

MINUTES
PLANNING BOARD, TOWN OF CHILI, N.Y.
January 9, 1968

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

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

The Meeting was opened by Mr. Ireland, Chairman at 8:00 P.M. No advertised hearings scheduled to appear before the Board.

Mr. Harold Grunert, Realtor, Appraiser and Consultant, 272 Alexander Street, Rochester, and also a Member of Town of Brighton Planning Board appeared before the Board for an unadvertised discussion on something they have in mind on which would like to get the Planning Board's thoughts as to whether or not it might be practical. He was representing Thomas Terry who is principal involved in ownership of Ballantyne Road, Inc. which owns lots A,B,C,D and E on map he presented, of property in the Ballantyne Road, Stallman Drive and Bauman Drive area. One lot in same area owned by Mr. Donald W. Radtke who was also present. He advised they would like to make this into an industrial park. Discussion followed. Mr. Ireland questioned if they would be asking for change of zoning or variance. Mr. Grunert felt it would be better to have it rezoned. Mr. Ireland advised him of the flood problem in that area and they do not encourage anything below elevation of 525 in this area. Mr. Grunert was aware of the flood problem. Mr. Radtke advised he would cooperate with anything that was worked out between the Board and Mr. Grunert. Mr. Miller suggested contacting owners of property in the immediate area also to see if they wished that whole parcel in the area rezoned. Mr. Ireland suggested they make formal application for change of zoning and come in and see what happens. Mr. Dungan again advised Mr. Grunert of the flood classification in that area.

Mr. Rosenbloom, Attorney for Mr. Evangelist, Mr. Evangelist and Mr. Malone his engineer appeared to question when a decision could be made on their application for approval of Westside Acres Section 6 which had been presented to the Board in April 1967. Mr. Dungan advised decision had been reserved until a certain portion was built to show what could be done with the open drainage and passed inspection which had not been done. After discussion Mr. Malone will come in with an alternate set of plans which will be submitted to Mr. Dungan and Board to be studied and decision made.

Patricia D. Slack
Secretary

MINUTES

PLANNING BOARD, TOWN OF CHILI, N. Y.
February 13, 1968

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

Also present: Mr. Daniel L. Miller, Deputy Town Attorney
Mr. John Burchill, Commissioner of Public Works
Mr. James O. 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 Harmony of Monroe, Inc., 40 Wildbriar Road for approval of Harmony Ridge Subdivision, located off Chestnut Ridge Road, immediately north of Regency Park Subd. Section 2 and Spring Valley Subdivision Section 2, west of Spring Valley Subd. Section 1, being an extension of Ascot Drive, consisting of 15 lots. E zone.

Mr. Kwasnick, Engineer with Sear Brown Associates appeared for and with the developer. Maps were presented to the Board for study and discussion. Mr. Kwasnick advised all lots met the minimum requirements. It will be tied into Section 2 of Spring Valley. Mr. Kwasnick also presented the drainage profile maps for Mr. Dungan's study.

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 until question settled of connection of Ascot Drive into Spring Valley subdivision.

Mr. Schoenberger, Engineer with Sear Brown Associates, Inc. appeared with and for Mr. Layer, developer of Lexington Subdivision, together with Mr. Rash, and presented maps of Sections 3 and 4 of Lexington Subdivision for a preliminary discussion, showing 121 lots total which includes three lots along Marshall Road. Section 3 consisting of approximately 65 lots, this will connect in with Dauntton Drive and Revere Drive. 56 lots in Section 4. Sewers are no problem and would like to enter into minutes have letter stating sewers are available. He explained where would hook into large trunk line. Advised would need a few variances on lots and explained why, due to curve of Lexington Parkway, but Mr. Layer advised all exceed the minimum square footage. Discussion was had on the three lots on Marshall Road which they believed were already filed maps and which were lesser width than minimum. Discussion had on the school property and roads coming into the school property. They advised Board they had submitted map to the School District for their comments and approval. It was suggested they obtain a letter from the School Board advising if they accept the plans as submitted and stating if they have reviewed the plans and find them acceptable as far as their future planning is concerned.

Patricia D. Slack
Secretary

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 February 13, 1968 at 8:00 P.M. to consider the following application:

1. Application of Harmony of Monroe, Inc., 40 Wildbrier Road for approval of Harmony Ridge Subdivision, located off Chestnut Ridge Road, immediately north of Rosency Park Subd. Section 2 and Spring Valley Subdivision Section 2, west of Spring Valley Subd. Section 3, being an extension of Ascot Drive, consisting of 15 lots. R zone.

All interested parties are requested to be present. By Order of the Chairman of the Planning Board of the Town of Chill, N.Y.

WINSOR D. IRELAND, Chairman.

7-16-Feb. 1-7-4.

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 3, 1968

Eleanor E. Williams

Sworn before me this...3rd.....

day ofFebruary.....19 68

Helen R. Stein

Notary Public

MINUTES

PLANNING BOARD, Town of Chili, N.Y.
March 12, 1968

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

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

The Meeting was opened by Mr. Ireland, Chairman at 8:00 P.M. No advertised hearings scheduled to appear before the Board.

Mr. Richard Handler appeared for Robfogel Paper Company for an unadvertised discussion. Robfogel Paper Company wish to purchase the remainder of Chili Industrial park from Frank Breiner. They plan to build an 80,000 square foot building and later expand it to 160,000 square feet for their own business and sell or lease the rest of the property in smaller parcels. The Board gave preliminary, informal approval to the plan.

The proposed amendment to the zoning ordinance to regulate construction of Multiple Residences was read and discussed. The Board approved the amendment, all members voting in the affirmative.

DECISION: Application of Eugene Evangelist 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, in EE zone, which application was heard at public hearing held April 11, 1967 was approved with the following stipulations:

1. Formation of drainage district
2. Petition the Town Board of Chili to apply for an extension of the sanitary sewers to service the area.
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. Letter of credit for improvements
6. 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.

Patricia D. Slack
Secretary

MINUTES
 PLANNING BOARD, Town of Chili, N.Y.
 April 9, 1968

A meeting of the Planning Board of the Town of Chili, N.Y. was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624 on April 9, 1968 at 8:00 P.M.

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

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

The meeting was opened by Mr. Ireland, Chairman at 8:00 P.M. No advertised hearings were scheduled to appear before the Board.

Mr. Michael DiPiazza, developer of Spartan Heights appeared before the Board with preliminary plans for the development of Section 3 of Spartan Heights, which he requested the Board study and make suggestions. Temporary easements that would be needed were discussed with particular attention to lots 301-305, and also a few lots on which Mr. DiPiazza thought perhaps he would have to ask for variances on.

The following decisions were made on applications previously submitted on which decisions had been reserved:

From September 12, 1967 hearing

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.

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 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.

From February 13, 1968 hearing

Application of Harmony of Monroe, Inc., 40 Wildbriar Road for approval of Harmony Ridge Subdivision, located off Chestnut Ridge Road, immediately north of Regency Park Subd. Section 2 and Spring Valley Subdivision Section 2, west of Spring Valley Subd. Section 1, being an extension of Ascot Drive, consisting of 15 lots. E zone.

Planning Board

April 9, 1968

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 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.

Mr. Ireland submitted letter received from County of Monroe, Mr. Keefe, Jr., Assistant Director of Public Works re: Factory and Office Building for Kaddis Realty, Inc. advising they had reviewed them for height of structure and find that proposed maximum elevation of 575 feet will not create a hazard to air navigation or will there be any effect on airport property due to the increased runoff of surface water caused by the roof and paved areas proposed: Since the property lies between two town roads the drainage patterns are not their concern, as long as they don't affect County property. This letter will be on file in the Town Clerk's Office.

The meeting was closed at 9:10 P.M.

Patricia D. Slack
Secretary

County of Monroe

NEW YORK



Alexander Gray
Director of Public Works and
Superintendent of Highways

200 County Office Building
Rochester, N.Y. 14614
Telephone: 454-7200 Ext. 272

April 5, 1968

Mr. Winsor D. Ireland, Chairman
Town of Chili Planning Board
3235 Chili Avenue
Rochester, New York 14624

Re: Factory and Office Building for Kaddis Realty Inc.

Dear Sir:

Mr. Will Field of the Constructional Drafting Service has submitted his plans for subject building which is proposed for construction at the corner of Weidner and Beahan Roads in the Town of Chili.

We have reviewed them for height of structure and find that his proposed maximum elevation of 575 feet will not create a hazard to air navigation or will there be any effect on airport property due to the increased runoff of surface water caused by the roof and paved areas proposed. Since the property lies between two town roads the drainage patterns are not our concern, as long as they don't affect County property.

Very truly yours,

A handwritten signature in cursive script, reading "Raymond E. Keefe, Jr.".

Raymond E. Keefe, Jr.
Assistant Director of
Public Works

REK:RLF:mj

cc: Mr. Will Field

MINUTES
 PLANNING BOARD, Town of Chili, N.Y.
 May 14, 1968

A Meeting of the Planning Board of the Town of Chili, N.Y. was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624 on May 14, 1968 at 8:00 P.M.

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

Also present: Mr. Daniel L. Miller, Deputy Town Attorney
 Mr. John Burchill, Commissioner of Public Works
 Mr. James O. 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 Indian Hills Development Corp., 2655 Chili Avenue for approval of Section 3, Lexington Subdivision, consisting of 66 lots, bounded on the west by rear lots along westside of Marshall Road and Marshall Road, on the north by lands owned by Indian Hills Development Corp., and Gates Chili School District, on the east by part of Section II Lexington Subdivision and on the south by lands owned by Fred E. Smith. E zone.

Mr. Schoenberger, Engineer with Sear, Brown Associates, appeared before the Board representing applicant. Maps were presented to the Board for study and a copy of letter from the Gates-Chili School Board and Post Office approving the plans and street names were presented to the Board by Mr. Rash. Mr. Schoenberger advised they were presenting section 3 which was preliminarily presented a month or six weeks ago in an overall picture and pointed out on the overall map which part was section 3 and 4, which was more or less considered as a unit of land bounded by Section 2 and Marshall Road. Tonight they were presenting just a portion of that. 66 lots in this Section 3. The zoning is residential E. It is not particularly difficult land to develop, do not foresee any major engineering problem, character of this land ideally suited for this type of development, generally sloping land, and he pointed out the high portion. Along south property line have worked out agreement with Mr. Smith to dig ditch channel along common property line. This will also pick up some drainage that comes across Marshall Road. Pointed out where this section hooks on to another part pointed out how extends all way out to Marshall Road. All the lots meet the zoning requirements with the exception of six lots for which they are asking for variance on. He pointed them out on the map, lots 157 and 158 asking for a setback variance on these two lots because like to make general transition from narrow right of way coming in from Marshall Road to full 60' setback. Then a couple more, pointing them out, lots 119 and 140, 135 and 132. Believes there are six of them. Also are asking variance in all setbacks in sense that they are making their setback line parallel to the right of way line. Believes there is some statement in zoning says should be from core, but for practical purposes parallel to right of way, 60' off, other than core. Other than that meet width and area requirements.

Mr. Dungan requested the overall layout which was presented to him for study and check the proximity of section 3 to other sections. Mr. Schoenberger pointed out the common ditch to Mr. Coyle. Pointed out where were very flat and where were picking up and draining straight out and where getting easement from Mr. Smith and combining drainage channel on both sides. On request of Mr. Burchill he pointed out their relationship

State of New York

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COUNTY OF MONROE,

CITY OF ROCHESTER.

by lands owned by Camp-Hoyt, Inc. on the west by Old Chitt-Scottsville Road, on the north by New York Central Railroad and on the south by Beaver Road, being approximately 33 acres.

All interested parties are requested to be present. By Order of the Chairman of the Planning Board of the Town of Chitt, N.Y.

WINSON D. IRELAND,
Chairman.

U-11-May 6-1-U.

Legal Notice

TOWN OF CHITT-PLANNING BOARD

NOTICE IS HEREBY given that there will be a Public Hearing of the Planning Board of the Town of Chitt, N.Y. 14624 on May 14, 1968 at 8:00 P.M. to consider the following applications:

#21. Application of Indian Hills Development Corp., 2655 Chitt Avenue, Lexington, consisting of 66 lots, bounded on the west by rear lots along westside of Marshall Road and Marshall Road, on the north by lands owned by Indian Hills Development Corp. and Gates Chitt School District, on the east by part of Section II Lexington Subdivision and on the south by lands owned by Fred B. Smith, Jr. zone.

#22. Application of Harmony of Moments, Inc., 40 Wildbriar Road, for approval of Section II Harmony Ridge Subdivision, consisting of four lots, immediately east of Section I Harmony Ridge Subd. and west of Spring Valley Subd. being an extension of Ascot Drive, B. zone.

#23. Application of Frank P. Masdonato, 319 Fisher Road, for approval to rezone from BB Residential to A Industrial property in the Town of Chitt bounded by the east

Norma Vivian..... being duly sworn, deposes and says 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:

May 6, 1968

Norma Vivian

Sworn before me this..... 8th..... }
day of May 1968

Yellen R. Stein

Notary Public

Planning Board

May 14, 1968

to culvert under Marshall Road, on the overall map and in what area it was. He did not know the exact location. Mr. Layer felt it was to north of property and Mr. Schoenberger knew they had checked it and knew they picked it up. It is fairly shallow in here and pointed out the general area where it is. Mr. Ireland questioned where storm water going to be picked up and Mr. Schoenberger pointed out they put 18" sewer in there, pointed out starts with 15" and where starts going up at fairly good rate. Pointed out contour and advised they have sized all this up to handle it.

Mr. Dungan advised them he was not sure the Town would go for all this open drainage, and advised in Marlands there was concrete gutter with 1 on 3 slopes, sodded up 3' and then seeded. He requested profiles and lot and block grading plans. This was discussed and it was felt would all be aired at the drainage hearing.

Mr. Ireland questioned if any one present at the hearing would like to ask any questions about this application. No one appeared. He questioned if any one present in favor of or opposed to this application. No one appearing, 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 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. Obtain 25' easements north of the south property line of land belonging to Larry Seager, Acct. 1555-100 and south of the north property line of lands of F.G. Smith, Acct. No. 1559.
 7. From Station 5 to intersection of Battle Green Dr., the sanitary sewer system should be placed in the area reserved for utilities and taken out from under the pavements. Storm sewer on Minute Man Trail by station 11 should be eliminated from under pavement. Sanitary sewer at intersection of Meeting House Drive and Minute Man Trail to manhole near station 11 is too close to the road base. This should be at least 5' away from the gutter.
 8. All setback variances will have to be requested from the Zoning Board of Appeals.
 9. Access to lots 152, 153, 155, 156 to be only from Meeting House Drive until such time as Hay Market Road and Patriot Drive are developed.
 10. Permanent turnaround at end of Meeting House Road to conform with Town standards for cul de sacs, with granite curbing.
- #2. Application of Harmony of Monroe, Inc., 40 Wildbriar Road, for approval of Section II Harmony Ridge Subdivision, consisting of four lots, immediately east of Section I Harmony Ridge Subd. and west of Spring Valley Subd. being an extension of Ascot Drive. E zone.

Mr. Kwasnick, Engineer with Sear, Brown Associates, appeared before the Board representing the developer and maps of Section II Harmony Ridge subdivision were presented to the Board for study, and discussion.

On question of Mr. Ireland if any present at the hearing who had any questions regarding this, or any one in favor of or opposed to this application, no one appeared. No one appearing, the hearing was closed.

DECISION: Unanimously approved with the following stipulations:

1. Letter of credit for improvements. Letters of credit for Section 1 and Section 2 to be filed concurrently.
2. Approval of Monroe County Department of Health.
3. 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.
4. 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.

#3. Application of Frank P. Mastrodonato; 319 Fisher Road, for approval to rezone from EE Residential to A Industrial, property in the Town of Chili bounded by the east by lands owned by Case-Hoyt, Inc., on the west by Old Chili-Scottsville Road, on the north by New York Central Railroad and on the south by Beaver Road, being approximately 33 acres.

Mr. Mastrodonato appeared before the Board. He presented a survey map to the Board for study. Advised he owned this 33 acres south of New York Central Railroad and has frontage over on Old Chili-Scottsville Road and Beaver Road. He has been trying to sell this property. As they know it is residential. Has had real estate men trying to sell it, but no interest in this land for residential. Lot of interest in this land if it were industrial. Thought it only a reasonable request to submit this application for rezoning because railroad sits north of this 33 acres. Case-Hoyt on the east and he understands part of piece of land sold to Wegman Stores that sits over to west, and he would like Board to review this and pass on it. Mr. Ireland questioned if he had any idea of the use the property would be put to. Mr. Mastrodonato did not have any because of the zoning now, when says industrial, would be a good type of industrial building with proper grounds, etc., not just any old type of business.

Mr. Ireland invited those present to look at the map and ask any questions they would like of the Board or Mr. Mastrodonato. Mr. Miller, Deputy Town Attorney asked how many houses on east side of Old Chili Scottsville Road and Mr. Mastrodonato advised two homes, one belongs to Mr. Prather and one to Mr. Gervaise, they sit on the corner.

Mr. Jack Costellana, 108 Chili-Scottsville Road advised he would like to correct one impression that Mr. Mastrodonato indicated here. Mr. Wegman did not chose to pick up his option. He had approached him some years ago and they did discuss it and he chose not to because shopping center developed. Mr. Mastrodonato questioned, but he did give him option, and Mr. Costellana advised yes. Mr. Mastrodonato asked him to point out the piece they were talking about and Mr. Costellana advised parcel Mr. Wegman interested in was parcel was talking about putting shopping center on new Chili-Scottsville Road and corner of Chili Avenue which would have mutual access.

Mr. Don Craig, Chili-Scottsville Road questioned that land was zoned EE residential when he purchased it? He did not purchase it blind thinking could go in with industrial? Mr. Mastrodonato advised he thought a lot of property in whole town of Chili being changed for one reason or other from one zoning. When bought it EE, but maybe did not have enough foresight, now that has to be sold no one interested, that is why in to rezone it. Mr. Craig questioned then he thought it a hardship? Mr. Mastrodonato asked what would he think he would do with it? And on question if it had been listed, advised it has been listed twice and with Jim Brenna Agency three or four weeks now, and it is on his suggest-

ion he is asking for rezoning. They have no potential buyer for residential but he has interested purchases on industrial basis. As residential would give it up altogether, will not put up sign unless zoning changed, because lost cause. Mr. Craig observed reason for variance is for hardship. Cannot bypass master plan and say better percentage. Mr. Mastrodonato observed he was a reasonable man, had thought this reasonable request because it lays there between railroad and Case-Hoyt and had heard about this Wegman deal which has not come off, but evidently others that think this area suitable for industrial. He just would like to get it changed to industrial because thinks starting of industrial area already been laid. Mr. Craig disagreed and wished to go on record as protesting this variance. Mr. Miller advised this is not a variance, he was asking for a change of zoning. This is the Planning Board that makes recommendation to Town Board. Advised he was not asking for a variance, but for a change of zoning and the Planning Board neither approve or disapprove, but pass recommendation to Town Board and Town Board will act one way or other.

Mr. Gervais, 107 Chili-Scottsville Road, advised when he got notice of the meeting he went around to different neighbors and discussed it with them and drafted petition to Planning Board. Went through four basic points. Don Craig brought out one and he would go through three. Starting out, describes land as put out in notice, goes on to say that undersigned comprising the majority of land owners in radius of 1/4 mile request denial for following reasons:

1. Undersigned over years have purchased land in area and made definite commitments of residence since first zoning of subject land knowing zoning classification was EE residential. They desire this property to maintain suburban-rural atmosphere. Subject application in direct contradiction to their long range planning and desires.
2. Great amounts of Chili zoned industrial and not been developed. The presently zoned industrial should be developed before giving consideration to other areas rezoned from residential.
3. If subject variance is granted the Town office and public buildings such as new library building, will have industrial complex next to them rather than residential property. This will have degrading effect on whole Town of Chili.
4. The petitioner stands to make substantial monetary gain from subject rezoning. Obviously from present real estate market conditions with A industrial zone will have higher market value than present EE. They object to this because this potential monetary gain is at expense of residential home owners within immediate area who have resided there or purchased land for suburban-rural atmosphere.

Petition is signed by 12 different residential land owners, 12 of 14 residential land owners within 1/4 mile radius. Six of them were here tonight. That is their basic petition. (Petition is on file in Town Clerk's Office). Another thought he would like to put out himself, farsighted planning calls for buffer zone between industrial and residential area. This is precisely why subject property was zoned residential, for the good of community it should remain that way. Basically saying, this man coming up and asking for what you would call spot zoning and asked Board to take petition which they have here and bear it in mind when they make recommendation to Town Board for the request here of rezoning.

Mr. Costellana commented Mr. Mastrodonato indicated he secured this

property only recently and most of them have been here a long time. Under the proper conditions, is waiting for buyer. Says already have industrial rezoning on parcel next to him, this justifies rezoning EE district to A industrial. Then using this kind of logic, can continue to rezone adjacent parcels and man next to him, can go clear to Buffalo with industrial complex. This is hardly logic.

Mr. Mastrodonato examined the petition and asked Mr. Gervais if Mr. Prather's name was on it. Did he object? Mr. Gervais advised he thought he would rather stay neutral. Mr. Mastrodonato advised getting to point where materially gained, would this not also help? This is supply and demand. He cannot dispose of it as EE residential, if he could, he would. Mr. Gervais questioned, he bought it knowing it was. Mr. Mastrodonato advised but he did not know he could not sell. Mr. Gervaise advised they moved into this area as EE residential, reason why moved here. This is highest residential. Mr. Mastrodonato questioned it being industrial near by and Case-Hoyte and railroad, would not consider that highest residential. Mr. Castellano advised his son was planning on building a house. Mr. Mastrodonato advised because he lived there and will be there, this is for sentimental reasons. Could understand his feeling, but they are talking about new library and this industrial complex, questioned did railroad mean anything to them. Mr. Gervais felt buffered far enough from it. Mr. Mastrodonato questioned how about stipulations? Mr. Gervaise thought he was coming to them and saying give him carte blanche and put anything in here. Mr. Mastrodonato advised did not say that, would have to be light type. Mr. Castellana thought in his judgment. Mr. Mastrodonato said he was saying, let's do something, would they rather he came in with potential buyer? Have to do something. Mr. Castellana felt he did not have to, he made a bad purchase, he exercised poor judgment and is trying to compensate. He says he cannot unload it, he bought himself a monster. He could apply for same kind of variance. Mr. Mastrodonato felt no use of arguing. He will leave it to the gentlemen of the Board to decide if should go any further. As he said before, with stipulations in, must be light thing for that.

Mr. Ireland advised him if it was rezoned to A industrial anything which is allowed in industrial zone could be built there regardless of what assurance given, anything in the zoning ordinance allowed uses could be built there and permit could not be denied. Mr. Mastrodonato questioned would they say, he should get what should go in there and then ask for it? Mr. Ireland advised if he came in with plans for a nice factory or clean industrial, and said this was what was going to build in there and on basis of this assurance it was rezoned, the Town would have no way of holding him to this-once zoned industrial, he could then build anything allowed. He advised the list of allowed uses does not include anything like steel mills or slaughter houses. They are by and large clean quiet industries, but there is a list of approximately 30 allowed uses and any of these could be built and any assurances given ahead would not be binding once thing rezoned, much as you might like to assure the Town you were going to build such and such. Mr. Mastrodonato explained the way the City zoning worked and thought it was done the same in Chili, thought it would be rezoned and then have to come before Board for another hearing on the type of industry. He was advised did not have to have another hearing for the industry.

Mr. Gervais questioned Mr. Mastrodonato at time he purchased the land who he purchased it from and if there were two prices on it at that time, one for residential and one if could get variance, potential for industrial complex vs residential. Mr. Castellano advised no one ever asked to have this parcel rezoned before.

Planning Board

May 14, 1968

Mr. Ireland advised if there was no further discussion on this, he would ask for those opposed to give their names and addresses:

Mr. George Engels and Mary Engels, 146 Scottsville-Chili Road protested it.

Anna M. Lowe, 275 Beaver Road opposed it.

Mrs. Castellana, 108 Chili Scottsville Road opposed it.

Mr. and Mrs. Redman, 142 Chili-Scottsville Road opposed it.

Thelma Gervais, 107 Scottsville-Chili Road opposed it.

Don Craig, 160 Chili-Scottsville Road opposed it.

Mr. Bernard Koster, 387 Weaver Road, opposed it.

Mr. Craig advised was here when Frank Rees came in for stripping permit and everyone all upset about stripping permit, said some of finest residential land in Town sitting up on top of hill. Mr. Rees long gone now, but he agreed it was highly residential land. Mr. Mastrodonato did not see where this had any bearing. This is just his opinion as why residential, does not think any connection. But asked the Board to please give it a good hard look and see.

No one further appearing in opposition to this application and no appearing in favor of it, the hearing was declared closed.

DECISION: Unanimous vote the Board recommend to the Town Board this property not be rezoned for the following reasons:

1. Petition presented with 21 signatures of people in vicinity opposed and opposed by people present at hearing.
2. No one appeared in favor of this rezoning.
3. This parcel was originally left as a buffer zone when property to east was zoned industrial.
4. Board does not feel need of any more industrial property in this area at this time.

patricia D. Slack
Secretary

MINUTES

PLANNING BOARD, Town of Chili, N.Y.

June 11, 1968

A Public Hearing was held by the Planning Board of the Town of Chili, N.Y. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624 on June 11, 1968 at 8:00 P.M.

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

Also present: Mr. Daniel L. Miller, Deputy Town Attorney
Mr. John Burchill, Comm. of Public Works and
Supt. of Highways
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 Ridge Lumber, Inc. 610 Hollenbeck Street, for approval to rezone property in the Town of Chili, N.Y. being 65 acres of land on the north and south sides of Ballantyne Road, having a frontage of 1020' and commencing 650' west of the B&O Railroad, bounded on the north by Black Creek and on the south to a depth of approximately 1700' and being part of Town Lots 140 and 167, from EE residential to A Industrial.

Mr. Adam DiGennaro, Attorney with offices at 65 Broad Street, appeared before the Board representing applicant Ridge Lumber, Inc. They are asking this Board to recommend rezoning of this property, approximately 65 acres, on north and south sides of Ballantyne Road in the Town of Chili from EE Residential to A Industrial. He had with him tonight some officers and directors of the Ridge Lumber, Inc. He happens to be Chairman of the Board and the President is his brother Frank DiGennaro, Executive Vice President, Mr. Masters, and vice presidents Mr. Ruta and Mr. Faro. Also here is owner Gerald Case. They have an option to purchase the property and are reserving any right to exercise their right for a determination this property can and will be rezoned so can be used for their purposes and these are principally for lumber yard and retail store selling hardware, paints and odd pieces of lumber. They have another location at Hollenbeck Street. Not a case of moving but adding another location due to doing a considerable amount of business on southerly side of the city and easterly and westerly such as Chili and are attempting to shorten calling distance from yard where they are now located and would like to spread out so deliveries can be made much shorter and at lower expense. By way of comparison so to speak, although it is not intention to duplicate present facilities at Hollenbeck Street, he submitted picture of the front of that store now. They were taken a few years back and some additions have been made to that. He presented other pictures and advised sine that time there has been some additions made to entire yard, so latter pictures more up to date. There is parking in front. As far as their plans of layout and construction, really those are not materialized to any great degree now because of uncertainty if property will be rezoned, but generally speaking it is intention to build building about 10,000 square feet with parking for about 200 cars. If they will notice from pictures they have at present plant facilities for about 50 cars and it is rather congested and they would like large enough parking area to accomodate all customers. Business engaged in largest lumber company grosswise around city. Last year grossed sales in excess of \$7,000,000, so no small business and they need additional

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, 3235 Chili Avenue, Rochester,

N.Y. 14624 on June 11, 1968 at 8:00 P.M. to consider the following application:

1. Application of Ridge Lumber, Inc., 610 Hellenbeck Street, for approval to rezone property in the Town of Chili, N.Y., being 65 acres of land on the north and south sides of Ballymore Road, having a frontage of 1020' and commencing 650' west of the B.&O. Railroad, bounded on the north

by Black Creek and on the south to a depth of approximately 1700' and being part of Town Lots 140 and 167, from EB 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, N.Y.

WINSOR D. IRELAND, Chairman.

EQ-11-June 3-T-U

Norma Vivian

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:

June 3, 1968

Norma Vivian

Sworn before me this 5th

day of June 19 68

Helen P. Steen

Notary Public

space for expansion purposes. They are not quite sure they will be able to use all the acreage although asking for rezoning all property have option to buy, then any excess land may decide to offer for sale for some light industrial plant, which he is sure will be asset and addition to assessed valuation with improvements, they intend to make here. As far as present buildings around this particular location is concerned, there are not too many of them. When you get traveling west of B&O and beyond this property at left of, there is one house, single family dwelling and about 1,000' down road on southerly side another house, but beyond that piece only one more farmhouse up to Black Creek and Ballantyne Road where turns off, no houses, rather flat and some of it below low grade. This is a little below grade but they feel it can be used and would be useful for their purpose because of railroad siding and there is B&O cutting through corner of property, he presented copy of map with property indicated. They have inquired about having spur cut off from that and are informed that is a possibility. Thinks that the nature of the area is such that the trend would more naturally be in industrial direction, there is the railroad track there and that is a natural attraction for industrial. Other land on east side of B&O already has been changed to industrial use and principal owner is Monroe Tree Surgeon's plant on south side of Ballantyne Road, on east side of B&O tracks so that it would seem to appear this is natural area for industrial use rather than residential as now zoned. For these reasons feel this property should be recommended for rezoning and would not be detrimental to Town and what they intend to do would be an improvement for the Town of Chili.

Mr. Ireland inquired would they just use part of south side of road for lumber business? Mr. DiGennaro advised propose to use on south for frame and bulk type lumber coming in on railroad cars, the northerly side think in terms of retail store on other side of road, but have not really firmed up the layout for the area yet. But that is possibility. Mr. Ireland inquired if he had any idea of the number of employees? Mr. DiGennaro advised right now employ around 160. This is during building season and as they realize peak through warm months. On off season about 125. But this is at present location right now. Will be if this is approved gradually shifting some activities here. May start with 10 or 15 men, but may build up to 50. Mr. Ireland advised what he was getting at was problem of sewerage disposal, sanitary sewers. Mr. DiGennaro advised they have considered that and as far as there requirement number of men in beginning would be rather limited and facilities required not too great, couple of toilets, facilities in store, two to five toilets could be handled easily on septic tank basis, if there is beds, could be big enough to handle that.

Mr. Ireland asked if they were aware of elevation, possibility of flooding? Mr. DiGennaro advised yes, they understand that is a possibility, although the drainage channel existing there, one runs through this property. He pointed it out on survey map. Does go through northwesterly property and he assumes drains towards Black Creek so that would take care of normal runoff. However he understands has in past and guesses this was possible before Mt. Morris Dam built. He was not aware of any flooding lately. Mr. Ireland advised flooded once since dam built. That is possibility, on basis of large one every 10 to 20 years. Mr. DiGennaro advised they have considered that. Mr. Ireland remarked they may have to do considerable filling. Mr. DiGennaro advised none will have basements and that is another reason why should be industrial rather than residential. Buildings will be built on slabs rather than elevation.

Mr. DiGennaro introduced Mr. Gerald Case owner of the property and asked if he would like to make a statement. Mr. Case advised he purchased the land about eight years ago and is also in real estate business with Willis Realty. Has sold a lot of land in Chili, stated how long has been

in real estate and has experience with land. Felt if do not sell this industrial will not be able to sell it, not practical for homes. There has been a change in neighborhood, street has been rezoned there and feels this is not asking anything too great to rezone it industrial. He at one time talked to George Lusk and if had use for it at that time would be recommended for that because is nature of land itself.

Mr. DiGennaro brought up one other point that has to do with water situation. As some may be aware, water line as they understand, is water hydrant at railroad track on easterly side so do not have water main running in front of this property, about 600' from that. May want to work something with Town to ask for extension of that water line, but perhaps could test out well situation. Actually water requirements in beginning will not require a tremendous amount. Mr. Ireland advised that was operated by Monroe County Water Authority. Not too far away from where they want it, but railroad between them and water line. Mr. DiGennaro said he will get in touch with them.

Mr. Ruta thought the Board might be interested to know reason they started to look in Chili, talked to Don Cultura, supervisor for Caldwell and Cook about 6 months ago and he referred him to Mr. Kent who recommended Chili as place they should go for new industrial business. This is reason they are asking for this.

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

Mr. Ireland declared the hearing closed.

DECISION: The Board voted unanimously to recommend to the Town Board this application be approved and the property be rezoned A Industrial.

Mr. Walter Murb and Mr. Brennan, owner of piece of land bounded on north by New York Central Railroad, on the south by Paul Road and on the West by Union Street, triangular shaped appeared informally before the Board. Mr. Brennan is proposing to build 13 houses on the Paul Road side and is asking for rezoning on north of houses as shown on plan they presented, for approximately 4 or 5 industrial type of lots in that area. It was felt by Mr. Brennan it would be difficult to put houses in back inasmuch as against railroad and power company and in between two railroads to north of this. It was the Wusnick property.

Discussion was had on the proposition and Mr. Ireland suggested they come in and have a regular hearing on it and see what happens. The Board could not say anything one way or the other.

Mr. Miller presented copies of the proposed Swimming Pool Ordinance for the Town of Chili for the study and discussion of the Board and their decision on it.

DECISION: Unanimously recommend to the Town Board that Article 3 entitled "Private Swimming Pool Regulation" be deleted from the Zoning Ordinance of the Town of Chili and that the proposed Swimming Pool Ordinance be set up as a separate ordinance for the Town of Chili.

Patricia D. Slack
Secretary

MINUTES
 PLANNING BOARD, Town of Chili, N.Y.
 July 9, 1968

A Public Hearing was held by the Planning Board of the Town of Chili, N.Y. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624 on July 9, 1968 at 8:00 P.M.

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

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

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

- #1. Application of Roberts Wesleyan College, North Chili, N.Y. to resubdivide property in the Town of Chili located at 4313-4317 (not 4291 as advertised) Buffalo Road, to make two lots into three lots, Accts. No. 1935, 1936, as per plans submitted. E zone.

Mr. Arthur Hauck, Real Estate Broker, President of Hauck Realty, Inc. appeared before the Board, representing Roberts Wesleyan College's application. He distributed small maps of what they wished. Wish to resubdivide existing lot into three other lots. He is going before the Zoning Board on July 23 asking for variance in setback to keep continuity in road. Mr. Hutchings house on the left is set back 36'. They plan to move two houses from the campus onto two lots. Asking for resubdivision to give more room on campus. The Myers house on the lot is a shambles, children have been running through it. This will be completely removed and it will look nicer. That house will come down and be replaced. They will move two houses from campus across road and clean up the property. They are going to ask for variance of setback, 30' from 60'. He was sorry did not have complete drawings, however, Lozier Co. will complete these, but are asking for permission to go ahead with program set forth by Roberts Wesleyan and they need to move as quickly as possible. Asking for conditional approval of map presented of resubdivision pending filing of oil and five copies when finished by Loziers, then they will send them through proper authorities and Sewer Agency.

Mr. Hauck presented Mr. Rudolph and Mr. Brunk from Roberts Wesleyan College who were also present at the hearing and advised they would gladly answer any questions the Board had.

Mr. Ireland questioned the dotted lines on the map and Mr. Hauck advised dotted lines were taken from County Planning Map. This is way originally. Two different deeds. He explained how the little triangle of land was picked up and eliminated, but it still shows on the last County Planning Map, but that has been taken out by deed. That was original property line, there were three different abstracts, two big farms broken up, and the abstracts went back to the early 1800s. George Cook, Attorney with the College and he took original drawings from County map, but they were separate pieces that were combined and resubdivided. As far as tax purposes to Town and County are assessed to Roberts Wesleyan College.

Mr. Miller questioned were they going to sell the houses to individuals. Mr. Rudolph advised would be used for faculty houses and in some cases married students. Probability faculty, usually students in apartments. Mr. Brunk advised right now houses are in center of campus. About 1949 these homes were built on edge of orchard as faculty homes. They are homes with upstairs, attic finished off, and crawl space basement, 4' basement. These placed there at that time with thought being this was perimeter of campus and probably development of homes in that section, but changed. Right now in center of quadrangle, around new dormitories and library built in last few years, so have to move them. He explained how the campus came in control of the Myers' property.

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, 3235 Chili Avenue, Rochester, N.Y. 14624 on July 9, 1968 at 8:00 P.M. to consider the following applications:

1. Application of Roberts Wesleyan College, North Chili, N.Y. to resubdivide property in the Town of Chili located at 4291 Buffalo Road, to make two lots into three lots, Acct. No. 1935, as per plans submitted. E zone.

2. Application of Joseph Schuler, 1300 Scottsville Road for approval to rezone property in the Town of Chili at 1300 Scottsville Road, being Tax account Nos. 1170-050, 1172 and part of 1170, bounded on the east by property belonging to Stars and Cars, Inc., on the north by Scottsville Road, on the south by Salem Park and on the west by properties of Ackerman Estate from A Industrial to E Residential.

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

WINSOR D. IRELAND, Chairman

Norma Vivian

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, 1968

Norma Vivian

Sworn before me this 9th

day of July 19 68

Robert E. Grady

ROBERT E. GRADY, Notary Public in the State of New York, MONROE COUNTY, N. Y. Commission Expires March 30, 1969

Planning Board

July 9, 1968

After Mrs. Myers' death it was obvious to them this land needs to be lived on, so tried to solve couple of problems simultaneously. Have to moved homes, have land feel can be made attractive and feel this is thing to do to develop lot next door which is vacant and they feel it would really improve situation a great deal and solve the problem where to put these two homes. Mr. Craw questioned if this property large enough for two lots. Mr. Hauck advised actually by Town zoning it is not, they have to apply for variance. Asking for 30' setback, have enough square footage with back land, but have to go before Zoning Board for variance. Have 20' on one side and 30', supposed to have 90', have 81.5'. Side lines, have plenty and square footage. If had to setback 60' could do so, but would look bad. Wish them to line up with other houses. Plenty of room to go back. Mr. Brunk advised this would include the width of lots as compared with other homes, all are less than 81.5'. One to east is 72', Hutchings' 75' or something and house west of that certainly not more than 72'-75'. These would be larger than frontages along there for several hundred yards.

Mr. Craw questioned the barns in back. Mr. Hauck advised two barns in back used in maintenance. Mr. Craw questioned were they going to remain? Mr. Hauck advised keeping them in as are set back far enough and he pointed out on map where they were located, set back 30' behind house, quite a bit back, are maintenance barns for college. Mr. Brunk advised used for storage, not so much as maintenance. Mr. Craw questioned they still have depth with barns? Mr. Hauck felt plenty, it is so high, way up, does not know what can do with all of it. It goes up and slopes down to Joe Entress' subdivision, and east side cut out part, extra dirt that blocks off view from people in back so cannot see, do not see barns because hill set up high, intention not to do anything with hill because does hide things. He again, using map, pointed out the depth of land and what bordered it. Mr. Keasling advised some borders on other college land. Mr. Hauck felt a lot of additional ground back there. Mr. Craw questioned would they maintain roadway from that property back there to Buffalo Road? Mr. Hauck advised no. Mr. Keasling felt it is an alleyway, private area. Mr. Hauck advised according to two deeds Mr. Hutchings and people next door somehow got title to that and split extra piece of property and each have part of it. One little piece has been split in half. In his opinion that is no longer in existence. Apparently had mutual agreement and picked it up, but it still did not have 60' width.

Mr. Miller brought up questioned of these houses going into drainage district, but was advised no drainage districts on that side of Buffalo Road for them to go into, or drainage districts in back. Mr. Miller questioned the distance from pavement to property. Discussion followed. Mr. Miller questioned if four lane there and was advised it was.

Mr. Brunk brought up they recognize Board concerned about appearance of property, they were too. This is directly across street from campus and they feel it would be improvement and would landscape them nicely and shrub them, feel would improve property, they would beautify property. It is right across from Church. Mr. Craw questioned was this property going to be tax exempt when fixed up? Mr. Brunk thought it is now, nothing will change. Mr. Craw questioned any faculty house tax exempt? Mr. Brunk advised yes.

Mr. Miller suggested to Mr. Hauck when he appeared before the Zoning Board for the variance request on the houses, he should also get them on the barns, as he was splitting lots.

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

DECISION: Approval granted with the following vote: Mr. Ireland aye, Mr. Craw aye, Mr. Rakus aye, Mr. Titus aye, Mr. Bean aye, Mr. Keasling abstain.

Planning Board

July 9, 1968

- #2. Application of Joseph Schuler, 1300 Scottsville Road for approval to rezone property in the Town of Chili at 1300 Scottsville Road being tax accts. Nos. 1170-050, 1172 and part of 1170, bounded on the east by property belonging to Stars and Cars, Inc. on the north by Scottsville Road, on the south by Salem Park and on the west by properties of Ackerman Estate, from A Industrial to E Residential.

THIS APPLICATION WAS POSTPONED until the August hearing at the request of the applicant.

Mr. Ireland advised he had received a letter from the Town Clerk advising the Town Board had passed a resolution requiring new subdivisions to put up 10% of their land or \$100. for each lot for park purposes. Discussion followed.

Patricia D. Slack
Secretary

MINUTES

Planning Board, Town of Chili, N.Y.

August 13, 1968

A Public Hearing was held by the Planning Board of the Town of Chili, N.Y. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624 on August 13, 1968 at 8:00 P.M.

Present: Mr. Winsor D. Ireland, Chairman
 Mr. Frederick Bean
 Mr. Ernest Keasling
 Mr. Lowell S. Titus
 Mr. Mitchell Rakus

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

The Public Hearing was called to order by Mr. Ireland, Chairman of the Board.

- #1. Application of Zabb Enterprises, Inc., 2587 Spencerport Road, Spencerport, N.Y. for approval to rezone property in the Town of Chili, Monroe County, New York from EE Residential to A Industrial beginning at intersection of east line of Union Street and South line of Niagara, Lockport and Ontario Power Company, thence:
1. East along south line of Power Company at an assumed bearing of due west a distance of 1115.51'; thence (2) S 36°11'45" E, 80.68'; thence (3) S 53°48'15" W, 221.71', thence; (4) S 54°28'10" W 678.28', thence; (5) S 75°39'50" W 163.20', thence (6) S12°40'40" E 38.75', thence (7) S 88°13'25" W 131.39' to the east line of Union Street, thence; (8) N 12°40'40" W 689.32' along the east line of Union Street to place of beginning.

Mr. Brennan of Zabb Enterprises, Inc., developer and Mr. Carmichael his Engineer appeared before the Board and presented maps to the Board for study. Mr. Carmichael advised they are asking the Planning Board to rezone from Power line along Union Street and faced a tier of lots that will be constructed on the north side of Paul Road, they will place a buffer of 100' between this tier of lots that is along Paul road to divide this or to shade this industrial park from the residential area. Reason why asking to have this rezoned, that there is railroad track there and for residential land it is not as desirable. The land is a little low in that particular area also and flat and would be much readily to go industrial than residential. In brief that is what they propose to request Planning Board to consider. Mr. Titus asked if they own the other property. Mr. Carmichael advised boundary line being Power Line, Union Street, Paul Road with the exception of one lot. That is on Application #2. Solid line of homes and solid buffer, heavy brush or shrubs. One lot does not own, outside of that owns entire piece. Topographically is such that high ground is along Paul Road and land, relatively low land is where industrial is proposed to be built. There is a box culvert that goes underneath railroad track. Mr. Ireland asked if they had any idea what would be built there? Mr. Brennan advised they would have to wait for sewers and thought would be sooner or later, but did not anticipate them for quite some time. Would not do anything with industrial parcel until sewers in. Land across street is for sale. Mr. Carmichael advised industrial building going in the other side of track, on north side. Mr. Ireland advised that is existing industrial over there. Mr. Ireland studying the plans remarked by time got rear setback would not be much left there. Mr. Brennan felt that was true. Mr. Carmichael felt it was up against power line and rear setback did not think would be quite as pressing as hard as obtaining these 100' buffer zone, that is what made them move this that way so this could be divorced from residential, there is no one on the north side, no neighbors. Mr. Miller advised besides 100' buffer zone, Zoning Ordinance requires there be 6' hedges or trees. Any in this area now? Mr. Brennan advised specify will be heavy trees

State of New York

COUNTY OF MONROE,

CITY OF ROCHESTER.

ss.

Legal Notice

PLANNING BOARD, TOWN OF CHILI, N.Y.

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 August 13, 1968 at 8:00 P.M. to consider the following applications:

#1. Application of Zabb Enterprises, Inc., 2587 Spencerport Road, Spencerport, N.Y., for approval to rezone property in the Town of Chili, Monroe County, New York from EE Residential to A Industrial, beginning at intersection of east line of Union Street and South line of Niagara, Lockport and Ontario Power Company, thence: 1. East along south line of Power Company at an assumed bearing of due west a distance of 1115.51'; thence (2) S 36°11'45" E, 80.68'; thence (3) S 53°48'15" W, 221.71'; thence (4) S 54°28'10" W 678.28'; thence (5) S 75°39'50" W 163.20'; thence (6) S 12°40'40" E 38.75'; thence (7) S 88°13'25" W 131.39' to the east line of Union Street, thence; (8) N 12°40'40" W 689.32' along the east line of Union Street to Place of Beginning.

#2. Application of Zabb Enterprises, Inc., 2587 Spencerport Road, Spencerport, N.Y., for approval of a 13 lot subdivision located in the Town of Chili, Monroe County, New York on property beginning at intersection of west line of Paul Road and south line of Niagara, Lockport and Ontario Power Company, thence (1) S 53°48'15" West 606.43'; thence (2) S 54°28'10" W 679.45' to the beginning of a curve; thence (3) southwesterly along a curve having a radius of 407.75', a distance of 235.98' to the end of a curve; thence (4) S 87°37'40" W 6.0' thence (5) N 12°40'40" E 203.28'; thence (6) N 75°39'50" E 163.20'; thence (7) N 54°28'10" E 678.29'; thence (8) N 53°48'15" E 221.71'; thence (9) N 36°11'45" W 80.68' thence (10) West 475.29' to place of beginning.

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

WINSOR D. IRELAND, Chairman.

AD-11-Aug. 5-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:

August 5, 1968

Eleanor E. Williams

Sworn before me this 5th

day of August 1968

Helen R. Stein

Notary Public
State of New York, Monroe County
Commission Expires March 30, 1969

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

Planning Board

August 13, 1968

and by time sewer comes they will be grown and he is prepared to set them out at this time.

Mr. Ireland invited those present at the hearing to come and study the maps and ask any questions they might wish.

The following came before the Board, studied the maps and discussed the requested rezoning. They spoke in opposition to it:

Mr. & Mrs. R. J. Tanner, 1373 Paul Road
 Mrs. A. Wusnick, 1369 Paul Road
 Mr. & Mrs. Phillip Borziller, 1337 Paul Road
 Mr. George Jefferson, 1400 Paul Road
 Mr. Clarence Willey, 3611 Union Street.

Mr. Tanner felt people who are going to buy the homes should be considered whether wish residential in there. If they knew industrial was going in that, they would have built their home. Mr. Borziller felt if they knew more about what was going in there would have something to decide on. They can look over 1,000' from his front, felt buffer zone would not hide it. Mr. Willey felt if they were allowed to have this, they would be wanting to rezone right up the line. Mr. Tanner was opposed to industrial in there, it is residential and they would not know what was going in. Mr. Borziller was opposed to industrial. Mr. Willey was opposed and felt neighboring lands would be allowed to do same thing if this is allowed. Mr. Jefferson went along with the rest of them. Mrs. Wusnick was opposed and felt there was a long list of what could go in there. Letter submitted from Mr. & Mrs. Gordon Scott, 1371 Paul Road opposing the change. No one appeared in favor of the application.

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

1. Felt should hold the West Shore Railroad as boundary line of industrial.
2. No sanitary sewer service to the area at present.
3. Numerous objections from nearby residents.

#2. Application of Zabb Enterprises, Inc., 2587 Spencerport Road, Spencerport, N.Y. for approval of a 13 lot subdivision located in the Town of Chili, Monroe County, New York on property beginning at intersection of west line of Paul Road and south line of Niagara, Lockport and Ontario Power Company, thence (1) S 53°48'15" West 606.43', thence (2) S 54°28'10" W 679.45' to the beginning of a curve; thence (3) southwesterly along a curve having a radius of 407.75' a distance of 235.98' to the end of curve; thence (4) S 87°37'40" W 6.0' thence (5) N 12°40'40" E 203.28', thence (6) N 75°39'50" E 163.20', thence (7) N 54°28'10" E 678.29', thence (8) N 53°48'15" E 221.71', thence (9) N 36°11'45" W 80.68' thence (10) West 475.29' to place of beginning. EE zone.

Maps of the proposed subdivision were presented to the Board by Mr. Brennan and Mr. Carmichael for study. Mr. Brennan advised the type of houses he wished to build, advised he had tentatively sold two lots already, believed on lot #3 would be split level. Mr. Ireland advised for one story it was required they be 1050 sq. ft. in E or EE zones. Mr. Brennan advised he did not build small homes, they will be bigger, about 1295 sq. ft. on up. Presently has subdivision in Spencerport, they could check him out, does not put up cheap boxes. Mr. Ireland advised the location in Spencerport where Mr. Brennan was building. Mr. Brennan advised his homes range from \$20,000. to \$42,000. In Brockport cheapest home is \$42,000. Thinks that road lends itself to nice homes, across street very nice homes. He plans putting up in the \$25,000. plus bracket.

Planning Board

August 13, 1968

On question of Mr. Ireland if any one present at the hearing in favor of or opposed to this application, Mr. Tanner had no objection to building lots, Mr. Jefferson had no objection to building houses. On question of Mr. Willey, Mr. Ireland advised they would not be asking for any variances in zoning.

No one appeared in opposition to this application.

DECISION: approval unanimously granted 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. In accordance with Town Board Resolution, \$100. per lot must be paid to the Town of Chili in trust for future park and playground development, or 10% of land area in subdivision acceptable to the Town of Chili.

Mr. David Bishop, Architect, representing the Pfeiffer Glass Co. Division of Fisher Scientific Company appeared before the Board with proposed industrial building plans for Chili Industrial Park. This is an organization primarily in distribution business of surgical instruments and thermometers. He pointed out the setbacks on the plans, have shown parking for 51 cars, but could be made greater. Present projection of employees 40-50 people. Not only willing to have buffer zone, but anxious to do it. This is mainly small trucks coming in, sell chemicals in small quantities. This is type of clean business. This is on a six acre parcel. Advised construction material brick and glass for office, warehouse basically brick at lower elevation and upper elevation aluminum of some sort, insulated panel in the upper perimeter, no glass in warehouse portion. He would like Board's comments and or approval. The plans specified screening would be conifers.

The Board unanimously approved the plans, with the exception the parking should be taken out of the buffer zone. Mr. Bishop to be advised he had the alternative of going before the Zoning Board for a variance to place parking in the buffer zone, or removing the parking from the south side of access drive, but he can use part of the buffer zone for access drive.

Mr. Ireland advised in June 1964 the Planning Board approved the application of Andrew Delykochatko to resubdivide lots 65, 66, 67 Jemison Road, Riverdale Subdivision into lots R-65 and R-67. This was never filed and they now wished to file the map. Therefore the approval had to be updated. The Board unanimously approved the updating of this approval.

Mr. James E. Robinson, Attorney appeared before the Board and introduced Mr. Chas. Curtis of James Brenna Realty and Mr. Anthony Coldrone, Engineer and Officer of Joyce Construction Company who wished to informally discuss with the Board a preliminary plan for an apartment project they wished to construct on the Carter property on Union Street, on 40.8 acres consisting of 400 units. The plans and sketches were discussed, and studied.

Patricia D. Slack
Secretary

MINUTES

Planning Board, Town of Chili, N.Y.

September 10, 1968

A Public Hearing was held by the Planning Board of the Town of Chili, N.Y. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624 on September 10, 1968 at 8:00 P.M.

Roll Call found the following members of the Board present:

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

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

The Public Hearing was called to order by Mr. Ireland, Chairman of the Board.

- "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 3000 block of Chili Avenue, Tax Account 1756-015, lot being 204.51' x 98.38' x 200' x 141.07'

Mr. James Robinson, Attorney, appeared before the Board representing Mr. DiPiazza owner of the lot in question. Tape location maps were presented to the Board for study. Mr. Robinson was sure the Board was familiar with this lot, which has been up before. Reasons feel this should be rezoned to commercial at this time are, the property around it, particularly across the street where Suburban Propane, Chili Lumber and Wegmans are, are at present zoned B commercial. The property to the west of the railroad tracks which come almost, bisect the corner of this lot, the property has been zoned commercial. This particular lot does not come right to tracks, only thing between railroad tracks and property is area with easement for drainage easements and it is felt this is best suited for commercial uses in view of other commercial properties in area. Mr. DiPiazza not unmindful of fact turned down before and reasons as before not quite same as conditions now. Condition then was spot zoning and unfair to developer to rear and, third, no other commercial on this side of street. At this time there is now commercial zoning on this side of street that this property fronts on, Mr. DiPiazza is developer in rear. Mr. DiPiazza has obtained some signatures of some twelve owners in immediate adjacent area petitioning the Planning Board to recommend approval of this application, which petition was submitted by Mr. Robinson to the Board. It is felt, admittedly, everyone in area is not in favor of it, but a substantial number in area are in favor, felt only advisable use, that it will enhance both value of this lot for tax purposes as well as will not affect area of immediate locale especially with railroad tracks and adjacent zoning. They are particular reasons feel should be rezoned to commercial use.

Mr. Ireland questioned any specific use in mind for this property? Mr. DiPiazza advised tentative plans to put building office and real estate office in there to operate offices and probably one or two other available spaces in there. Was thinking of trying to get lease for beauty salon, other, no effort for other tenants. Mr. Ireland questioned approximately four office type businesses? Mr. DiPiazza advised yes, very little traffic in there, what striving for nothing that will bring a lot of traffic into area and there would be off street parking, both front and rear. Mr. Ireland advised that parking would have to come within ordinance.

On question of Mr. Ireland if any one present at hearing had any questions or comments. Mr. Kunz, 3326 Chili Avenue advised he is immediately next to lot in question. Would be strongly opposed to this rezoning as did before for same reason. If it is rezoned commercial, he heard Mr. Ireland question what intended to put in, he inquired at last hearing and understand if rezoned commercial anything considered commercial could be built on there. Mr. Ireland advised that is correct. Mr. Kunz observed matters not what he says plans putting there, could be an all night burger stand. This is of no consequence whether intention to put single office or four offices, when it is rezoned it is done. The setback regulation as he understands, is 100' on commercial property. This would put front of his building approximately even with back of his house, west end of his house is approximately 22' from lot line. This would be source of possibility of any commercial property, there are 24 hour businesses in many places right now. 22' from his bedrooms would be his parking area. This in his opinion would really open

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, New York 14624 on September 10, 1968 at 8:00 P.M. to consider the following applications:

1. Application of Michael DiPiazza, 986 Joseph Ave., Rochester, New York for approval to rezone from E Residential to B Commercial, Lot R-1, Section 2 Chl-Paul Gardens Subdivision located in the 3000 block of Chili Avenue, Tax Account 1756-015, lot being 204.51' x 98.58' x 200' x 141.07'

2. Application of Joseph Desormeaux, 56 Sunnyside Lane, N. Chili and Charles Platner, 78 Ramblewood Drive, N. Chili for approval to rezone from E Residential to B Commercial all that tract or parcel of land, commencing at a point in the center line of Atridge Road, which point is the North East corner of property presently owned by Ralph Magin; thence Westerly and parallel with the North line of Magin a distance of 251.5 feet to a point; thence northeasterly and parallel with Atridge Road a distance of 100 feet to a point; thence Easterly and parallel with the South line a distance of 251.5 feet to the centerline of Atridge Road; thence Southwesterly along the centerline of Atridge Road a distance of 100 feet to the point and place of beginning.

3. Application of Fencewood Development, East Rochester, N.Y. for approval of Section 3 of Pine Knolls Subdivision consisting of 4 lots, numbered 54 through 57, located north of Section 2 of Pine Knolls Subdivision.

4. Application of Robert Carter, 1585 Highland Ave., Rochester, N.Y. for approval to Multiple Residence property described as follows: All that tract or parcel of Land situate in the Town of Chill, County of Monroe and State of New York, being part of Lot No. 88 of said Town bounded and described as follows: beginning at a point in the east line of the Bradlocks Bay Road (Now Union Street), at the southwest corner of lands conveyed by Richard Cate to the Trustees of School District Number 6 by deed recorded in Monroe County Clerk's office in Liber 142 of Deed at page 330; thence running south 82 1/2° east 2 chains in the south line of said school lot; thence north 6 1/4° west 1 chain in the east line of said school lot to the north line of said Lot No. 88; thence south 82 1/2° east 2 1/2 chains and 7 links in the north line of said Lot No. 88 to the northwest corner of lands conveyed by George W. Farwell and wife to Albert H. King by deed recorded in Monroe County Clerk's Office in Liber 229 of Deeds at page 167; thence south 7 1/2° west 16 chains and 15 links along the west line of land so conveyed to said King; thence north 82 1/2° west to the east line of Union Street; thence northerly along the east line of Union Street to the point and place of beginning. Said premises constituting approximately 40.3 acres more or less.

5. Application of Mary Engels, 146 Scottsville Chili Road, Rochester, N.Y. 14624 for approval to rezone from E Residential to B Commercial property at 11 Chestnut Ridge Road owned by Herman Engler and commencing at a point 209.21 feet west of the intersection of the south line of Chestnut Ridge Road and the north line of Chili Avenue; thence (1) westerly along the south line of Chestnut Ridge Road a distance of 50.78 feet to an iron pipe; thence (2) continuing westerly along the south line of Chestnut Ridge Road and making an interior angle of 187°-17' with course (1) a distance of 95.62 feet to an iron pipe; thence (3) south making an interior angle of 72°-57' with course (2) and along the east line of lands now or formerly Reynolds, a distance of 210.84 feet to an iron pipe in the north line of Chili Avenue; thence (4) easterly and making an interior angle of 68°-16' with course (3) and along the north line of Chili Avenue a distance of 138.05 feet to an iron pipe; thence (5) north and along the west line of Atlantic Richfield Company, a distance of 123.78 feet to the point of beginning.

All interested parties are requested to be present. By Order of the Chairman of the Planning Board of the Town of Chill, New York.

WINSOR D. IRELAND, Chairman.

DM-1t--Aug 31--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:

August 31, 1968

Eleanor E. Williams

Sworn before me this 31st

day of August 1968

Walter J. Steen

Notary Public

Planning Board

September 10, 1968

the door to complete ruination of his place as a residence. Thinks this is a point that should be considered. Does not know if Mr. Peters was here, he is on back lot line immediately bordering and he thought he intends to feel much the same way. To him disadvantage to have commercial property on your lot line, be wide open. All names on petition, saw one being circulated, quite simple for someone f, 6, or 8 houses up road to say in favor of this lot being rezoned, would have no direct effect on them at all. So he restated his strong opposition or objection to this rezoning.

Mrs. Meister, 3260 Chili Avenue presented a petition in favor of the rezoning of this lot providing that all properties from Westshore Railroad east to Chili Paul Shopping Center be similarly rezoned, signed by fifteen homeowners, eight of eleven that are there.

Mr. Pfrengle, 31 Greenbriar Dr., Gates, advised as proposition is, he is opposed to it even though he signed petition. Reason is that before brought up because of proximity of railroad track, unsatisfactory access to property, as they remember in previous record. The other thing is, does not know twelve who signed the other petition, but are they immediately adjacent property? Mr. Robinson advised one immediately adjacent to property, one behind, a couple just other side of where trailer is now. Other trailer just other side of easement immediately adjacent to property. Mr. Pfrengle cannot agree with spot for Mr. DiPiazza alone if comes other way. Object to it on single lot because spot deal and all have survived there and he still owns house there, 3316 Chili Avenue, across from Lumber Company, but would be in favor if whole thing was rezoned, would be in favor, but opposed to rezoning single lot because do not want to come up and get his rezoned singly, all be rezoned, not one. Mr. Ireland advised all they were considering right now is one lot, if all residents along there in favor of having property rezoned, they will have to all come in for hearing, not single, but all together at another time. Would have to be separate hearing and separate matter, but tonight all considering one lot.

Mr. Kunz observed one petition states undersigned in favor of Mr. DiPiazza further providing this whole tract is rezoned, which burns that thing to ashes.

Mr. Mancini, 56 Shrubbery Lane advised he was exactly across from Mr. Peters. On this zoning thing, how many stores allowed on this in a commercial zone? Mr. Ireland advised does not specify any number of stores, but only certain percentage of property can be occupied by building. Furthermore specifies setback 100', side line setback shall be so much, and this sets size of building and all depends on how small wish to make stores, how many can get in building. Mr. Mancini questioned how many stories up? Mr. Ireland and Mr. Miller advised two stories, including first floor. Mr. Mancini questioned this would allow house also if he decided to change his mind, a multiple dwelling? Mr. Ireland advised he cannot build a multiple dwelling in commercial zone, only in Multiple Residence zone. If wanted to would have to ask for rezoning to Multiple Residence.

Mr. Peters, 59 Shrubbery Lane advised he was directly behind lot and questioned how deep was his lot. Mr. Ireland advised approximately 200'. Mr. Peter observed, so if was two story would tower above him and ground level. Then his would take a lot of fill to avoid erosion. He is against it completely. Parking, how far back and how comes on lot and how many stories involved, he would go against it. Mr. DiPiazza assured the people it was going to be one story and most of high level ground going to be removed and Mr. Dungan is aware of drainage situation there and it has to be his specifications and no water pouring into neighbor. In event possibility of pond in back lot, will tie into open drainage immediately west of this property.

Mrs. Meister advised this particular piece of property (referring to property they petitioned be rezoned if lot in question was) only residential from shopping center east and from railroad west and all way up to Beaver Road all commercial, only spot left residential. Mr. Pfrengle felt if Mike wants to get together with all of them and then cooperate, in meantime some one else will come in with another single lot and same thing, so he is against it. Mr. Peters wondered what would it do to residential immediately behind it, going commercial on entire street all way down to Plaza, if that has got to be? In meantime he would like to keep residential attitude in area and he should think would bring down their values as residential land being backed up to commercial piece of property. Why not build house there? Mr. Ireland advised he would not venture to guess what would do to value to places in rear, thinks this would be purely matter of guess work whether would raise them or lower them.

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

DECISION Unanimously recommend to the Town Board it be denied for the following:

1. Objections of nearby residents.
2. Character of neighborhood on east and north.
3. Would not be fair to adjacent property owners and Board feels should maintain railroad as dividing line between residential and commercial.

#2. Application of Joseph DeSormeau and Charles Platner to rezone from E Residential to B Commercial part of Lot T87 Attridge Road (Tax Account 2050-560) as per legal description submitted (see Legal Notice).

Applicants nor any one representing applicants, appeared to be heard on this application.

DECISION: Recommend to the Town Board application be denied due to non-appearance of applicants.

#3. Application of Fencewood Development, East Rochester, N.Y. for approval of Section 3 of Pine Knolls Subdivision consisting of 4 lots, number 54 through 57, located north of Section 2 of Pine Knolls Subdivision.

Mr. G. Pasarall, Engineer with Sear, Brown Schoenberger & Costich appeared before the Board representing Fencewood Development Corp. Maps of the subdivision were presented to the Board for study, together with an overall map of the entire subdivision. These four lots, he advised, front on north of Section 2 Pine Knoll Subdivision and east side of the Plat Mar Subdivision. If Board recalled, road at Plat Mar extended to Pine Knoll Drive and it is under construction right now. Sanitary sewers will be extended easterly to pick up the four lots. He also advised he understood they wished to preserve the trees in the area. Mr. Ireland wondered what drainage district they will be added to and the Engineer felt within Pine Knoll District. Mr. Dungan was asked if he wished lot and block grading plan on this and advised absolutely, showing water drainage on property and showing the drainage pattern.

On question of Mr. Ireland if any present at the hearing in favor of or opposed to this application or had any questions concerning it, Mr. Tatlock, 37 Pineknoll Drive (lot 53) said he would like to see what was going to be done and was invited up to look at the map. He advised there were drainage problems already as they clear back there, more and more water comes back. The Engineer pointed out how the water was going out

and where it would pick up the drainage, where pipe would be to carry across to manhole and eventually back toward expressway. Mr. Tatlock advised he was all for it, just concerned about the drainage. Mr. Bridges, 31 Pine Knoll Drive (Lot 50) and Dr. Pesar, 33 Pine Knoll (Lot 51) also came up to study the maps. Questioned the circle and were told it would be abandoned and the plan for the drainage was shown to them and explained, it was pointed out where storm water would be picked up and how carried.

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

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 street 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. In accordance with Town Board Resolution, \$100. per lot must be paid to the Town of Chili in trust for future park and playground development or 10% of land area in subdivision acceptable to the Town of Chili.
 7. All driveways to enter onto paved streets only.
 8. Lot and Block grading plan with details of the offset drainage outfall to be submitted.
- #4. Application of Robert Carter, 1585 Highland Ave., for approval to rezone from E Residential to Multiple Residence, property in the Town of Chili, as per legal description submitted (see Legal Notice) being part of Tax Account No. 91-000 (part of Lot No. 88, house No. 3328 Union Street), consisting of approximately 40.8 acres of land.

Mr. Malcolm Lawrence, Attorney appeared before the Board on behalf of applicant who is seeking permission from the Board for approval of rezoning for parcel described from its present status of E Residential to new status of Multiple Residence, which is Multiple Residence zoning area under new zoning ordinance applying to apartments. Purpose of application is to seek approval of the Board for this recommendation and ultimately there would be erected or constructed on this parcel of land what they think is an interesting apartment and town house project consisting of approximately 400 units of town houses and apartments. Will get into more detail about the amount of each later. He distributed sets of drawings to the Board for study of what proposed. Parcel of land involved is situated on east side of Union Street in North Chili and is approximately 40 acres of land. To south of property, as shown on this plan, is located parcel they understand purchased by Catholic Diocese for church purposes. To east of parcel land understand is owned by Mr. Glidden and has been approved for residential subdivision development or building, to north of property parcel of land undeveloped, also residential subdivision known as Springbrook Subdivision and at northwest corner is existing firehouse. Understands area is residential, but also understands to north, North Chili Shopping Center and park, also to north. So they feel area predominantly residential. Has some characteristics, in their opinion, that does warrant presentation of this project for the purpose of apartment use. Also understands that the thruway feeder somewhat to north of this, and this was one of considerations they made that this might be suitable parcel of land for apartment development. Also

Also understand Union Street throughout area in North Chili designated to be widened, not sure, but one of projected road improvements and thought that with proximity of thruway feeder, would lessen objections that project would create traffic problems. Given description basically of land, some of reasons proposed developer of this area feels good site for apartment development. Would like to go further. First of all, would emphasize this is not projected low cost development. The project at present time, subject to rise in building cost, anticipate development of apartments in range from \$150. to \$230. plus utilities. Obviously this indicates they are seeking as tenants or residents of this area young executives, young professionals or older people who can afford this, but particularly younger people who do not wish to commit themselves as yet to homes. That price range, and perhaps higher with construction costs, is not designed for low cost housing. This is middle or higher class housing and hope in development of this project, people will see, not only designed to attract residents of this particular category but people who will appreciate what they hope is architecturally and aesthetically pleasant project. Their architect is here and he will go into fuller details on actual construction and design, etc. of project. The developer, many times on behalf of other applicants he knows, frequently people wonder and are concerned by who building this, what is going to happen when built, sell out, take profit and leave project? He does not blame them, in sense owner is your neighbor. In this case, ultimately, if this is approved, the developer will be Joyce Construction Company. This is an old line construction company in Henrietta for many years, building residential, single family dwellings. In addition to that, because of need and growth, they have also gone into residential apartment dwellings and at present time is builder, developer and owner of some 715 units throughout county. This should be important to you to know these people who build the project will be there to own it and maintain it. Maintenance and ownership is important. They will be there, they will own it.

As mentioned before, anticipated use of some 400, and development of, units. Hopefully this project if it is approved would allot first completed unit some eighteen months from day it was approved and started. This does not mean will be 400 units constructed immediately because of market conditions, financial limitations or availability of construction help. Would be projected this would probably be built over period of five years. If demand greater, accelerated, if not protracted. Of 400 units 30% two bedroom town houses. Pointed out town house considered by them is basic single family dwelling, except they are not story upon story. Several of them in a row. Not really row houses, joined single family dwelling. Zoning Ordinance permits this and this is part of use wish to make of this. 30% or 120 of these units. 10% or 40 three bedroom town house units. That is extent of town house development. Over and above that 30% two-bedroom conventional, 30% 1 bedroom conventional. This is general scheme of project.

Chili Town Zoning Ordinance has set up certain minimum standards which if an apartment project is approved Town will accept. For example, Town Zoning Ordinance stipulates cannot occupy more than 25% of the available land with structures. Means only 1/4 of ground covered by building and project as they propose it going to have much more open space because as he understands it, actual ground covered will be approximately 11% to 12% which is one half of permitted ground coverage of existing zoning ordinance. In addition, set standard as to minimum square footage in particular unit. Has been informed by architect that in general the apartments are going to exceed greatly the required minimum, so in effect will have apartment unit which provides much greater square footage and floor space than ordinance permits. Pointed out as part of the usage of land, in addition to apartment project, will be recreation area set aside for use of residents of project, pool, play area and, hopefully, if Board approves it,

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recreational facilities in form of regular designed unit for the use of residents who apply, for the use of guests and friends.

Mentioned previously, knows many are concerned about traffic. In this respect propose some two feeder streets onto Union from apartment itself. Expect Union Street will be widened to accommodate this, then developers have designed project so sits back much more than required setback to allow for widening and streets have adequate lawn or open space between units and Union Street. Zoning Ordinance requires a certain number of parking spaces for use of residents and guests. Believes the computed figure for 400 units projected would be 720 parking spaces. No parking outside of area involved. Developers again have projected some 800 parking spaces, know exceeds required amount by 60 or 70. In further connection with parking, the parking within the proposed area will be completely off street. There will be one "U" shaped main thoroughfare providing two entrances to units. Street throughout entire area will have access roads designed to get people off and into parking areas off main road. Only parking off main road designed primarily for visitors and guests, so will not run into problem frequently encountered where just do not have adequate space. Again have exceeded minimum.

At the outset just discussed briefly need felt for apartment in this area. Knows it is difficult sometimes to live in area that is residential and accept the concept of apartments because they have some risk and not necessarily consistent with assured residential development. In this respect would hopefully ask people, each and every one, to consider the project as they propose it, on the merits as an apartment project. Compare it, for example to other buildings, consider what they offer, and in first instance from an aesthetic and artistic point of view, is it a pleasant project. And if it is, go on to other considerations and hopefully understand feeling they have, are coming in with good project which merits attention, because unlimited time and money spent to have something acceptable to you people, tried to break the bottlenecks in town houses, apartment units, etc. to make this a residential area even though considered apartments, hope to bring out people who will regard it as their home and accept Chili as place of residence and from these apartments move into single residences if wish to maintain private homes.

Mr. Lawrence introduced Mr. Ferentino, Architect for project to present renderings of project and to answer any questions from aesthetic point.

Mr. Ferentino advised he was a practicing architect in State of New York, throughout central New York, as architect primarily concerned with urban and multiple dwellings. Associated with Joyce Construction in series of projects and has met with numerous Boards on Multiple Dwellings. Currently contemplating proposed project in Chili, Cedarwood Village on subject property tonight, the Carter property which fronts on Union Street and primary streets north and south, King Road, Parkway which site is and would be definitely rolling by its topography, high points to northeast and rolling gently to south and experience grade difference of 20' to 25'. In considering development of this project in terms of their experience, they have dual responsibility and he can be forthright in presenting this, very simple to take one side, type of concept whereby developer goes in for maximum utility and density from his vantage point. From his experience and work done, feels responsibility is two fold and goes beyond this and pleased with privilege had this type of director from Joyce Construction. When say have this type of buildings from his client, in sense think/they have relied on and on, that you just do not build and build with no concern, and what was good yesterday and two years might not be good for tomorrow and next year and when speak of four year phase development have responsibility to community and themselves and thinks when do this come up with design which borders on sensitivity with planning, concern yourselves with environment you create. This type of sensitivity takes understanding of people, how move and work. 20% of us move every year and our demands. They have taken pride in this business in single family concept. We are going through second phase in mutual housing and reason our type of society developing swing. Single family housing might not be answer for today. What is important, that we are having some swing in this, but point he wished to make, person we call tenant, or apartment dweller or someone

who rents, you will find his demands in terms of shelter, in many instances, far exceed what we would accept and consider satisfactory in single family residence. They demand, they insist, they make the market so you fit this type of thinking, so they become suburban in design. Their concept, they made preliminary presentation to Board and received from board some positive and constructive criticism and thinks when Board studies it at their leisure of this site plan, they will see they have included some of comments made by Board. Felt, after having been to many Board meetings, in Central New York, Town has most workable zoning ordinance and feel no restriction in standard, consider standard they had to work with that would develop good design. Feels that this works for community and developer. Whole concept bearing out what it calls for. There are 400 units altogether. It will be a phased development. There are schemes and scales, but have to go beyond that. Realistically, this developer going to stop somewhere in first phase, so one thinking, series of stopping points which means he can vary with market, that wherever he stopped he is finished so never seen torn up, road, excavation, marring landscape. Whole concept was neighborhood within neighborhood. Every time finished one was complete, traffic could go by and no road torn up. Sewer coming through, reviewed drainage district for overall and smaller complexes within master plan, can decide neighborhood lots of 30, 40, 50, however determine for that particular neighborhood. In this sense comply with standard established by Zoning Ordinance, thinks it is analysis on site plan showing design and comply with them.

Could cite statistics for next 15 minutes but they will see comply with requirement. Advised requirement for 1, 2 and 3 bedroom apartments, minimum. For one bedroom require 750 sq. ft., their minimum is about 770 sq. ft. Two bedroom standard is 850 sq. ft., they are running close to 900. Two bedroom Town House, 850 Sq. Ft., they are running approximately 1100 Sq. Ft., three bedroom Town House, and also restricted in quantity, require 1,000 sq. ft., they are running approximately 1300 Sq. Ft. Any ordinance is minimum, they design beyond that so project has value, not just minimum. Quickly took them through floor plan, had submitted sets for Board's perusal. Have worked units together so can develop two or three or one perfectly in one neighborhood. One striking thing in ordinance that fascinated him, is requirement for minimum play area in terms of multiple residences. Only people he knows, other than this Town and one other community is Federal Government, and he thinks magnificent thing to have. In their plan each neighborhood complex will support its own play area, depending on units in that complex, how many people in that area. Will not have to cross street to get to it. Have additional community facility which will involve swimming, tennis, play area for community at large. This will be building enclosing swimming pool. Concept, will be, will not be just in summer weather facility, will be year round in closed building.

Have developed four preliminary plans. Single bedroom apartment of conventional design, apartment over apartment, two bedroom conventional design, meaning floor plan relationship of one plan to another, two bedroom townhouse and three bedroom town house. No basement apartments in project. Agreed with the feeling should keep them out of basement area. Speaking of scale would say, no basement apartments, has brought scale of units down into residential eye and made them more acceptable, they have concept where four two bedroom units or four one bedroom or six two bedroom town house or six three bedroom and will be staggered back and forth. Thus width of these apartments will give you sense of scale which would not have if all town houses or conventional apartments. Will vary these relationships within neighborhoods and project. Thinks topography rolling enough, no grading problems. A type unit, two bedroom townhouse provides living facility on first floor and upstairs two bedrooms and bath facility. Three bedroom townhouse runs in planning concept the same. Durable materials, resilient tile in kitchen, tile, ceramic in bathroom, quality work flooring in living room, bedroom, use of cabinet

in bath area which would tie in with residential. Have no basement facilities for trash or laundry rooms or storage, these facilities will be available on first or second floor for each of so many tenants, two up and two down, only about apartment on one side. Sound control excellent and will exceed zoning. Will be through ventilation and facility provided for future air conditioning. This is concept in terms of two bedroom apartments.

Single bedroom apartments prospectively same in terms of four apartments with one common wall and standard facade. It will be finished as required for first class residential area. Town house in facade would be traditional in sense. They will use materials commonly accepted in single family residence. Maximum height of any building equal to two story colonial. Nothing higher than that. Will try to keep it this way. Showed sketches of preliminary town house concept. Also showed sketches of planned apartment houses, advised will be combination of materials and not flat facade because of pillars and entrance. Mentioned before play area in neighborhood complex, but final point, in terms of overall mentioned intending to have play area and tennis courts and covered pool building. Presented sketch of what proposed for building, describing the roof to control the high humidity during winter, thinking of material, heavy wood construction that can stand this, it would include meeting rooms, toilet facilities, pool, adequate deck area, all be on slide door basis, so can be open in summer. This will be located primarily toward Union Street, residential development to east of this and would say in sense, majority of development behind this, some facilities near Union St. Will be 100' setback in terms of any building. Finished inside, although see lot of roof in sketch, will be entirely wood, deck would be 4' x 4' and with this thinks will control itself in terms of high humidity, which could not get with paint. This is type of facility recommending with this property and hope will carry in with design size. He advised this is what hope to develop and would answer any questions anyone might have.

Mr. Lawrence advised for the record, in conjunction with design of development, this would be at direction and consideration of Board. Would like to retain control of streets, not dedicate them to public use so can be responsible for maintenance. Will provide easements that are necessary for your fire and emergency services. At this point thought had concluded their presentation. Have shown project are proud to present from design and use anticipate from area and would be willing to answer any question if can that Board would seek to have answered at this time.

Mr. Titus inquired in regard to swimming pool and recreation area when built on this project, when phase along or when through? Mr. Lawrence thought from a practical viewpoint of achieving ultimate purpose, have to build with adjacent section. Have to take risk involved and hope would attract people who desire this facility. Probably as first section developed in order to tell people what going to get.

Mr. Burchill questioned the total cost of project over four year period. Mr. Lawrence anticipated total expenditure \$6,000,000. Probably this will have to be increased through rising costs in this area. This was estimate earlier.

Mr. Dungan questioned projected width of arterial streets. Mr. Lawrence believed main roads throughout 20' anticipated and in that connection understands from engineers, in addition to roads being 25' have considered radius on terms so that all fire, emergency and ambulances can get through. Mr. Dungan felt could not get them in and out with rush hour traffic on 20', what would suggest, make them wider. Probably 25' would be better. Mr. Lawrence advised 800 parking spaces is number of spaces, thinks 800 would be conjecture at this point. Mr. Dungan felt have to be able to

handle rush hour traffic. Cannot handle with 20-25' street with two entrance streets. Mr. Lawrence advised it is their intent to accept criticism and consider what is recommended and is sure this can be worked out satisfactorily. Mr. Dungan inquired how they anticipate handling storm water outfall. Require this on any subdivision. Furnish us easements to control storm water outfall. Mr. Lawrence advised hopefully purchasers have wanted to undertake this with Town engineers. Anticipate culvert to south. Did not want to get into this from that point until sat down with Town Engineers and find what they felt desirable in this respect. Believes anticipate drainage would be to south. Understand natural flow of waters to culvert and anticipate development will involve proper improvement to carry increased flow and they would have to bear expense. Mr. Dungan observed here they have more hard surface than average subdivision, about 25%, they will need 100' sizeable outfall. Mr. Lawrence advised one of problems they thought would be senseless to make suggestion until knew what Planning Board going to do. Town has standards, they know drainage can be problem, know Town has been faced with it. Consequently they will let Town make rules and try to comply with them.

Mr. Ireland questioned what would be maximum limit of time they think would take before finished. Mr. Lawrence advised with all necessary ground work and planning in about 18 months before initial unit ready for occupancy. Assuming everything went on schedule, present plans call for four to five years, perhaps 100 each year. A great deal depends on market conditions. But also, project like this from the developer's point of view, almost impossible to go in and schedule 400 units for completion at once. Financial problems, banks want to see performance, see places leased, so in building external forces to prevent them. Even in that respect normally a land development going to homes has this. Thus, would prefer to phase construction at normal ability to proceed and no one that can really put up 400 units at once. Must phase, office force, construction crews, etc. This is normally set up to four years, this is their operation, what they can handle.

Mr. Kerluke, 38 Parkway, advised his north side borders on this property. Several questions, first of all the number of children imported onto property of this size going into school district. Second going by fact this land having a high area, as matter of fact directly in back of him 25' high over surrounding area, these would probably be bulldozed down and people in that tract would be eating dust for two or three years. Third, how far these apartments going to be setback from lot lines and not only as required by Town Law but by their proposal and question to Board and much as any other guess, one piece of property has been designated to be used in this case for multiple dwellings, how much real control over this and how much not have control of? Mr. Ireland advised Town would have control, they would have to build with minimum terms of zoning ordinance. Cannot require them to build anything better than minimum standard. Mr. Kerluke believed was Joyce built units on East Henrietta Road, 2300, just before Suburban Plaza, worked on them for 2½ or three years, this would be same corporation building in Chili? He was told yes.

Mr. Lawrence advised he did not know the project Mr. Kerluke was speaking of in Henrietta. Advised presentation presented tonight was project proposed at this time. Plans and everything in control of Board. Understands part of Zoning Ordinance gives Planning Board great deal of control over elevation, this is project presented here. Did not know exactly what grading will go on, but understands not going to be major. Mr. Ferentino advised on setback, they will setback a minimum of 60' from north property. No parking between building and side. Mr. Lawrence advised at this point Board does have control over landscaping in area and they have been told to put extra shrubbery in that particular area.

to the north. This again is one of features within control of Board. Mr. Kerluke observed if construction for four or three years in this area going to have bulldozer hammering, night work, going to have day work, transit, personnel travelling through this area for four years, proud of this particular neighborhood and hope to keep it. Mr. Lawrence advised hopefully not going to put in project that will affect neighborhood. This would apply whatever use, if this was single family units you might get equivalent amount of construction in terms of years. On school children, knows this is very common concern. Cannot speak in absolute numbers of children, can just talk in terms of assessed valuation and burden that a project of this sort would place on a school district. Referred to article submitted to Planning Board that in Rush-Henrietta School District apparently appraised 1500 units there and apparently feel that apartments as far as school children placing any additional burden on school tax rate, indicate that actually town houses produce less children as far as tax rate than single family residences. You can write to school boards to verify or refute. He was just passing this on to them. Makes sense, this would be case, who is going to occupy two bedroom town house? Market analysis indicates basically people who are sick and tired of maintain their own yard. They do not want half an acre, want to live in area going to be maintained for them so can enjoy their own spare time and are type of person going to ultimately reside in one of these town houses. Once again, interesting enough, is not going to be a person who just married, they are going to move into apartment. Town houses, market surveys made available indicate, in many instances people moving into town houses are people who are selling their homes and desire to move into this situation, whose children are no longer school age, who have homes of their own. Believe will concede no school age children living in one bedroom apartments. Thinks two bedroom apartments will have most school children and in town houses not going to get young families but older people. Asked all to reflect on these things and not think apartments just produce children. Mr. Kerluke could appreciate that, read articles about town houses, but going on performance of apartments on East Henrietta Road, laundry hanging out of balconies. Mr. Lawrence advised they can only present facts and hopefully have them accepted. No one can control families, they feel people will make market for this.

Mr. Clement, 52 parkway advised when they built out there was hedgerow right along line they are speaking of and when he bought his property someone showed him a pipe on other side of hedgerow. He would be very concerned if this hedgerow to be plowed under their lot on their property. Mr. Ferentino advised they talked about this hedgerow and the developer's sincere intention is that it will be maintained. Have not had survey, but it will be maintained, even if on their property will be maintained. Mr. Lawrence advised definitely if it is on their property. Mr. Ferentino advised an y natural factor available developer would be fool totake it down. They are against that, trees, hedgerow, any natural factor will be kept.

Mr. Root, 48 parkway inquired in unit bordering parkway property, what type of buildings will they be putting up along this north side? Will these be single apartments? Mr. Ferentino produced the diagram and pointed out the proposed layout consisting of two bedroom apartment buildings, three bedroom town houses, and how staggered. Mr. Toot questioned how far east does this property line go on north end and was advised 1650 lineal feet. Mr. Keasling advised this lot is about a lot behind his place. Mr. Root wondered when Mr. Glidden, put short access roads in there in area he is developing, if in future these roads would connect and if this would be traffic problem on parkway? Mr. Ferentino advised they were not considering connecting with any subdivision roads. Think should handle own traffic, should not create any more traffic, unless valid plan, reason Board can see. Mr. Ireland advised Town would not want any connection, these streets will not be dedicated streets. Mr. Ferentino added and will terminate within project.

Mr. Root questioned what, if any, expansion plan for Glidden project already started on end of Parkway? Mr. Ireland did not know anything of his plans beyond section approved at end of Parkway. Assumes he has plans for developing lot between end and King Road, but not presented to Board. Mr. Root asked if Board has contacted Mr. Glidden to ask his plans so can get idea of what to expect? Mr. Ireland advised no; up to him. Mr. Root advised as a taxpayer he would like Board to contact him. Mr. Ireland advised this is not their right, to ask people what going to do with their property. Mr. Root thought it was his responsibility as citizen of Town of Chili. Mr. Ireland advised if he owns it, has right to develop it. Mr. Root thought Mr. Ireland should ask him to see if worked in with this project. Mr. Ireland advised this was not dependent on what Mr. Glidden going to do.

Mr. Root would like to know as far as school problem, what expected tax base would be after project and whether have contacted school board to see if they feel our schools can support this addition. Mr. Lawrence read him statistics which showed these apartments going to produce assessment for each school child five times what single family residence in area would. So, hopefully, in answer to his question, this project going to lower in immediate area his school tax rate he paid on his house. Talking about a \$6,000,000. project. Mr. Root felt these might be his figures, but seems to him house he lives in would cost more to construct than for two bedroom town house and considering the additional property he has on his land. Another question, where will sewers tie into this project. Seems like water and sewers in connection with this whole project shelved so to speak. Mr. Ireland advised Ordinance states that no project built without adequate sanitary sewers, water and storm water facilities. This is detail which would have to be ironed out before final approval given. Mr. Root questioned if map on bulletin board in meeting room of sewers in the Town was up to date. According to that, closest to connect would be at east end of Parkway towards Buffalo. Mr. Ireland advised trunk runs from east end of Parkway going west. Mr. Root asked if Town anticipates putting any in on Union Street? Mr. Ireland advised Town would not put sewer in, Sewer Agency would, it is not Town sewer, it is County Sewer Agency. Mr. Root asked if builder would be responsible for connecting sewer to existing line? Mr. Ireland advised they would have to get their sanitary sewerage to trunk sewerage. If it involved getting easements, it would be entirely up to them, but project will not be approved without all this taken care of ahead of time. Mr. Root observed one of many industries in Town of North Chili is college and thinks all familiar with operation of college and needs. One thing college does need is housing for married families, and it seems like the price they have quoted here tonight is considerably above what the married families attending school could think they could afford. Wondering if gentlemen took this into consideration when decided to build this type of housing and price range. Mr. Lawrence advised was taken into consideration, but as pointed out in original statement, presenting good project, did not design for low cost housing. Could design low rental, but was not intention. If people who want to live here and can pay rental, they will, but again this was designed to meet certain market need in terms of rentals and design, to build project not cheap, but fairly expensive. But Joyce Construction can design anything they want. Mr. Keasling felt primarily designed for Kodak employees.

Mr. Kerluke questioned Town's basic plan for multiple dwellings, notices so far has been hit and miss operation. Mr. Ireland advised this is first application have had for rezoning to Multiple Residence since adoption of Multiple Residence section of zoning ordinance. Thinks will have to take each as presented and decide whether it is suitable, and thinks no reason why we should have to turn down a project because entirely apartments or town houses. Does not think any one can say whether certain mixture good or bad.

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Mr. Kerluke felt if had to get stuck with apartment or town house in district would approve of something like this great deal more than what has seen in many areas and more expensive operation, but his question is what are we as Town of Chili doing. Union Street is possible example of a mess, take it from Chili to Buffalo Roads. This is what he is wondering about, developing closer and closer, this is what is zoned, is that what going to do with multiple residence? Mr. Ireland hoped not.

Mr. Kerluke questioned he can go any place because have not got control? This why he believes could not make home into two apartment home, given him rules must follow because we all have to follow these and having to follow them, better community and better place to live. Mr. Ireland told him he can only say, if built this apartment project will have to follow the rules also which Town has laid down.

Mr. Root felt as far as control is concerned, on thing brought up at hearing for multiple residences, in addition to zoning rules, was control. He lived in apartment in Gates before moving to Chili and glad he moved out of them because maintenance was biggest complaint he had or who lived in these. Thinks Town should put into the Zoning some sort of control over maintenance. Was this done? Mr. Ireland advised you cannot do it. Does not believe it is legal to put in something other than that they cannot be unsanitary. Mr. Root did think cracking cellar wall so can get foot of water in basement, thinks should be able to go and say they are not maintaining it. Mr. Ireland advised this is a choice of man that owns it, whether wants to maintain it well or badly. Mr. Root felt if cannot have rule, should not have adopted it. Mr. Kerluke advised if he does not maintain his home right, he will have Bank on doorstep saying clean that up, take care of yard. He has controls over him for twenty years, and he is going to take care of it. Mr. Ireland advised this is bank, not Town. Mr. Kerluke questioned what control do you have in this situation? Mr. Root observed one suggestion made at private hearing was fund set up by this organization and this fund could be used possibly by Town Officer or public official to inspect these and if maintenance needed, this money could be used. Mr. Ireland did not believe you can do it. Mr. Miller advised at this time Town of Chili does not have housing ordinance, possibly will have one in near future. Code that would control the condition of single residences as well as apartment units, similar to City of Rochester. Mr. Kerluke observed this is why in suburbs, because costing enough, wants to have little bit of grass, worry about my next door neighbor painting house, repairing used cars, drunken brawls every night, this is where average Joe maintains home and school district where he takes his pride. This is what worries him. In Scio Street, or East Henrietta or Caulkins Road, seen what Henrietta done with zoning area, why would not own home in Henrietta and proud to live in Chili, wants to pay penalty of high taxes and be glad to pay and not live in some situations seen where my water from home pouring on next door neighbor where bad drainage, looking at some towns and messes and were are under developed now h town area compared to Greece. In Greece, Henrietta, etc. had great growth, but look at penalty. Do we want to pay same penalty? Mr. Ireland was sure all agree do not want to have people living next to you who do not maintain property, but feels development company going to build this going to have enough insight so will be interested in maintaining it in decent manner. Certainly would be very foolish not to.

Mr. Root questioned, under present setup suggested here with 400 units and 120 single bedroom apartments, which leaves 280 units at least two bedroom units, from experience he has seen figures quoted on children, and wondered if school board contacted to see if present facilities could handle this and where will next schools be built. Thinks part of responsibility. Mr. Ireland felt not their responsibility. He just read the other day study made by Rush-Henrietta School Board, nothing to do with any builder, no axe to grind, made this study and published it, that for every 7¹/₂ apartment units there is one school age child, for every single family dwelling 1-1/2 school age child. So if use a little math you will come to same conclusion this gentleman did on total number of children on basis of 10 units an acre and assume three single dwellings per acre you will come to about same figures he quoted on number of children on per acre basis and single family dwellings. Not speaking for or against project, merely quoting figures he read. Study by school board and we had study by Gates-Chili School Board which came to about same conclusion. In other words, apartment themselves do not over load schools any more than single family dwellings occupying same number of acres.

Mr. Kerluke questioned, assuming if property were developed, would it be properly landscaped so would look like home community area, would Board have any control over type of landscaping. Mr. Ireland advised Ordinance states landscaping shall be approved by Planning Board, they would have control.

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Mr. Hyback, 15 Sunnyside Lane observed in his way of thinking, any organization willing to spend \$6,000,000 to build layout of this size and if anybody interested can study how want to build, has to be asset to Town rather than detrimental. Even though taxwise is a betterment to Town. You cannot think in past, must think in future. Afraid too many people in Town do not do this. Go up to Gates and look at development up there, have them packed in there, go look at them there.....

Mrs. Warren from Sawyer Street, questioned what first class town would like to see tract with 400 houses? Mr. Kerluke questioned the approximate rental of places on East Henrietta Road, did they know average rental? Mr. Lawrence advised he was informed \$105. to \$160. tops. So, conclusion design estimates completely different project. Might say one thing. Knows people proud of their Town, he is proud of his Town. Going to suggest, no one can dispute as far as development is Town of Brighton does not have these and yet on way out here tonight drove out Winton Road and noticed they have apartment projects next to extremely high priced residential districts. Recognizing your position, they have not come up with low cost housing project, but relatively expensive and keep in mind this has worked out quite successfully in Towns that have homes as nice as Chili. Mr. Kerluke realizes going to have them but is worried, will there be standards that you say here is possibility, how concrete would these be? Mr. Miller advised feel Planning Board and Town Board could stipulate they would have to build as presented it. Can tie them down. They submitted plans. Mr. Ireland advised would say that before anything is built, plans must be definite plans presented to Building Department and approved before can get building permit, and after this they must build in accordance with presented plans.

Mr. Miles, 37 Hilltop Drive commented, hardly any industry in Chili, projects like this might bring a little in.

Mr. Lawrence commented previously gentleman indicated Bank had great deal of control over what would be done with his private residence. Naturally they are concerned with Planning Board, Building Department and Engineers, but he would say no way that Joyce Construction going to place \$6,000,000. to build this project without banks involved and in addition to what Planning Board require, they know that no bank going to give mortgage or finance money unless they can make project fit not only to Town's satisfaction but to Bank itself. Cannot get mortgage until Town Board issues certificate saying they are complying, so they must comply not only for Board but to obtain financing. Have to convince the Bank that it is well built and people will want to live there and rent. Mr. Kerluke questioned all buildings not going to be on same level. Mr. Ferentino advised no, grade will not allow it. Mr. Lawrence advised he was going to try to retain most of natural topography and landscaping. Might point out removing trees rather expensive, so trying to use land as it is. Mr. Kerluke questioned what going to do where homes in area would be lower and you are in lower area, at that point what for drainage problem. Mr. Ferentino advised this was engineer's job which will be assigned to engineers. Road elevation, drainage and water shed will be engineered properly, but they will try to site every building in this area and not dump water on some one else. That is all he can say.

Mr. Root would like to ask Board about master plan, have they heard any more about this, when assistance to come through. Mr. Ireland advised latest he heard, been approved by State and request for Federal Funds gone in. How long before get any money or start on it he did not know, may be a year before we get any funds. Mr. Root questioned what Town expects cost of project will be. Mr. Ireland advised was approximately \$70,000. Mr. Root questioned how long will this take after funds secured? Mr. Ireland advised probably two years to complete the plan. Have to wait our turn or else pay out of own pocket. Mr. Root questioned how many years wated for it. Mr. Ireland advised made application he believed

in November last year. Mr. Root questioned, under old plans, was not this originally set up to be either park or school? Mr. Ireland advised no, thinks it was merely zoned E residential. It was at that time a farm of course, and all farm property zoned E. Was not set up as park or school. Mr. Clement advised he had map which did say for park or school. Mr. Ireland advised park designated further north. Thinks all they did was designate park in that area and since got one further north probably took care of that. Mr. Root questioned what is going to happen to zoning of property adjacent to this area in future, as far as his experience? On all sides most of it is residential he thought. Mr. Ireland advised thinks people will just continue to live there. Does not know because no one asking for any zoning changes yet. If you think of church property to south, a church is one of things allowed in residential zone with a special permit. Mr. Root questioned how much weight will this type of project give to say land on west side of Union Street being changed to commercial? Mr. Miller advised each case changed on or judged on its own merits. Mr. Root wanted Mr. Ireland's judgment from his prior experience, what have they set, or has happened to zoning changes in land adjacent to projects? Mr. Ireland advised this was almost only project they have had presented. Mr. Root advised he was talking about surrounding towns, how much area right next to him is going to be changed to commercial after this goes through. He feels if this is built it is going to carry a lot of weight in changing this adjacent property to commercial zoning. Mr. Ireland did not think so, did not think would carry any weight with Board towards zoning property on other side commercial, did not believe it would. Mr. Root questioned will fire house facilities tested to this area be capable of handling this, first in. Mr. Ireland advised none of these would be over two story so Fire Department should be able to handle it adequately. Purposely kept maximum height of buildings down to where our own fire equipment could handle it. No high rises in Ordinance. Does not see any reason why a single apartment unit would be any more problem than shgle family house. Does not know, would assume no problem in fire fighting. Mr. Hyback advised, being president of Chili Fire Department, though their fund dive purchased new pumper tanker which will be stationed at fire house on Union Street. At that time you will have two Class A pumpers around corner from development. Does not believe any problem whatsoever.

Mr. Root requested they go over again number of singles on north side. Mr. Ferentino did so. Mr. Root thought developers should have taken this into consideration, only side of property in this will be bordering houses at present time and as far as the area where majority of houses consist of three bedroom houses which are town houses and he thinks possibly could have taken into consideration a few single apartments in this area. If this was definitely one of requirements set up by Board, it would be one thing that he would tend to change his position on it. Mr. Ferentino felt would not be much of plannhg problem to make an adjustment.

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

DECISION: Decision unanimously reserved until further details of sanitary sewers, storm water drainage, water supply, traffic flow and storm water easements for the outfall are submitted.

- #5. Application of Mary Engels, 146 Scottsville Chili Road, Rochester, N.Y. for approval to rezone from E Residential to B Commercial property in the Town of Chili at 11 Chestnut Ridge Road owned by Herman Engfer, as per legal description (see Legal Notice).

Mrs. Engels appeared before the Board. Tape location map of property had been submitted to Board for study. Mrs. Engels advised is applying to have this particular area made commercial because feels, has talked

it over with several people, including two real estate people, due to fact this land surrounded by three streets; two-Chili Avenue and Chestnut Ridge Road and private roadway owned by Mr. Reynolds and very purely thoroughfare, cannot imagine used for anything but commercial and parking. In records noticed that part of original property was rezoned commercial in 1958 for the Atlantic people and she feels that the people there have certainly been very happy with station. Feels that what they will use if for, thought through courtesy, did contact all neighbors in that area, approached them and told them what plans were, that this is not going to be burger stand, they have two gentlemen, subject to having it commercial and it would be advisable for this area, two accountants, been in business since 1954, have a lot of clients who have moved into Bright Oaks and different areas out here and feel they work by appointments, so does not think would be anything that would have to have lot of traffic, office hours, not work until midnight. As far as parking, believe they have according to map, 80' by the garage that could be used for parking area. So if work by appointment, certainly only two people that will occupy private house, do not intend to change structure of house, will remain just as is. Are not going to tear it down, just going to remain as is. Mr. Ireland questioned, as he understands it, would be small office building? Mrs. Engels advised will be used as private office in home, just as stands, no change at all in any way, shape or manner. Mr. Crow questioned, it will not be used as a residence? Mrs. Engels advised going to use it just as is, no change inside or out. Had surveyors come over and survey it and all figures on map, there is part of it of course comes with gas station, so would be very difficult for any one to buy property, cannot imagine who would buy it for residence. People go on private drive because patronize grocery store; but all realty people feel would be suitable and as long as do not feel going to put anything big like burger stand or anything detrimental to property. At time she purchased it, if all remember, place in disgraceful shape, grass came way up, was dead deer by garage and barrel of empty beer cans, sanctuary for rats, etc. and she went in and had it all cleaned out. Thinks it would be favorable to neighbors. She would feel so.

Mr. William Kelly, attorney appeared on behalf of Mr. H. Reynolds owner of adjoining property. It is Mr. Reynolds position if this property rezoned commercial, he would ask that his be rezoned commercial.

Mrs. Giuliano, 2975 Chili Avenue advised she had petition of 16 homeowners that do not want that changed to commercial. That is true about private road, traffic terrible, more children go down, if you have them you worry about them going up to store. Then if you turn this commercial, you do not have any more control. What she wants to do right now is very good, no complaint. What will do in future, mean no more control over it. All beautiful homes in that section and amount of taxes they pay. Concerning gas station, worst decision Chili ever made, garage had cars parked out in road, trucks parked there and Board does not have any control to make them clean it up. Mr. Ireland advised the Town did not do that, Town did not want it any more than any one else. Mrs. Engels thought should add glad somebody got in there and cleaned it up. Mrs. Giuliano felt as she said if commercial, board does not have any control.

Mrs. Engels thought she might start from beginning, she herself has been resident of Chili for eight years, has beauty shop in Chili Center. They have just added a huge addition, owns beauty shop and has good reputation. One of founders of Chili Businessmen's Association and reason founded this Association is to promote Chili and keep it looking like something and she could not prejudice her business or standing in Chili Businessmen's Association by putting in anything detrimental. Her husband also in insurance business, they bought this with their present intention. In future, did not know when, if ever her husband might want to put insurance office in there. They have written lease drawn up, subject to having it

made commercial, for two accountants. Street back there and certainly thinks the neighbors should be grateful to think not getting something else in there creating hazards or noise. Two different people were interested, one for bar and grill and one for liquor store, so they would have to fight something else. Thinks of all evils she would prefer this herself. They have bought it for future use, bought it about a month and a half ago. She was questioned she knew it was residential. She advised she talked to real estate man and lawyer who felt this property has little residential value. Can you imagine anyone who would want house surrounded by businesses, no adjoining residential properties? Mr. Dragone, 11 Old Ivy Circle commented people across street. If want to put couple of accountants in, do not want to do anything to property, can get variance. People do not know what is going to happen in future and something else go in. She can get variance and have couple of accountants in there. Mrs. Engels would like to keep it, for record, for own future use, but they will presently and for quite a long time lease it out only as professional office, and she can assure these folks that is exactly what will be in there.

Mr. O'Donnell, 26 Old Ivy Circle thought what she just said may be true. He expects to be living in that area, hopes, next 25 years. Her intention does not give him any guarantee. Saw what just happened here, she is asking for that small plot to be changed, immediately Mr. Kelly asked for larger plot to be zoned commercial. Mrs. Engels returned but used for commercial for 15 years anyway. Mr. O'Donnell remarked you people make decision to rezone these areas but you do not have any control or police powers on it. Mr. Ireland advised once zoned commercial, any allowed use in commercial zone can be built there. Mr. O'Donnell commented so we have no recourse once it is changed, zoned commercial? What sort of tax return would this bring as compared to residential? Mr. Ireland could not answer that. Mr. O'Donnell asked if they consider this when making their decision. Mr. Ireland advised no. Mr. O'Donnell questioned their guide lines. Mr. Ireland advised character of adjoining properties, zoning of the adjoining properties, objections or approvals of nearby residents. These are things they consider. They do not really consider the tax advantage which will accrue to the Town, this should not be considered. Mr. Dragone remarked all these residents who signed petition are in the area and if check tax rate, they pay big taxes and tax rate over there. Mr. Smith, 12 Old Ivy Circle advised bought in Chili because not commercial, it is residential. If wanted to be in commercial area would have stayed in Rochester. Mrs. Engels commented part of this original property was made commercial in 1958, across road from there another gas station, in existence quite a few years, pop stand, see cars and trucks constantly, so at time Old Ivy Circle these conditions were existing. Mrs. Smith, 12 Old Ivy Circle said she was talking about old corner. Mr. Smith, 12 Old Ivy Circle observed while she stands and talks commercial, they do not like gas station, but there, cannot do anything about it. So here they sit in their front yard looking directly at the Bungalow Drive and Mr. Reynolds has kept it trim and neat and clean and nice looking but by putting more commercial in there are not righting wrong, by putting other in.

Mrs. Engels said she made application, for herself. If willing to admit truth, it looks much neater and she will ask the Board for special recommendation. If they feel worthy of it, fine. Would be very happy to answer any other questions. Mr. Engels appeared and he felt most things commercial there. They are not trying to take anything away from neighborhood, trying to increase looks and appearance and put something there that will be of value, not an eyesore, but something in future going to be helpful to everybody within Town here as time goes by. What his wife told them, she speaks the truth, is what they are going to do. Exactly what she told them about possibility and future use, that is what it is going to be. Mr. O'Donnell questioned how it would benefit them. Mr. Engels advised going to serve him. Mr. O'Donnell

questioned what assurance a liquor store not going to be put in. Mr. Engels advised he was telling board to put it on record, he owns the property, even if commercial it will not come in. Mr. O'Donnell questioned is it true they could get variance and would not have to change classification of property? Mr. Miller advised that is correct. Mr. O'Donnell felt if they get variance can have two accountants come in.

Mr. Roettger, 24 Chestnut Ridge Road lives directly across street from super market, lived there since 1937. Seen it develop and Herman Engfer was granted to sell this as gas station as part of his property because went through Court and Court ruled it might cause hardship on this man, that was only reason that piece of property was given to the Atlantic Service Station and they have seen this property after Mr. Engfer died. It did look hideous and he has seen it cleaned up and they like idea, but they still do not care to have this property zoned commercial because at one time will be sold and he will have another supermarket in front of his house. So appreciate them doing these things, but if want to conduct business and put business in there, would suggest take variance. Does not care to have that zoned commercial.

Mr. Kohlmeir, 12 Chestnut Ridge Road has lived there for 25 years and put a lot of money and effort into the place and make it an asset to Chili and not detriment and does not want to see value lowered due to making this property commercial. Since he moved there Florist Shop in, started when no zoning, no zoning for cider mill, he is east, but can do something about one on south. Mr. Engfer said that he wanted to have that rezoned commercial. You know sentiments of people. Was turned down by all people, then he took it down to city and some judge ruled part Atlantic had would go commercial and rest stay residential, which they want to see. He wants to see, and speaking sentiments of all people around, that stay residential.

Mr. Brown, 20 Chestnut Ridge Road brought up point, Howie Reynolds lived there eighteen years. Howie ran store in house, when suffered fire there Howie operated under variance and he said personally a year ago, and Mr. Kelly brought point up tonight, he would go commercial and whole area could be anything wanted to put in and from there, how far work up street.

Mr. Rhodes, 28 Chestnut Ridge Road has lived there since 1945, and looked on maps yesterday and only place commercial, pop stand. Believes if you look at maps in green, and otherwise two gas stations operate under variance, not commercial. Esso built since he came there and so is Atlantic and pop stand used to be old shop there but was called cider mill, but two gas stations not commercial, working under variance.

Mr. Davies, 16 Chestnut Ridge Road lives across from property, been there since 1939 and they opposed Reynolds getting his rezoned over there and also when Mr. Engfer and he is still opposed having this changed to commercial and if it is variance to go ahead and open up for some office or something like that, different thing, but opposing commercial right in front of their house.

Mr. Kovalcki, 6 Bright Oaks Drive is fairly new in area, but opposed to having this zoned commercial. Gas Station is a detriment to corner and a hazard, wonder do not have accident very shortly.

Mrs. Rhodes, 28 Chestnut Ridge Road advised private roadway for convenience for grocery. More people who use that to and from Chestnut Ridge Road to Chili Avenue than corner and if any one tries to turn sharp corner at Chestnut Ridge and Chili Avenue it is a hazard, and that is supposed to be private road and any one using that should be using it for shopping in store only, he maintains it himself and spent a lot of money on it.

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A lady from Old Ivy Circle advised she has four boys going to Bungalow, quite a bad thing, enough traffic right there at present time. Against it being commercial.

Mrs. Pagliuco, 2970 Chili Avenue lives behind Reynolds, lived there for seventeen years. Traffic on that corner very bad and to go back to gas station, something has to be done because it is bad. She submitted a letter to the Board stating her objections.

Mr. Kohlmier questioned has seen present question about this property so often, is there possibility of having it turned down and that is it? Mr. Miller advised him no. Mr. Ireland advised anyone can ask for change of zoning any time they want, even same person can reapply any time they want. You cannot turn it down permanently and say you can never ask again. Mr. O'Donnel questioned how do residents find out when anything is being done? Mr. Ireland advised advise them, advertise in paper ten days ahead, all required to do, but as courtesy send out notice to six nearby residents.

Mrs. Engels advised Mrs. Spitz contacted her and she approves of it, she said if that was what going to do she would approve it and no objection, she is right across road. A gentleman from Chestnut Ridge Road advised no debate about good intentions and of course Spitz would naturally be agreeable to this, but still do not want it commercial. Mrs. Engels felt if you had had wrong element in there they could not fight that and she is sure they would be a lot happier having two professional gentlem who work by appointment, with very little traffic, than family of seven or eight children who would let it run down and you could not come up to Town Board and object and if she were in that area she would feel very comfortable knowing what was going in, who was behind it. Mr. Dragone advised no objection to putting both accountants in, this was not question before the Board here at all, it is changing this to commercial, said get variance, they would be glad to have them over there.

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

DECISION: Board unanimously recommend to the Town Board this application be denied

1. Numerous objections from nearby residents.
2. Adjoining properties are not commercial, all commercial enterprises in area operate under variances.

Patricia D. Slack
Secretary

MINUTES

Planning Board, Town of Chili, N.Y.
October 8, 1968

A Public Hearing was held by the Planning Board of the Town of Chili, N.Y. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624 on October 8, 1968 at 8:00 P.M.

Roll Call found the following members of the Board present:

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

Also present: Mr. Daniel L. Miller, Deputy Town Attorney
Mr. John Burchill, Comm. of Public Works and Supt. of
Highways
Mr. James O. Dungan, Town Engineer.

The Public Hearing was called to order by Mr. Ireland, Chairman of the Board.

#1. Application of Angela Battaglia, 123 Brooklea Drive, for approval to subdivide lot R-357, Greyson Road, being 123' wide by 192.36' and 269.86' deep, into two lots, each being 61-1/2' in width. D. District.

Mr. Buttarazzi appeared before the Board representing the applicant. Map was presented to the Board for study. Mr. Ireland advised this is just a simple resubdivision of what is now one big lot into two smaller ones. Mr. Dungan question if enough area on each lot to meet requirements of D district. After study it was felt they would just about make it.

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

DECISION: Approval unanimously granted.

Mr. Kwasnick, Engineer with Sear, Brown Associates appeared before the Board for an informal discussion on plans for Section 2 of West Canan Estates, consisting of 18 lots. The map was studied, together with drainage, and plans for moving dirt from one point of land to another to fill in lower points of the land, also on cul de sacs in the entire overall subdivision. Board felt general layout satisfactory.

Mr. Colderone of Gregory D. Ferentino & Associates in reference to the application at the last Public Hearing for rezoning property on Union Street from EE residential to Multiple Residence, on which decision had been reserved pending further details on sanitary sewers, drainage of storm water, easements, traffic flow and water. He advised they had done quite a lot of work on it, Lozier Engineers did engineering for site work but Mr. Leland was not here this evening as he was called out of Town. They contacted Gates-Chili-Ogden Sewer Agency, Mr. Russell and with Mr. Leland they worked out few alternatives which can sewer project. There is prospect going to need pumping station and technical details of where would be to handle the sewerage has not been established as yet. However the need is there and they know it. These things would be at their cost for their lines and would be put in according to Town specifications. Storm water drainage easements they had contacted

State of New York

COUNTY OF MONROE,

CITY OF ROCHESTER.

ss.

Legal Notice

PLANNING BOARD—
TOWN OF CHILI, N.Y.
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 October 8, 1968 at 8:00 P.M. to consider the following application:

- 1. Application of Angela Battaglia, 123 Brocklea Drive, for approval to subdivide lot R-357, Greyson Road, being 123' wide by 192.36' and 269.86' deep, into two lots, each being 61'-1/2' in width, D District.

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

WINSOR D. IRELAND
Chairman

BK—Sept. 28—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:

September 28, 1968

Eleanor E. Williams

Sworn before me this..... 28th
day of September..... 1968

John Jones

Notary Public

Planning Board

October 8, 1968

Catholic Diocese and Mr. Glidden and they indicated they would give easements they had had preliminary studies on site and realized King Road culvert was not large enough, but did not know exactly just what easements to request. Ed contacted Mr. Ottman at Monroe County Water Authority, who showed them facilities they had on Union Street and he stated there would be no problem in servicing them. Would be no problem about fire protection. On traffic flow he had met with Mr. Burchill and advised what they had come up with.

Discussion followed. The Board felt not enough details as yet and letter would go to applicant advising Board would still reserve decision until more detailed plans regarding traffic control and drainage received. This should include specific proposal as to how State Highway Department wants traffic controlled in and out of the project, with specific attention to the rush hour periods. Also the Board would like specific figures from developer's engineer as to what is actually proposed for the drainage. Board feels that since majority of this property and other properties including Mr. Glidden's Springbrook Subdivision and the property belonging to the Catholic Diocese of Rochester lie in the same general drainage basin, a joint drainage district should be considered.

Mr. Cummings, president of Cummings Contracting appeared before the Board for informal discussion of plans for the property belonging to Mr. Aloti on Davis Road. Application had been filed approximately a year ago with the Board for a subdivision but were here now to discuss feasibility of trying to develop entire 33 acres partly in apartments and part single dwellings. As soon as had some assurance this would be feasible would proceed with necessary drawings that could present to Board. Mr. Ireland advised did not see how without sanitary sewers. Mr. Cummings advised they were planning sanitary sewers and water. Discussion of how this could be done was had and Mr. Cummings understood the problems. Mr. Ireland thought with sanitary sewers it might be possible. They would be absolutely necessary and storm water was another problem.

Mr. Joseph Shafer, Engineer with Hershey, Malone & Norton, together with Mr. Amico appeared before the Board with reference to the subdivision which had been approved in 1966 for Mr. Blake, Sunset Hills West, Mr. Amico had purchased the property. One of the most important stipulations in the letter of approval in April was a letter from State permitting them to discharge drainage on them. Originally reply was flat no. Then Mr. Malone, partner in his firm, proposed retention area, presented it to Mr. Dungan in October 1966 but they had no indication from anybody on this, so Mr. Blake sold to Mr. Amico. Then Mr. Malone met with men of New York State Department of Transportation and proposed retention pond, then thought idea would be acceptable, so he, Mr. Shafer, worked up something and submitted it to Mr. Dungan and Mr. Gallancy. Mr. Dungan thought idea in general would work. Mr. Gallancy he has not heard from but his secretary said he was behind in his work, but they would hear from him. He has given verbal indication he would approve it. Discussion followed, Mr. Dungan advised the Town Board had frowned on this before, but felt to get it rolling he should talk to Town Board. First felt he should talk to Mr. Kent and see what he says, because this would have to be approved by the Town Board.

Mr. Anthony Audino, owner of property on the corner of Stottle Road and Chili Avenue, appeared before the Board with his representative with a suggested plan for using the property for an apartment and shopping center complex and to discuss with the Board their reaction to it on an informal basis. Mr. Audino is a builder in the City of Rochester and also a builder of apartment units in Irondequoit and Penfield, which units they named. Discussion followed and Mr. Ireland felt they would

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run into more opposition presenting it as a apartment and shopping center project than if presented it just as an apartment project. Discussion on cost of having homes over all the tract as against multiple residences, and the reason they were going into apartments because of the drainage, flooding of the property.

Patricia D. Slack
Secretary

MINUTES
 PLANNING BOARD, Town of
 Chili, N.Y. November 19, 1968

A Public Hearing was held by the Planning Board of the Town of Chili, N.Y. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624 on November 19, 1968 at 8:00 P.M. (This public hearing originally advertised to be held November 12, 1968 but postponed due to weather conditions).

Roll Call was as follows:

Present: Mr. Winsor D. Ireland, Chairman
 Mr. Seldon Crow
 Mr. Frederick Bean
 Mr. Lowell Titus
 Mr. John Coyle

Absent: Mr. Mitchell Rakus
 Mr. Ernest Keasling

Also present: Mr. Daniel L. Miller, Deputy Town Attorney
 Mr. John Burchill, Comm. of Public Works/Supt. of Highways
 Mr. James O. Dungan, Town Engineer

The Public Hearing was called to order by Mr. Ireland, Chairman of the Board.

#1. Application of Patsy Pilato, 169 Longview Drive, West Webster, N.Y. for approval of Section 2 of Fisher Heights Subdivision, consisting of 32 lots, located west of Section 1, off Fisher Road in the Town of Chili. E zone.

Mr. Arnold Carmichael, Engineer for Mr. Pilato appeared before the Board and maps of proposed subdivision presented to the Board for study and discussion. He advised what propose to do is start from the now existing Fisher Heights Section and take half the width and go down the south side taking half of the area making a temporary cul de sac or turnaround where the street goes out to meet Lexington. Had the sanitary facilities from Lexington and have their drawings showing how they can bring the sanitary sewers from the top of the hill into Monroe County Sewer Agency sanitary facilities. The first few lots down to where road starts to turn do not have the depth and setback is not as great as it is supposed to be, so they would like to ask for variance for those first few lots. They do conform as to size, but the depth is not there. Mr. Ireland, using map, questioned these all go down into sanitary this way? Mr. Carmichael advised yes, all sanitaries from top of hill, on next street north of this in future will go into Lexington sanitary facilities, it will not be pumped. They have an easement that will go across their land. Mr. Bean questioned if this was near the woods. Mr. Carmichael thought no, pointed out low part and where comes up through and starts to rise, existing ditch is pretty well groved at this time, pointed out drainage ditch that exists now which is pretty grown up with willows, does not think gets into the trees. Mr. Titus thought Mr. Bean was talking about the old Kern grove that is now Marlands Grove. Mr. Bean felt not far from that farm way down south, there is fairly good woods way back. Mr. Carmichael thought that was Jetview Drive. Felt little low there too:

Mr. Miller questioned how come show easement back of north on side for water and not south side, elevation looks about the same? Mr. Carmichael advised what was attempting to do is to fill this area in here (using map) so that he can get in here. Put easement here because cannot get water to this, have to get it to catch basin and go between two lots, did not know about other place. South is Lexington, they surround them completely. Mr. Miller questioned what he thought about ditches. Mr. Burchill advised will have to show lot and block grading. Mr. Carmichael advised yes, had started it a little bit, know this drains this way until gets down to certain point and then in trouble and have to build up. Land to south is still lower and natural flow is to south. Have gone to Sear, Brown who has other end, showed them their's and they plan on backing their's up with one tier here

State of New York

COUNTY OF MONROE,

CITY OF ROCHESTER.

ss.

Legal Notice

PLANNING BOARD
Town of Chili, N.Y.

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 Offices, 3235 Chili Avenue, Rochester, N.Y. 14624 on November 12, 1968 at 8:00 P.M. to consider the following applications:

1. Application of Patsy Pilato, 169 Longview Drive, West Webster, N.Y., for approval of Section 2 of Fisher Heights Subdivision, consisting of 32 lots, located west of Section 1, off Fisher Road, in the Town of Chili, E zone.

2. Application of Stevenson Homes, 100 Winslow Avenue, Rochester, N.Y., for approval of Section 2, West Canon Estates, consisting of 18 lots, being Spicewood Lane, immediately west of Section 1, West Canon Estates, which is located off Westside Drive in the Town of Chili, N.Y. D zone.

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

WINSOR D. IRELAND,
Chairman.

B-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, 1968

Eleanor E. Williams

Sworn before me this 2nd

November 1968

day of

Kenneth M. Hehir

COMMISSIONER OF DEEDS Notary Public
CITY OF ROCHESTER, N. Y.
Commission Expires June 21, 1970

and road they have given them, but are low right in here (using map) and from this point on has to go in here. Using map he pointed out how would have to flow. Mr. Miller questioned if he thought Sear Brown would go along with easement backing into their lots. Mr. Carmichael did not know, but their's will back their's and has their road location to tie into also. Mr. Pilato owns two more tiers of lots and one street to north.

Mr. Ireland questioned what arrangement for discharge of storm water? Mr. Carmichael advised have their easement and their right to go into existing ditch here, easement and rights across for sanitary. Have had to reroute other parcel to bring it over, they have requested this. They were ones that placed this at that point; it was more desirable for them to go other way, but they wanted it there. Mr. Dungan felt it sure was flat and low. Mr. Carmichael agreed there is great deal of trouble in there. Mr. Dungan felt it was like a pancake. Mr. Carmichael advised started to walk and pointed out where the real trouble spot was, 41 goes all way across their land. Have tried to cut as much as can in here, lots as well as street, to bring this down in here. Mr. Burchill felt tends to be lower than any where else around. Mr. Carmichael advised Lexington is low too, this is basin in here, thinks if started from very beginning, this should have been cut more. But that is water over dam now, and terrain on north part basically the same as this.

Mr. Dungan questioned when come to next section he assumes Lexington on north? Mr. Carmichael advised partly on north and Lexington comes back about 400', but some other person has storm water and he figured have to pick this up. Mr. Dungan was thinking about grade, was going to be difficult, when gets enough head will flow, but otherwise will stand. Mr. Carmichael agreed it is large problem, has lowered it down as far as can. He would notice he has dropped it just as flat as possible. It is great storm water problem and a lot of head land to the north of them that is coming this way. They have gotten in touch with Mr. Schoenberger and talked it over with him. Even went into low head pipe. If he was to do it over thought would take north part first, but it is too late now. Mr. Dungan felt just have to check back and see where goes, it is joint problem. Mr. Carmichael agreed, this is what he said also, they have a great deal of trouble in there, as much as they do. He referred to meeting that was held earlier in year, with Bausch & Lomb and all concerned around there. Discussion held whether this effected Mr. Breiner's Industrial Park. Mr. Burchill felt he would like to look at map showing abutting properties.

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

DECISION: Reserved until further study made of the overall drainage basin area with view towards possibly lowering outfall at the end of ditch on the south end.

It will be required that before final approval of subdivision 10' rear lot drainage easements be provided. Also provide for temporary turnaround at end of Jacqueline Drive prior to final approval, to replace turnaround which now goes through lot 77, together with easement for said turnaround. Turnaround at end of McNair Drive should have temporary easement until such time as street is extended. Manholes at right angle bend in McNair Drive to be brought up from under pavement. Cross section of road should show 12" of compacted crushed stone or 18" of gravel.

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- #2. Application of Stevenson Homes, 100 Winslow Avenue, Rochester, N.Y. for approval of Section 2 West Canon Estates, consisting of 18 lots (application amended at hearing for 20 lots) being Spicewood Lane, immediately west of Section 1, West Canon Estates, which is located off Westside Drive in the Town of Chili, N.Y. D zone.

Mr. Kwasnick, Engineer with Sear, Brown, Schoenberger & Costich, Engineers for Stevenson Homes appeared before the Board. He advised this is 20 lot subdivision, originally filed map for 18 but later changed it to 20 lots and he requested the application be amended to state 20 lots. Maps were presented to the Board for study and discussion. This is zoned D residential property and their lots conform to these residential requirements, at least 80' wide, all practically 170' deep, over 12,000 square feet. Both storm and sanitary goes to east to Section 1 and temporary turnaround at the west. Continuation of the first section street. It is in back of road front lots. This is old subdivision of Mitchell Acres subdivision. Discussion had on whether this was D residential or not, it is D residential.

Mr. Dungan advised one of first things when came was about back yards of these properties along Westside Drive, was about 1' of water in back yards, thinks arrangements should be made to drain this area. Mr. Kwasnick advised will be swale to drain. Mr. Dungan felt need topography map to see it. Mr. Kwasnick advised he had grading map of Section 1 and thought he did all this. They are draining it and providing pipe to pick it up, was shown on grading map. Mr. Burchill suggested catch basin on rear lot line. Contractor having difficult time grading and thought every three lots, would be 240', catch basin to pick up rear lot drainage would be adequate. Mr. Dungan felt all depends on how flat it is. Mr. Burchill agreed depended on lot and block grading. Mr. Kwasnick pointed out on map how it would carry. Advised he would send the lot and block grading map. They are actually swaling this all way back and have nice swale and keep water along rear lot line. Mr. Craw questioned how much land left between this and railroad. Mr. Kwasnick advised the railroad was way down. Mr. Craw was wondering if could be developed and if not good place for this water to go because that is too low to be developed way back there?

On question of Mr. Ireland Mr. Kwasnick advised Mr. Sundell owned land to west. Mr. Ireland did not see anything wrong with layout and lot size. Mr. Burchill thought Mr. Kwasnick, Mr. Dungan and he should discuss the rear lot drainage. Mr. Dungan wanted to check out the lot and block grading plan and Mr. Kwasnick advised he would send it to his home.

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

DECISION: Reserved until the lot and block grading plan studied by Mr. Dungan, Town Engineer. It will also be required 10' drainage easements be given across the rear lots.

Mr. Anthony Caldarone of Joyce Construction Company and Mr. Leland, Engineer with Loziers Engineers, Inc. appeared before the Board regarding the application to rezone property on Union Street which application was submitted at the September Hearing, requesting the Carter property on Union Street be rezoned to MR zoning.

As requested by the Board a drainage study of the property prepared by Loziers Engineers was submitted to the Board together with letters from New York State Department of Transportation and Monroe County Planning Council, which are on file in the Town Clerk's Office.

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Mr. Caldarone advised he had contacted property owners in the area and they had given tentative permission to grant easements for the drainage over their lands.

Mr. Donald A. Koop, 3331 Union Street and Mr. Louis Faust, 3431 Union Street, who had not been present at the Public Hearing in September were invited to examine the plans, etc. and discuss them with Mr. Caldarone. Mr. Faust who was purchasing the Sharp property, one of the properties involved in the easements, after discussion with Mr. Caldarone advised he might agree to giving an easement over his land, but would have to check it further with his attorney.

Mr. Coffee, 162 King Road requested knowledge of the boundary of the parcel involved. He was advised and his property in connection with this pointed out to him.

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

Patricia D. Slack
Secretary.

MINUTES
 PLANNING BOARD, Town of Chili, N.Y.
 December 10, 1968

A Public Hearing was held by the Planning Board of the Town of Chili, N.Y. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624 on December 10, 1968 at 8:00 P.M.

Roll Call was as follows:

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

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

The Public Hearing was called to order by Mr. Ireland, Chairman of the Board.

#1. Application of Ridge-Barry, Inc., 1299 Portland Avenue, Rochester, N.Y. for approval to rezone property in the Town of Chili, located at 3611 Chili Avenue, being Tax Account No. 1695, consisting of 58.75 acres, from E Residential to Multiple Residence.

Mr. Albert J. Monile, Manager of Ridge-Barry, Inc. appeared before the Board. Advised Mr. Robert Teamerson of law firm of Liebschutz, Sutton, DeLeeuw, Clark, Lewis and Mr. Jaeshke, Engineer with Morrison & Morrison, will assist him in asking that the Planning Board recommend to the Town Board that the property located on south side of Chili Avenue, West of Stottle Road consisting of 58.75 acres be rezoned to MR which is Multiple Residence. He introduced Mr. Robert Teamerson, who appeared before the Board. He advised he was attorney for applicant this evening in request that this property in question receive the approval of this Board and recommendation to Town Board of the Town of Chili for Multiple Residence zone. He had an aerial photograph of area which he posted on the bulletin board, which outlined in red property in question, which is bounded on west and south by Black Creek, on east by Stottle Road and on north by Chili Avenue. They are requesting that this property in question be approved as Multiple Residence zone for the construction of 476 apartment units in a group of garden type, town houses and cluster. Had some plans of the proposed layout which he submitted to the Board. They will note from the plan which has been presented here that no variances from the Multiple Residence zone are requested. The density is well within limits of 10 units per acre as established by Town Board. All buildings and entire project are in compliance with the present Multiple Residence zoning which was adopted in 1968. The plot plan shows, he thought it is only on original, the location of buildings on the adjacent land. There are three property owners on the west side of Stottle Road and they have attempted to boundary location of their homes. There are five or six on south side of Chili Avenue. Streets are outlined showing both Chili Avenue and Stottle Road. They are requesting no new streets to be dedicated to the Town, entire project will be maintained and serviced by the owners. The streets shown on the plot plan which they have laid out here will be maintained exclusively by owner of development.

One of the requirements of the Ordinance is that they show the proposed and existing contours. He had an overlay which he thought would be best on the colored map, showing the existing contours of the property running anywhere from 563' down to the low part of 529'. The proposed contours will provide that all of the buildings and all parking to be developed will have existing contour of not less than 534'. This is to prevent any possibility of flooding of Black Creek even in 50 year rains, for which was adopted. 50 year storm rate expect about 530' so 534' will be above and 534' and above is planned for any elevation at building level.

Location of all proposed building shown on plot, including a 90' setback on Chili Avenue rather than 60' required by ordinance, and 60' setback on Stottle Road. The entrance ways they have indicated are 24' in width, which means on each entrance on Chili Avenue, 48' for in and out traffic. Had letter from the County of Monroe Department of Public Works, Superintendent of Highways, which he read, advising they had reviewed it only on Stottle Road, entering 67' from Chili Avenue and was acceptable to that department. They cannot approve entrance on Chili Avenue, however they, the developers, have discussed this with the Superintendent of Public Works of the State, who has given preliminary approval of proposed entrances. Had originally planned for 20'. He has requested widening them to 24', which they have done.

State of New York

COUNTY OF MONROE,

CITY OF ROCHESTER.

ss.

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:

December 2, 1968

Eleanor E. Williams

Sworn before me this 2nd

day of December 1968

John Jones
Notary Public

of 58.75 Acres from E Resi-
Multiple Residence.
Interested parties are requested to
it. By Order of the Chairman
Planning Board of the Town of
Y.
WINSOR D. IRELAND
CHAIRMAN
11-Dec. 2 T-U.

LOT

As regards to public services, this property is presently served with sewer main 14" sewer main running from Stottle Road south on property and then east out to Stottle Road with 30' permanent easement, indicate manholes and present location of sewers. Had letter from Monroe County Water Authority dated December 6th, overriding map marked up to show location of water main on Chili and adjacent street on Chili with indication there is sufficient water capacity to service this project. Letter from R.G. & E. they will make services available on request for location which gives it the sanitary, gas, electric and water services.

The question will come to the storm water services and, of course they do have Black Creek which surrounds their property in effect and would be no problem on raised contours will make to disperse storm water sewer directly into Black Creek. They will note on property lay out that they have only incorporated approximately 50 acres of 77 acres parcel in their request for a Multiple Residence zone. That property, that additional approximately 20-25 acres of land lies south of driveway as indicated on map, can be used in any number of ways, one of which is that they would be willing to execute deed to the property to Town if they so desire for park property, for recreation area for residents of their project, or third, and thinks best suggestion came from client, the property could be given to Town Recreation Department for either ball fields, Pop Warner Football Field, baseket ball courts, etc. In addition would be willing to properly grade, finish, screen and erect a little League Ball diamond if so desired.

Original plans when purchased this property in December of 1965 was to lay out proper subdivision for single family residents. Shortly after purchasing property found was not suitable to use all property for residential purposes for single family homes due to cost of improvements in dirt removal, grading etc. They, therefore, feel that the best and most suited purpose for this property is for Multiple Residences, it is uniquely situated, so as to gain a maximum benefit for the land with a minimum amount of residual damage to any adjacent property owners. They anticipate that when fully completed this project will cost approximately five and one half million dollars. They do not anticipate going in and building 476 units in one year, they anticipate this would be a three to four to five year project. No more units would be erected than were in demand. They certainly do not want to be sitting with fifty units of apartments that are vacant. However, the demand has shown itself within the Town and within the County. The homebuilders have been unable to cope with the rising demand for housing and one of the solutions is for a multiple residence type of project. He knew he did not have to tell the Board this, but by approving a project of this type, they most certainly would broaden their tax base. With a cost of five and one half million dollars he was sure each figuring out assessed valuation and how much school and county taxes. State, Town and County taxes they will derive from this project will be practically gravy because no maintenance on project whatsoever. He has received indication from the State Highway Department that Chili Avenue within next four years will be widened from this point to the city line, or to the point where it is presently four land highway. This will alleviate any traffic problem they presently have and will certainly be enough to cope with any future problem that might result because of approval of this project.

Their rentals will run from between \$150. and \$200. a month. They will note they have no studio apartments planned in this project. The townhouses which they have proposed will be two-bedroom and situated in such a manner around perimeter of project as to gradually decrease density from garden type apartments down to single family residential.

Sketches of proposed units were put on display, and explained by Mr. Teamerson. He felt first should start with townhouse. These are proposed townhouses, this is laid out in unit of five, their plan calls for

unit of six, but this gives elevation and floor plan of what propose in terms of town houses. Two story affairs, each unit being fully equipped with all their accomodations.

They have the garden type apartments. This is proposed U-shaped garden apartment, (using sketch) some of which have been constructed by applicant in past and had some floor plans and pictures of actual units, which he submitted for study by Board.

Last one is called cluster unit and they will note those are along southerly boundary of this project. A cluster unit is a one story building containing four ranch type homes constructed together, and plans for the cluster type would be for elderly or inform people who cannot go up and down stairs, who want own home but do not want to maintain care of lawn, garden, etc. These are three types of buildings planned.

Mr. Odeno has been in the construction business for over twenty-five years. He has been successful in erecting apartments in many of the towns. Three of the projects which he has are the Portland Manor Apartments in the Town of Irondequoit at City Line at Portland Avenue across from the Hospital. Ridgecrest, and presently constructing 216 units of garden type apartments in Town of Perinton on Route 31 and Mosley Road. Had some photographs of the type of construction and the type of buildings that are under construction. Presented picture of the U-shaped garden type apartment of which they have rendering of. They have L-shaped unit which is also on plan, both in Portland Manor Apartments. The other two pictures show new construction which is not yet completed in the Town of Perinton, called Knollwood Manor Apartments.

They expect with the rentals they are going to have to charge with the type of construction anticipated they will entertain the middle to upper middle income group. By no means should they consider any tax abatement or anything else regarding the elderly residents that they are designing for cluster group. This is for people who can afford it and want to live in this one. They feel enough demand for this type of unit that will justify constructing it.

Going back to finance and tax base for just a moment, thinks present per pupil concentration from only apartment project which he believes Town has, is Lee Gardens, is one for every four units. This is well above the average from the other towns. The Town of Brighton, the Town of Greece, have a ratio of one for every ten units. If this parcel of land were subdivided into residential area, you would have over twice as many children attending your schools as you would from this number of apartment units with approximately 25% of the revenue from State, Town and County and School Taxes. He requested the engineer to give some details regarding the engineering aspects.

Mr. Bob Jaeshke from Morrison & Morrison, Engineers appeared before the Board. He advised the site consists of 77.18 acres and the group of apartments as laid out is all planned on an elevation of at least 535'. They have total of 476 apartments. As pointed out in colored rendering, are to be constructed as cluster units, the unit in dark red will be l-shaped garden apartments, those laid out in blue are townhouses. 136 one-bedroom apartments, 212-two bedroom apartments and 72 townhouses. 56 cluster units, four in a cluster as previously pointed out. Mr. Teamerson has pointed out, they have contacted most all utility departments and the various agencies involved to serve the site as far as utilities concerned and they have received either letters of favorable indications of site conditions they have for all utilities. The site has large hill in northern portion of it. Expect would have to move 90,000 yards of earth to build table or plane which would support construction of entire project

to keep it above 135 critical contour. Feel they have. There is no grade on future roads within it that exceed 3% and minimum grade is 5% within scheme of road layout. Have recreation building and small swimming pool that would serve area. Most of rest of scheme pretty well explained he believes.

Mr. Teamerson advised in summary, because of the location and site they are talking about they feel that if a multiple residence zone is to be approved that this is the most suitable location for such a development because of the circumstances which he has just gone to in length before and wished to thank the Board for their kind consideration this evening.

Mr. Ireland questioned in regard to park area, is it proposed to turn this over to Town in lieu of money for the park land required so to speak? Mr. Teamerson advised no, their proposal is as he indicated threefold. By no means do they want to shirk responsibility in paying for park land requirement. This is an area which is really not suited for multiple residence or residential development. They could maintain it for their tenants or if the Town so desired, they could give it to them or Recreation Department. This is not in lieu of any other requirement of Town. This is proposal and if Town want it, their's, if not they will maintain it themselves and use it for tenants of project.

Mr. Miller, Deputy Town Attorney questioned, if building over period of years, what ratio townhouses, clusters to apartments? Mr. Teamerson advised right now their preliminary thinking would be start on Chili Avenue and this means the first phase would be just garden type. However, would build under any requirements Town felt suitable. Present plan, however, would be corner of Chili and Stottle with approximately 100 to 125 units of garden type. That would be their present plan.

Mr. Miller questioned what ratio town houses, clusters to garden type? Mr. Teamerson advised town houses 72, 12 town house units, 16 cluster type units. Garden type apartments units would be 348, being 24 buildings. There would be 56 cluster units, which would be 14 buildings. 72 town houses, which would be 12 buildings. Mr. Miller inquired, in other words, 6 town house units per building? Mr. Teamerson advised correct. Mr. Miller asked then how many apartments per building. Mr. Teamerson advised U-shaped have 16 units, L-shaped have 12. 212 two-bedroom units, 196 one-bedroom units. Each cluster holds four units.

Mr. Ireland entertained questions from those present at the hearing.

Mr. Martin Wehle, 46 Stottle Road advised he had so many notes, confused. One is, said in 1965 they purchased land with idea of single family dwellings, which was fine, because feel should have considered made mistake and did not look at contour of land. He went on to explain and discuss how the property floods, felt their giving the land to the Town was no gift, was useless land and strongly objected to the rezoning, they had bought their lands out there for E residential and he felt it should stay that way and said he spoke for all there.

Mr. Myers, 33 Stottle Road discussed the level of the land and questioned how much would that be raised above Stottle Road as it exists now. Mr. Jaeshke thought it would be approximately the same grade, and brought Mr. Myers up to study and discuss the contour map. Mr. Myers explained how it drains there now, and how high the water at times comes up.

Mrs. Eleanor Lloyd, 3626 Chili Avenue questioned what she could not understand, if not suitable for single dwellings, do you not have to drain and do all this for multiple residence?

Mr. Teamerson advised in order to do it for single family dwellings, that cost would

prohibitive in order to develop as residential, would find have to have forced mains pumping station running \$30,000 to \$50,000 and terrain is not such that a single family housing development could be erected on here feasibly. You can do anything you want, but question is matter of cost, whether could do it competitively with residential cost in rest of area, if lot cost \$10,000 to develop who will you sell it to. Question of economics to develop it as single family residences. Mrs. Lloyd questioned where they were going to be parking. Mr. Teamerson advised the Town ordinance provides cannot be any parking area within setback area required by Town. On houses located along Chili Avenue come in here (using rendering). Two entrances and parking would be south of the building in between building and Chili Avenue. This is one of requirements of ordinance, which Town Board had foresight to anticipate. Mr. Wehle took exception to remark about forced mains, felt would not need forced mains and explained the fall of the land and why he felt would not need them.

Mrs. Wilcox, 516 Paul Road questioned would apartments be taxed separately on sewerage? Mr. Teamerson advised yes, on sewerage in particular, the Gates, Chili, Ogden Sewer Agency has a fee which runs \$75. for each one-bedroom, \$250 for each two-bedroom and \$300 for each three-bedroom so that every apartment unit would pay initial hookup fee. Also annual sewer maintenance charge which he believed each of the residents personally pay and each unit as far as sewer rental would pay that charge. As far as being taxed separately, entire project taxed as a whole because owned by one individual and he would be taxed on equalization rate based upon true value for whatever erected. If build 125 first year, would be billed for that portion plus vacant land remaining, so that each apartment does not get separate tax bill, rather owner would get one for all. Mrs. Wilcox questioned are they to assume then that they would be charged our equalization rate 23%? They would be charged 23% of five and one half million? Mr. Teamerson advised 23% of true value. That is estimated figure they have used knowing construction costs what they are. He is talking, in future. Does not know what next year, have had increased in construction costs over last few years, might be seven million. The assessor will then establish assessed valuation same way as for any house. Mrs. Wilcox felt they, as residents, still do not know how much tax revenue. When you say tax advantage then do not really know. Mr. Teamerson explained how much revenue could be anticipated from the land with the apartments against single family dwellings. Mrs. Wilcox felt depends on number of children, and questioned how many three bedroom apartments planned. Mr. Teamerson advised only three bedrooms in town houses, but did not know how many three bedroom townhouses would be, did not know demand. Mrs. Wilcox questioned the facade of building, and was advised brick and it is all brick, front and back, all brick. She questioned rental for any of these units. Mr. Teamerson advised estimate one bedroom \$150 - \$165, two bedroom \$165 - \$175. Those are estimates, does not know cost of construction yet, let alone rentals, have to consider market conditions, but less than \$200. Mrs. Wilcox thought it is not very high rental. Mr. Monile questioned did she know this? Portland Manor get \$140. for one bedroom, \$145 at Ridgecrest and \$165 at Knollwood. These are one bedroom ranges. Mrs. Wilcox questioned the soundproofing of building and Mr. Teamerson advised required under Town ordinance, soundproof and they would be fireproof which would make them more soundproof. Mrs. Wilcox questioned some buildings one story and two story? Mr. Teamerson advised only one story are cluster units which are ones in red outlined on rendering. They are not going to limit them to senior citizens, reason are one story because or not having to climb up stairs, so would depend on those who like one story homes.

Mr. Myers questioned if any crawl spaces underneath apartments. Mr. Teamerson pointed out units that have full basements. Mr. Monile explained on garden type of apartments where crawl space and where full basements on center sections, town houses and cluster units all full basements.

Mrs. Wilcox questioned, on this 25 acres of park land, was not quite clear, if turned this over to Town the Town maintains it, if they keep it, they maintain it? Mr. Teamerson advised that is right. Was not using that, offer for anything, unless they want property willing to maintain and have additional recreational area for their tenants, but if Town wanted it, would be glad to let them have it.

Mr. Andrews, 12 Gateway Circle questioned, they mention their density per acre full within 10 units, how do they compute this. Mr. Teamerson advised and pointed out, actually 50 acres of area is within this area and they are providing 476 within a 50 acre line and pointed it out, and there are 27 more acres in park area never use. As basis to make it, make it 9.1, never used park area for computation for density. Mr. Andrews questioned where you have plan now is 9.1 per acre? Mr. Monile advised out of total project. Mr. Andrews questioned they said there was a 14" sewer pipe serving existing area now. Will this serve 476 units more? And questioned Mr. Dungan if he thought it would take it? Mr. Dungan felt and then some, it should. Mr. Andrews brought up the drainage of water into Back Creek

and their building and dumping additional water into the Creek, how were they going to manage this, were they enlarging Black Creek, how can it happen? The Engineer explained where the water was coming from, how they were going to change grade and what they planned to do. Discussion followed between Mr. Jaeschke, Mr. Andrews and Mr. Wehle. Mr. Andrews questioned their proposal to keep trash. Mr. Teamerson advised requirement in ordinance all trash kept within building and their buildings will be designed so as to comply with ordinance.

Mr. Strobel, 3705 Chili advised Mr. Wehle was not his spokesman, he was in favor of this.

Mrs. Wilcox questioned the ratio of children, he mentioned Lee Gardens, and she advised she had also checked and her figures were not the same as his.

Mr. Fulton, 10 Gateway questioned could they tell him elevation at present time or at normal times at Black Creek when water low. Mr. Dungan did not know if it showed on his overall map. Mr. Jaeschke thought between 527 and 528. Mr. Fulton then questioned ordinance provides you have basement certain level, how low do they normally go, is this approximately 7'? Mr. Jaeschke felt about 3' below grade. Discussion followed regarding getting water in basements as it would be approximately 4' above creek low level and Mr. Fulton questioned how planned on drainage of basement area. Mr. Jaeschke advised in some cases pump it out and other by gravity. Mr. Fulton described the water in basement when he lived in apartment on Ridge Road. Also advised that the Rochester Bureau of Municipal Research Area in this year published bulletin on Multiple Dwellings and indicate rental of \$150 is classified as low income housing. Mr. Teamerson disagreed and discussion follows. Mr. Lloyd questioned engineer mentioned sump pump draining water where? Mr. Jaeschke advised into collector system, will drain out into creek. Mr. Ireland commented let's not be under any delusions, that any and all storm water is going to go to Black Creek, all storm water in area goes to Black Creek. Problem would be there with single family or whatever put on there. Mr. Fulton challenged that, when you have undeveloped property would the water tend to be retained on property and once developed you drain it three times better, therefore you would contribute three times more than that on same property. Mr. Ireland advised will not be any more than now, but it different rate because area paved and roofs are built so in storm would run off rapidly, at present it comes down and goes gradually. Discussion had on runoff of water in Spring Valley and Hillary Heights, and flood conditions in area in question.

Mr. Harold Worden, 3649 Chili Avenue advised he had lived on property in question 58 years, had seen flood water, had seen things done about it such as Mt. Morris Dam, pressure on R.G. & E to open floodgates. As far as elevation of land concerned, thought the Planning Board and Town Board and all officials here know area as well as any place else. If they have rules and regulations that protect area, single or multiple Residence, he thinks they have right to ask to not have it changed or have it, as far as he is concerned, whether someone else's capital makes profit that he does not get share of, will not knock it, way he looks at it, if this property raised up 8', 10' or whatever plans call for and gets rule and regulation of Town, this is what we have town officers for, if in best interest of tax base, best interest of Town to have multiple residences, is up to them to make decision. If they do not like it, they have redress at election day. Dods not believe they were experienced enough to tell construction people they did not know what doing. Did not think people on Stottle Road would ever get rid of water as long as hill in back. Felt they should abide by decision of town officials.

Mr. Fulton questioned Mr. Dungan on where Hillary Heights drains when floods which Mr. Dungan explained.

The hearing was closed by Mr. Ireland on this application at 9:45 P.M.

DECISION: Reserved until applicant furnishes more detailed drainage plan with particular attention to the three houses on the west side of Stottle Road and discusses drainage plan with Mr. Leichtner of the Monroe County Department of Public Works relevant to Stottle Road, houses thereon and the bridge, and submits to Board a letter from Mr. Leichtner stating his specific recommendations.

RESERVED DECISIONS ON APPLICATIONS PREVIOUSLY HEARD.

From November 19, 1968 hearing:

- #1. Application of Patsy Pilato, 169 Longview Drive, West Webster, N.Y. for approval of Section 2 of Fisher Heights Subdivision, consisting of 32 lots, located west of Section 1, off Fisher Road, in the Town of Chili. E zone.

DECISION: 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. Choice of building a temporary cul de sac at the end of Jacqueline Drive or granting a 60' easement to the Town of Chili and building a connecting road from Jacqueline Drive to McNair Drive to Town Specifications. After a period of five years if subsequent subdivision development does not occur, that the road is to be paved to Town Specifications. A separate letter of credit to be established for this period.
 7. In accordance with Town Board Resolution, \$100. per lot must be paid to the Town of Chili in trust for future park and playground development or 10% of land area in subdivision acceptable to the Town of Chili.
 8. 10' easement to be given on back of lots 61, 62, and 63.
- #2. Application of Stevenson Homes, 100 Winslow Avenue, Rochester, N.Y. for approval of Section 2 West Canon Estates, consisting of 20 lots being Spicewood Lane, immediately west of Section 1, West Canon Estates, which is located off Westside Drive in the Town of Chili, N.Y. D zone.

DECISION: 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' of the subdivision, 10' back from front property line. Planning Board to designate the kind of tree.
6. In accordance with Town Board Resolution, \$100. per lot must be paid to the Town of Chili in trust for future park and playground development or 10% of land area in subdivision acceptable to the Town of Chili.

It was the decision of the Planning Board that a letter be written to the Town Board recommending on all future subdivisions that the Town specify a 10' easement across the front and rear of the property, as a matter of standard practise.

PATRICIA D. SLACK
Secretary