain pockets on property they are going to fill in and be sure is good drainage.

On matter of drainage, presently there is about 20 acres that drains into 15" pipe in back of lots 6 and 7. They are taking this 20 acres and reducing this to about 10 acres that will drain into this pipe because runoff will be increased due to developing. 10 acres taking out will be taken back to rear of property and dumped into existing drainage channel in pineknoll subdivision. Mr. Crow questioned the nature of property behind Pineknoll where going to put water. Mr. Schoenberger advised nature is rather flat as you get back there. Right now there is drainage channel. They will be piping down through this point in here (pointing it out) and running small opening ditch that is 100' long into existing ditch so that bulk of drainage will be piped. Mr. Crow questioned will bring you down pretty close to Expressway. Mr. Schoenberger advised pipe runs parallel with expressway, in far enough to miss A.T.&T. line. Are right next to it. Mr. Ireland questioned piece of pipe goes over to this property? (using map) Mr. Schoenberger advised right, he has agreed to an easement. Mr. Ireland using map questioned the situation down along here, the back lot drainage. Mr. Schoenberger advised they were not going to touch that ditch at all. They will maintain that ditch as it is now and the back yards will continue to drain into that as do now. However front yards going to go onto our streets now. Approximately everything from here down (using map) goes into pipe, going to take everything from this point here on except these back yards and take it down this way. Total area going into here now, about 20 acres, now will be reduced to 10 acres.

Mr. Dungan advised he mentioned fact that he had been up here when area this fed into flooded. Mentioned also flooding into area near dul de sac. Now all they are doing is magnifying this problem by increasing run off. Mr. Schoenberger with their calculations feel will be same. Mr. Dungan advised he was telling him what he had seen. What he thought they should

do is match area they increase this run off with area they take out, they could if they pick up storm drainage from ditch and take back end of Kuebler Drive and get rid of it. They have increased rate of runoff in one area and dumped it onto another, which he has seen in flood condition. He pointed out on the drainage if they take and lower storm sewer from this manhole to this manhole about 2½' you can run storm sewer and pick up ditch and relieve condition back of Kuebler. You have jump up manhole of 2½' at this point, feel can do this and get away with it. Will put water in area at balance. Pipe between 13 and 14 he pointed out on map. If they pick this up will help situation that already exists. Cannot let them dump water into an already know flood area in springtime. They can help the situation at this end and get water out of this end at Kuebler. Thinks at this point it would work. After discussion Mr. Schoenberger said O.K. saw no problem, on basis of what have discussed should be no problem.

Mr. Burchill questioned the catch basins, thinks ordinance calls for catch basin maximum of 300' apart, they are showing in excess of 600'. Mr. Schoenberger advised there is a high point in there. Discussion followed regarding necessity of getting variance for this.

Mr. Dungan did not want any negative grades in front yard, did not see any. Mr. Schoenberger advised their thinking was if have catch basin spaced every 300' pick up 300 block of street, if high point up has if put first catch basin 300' from that high spot catch 300' from each side and be 600' apart. That was their thinking on that.

Mr. Ireland pointed out a piece of street on map and asked if their plan included that. He was advised they will build that portion of street and build storm sewer up there and provide drainage for that lot, providing end section there to pick up any drainage. Mr. Ireland questioned the pond, and Mr. Schoenberger advised they were going to fill that in.

Mr. Schoenberger advised one thing should mention, they were unable to obtain sanitary sewer easement in frontage so are going to revise plan to show sanitary sewer coming along Chestnut Ridge Road within right of way. If do they will be deep enough and have Y for Mr. Avery to hook on to it. They told him if were going in front would give him a Y, it will be deep enough for him. Looks like way they are going to be forced to go. They will rebuild sanitary sewer to come up from Chestnut Ridge Road.

No one further appearing to speak on this application the hearing was declared closed.

DECISION: Unanimously approved with the following stipulations:

1. Formation of drainage district.
2. Letter of credit for improvements.
3. Approval of Monroe County Department of Health.
4. Permanent survey monuments to be set at important corners to be specified by the Planning Board Chairman of the Town of Chili and the Town of Chili Engineer.
5. Builder of the subdivision to be required to plant trees on both sides of streets in the subdivision, at least 5' high and 1" in diameter, every 90' of the subdivision, 10' back from front property line. Planning Board to designate the kind of tree.
6. Change storm sewer to pick up water at north end of Kuebler Drive down to at least lots 13 and 14 on proposed subdivision into subdivision's storm sewer.
7. Catch basins to be in line with the side lot line.
8. Concrete pipe and sanitary sewer under Saddleback Trail should be back filled with gravel when it is placed where where it goes under the pavement in the vicinity of station 19 and 20.

MINUTES
 PLANNING BOARD, TOWN OF CHILI, N.Y.
 September 12, 1967

Present: Mr. Winsor Ireland, Chairman
 Mr. Selden Crow
 Mr. Ernest Keasling
 Mr. Frederick Bean
 Mr. Mitchell Rakus
 Mr. Lowell Titus
 Mr. John Coyle

Also present: Mr. Daniel L. Miller, Deputy Town Attorney
 Mr. John Burchill, Director of Public Works
 Mr. James Dungan, Town Engineer.

The Public Hearing was called to order at 8:15 P.M. by Mr. Ireland, Chairman of the Board.

Application of Glidden Homes, Inc. 4358 Buffalo Road, for approval of Springbrook Subdivision, Section C, consisting of 35 lots, three streets, one an extension of Parkway, being parts of Lots 70 and 71, John Smith Allotment, Township 2, Range 1, in North Chili, N.Y. E zone.

Mr. Leland, Engineer and Mr. Glidden appeared before the Board. Plans were presented to the Board for study and discussion. Mr. Leland advised Section B was a two lot subdivision of Roberts Wesleyan College property. He pointed out the temporary cul de sac, pointed out on an overall map of subdivision where storm sewer will be pipes and the temporary ditch they are working with now. He advised had presented copies of the maps to Mr. Burchill and Mr. Dungan when he made application for the hearing to be reviewed by them and had heard nothing from them. The drainage problem was discussed with Mr. Dungan, who pointed out where wished to have another manhole. Mr. Burchill advised he wished the pavement carried down to edge of section and Mr. Ireland advised will make stipulation have pavement carried down to existing dedication lines.

On question if any one present at the hearing wished to look at the maps or ask any questions, the following appeared:

Mr. Heath, 63 Parkway
 Mr. Spotts, 60 Parkway
 Mr. L.C. Rheinhold, 64 parkway
 Mr. Parker, Hubbard Drive

They came forward and studied the maps, and maps of previous sections in conjunction therewith and discussed the drainage and the condition of the road down parkway, which they felt should be straightened. Mr. Rheinhold felt they want nice homes in Chili, felt we should have them there. Five miles from that point have nice homes and they felt they should have them there.

No one further appearing to speak for or against this application, the hearing was declared closed.

DECISION: Reserved for further study on drainage.

#2. Application of Glidden Homes, Inc., 4358 Buffalo Road for approval of resubdivision of lot 114, Section 1, Laurel Park Subdivision, into lots R-114A and R-114B, each lot being 100' x 171.75' EE zone.

Mr. Glidden presented maps to the Board for study and examination. He pointed out where the old house was which has been torn down. Mr. Ireland advised him they were not deep enough, which would mean he would have to get variances.

On question of Mr. Ireland if any one present in favor of or opposed to this application, no one appeared.

DECISION: Approved, contingent on obtaining a variance from the Zoning Board of Appeals to erect a house on each of these undersized lots. Approval granted with the stipulation these lots shall become a part of any future drainage district that shall be created by the Town of Chili for any contiguous property and will be subject to all assessments and costs, if any of such drainage district. This covenant to be incorporated in deed at time of transfer.

- #3. Application of Gates Development Co., Inc., 681 English Road, for approval of resubdivision of lots 163, 164, 165, 166 and 167 in Spring Valley, Section 3, into lots R163, R164, R166 and R167, as per map submitted. E zone.

Mr. Kwasnick, Engineer appeared and maps were distributed amongst the Board for study. Are resubdividing the lots to fall in better with future layouts, straightened out rear line of lots they already had. He pointed out where old lot line was and where new one will be. Will fit in better with future lay out of adjoining land.

On question of Mr. Ireland, no one appeared for or against this application.

Hearing was declared closed.

DECISION: Unanimously approved.

- #4. Application of Arthur J. Wusnick, 1369 Paul Road, for approval to subdivide property, being part of LOT T-52, SOUTH SIDE OF PAUL ROAD, account No. 1492-200, into three lots. EE zone.

Mr. Wusnick appeared and maps were presented to the Board for study and discussion. On question of Mr. Ireland if any one present in favor of or opposed to this application, no one appeared.

Mr. Miller questioned would he not have to get a variance because lots not 100' in width. Mr. Wusnick advised they were supposed to be 100' but slight bend in road made them 99.27'. Mr. Miller thought because of zoning ordinance of Town which says 100' x 200', though have more than enough area, would have to get a variance.

Hearing on this application declared closed.

DECISION: Unanimously approved contingent to obtaining variance from the Zoning Board of Appeals to build on lots narrower than called for in the zoning regulations, with the following stipulations:

1. Approval of Monroe County Department of Health
2. Permanent survey monuments to be set at important corners to be specified by the Planning Board Chairman of the Town of Chili and the Town of Chili Engineer.
3. Builder of subdivision to be required to plant trees on both sides of streets in the subdivision, at least 5' high and 1" in diameter, every 90 feet of the subdivision, 10' back from front property line. Planning Board to designate the kind of tree.
4. These lots shall become a part of any future drainage district that shall be created by the Town of Chili for any adjoining or contiguous property and will be subject to all assessments and costs, if any, of such drainage district. This covenant to be incorporated in deed at time of transfer.

State of New York

COUNTY OF MONROE,
CITY OF ROCHESTER.

SS.

Legal Notice

TOWN OF CHILL, PLANNING BOARD MEETING

NOTICE IS HEREBY GIVEN THAT there will be a public hearing of the Planning Board of the Town of Chill to be held in the Chill Administration Office, 3235 Chili Avenue, Rochester, N.Y. 14624 on September 12, 1967 at 8:00 P.M. to consider the following applications:

1. Application of Glidden Homes, Inc., 4358 Buffalo Road, for approval of Springbrook Subdivision, Section C, consisting of 35 lots, three streets, one an extension of Parkway, being parts of Lots 70 and 71, John Smith Allotment, Township 2, Range 1, in North Chili, N.Y. E Zone.
2. Application of Glidden Homes, Inc., 4358 Buffalo Road, for approval of resubdivision of lot 114, Section 1, Laurel Park Subdivision, into lots R-114A and R-114B, each lot being 100' x 171.75'. E Zone.
3. Application of Gates Development Co., Inc., 681 English Road, for approval of resubdivision of lots 163, 164, 165, 166 and 167 in Spring Valley, Section 3, into lots R1632, R164, R165, R166 and R167, as per map submitted. E Zone.
4. Application of Arthur J. Wusnick, 1369 Paul Road, for approval to subdivide property, being part of Lot T-62, south side of Paul Road, account No. 1492-200, into three lots. EE Zone.
5. Application of Arthur Reinsgel, 1770 Long Pond Road for approval to subdivide into 2 lots, property on east side of Archer Road, consisting of .893 acres, situate in Town Lot #23, Township 2, tax account 1411-000. E Zone.
6. Application of Louis Alot, 333 Brown St. for approval to subdivide property into 9 lots on north side of Davis Road, being part of Town lots T-62 and T-121 formerly owned by Flora Hof Barton, Tax account 1463-030. EE Zone.
7. Application of Wilbur Miller, 3225 Chili Avenue, Realtor, Acting Agent for approval to rezone from 'E' Residential to 'C' Commercial the following properties:
Charles D. Leonte and wife, 1170 Chili Avenue, Account 1784-100, 1967
J. K. ... 1170 Chili Avenue, Account 1784-100, 1967
... wife, 3176 Chili Avenue, Account 1784-115, Robert J. Haver, 3364 Chili Avenue, Account 1786-095.

Form No. 42

All interested parties are requested to be present. By order of the Chairman of the Planning Board of the Town of Chili,

WINSOR D. IRELAND,
Chairman.

BR-11-Sept. 2-T-U.

Eleanor F. Williams
..... being duly sworn, deposes and say
that she is principal clerk in the office of THE TIMES-UNION a daily newspaper published in the City of Rochester, County and State aforesaid, and that a notice of which the annexed is a printed copy, was published in the said paper on the following dates:

September 2, 1967

Eleanor F. Williams

Sworn before me this 2nd
day of September 1967

Clifford E. Swope

Notary Public E. SWOPE
NOTARY PUBLIC, State of N. Y., Monroe Co.
My Commission Expires March 30, 1968

Planning Board

September 12, 1967

- #5. Application of Arthur Reinagel, 1770 Long Pond Road, for approval to subdivide into two lots property on east side of Archer Road, consisting of .893 acres, situate in Town Lot #23, Township 2, tax account 1411-000. E zone.

Mr. Reinagel appeared before the Board and maps were presented to the Board for study and discussion, these are on east side of Archer Road, Archer Acres in the rear. The builder bought the property from Mr. Noffitt, and will probably sell the existing house on the one lot. He was advised would have to get a variance on the width of lot B.

On question of Mr. Ireland if any one present at the hearing in favor of or opposed to this application, no one appeared.

Hearing was declared closed.

DECISION: Unanimously approved contingent on obtaining a variance to build on an 82' lot from the Zoning Board of Appeal, with the stipulation these two lots be joined to the Archer Acres Drainage District adjacent thereto.

- #6. Application of Louis Aloti, 333 Brown Street for approval to subdivide property into 9 lots on north side of Davis Road being part of Town lots T-62 and T-121 formerly owned by Flora Hof Barton, Tax account 1465-050. EE zone.

Mr. Aloti appeared with his attorney, Mr. John Barrett. Maps were presented to the Board for study and discussion. On question of Mr. Ireland if any one present in favor of or opposed to this application, Mr. Richard J. Tanner, Jr., 3555 Union Street appeared and advised he felt existing ditch there was not big enough for the drainage, he has to keep it cleaned out in winter himself. Discussion was had on the drainage between the applicants, Mr. Dungan and Mr. Tanner. Mr. Dungan explained the rule in Town, no open drainage on side lot lines, it will have to be picked up and taken back and piped, pointed out where he will need two manholes, he felt nothing lined up. Mr. Ireland pointed out where would have to be carried down and discussion was had on if it could be piped here. Mr. Burchill advised would have to have lot and block grading plans and easements along rear lot lines for drainage. Proposes along with lot and block grading plan, 10' easements on each side, and explained to the applicant what he meant, no pipe just a swale in a ditch, almost mandatory because of having a rear lot drainage system. Mr. Aloti did not think any problem as far as Mr. Tanner concerned, thought it would be better for him.

No one further appeared for or against this application and hearing declared closed.

DECISION: Decision reserved until Planning Board be supplied with a lot and block grading plan showing what is going to be done with the drainage and outfall drainage.

- #7. Application of Wilbur Miller, 3225 Chili Avenue, Realtor, Acting Agent for approval to rezone from "E" Residential to "B" Commercial the following properties:

Charles D. Loomis & Wife	- 3370 Chili Ave., Acc. 1756-100
James Bird and wife	- 3378 Chili Ave., Acc. 1756-102, 1756-125
Gordon B. Kidder & Wf.	- 3372 Chili Ave., Acc. 1756-105
Duade E. Colvin & Wf.	- 3376 Chili Ave., Acc. 1756-115
Robert J. Haver,	- 3364 Chili Ave., Acc. 1756-095
Gerald J. Derleth	- 3374 Chili Ave., Acc. 1756-110

Mr. Miller appeared and advised on August 8 he presented plan and map of Harry Robinson property to be rezoned. The property in question tonight

Planning Board

September 12, 1967

is the exception on the maps to the Robinson property and they had all seen the map.

On question of Mr. Ireland if any one present at the hearing in favor of or opposed to this application, no one appeared.

DECISION: Unanimously voted to recommend to the Town Board this property be rezoned from "E" Residential to "B" Commercial, for the following reasons:

Board feels would be best use of property because between main highway and railroad,
All property owners are requesting it and there were no objections
Property across the street is commercial.

RESERVED DECISIONS.

From Hearing held August 8, 1967:

Application of Wilbur Miller for approval to rezone property in the Town of Chili owned by Harry Robinson, Tax Account No. 1756-050 (as per legal notice attached to minutes of hearing), from "E" Residential to "B" Commercial.

DECISION: Board unanimously voted to recommend to the Town Board this property be rezoned for the following reasons:
Board feels would be best use of property
There was no objections from the neighbors and they are requesting rezoning of their properties to commercial also.

Patricia D. Slack
Secretary.

MINUTES

PLANNING BOARD, Town of Chili, N. Y.
October 10, 1967

Present: Mr. Winsor Ireland, Chairman
Mr. Selden Crow
Mr. Ernest Keasling
Mr. Frederick Bean
Mr. Mitchell Rakus
Mr. Lowell Titus
Mr. John Coyle

Also present: Mr. Daniel L. Miller, Deputy Town Attorney
Mr. John Burchill, Director of Public Works
Mr. James Dungan, Town Engineer

The Public Hearing was called to order at 8:00 P.M. by Mr. Ireland, Chairman of the Board.

#1. Application of Fencewood Development, East Rochester, N.Y. for approval to resubdivide lots 50, 51, 52 and 53 of Pineknoll Subdivision, Section 2, into lots R50, R51, R52 and R53, as per plans submitted. D zone.

Mr. Schoenberger, engineer from Sear Brown Associates appeared before the Board representing Mr. Kelleher. He advised many months ago they filed Pineknoll Section 2. They had picked up for a survey line a wire fence that runs through where shown by dotted line on map. That was apparent boundary line and what was used for Section 2. When got into Plat Mar subdivision to the west, which was done by their firm, they were furnished boundary map which seemed to indicate some discrepancy of what they thought was for Section 2 and what was for Plat Mar. Did extensive survey and found fence line was not boundary and line show in resubdivision is true boundary line of this parcel, so they used this line in presenting Plat Mar subdivision with full knowledge that was correct boundary line and, hence left with no-man's land in between which was really Pine Knoll land. Mr. Kelleher has talked to these property owners and they have no objection to having a little land added on. That is why asking for this, to clarify situation and get rid of no-man's land in between.

The maps were studied by the Board and Mr. Ireland inquired if any one present in favor of or opposed to this application.

Mr. Bridges, owner of lot 50, 31 Pineknoll Drive inquired who was making out new deeds for this? Mr. Ireland did not know. Mr. Schoenberger advised they told Mr. Kelleher they would stand expense of resub, but they would not go into any legal expense of it. In other words, their firm is taking care of expense of preparing drawings and attending meeting. He really could not answer question, had not discussed that with Mr. Kelleher as to mechanics of that. Mr. Miller on question advised it cost about \$4.50 to file new deed, thought Mr. Kelleher's counsel would file it, couldn't go wrong for \$4.00. Mr. Bridges advised could find survey markers now and questioned if this would change the zoning. He was advised no.

No one further appearing for or against this application, the hearing was declared closed.

DECISION: Approval unanimously granted. Applicant to furnish present property owners with deeds for the additional property shown on the map as presented with the application.

Patricia D. Slack
Secretary

State of New York

COUNTY OF MONROE,

CITY OF ROCHESTER.

ss.

LEGAL NOTICE

TOWN OF CHILI—PLANNING BOARD

NOTICE IS HEREBY GIVEN that there will be a public hearing of the Planning Board of the Town of Chili to be held in the Chili Administration Office, 3335 Chili Avenue, Rochester, N.Y. 14624 on October 10, 1967 at 8:00 P.M. to consider the following application:

#1. Application of Fencewood Development, East Rochester, N.Y. for approval to resubdivide lots 50, 51, 52 and 53 of Pineknoll Subdivision, Section 2, into lots R50, R51, R52 and R53, as per plans submitted, D zone.

All interested parties are requested to be present. By order of the Chairman of the Planning Board of the Town of Chili.

WINSOR D. IRELAND
Chairman

Eleanor E. Williams

..... being duly sworn, deposes and say that she is principal clerk in the office of THE TIMES-UNION a daily newspaper published in the City of Rochester, County and State aforesaid, and that a notice of which the annexed is a printed copy, was published in the said paper on the following dates:

September 30, 1967

Eleanor E. Williams

Sworn before me this 30th

day of September 19 67

Clifford E. Swope

CLIFFORD E. SWOPE
NOTARY PUBLIC, State of N. Y., Monroe County
My Commission Expires March 30, 1968

MINUTES
 PIANNING BOARD, TOWN OF CHILI, N.Y.
 November 14, 1967

Present: Mr. Winsor Ireland, Chairman
 Mr. Selden Crow
 Mr. Ernest Keasling
 Mr. Frederick Bean
 Mr. Lowell Titus
 Mr. John Coyle

Also present: Mr. Daniel L. Miller, Deputy Town Attorney

The Public Hearing was called to order at 8:10 P.M. by Mr. Ireland, Chairman of the Board.

- #1. Application of Glidden Homes, 4358 Buffalo Road, N. Chili, N.Y. for approval of resubdivision of lot 11, 145 King Road, Section II B, King Road Subdivision, as per map submitted. EE zone.

Mr. Glidden appeared before the Board and submitted maps of the lot in question for study and explained to the Board what they wished to do. Discussion was had on the uneven line of the lot, and pointed out where 5' had been sold to the owner of lot 10. Mr. Ireland thought the lot was under 20,000 square feet, but after further study it was found it was not.

On question of Mr. Ireland if any one present at the hearing in favor of or opposed to this resubdivision, no one appeared. Hearing closed.

DECISION: Approval unanimously granted.

- #2. Application of Charles E. Sage, 70 Ballantyne Road for approval to divide lot 90 Ballantyne Road into two lots, one lot to face Black Creek Road, each lot to be 72.6' x 150' D. Zone.

Mr. Sage appeared before the Board and maps of the requested subdivision were presented to the Board and studied by the Board. He pointed out the lot on which he lived. Mr. Ireland explained to the Board there is an existing house on planned lot A. Mr. Miller questioned he had informally approached the Zoning Board and did he not tell them how many people to the best of his knowledge have done the same thing in that area? How many have done it? Mr. Sage advised the lot next to this had been divided and there were others.

On question of Mr. Ireland if any one present at the hearing in favor of this application or opposed to it, no one appeared. Hearing closed.

DECISION: Approval unanimously granted.

- #3. Application of Monroe County Water Authority, 475 Norris Drive to subdivide lot 69, 4480 Buffalo Road, into two lots, one to be 91.53' x 241.62' x 90' x 258.30', the other to be 93.13' x 224.64' x 91.58' x 241.62'. E zone.

Mr. Bareham of the Monroe County Water Authority, appeared before the Board and maps were presented to the board for their inspection and study. Mr. Bareham advised they were before the Zoning Board and have their approval of it. Mr. Ireland advised this is for booster pump station to extend water district out. Mr. Bareham presented a sketch of the station, showing approximately how it would look and advised two booster pumps will be in there. Advised this station will primarily just be used at night. They will be electric centrifugal pumps, 50 HP. For their information, on Allen Creek Road, pump is larger and 25' away could not notice the noise. This is all right now vacant property, hardware store and beauty shop right across the street from it.

State of New York

COUNTY OF MONROE,

CITY OF ROCHESTER.

ss.

Legal Notice

TOWN OF CHILL, PLANNING BOARD

NOTICE IS HEREBY GIVEN that there will be a public hearing of the Planning Board of the Town of Chili to be held in the Chili Administration Office, 3235 Chili Avenue, Rochester, N.Y. 14624 on November 14, 1967 at 8:00 P.M. to consider the following application:

1. Application of Glidden Homes, 4358 Buffalo Road, N. Chili, N.Y. for approval of resubdivision of lot 11, 145 King Road, Section II B, King Road Subdivision, as per map submitted. ER zone.

2. Application of Charles E. Sage, 70 Ballantyne Road for approval to divide lot 90 Ballantyne Road into two lots, one lot to face Black Creek Road, each lot to be 72.6' x 150'. D zone.

3. Application of Monroe County Water Authority, 475 Norris Drive to subdivide lot 69, 4480 Buffalo Road, into two lots, one to be 91.53' x 241.62' x 90' x 258.30', the other to be 93.17' x 224.64' x 91.58' x 241.62'. E zone.

All interested parties are requested to be present. By Order of the Chairman of the Planning Board of the Town of Chili.

WINSOR D. IRELAND, Chairman

CN-11-Nov. 2-T.U.

Eleanor E. Williams

being duly sworn, deposes and say that she is principal clerk in the office of THE TIMES-UNION a daily newspaper published in the City of Rochester, County and State aforesaid, and that a notice of which the annexed is a printed copy, was published in the said paper on the following dates:

November 2, 1967

Eleanor E. Williams

Sworn before me this 2nd

day of November 1967

Helen R. Steen

Notary Public

Planning Board

November 14, 1967

Discussion was had on where the water comes from, and how it would effect the pressure. Mr. Bareham advised this is primarily for Riga, but would help the area around the station also. Mr. Miller questioned if they approached people on other lot and Mr. Bareham advised did not, just approached one fellow. They wanted to get as close as could to Ramblewood Drive and have advantage of that coming from plant. He advised the size of pipes coming through there now. Discussion had on where main comes down and where they could attach on to it.

On question of Mr. Ireland if any one present at the hearing in favor of or opposed to this application, no one appeared. Hearing closed.

DECISION: Approval unanimously granted.

Mr. Kwasnick, of Sear Brown Associates Engineers appeared before the Board for a preliminary hearing on Regency Park, Sec. 3. Proposed maps were presented to the Board for study. He advised this is same plan presented before about a year ago. Will include 14 lots. He introduced the developer of the section, who advised they were going to call it Harmony Ridge. After study Mr. Ireland did not see any problems with it on a preliminary basis.

Mr. Kwasnick also presented preliminary plans for sections 4 and 5 of Spring Valley, which were studied by the Board. He explained how they planned to drain it. Mr. Ireland advised on preliminary basis layout looked all right.

Patricia D. Slack
Secretary

MINUTES
 PLANNING BOARD, TOWN OF CHILI, N. Y.
 December 12, 1967

Present: Mr. Winsor Ireland, Chairman
 Mr. Selden Crow
 Mr. Ernest Keasling
 Mr. Frederick Bean
 Mr. Lowell Titus
 Mr. Mitchell Rakus
 Mr. John Coyle

Also present: Mr. Daniel L. Miller, Deputy Town Attorney
 Mr. John Burchill, Jr., Dr. of Public Works
 Mr. James Dungan, Town Engineer

The Public Hearing was called to order at 8:00 P.M. by Mr. Ireland, Chairman of the Board.

#1. Application of David Liese, 2804 S. Union Street, Rochester, N.Y. for approval to rezone from Residential to B Commercial, property in the Town of Chili, Monroe County, being part of Tax Account 1925, which property is bordered on the west by property owned by L. S. Markel, on the north by Buffalo Road, on the northeast corner by property owned by Arnold Oil Company, on the south by property owned by Anna V. Brennan and on the east by Attridge Road.

Mr. Liese appeared before the Board and present a map of the property. He pointed out the particular portion in question. The map was studied by the Board. It is just west of the Shell Station on Buffalo Road. It is vacant land at present. Reason wishes it rezoned, building a concrete building about 80' long for car washing. It will be a block building. He pointed out on map the property that was commercial around there and where a house is located near the property, it is mostly vacant but that house. Across road is a school. He pointed out where there is a drop off, the particular piece of property he is interested in is at grade level. Advised people will come in through and out the back. He pointed out where Mr. Markel's house is situated, he spoke to Mr. Markel and they have no objection to it. They and gas station only close people and across street playground. He advised on question, the property where wanted apartments previously was up beyond this location and past the Markel property. Pointed out the proximity to Hubbard Drive, which is not too near. Mr. Hoffman, owner of the property, present at the hearing, advised when built the gas station planned to have this all commercial.

On question of Mr. Ireland if any one present at the hearing in favor of or opposed to this application, no one appeared.

DECISION: The Board voted unanimously to recommend to the Town Board this property be rezoned Commercial.

1. Characteristics of neighborhood are commercial
2. No objections from neighboring property owners
3. Proposed area is bordered on two sides by roads which lends it to commercial use, and no possibility of residential use.

#2. Application of Robert Kelleher, 21 Fair Oaks Drive, East Rochester, N.Y. for approval to resubdivide lots 18 and 19 Knollwood Subdivision, 9 and 7 Bent Oak Road, as per maps submitted. D zone.

Mr. Kelleher appeared before the Board and maps were submitted to the Board for study. Mr. Ireland advised the resubdivision cut off back of two lots and Mr. Fred Steele was buying the land to add to his property. Mr. Wayne Coltrider, 31 White Birch Circle came forward and examined

State of New York

COUNTY OF MONROE,

CITY OF ROCHESTER.

ss.

Legal Notice

TOWN OF CHILL PLANNING BOARD

NOTICE IS HEREBY GIVEN THAT there will be a public hearing of the Planning Board of the Town of Chill to be held in the Chill Administration Office, 3235 Chill Avenue, Rochester, N.Y. 14624 on December 12, 1967 at 8:00 P.M. to consider the following application:

1. Application of David Liese, 2804 S. Union Street, Rochester N.Y., for approval to rezone from Residential to B Commercial, property in the Town of Chill, Monroe County, being part of Tax Account 1925, which property is bordered on the west by property owned

by L. S. Markel, on the north by Buffalo Road, on the northeast corner by property owned by Arnold Oil Company, on the south by property owned by Anna V. Brennan and on the east by Attridge Road.

2. Application of Robert Kelleher, 21 Fair Oaks Drive, East Rochester, N.Y. for approval to resubdivide lots 18 and 19 Knollwood Subdivision, 9 and 7 Bent Oak Road, as per maps submitted. D zone.

All interested parties are requested to be present. By order of the Chairman of the Planning Board of the Town of Chill.

WINSOR D. IRELAND, Chairman.

AJ-11-Dec. 4-T-U.

Eleanor E. Williams

being duly sworn, deposes that she is principal clerk in the office of THE TIMES-UNION newspaper published in the City of Rochester, County and State a and that a notice of which the annexed is a printed copy, was publ the said paper on the following dates:

December 4, 1967

Eleanor E. Williams

4th

Sworn before me this

day of December 1967

Helen R. Stee

Notary Public

Planning Board

December 12, 1967

the map.

On question of Mr. Ireland if any one present in favor of or opposed to this application, no one appeared.

DECISION: Unanimously approved. It should be noted that this parcel being conveyed to Mr. Steele is part of the Knollwood Drainage District.

Mr. Arnold Carmichael, Engineer for Patsy Pilato, builder came in for an unadvertised preliminary discussion on plans for Fisher Heights Section II, which were studied by the Board and discussed. Mr. Burchill advised they would require a turnaround, not like they have now in Section I, they wish a way in and out of the subdivision. He pointed out on the map what he would like. Mr. Carmichael advised what he wished to do with the sewer if he could. Mr. Ireland advised he did not see anything basically wrong with it. Mr. Burchill advised him as to what he wished done with laterals for sewers and water, etc. Mr. Dungan questioned the drainage and questioned his controlling the outfall of easement. Mr. Carmichael advised he knew he had to get it.

Patricia D. Slack
Secretary