

CHILI PLANNING BOARD

January 8, 1987

A special meeting of the Planning Board of the Town of Chili was held in the Chili Administrative Office, 3235 Chili Avenue, Rochester, New York 14624 on January 8, 1987 at 7:00 P.M. The meeting was called to order by Chairperson Don Faso.

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

ALSO PRESENT: Tom Guerin, Town Engineer; Marcia Havens, Deputy Town Attorney.

The meeting was convened at 7:00 P.M. Don Faso made a motion to go into Executive Session to discuss Glidden vs. Planning Board with Dan White, Attorney. Motion was seconded by John Nowicki.

The Board came out of Executive Session at 8:30 P.M. on a motion made by George Ford. Motion was seconded by Mitch Rakus.

Don Faso closed the meeting at 8:30 P.M.

CHILI PLANNING BOARD

January 13, 1987

The Meeting of the Planning Board of the Town of Chili was held in the Chili Administrative Office, 3235 Chili Avenue, Rochester, New York 14624 on January 13, 1987 at 7:30 P.M. The meeting was called to order by Chairperson Don Faso.

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

ALSO PRESENT: Bob Connolly, Building Inspector; Tom Guerin, Town Engineer; Cherie Bevona, Conservation Board; Marcia Havens; Deputy Town Attorney.

Mr. Faso declared the meeting to be a legally constituted meeting of the Chili Planning Board. He stated that notice of the meeting had been advertised in the Gates-Chili News, as well as posted on the Town Clerk's bulletin board.

APPLICATIONS BEFORE THIS BOARD WERE AS FOLLOWS:

1. Application of Leo McKinney, owner, 513 Whittier Road, Spencerport, New York 14559 for renewal of conditional use permit to allow a service station with minor repairs at property located at 4210 Buffalo Road in NB zone.

Mr. Dean Williamson is present to represent the application. He said that he presently leases the property and wants to either continue leasing or to purchase the property.

Don Faso asked if it has to be used strictly as a gas station. Mr. Williamson replied that it was to be used primarily for gas sales and minor repairs. Don then asked if there would be propane on the premises and he was told no. George Ford asked if he would handle rentals and Mr. Williamson said he would not. Mr. Williamson also said that there would be no U-Hauls or unlicensed vehicles on the premises.

George Ford asked what type of plantings would be used. Don Faso commented that the present plantings were too high for a screen, and that they would prefer a lower screening. Mr. Williamson asked if they had a diagram of what they would need. Don Faso said no, but that any low screen arrangement would be fine.

Mitch Rakus asked what the hours of operation would be. He was told they would operate from 7:00 a.m. to 9:00 p.m., Monday through Friday, Saturday from 8:00 a.m. to 8:00 p.m. and Sunday from 9:00 a.m. to 5:00 p.m. Mitch then asked if there would be a yearly lease. He was told yes. Mitch also asked if they would have pollution liability insurance. He was told they have greater than \$25 million in insurance.

The Board discussed the length of a conditional use permit on the basis of previous applications. Don Faso asked if they would have any objection to a 2 year conditional use permit. Mr. Williamson said he did not object.

Cherie Bevona said she visited the site on January 5th at 11:30 a.m. She said she found the screening ineffective. In addition, she found junk on the premises. One condition of the last renewal was that the applicants not store materials outside. She suggested that the outside storage be eliminated and that the trees be maintained as necessary.

Tom Guerin had no comments, nor did Bob Connolly.

Don Faso read the County comments, which deemed this matter one for local determination.

PRE-DECISION DISCUSSION:

Don Faso asked Cherie Bevona what specifications the Conservation Board had on the plantings. Sherie said they would like to see Norway or Austrian pines, 6-8' tall and 12' on center.

John Nowicki expressed concern over when the plantings would be made. He felt that the applicant should make some commitments to plant by spring. Marcia Havens said that it could be a condition of the permit to plant by a particular date or the Board could revoke the conditional permit.

Gates-NEWS-Chili

1635 BROOKS AVENUE, SUITE 2, WEST BLDG. ● ROCHESTER, NEW YORK 14624

Date *1-7-87*

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

GATES-CHILI NEWS

Issue Dated *1-7-87*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 19*87*

Patricia M. Smith
Patricia M. Smith
Publisher

LEGAL NOTICE
CHILI PLANNING BOARD

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on January 13, 1987 at 7:30 p.m. to hear and consider the following applications.

1. Application of Leo McKinney, owner of 513 Whittier Road, Spencerport, New York 14559 for renewal of conditional use permit to allow a service station with minor repairs at property located at 4210 Buffalo Road in NB zone.

2. Application of Ronald DiCharlo, owner, 1260 Scottsville Road, Rochester, New York 14624 for renewal of conditional use permit to allow a heliport at property located at above address in GB zone.

3. Application of Joe Benson's Towing Service, owner, 125 Attridge Road, Churchville, New York 14428 for renewal of conditional use permit to allow the temporary storage of towed and/or unlicensed vehicles at property located at 1421 Scottsville Road in GI zone.

4. Application of Nina Ball, owner, 75 Woodview Drive, Rochester, New York 14624 for renewal of conditional use permit to allow the outside storage of construction equipment at property located at 3501 Union Street in GI zone.

5. Application of Playcare, Inc., 420 Lyell Avenue, Rochester, New York 14605, property owner: Stars 'N' Cars; for conditional use permit to allow a day care center in office building at property located at 1200-C Scottsville Road in GB zone.

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

J. Donald Faso, Chairman
Chili Planning Board

1-13-87
Planning Board

1/13/87

John Nowicki said he would like to get away from a letter of credit on smaller projects.

The Board discussed who policies conditions placed on a permit. John Cross said the Board should be policing these things themselves. John Nowicki said that some kind of solid commitment to the community is necessary, and that it should be in writing. George Ford said the Board could rescind any conditions placed on a permit. John Nowicki said someone would have to keep track of it. George Ford said he would be willing to take this particular application on as his own personal project.

Bob Connolly asked who operates the property now. Mr. Williamson said "Robert Bagandi."

Bill Deans said it needs to be coordinated with the Conservation Board. Don Faso agreed. Bill Deans questioned the kind of control the Board was attempting to use. John Nowicki said some mechanism was needed to get the landscaping done. Don agreed, but said he would hate to relinquish the Board's responsibility. Bill Deans said, "every case is different, and that some flexibility is necessary."

DECISION: Unanimously approved by vote of 7 with the following conditions:

1. Coordinate additional rear, property screen plantings with the Planning Board.
2. No automotive body repair work; no vehicle sales.
3. Hours of operation: 6:00 a.m. to 10:00 p.m.
4. Conditional permit granted for two years only.

Planning Board declared itself lead agency under the SEQR Act and determined that there would be no significant environmental impact.

2. Application of Ronald DeChario, owner, 1260 Scottsville Road, Rochester, New York 14624 for renewal of conditional use permit to allow a heliport at property located at above address in GB zone.

Mr. DiChario is present to represent the application. He says that a letter and the application have already been submitted to the Board. This is the third renewal, he said.

Don Faso said that in the application dated 1981, Mr. DiChario said there were 4 take-offs and landings per day. Mr. DiChario said he averages 4-6 presently. He said he has cleared more property now and that there is a higher degree of safety now.

George Ford asked if there had been any incidents involving safety, and Mr. DiChario said that 99% of the pilots landing or taking off were employed by him. He said most were very safety conscious. George asked if they owned all the planes there, and Mr. DiChario said they owned three.

Don Faso questioned the dinner and flight reservations that they had had originally. Mr. DiChario said they were discontinued because they were so busy, but will eventually be continued when the new building is up.

Don Faso read the County Comments, which deemed the matter one for local determination.

George Ford asked how many pilots worked for him. He said there were 3, but 4 of the pilots who fly in and out of the facility are flight instructors. George asked about the relationship with Monroe County, and specifically with the County Airport expansion. Mr. Di Chario said he was not aware of any change there, and that he has never had any problems with the airport. George asked if he needed clearance from the airport. Mr. DiChario said yes. He further explained the traffic pattern.

Cherie Bevona, Bob Connolly and Tom Guerin had no comments.

PRE-DECISION DISCUSSION:

George Ford asked if they wanted to allow another 5 years. Don Faso asked if they wanted to impose any conditions on the renewal.

DECISION: Unanimously approved by vote of 7 with no conditions.

The Planning Board declared itself lead agency under the SEQR Act and found

the application to be an Unlisted Action with no significant environmental impact.

3. Application of Joe Benson's Towing Service, owner, 125 Attridge Road, Churchville, New York 14428. For renewal of conditional use permit to allow the temporary storage of towed and/or unlicensed vehicles at property located at 1421 Scottsville Road in GI zone.

Joe Benson was present. Don Faso asked if there had been any changes since the last application. Mr. Benson said the only change was improvements to the building. Don said he had driven by in the last few days and observed more than the 15 car limit. He said it looked crowded on the site. Mr. Benson said it was impossible to adhere to that, as discussed at the last meeting, because with 11 tow trucks and drivers, 15 vehicles was not sufficient. He said they do keep the drives open for safety however.

Ray Bleier commented on the length of time that some vehicles are parked there. Mr. Benson said they were waiting for repairs and/or parts. Ray then asked if there was room in the back for those cars parked there long-term. Mr. Benson said he tries to keep the ones that are bad back there.

Mitch Rakus asked if he was selling cars there because he had noticed "For Sale" signs on some of the vehicles. Mr. Benson said the only thing for sale there was his own snowplow.

John Nowicki asked what arrangements he had with Niagara Mohawk, and if it was leased on a yearly basis. Mr. Benson said it was renewable in April.

Ray Bleier asked if he was considering relocating. Mr. Benson said he was not, since he had just put \$80,000 into the building two years ago. Mr. Benson said they were going to eliminate some of the towing business because the insurance companies are not paying for them and overall they are a big headache. He said there's no town ordinance that supports the disposal of abandoned cars.

John Nowicki asked Mr. Benson what percentage of his business is related to law enforcement. Mr. Benson said that 15% is related to law enforcement and that the remainder is for auto clubs and individuals.

George Ford asked Mr. Benson what he does with the abandoned cars. Mr. Benson said he hauls them to the Dansville Salvage Yard. Don Faso asked if he ever takes them to Union Processing. Mr. Benson said no.

John Nowicki asked what his plans are for improving the property were. Mr. Benson said he would like to use landscape timbers between himself and Universal Sales. He said he would use some kind of landscape screen, and would like to continue it on the Niagara Mohawk side as well. He said he would probably do this in the spring.

Cherie Bevona said she had visited the site on January 5th and found 28 vehicles there, 5 of which were without licenses. She said there were only a few in the enclosed garage. She said that the Conservation Board recommended turning down the application because the condition of the last renewal had not been met.

Don Faso read the County Comments, which deemed the matter one for local determination.

Tom Guerin and Bob Connolly had no comment.

PRE-DECISION DISCUSSION:

Don Faso said that Mr. Benson should meet with the Conservation Board and address their concerns. Ray Bleier said he felt that Mr. Benson should make an honest effort to move cars to the rear of the site when they are going to be there for over one week.

John Nowicki said he wanted to see a landscape plan in effect.

The Planning Board declared itself lead agency under the SEQRA Act and declared this application a Type II Action, with no significant environmental impact. The Board then discussed the length of time to grant this renewal. They unanimously agreed on three years.

1/13/87

- DECISION: Unanimously approved by vote of 7 with the following conditions:
1. No stacking of automobiles on the premises.
 2. No dismantling of automobiles on the premises.
 3. Continue to improve cleanliness and beauty of area.
 4. Confine unlicensed vehicles and parts in enclosed area.
 5. 15 vehicle limitation in front of building.
 6. Make application to the Zoning Board for front parking variance.
 7. No vehicular sales on the premises.
 8. Additional screen plantings should be coordinated with the Conservation Board.
4. Application of Nina Ball, owner, 75 Woodview Drive, Rochester, New York 14624 for renewal of conditional use permit to allow the outside storage of construction equipment at property located at 3501 Union Street in GI zone.

Nina Ball is present to represent the application. Don Faso immediately says he is still waiting for promises previously made and not kept. He said the property is in a state of disrepair, with a lot of junk on the site. He said there are junked cars, even outside of the fence. John Cross asked what the junked cars had to do with the construction business. John said he had counted 12 junked cars there. John Nowicki said they had been sitting in the same place for a long while. John asked Mrs. Ball who owned the property. She said she did, but that her sons operate the business. George Ford asked if it is incorporated. She said no.

John Nowicki asked about the drainage ditch being plowed out. He said he had been by there on Saturday, at which time he noticed trucks holding up traffic, pushing out dirt. He said he called Bob Connolly to see if a building permit had been issued. Bob said he had issued a stop order. John Nowicki asked why they were filling the area. Mrs. Ball said they were putting in another driveway. Bob Connolly said they did not have permission from NYDOT.

Tom Guerin requested that they clean up the fill and level it out. He said they also needed to contact the State before a fill permit could be legally issued.

Don Faso said he wished that Mrs. Ball's son was at the meeting because the Board has questions for him. John Nowicki said he was tired of the "nonsense" and would like to see the application tabled now. Mrs. Ball said they had put a lot of money into the building. Don Faso said they had not made an honest effort to comply; John Nowicki said they had not worked with the Town at all and had not obtained any of the required permits.

John Cross said they could tow the junked cars right across the street. Ray Bleier said the Board could deny offering a permit until the property was cleaned up satisfactorily. Don Faso said previous conditions had not been met. John Nowicki said that if they are not at the February 10th meeting, the Board could begin legal action.

Mitch Rakus asked the Board why they couldn't turn the application down right now. Marcia Havens said the record should be completed and that would require the presence of Mr. Ball.

Bob Connolly said the Board could bring the applicants back in for a violation on the previous conditions. Marcia Havens said it was important to resolve the matter either through enforcement or in a law court case. Bob Connolly reminded the Board that they were here for a conditional use permit only.

Marcia Havens asked how many violations they have on the existing ordinance. John Nowicki cited the road cut without a permit was a violation of the State law. Don Faso said he wouldn't object if Marcia Havens wrote a letter. She said she would do so and would submit to Don Faso for approval.

George Ford moved that the application be tabled for one month. Motion was seconded by Bill Deans.

DECISION: Motion to table approved by a vote of 7.

5. Application of Playcare, Inc., 420 Lyell Avenue, Rochester, New York 14606, property owner: Stars 'N' Cars; for conditional use permit to allow a day care center in office building at property located at 1200-C Scottsville Road in GB zone.

Sandra Alexander, Director and Owner, is present to represent the application. She said she has had the business for 17 years and is presently operating out of 8 locations. Mr. William LaDue is also present and explains that he is the architect for the building.

Don Faso asked if there had been any changes since the letter of intent. He was told no. Mr. LaDue submitted to the Board the preliminary plans and went on to describe the location.

John Nowicki asked if there were to be any outside play area. He was told there is a fenced play area. George Ford asked if there were any special conditions to be met. She said yes. Bob Connolly said he would take care of it.

George Ford questioned the anticipated monthly fees and hours of operation. She said they would be open from 6:00 a.m. to 6:00 p.m. and the fees were \$75/week for a child 1 year and older and \$95/week for infants.

John Cross asked about liability insurance, and she said they can get insurance at a high cost. She said they have \$500,000 in liability and must pay \$65/child per year.

She explained the child to teacher ratio as being 1:6 on the average, with the infant to teacher ratio of 1:4. She said they have a high percentage of staff. Ray Bleier asked how many children would be in the new facility. He was told "80".

Don Faso asked if they would have children before and after school. She said "it depends". She said she would prefer that if this were to happen, the children should be dropped right at the door, rather than at the edge of the road.

Don Faso said the Buffalo Road facility is on a dedicated road, and that he too was concerned about children being dropped off at the edge of the road. He said she could enter into a "Hold Harmless" agreement with the School District.

Cherie Bevonia, Tom Guerin and Bob Connolly had no comments.

PRE-DECISION DISCUSSION:

George Ford said he thought this should be subject to the approval of the Town Building Inspector and Fire Marshal, as well as the Town Engineer.

DECISION: Unanimously approved by vote of 7 with no conditions.

The Chili Planning Board declared itself lead agency under the SEQRA Act and found the application to be a Type II Action with no significant environmental impact.

Minutes of the December 9, 1986 meeting were approved. Minutes from the November 20, 1986 meeting were approved with corrections.

CHILI PLANNING BOARD

February 10, 1987

The meeting of the Planning Board of the Town of Chili was held in the Administrative Office, 3235 Chili Avenue, Rochester, New York 14624 on February 10, 1987 at 7:30 P.M. The meeting was called to order by Chairperson Don Faso.

PRESENT: William Deans, George Ford, John Nowicki, John Cross, Mitchell Rakus, Raymond Bleier, Chairperson Don Faso.

ALSO PRESENT: Bob Connolly, Building Inspector; Tom Guerin, Town Engineer; Cherie Bevona, Conservation Board; Marcia Havens, Deputy Town Attorney.

Chairperson Don Faso declared this to be a legally constituted meeting of the Chili Planning Board. He further stated that notice of the meeting had been advertised in the Gates-Chili News, as well as posted on the Town Clerk's bulletin board.

Chairperson Don Faso read the Fire Code.

APPLICATIONS BEFORE THIS BOARD WERE AS FOLLOWS:

OLD BUSINESS

1. Application of Nina Ball, 75 Woodview Drive, Rochester, New York 14624 for renewal of conditional use permit to allow the outside storage of construction equipment at property located at 3501 Union Street in G.I. zone.

No one was present to represent the application.

DECISION: Tabled for one month.

2. Application of Westland Developers, 58 Hutchings Road, Rochester, New York 14624 for final subdivision approval of 19 lots to be known as Whispering Winds Section 1 and final subdivision of 2 lots to be known as Whispering Winds Section 1A at property located at 3930 Chili Avenue in R-1-20 zone.

Mr. Tom Fraser of 2300 Lyell Avenue, Rochester was present to represent the application. He explained that late last year he had presented and been given preliminary approval from the Board of this application. He is now requesting final approval.

Mr. Fraser submits maps to the Board. He explained that Section 1 is located Southwest of the property while Section 1A is located Southeast of the property. He explained that the Sanitary Sewers exist on the Chili Avenue location, adjacent to the property.

Mr. Fraser explained that they plan to extend the Sanitary Sewers across the street as illustrated on the map. The two lots would be serviced by the Sanitary Sewer, Section 1 lateral and Section 1A by a small pump station in the basement of the building pumping out to the front lawn easement and into the manhole.

Mr. Fraser said that the sanitary sewer for the main section would all end up in the major pump station located in the front of Lot 59. The sewage would be pumped along the frontage and would go to the sanitary sewer manhole previously constructed for this purpose.

Mr. Fraser explained that the water service for the two lots would be serviced by the Monroe County Water Authority. The interior lots will require that water be tapped from the Water Authority's main and brought along the street to form a distribution network for the rest of the property.

Mr. Fraser explained that storm sewers are provided. The drainage flows Northeast to Southwest across the property as illustrated on the map. The provision has been made to pick up drainage from the other sites to furnish easements.

Gates-NEWS-Chili

1635 BROOKS AVENUE, SUITE 2, WEST BLDG. ● ROCHESTER, NEW YORK 14624

Date... *2-4-87*

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

GATES-CHILI NEWS

Issue Dated... *2-4-87*

Geraldine C. Snyder
.....
Notary

GERALDINE C. SNYDER

NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 19...*87*

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

**LEGAL NOTICE
CHILI PLANNING BOARD**

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on February 10, 1987 at 7:30 p.m. to hear and consider the following applications:

1. Application of Westland Developers, 58 Hutchings Road, Rochester, New York 14624 for final subdivision approval of 19 lots to be known as Whispering Winds Section 1 and final subdivision of 2 lots to be known as Whispering Winds Section 1A at property located at 3930 Chili Avenue in R-1-20 zone.

2. Application of VIP Architectural Associates, 75 College Avenue, Rochester, New York 14607; property owner: Rotork Controls; for preliminary site plan approval to erect a 210' x 100' manufacturing warehouse and 47' x 114' office at property located at 21 Jetview Drive in L.I. zone.

3. Application of Forest Creek Equity Corp., owner: 30 W. Main Street, Rochester, New York 14614 for preliminary subdivision approval of 266 lots to be known as "Wellington" at property

located at 845 Marshall Road in R-1-15 zone.

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

**J. Donald Faso, Chairman
Chili Planning Board**

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Mr. Fraser said that when constructing the drainage system, the drainage would flow to the major drainage channel and eventually flow into the pond planned for this area.

Mr. Fraser explained that he is not requesting or requiring a variance on the Chili Code.

Don Faso said that he had talked with Tom Guerin and had received a list of items for discussion.

Tom Guerin explained that a letter had been sent to Mr. Fraser regarding the Section 1 review. Tom stated that the comments on Section 1A had not yet been typed up. Mr. Fraser said that he had not seen this letter.

The Town Engineer's comments were as follows:

1. The Town of Chili Standards of January 1, 1986 are to be specifically addressed.
2. Drainage system swales which have gradients less than 0.5% are to have a concrete invert complying with the Town standards. If the actual width of flow will be greater than the width of the standard channel invert, then the invert width should be increased to accommodate the flow.
3. The Town Code requires closed systems from the rear lot line to the street for pipes 42" or less in diameter conveying concentrations of runoff from upstream lands.
4. Drainage system manholes serving pipes 36" or larger are to be designed for specific applications. Details are to be shown on the plans.
5. At manholes with pipe size changes, the crown of the sewers should be matched, whenever possible.
6. Spacing of stormwater gutter inlets should not exceed 300'.
7. No stormwater laterals are indicated. Laterals are to be provided for each residence, with inverts no lower than the crown of the storm sewer.
8. Materials to be used for piping are to be indicated on the plans, including road crossings and manhole connections.
9. Per the pipe manufacturer, the minimum practical distance between the top of pipe and the road surface is two feet. We would recommend the use of horizontal elliptical pipe in areas where the design difference is less than two feet. Use of HE pipe would also lower the crown of the sewer to better accommodate laterals and connections with pipes of different sizes.
10. Calculations determining the size of pipes are to be provided for review.
11. Both the upstream and downstream ends of large pipes should be secured against the entrance of small children into the closed sewer system.
12. The clear distance between the sanitary and storm sewers through the common easements should be sufficient to allow proper construction, and should be indicated on the plans.
13. If the open swale between Lot 4 and Lot 5 is allowed by the Planning Board, then the sanitary manhole in that area should be looked at, and possibly relocated downstream in order to keep the structure out of the side-slope of the swale and totally buried.
14. Individual drainage structures should be identified on the plans.

15. The outlet for the detention pond, as shown on the plans, would protrude through the surface of the designed auxiliary spillway.
16. The auxiliary spillway should be located outside of the area of the detention pond berm.
17. The minimum width of the detention pond berm should be 8'.
- 18) The detention pond outlet should be designed so that, in the fully developed state, downstream flow is no greater than existing flow for a ten-year storm. Since downstream flooding concerns have been expressed by landowners, the outlet size for a five-year storm should also be calculated for comparison and ultimate selection of pipe size and material for proper flow control through the outlet. The storage capacity of the detention facility should be for a 50-year storm.
19. Staked straw bales should be used for erosion control until such time as sufficient ground cover has been established. The location of the erosion controls should be shown on the plans.
20. The building floor elevations, in relation with the proposed contours as shown on the plans, are not in compliance with the requirements of the Town Code.
21. The proposed contours do not provide for lot-line drainage between homes, or rear-line swales between adjacent sections.
22. A temporary turn-around should be provided, in compliance with the Town Code.
23. The bearings and lengths of all courses of easements to be conveyed to the Town should be shown on the plans.
24. Notes on the plans should include information on the connection of downspouts to the stormwater system.
25. Notes should address the requirements of the Town Code for street trees.
26. The plans should bear the Seal and certification of the licensed Professional Engineer or licensed Land Surveyor responsible for their preparation.
27. The Final Plans should comply in all other respects with the requirements of Chapters 96 and 97 of the Town Code.

In addition, we would like to make the following comments:

- A. The Town has adopted a policy whereby a construction access or haul road, will be required for truck access to future sections of multi-phase developments. Access via roadways dedicated, or intended for dedication, will be prohibited.
- b. Also, to be considered in your planning, if a Developer plans to request dedication of the roadways of a development prior to completion, and a temporary turn-around which will be in place during a snow removal season has been provided, then the outer 20' of the turn-around must be paved with a minimum of 2" of binder as a condition for early dedication.

Don Paso asked Tom Guerin to elaborate on #20, which was the building floor elevations. Tom explained that the Town Code requires a 2 per cent slope from the building line outward from the house for a distance of a minimum of 10' and a 8" block level above the grade level. He explained that some of the homes he had checked did not comply with this.

John Nowicki addressed the fact that the letter to Mr. Fraser was dated February 10, 1987. He asked Tom Guerin if he had talked with the Development Engineer.

Tom said that he had talked with the Development Engineer both Friday and Monday. John Nowicki asked Tom if he had addressed all the issues during these discussions with the Development Engineer. Tom said "not all of them but most of them".

Tom Guerin then addressed comments on Section 1A. He explained that the grading did not match that of the other sections, finished grades for the structure also did not match, calculations to determine the size of the Sanitary Sewer pump must be reviewed, no information as to the emergency warning on the pump, and further clarification on the connection between the manhole and the house would be requested. He asked that receive a profile for the force main to clarify the elevation of the discharge from the house. Tom stated that he would get the comments typed up for Mr. Fraser.

Mr. Fraser felt that these issues could be resolved. He explained that the water main does not go completely uphill.

Mitch Rakus questioned the size of the pipe. He asked Tom Guerin if the 1 $\frac{1}{2}$ " would be large enough. Tom thought that 2" would be better.

John Nowicki asked Mr. Fraser if the pump station in Section 1 was designed to handle others and Mr. Fraser said that it was. John then asked if it would flow by gravity and Mr. Fraser said "yes". John asked who would own and maintain this pump station. Mr. Fraser stated that Pure Waters would.

John Nowicki asked if the water supply was sufficient for fire safety in the homes. Mr. Fraser read a letter that he had received from the Water Authority stating that there was more than adequate pressure and supply to service these lots.

John Nowicki asked if the Water Authority had guaranteed the water supply and Mr. Fraser explained that this was only an engineering calculation. John explained that previously there was a problem with a similar application and that a waterline had to be replaced to furnish the project.

Don Faso asked for a copy of this letter from Mr. Fraser.

Ray Bleier asked about any road cuts. Mr. Fraser explained that there would be driveways but that he could not yet get approval from the Dept. of Transportation until he receives final approval from the Board.

Don Faso read a letter from the NYS DOT dated Oct., 1986 which stated the following comments:

1. Only one drive installed on Rte. 33A
2. Roadside ditch required
3. Fence along I 490
4. Fence around recreational area

Ray Bleier asked about the drainage ditch. Mr. Fraser explained that it sets back about 200' and drains into an open channel. Ray then asked how deep the drainage ditch was and Mr. Fraser replied that it was about the size of the pipe, 3 $\frac{1}{2}$ ' in diameter.

Ray Bleier asked about the storm detention. Mr. Fraser explained that it was designed for a 50 year storm and outfall. He would like to propose that a 10 year storm detention be adequate until the 50 year storm detention would be in place at a later date.

Don Faso asked about the rate of runoff and Mr. Fraser explained that it would be exactly as is now.

John Nowicki asked about how Mr. Fraser felt about the comments on the lots. Mr. Fraser said that he heard the letter for the first time this evening and that he would like to analyze the letter before making any comments.

John Nowicki noted that this was an awful lot to be presenting to the applicant at a final hearing.

Cherie Bevona stated that the Conservation Board saw no significant environmental impact.

QUESTIONS OR COMMENTS FROM THE AUDIENCE

Harold Baldwin - 31 Stuart Road. He expressed concern over the drainage being completely blocked at the south end of the creek. He felt that with an increase in water volume, it would create a hardship to the drainage. He asked for assurance that the Town would make sure the drainage was open to the creek.

Don Faso asked Mr. Baldwin if permission had been granted for a ditch on his property to aid the drainage. Mr. Baldwin replied that permission had been given but that the drainage could not get out of the ditch to the creek because it was plugged up on the Wilcox property.

Don Faso stated that the Town Engineer was aware of this problem and would oversee the project. Mr. Baldwin expressed concern over the volume increase and Don said that although the volume would increase, the rate of runoff would not.

Mr. Baldwin stated that there was a constant pond on the property and that there was no way the water could get to the creek. Don Faso asked Tom Guerin to work with the Soil Conservation on this.

Mrs. Wilcox - Stuart Road. She asked if any federal or state money was being used for this project to which Don Faso said "no". Mrs. Wilcox further stated that the Wilcox's maintained their portion of the drainage ditch and that the ditch on both ends of the neighboring property was overgrown with trees and debris.

Mr. Faso asked that the Wilcox's not do any work unless the Town was contacted.

Mrs. Wilcox replied that no work had been done since 1975, except to maintain track for exercising horses and the mulching of weeds.

John Nowicki suggested that a situation such as this be eliminated in the future. He felt that these conditions should have been addressed prior to the hearing. George Ford agreed that it was not totally the developer's fault.

DECISION: Tabled for one month until the comments and conditions of the letter from the Town Engineer are addressed.

3. Application of VIP Architectural Associates, 75 College Avenue, Rochester, New York 14607; property owner: Rotork Controls; for preliminary site plan approval to erect a 210' x 100' manufacturing warehouse and 47' x 114' office at property located at 21 Jetview Drive in L.I. zone.

Mr. Mike Virgil of VIP Structures was present to represent the application. Mr. Steven Hess, the owner of the property was also present. Mr. Virgil submitted the preliminary site plans to the Board. He stated that he would like to make a correction on the application as Mr. Hess was not the owner of the property. Bob Connolly said that this was not yet on record.

Mr. Virgil stated that the warehouse would be built on 2.9 acres and would comply with the Chili Zoning requirements. The business would be primarily photographic products for distribution. The office space would contain the warehouse as well as the production area.

Mr. Virgil stated that the building would be a conventional structure. It would have a stucco exterior which would present a nice appearance. He said that there would be three overhead doors to the ongrade. There would be two entrances.

Mr. Virgil said that he has submitted drainage calculations on the site plan. He said that these drainage calculations would be refined prior to the site plan approval. He also noted that the utilities are at the curb.

Mr. Virgil explained that the roof would be single sloped to give a flat appearance.

Mr. Virgil asked that they be given permission to have less parking spaces than the required 89 spaces. He felt that as long as he showed provisions for future parking, he can build for present needs. He explained that via the map that there was sufficient space to eventually provide more parking should the need arise.

The County Comments were read which approved the application insofar as airport considerations were concerned.

The DRC Comments were as follows:

1. Show the proposed method of temporary erosion/siltation control to be used during construction until ground cover is re-established.
2. If project has chemical processes which will contaminate the air, then an air emission permit may be required.
3. The applicant must inform the Monroe County Water Authority of the intended use of their public water supply.
4. Floor drains shall be connected to the Sanitary Sewer.
5. If the proposed trench drain could become contaminated with leakage from trucks, then the trench drain must be connected to the Sanitary Sewer.

Mr. Virgil said that he planned on following up on the comments from the DRC.

Don Faso complimented Mr. Virgil on the presentation of the application.

William Deans expressed concern over the parking situation on Jeffrey Road. Mr. Hess explained that the no parking was not being enforced and had created this problem.

Via the map, Mr. Virgil explained that there were 57 parking spaces for 40 employees. He also explained that there is a fenced in area in the back for storage and also a provision for a dumpster enclosure.

Ray Bleier asked if the parking lot would be blacktopped and Mr. Virgil said that it would be.

Don Faso asked about the statement noting that there were 1-2 monthly tractor trailer deliveries as he felt that this was rather low. Mr. Hess explained that due to the nature of the business, steel is delivered on a flat bed truck. Their van would transport any shipments to the airport and therefore the only time a tractor trailer was necessary was when a shipment from overseas had arrived. Don asked how many flatbeds there were and Mr. Hess said that there were 3.

Don Faso asked if there were provisions for storage and Mr. Hess said that there were.

Ray Bleier asked about the storage outside. Mr. Hess explained that there were 35 collapsible steel wire baskets for the paint and 20-30 wooden pallets for the shipping merchandise. Ray then asked how high the baskets were and Mr. Hess explained that 8-10 baskets were 4-6" high.

John Nowicki asked if this area would be screened and Mr. Hess said "yes". Mr. Virgil said that it would be fenced if necessary.

Ray Bleier commented on the fact that the parking was bad and that the Fire Marshal should review the situation for safety.

Cherie Bevona stated that she would like the applicant to submit formal landscaping plans to the Board of Conservation. Mr. Virgil said that this is in the works. Cherie asked if there would be any chemical or oil clean-up and Mr. Hess said that there would be no chemical processes. Cherie asked if there would be any hazardous by-products produced and Mr. Hess said "no." Cherie asked if per the map, would the west side remain undisturbed and Mr. Hess stated that the weeds and shrubs would be left as they are. Cherie asked how wide the tree line was and Mr. Hess said that it was 10' or more and that there was at least a 20' buffer of trees from the residential homes.

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Tom Guerin expressed concern over the contours jumping the curb lines and Mr. Virgil stated that the plans were not yet final and therefore would be refined.

Bob Connolly had no comments.

Marcia Havens had no comments.

PRE-DECISION DISCUSSION

William Deans expressed concern over the parking spaces. He felt that if more employees were added there would be no parking.

John Nowicki suggested that a letter be sent to the Town addressing the parking problem not being enforced in that area. Marcia Havens said that she would check into this.

Don Faso said that for any employees in excess of 57, more parking would have to be added.

DECISION: Unanimously approved by a vote of 7, with the following conditions:

1. Coordinate landscaping plans with the Conservation Board.
2. Outside storage shall be in an enclosed area and shall not exceed 8 feet in height.

The Board grants a variance with regard to the number of parking spaces since the applicant has proven hardship to the Board's satisfaction and that as the need increases so will the number of spaces.

The Chili Planning Board declared itself lead agency under the State Environmental Quality Review Act (SEQA). They determined that this application is an unlisted action and have determined that there will be no significant environmental impact.

4. Application of Forest Creek Equity Corp., owner; 80 W. Main Street Rochester, New York 14614 for preliminary subdivision approval of 226 lots to be known as "Wellington" at property located at 845 Marshall Road in R-1-15 zone.

The plans were posted for the audience to review. Don Faso explained that the applicant was submitting under the 281 Section of the Town Law which authorizes the Planning Board to consider the application with minor variations.

Mr. James Valerio and his partners, Mr. Pernie Iacovangelo and Mr. James Perna were present to represent the application. Mr. Valerio explained that in August 1986, the citizens of Chili objected to the plans submitted to the Board at that time as they wanted only single homes. Mr. Valerio stated that in November 1986, he received authorization by the Planning Board to proceed with the sketch plans.

Mr. Stephen Buechner, landscape architect, and Mr. Don Avery, Project Engineer, were also present to represent this application.

Mr. Valerio explained that Wellington would be one of their greatest endeavors. He further clarified that Forest Creek is seeking approval for 226 lots rather than the 228 submitted on the sketch plan approval.

Mr. Buechner said that the subdivision would be located on a 114 acre site at Marshall and Paul Roads. It would be surrounded by subdivisions existing to the North and West of this project. He explained that the lots would be 15,000 square feet which would meet the criteria of Chili subdivision requirements.

Mr. Buechner stated that the sites would contain overgrown farm fields with trees and shrubs.

Via the map, Mr. Buechner identified the lots, the walkways, the entrances, and the retention/detention ponds. He distributed photos to the Board illustrating the appearances of the homes. He indicated the road right-of-ways and the street widths. He explained the varying setbacks according to the map.

Mr. Buechner explained that there would be A, B, and C lots. "A" lots would be 17,000-30,000 sq. ft., "B" lots would be 13,000-16,900 sq. ft., and "C" lots would be 70,000-110,000 sq. ft.

Mr. Valerio explained that there would be five phases of construction. Phase I would be 33 homes, Phase II would be 66 homes, Phase III would be 40 homes, Phase IV would be 61 homes, and Phase V would be 24 homes.

Mr. Buechner explained that via the map, there would be three sections of drainage. He illustrated the flow of drainage.

Don Faso asked about the minimum lot widths and Mr. Buechner explained that "C" lots would be a 70' min. width and a 110' min. depth, "B" lots would be a minimum of 70' min. width and a 185' min. depth.

John Nowicki asked for the lot breakdown. Mr. Buechner said that there would be 42 homes in Lot A, 70 in Lot B, and 114 in Lot C. John then asked for a comparison to the homes in Pines of Wildwood and Mr. Buechner explained that Wellington's would be larger.

Don Faso read the County Comments which recommended application approval for the following reasons:

1. Proposal is consistent with the Land Use Policies in the Monroe County Comprehensive Development Plan.
2. Proposal is consistent with the residential character of the surrounding area.

DRC review of this Type I action led to the following comments:

1. Show proposed method of temporary erosion/siltation control
2. Show a trench cross section of the sanitary sewer pipe installation
3. Submit a copy of the resolution from the Gates-Chili-Ogden Sewer District.
4. Show a profile of the proposed sanitary sewer
5. Show the results of a hydrant flow test
6. Show the location of the watermain sampling taps
7. Show that a disinfection tap is provided at the connection to existing watermain(s)
8. Show easements for all utilities.
9. Supply the Monroe County Water Authority with complete hydraulic analysis calculations for the entire project.
10. Submit these plans to the New York State Department of Transportation.

Don Faso read the opinions that the Fire Marshal had to offer.

1. Two means of access to an area.
2. Would like to add input on the naming of the streets to avoid confusion due to the layout.

Ray Bleier asked about the retention ponds and Mr. Avery explained that they would be connected by pipes and that they would comply with the Town Engineer. Ray asked if the pipes connecting the ponds would control any overflow and Mr. Buechner said "yes".

John Nowicki asked if the pipes would cross Paul Road and Mr. Buechner said that they would.

Ray Bleier asked if there would be drainage below the pond and Mr. Buechner said there would be.

John Nowicki asked about the size of the pond, what direction it would flow, and how large the pond would be on Marshall Road. Mr. Avery said that the pond was 100' by 100' and that the discharge would flow South of the property line, under Marshall Road, to the system in Pines of Wildwood, through the swale on Lexington, to Paul Road, and then ending at Black Creek.

John Nowicki asked about the holding detention and Mr. Avery explained that it was a permanent pond of 3-4' in depth.

Bill Deans asked about the pipe on the Garner property and Mr. Avery said that it cannot block drainage. Don Faso stated that permission for an easement had been granted from Mr. Garner.

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Bill Deans asked about the west side drainage. Mr. Avery said the drainage would go through an 18" pipe to the system in Bright Oaks and that it did comply with the Town. Bill then asked about the swale into Red Bud and Mr. Avery stated that there was no permanent pond.

John Nowicki asked if this was a detention area and Mr. Avery said it was. John then asked how many acres and was there surface drainage. Mr. Avery said that there was 21 acres and that there was surface drainage.

John Cross asked about the size of the pond on Marshall Road and Mr. Avery said that it was 200'.

John Nowicki asked if the Monroe County Water Authority had addressed the quality and quantity of water that would be able to the community. Mr. Avery stated that the gravity system for the Sanitary Sewer had been acceptable and that all past and present codes had been obeyed.

John Nowicki asked about the phase in process of the lots. Mr. Avery explained that Phase I would be A and B lots and that Phase II would be B and C lots on Marshall Road side.

John Nowicki asked if the school district budgets had been addressed and Mr. Iacovangelo explained that there had been a discussion with the school but that it was considered to have no significant effect on the enrollment. He said that it would only have a positive effect due to the increased revenue from taxes.

William Deans asked about the walkways and the plants that would be contained in the project. Mr. Buechner explained that there would be shrubs and trees and that the walkways would consist of paved blacktop.

Don Faso asked if there would be any sidewalks in the right-of-way and Mr. Buechner said "no".

John Nowicki asked if there would be streetlights in the subdivision and Mr. Buechner said that there would be.

Cherie Bevona asked if there would be an exit opposite Bausch and Lomb and Mr. Buechner said that there would be. She then asked about the distance between the road and the houses and if there would be any buffer. Mr. Buechner said that there would be a buffer consisting of plants. Cherie asked how wide the buffer would be and Mr. Buechner said that it would be 20' wide. Cherie asked if it would be 20' from the edge of the road to the property. Mr. Buechner said that it would be.

Cherie Bevona said that the Conservation Board declared this to have no significant impact on the environment.

Tom Guerin stated that he had not seen the drainage calculations. He questioned the lot lines and that some of the C lots were less than required by the Zoning Board requirements. He felt that the school crossing guard should be planned for when submitting the final plans. He wanted to see the future connection for the pipeline. He also commented on the fact that there was a section in the code referring to the traffic of the trucks through dedicated streets. Mr. Avery said that he had not received a copy of Tom's comments and therefore was not prepared to comment.

Bob Connolly recommended that there be 15' between houses. He also questioned the lot setbacks and thought it would be better to correct them now instead of with variances. He felt that the corner lots were too small and that the garages should be moved to the front instead of the side.

Marcia Havens questioned whether the open space in the subdivision would be for residents of the subdivision or whether it would be open to the public. She wanted to know if payment would be through the Parks and Recreation Dept. or through the Homeowner's Association. Mr. Perna could not answer that at this time but said that that would be looked into.

QUESTIONS OR COMMENTS FROM THE AUDIENCE

Marcia Westby - 862 Marshall Road. She was concerned about the lighting in the subdivision and also the timeframe for the phasing process. Mr. Iacovangelo said that amber lights would be used as they were not as bright or as loud as other options. He also explained that the phasing process would take about 5 years and that it would begin this year.

1 4 1 2

Joe Steiner - 537 Paul Road. He was concerned about the drainage problem currently existing between the property and Bausch and Lomb. He said that he wanted a covered pipe to aid the drainage. Mr. Iacovangelo said that he had had various conversations with Mr. Steiner's brother and that they had come a "meeting of the minds" resolving the drainage between this property. He said that they were willing to work with Mr. Steiner in the developing plans to resolve this issue.

Don McDonald - 43 Sutherland Trail. He was concerned about the volume of water in the retention ponds and if this would be dangerous to children in the area. Mr. Iacovangelo said that the water would be about 2½-3½' deep and that due to the gradual side slopes it would not be considered dangerous. Mr. McDonald asked about the drives and Mr. Iacovangelo said that they would be all public. Mr. McDonald asked if the pipes could handle the volume of water and Mr. Avery said that the pipes might have to be enlarged to 18" or more.

Jack McEntee - 839 Marshall Road. He asked about how the water could get up to the higher parts of the ground and Mr. Avery said that there would be a pipe running back up to eliminate this as a problem.

Den Lichtenberger - 841 Marshall Road. He asked about the traffic study and if a rating of C meant that a traffic light was required. Don Faso explained that a rating of A was best and that a level of F was the worst.

Al Gereichkes. He asked if a section of Toni Terrace was dedicated to the Town. Mr. Iacovangelo said that this section was maintained by the Town. Don Faso said that Tom Guerin would check into it.

Beverly Michrad - 24 Toni Terrace. She said that the section of Toni Terrace previously discussed received no services from the Town. She expressed concern about the heavy equipment using this section. Mr. Iacovangelo said that he would work with the Town to have something done about this.

Jim Blonsky - 420 Paul Road. He expressed concern about the setback on the lots. He submitted to the Board a petition that several residents had signed regarding the subdivision. The petition contained 67 of 97 people opposed to the project. Ray Bleier felt that this was due to the fact that people were not aware of Article 281 of the Code. Don Faso mentioned that he had received several phone calls against this application.

Doug Olyach - 14 Pinewood. He expressed concern over the 15,000 sq. ft. lot size. Don Faso explained that under 281, the Planning Board could allow variance.

Graig Bryant - 19 Red Bud. He expressed concern over the retention drainage. Mr. Avery explained that there would be an area to contain the drainage before reaching Red Bud. Cherie asked if any trees would be cut down and Mr. Buechner said that they would preserve as many as possible.

Jack Schufficher - 59 Algier Drive. He questioned the small lot sizes and their market value. Mr. Iacovangelo said that at the Riverton project, the homes were of a high value and that they were of the same size.

John Altvena - 18 Adela Circle. He expressed concern over the existing drainage problems. Mr. Iacovangelo said that he would review the problem before giving approval as to the drainage system set up.

Cecelia Bachmann - 40 Adela Circle. She asked when the detention ponds would be built and Mr. Iacovangelo said that they would be built with Phase I.

Jack Curtin - 49 Red Bud Road. He expressed concern over the drainage problem from Red Bud to Bright Oaks. He felt that the volume of water could not get under Paul Road. Mr. Iacovangelo said that he was mainly concerned with the drainage.

Beverly Griebel - 31 Red Bud Road. She expressed concern over the water that she has in her cellar and what the subdivision would do to help improve the situation. She said that she would like to see the open space on the subdivision property dedicated to the Town rather than only the residents in the subdivision.

John Schoen - 4 Toni Terrace. He expressed concern over the drainage.

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Helen MacLaughlin - 21 Pinewood Hill. She said that she would like the appearance of the homes to encourage buyers. Mr. Iacovangelo verified that that would indeed be the case.

Steve Wark - 31 Alger Drive. He expressed concern over the traffic safety at Amanda and Chili Roads and Mr. Avery said that he would check into that. He was also concerned that the water in the retention pond would become stagnant and Mr. Buechner assured him that it wouldn't.

William Wood - 6 Toni Terrace. He was concerned about the traffic coming from Bausch and Lomb. Mr. Iacovangelo felt that with the curving roads, people would be less likely to take a route through the subdivision. He was also concerned about the condition of the road on Toni Terrace and feared that it would get worse with all the construction trucks. Mr. Iacovangelo said that he would work with the Town on this.

George Frederes - 739 Marshall Road. He expressed concern over the drainage and the increase of volume.

Nancy Hatz - 769 Marshall Road. She expressed concern over the traffic from Bausch and Lomb. She said that even though it won't be the most direct route to use, people will continue to use it. She felt that Marshall Road should be widened to handle this problem.

Don Faso asked what the reaction of the audience was for this application. The reaction was as follows: 6 in favor; 14 opposed.

Don Faso also noted that he had received two letters from Chili citizens who were opposed to this application.

DECISION:

Tabled for one month in order that the requirements of SEQRA are met with regards to lead agency designation for a Type I action. Requirements of resubmission:

1. Must meet with the Chili Recreation Commission for their input concerning the open space with regard to ownership and use.
2. Chili Conservation Board should review the Environmental Assessment long form.
3. Traffic report and market analysis.

INFORMAL:

1. Application of John Drago, 220 Humphrey Road, Scottsville, New York 14546 for sketch plan approval for a 5 lot subdivision to be known as Drago Subdivision at property located at 253 Humphrey Road in PRD & WPO zone.

Mr. Don Avery, Engineer, was present to represent the application. He submitted the sketch plan layout to the Board. Mr. Doug Drago was also present.

Mr. Avery explained that the proposed subdivision would contain large lots on the hill. He said that there would be 5 acre lots. There would be an entrance off of Stryker Road. They would be purchasing property to apply towards this subdivision. He explained that via the map, there would be a minimum setback of 175'.

Via the map, Mr. Avery explained the drainage and filtration systems.

Mr. Drago explained that they would be going before the Zoning Board but that they wanted to get the Planning Board's reaction.

Don Faso asked about the land that they would be purchasing and Mr. Drago explained that the 3.6 acres would be purchased as a buffer. Don Faso said that since the purchased property would create an illegal subdivision, Mr. Drago would have to informally submit for approval. Mr. Drago said that he was willing to come in and do this.

DECISION:

Unanimous by vote of 7 with the following condition:

1. All necessary variances from the Chili Zoning Board be obtained before returning to the Planning Board for preliminary subdivision approval.

Don Faso,
Chairman

CHILI PLANNING BOARD
March 10, 1987

A special meeting of the Chili Planning Board of the Town of Chili was held in the Chili Administration Office, 3235 Chili Avenue, Rochester, New York 14624 on March 10, 1987 at 7:30 P.M. The meeting was called to order by Chairman Don Faso.

PRESENT: Bill Deans, John Nowicki, John Cross, Mitch Rakus, Ray Bleier and Chairman Don Faso.

ALSO PRESENT: Tom Guerin, Town Engineer; Marcia Havens, Deputy Town Attorney and Cherie Bevona, Conservation Board.

The meeting was convened at 7:30 P.M. Don Faso made a motion to go into Executive Session to discuss pending legalization of Glidden Estates in the matter of Glidden vs. Planning Board. Motion was seconded by Mitch Rakus.

Don Faso made a motion to exit Executive Session and was seconded by John Cross.

The Planning Board then voted to grant preliminary subdivision approval of Glidden Estates with the following conditions:

1. You must be in full compliance with the Town Engineer's letter to the Chili Planning Board dated March 10, 1987.
2. Clean off site drainage ditches south of King Road as per Kenneth Avery's letter dated November 22, 1985 to the Chili Planning Board, Rodney Prosser's letter dated April 2, 1986 to the Chili Planning Board, your letter dated December 2, 1985 to the Chili Planning Board. All of the above, in accordance with the Chili Town Boards resolution dated June 18, 1986.
3. Minimum front setbacks shall be 50 feet to conform with Section "E" of the Springbrook Subdivision.
4. You must enter into a hold harmless agreement with the Churchville-Chili School District to provide school bus access to the project prior to final road dedication.
5. You must petition the Chili Town Board for formation of a drainage district. It is our recommendation that the drainage district for the entire project be formed at this time rather than section by section.
6. Final Plats must be in full compliance with Chapter 96, Article III, Section 25 of the Chili Town Code.
7. Subject to approval of the Town Engineer.

The vote carried by a vote of 5 to 1 with Mitch Rakus casting a no vote.

Don Faso closed the meeting at 9:30 P.M.

Don Faso
Chairman

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CHILI PLANNING BOARD
March 17, 1987

The meeting of the Planning Board of the Town of Chili was held in the Paul Road School Cafeteria, 571 Paul Road, Rochester, New York 14624 on March 17, 1987 at 7:00 P.M. The meeting was called to order by Chairperson Don Faso.

PRESENT: William Deans, John Nowicki, John Cross, Mitchell Rakus, Raymond Bleier, and Chairperson Don Faso.

ALSO PRESENT: Bob Connolly, Building Inspector; Tom Guerin, Town Engineer; Cherie Bevona, Conservation Board; Marcia Havens, Deputy Town Attorney.

Chairperson Don Faso declared this to be a legally constituted meeting of the Chili Planning Board. He further stated that notice of the meeting had been advertised in the Gates-Chili News, as well as posted on the Town Clerk's bulletin board.

This is a draft only, and is being filed to comply with Section 106 of the Public Officers Law (Open Meeting Law). These minutes have not been approved by the Chili Planning Board and, therefore, are subject to change.

INFORMAL:

1. Application of Toper Construction, 1350 Buffalo Road, Rochester, New York 14624 for approval of revised grading plan for lots R-87B and R-87C of the Chi-Mar Resubdivision at property located at 5 & 7 Sesqui Drive in R-1-20 zone.

Tony Perrotta, President of Toper Construction, was present to represent the application.

Don Faso read the Town Engineer's comments and recommendations as follows:

- 1) Toper Construction -
 - a) The drainage course from the property is through a slight swale on the adjacent Roberts property and a privately owned 3" pipe to the Berna Lane street drainage system.
 - b) Prior to construction, a natural ponding area existed on Lot R-87B, which would have decreased in size, but remained under the initial development plan. This area is within the 570 contour shown, and provided some storage for runoff before reaching the 3" pipe.
 - c) The revised grading plan eliminates the storage area completely, with the end result that runoff will be able to be detained only within the confines of the swale. Since the 3" pipe cannot handle a large amount of flow quickly, flooding of the swale can be expected.
 - d) A natural spring is reputed to be on the property.

We would recommend that the developer:

- a) Locate the reputed existing spring in order to ensure its drainage away from the homes.
- b) Grade the lots so that some runoff storage is provided before it enters the swale, but so that it will drain completely, or, preferably
- c) Provide a catch-basin at the lot line and a larger pipe connection to the Berna Lane system.

When we visited the site, we noticed that the grading has been partially completed according to the revised plan. There has been no erosion protection installed, and the off-property swale has

Gates-NEWS-Chili

1635 BROOKS AVENUE, SUITE 2, WEST BLDG. ● ROCHESTER, NEW YORK 14624

Date. *3-11-87*.....

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

GATES-CHILI NEWS

Issue Dated. *3-11-87*.....

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y., Monroe Co.
My Commission Expires April 30, 19 *89*

Patricia M. Smith
Patricia M. Smith
Publisher

Planning Book 3/1987

Legal Notices

LEGAL NOTICE

CHILI PLANNING BOARD

Pursuant to Section 271 of Town Law, a public meeting will be held by the Chili Planning Board at the Paul Road Elementary School, 571 Paul Road, Rochester, New York 14624, on March 17, 1987 at 7:00 p.m. to hear and con-

sider the following informal applications:

INFORMAL:

1. Application of Toper Construction, 1350 Buffalo Road, Rochester, New York 14624 for approval of revised grading plan for lots R-87 B and R-87 C of the Chi-Mar Re-subdivision at property located

at 5 & 7 Sesqui Drive in R-1-20 zone.

2. Application of VIP Architectural Associates, 75 College Avenue, Rochester, New York 14607 for final site plan approval to erect a 210' x 100' manufacturing warehouse and 47' x 114' office at property located at 21 Jet View Drive in L.I. zone.

OLD BUSINESS

1. Application of Forest Creek Equity Corp., 80 W. Main Street, Rochester, New York 14614 for preliminary subdivision approval of 226 lots

under Section 281 of Town Law to be known as "Wellington" at property located at 845 Marshall Road in R-1-15 zone.

2. Application of Westland Developers, 58 Hutchings Road, Rochester, New York 14624 for final subdivision approval of 19 lots to be known as Whispering Winds Section 1 and final subdivision approval of 2 lots to be known as Whispering Winds Section 1A at property located at 3930 Chili Avenue in R-1-20 zone.

J. Donald Faso, Chairman
Chili Planning Board

Gates-NEWS-Chili

1635 BROOKS AVENUE, SUITE 2, WEST BLDG. ● ROCHESTER, NEW YORK 14624

Date... 3-4-87

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

GATES-CHILI NEWS

Issue Dated... 3-4-87

Geraldine C. Snyder
.....
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 1987

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

Planning Book 3/17/87

**LEGAL NOTICE
PUBLIC NOTICE**

The regularly scheduled meeting of the Chili Planning Board has been changed to Tuesday, March 17, 1987, at 7:00 p.m. at the Paul Road School Cafetorium, 571 Paul Road, Rochester, New York 14624.

**J. Donald Faso,
Chairman
Chili Planning Board**

begun to silt in. Since continued erosion will be detrimental to the limited capacity of the existing 3" pipe, erosion control measures should be taken immediately, by the developer.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Mr. Frank Roberts - 13 Berna Lane. Mr. Roberts commented that he was the owner of the property located on the drainage course. He expressed concern over the fact that there wasn't any run-off. He explained that due to the drainage problem, he had installed a pipe to collect the run-off. He felt that with the construction of the new homes, the slope had created a pond consisting of mud and water on his property. He said that he had a conversation with a Town Engineer and that he was told that the pipe on his property cannot handle the drainage and that a larger pipe at the lot line was needed.

Don Faso asked Mr. Perrotta if he was going to be grading both lots at once and Mr. Perrotta said that he was going to. Mr. Perrotta further elaborated that he was willing to grade lower behind the house to handle this problem.

William Deans asked where the drainage pipe was on Mr. Robert's property. Mr. Roberts said that it was located at the shed. Don Don Faso asked if the pipe ran on the side lot and Mr. Roberts said that it did on the property located to the right of his. Don Faso said that the system was clogged.

William Deans asked Mr. Roberts if he had put the pipe in and Mr. Roberts said that he had.

Ray Bleier asked Mr. Perrotta if he was aware of the Town Engineer's recommendations and Mr. Perrotta said that he wasn't but that he would be willing to make a retention pond and clean out the water that was there.

Don Faso asked Mr. Roberts if there was an easement on the side lot line and Mr. Roberts said that there wasn't.

Don Faso asked Mr. Roberts if the pipe had a catch basin. Mr. Roberts explained that it had a slit to keep leaves and dirt out and that there was a cover on top of the pipe.

Don Faso asked Mr. Roberts if he would be willing to grant permission for a temporary easement to clean the swale out. Mr. Roberts said that he didn't want water all over the yard and that he would like a catch basin.

Don Faso asked what the length of the side lot was and Mr. Roberts said that it was approximately 125'.

Don Faso asked Tom Guerin if other than a catch basin was there any alternative to avoiding runoff on the Roberts property. Tom said that there wasn't. Don then asked Tom what the estimated cost would be to create a pipe catch basin. Tom said that it would cost a minimum of \$2000 and that the shed would create a problem.

Don Faso commented on the fact that the original application did not call for proper grading. Tom Guerin said that if the grading was proper, there would not be a problem. He said that as the water moves it picks up speed which creates the drainage problem. Marcia Havens said that in seeking reapproval, the Board should not let the situation continue.

Tom Guerin said that he would like to see an easement with Town maintenance. Don Faso asked Mr. Roberts if he agreed and Mr. Roberts said "yes".

Ray Bleier asked if the easement was the solution, what size would the pipe be. Tom Guerin said that it should be 8" to handle the problem.

Don Faso asked if Mr. Roberts was willing to grant permission to the Town to install a 10' easement taking into consideration the fact that he would not be able to have the shed at its present location. Mr. Roberts said that this was okay with him. Don said that the Town would draw up the easement. Marcia Havens and Tom Guerin said that they would do this.

Mr. Perrotta asked if he would have to install the pipe and Don Faso said that he would. Mr. Perrotta said that he would like to first try and clean the ditch to increase pipe capacity to Mr. Roberts satisfaction. Don Faso asked what size pipe and Mr. Perrotta said "8" for a length of 10'".

Cherie Bevona said that the Conservation Board determined there to be no apparent significant adverse environmental impact.

Don Faso reprimanded Mr. Perrotta for charging the final approved plans without Planning Board approval.

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. Must install a catch basin and storm pipe from the rear of the subject parcel to Berna Lane. Location and size to be determined by the Town Engineer.
 2. Subject to Mr. Roberts at 13 Berna Lane granting a 10' wide permanent drainage easement to the Town of Chili.
 3. Subject to approval of the Town Engineer.
2. Application of VIP Architectural Associates, 75 College Avenue, Rochester, New York 14607 for final site plan approval to erect a 210' x 100 manufacturing warehouse and 47' x 114' office at property located at 21 Jet View Drive in LI zone.

Mr. Mike Virgil and Mr. Steven Hess were present to represent the application.

Mr. Virgil said that he had one revision to make on the drawing that was submitted to the Board. He said that they have removed the roof pipe draining and improved it to result in an improvement to the project. He said that this was an addendum to the report previously submitted. The piping to be installed will be changed to PBC.

Mr. Virgil said that he was requesting final site plan approval pending the Town Engineer's review. He distributed drawings to the Board.

Mr. Virgil explained that storm pipes and gutters that tie into the roof drainage to the road had been added. He said that they would be securing a permit with the Highway Commissioner. He also said that the storm line is relabeled to have PVC piping rather than corrugated metal piping.

Mr. Virgil said that he spoke with the Conservation Board regarding their comments and recommendations. The Board of Conservation's comments were as follows:

The Conservation Board recommends that the staggered row of white spruce trees bordering the west property line should be allowed to grow and left in their natural state in order that an adequate screening will always be maintained. In other words, the branches closest to the ground should never be cut off.

The Conservation Board was very pleased with the thoroughness and detail of the landscaping plans, and wishes to commend the applicants for their efforts.

Mr. Virgil said that the recommendations have been followed by the landscape developer. Mr. Hess said that the landscape screening has been kept low for safety.

Mr. Hess stated that the storage pallets would not exceed 8'. He said the drainage calculations were revised and that the comments from the Monroe County Planning Commission were addressed. He explained that there were no contaminants and that a dust collection system would be installed in the future.

Mr. Virgil said that the Water Authority annually reviews the project and that they have had a high degree of success in the past.

Per a phone conversation with the Water Authority, Mr. Virgil was told that everything sounded okay.

Mr. Virgil said that the floor drains would be connected to the sanitary sewer.

Don Faso complimented Mr. Virgil and Mr. Hess on the thoroughness of the application.

Don Faso said that he had received a letter from Mr. Hess regarding the parking problem in that area. Ray Bleier added that he felt the Fire Marshal should also address the parking issue for safety reasons.

William Deans expressed concern over the employees parking. He said that he wanted the parking to be increased as new employees were added. Mr. Hess agreed and said that parking would be increased as needed.

DECISION: Unanimously approved by a vote of 6 with the following condition:
1. Pending approval of the Town Engineer.

OLD BUSINESS:

1. Application of Forest Creek Equity Corp., 80 W. Main Street, Rochester, New York 14614 for preliminary subdivision approval of 226 lots under Section 281 of Town Law to be known as "Wellington" at property located at 845 Marshall Road in R-1-15 zone.

Mr. Bernie Iacovangelo, Mr. James Perna, and Mr. James Valerio were present to represent the application. Mr. Don Avery; Project Engineer, and Mr. Stephen Buechner; Landscape Architect were also present. Drawings were submitted to the Board.

Mr. Bernie Iacovangelo stated that it was his understanding that this section at Marshall and Paul Roads qualified for SEQR requirements. John Nowicki asked if Don Faso had received anything back from SEQR and Don Faso said "no".

Don Faso read the Town Engineer's comments as follows:

3) Forest Creek Equity Corporation -

- a) We have still not received any drainage calculations or information regarding pipe sizes, retention pond sizes and detention capacities.
- b) On the question of lot widths being less than the required 70', we have identified more than 10% of the lots which would be less than 70' at the setback.
- c) We have just received the traffic study, and have not been able to sufficiently review it. However, we would like to note the following:
 - i) A study on Saturday, Jan. 31, 1987, would not reflect the normal peak traffic flows.
 - ii) The more commonly used annual growth factor is 1.5%.
 - iii) The 1984 ADT plus the annual 1% growth would not address the concentrated growth in the area, such as Clay Hill, Pines at Wildwood, & Prides Crossing.
 - iv) No intersections are signalized. (Table 1, Page 7)
 - v) Marshall Road & Chili Avenue is not a "T" intersection.
 - vi) There are no LOS computations included.

Mr. Avery said that he needed direction on the rules of pond sizes. Don Faso said that this project would require a greater capacity of retention.

John Nowicki asked if Mr. Avery had had any conversation with Tom Guerin and Mr. Avery said "no". John Nowicki expressed concern over the lack of dialogue between Mr. Avery and the Town Engineer.

Mr. Iacovangelo said that they were following the general requirements but that the Town should be sending comments for attention as in the past. He said comments should be received prior to the Board meeting. John Nowicki said that this was the second time this had happened and that comments have to go out. John Cross stated that this was not fair to both the Board and the developers. Don Faso discussed the implementation of a checklist. He said that the Engineer would sign off on the checklist prior to the scheduling of the application.

William Deans said that he would like to see the outline on the drainage plan work before giving preliminary approval.

Mr. Iacovangelo stated that he felt there was ambiguity in the process and that it was difficult to lay down plans prior to the preliminary approval application.

John Nowicki expressed concern over the lack of communication.

Mr. Iacovangelo said that they would work with the Town Engineer to satisfy the conditions needing attention. Don Faso said that the burden is not always on the Town Engineer to communicate outstanding issues as the traffic report was also needed. Mr. Avery said that he had delivered the traffic report to the Town Hall on Monday.

Don Faso stated that since the traffic study was conducted on a Saturday that it was useless. He said that he had written to Bausch and Lomb and found the following:

1100 employees	
A shift -- 7:00 - 3:30	850-900 employees
B shift -- 3:30 - 12:00	150 employees
C shift -- 11:30 - 7:30	15-20 employees

He felt that the Bausch and Lomb traffic should be taken into consideration. Mr. Iacovangelo agreed that it was inadequate.

Don Faso mentioned that more than 10% of the lots had less than 70' setback. The lots in question were: 256, 249-254, 82, 176-180, 182, 176-180, 158, 161, 162, 143-149, 294-297.

Mr. Iacovangelo said that he would need to check the calculations before commenting. He also said that he would like the traffic study to be verified.

Don Faso addressed the issue of Toni Terrace property. He said that from a letter dated July 1978 that this property belongs to the Town of Chili according to Town Law.

Don Faso read the letter from the Recreation Commission. They said that the project did not provide enough open space for Town use.

Cherie Bevona read the Conservation Board's comments as follows:

Based on its review of this long version, the Chili Conservation Board finds that this project will have a significant impact on the environment, for the following reasons. It recommends that these factors be mitigated, before the Chili Planning Board grants preliminary approval for the project.

1. We feel that problems may be created by the use of the walkway system by snowmobiles and all-terrain-vehicles. How will such problems be prevented?
2. Page 2, #14: The applicant states "No streams on the site". Our stream map indicates that two Class D

streams lie within the proposed development, and another Class stream lies on the west border of the project area, in an existing subdivision. What are the applicant's plans for these streams?

3. Page 2, #b, l, g: This question is unanswered: "Maximum vehicular trips generated per hour _____ (upon completion of project)"
4. Page 6, #4: This question ("Will project affect any non-protected existing or new body of water?") should be answered "yes," because of the three streams mentioned in #2 above.
5. Page 7, #6: This question ("Will project alter drainage flow, patterns or surface water?") should be answered "yes."
6. Page 7, 19: This question ("Will project substantially affect non-threatened or endangered species?") should be answered "yes," because it will substantially interfere with the resident wildlife species in the area.
7. Page 8, #10: This question ("Will the project affect views, vistas or the visual character of the neighborhood or community?") should be answered "yes," because the residents surrounding the project area have for many years been used to seeing natural environmental areas and wildlife, which will be replaced with views of houses.
8. Page 8, #12: This question ("Will the project affect the quantity or quality of existing or future open spaces or recreational opportunities?") should be answered "yes," because this has been an open space for years, and once developed, will be lost to possible future use as a recreational area.
9. Page 10, #18: This question ("Is there public controversy concerning the project?") should be answered "yes," because of objections stated by neighboring residents at the February 10, 1987 Planning Board Hearing.

QUESTIONS:

10. Page 3, #5: The applicant states that there will be "Re-vegetation after construction." What is meant by revegetation? Where? What kinds of plant materials will be used?
11. Will there be a traffic light at the Paul Road exit (because of the traffic from Bausch & Lomb)?
12. How high will the berm be?
13. Will the walkways be lighted?

RECOMMENDATIONS:

14. We recommend that a Homeowners' Association be created to maintain the open spaces, the walkway system, and the ponds.
15. We recommend that sufficient topsoil (4" to 6") be left or placed on each lot after the house is constructed.
16. We would like to coordinate with the applicant regarding landscaping of all open areas, including the walkways, the berm, and the pond areas.

COMMENTS FROM THE APPLICANTS ON THE ABOVE STATED QUESTIONS:

1. Mr. Buechner said the Homeowners Association has requirements. Posts would be installed to handle this problem as it would eliminate the width for a snowmobile.

2. Mr. Avery explained that via the map, there would be tow detention ponds controlling the flow.
3. Mr. Avery stated "114".
4. Mr. Iacovangelo said that only one type on property and that is dry ditch. He said that no bodies of water would be affected.
5. Mr. Iacovangelo explained that there would be a south drainage flow and that it would continue in the same direction.
6. Mr. Iacovangelo said that it would not substantially affect the wildlife.
7. Mr. Buechner explained that trees and open areas surrounding the houses would exist.
8. Mr. Buechner said that the open spaces would be preserved.
9. Mr. Iacovangelo said they went with single homes as the public wanted.
10. Mr. Buechner explained that they would be removing enough of the woods to put homes in and that there would be additional trees for winter relief.
11. Mr. Iacovangelo said that they were not intending to install a light.
12. Mr. Buechner said that the berm will be 5-6' high and that it will be contoured on a 3 on 1 slope for maintenance and to create a noise buffer.
13. Mr. Buechner said that the walkways will not be lighted as they will be used during the day.

Mr. Iacovangelo said that they would abide by an recommendations.

John Cross expressed concern over the fact that the traffic study was not conducted on an all day basis.

Mr. Iacovangelo said that they would get another one done.

William Deans expressed concern over the drainage on the Steimers' property. He said that he would like to see contact initiated. Mr. Iacovangelo said that he needed to finalize the issue with them.

QUESTIONS OR COMMENTS FROM THE AUDIENCE:

Mr. Palmer -
He expressed concern over the child safety issue.

Marcia Zavacki - 11 Adela Circle
She expressed concern over the drainage problem. She said that half of the circle was provided drainage pipes by the Town and the other half wasn't.
Don Faso said that they should discuss this at the Town Board meeting.

Beverly Griebel - 31 Red Bud Road
She expressed concern over the drainage. Mr. Avery explained the drainage course via the map. He said that he would get with the Town Engineer to solve the problem.

Doug Olvach - 14 Pinewood Knoll
He questioned the Board on the ways the Town benefits with a Section 281 code. Don Faso explained the code and its benefits.

John Giffen - 32 Sunderland Trail
He said that he would like to compliment the developers on the plan.

Bob Stein - 5 Minute Man Trail
He asked about the population density for children in the school. Don Faso said that they were not allowed anymore desity than 228 homes.

PRE-DISCUSSION DECISION:

William Deans felt concerned about the amont of questions unanswered. He said that he would like to hear the answers.

Ray Bleier said that he felt the Board would loose control if the application was approved with conditions. He said that he would like these issues more firmly addressed.

DECISION: Unanimously approved to table the application for one month.

2. Application of Westland Developers, 58 Hutchings Road, Rochester, New York 14624 for final subdivision approval of 19 lots to be known as Whispering Winds Section 1 and final subdivision approval of 2 lots to be known as Whispering Winds Section 1A at property located at 3930 Chili Avenue in R-1-20 zone.

Don Faso read the Town Engineer's comments as follows:

Section 1-A:

- 1) Provision for emergency sanitary storage for Lot A, if recommended by the Health Department. Either a power outage or pump failure would result in a loss of any means for sanitary waste disposal. The small, enclosed pump chamber would quickly fill, and the home would be without sanitary drainage.

Section 1:

- 1) 7' diameter manholes should be pre-cast specifically for the pipe-arch, with shop drawings submitted for approval.
- 2) The 58" x 36" smooth-lined CMP pipe-arch should be supplied with 3" x 1" corrugations, in 12-gauge, except that the pipe under the roadway should be 10-gauge.
- 3) If the stronger pipe is unavailable, the road crossing should have a 6", mesh-reinforced, concrete cap spanning the pipe trench.
- 4) The final proportional weir design should be submitted for approval.
- 5) The Developer's agreement to clean the downstream drainage course should be limited to the 1987 construction season, and should be conditional on the Soil Conservation Service's obtaining temporary easements from the landowners.

Mr. Tom Fraser was present to represent the application.

John Nowicki asked that a letter be generated by the Town Engineer stating that the application had been worked on and that they had complied with it. Don Faso said that Tom Guerin is supplying letters to the Board on approval.

Cherie Bevona said that the Conservation Board had determined that the application had no apparent significant adverse environmental impact.

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. Subject to the conditions set forth in the Town Engineer's letter.
2. Pending approval of the Town Engineer.

Perna Homes - Chestnut Development

The Chili Planning Board, under Section 96-7 of Town Code, hereby grants the following setbacks for the above captioned development:

1. 30' front setback
2. 35' rear setback
3. 5' side setback
4. 40' front setback on any major affected highway or flag lot

Please note that no two side setbacks of 5' shall abut one another.

These setbacks have been granted in order to offer the developer greater flexibility with his layout in keeping with the intent of Chili's P.R.D. zoning.

DECISION: Unanimously approved by a vote of 6.

The February Planning Board Minutes of the Town of Chili were approved.

Don Faso
Chairman

CHILI PLANNING BOARD
April 14, 1987

The meeting of the Town of Chili Planning Board was held in the Administrative Office, 3235 Chili Avenue, Rochester, New York 14624 on April 14, 1987 at 7:00 P.M. The meeting was called to order by Chairperson Don Faso.

PRESENT: William Deans, John Nowicki, John Cross, Mitchell Rakus, Raymond Bleier, and Chairperson Don Faso.

ALSO PRESENT: Bob Connolly, Building Inspector; Tom Guerin, Town Engineer; Cherie Bevona, Conservation Board; Marcia Havens, Town Attorney.

Chairperson Don Faso declared this to be a legally constituted meeting of the Chili Planning Board. He further stated that notice of the meeting had been advertised in the Gates-Chili News, as well as posted on the Town Clerk's bulletin board. He also reads the fire exit notice.

This is a draft only, and is being filed to comply with Section 106 of the Public Officers Law. These minutes have not been approved by the Chili Planning Board and, therefore, are subject to change.

APPLICATIONS:

1. Application of Edward Wurtz, Atty.; 154 S. Fitzhugh Street, Rochester, New York 14608, property owner: M/M C. Amesbury; for preliminary subdivision approval of 3 lots with a simple alteration of lot lines at properties located at 2989, 2995 & 2999 Chili Avenue in R-1-15 zone.

Mr. Wurtz, attorney for the Amesbury family, was present to represent the application. He submitted revised copies of the proposed lots to the Board. He explained that the proposed lots would be as follows:

- Lot A - 2999 Chili Ave. - Mr. & Mrs. Curtis Amesbury
- Lot B - 2995 Chili Ave. - son & daughter-in-law
- Lot C - 2989 Chili Ave. - daughter & son-in-law

He said that the lots would be eventually deeded to the children. He explained that there would be a driveway between the lots and that the new lot line would run into the driveway. He said that the driveway would be shared by the family. Mr. Wurtz also noted that there was no intention on the property leaving the family.

Don Faso asked where the easements were and Mr. Wurtz said that he was not sure but that they were probably along Chili Avenue thru Archer Acres and Bright Oaks.

Mr. Wurtz said that there would be an agreement drawn up between the families regarding the easement and driveway.

John Nowicki said that he preferred that the carport between the lots not be altered in case of a transfer of property in the future.

Don Faso read the County Comments which offered the following recommendations:

1. According to the staff in the Chili Building Department, the driveway for parcel A has access to Archer Road, and parcels B and C will continue to have one shared driveway with access to Chili Avenue. This arrangement is consistent with the New York State Department of Transportation's interest in permitting only a single access onto Chili Avenue.
2. Since the applicant is requesting a change in lot lines for Parcels B and C, the Planning Board may wish to suggest that the property line be moved slightly to the east in order for the carport on Parcel B to be completely contained on that parcel. While it may not be possible to change the lot line to include the required minimum side yard setback, at least all structures belonging to the owners of Parcel B should not encroach on adjoining property.

Gates-NEWS-Chili

1635 BROOKS AVENUE, SUITE 2, WEST BLDG. ● ROCHESTER, NEW YORK 14624

Date. *4-8-87*.....

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

GATES-CHILI NEWS

Issue Dated. *4-8-87*.....

Geraldine C. Snyder

Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y., Monroe Co.
My Commission Expires April 30, 19*89*

Patricia M. Smith

Patricia M. Smith
Publisher

LEGAL NOTICE

CHILI PLANNING BOARD

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili Town Offices, 3225 Chili Avenue, Rochester, New York 14624 on April 14, 1987 at 7:00 p.m. to hear and consider the following applications:

1. Application of Edward Wurtz, Atty.; 154 S. Fitzhugh Street, Rochester, New York 14608, property owner: M/M C. Amesbury; for preliminary subdivision approval of 3 lots with a simple alteration of lot lines at properties located at 2989, 2995, & 2999 Chili Avenue in R-1-15 zone.

2. Application of VIP Architectural Associates, 75 College Avenue, Rochester, New York 14609, property owner: S. Hess; for preliminary subdivision approval of one lot to be 2.94 acres and to be known as Hess Subdivision at property located at 21 Jet View Drive in L.I. zone.

3. Application of Millard Lakes Metal Service Center, P.O. Box 0, 116 Lundquist Drive, Braintree, Mass. 02184, property owner: J. Millard; for final site plan to erect a 21,875 sq. ft. warehouse and 3,000 sq. ft. office building at

property located at 27 Jet View Drive in L.I. zone.

4. Application of Edwin Rague, owner; 3390 Chili Avenue, Rochester, New York 14624 for rezoning of approximately .50 acres from R-1-20 (residential) to GB (general business) at property located at 3388 Chili Avenue.

5. Application of Carol Warney, 40 Red Leaf Drive, Rochester, New York 14624, property owner: A. Perrotta; for conditional use permit to erect an in-law apartment at property located at 5 Glenlivet drive in R-1-15 zone.

6. Application of Frank Battaglia, 123 Brooklea Drive, Rochester, New York 14624, property owner: A. Battaglia; for preliminary site plan approval to erect two single family dwellings at properties located at 35 & 37 Greyson Road in RA-20 & FPO zone.

7. Application of Rudolf Kaiser, owner; 3526 Chili Avenue, Rochester, New York 14624 for preliminary subdivision approval of 11 lots to be known as Kaiser Subdivision at property located at 3526 Chili Avenue in R-1-20 zone.

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

**J. Donald Faso, Chairman
Chili Planning Board**

Ray Bleier said that he objected to moving the lot line over.

Mr. Wurtz said that moving the lot line would change the side setback and that he would prefer drawing up the agreement instead.

Bob Connolly said that if the lot line changes, variances would be needed.

John Nowicki asked Marcia Havens if the agreement would act as an encumbrance on the property and Marcia said that it wouldn't and that it was commonly done.

Cherie Bevona said that the Conservation Board had determined this to have no significant impact on the environment.

Tom Guerin said that he agreed with the square footage and the surveyor.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Jim Rurk -

He asked why the lot lines needed to be moved and Mr. Wurtz explained that they were not straight and that this would even up the lots.

PRE-DECISION DISCUSSED:

Don Faso commented on the drainage district extension for subdivisions of 2 or more.

DECISION: Unanimously approved by a vote of 5 with the following conditions:

1. A reciprocal access easement for the common driveway shall be created and a note to that fact shall appear on the final plan.
2. An access easement for the carport on parcel "B" shall be created and a note to that effect shall appear on the final plans.
3. All existing utility easements shall be shown on the final plans.
4. You shall petition the Chili Town Board for an extension to the Bright Oaks Drainage District.
5. Pending approval of the Town Engineer.

Please note that final subdivision approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

2. Application of VIP Architectural Associates, 75 College Avenue, Rochester, New York 14609, property owner: S. Hess; for preliminary subdivision approval of one lot to be 2.94 acres and to be known as Hess Subdivision at property located at 21 Jet View Drive in L.I. zone.

Mr. Mike Virgil and Mr. Steven Hess were present to represent the application. He explained that the parcel was purchased last year and that they would like to build. He also requested that final approval be waived.

Don Faso read the County Comments which approved the application insofar as airport considerations were concerned.

Cherie Bevona said that the Conservation Board determined this application to have no significant impact on the environment.

Tom Guerin said that the acreage would change due to the 30' revision.

QUESTIONS OR COMMENTS FROM THE AUDIENCE:

Barb Kelly - 308 Paul Road

She asked why she was not notified as she is a neighbor. Don Faso explained that it was because she is not within 500' from the subject parcel.

She then asked what was being done. Mr. Virgil explained that light manufacturing would be done in the building and that it would be an asset to the community. Ms. Kelly asked about the hours of operation and Mr. Hess said that there would be no truck traffic, no noise, and no fumes.

Ms. Kelly asked if there would be a buffer between the properties and Mr. Virgil explained that there would be trees.

Dave Kelly - 308 Paul Road

He was concerned about the growth of Rotourk. He felt that they were growing unnoticed and that this growth was detracting from the beauty.

Mr. Virgil explained that there would be a fenced in area for the dumpster and the palletts.

Ms. Kelly asked for a buffer zone to be established and Don Faso said that she should come in and talk to Bob Connolly.

Mr. Steven Hess asked if Rotourk had responded to the parking issue and Don Faso said that he would take a personal visit to check on this.

Ray Bleier said that he was there on April 9th at 1:40 PM and that there were 12-14 cars parked around the bend. He said that there was room for cars to park in the parking lot.

DECISION: Unanimously approved by a vote of 6 with the following condition:

1. Pending approval of the Town Engineer.

Please note that final subdivision approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

3. Application of Millard Lakes Metal Service Center, P.O. Box 0, 116 Lundquist Drive, Braintree, Mass. 02184, property owner: J. Millard; for final site plan to erect a 23,975 sq. ft. warehouse and 3,168 sq. ft. office building at property located at 27 Jet View Drive in L.I. zone.

Mr. Rick Mitchell was present to represent the application. He explained that there were a few minor changes to the site plan. He said that the driveway and the curve entrance has been widened. He said that there were also a few minor changes to the building. The warehouse is 23,975 sq. ft. and the office 3,168 sq. ft.

Cherie Bevona said that she would like to commend the excellent landscaping. She asked if the landscaping was in the front or on top of the berm. Mr. Mitchell said that he wasn't sure but that there was 4-5' of berm. Cherie then said that the Conservation Board recommended 2 tall evergreens to be added to the landscaping.

Tom Guerin asked if the south door truck entrance on the preliminary site plan was still existing and Mr. Mitchell said that the entrance was not going to be used for shipping or receiving.

Tom Guerin then asked about the oil separator and if the floor drain in the dock area was connected to the sanitary sewer. Mr. Mitchell said that that had been done.

Tom Guerin then asked about the parking spaces and Mr. Mitchell said that the parking could be extended but that there were only 12 employees. He said that 20 spaces were being provided.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Dave Kelly - 308 Paul Road

He asked what the nature of the business was and Mr. Ted Hibben of Millard Lakes Metal explained that it was metal distribution.

Ms. Kelly asked if the hours of operation would be 9-5 and Mr. Hibben said "yes".

Ms. Kelly asked about the parking. Don Faso said that there would be a stipulation on the variance which would say that the number of parking spaces would have to increase as the number of employees increase.

Martin Wehle -

He asked about the drainage. Tom Guerin said that the drainage went to the east towards Beahan Road.

Marcia Havens asked about the parking. She asked if land was reserved for parking for future use.

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. A material inventory list shall be provided to the Town Fire Marshal for review.
2. Pending approval of the Town Engineer.

Under Article VI, Section 115-33, (C-11), the Chili Planning Board hereby grants a variance to allow 12 parking spaces (20 req.) because the applicant has demonstrated to this board satisfaction that his needs are less than that which is required, provided that adequate space is reserved and shown on the plans for future or full development.

4. Application of Edwin Rague, owner; 3390 Chili Avenue, Rochester, New York 14624 for rezoning of approximately .50 acres from R-1-20 (residential) to GB (general business) at property located at 3388 Chili Avenue.

Mr. Don Avery, Engineer, was present to represent the application. He said that Mr. Rague wished to put in a 10' by 20' storage room extension. He explained the layout of the storage area via the map.

Don Faso read the County Comments which offered the following comments:

1. The parcel which is the subject of this application is indicated by a solid red color on the attached portion of the Chili Zoning Map, and the remainder of the applicant's holding is indicated by a red outline around the perimeter of his property. The 0.5 acre parcel contains the Chili Animal Care clinic as a pre-existing non-conforming use. When the applicant wished to have a small ten foot by twenty foot addition to the existing clinic, he was told that he would need a variance to expand a pre-existing non-conforming use. The other choice was to apply for a rezoning. The attached map indicates the extent of the R-1-20 Residential District within which this parcel is located. While a GB General Business District exists on the southern side of Chili Avenue and another one at some distance to the east of this parcel, the introduction of a General Business at this location could have a substantial impact on the residential character of the existing R-1-20 Residential District.
2. Generally, rezonings should be of benefit to the community as a whole as opposed to primarily benefiting the property owner. In this case, it seems to be the latter. However, both the applicant and the town could achieve their objectives -- the applicant could have the proposed building addition and the town could maintain tighter control over the character of this residential area -- if a variance rather than a rezoning were sought for the addition.
3. The site statistics cited on the map give the impression that the parcel which is the subject of this application (tax account #145.040-01-012.200) is 9.8 acres in size when it is actually 0.5 acres in size. The adjoining parcel to the

west and north, (tax account #145.040-01-012.100) also owned by this applicant, is 9.8 acres in size. Also, it's not clear what parcel is referred to by the "lot area" statistic of 1.52 acres.

Don Faso read a letter from Mr. Rague addressed to the Dept. of Planning. In this letter, Mr. Rague expressed his concern over the present zone on his property. He felt that he had been misled by the Town of Chili and that the property should be rezoned commercial.

Marcia Havens explained the different types of zoning and rezoning according to the Town of Chili code.

Ray Bleier felt that the zoning should be reviewed and changed if necessary.

John Nowicki felt that the responsibility should go to the Town Board as far as zoning issues were concerned. He felt that the Planning Board would be acting to stimulate commercial growth in a rural area zone.

Cherie Bevona said that the Conservation Board determined this application to have no significant impact on the environment.

Tom Guerin had no comments.

Ray Bleier asked Marcia Havens if the Planning Board could limit activity on a rezoning condition and Marcia said that the Board could.

DECISION: Approved by a vote of 5 to 1 with the negative vote being cast by John Nowicki. The Planning Board will now recommend rezoning to the Chili Town Board. Mr. Rague must now petition the Chili Town Board for a public hearing to rezone this parcel. John Nowicki said "I feel that there are other avenues that the Board can follow to serve the applicant justice".

5. Application of Carol Warney, 40 Red Leaf Drive, Rochester, New York 14624, property owner: A. Perrotta; for condition use permit to erect an in-law apartment at property located at 5 Glenlivet Drive in R-1-15 zone.

Mr. Roger Warney was present to represent the application.

Don Faso was concerned over the large size of the proposed in-law apartment. He felt that as constructed, it would be a 2 family dwelling. Don Faso reads the conditions for an in-law apartment.

John Nowicki felt that the size of the kitchen was large.

Don Faso asked what the cost of this apartment would be and Mr. Warney said that it would be \$35,000.

John Cross expressed concern over the large size and felt that this could be scaled down.

Marcia Havens said that family living could not be prevented but that building of a second dwelling on the lot could be prevented.

Ray Bleier asked about the house on Lot 13 and what the square footage was. Mr. Warney said that Lot 12 was 1900 and 2450 with the in-law apartment.

John Nowicki asked if there was a full basement and Mr. Warney said "yes". He said that he liked the idea but the proposed apartment was large.

Don Faso read the County Comments which offered the following comments:

1. Under the current zoning ordinance, there are no provisions for in-law apartments or accessory apartments. Therefore, the only option in the existing ordinance is a conditional use permit for a two family dwelling unit in an R-1-15 Residential District.
2. If the Town Planning Board wishes to explore the range of options which may be available to the town if the town is

interested in amending its zoning ordinance to permit a flexible range of housing options for the elderly, I would suggest the following three sources:

- a. "Housing Options for Older New Yorkers: A Sourcebook" by Patricia Barton Pollak and Laura Z. Malakoff of Cornell Cooperative Extension, January, 1984.
- b. "Housing Options for Older Americans" by Linda Hubbard, Senior Editor, the American Association of Retired Persons, 1984.
- c. "Alternative Housing Arrangements" by Patrick H. Hare for U.S. Department of Housing and Urban Development, Office of Policy Development and Research, October, 1985.

Marcia Havens suggested that a condition be placed to limit the apartment to in-laws only.

Cherie Bevona said that the Conservation Board determined this application to have no significant impact on the environment.

Tom Guerin said that the house should be a certain distance from the drainage easements and that the steps to the door should be eliminated due to the age of the mother.

DECISION: Approved by a vote of 5 to 1 with the negative vote being cast by Mitch Rakus. The application was granted with the following conditions:

1. The conditional use is granted for use by the parents and their children of either owner and shall cease to exist when they cease to use it.
2. The apartment may not be used as a rental unit.
3. A copy of this decision must be filed in the Monroe County Clerk's Office under miscellaneous records and tied to the liber and page of your deed. The cost will be \$15.00 and payable to the Town of Chili.
4. Furnish the Deputy Town Attorney a copy of your deed (both sides).

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be a Type II Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

6. Application of Frank Battaglia, 123 Brooklea Drive, Rochester, New York 14624, property owner: A. Battaglia; for preliminary site plan approval to erect two single family dwellings at properties located at 35 & 37 Greyson Road in RA-20 & FPO zone.

Mr. Chris Centola of Passero Associates was present to represent the application. He explained that he was working on the County Comments.

Don Faso read the County Comments which approved the application insofar as airport considerations are concerned. The DRC had the following comments:

1. Plan approval by the Monroe County Department of Health is not required. However, the following comments must be addressed by the applicant: (A)
 - a) The proposed development may contain or be within 100 feet of the boundary of a freshwater wetland (CI6 as designated on the Municipal Freshwater Wetland Map. A determination must be made to ascertain whether a New York State Environmental Conservation Law Article 24 Permit will be required. For additional information regarding the determination and permit contact: (A)

Permit Administrator
 NYS Dept. of Environmental Conservation
 6274 East Avon-Lima Road
 Avon, New York 14414
 Telephone No. 624-3350

- b) Show on the plans the proposed method of temporary erosion/siltation control to be used during construction until ground cover is re-established. Details of all controls (bank stabilization, diversion ditches, siltation basins, including the outfall structure(s), sedimentation sinks, straw bale dams or barriers, fabric/stone filters, etc.), must be shown on the plans along with appropriate notes indicating who is responsible for maintenance of the controls during construction and for removal of the controls after ground cover is re-established. (A)
- c) The Federal Flood Insurance Rate Map identifies this proposed development as lying within a special flood hazard. Pursuant to the requirements of the National Flood Insurance Program, the boundary of the flood plain and its 100-year base flood elevation must be shown on the plans. All building construction within the flood hazard area must comply with the regulations of the National Flood Insurance Program. Ordinarily this will require that the lowest floor, including basement, be raised to or above the 100-year base flood elevation. When final plans are submitted the applicant must indicate on the plans or submit evidence that the National Flood Insurance Program regulations have been satisfied. (A)
- d) Floor drains, if constructed in the basement or garage shall be connected to the sanitary sewer. NOTE: Floor drains DO NOT include foundation or footer drains installed to intercept uncontaminated ground water. All discharges from the floor drains to the sanitary sewer must comply with the effluent limits to the local and/or the Monroe County Sewer Use Law. (A)
- e) The engineer, architect or land surveyor must calculate whether the size of the proposed water service is sufficient to deliver 15 gallons per minute of water at 20 pounds per square inch of pressure at the inlet side of the proposed water meter. (A)
- f) Easements should be shown for all utilities. The name of the utility or district, etc. to whom the easement is granted should be indicated. (A)

Don Faso asked about the road right-of-way. Marcia Havens wanted to know who owns it and Mr. Centola said the Town of Chili does.

Ray Bleier asked if they were attempting to purchase the right-of-way property and Mr. Centola said "no".

John Nowicki asked if the applicant could file a quick claim on the property. Marcia Havens said that they could try and purchase the property.

Don Faso asked if they were raising the basement to the base flood elevation. Mr. Centola said that the garage was on the same level as the basement on the raised ranch.

John Nowicki asked if flood proofing doors were required and Mr. Centola said that they weren't because they were above the level.

Mitch Rakus said that he was uncomfortable with the floor level due to past floods. He felt that the elevation should be raised.

Bob Connolly said that the base flood elevation had been met.

Tom Guerin said that he didn't have enough information to make comments.

Cherie Bevona said that the Conservation Board had determined this a Class II wetland. She said that the Conservation Board would like a new map showing the buffer.

John Nowicki asked where the fill was coming from and Mr. Centola said that he was getting it from offsite.

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. The wetland buffer shall be shown on the final plan.
2. Show how you intend to handle the storm water runoff.

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3. Check with the Chili Town Board to see if the town would be willing to deed over part of the right-of-way.
4. Footers must be placed down to virgin soil.
5. Pending approval of the Town Engineer.

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

7. Application of Rudolf Kaiser, owner; 3526 Chili Avenue, Rochester, New York 14624 for preliminary subdivision approval of 11 lots to be known as Kaiser Subdivision at property located at 3526 Chili Avenue in R-1-20 zone.

Mr. Lee Sinnebox was present to represent the application. He said that he was requesting that final approval be waived.

Don Faso said that Mr. Kaiser had previously told the Planning Board that he had had no plans to sell off the back parcel of land. Mr. Sinnebox said that the attorney had advised them to sell.

Don Faso said that the property needed 12 lots or else it would be illegal. Mr. Sinnebox said that he would like to identify the parcel as remaining land and have only 11 lots. Don Faso asked if then there would be an option on the remaining parcel and Mr. Sinnebox said "yes".

Don Faso said that he was concerned over the fact that the applicant had parcel 6 months ago. No plans for the remaining.

John Nowicki was concerned because he felt that this was a concept change.

Don Faso recommended that the Board use Section 281. John Cross felt that this would be detrimental to the area. Mr. Sinnebox said that they were not interested in Section 281.

Bill Deans commented on the fact that there was high ground on Chili Avenue and was concerned about seeing reverse frontage.

John Nowicki suggested that Mr. Barbato, the new owner, use Section 281 or some other method.

Mr. Sinnebox said that he felt that this was the best use of the property.

Ray Bleier felt that the reverse frontage on Chili Avenue was a more serious concern.

Mitch Rakus asked if the 8" pipeline on the Sanitary Sewer was adequate and Tom Guerin said that this could carry a tremendous flow.

Cherie Bevona offered the following comments on behalf of the Conservation Board:

1. We would like to see the site plans for the entire project.
2. Are there still plans for a detention pond at the corner of Chili Avenue and Chestnut Ridge Road? The Conservation Board recommends against such a pond, because it is so close to two major roads and because it is across from an elementary school.
3. I noticed a lot of water running through the stream that cuts through the southern portion of the site when I visited the site on April 5. What are the developer's plans for this stream?

Cherie asked if there would be a detention pond and Mr. Sinnebox said that there would be. Cherie asked what plans there were for a stream and Mr. Sinnebox said that nothing had been proposed yet.

Tom Guerin said that he didn't feel that the project fell within the goal of the Town. He said that he was not pleased with the plans for the parcel.

Bob Connolly said that there was only a 60' setback proposed and that 75' was needed or else a variance was necessary.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Mr. Wehle -

He expressed concern over the drainage flow. He said that there is water over Chili Avenue and that he would be willing to grant an easement to clear up this problem.

Steve Hendershott -

He said that his property was adjacent to the Wehle property. He said that he was concerned over the drainage problem. He said that he is in favor of the development but that he was concerned about the water downstream.

Rich Connelly -

He asked about the looks and sounds from Chestnut Ridge Road and Don Faso said that it was pleasing. Mr. Sinnebox said that he would be willing to discuss concept ideas to expedite the process.

A workshop was setup to be held in which Mr. Wehle, Mr. Connelly, and Mr. Hendershott would be welcome to attend.

Don Faso read the County Comments as follows:

Department of Planning Recommendation

We recommend this subdivision proposal be modified to exclude the need for individual driveway access on to Chestnut Ridge Road, a county highway. The present frontage arrangement of the subdivision will reduce the capacity of Chestnut Ridge Road, and as is pointed out in the Development Review Committee's Project Review Report, lots #4,5, and 6 have sight distance restrictions because of the curve on Chestnut Ridge Road. This proposal is part of a larger parcel of land which will develop as a residential subdivision. The applicant should prepare an overall sketch plan for this site which incorporates these 11 lots and a scheme for their access which eliminates the proposed individual access points to Chestnut Ridge Road. The plan should also indicate what the traffic circulation system will be for the balance of the parcel so that the planning board can review the adequacy of it and determine the best locations for access to Chestnut Ridge Road.

1. Show on the plans the proposed method of temporary erosion/siltation control to be used during construction until ground cover is re-established. Details of all controls (bank stabilization, diversion ditches, siltation basins, including the outfall structure(s), sedimentation sinks, straw bale dams or barriers, fabric/stone filters, etc.), must be shown on the plans along with appropriate notes indicating who is responsible for maintenance of the controls during construction and for removal of the controls after ground cover is re-established. (A)
2. The proposed project is NOT considered a realty subdivision pursuant to Article III of the Monroe County Sanitary Code and will require the submission and approval of subdivision plans by the Monroe County Department of Health. (A)
3. Floor drains, if constructed in the project, shall be connected to the sanitary sewer. NOTE: Floor drains DO NOT include foundation or footer drains installed to intercept uncontaminated ground water. All discharges from the floor drains to the sanitary sewer must comply with the effluent limits of the local and/or Monroe County Sewer Use Law. (A)
4. The sight distance for lots #4-6 is restricted. It is recommended by the Monroe County Traffic Engineer's Office that reverse frontage or a frontage road be developed for this site. (B)
5. Twelve inch corrugated metal pipe are required for all driveways. (E)

DECISION: Unanimous decision to table.

The Planning Board will meet with the future developer April 28, 1987 at 7:30 P.M. at the Chili Highway Garage. The Chili Conservation Board and the Chili Drainage Committee will also be invited to attend.

OLD BUSINESS:

1. Application of Forest Creek Equity Corp., 80 W. Main Street, Rochester, New York 14614 for preliminary subdivision of 226 lots under Section 281 of Town Law to be known as "Wellington" at property located at 845 Marshall Road in R-1-15 zone.

Mr. Steven Ferante said that in regards to the Traffic Report, an error had been made and that the figures were based on a Friday's calculation. He said that he had spoke with an individual from Bausch and Lomb about the traffic pattern and that it is an internal problem. He said that the time period studied was not a peak period.

Don Faso asked about the lot size changes and Mr. Don Avery, Engineer, said that they were all 70' or more.

Don Faso asked what setback was being used and Mr. Avery said that there was a minimum setback in front of 30'.

Mr. Buechner said that all lots are in compliance since the last meeting.

Bob Connolly said that he was concerned about Lot 182.

Mr. Bernie Iacovangelo said that all corner lots would need to be looked at and that there was some room to adjust with the larger lots.

John Nowicki asked about the drainage and Mr. Avery said that the drainage report had been turned in. Via the map, Mr. Avery illustrated the drainage flow. He said that he had worked out an arrangement with the Garnham property.

Mr. Avery said that the location of the pond had been moved towards the road because of the trees that had been installed.

John Nowicki asked Mr. Avery to describe the pond and Mr. Avery said that it is similar to Pumpkin Hill.

Mr. Stephen Buechner said that it would be a retention/detention pond.

John Nowicki asked if it would have walk-in and out banks and Mr. Buechner said "yes".

Don Faso asked if the Drainage Committee had reviewed the plans and Tom Guerin said that the plans had been reviewed but not the report.

John Nowicki asked about the piece of Paul Road and Mr. James Valerio said that they had met with the Steimer's and that they were willing to let them come in and clean the ditch. Mr. Avery said that he had walked the site and reviewed the drainage flow. John Nowicki asked if this was an easement now and Mr. Valerio said that it was not but that it was designed as an open ditch to let water flow. John asked if this water would be flowing at an increased rate and Mr. Avery said "no".

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Beverly Friebe - 31 Red Bud Road

She expressed concern over the drainage. Mr. Avery said that he and Tom Guerin would meet with her to discuss her concerns. Ms. Griebel asked who determines the rate of runoff and Don Faso said "Engineering Standards". Don Faso said that the problem should be improved.

John Nowicki asked what the plans were for landscaping and Mr. Buechner said that there is berm and buffers along Marshall and Paul Roads. He said that there are trees along the walkway and streets and that it would be similar to other projects.

Don Faso asked if they would be meeting with the Conservation Board and Mr. Buechner said "yes".

John Nowicki asked if there would be street lights and Mr. Iacovangelo said "yes". Mr. Buechner said that there would be none along the walkway.

Cherie Bevona on behalf of the Conservation Board had the following comments:

1. We would like to see landscaping plans drawn up by a landscape architect for all the open areas or green spaces.
2. We recommend that a screen of evergreen trees be placed next to the eastern lot line of the first house on Paul Road directly west of the project.
3. We would also reiterate our recommendations of March 17: that 4 - 6 inches of topsoil be left or placed on every lot, and that a homeowners' association be formed to maintain the walkways and open spaces.

Cherie Bevona also stated that the Conservation Board would like to see the formal plans. She wanted to know when those would be available. Mr. Buechner said that they would be ready within 90-120 days of approval.

Marcia Havens asked how much less frontage than conventional plans and Mr. Buechner said about 15% less.

John Macendee - 839 Marshall Road
He asked how high the berm would be and Mr. Buechner said about 4-6' high and that they should soak up more water. Mr. Macendee expressed concern over the water in his backyard. Mr. Avery said that the water was being drawn away to the pond and that the seepage at its highest was 1.3'. Don Faso said that at the area closest to this property, no seepage was shown.

Jim Blonsky - 525 Paul Road
He asked if all the houses would have basements and Mr. Iacovangelo said "yes". Mr. Avery said that the grade water flows to the catch basin. Mr. Blonsky asked why this meeting was not listed for public notice and Don Faso said that this was because this was informal old business.

Mr. Iacovangelo discussed the possibility of removing the stub road.

DECISION: Unanimously approved by a vote of 6 with the following comments:

OLD BUSINESS NO. 1

IN THE MATTER OF THE WELLINGTON SUBDIVISION
DECISION

INTRODUCTION

Forest Creek Equity Corporation of 80 West Main Street, Rochester, New York, has made application to the Chili Planning Board for preliminary subdivision approval under Section 281 of the Town Law for 226 lot subdivision to be known as "Wellington" at property located at 845 Marshall Road in R-1-15 Zone. Under Section 96-1 of the Chili Code, the Planning Board has been authorized to review and approve, or modify and approve, subdivision plans under the provisions of Section 281 of the Town Law.

On February 10, 1987, at a regular meeting of this Board, after proper notice was published, a public hearing was held on this application where all interested persons were given an opportunity to be heard regarding the proposed application. Comments from the public were also heard at the Board's March 17, 1987 meeting and the April 14, 1987 meeting, although no formal public hearings were required, or conducted, at those meetings.

The Planning Board makes the following determinations, pursuant to Section 281 of the Town Law, after careful consideration of all the evidence that makes up the record of this application, including but not limited to: the drawings and plans submitted by the applicant; comments received from the public; testimony presented by the

applicant and the applicants agents; recommendations and comments from the Town Engineer, Chili Conservation Board, Chili Recreation Commission and the Monroe County Department of Planning; and the Long Environmental Assessment Form.

FINDINGS OF FACT

1. The proposed subdivision will be located on a 114 acre site on the northwest corner of the intersection of Marshall Road and Paul Road, and is located in an R-1-15 district. There are residential subdivisions made up of detached, single family homes to the immediate north, east and west of the proposed subdivision.
2. Residential use of the parcel is consistent with the Comprehensive Plan of the Town of Chili.
3. The 114 acre parcel could be subdivided into a maximum of 228 building lots if the parcel were to conform to the minimum lot size and density provisions, as well as the building setback requirements, of the Chili Zoning Code applicable to R-1-15 districts. This determination is based on the Board's review of the conventional subdivision plat of the same parcel prepared by the applicant, said plat conforming to all requirements of the Chili Zoning Code.
4. The subdivision, as proposed, would result in 226 building lots of varying sizes, with varying setbacks, as follows:

A Lots:	17,000 - 30,000 Sq. Ft.	(Min. 213' x 80')
B Lots:	13,000 - 16,900 Sq. Ft.	(Min. 185' x 70')
C Lots:	8,400 - 12,900 Sq. Ft.	(Min. 120' x 70"
Minimum Front Setback: 30'		
Minimum Side Yard: 5'		
Minimum Rear Yard: 35'		

Of the total of 226 building lots, 42 will be A Lots, 70 will be B Lots and 114 will be C Lots. The majority of C Lots will back up to the open spaces being reserved in this subdivision design.
5. All dwelling units will be constructed as detached, single family units, which is consistent with the residential subdivisions neighboring the subject parcel.
6. The northwest portion of the parcel is heavily wooded. The subdivision is designed so that the largest lots will be located in this area, which will result in fewer trees being removed in the course of the development of the subdivision. As stated on the Environmental Assessment Form, approximately 28 acres are presently wooded, and it is projected that 25 acres will remain wooded upon completion of the subdivision.
7. 23.81 acres of the 114 acre parcel will remain undeveloped and be maintained as open spaces. As shown on the drawings submitted by the applicant, there will be an internal walkway system through said open spaces for the use and enjoyment of the subdivision residents. The walkways will be blacktop and the various trees and shrubs will be planted in the open areas. Three of the retention/detention ponds to be constructed on the parcel will be permanent ponds and will be incorporated into the open space areas.
8. The proposed subdivision has fewer feet of road ways and utilities than shown on the conventional subdivision plat of the same parcel. This reduction in road way and utility footage should result in a cost savings to the Town of Chili, as well as other agencies, in terms of maintenance, repairs and improvements of said facilities.
9. The varying lot sizes and setbacks, curved streets, maintenance of open spaces, preservation of wooded areas, construction of permanent retention/detention ponds, and development of an internal walkway system, all as shown on the drawings and plans submitted by the applicant, should result in a subdivision attractive to homebuyers, as well as an innovative, attractive

addition to the Town of Chili.

NOW, THEREFORE, pursuant to Sections 276, 277, 278 and 281 of Town Law, and Section 96-1 of the Chili Zoning Code, be it resolved as follows:

1. The provisions of the Chili Zoning Code which govern R-1-15 districts shall be modified, as necessary, to permit the lot sizes, dimensions and, front, rear and side setbacks as shown on the Preliminary Subdivision Plat, as modified and approved, or as the same are modified and approved on the Final Subdivision Plat.
2. The application of Section 281 of the Town Law to the subject parcel has not resulted in greater number of building lots than would have been permitted if the land were subdivided into lots conforming to the minimum lot size and density requirements of the Chili Zoning Code applicable to R-1-15 districts.
3. The approval of the Wellington Subdivision under Section 281 of the Town Law will benefit the Town of Chili for the following reasons:
 - a. It will result in a flexible subdivision design and development of the land in such a manner as to promote its most appropriate use as a single family residential subdivision.
 - b. It will facilitate the adequate and economical construction, maintenance and improvement of roadways and utilities.
 - c. It will preserve and maintain 23.81 acres of open spaces, and preserve 25 of the 28 acres of wooded land.
 - d. It will result in an innovative and attractive subdivision that will be an asset to our community.
4. Preliminary subdivision approval of 226 lots to be known as "Wellington" at the property located at 845 Marshall Road in a R-1-15 zone be granted, subject to the following conditions:
 - a. The open spaces shall be owned and maintained by a Home-owners Association with automatic and mandatory membership by all subdivision lot owners.
 - b. The applicant, prior to final subdivision approval, shall draft a Declaration of Restrictive Covenants which will govern the use and maintenance of the open spaces. The Declaration of Restrictive Covenants shall be subject to the review and approval of the Chili Planning Board and the Deputy Town Attorney. The Declaration of Restrictive Covenants shall be recorded in the Monroe County Clerk's Office prior to the sale of any building lot to a member of the public.
 - c. Minimum separation between houses shall not be less than fifteen (15) feet.
 - d. Eliminate the stub street to the west between lots 112 and 113.
 - e. Coordinate landscaping of the open spaces with the Chili Conservation Board, and that four (4) to six (6) inches of top-soil be left or placed on every lot.
 - f. Petition the Chili Town Board for formation of a drainage district.
 - g. Enter into a hold harmless agreement with the Gates-Chili School District.
 - h. Pending approval of the Town Engineer.

The resolution passes with a unanimese vote of six with one member absent.

2. Application of Nina Ball, 75 Woodview Drive, Rochester, New York 14624 for renewal of conditional use permit to allow the outside storage of construction equipment at property located at 3501 Union Street in GI zone.

Mr. Ball was present to represent the application.

Don Faso expressed concern over the disrepair of the property. Mr. Ball explained that he didn't have the finances to completely clean up the property. He explained that he had planned to put in a mini-storage area. Don Faso stated that it would not cost that much to clean up the property.

John Nowicki asked why the cut had been made into the property. He also said that on Saturday he had seen trucks bringing in fill. Mr. Ball explained that the State is buying 150' in on the north end of the property and 35' in on the south end of the property. He said that he was bringing in fill to level off the low areas.

Don Faso asked what the distance is from the road to the front storage and Mr. Ball said that he thought it was about 100'.

John Nowicki asked why the fill in the area and not use a thru driveway. Bob Connolly stated that he has applied for a permit on this.

John Nowicki asked if the area was still in the construction business and Mr. Ball said "yes".

John Cross asked Mr. Ball what had been cleaned up and Mr. Ball said that the construction items had been organized.

John Cross said that with the construction items and junk cars that the area appeared to be a junkyard.

John Nowicki asked if all the vehicles that are registered are used for construction and Mr. Ball said that about 75% were.

John Nowicki asked how many trucks there are and Mr. Ball listed the following:

- 7-10 wheelers
- 5-6 wheelers
- 2-backhoes
- 1-bulldozer
- 1-shovel
- lots of tractors (2 farm)
- 1-road sweeper
- 1-forklift

John Nowicki asked if these were used everyday and Mr. Ball said that they were now that the weather is breaking.

John Nowicki expressed concern over the junk on the property.

Bill Deans suggested a meeting on site at Mr. Ball's property to review the items that need to be stored or removed. John Nowicki agreed with this.

Cherie Bevona had the following comments from the Conservation Board:

I visited this property at about 11:00 A.M. on January 5, 1987. I saw piles of what looked like dirt; there was a wooden fence on either side of the building. I saw what looked like junk behind the fence and north of the fence, not hidden from view of the road. I saw a Hill TV truck and a Towne Club truck; I could not tell if any construction equipment was there.

I visited the site again on February 2, 1987 at 11:30 A.M. I saw a Colt 45 truck behind the fence along with 4 dump trucks. There were 9 cars, partially covered with snow, parked on the north side of the building in front of the fence; none of the cars appeared to have license plates. There were trucks behind that fence, all covered with snow. There was a Ford dump truck with a for sale sign in front of the building, to the north side. The piles of what looked like dirt were still there on the north side of the property, further north than the 9 cars. The fence on the north side is leaning in several directions. The only landscaping materials I could see were 2 young deciduous trees near the road and 2 yew shrubs next to the building.

I visited the site again at 2:00 P.M. on April 14, 1987. There looked to be little change from my last visit in February:

approximately 8 vehicles without license plates were parked on the north side of the building in front of the fence; vehicles and parts of vehicles were in back of the building and behind the fences; there was a pile of metal refuse north of the fence; and there was still a pile of dirt and a pile of grey material north-east of the fence. I did not see any for sale signs on any of the vehicles without license plates.

Two conditions of the 1985 renewal of this permit were: "No outside storage of parts, refuse or junk;" and "Only customers cars and vehicles for sale in front of the building."

The Conservation Board does not feel that these conditions have been met. We recommend turning down this application until they have been met. We also recommend that when the permit is granted, it should be renewable only on a yearly basis. In addition, we would like to see this property landscaped. We recommend that a condition of approval be that the applicant be required to submit landscaping plans drawn up by a licensed landscape architect, and submitted to the Conservation Board for its review and approval, or that the applicant be required to work with the Conservation Board to develop a landscaping plan satisfactory to all parties. We recommend as another condition of approval that the plantings be done in a timely fashion, that they be maintained properly, and that they be replaced as necessary.

DECISION: Tabled by a vote of 6 until the Chili Planning Board can meet for an on site inspection of the subject property. This meeting has been scheduled for April 27, 1987 at 6:30 P.M.

Don Faso, Chairperson
Chili Planning Board

Gates-NEWS-Chili

1635 BROOKS AVENUE, SUITE 2, WEST BLDG. ● ROCHESTER, NEW YORK 14624

Date: *4-22-87*.....

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

GATES-CHILI NEWS

Issue Dated: *4-22-87*.....

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y., Monroe Co.
My Commission Expires April 30, 19 *89*

Patricia M. Smith
Patricia M. Smith
Publisher

*Planning Board
Book 1987*

PUBLIC NOTICE

The Chili Planning Board will be meeting for an on site inspection at property located at 3501 Union Street, North Chili, New York 14514 on April 27, 1987 at 6:30 p.m. with regards to the conditional use permit for the outside storage of construction equipment.

Gates-NEWS-Chili

1635 BROOKS AVENUE, SUITE 2, WEST BLDG. ● ROCHESTER, NEW YORK 14624

Date... *4-22-87*

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

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NOTARY PUBLIC, State of N.Y., Monroe Co.
My Commission Expires April 30, 19*87*

Patricia M. Smith
Patricia M. Smith
Publisher

Planning Book

April 1987

PUBLIC NOTICE

The Chili Planning Board will have a workshop meeting on April 28, 1987 at 7:30 p.m. at the Chili Highway garage lunchroom, 3235 Chili Avenue, Rochester, New York 14624 to discuss the Kaiser Subdivision located at 3505 Chili Avenue, Rochester, New York.

CHILI PLANNING BOARD

May 12, 1987

The meeting of the Town of Chili Planning Board was held in the Administrative Office, 3235 Chili Avenue, Rochester, New York 14624 on May 12, 1987 at 7:00 P.M. The meeting was called to order by Chairperson Don Faso.

PRESENT: Mitch Rakus, Ray Bleier, John Nowicki, George Ford, John Cross, William Deans, and Chairperson Don Faso.

ALSO PRESENT: Bob Connolly, Building Inspector; Tom Guerin, Town Engineer; Cherie Bevona, Conservation Board; Marcia Havens, Deputy Town Attorney.

Chairperson Don Faso declared this to be a legally constituted meeting of the Chili Planning Board. He further stated that notice of the meeting had been advertised in the Gates-Chili News, as well as posted on the Town Clerk's bulletin board. He also read the fire exit notice.

This is a draft only, and is being filed to comply with the Section 106 of the Public Officers Law. These minutes have not been approved by the Chili Planning Board and, therefore, are subject to change.

APPLICATIONS:

1. Application of Spencer Borden, owner; 37 Fenton Road, Rochester, New York 14624 for conditional use permit to allow an in-law apartment in home at property located at above address in R-1-20 zone.

Mr. Spencer Borden was present to represent the application. He explained that that the mother would occupy during the summer only as she spends her winters in Florida. He explained that it already is an in-law apartment and that he is only applying for a renewal.

Don Faso read the County Comments which approved the application insofar as airport considerations were concerned.

Ray Bleier asked if anything had changed since the initial application and Mr. Borden said "no".

Don Faso said that he was in receipt of a petition containing 5 signatures in favor of this application.

John Nowicki asked how long the applicant had lived there with an in-law and Mr. Borden said that he had since 1985.

Marcia Havens, Cherie Bevona, Tom Guerin, and Bob Connolly had no comments.

COMMENTS AND QUESTIONS FROM THE AUDIENCE:

Tom Ward - 43 Fenton Road

He said that he is in favor of the application. He said that the property had been utilized with an in-law apartment. He said that the bathroom is shared and therefore renting is not feasible.

Don Faso read the conditional uses on an in-law apartment.

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. The conditional use is granted for use by in-law only and shall cease to exist when the in-law ceases to use it.
2. The apartment may not be used as a rental unit.
3. A copy of this decision must be filed in the Monroe County Clerk's Office under miscellaneous records and tied to the liber and page of your deed. The cost will be \$15.00 and payable to the Town of Chili.
4. Furnish a copy of your deed (both sides) to the Deputy Town Attorney along with the filing fee.

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this

Gates-NEWS-Chili

1635 BROOKS AVENUE, SUITE 2, WEST BLDG. ● ROCHESTER, NEW YORK 14624

Date... *5-6-87*

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

GATES-CHILI NEWS

Issue Dated... *5-6-87*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y., Monroe Co.
My Commission Expires April 30, 19*87*

Patricia M. Smith
Patricia M. Smith
Publisher

*Planning Board
May 1987*

permit to allow an in-law apartment in home at property located at above address in R-1-20 zone.

2. Application of Kenneth Waite, 13 Chiswick Circle, Rochester, New York 14624, property owner; Perna Homes; for conditional use permit to erect an in-law apartment at property located at 1 Mae Meadow in PRD zone.

3. Application of Mr./Mrs. Eldon Simmons, owner; 785 Beahan Road, Rochester, New York 14624 for preliminary site plan approval to erect a 15' x 50' 2nd story addition for living area, at property located at above address in L.I. & FPO zone.

4. Application of Sanford Aroneck, owner, 23 N. Country Club Drive, Rochester, New York 14618 for preliminary subdivision approval of 2 lots to be known as Sanford Aroneck Subdivision at property located at 3484 Union Street in G.I. zone.

5. Application of William C. Baird, owner; 110 Allens Creek Road, Rochester, New York 14618 for final subdivision approval of 52 lots to be known as Lexington Section 9 & 9A at property located at 400 Paul Road in R-1-15 zone.

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

**J. Donald Faso, Chairman
Chili Planning Board**

**LEGAL NOTICE
CHILI PLANNING BOARD**

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on May 12, 1987 at 7:00 p.m. to hear and consider the following applications:

1. Application of Spencer Borden, owner; 37 Fenton Road, Rochester, New York 14624 for conditional use

application to be a Type II Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

2. Application of Kenneth Waite, 13 Chiswick Circle, Rochester, New York 14624, property owner: Perna Homes; for conditional use permit to erect an in-law apartment at property located at 1 Mae Meadow in PRD zone.

Mr. Kenneth Waite was present to represent the application. He explained that this would be used strictly for the in-laws.

John Cross asked if the in-laws currently were living there and Mr. Waite said "no".

George Ford asked if the in-laws would reside there 12 months of the year and Mr. Waite said "yes".

Mr. James Valerio was present and submitted a map to the Board of the layout of the property.

John Nowicki asked if in the Building Code were there any stipulations on in-law apartments and Bob Connolly said "no".

Ray Bleier commented on the fact that he did not think the proposed apartment was unusually large. He suggested that guidelines be established as to the maximum size.

Marcia Havens, Cherie Bevona, Tom Guerin, and Bob Connolly had no comments.

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. The conditional use is granted for use by in-law only and shall cease to exist when the in-law ceases to use it.
2. The apartment may not be used as a rental unit.
3. A copy of this decision must be filed in the Monroe County Clerk's Office under miscellaneous records and tied to the liber and page of your deed. The cost will be \$15.00 and payable to the Town of Chili.
4. Furnish a copy of your deed (both sides) to the Deputy Town Attorney along with the filing fee.

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be a Type II Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

3. Application of Mr./Mrs. Eldon Simmons, owner; 785 Beahan Road, Rochester, New York 14624 for preliminary site plan approval to erect a 15' x 50' 2nd story addition for living area, at property located at above address in L.I. & FPO zone.

Mrs. Loretta Simmons was present to represent the application. She explained that due to a leaky roof they were proposing this application.

George Ford asked if they had received an estimated cost for the repair of the roof and Mrs. Simmons said that they hadn't looked. George Ford asked if this would be used as living quarters only and Mrs. Simmons said "yes".

Ray Bleier asked who lives there now and Mrs. Simmons said "we do".

John Cross asked about the construction in the front of the property and Mrs. Simmons said that this was office space.

George Ford asked if it wouldn't be cheaper to fix the roof and Mrs. Simmons said that they have had a big problem with the roof.

John Nowicki asked about the spiral staircase and Mrs. Simmons said

that this was another entrance.

Don Faso asked if there was a staircase to the office and Mrs. Simmons said that there was a front vestibule.

Mitch Rakus asked what kind of business and Mrs. Simmons said that it is a sewer and maintenance business.

Don Faso read the County Comments which approved the application insofar as airport considerations were concerned.

Ray Bleier asked what the new front would look like and Mrs. Simmons said that they were going to try and match the brick of the existing building.

John Cross complimented Mrs. Simmons on the upkeep of the property.

Mitch Rakus said that he noticed lots of cans in the garage and that he was concerned that this was flammable material. Mrs. Simmons said that this material is used for patching manholes and that it is not flammable.

Marcia Havens, Cherie Bevona, and Tom Guerin had no comments.

Bob Connolly said that an application would need to be submitted to the Zoning Board because of the addition. Mrs. Simmons said that she was aware of this.

DECISION: Unanimously approved by a vote of 6 with no conditions.

Please note that final site plan approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

4. Application of Sanford Aroneck, owner, 23 N. Country Club Drive, Rochester, New York 14618 for preliminary subdivision approval of 2 lots to be known as Sanford Aroneck Subdivision at property located at 3484 Union Street in G.I. zone.

Mr. Louis D'Amato of Woods, Oviatt, Gilman, Sturman and Clarke was present to represent the application. He explained that the 46-47 acre site contained Hargrave Scrap Metal. He said that Sandy Aroneck was retiring and the 25 acres was being conveyed to him. He said the Lot 2 flaglot was 77' and that it covered the minimum of 60'. He said that this property would be deeded to Mr. Aroneck.

Mr. D'Amato said that the property would remain the same but that the ownership would be separate. He said that the front 25 acres would be sold to Mr. Aroneck. He said that Mr. Aroneck's property was currently for sale but that they had no buyers.

George Ford asked about the corner piece property and who the owner is and Don Faso said that he believed that Smith was the new owner. Mr. D'Amato said that RG&E surrounds the property.

Don Faso asked about the original conditions on screening and buffering and Mr. D'Amato said that this had been taken care of by the State Department. Mr. D'Amato said that they had asked for the State to allow them to move the trees.

Don Faso asked how much right-of-way the State was taking and Tom Guerin said "none". Mr. D'Amato said that a little property in the Southwest corner was being taken.

Mr. D'Amato said that will retain easement and request a curb cut in a formal application of development.

George Ford wanted to address the previous conditions. Marcia Havens said that it would be difficult to require buffering if the property were sold to a third party. George Ford wanted to address the pollution issue. Marcia Havens said that this was a matter of enforcement and that it was not pertinent to the subdivision application.

Cherie Bevona said that the Conservation Board was currently working

with the DEC on these issues and that they would be making a site visit.

Don Faso said that the County Comments were not back yet but that the issue of waste management on Lot 1 and the issue of junk vehicles on Lot 2 would be included in these comments. He said that County Comments were needed prior to a decision being made.

Mr. D'Amato said that he did speak with Bob Connolly.

John Nowicki felt that the history and conditions would have to be investigated.

George Ford asked who was being represented and Mr. D'Amato said that he was representing Mr. Aroneck.

Ray Bleier asked if Mr. Aroneck had sold his interest in Union Processing and Mr. D'Amato said the Mr. Aroneck had.

Don Faso asked if Union Processing was deeding the front part to Mr. Aroneck and Mr. D'Amato said that this was correct.

George Ford asked what the property was listed for and by whom and Mr. D'Amato said that he was not sure.

John Nowicki asked if the existing corporation owned Lot 2 and Mr. D'Amata said that they did.

Mitch Rakus asked if there were other family members in the business and Mr. D'Amata said that there was.

John Nowicki expressed concern over the fact that the area would become an industrial park. He felt that the buffers would change and that height restrictions should be considered before splitting.

George Ford asked if the zoning was on the land or the owner and Marcia Havens said that it is on the land.

John Nowicki recommended that site plans be filed.

Don Faso read the old conditions on the property dated September 1974. Don Faso read letters resulting from the previous conditions.

Cherie Bevona read the Conservation Board's comments as follows:

- 1) We want all substances harmful to humans, animals, or vegetation to be kept out of the wetland and adjacent streams.
- 2) We recommend that the amount of metal taken to the site daily be limited to the amount that can be shredded each day.
- 3) We recommend that the applicant be required to shred more metal daily than taken in until the present stockpile is completely eliminated.
- 4) We recommend that a limitation be placed on the amount of metal the applicant is allowed to stockpile before shredding.

Tom Guerin and Bob Connolly had no comments.

Don Faso asked if the DEC had indicated when they were going to visit the property and Cherie Bevona said that they hadn't but that she would push them.

Don Faso said that he would like to look at the piles on the property.

Mitch Rakus said that the driveway left much to be desired as it contained used tires.

Don Faso said that he visited the site on 5/6/87 at 10:00 AM and he observed 5 tow trucks with drivers working on vehicles in the driveway.

John Cross suggested that a trip be made to the site by the Board, Cherie Bevona, and the DEC. Mr. D'Amato said that he would like to accompany them.

DECISION:

The Chili Planning Board, at their May 12, 1987 public hearing, voted unanimously to table for one month without prejudice the above described application due to lack of Monroe County Department of Planning Comments on this application. The Planning Board will also meet with D.E.C. for an on-site inspection of the property on Friday, May 22, 1987 at 10:00 A.M.

5. Application of William C. Baird, owner; 110 Allens Creek Road, Rochester, New York 14618 for final subdivision approval of 52 lots to be known as Lexington Section 9 & 9A at property located at 400 Paul Road in R-1-15 zone.

Mr. Otto Layer was present to represent the application. He was representing Mr. Baird. Mr. Layer explained that in 1977 they had received approval for 3 sections consisting of Sections 9, 10 and 11. He said that they had decided to only go ahead with Paul Road and that nothing was ever done on Section 9. He said that last year he had received approval for Section 12.

Mr. Layer explained that it was originally shown as containing 32 lots because Section 12 was smaller. He said that the small section is 9A which hooks into Section 12. Mr. Layer said that they were making no changes since the original application was approved and that Section 9A follows the same configuration as the original.

Mr. Layer said that the size and the number of the lots are the same and that they would be maintaining 2 access points with the same layout.

Don Faso asked if this was ever filed and Mr. Layer said "no".

Don Faso asked how many sections are being developed and if all the lots were sold in Sections 4, 5 and 6. Mr. Layer said that the final road blacktop was put on Sections 4, 5 and 6 but that they were not all sold to the final buyer as they were under contract to builders. He said that in Section 4, three lots were not sold.

Don Faso read a section of the Code which stated that no more than 2 sections in a subdivision could not be under construction at the same time.

Don Faso said that the Town had been receiving complaints regarding the dirt on the road and the site grading.

Bob Connolly said that Mr. Layer blames this on the guilders and the builders blame it on Mr. Layer. Don Faso said that the developer is responsible.

John Nowicki asked about the current problems. Don Faso said that there was dirt on the road. Mr. Layer said that the road had been swept 2 or 3 times and that the builders also clean it off. Don Faso suggested a haul road.

Cherie Bevona said that she lived in the area. She said that she has noticed that the gutters have mud and stones in them. She said that the sweepers cannot get the mud out. Mr. Layer said that he would do what he could but that he couldn't promise anything.

John Nowicki asked if the roads are dedicated to the Town and Bob Connolly said that some are.

Tom Guerin said that part of the agreement for Sections 4, 5 and 6 was that it must be kept clean of dirt.

George Ford asked why the application when the other sections aren't complete and Mr. Layer said that due to the time it takes to get approval and secure the builders. Mr. Layer explained that Prides Crossing will be finished by the end of the year and Section 12, containing 25 lots, would have some models. He said that he was seeking approval now in order to keep the lots moving.

Don Faso asked how many builders and Mr. Layer said 3; Lancaster, Chestnut Ridge, and Nicioscia Builders.

George Ford asked how many approved lots will be completed by fall

and Mr. Layer said that Prides Crossing and Section 12 lots should be under construction or occupied by fall. George Ford asked if building on Lots 9 and 9A would begin this summer and Mr. Layer said that the gutters will be put in in October and construction will begin next winter.

John Nowicki asked if the grading problems can hold up the certificate of occupancy and Bob Connolly said "yes" but that this would hurt the homeowner and not Mr. Layer.

Mr. Layer said that he was not aware of a water problem in the final grading. Bob Connolly said that what's affecting lot 2 could be affecting others. Mr. Layer said that he would be willing to meet to discuss specific problems.

Marcia Havens asked if there is escrow for final grading and Bob Connolly said "no".

George Ford said that Mr. Layer has a responsibility to the Board for the builders.

John Nowicki said if there are problems, they need to be cleaned up.

John Cross asked what the financial terms are and Mr. Layer said that he felt that this was not for Board discussion. Marcia Havens said that this was not a proper inquiry at this point.

John Cross said that he was concerned about control over the builders. Mr. Layer said that he has no control. George Ford expressed concern over this.

Mr. Layer suggested that the Board draw up a list of problems and Don Faso said "no" as this information is contained in the Code.

John Nowicki mentioned that the builders do not come before the Board. Mr. Layer suggested he have a meeting with Bob Connolly to work out a way of handling the control. John Nowicki asked that this be addressed in a letter and Mr. Layer said "no". George Ford said that these issues should not be addressed thru anyone but members of the Board. Mr. Layer said "I will assume responsibility seeing that subdivision is developed according to the plans".

Ray Bleier asked when approval had been received for Section 12 and Mr. Layer said "October".

Don Faso said that the Board can grant 2 90 day file extensions.

Ray Bleier expressed concern over the lack of timely filing. He said that he can understand why the Code limits section development.

Mr. Layer said that it takes time to go thru the different agencies necessary for the subdivision.

Cherie Bevaona asked if the tot lots were eliminated and Mr. Layer said that it is park land now. Cherie Bevaona asked what this looked like and Mr. Layer said that it's appearance was the same as the others. Cherie Bevaona asked if this will be mowed and Mr. Layer said that it would be up to the Parks and Recreation Department. Cherie Bevaona asked about the difference between park land and tot lots and Mr. Layer said "the playground equipment". Cherie Bevaona asked if they would be eliminating the green space and Mr. Layer said "no". Cherie Bevaona asked if there would be street trees in Prides Crossing and Mr. Layer said they only plant in the fall. He said that Section 3 would be done this fall and probably Section 4 also. He also said that Sections 5 and 6 might be done. Cherie Bevaona asked what kinds of trees and Mr. Layer said "maple trees". Don Faso said that the planting list needed to be submitted under the new Code.

John Nowicki asked about this list and Tom Guerin said that Mr. Layer would need to select from the list and that the plant must be guaranteed to live for one year. Cherie Bevaona recommended that a variety of trees be planted.

John Nowicki said that the landscaper would need to submit this to the Board.

Tom Guerin asked if the Board was aware that Section 3 was not completed yet since the plans called for street trees and that they had not been planted yet. Tom Guerin said that he was receiving numerous complaints on this.

Tom Guerin said that there were minor changes to the plan. He said that the rear yard drainage for the houses was within the required.

Tom Guerin said that stone was used on Section 12 and that the haul road should be used for development of Sections 9 and 9A. He said that there is mud on Sections 5 and 6.

COMMENTS AND QUESTIONS FROM THE AUDIENCE:

Richard Balmer - 63 Battlegreen Drive

He asked if they would be cutting into Battlegreen Drive and Don Faso said that they would eventually. Don Faso said that he would prefer the road open for safety purposes as per a letter from the Fire Marshal. Mr. Balmer asked if it was possible to slow traffic because it was being used as a thru-fare and there had been a pedestrian death. He said that people are using it to get to the mall and that it is a neighborhood concern. Don Faso said that the Town Board would have to be asked to lower the speed limit. Ray Bleier suggested putting in STOP signs for the area. Don Faso said that the Town Engineer would need to look into the placement of signs. Tom Guerin said that this would need to be enforced. Marcia Havens said that this was independent of the subdivision approval.

Tom Ward - 43 Fenton Road

He said that he works for Sear-Brown. He said that the purpose of the haul road is to reduce mud and wear and tear on the street.

He asked how many feet there are in Section 9 and Mr. Layer said "1700". He said that the haul road should be dedicated in the future and that a road cut could not be made. He felt that it was very costly to install and remove a haul road and that other available controls should be used.

The Drainage Committee had the following comments:

Concerning the application of William C. Baird of 110 Allens Creek Road, Rochester, New York. We, the Committee, are concerned over the way in which the plans depict the runoff from lots numbered 930 through 936, all going towards the lots to the west or 937 through 942. There is nothing shown that will stop the runoff. We would like to suggest a light swale along the back lot lines with a catch basin at each end carrying the water to the storm sewers at the end of the lot lines respectively.

Two catch basins would likely be sufficient. One at the lot lines of 935 and 939 being carried to the south and one located at the lot lines of 932/931 & 942, being carried to the north.

This should be based upon the Town Engineer's approval.

DECISION: Application approved by a vote of 5-2 with the negative votes being cast by John Cross and George Ford.

1. That a planting plan be submitted for review and approval.
2. Schedule of completion for all sections be furnished for Planning Board review.
3. Street trees be planted in all lots with a Certificate of Occupancy in Section 3 and 4 before applying for final plat signatures for Section 12, 9, and 9A.
4. Clean the gutters in previous sections and keep them free of mud and debris.
5. Establish a haul road for sections 9 & 9A to keep construction equipment off any paved portion of Section 12.
6. Pending approval of the Town Engineer.

The Chili Planning Board hereby granted a variance under Section 96-7 for Section 96-13 paragraph "A" of the Chili Subdivision Ordinance limiting subdivision to no more than two in progress at any one time. The developer has shown that this may be an economic hardship to him if it were to be applied.

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be a Type II Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

INFORMAL:

1. Application of Nick's Imports, 3240 Chili Avenue, Rochester, New York 14624 for revised site plan approval to include 2 coolers behind building at property located 1098 Chili Center Coldwater Road in GB zone.

Nick Ballone was present to represent the application.

Don Faso asked if the walk-in coolers would be accessed from the inside only and Nick said that it would be.

Don Faso asked if he would be relocating the parking lot now or waiting. Nick said that he was not sure exactly of what the State would be taking. Don Faso said that he could possibly lose 5 parking spaces.

Don Faso asked Tom Guerin if he had seen a parking lot move made and Tom Guerin said "no".

George Ford asked if the lot would be paved as shown on the map and Nick said "yes".

John Nowicki asked why the coolers were an afterthought and Nick said that he did not think of everything initially and that due to the fact that there was extra space in the back. John Nowicki asked about the setbacks and Bob Connolly said that it would be okay with the coolers. John Nowicki asked what the coolers look like and Nick said that they are indoor-outdoor walk-in coolers. John Nowicki said that he was concerned about the area being residential on one side and that he would like to see this screened.

John Cross asked what does the exterior of the cooler look like and Nick said that one is white aluminum. Nick explained that one is being used from his present location and that he could paint them both the same color. John Cross said that a fence could be erected like the 12' high style fence located behind Bells at Pumpkin Hill. Nick said that a fence was a good idea and that it would also protect the area from vandals.

DECISION: Unanimously approved by a vote of 7 with the following conditions:

1. Provide screen fencing around the two coolers at a height of 1 foot above the top of the coolers. Fence style to be reviewed by the Conservation Board's liaison to the Planning Board.
2. *Rochester Community Savings Bank, 800 Paul Rd, Rochester, N.Y. 14624*
Your application for preliminary site plan approval to erect an automatic teller machine on the east side of the building, opposite the drive-thru and requesting formal site plan procedures be waived at property located at above address in GB zone.

Mr. Mike Fortier of Fortier Architects was present to represent the application.

He explained that they would be installing an ATM machine which would increase the island width.

Don Faso asked if they would be installing a roof and Mr. Fortier said that the machine enclosure has a roof.

John Cross asked if it would be a drive-thru and Mr. Fortier said that it would be available 24 hours a day.

Bob Connolly asked if there would be an actual building and Mr. Fortier said "yes".

John Cross asked if this was a pre-prepared unit and Mr. Fortier said that it was a little house.

John Nowicki motioned to waive final and Mitch Rakus seconded the motion.

DECISION: Unanimously approved by a vote of 7.

Please note that final site plan approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

OLD BUSINESS:

1. Application of Nina Ball, 75 Woodview Drive, Rochester, New York 14624 for renewal of conditional use permit to allow the outside storage of construction equipment at property located at 3501 Union Street in G.I. zone.

Mr. Ball was present to represent the application. Don Faso read the following:

The following property was located on the premises at 3501 Union Street on April 27, 1987:

1. Eleven (11) cars with no license plates parked along the north side yard of the property, outside of the fenced area. These cars were in various states of repair, but appeared to be operable, or could be made operable.
2. The wooden stackade fence that runs along the front and approximately 20 feet of the north side of the rear yard was in a state of disrepair. There was a large opening in the fence for ingress and egress. The equipment, vehicles, and junk, stored in the rear yard was clearly visible through the opening.
3. The following vehicles were all located in the rear yard and were all either old, wrecked, or dismantled and were clearly in an inoperable condition:
 - a. 6 panel trucks
 - b. two (2) large beverage trucks
 - c. a completely rusted tractor and truck
 - d. several cars and front end of cars
 - e.
 - f.
4. There were several old and unused fuel oil tanks abandoned throughout the back yard area.
5. Waste oil was located in old oil barrels located behind the building on the property.
6. There was an old abandoned and rusty swing set, several junk piles, a pile of unused shingles, two piles of railroad ties (used) and miscellaneous junk littered throughout the backyard area.
7. There was various operable and licensed construction vehicles and equipment located in the back yard, including 6 10-wheel dump trucks.
8. There was a large pile of fill dirt on the north side of the property, outside the fenced area.
9. Two boats.
10. Spoil pile on north side of property.
11. There appeared to be a disposal site on the property.

Don Faso said that Bill Deans had suggested giving Mr. Ball a time limit to clean up the property of perhaps 6 months.

John Cross said that the applicant had made a positive effort since he was last there. He agreed with waiting until the construction season was over for Mr. Ball to clean up the property.

Bill Deans said that they should come back collectively in the fall to look over the property.

Don Faso set this meeting for September 15 at 7 pm at the site. This would allow for the application to be heard at the October meeting.

Marcia Havens suggested granting approval for 4 months until the next meeting. John Nowicki said why not table the application. Marcia Havens said that they would then be operating without a conditional use permit.

Don Faso said that the new owner is liable for the old owner's conditions.

George Ford suggested documenting a letter to the applicant showing the conditions.

John Nowicki motioned to table the application with Don Faso seconding the motion.

DECISION: Unanimously agreed by a vote of 7 to table the application.

2. Application of Rudolf Kaiser, 3526 Chili Avenue, Rochester, New York 14624 for preliminary subdivision approval of 11 lots to be known as Kaiser Subdivision at property located at above address in R-1-20 zone.

Mr. Lee Sinsebox was present to represent the application. He said that he wanted to amend the application to 14 lots.

Mr. Sinsebox said that he had notified the DEC to do the field walk and that he is just waiting for the topography.

Don Faso asked if channel work needed to be done for the culvert and Tom Guerin said that it didn't have to since there were only 11 homes.

Bob Connolly recommended that the 2 lots Mr. Kaiser is leaving behind become part of the subdivision.

Don Faso asked when they were going in for the drainage district and Mr. Sinsebox said "right away".

John Nowicki asked what the name would be and Mr. Kaiser said "Cedarwood Grove".

Don Faso suggested waiving final approval.

Mr. Sinsebox said that if any difference was noticed in the drainage by the Hendershotts, they would come out and check it out.

COMMENTS AND QUESTIONS FROM THE AUDIENCE:

Bill Diesel

He said that he can notice a difference in the last few years. He said that he would like the application to be approved because he would like to acquire a lot.

DECISION: Unanimously approved by a vote of 7 with the following condition:

1. Pending approval of the Town Engineer.

The Chili Planning Board hereby grants a front setback variance of 60 feet (75' required).

Please note that final subdivision approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

The April Planning Board minutes were approved.

Don Faso
Chairperson

CHILI PLANNING BOARD

June 9, 1987

The meeting of the Town of Chili Planning Board was held in the Administrative Office, 3235 Chili Avenue, Rochester, New York 14624 on June 9, 1987 at 7:00 P.M. The meeting was called to order by Chairperson Don Faso.

PRESENT: Mitch Rakus, Ray Bleier, John Nowicki, George Ford, John Cross, William Deans, and Chairperson Don Faso.

ALSO PRESENT: Bob Connolly, Building Inspector; Tom Guerin, Town Engineer; Cherie Bevona, Conservation Board; Marcia Havens, Deputy Town Attorney.

Chairperson Don Faso declared this to be a legally constituted meeting of the Chili Planning Board. He further stated that notice of the meeting had been advertised in the Gates-Chili News, as well as posted on the Town Clerk's bulletin board. He also read the fire exit notice.

This is a draft only, and is being filed to comply with the Section 106 of the Public Officers Law. These minutes have not been approved by the Chili Planning Board and, therefore, are subject to change.

APPLICATIONS:

1. Application of Kenneth Teeter, owner, 42 Black Creek Road, Rochester, New York 14623 for resubdivision of 1 lot with a simple alteration of lot lines at property located at 40 & 42 Black Creek Road in RA-20 and FPO zone.

Mrs. Vesta Teeter was present to represent the application. She said that they wanted to combine lots 40 and 42 to make one tax lot.

Don Faso read the County Comments which approved the application insofar as airport considerations were concerned. The following comment was made on the Zoning Review:

According to the National Flood Insurance Rate Map, Community Panel Number 360412 0015 A, effective date February 1, 1979 and Floodway Flood Boundary and Floodway Map, Community Panel Number 360412 0015 A, effective date February 1, 1979, these parcels are within the base flood hazard area and the floodway to Black Creek. The applicant should be instructed to locate both the base flood elevation and the floodway on the resubdivision map, and include the citation to the appropriate flood insurance program maps. The purpose of this notation on the map is to alert the applicant or any future owner of this property that development within this area will be constrained because the lots are within an area of special flood hazard.

Cherie Bevona said that the applicant should be aware that the property is a Class 5Z wetland.

Tom Guerin said that the final land surveyor map must contain a seal.

John Nowicki asked what the future plans were for the property and Mrs. Teeter said that they would like to put a house on lot 42 and possibly a garage in the future.

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. The original plat map must bear the seal of a licensed land surveyor.
2. The applicant must comply with the Monroe County Department of Planning comments of a letter dated May 15, 1987.

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be a Type II Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

2. Application of Ronald DeChario, owner, 1260 Scottsville Road., Rochester, New York 14624 for conditional use permit to allow an automobile rental agency with offices at property located at 1220 Scottsville Road in GB zone.

Mr. Ronald DiChario was present to represent the application. He explained that the prospective tenant was Ajax car rental. He said that there would be 15 vehicles in

Gates-NEWS-Chili

1635 BROOKS AVENUE, SUITE 2, WEST BLDG. ● ROCHESTER, NEW YORK 14624

Date *6-3-87*

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

GATES-CHILI NEWS

Issue Dated *6-3-87*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y., Monroe Co.
My Commission Expires April 30, 19 *89*

Patricia M. Smith
Patricia M. Smith
Publisher

**LEGAL NOTICE
CHILI PLANNING BOARD**

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili town Offices, 3235 Chili Avenue, Rochester, New York 14624 on June 9, 1987 at 7:00 p.m. to hear and consider the following applications:

1. Application of Kenneth Teeter, owner, 42 Black Creek Road, Rochester, New York 14623 for resubdivision of 1 lot with a simple alteration of lot lines at property located at 40 & 42 Black Creek Road in RA-20 and FPO zone.

2. Application of Ronald DiChario, owner, 1260 Scottsville Road, Rochester, New York 14624 for conditional use permit to allow an automobile rental agency with offices at

property located at 1220 Scottsville Road in GB zone.

3. Application of Dietmar Schellenberg, owner; 1164 Wall Road, Webster, New York 14580 for preliminary site plan approval to erect a 20'x5' kennel/boarding building at property located at 610 Ballantyne Road in RA-20 & FPO zone.

4. Application of Roy Warner, 2361 Scottsville Road, Scottsville, New York 14546, property owner: M/M Jesse Warner; for preliminary subdivision approval of 2 lots to be known as Linton Warner Subdivision at property located at above address in RA-20 zone.

5. Application of Forest Creek Equity Corp., 80 W. Main Street, Rochester, New York 14614 for final subdivision

approval of 34 lots to be known as Wellington Section 1A and 1B at property located at 845 Marshall Road in R-1-15 zone.

6. Application of Mark IV Construction, owner; 301 Exchange Blvd., Rochester, New York 14608 for preliminary subdivision of 2 lots to be known as Riverview Townhomes at property located at 1951 Scottsville Road in RM & FPO zone.

7. Application of Mark IV Construction, owner; 301 Exchange Blvd., Rochester New York 14608 for preliminary site plan approval to erect 158 townhouse units to be known as Riverview Townhomes at property located at 1951 Scottsville Road in RM & FPO zone.

At such time all interested persons will be heard. By

order of the Chairman of the Chili Planning Board.
J. Donald Faso, Chairman
Chili Planning Board

Chili Planning Board
Board
6-9-87

the rear available for leasing. Mr. DiChario said that there would be no mechanical repair and/or maintenance done on the property.

Don Faso asked if there was a no auto repair clause in the lease and Mr. DiChario said "yes". Don Faso asked where the main office was located and Mr. DiChario said "Fairport".

Mike Mancuso and Mike Montelko of 1285 Fairport Road were present. They would potentially be in charge of the car rental agency.

Don Faso asked how many would be employed and Mr. Mancuso said "2-3". Mr. Mancuso said that there would probably not be any part-time employees.

John Nowicki asked if there would be any fuel or storage on-site and Mr. DiChario said "no".

Don Faso asked if the vehicles would be leased for long term use and Mr. DiChario said that they would.

George Ford asked if there would be trucks for rent and Mr. DiChario said "no".

Don Faso asked if there would be enough parking spaces for the vehicles and Mr. DiChario said "yes".

Don Faso motioned that the Board go in accordance with Section 115-24 of the Town Code.

BE IT RESOVLED:

The Chili Planning Board finds this request is in harmony with the general purpose and intent of Chapter 115 Article IV Section 24 in that the use applied for will bit be detrimental to the health, safety or general welfare of the neighborhood or to the general welfare of the town.

Cherie Bevona said that only business and operable vehicles should be on the premise and Mr. DiChario said "no problem".

Tom Guerin, Marcia Havens, and Bob Connolly had no comments.

Don Faso read the County Comments which approved the application insofar as airport considerations and environmental review were concerned.

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. All vehicles stored on the property shall be licensed and shall not exceed 15 in number.
2. There shall be non on-site repairs or refueling of any vehicles.
3. This conditional use permit is hereby granted for a period of five years.

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be a Type II Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

3. Application of Dietmar Schellenberg, owner; 1164 Wall Road, Webster, New York 14580 for preliminary site plan approval to erect a 20'x50' kennel/boarding building at property located at 610 Ballantyne Road in RA-20 and FPO zone.

Mr. Dietmar Schellenberg was present to represent the application. He explained that this would be a family owned business.

Don Faso asked if Mr. Schellenberg was in the breeding business now and Mr. Schellenberg said "no".

George Ford asked how many animals would be boarding at one time and Mr. Schellenberg said that there are facilities for 10 but that in the future he would like to expand to 25.

John Nowicki asked if Mr. Schellenberg would be doing this full-time and Mr. Schellenberg said that he wasn't now but would be if this application was approved.

Mr. Schellenberg said that the application was incorrect and that the structure would be 20' x 50'. Marcia Havens stated that this was an insignificant change. Application was amended.

Don Faso asked if the Chili Animal Control had been contacted and Mr. Schellenberg said

that they had as they will need to inspect the kennel.

John Nowicki asked if any of the neighbors had been contacted and Mr. Schellenberg said that he hadn't contacted any because he thought that with 97 acres, there would be a sufficient buffer.

George Ford asked what type of animal would be on the premise and Mr. Schellenberg said "both small and large dogs". George Ford asked what the kennel would look like and Mr. Schellenberg said that it would be a concrete block building with concrete runs. Mr. Schellenberg explained that he had used a recommended kennel structure as his model.

Mitch Rakus said that south of the Krenzer property, there is a nice housing development. He said that he felt this would spoil the view. He felt that this application should be an application for commercial building permit. Mr. Schellenberg said that with the hill, the Krenzers would not see the kennel.

Mitch Rakus expressed concern over the noise created by barking dogs. Mr. Schellenberg said that the kennel would be shielded from the neighbors by the embankment and that the dogs would be indoors at night.

John Cross asked how the kennel area would be buffered and Mr. Schellenberg said that there would be evergreen trees and berm.

George Forf asked who would be training the dogs and Mr. Schellenberg said that he would be. George Ford asked where the dogs would be trained and Mr. Schellenberg said "close to the kennel building".

Ray Bleier asked if all the training would be done by Mr. Schellenberg and Mr. Schellenberg said that he would have others training also. Ray Bleier asked how many dogs would in a class and Mr. Schellenberg said "5-10".

George Ford asked if Mr. Schellenberg was a licensed trainer and Mr. Schellenberg said tha a license was not required. Mr. Schellenberg explained that he has had over 20 years of experience working with police agencies all over the country.

Don Faso asked if Mr. Schellenberg had any contracts with local police agencies and Mr. Schellenberg said that he didn't as he does not train the dogs but offers suggestions and advice only.

Don Faso read the County Comments where the following comments were made:

1. Plans for the sewage disposal system must be submitted to and approved by the Monroe County Department of Health pursuant to the Monroe County Sanitary Code, Article IIA. (A)
2. When final plans are submitted, the location of wells and septic systems within 500 feet of the proposed development must be shown on the plans. (A)

Don Faso asked about the drying bed and Mr. Schellenberg explained that the waste would be removed independently and tha the drying bed would contain water from the liquid waste rinses. Don Faso asked if the drying bed would smell and Mr. Schellenberg said "no".

John Cross asked about the construction of the drying bed and Mr. Schellenberg said that it would be a sand bed. Don Faso asked if it would have a gravel base and Mr. Schellenberg said that he's not sure.

Mitch Rakus asked what the plans were for building and Mr. Schellenberg said that the garage, then the kennel, and then the house would be built. Mr. Schellenberg said that he needed to sell his current home prior to building his house.

Ray Bleier asked if there would be someone on the premise at all times and Mr. Schellenberg said "yes".

George Ford asked if these plans had been attempted in other towns and Mr. Schellenberg said that they were but that he had been unable to get variances.

Don Faso asked about the garage dimensions and Mr. Schellenberg said "22'x64'". Don Faso asked what would be in the garage and Mr. Schellenberg said that it would contain his cars, dogfood, and an office.

Marcia Havens asked why a dring bed and not a leech field and Mr. Schellenberg said that a drying bed is less expensive. Marcia Havens asked about the price difference and Mr. Schellenberg said that a drying bed is 50% less expensive than a leech field. Marcia Havens asked what would happen if a dog got off his leash and Mr. Schellenberg said that this should not happend and if it did, there is a double enclosure. Marcia

Havens asked about the training area and Mr. Schellenberg said that it would be fenced.

Marcia Havens asked about the flood plain elevations and Tom Guerin said that it is 30' above flood plain. Marcia Havens asked if there would be a basement and Mr. Schellenberg said that there would be and that it would be 8' below the ground level.

Don Faso asked if a kennel is a permitted use in a RA-20 zone, why does Mr. Schellenberg need site plan approval and Bob Connolly said "because it's business oriented".

John Nowicki said that according to the Code, he felt more detail was needed as this would classify for full site plan approval.

Cherie Bevona asked how many times a day the kennel would be cleaned and Mr. Schellenberg said "4". Cherie Bevona asked where the waste would be disposed and Mr. Schellenberg said a "dumpster". Cherie Bevona asked how often the dumpster would be emptied and Mr. Schellenberg said "once a week". Cherie Bevona asked if there would be landscaping by the kennel or the road and Mr. Schellenberg said "both".

Tom Guerin commented on the downspouts, the erosion control mechanisms on the plan, the distribution lines needing to be solid, the distribution box not being applicable to the layout, and he questioned the line shown from the kennel to the septic tank. Mr. Schellenberg said that the line from the kennel to the septic tank would be used to provide water to a sink located in the kennel.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

John Hellaby - 850 Ballantyne Road
He felt that the plans were being made too soon since Mr. Schellenberg is not yet residing there.

He felt that there should be fulltime supervision. He expressed concern over the definition of "kennel" as he felt that this would increase the amount of dogs in the area. He expressed concern over safety.

He felt that a kennel would detract from the neighborhood. He said that he was against this application.

Ed Wanzenried - 827 Ballantyne Road
He was concerned about the barking and the odors created from the dogs. He was also concerned about the safety in the neighborhood and the possible devaluation of property.

Joyce Krenzer - 745 Ballantyne Road
She was concerned that the applicant was applying for a kennel when the house is not yet built. She was also concerned that this would be a detriment to the community. She said that she wished Mr. Schellenberg had consulted with the neighbors first.

Joe Hellaby - 800 Ballantyne Road
He expressed concern over the noise and the need for liability insurance should anything happen.

Thomas Hellaby - 816 Ballantyne Road
He expressed concern over the noise created from barking dogs and the safety issue. He said that he would like to see a limit put on the number of dogs to be allowed.

PRE-DECISION DISCUSSION:

Mitch Rakus asked if Mr. Schellenberg had any education and Mr. Schellenberg said that he has a PhD in Nature Sciences and Psychology/Education.

John Nowicki made a motion to table the application for one month to allow the applicant to submit information for full site plan approval. Don Faso seconded the motion as he felt that the application was lacking in detail for full site plan approval.

John Cross said that he was concerned that the kennel was being built before the house.

John Nowicki suggested that the applicant meet with the neighbors.

Don Faso said that a site plan was needed indicating noise buffers, plans, elevations, and berms.

John Nowicki said that the Animal Control Officer's comments may be helpful.

Ray Bleier suggested that Don Faso have the Animal Control Officer's comments sent in to the Board.

Mr. Schellenberg asked that the application not be tabled as he has been laid off from his place of employment and is anxious to get this application approved.

Don Faso took a vote from the audience with the following results:

7 opposed
0 approved

DECISION: Unanimously voted by 6 to table the application for one month without prejudice for the following reasons:

1. The applicant must comply with Article V of Chapter 115 (Site Plan Approval).
2. Furnish this board with plans and elevations of the proposed kennel.
3. Kennel plans must be approved by the Town of Chili Dog Control Officer.
4. Application of Roy Warner, 2361 Scottsville Road, Scottsville, New York 14546, property owner: M/M Jesse Warner; for preliminary subdivision approval of 2 lots to be known as Linton Warner Subdivision at property located at above address in RA-20 zone.

Mr. John LeCloud and Mr. Roy Warner were present to represent the application. Mr. LeCloud explained that they had received the necessary variances. He said that the first floor elevation on the house was below the road but that he had talked with the Town Engineer and a swale would be put in in the front. Mr. LeCloud said that the septic system was standard.

John Nowicki asked if a variance was needed for elevation below the road and Bob Connolly said "no". Tom Guerin said that positive drainage was needed.

Ray Bleier asked how the swale would drain and Mr. LeCloud explained via the map.

Don Faso asked about the straw bales and Mr. LeCloud said that they are for erosion and to prevent water from reaching the neighborhood property.

Mitch Rakus said that the soil is well drained and that he does not see a problem with this application.

John Nowicki suggested that the front wall of the house be damp-proofed or waterproofed in the event of a drainage problem.

Cherie Bevona said that the rear property line was considered a Class 3 wetland but that since it was 500' from the property, there was no significant environmental impact.

Tom Guerin commented on the 4" difference in elevation from the lateral line, the straw bales at the swale to slow the water down, and the downspouts by 10' away from the foundation.

Don Faso read the County Comments which offered the following comments:

1. Plans for the sewage disposal system must be submitted to and approved by the Monroe County Department of Health pursuant to the Monroe County Sanitary Code, Article II, (A)
2. When final plans are submitted, the location of wells and septic systems within 500 feet of the proposed development must be shown on the plans. (A)
3. Any work done within the right-of-way of Scottsville Road (Route 383) will require a highway work permit from the New York State Department of Transportation. (E)

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. Pending approval of the Town Engineer.

Please note that final subdivision approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

5. Application of Forest Creek Equity Corp., 80 W. Main Street, Rochester, New York 14614 for final subdivision approval of 34 lots to be known as Wellington Section 1A and 1B at property located at 845 Marshall Road in R-1-15 zone.

Mr. Bernie Iacovangelo was present to represent the application. He said that the plans had been submitted and reviewed by the Town Engineer. He said that the Town Engineer's comments had been corrected.

Mr. Don Avery, Engineer, said that all the comments from Pure Waters, the Town Engineer, the Health Department, and the Monroe County Water Authority had been addressed. Mr. Avery illustrated the drainage flow via the map and explained that no water would be put in 29, 31, and 33 at this time. Mr. Avery explained that the neighbors complaints were due to the pipe elevation.

Mr. Iacovangelo said that they were willing to work with the Town Drainage District to lower the pipe.

Ms. Carol Duquette, Engineer, noted the following changes:

1. downsize pipe 6"
2. sanitary sewer installed as requested by Pure Waters
3. haul road to be installed in 1B
4. calculations to coincide as requested by Pure Waters.

John Nowicki asked when they would be starting and Mr. Iacovangelo said "immediately". Mr. Iacovangelo asked that final approval be waived.

Cherie Bevona reminded Mr. Iacovangelo that he had promised to submit planting plans within 90-120 days of approval.

Tom Guerin asked if the pipe was lowered, would the pond be lowered and Mr. Avery said that the pond would be alright as it is.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Beverly Richard - 24 Toni Terrace

She asked about the traffic study analysis and Don Faso said that it was accurate.

Don Faso read a letter in regards to the traffic problem in Lexington Pride Crossing. He felt that Wellington may raise the same concerns.

DECISION: Unanimously approved by a vote of 7 with no conditions.

Please note that the Planning Board hereby grants a grading permit for sections 1A and 1B. The Chairman has also been directed to write a letter to the Town Board regarding lower the pipe from the Bright Oaks drainage district. Copy of the letter to follow.

6. Application of Mark IV Construction, owner; 301 Exchange Blvd., Rochester, New York 14608 for preliminary subdivision of 2 lots to be known as Riverview Townhomes at property located at 1951 Scottsville Road in RM & FPO zone.
7. Application of Mark IV Construction, owner; 301 Exchange Blvd., Rochester, New York 14608 for preliminary site plan approval to erect 158 townhouse units to be known as Riverview Townhomes at property located 1951 Scottsville Road in RM & FPO zone.

Applications 6 and 7 were concurrently.

Mr. Wayne Wegman of Passero Associates was present to represent the application. He explained that the property had been rezoned by the Town Board. He said that they would be reserving the area which had been designated for an elderly community for future use, since it was not economical to build now.

Mr. Wegman said that they were within the zoning criteria with a 7.3 units per acre density. He said that no units would have direct access to Marshall Road. He said

that all utilities would service all of the units and that drainage would be from North to South. Via the map, he explained the drainage flow. Mr. Wegman said that a traffic analysis had been done and that they were proposing a 3 lane section in traffic intersection rate D/E. Mr. Wegman said that all comments from the Town Engineer, Fire Marshal, and Steve Chudyk had been addressed.

Don Faso read the County Comments which offered the following comments:

1. According to the Flood Insurance Rate Map, Community Panel Number 360412 0015 A, effective date February 1, 1979, the base flood elevation in this area of Chili is 524 feet. The preliminary site plan shows that a number of townhouse units are proposed in areas of special flood hazard. Townhouse units #319 and #320 will have their front pad elevation below the base flood elevation. Also, variances to the town's Floodplain Overlay District provision that the lowest floor elevation be two feet above the base flood elevation, will be needed for townhouse units #131, #132, #316 and #317. The town may wish to require additional regarding to bring these units into compliance with the National Flood Insurance Program and the town's zoning requirements for Floodplain Overlay District.
2. The town's engineer should carefully examine the proposed system for stormwater drainage. One area on the preliminary plan where it is not clear as to how the stormwater is to be handled is in the area of lot #2. This needs to be clarified in the final plan. The future development of lot #2 will be affected by the design of the stormwater drainage system for lot #1. The developer must be aware that much of lot #2 is below the base flood elevation. Perhaps the design of stormwater retention facilities before the stormwater leaves the site via the culvert under Scottsville Road would be appropriate.
3. The phasing of the townhouse units should be indicated on the preliminary site plan.
4. Sidewalks or some form of pedestrian system should be developed for this project.
5. The applicant is to be commended for providing a variety of housing types that will help to meet the diverse housing needs of residents of Monroe County.

The DRC comments were as follows:

1. The proposed project is considered a realty subdivision pursuant to Article III of the Monroe County Sanitary Code and will require the submission and approval of subdivision plans by the Monroe County Department of Health. (A)
2. The results of a hydrant flow test will be required. The location and elevation of the test hydrants must be shown on the plans or separate sketch sheet. The test hydrants should be the nearest hydrants to the proposed tie-in to the existing watermain(s). (A)
 - a. The location of the watermain sampling taps must be shown on the plans along with a sampling tap detail. (A)
 - b. A disinfection tap must be provided at the connection to existing watermain(s). (A)
3. A location map must be shown on the plans. (A)
4. This proposed development is located 300 feet southwest of Chili suspected waste disposal site no. 24. Contents of the site are not known at this time. The 1970 aerial photographs show disturbed surface with three areas of possible dumping activity. The 1976 photographs show continued surface disturbance and possible dumping.

In accordance with "Draft Guidelines" developed by the Monroe County Landfill Review Committee, this proposed development meets the criteria for Case 4 (pages 2-3 of Draft Guidelines):

development on or within 300 feet of a suspected waste disposal site

Since this development is located 300 feet from a suspected waste site, the developer must conduct an investigation to determine the type of material present at the suspected waste site and what impact, if any, the material at

the site will have on the proposed development. Copies of the aerial photographs and investigation procedures may be obtained from Louise Hartshorn at 428-5745.

The results of the investigation should be submitted to the Monroe County Landfill Review Committee, c/o Louise A. Hartshorn, 65 Broad Street, Room 203, Rochester, New York 14614. (C)

5. Access to Route 383 will require a highway work permit. We have reviewed the Traffic Impact Analysis for this development and are going to require the developer to install heavy duty shoulders on the state highway for the access road to lot 1. (E)

Cherie Bevona said that the landfill committee needs to review the letter.

Mr. Wegman addressed the County Comments.

1. they will adjust
2. will work on - they felt that this comment was not appropriate - will cut out section to create positive drainage
3. phases shown on map
 - Section 1-40
 - Section 2-44
 - Section 3-42
 - Section 4-32

Mr. Tony DeMarzo of Mark IV said that they will be building for the market.

Don Faso asked about the haul roads and Mr. John Caruso said that they would be allowing room for haul roads in each section.

Mr. Wegman said that they would not be putting in sidewalks. John Nowicki asked if there would be a lighting district and Mr. Wegman said that there would be and it would be similar to Pumpkin Hill.

Mr. Wegman said that they did not comply with all the required setbacks. He said that there was 20' instead of 40' on the front setback, 25' instead of 40' on the side setback, and 30' instead of 40' on the rear setback.

Mr. Richard Rosen, Architect, was present. He said that there was a 25' setback in some areas but that some areas would have one story buildings. He said that the construction was similar to Springbrook at 9 Mile Pt. Road and Evergreens along 390 in Greece.

Don Faso asked about a 100 year storm and Mr. John Caruso said that a 100 year flood would create 3' of water.

Don Faso asked if the elderly home issue was on the back burner and Mr. Rosen said that for right now it was. Mr. DeMarzo said that they haven't given up on the idea.

Marcia Havens, Cherie Bevona, Tom Guerin, and Bob Connolly had no comments.

DECISION: Application 6 was unanimously approved by a vote of 7.

Please note that final subdivision approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

DECISION: Application 7 was unanimously approved by a vote of 7 with the following condition:

1. Pending approval of the Town Engineer.

Please note that the Planning Board hereby grants a variance for the following:

1. Front setback shall be 20 feet (40 feet required).
2. Rear interior setback shall be 25 feet (40 feet required).
3. Minimum building separation shall be 30 feet (40 feet required).

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be Type II Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form

and/or evidence submitted at a public hearing.

INFORMAL:

1. Application of Menis Vamvakitis, 1132 Scottsville Road, Rochester, New York 14624 for revised site plan approval to include a 10'x13' and 6'x7½' cooler at property located at above address in GB zone.

Mr. Louis Childs was present to represent the application. He said that the only open items were a letter of credit and a landscaping plan.

He explained that the owner wished to install a cooler. John Nowicki asked what the exterior would look like and Mr. Childs said "stucco". John Nowicki asked if it would match the building and Mr. Childs said that it wouldn't match the brick building but that it would compliment it. John Nowicki asked about the texture and Mr. Childs said that it would be a smooth medium texture.

George Ford asked how much the landscaping would cost and Mr. Childs said "more than the letter of credit". George Ford asked why the landscape they have is not being maintained and Mr. Childs said that it was difficult with the rocks and gravel.

Cherie Bevona said that the landscaping plans look good.

DECISION: Unanimously approved by a vote of 7 with the following condition:

1. Pending approval of the Town Engineer.
2. Application of Perna Homes, 849 Paul Road, Rochester, New York 14624 for resubdivision of 2 lots with a simple alteration of lot lines at property located at 1 & 3 Ashwood Circle in R-1-15 zone.

Mr. James Perna was present to represent the application. He explained that the foundation had already been put in and that he needed this application approved for a closing.

DECISION: Unanimously approved by a vote of 7.

OLD BUSINESS:

1. Application of Sanford Aroneck, 23 N. Country Club Drive, Rochester, New York 14618 for preliminary subdivision approval of 2 lots to be known as Sanford Aroneck Subdivision at property located at 3484 Union Street in G.I. zone.

Mt. Louis D'Amato, Attorney, was present to represent the application.

Don Faso read the County Comments in which the DRC made the following comments:

1. If and when the proposed property is developed the following comments must be addressed by the applicant:
 - (A)
 - a. The proposed development may contain or be within 100 feet of the boundary of a freshwater wetland as designated on the Municipal Freshwater Wetland Map. A determination must be made to ascertain whether a New York State Environmental Conservation Law Article 24 Permit will be required. For additional information regarding the determination and permit contact: (A)

Permit Administrator
NYS Dept. of Environmental Conservation
6274 East Avon-Lima Road
Avon, NY 14414
Telephone No. 624-3350

- b. Show on the plans the proposed method of temporary erosion/siltation control to be used during construction until ground cover is re-established.

Details of all controls (bank stabilization, diversion ditches, siltation basins, including the outfall structure(s), sedimentation sinks, straw bale dams or barriers, fabric/stone filters, etc.), must be shown on the plans along with appropriate notes indicating who is responsible for maintenance of the controls during construction and for removal of the controls after ground cover is re-established. (A)

- c. Floor drains, if constructed in the basement or garage shall be connected to the sanitary sewer. NOTE: Floor drains DO NOT include foundation or footer drains installed to intercept uncontaminated ground water. All discharges from the floor drains to the sanitary sewer must comply with the effluent limits to the local and/or the Monroe County Sewer Use Law. (A)
 - d. Easements should be shown for all utilities. The name of the utility or district, etc. to whom the easement is granted should be indicated. (A)
 - e. The existing watermain and sanitary sewer along with the proposed services must be shown on the plans. (A)
2. The map for this development states: "No plans are currently being undertaken for development of Lot #1. A detailed site plan would be required prior to issuance of a building permit."

A waste site consisting of junked vehicles is located on Lot #2. Prior to development approval of Lot #1 the developer must conduct an investigation and make a determination about the impact of the waste site on the proposed development. Further information on the waste site and/or investigation procedures may be obtained from Louise Hartshorn at 428-5745.

3. The developer or his engineer should contact Thomas Stein at the Monroe County Water Authority in regard to the possible need for a backflow prevention device on his water service. (D)
4. These plans should be submitted to the New York Department of Transportation for a more comprehensive review since access to Route 259 will require a highway work permit. (E)

John Nowicki said that the original intent of the Town was not to separate that land and that they would need to watch the buffers. George Ford said that he agreed with John Nowicki but can they do anything about it. Marcia Havens said that they can look at the issue of buffers and berms.

Mr. D'Amato said that the distance between the shredder and Union Street cannot be changed. He said that the State had agreed to allow Union Processing to move the trees they would be destroying.

Mr. Bill Agnes of Union Processing said that there were changes on Lot 1 and not Lot 2.

Bill Deans said that once the land was sold, it would be too late to deal with the issue of buffer and drainage concerns. Bill Deans said that he was concerned for the new owner and felt that they should know about the buffers and water under the railroad tracks. He said that this should be part of the record for the new owner. He said that there was wetland across both sections.

Mr. D'Amato said that the DEC would protect the wetland. Tom Guerin said that Section 2 was wetland and Section 1 was a wet area.

John Cross asked about the State allowing them to move the trees. Mr. Sanford Aroneck said that they would move the trees back towards the East towards Union Processing. He said that the trees would be destroyed if left in place. George Ford said that if the trees are moved, they would probably die. Marcia Havens suggested putting time limit on this.

George Ford said that if the application was approved, there should be statements stating that the new owner will have to put in berm. Marcia Havens said that this was the buyer's responsibility. George Ford asked if the minutes could tie in so that the buyer would know about these concerns. Don Faso said that the decision, minutes, and the letter could be attached.

John Nowicki said that the Town was entitled to a 30' buffer of trees. Mitch Rakus asked if the transfer could be held up without prejudice until Union Street is built and Marcia Havens said that this couldn't be done.

Mr. D'Amato said that Mr. Aroneck was willing to relocate the buffer. George Ford recommended that the buffer be put on Lot 2. John Nowicki was concerned about the life of the trees with the pollution problem. He felt that the soil should be looked at in regards to the transfer of the trees. Ray Bleier said that they would need to make sure the trees would not be removed in the future.

Don Faso asked the Board for discussion on the location of the trees. Don Faso suggested an environmental investigation. Mr. D'Amato said that it would be difficult to judge a future development impact when the future has not been decided yet.

Bill Deans said that there may be some expensive and extensive expenses when Lot 1 is developed.

Cherie Bevona made the following Conservation Board comments:

The Conservation Board feels that the owners and operators of Union Processing have shown a complete lack of respect not only for town laws and town code, but for their neighbors and the environment of the town. The applicants are asking for considerations from the town when they have not shown any consideration for the town or its residents. The Board recommends that action be tabled until the DEC's wetlands expert comes out to inspect the area. If this property were to be sold for development purposes, the new neighbors would have to deal with health and safety violations such as the gas tanks and batteries lying around near the wetland, and hazardous fluids (oils, gasoline) that have leached into the soils that border the wetland in direct violation of their operating permits. We also recommend that the groundwater be tested for pollutants.

The Board and Mr. D'Amato received a letter from Marcia Havens dated June 5, 1987 outlining the history of the Union Processing application before the Planning Board.

DECISION: Unanimously approved by a vote of 7 with the following conditions.

1. A three foot high berm, fifty five feet west of the easterly property line will be required.
2. The proposed berm shall be landscaped with trees of the same size (six feet or taller) as the existing trees along Union Street. Applicant may relocate trees from the existing buffer to the proposed berm.
3. Pending approval of the Town Engineer.
4. A copy of this decision letter, and a copy of the approved minutes shall be filed in the Monroe County Clerk's Office under miscellaneous records and tied to the liber and page of your deed. Filing fee shall be paid by the applicant and made payable to the Town of Chili.

The May minutes of the Planning Board were approved.

Don Faso
Planning Board Chairman

CHILI PLANNING BOARD

July 14, 1987

The meeting of the Town of Chili Planning Board was held in the Administrative Office, 3235 Chili Avenue, Rochester, New York 14624 on July 14, 1987 at 7:00 P.M. The meeting was called to order by Chairperson Don Faso.

PRESENT: John Nowicki, John Cross, Mitch Rakus, Ray Bleier, Bill Deans, and Chairperson Don Faso.

ALSO PRESENT: John Madigan, Building Inspector; Tom Guerin, Town Engineer; Cherie Bevona, Conservation Board; Marcia Havens, Town Attorney.

Chairperson Don Faso declared this to be a legally constituted meeting of the Chili Planning Board. He further stated that notice of the meeting had been advertised in the Gates-Chili News, as well as posted on the Town Clerk's bulletin board. He also read the Fire Exit notice.

This is a draft only, and is being filed to comply with the Section 106 of the Public Officers Law. These minutes have not been approved by the Chili Planning Board and, therefore, are subject to change.

APPLICATIONS:

1. Application of Joseph Battisti, owner; 2575 Chili Avenue, Rochester, New York 14624 for conditional use permit to convert second floor of building into an apartment at property located at above address in NB zone.

Mr. Joseph Battisti of 2575 Chili Avenue was present to represent the application. He explained that the apartment would be strictly for family use and would also provide protection to the jewelry business by allowing someone to be there at all times.

Don Faso read the County Comments which approved the application insofar as airport considerations were concerned.

John Nowicki asked if Mr. Battisti would agree to a stipulation restricting the apartment for family use only and Mr. Battisti said that he would agree to that.

John Cross said that he thought the applicant had previously stated that nothing more would be done to the property. Don Faso said that Mr. Battisti said that he might be back.

John Nowicki asked why watchdogs were not being considered as a means of security and Mr. Battisti said that his son and him would provide sufficient security.

Ray Bleier asked if the outside structure would be changing and Mr. Battisti said that it wouldn't. He explained that only drywall would be added.

John Nowicki complimented the applicant on his business.

Cherie bevona said that the Conservation Board had determined this application as having no significant environmental impact.

DECISION: Unanimously approved by a vote of 5 with the following conditions:

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

Gates-NEWS-Chili

1635 BROOKS AVENUE, SUITE 2, WEST BLDG. ● ROCHESTER, NEW YORK 14624

Date... *7-8-87*

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

GATES-CHILI NEWS

Issue Dated... *7-8-87*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y., Monroe Co.
My Commission Expires April 30, 19 *89*

Patricia M. Smith
Patricia M. Smith
Publisher

**LEGAL NOTICE
CHILI PLANNING BOARD**

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili

Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on July 14, 1987 at 7:00 p.m. to hear and consider the following applications:

1. Application of Joseph Battisti, owner; 2575 Chili Avenue, Rochester, New York 14624 for conditional use permit to convert second floor of building into an apartment at property located at above address in NB zone.

2. Application of Wilmerite Inc., 1265 Scottsville Road, Rochester, New York 14624, property owner: Genesee Management; for preliminary site plan approval to erect a

two story office addition (3,909 sq. ft./floor) at property located at above address in G.I. zone.

3. Application of Edwin Rague, owner; 3390 Chili Avenue, Rochester, New York 14624 for preliminary subdivision approval of one lot to be known as Chili Animal Care at property located at 3388 Chili Avenue in GB zone.

4. Application of Edwin Rague, owner; 3390 Chili Avenue, Rochester, New York 14624 for preliminary site plan approval to erect a 10' x 20' storage addition at property located at 3388 Chili Avenue in GB zone.

5. Application of Frances Schrader, 3209 Chili Avenue, Rochester, New York 14624, property owner: M. Truisi; for preliminary subdivision approval of 2 lots to be known as Schrader Subdivision at property located at 3209 & 3215 Chili Avenue in GB zone.

6. Application of The Party House, 577 Beahan Road, Rochester, New York 14624 for preliminary site plan approval to erect 3 additions totaling

3,046 sq. ft. at property located at above address in GB zone.

7. Application of Passero Associates, 100 Liberty Pole Way, Rochester, New York 14604, property owner: A. Semler; for rezoning of 31 acres from RM, FPO & FW to R-1-12 at property located at 3861 Chili Avenue.

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

**J. Donald Faso, Chairman
Chili Planning Board 7/8**

INFORMAL:

1. Wegmans Enterprises-proposal for ballfields and recreation building at 249 Fisher Road.

OLDBUSINESS:

1. Application of Dietmar Schellenberg, 1164 Wall Road, Webster, New York 14580 for preliminary site plan approval to erect a 20' x 50' kennel/boarding building at property located at 610 Ballantyne Road in RA-20 & FPO Zone.

*Planning
Book
July 1987*

along with the filing fee.

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be a Type II Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

2. Application of Wilmorite Inc., 1265 Scottsville Road, Rochester, New York 14624, property owner: Genesee Management; for preliminary site plan approval to erect a two story office addition (3,909 sq. ft./floor) at property located at above address in G.I. zone.

Mr. David Rice of Sear Brown Associates was present to represent the application. He explained that the property is located on Rochester and Chili property. Mr. Rice said that the additions would be 2 stories located to the west of the business. He said that this would be 7818 sq. ft. Mr. Rice explained that there would be a basement of 700 sq. ft. for storage and an elevator.

Mr. Rice said that there would be 285 parking spaces where as 278 are required. He explained that paving would be added on the easterly side of the building. Mr. Rice stated tha the zoning variances had been granted on June 23.

Mr. Mike Fortier of Fortier Architect was present. Via the map, he explained the layout. He said that the first floor would consist of a stairway and an elevator which would be handicap accessible. He said that the second floor would contain office space. He said that the additions would match the existing brick color and would contain solar glass.

John Nowicki asked if the reception area would remain the same and Mr. Fortier said "yes". John Nowicki asked if the state had approved the parking and Mr. Rice said that the DOT had approved the parking.

Mr. Rice addressed the County Comments. He said that the storm sewer would be constructed over the easement. He further stated that he had met and settled the details with Mr. Gallucci.

Don Faso read the County Comments which approved the application insofar as airport considerations were concerned and made the following comments:

We recommend this application be approved for the following reasons:

1. The proposed addition to this existing facility is consistent with the Rochester-Monroe County Airport Layout Plan.
2. This proposed expanded use is consistent with the surrounding land uses in this part of Chili and is also consistent with the goals and objectives of the Chili Comprehensive Plan.
3. The proposal is consistent with Transportation Element of the Monroe County Comprehensive Development Plan which calls for development which compliments and enhances the Rochester-Monroe County Airport.

Don Faso said that he was in receipt of a letter stating that a disclosure letter was required.

Ray Bleier asked if there would be two entrances on the westerly side of the building and Mr. Fortier said that there would be one on each side of the elevator. Don Faso asked if there were fire exit doors and Mr. Fortier said "yes".

Ray Bleier asked if the easterly parking would be expanded beyond the fence and Mr. Rice said that the parking would end at the fence. Ray Bleier commented on the cattails by the drainage area as he felt that this was unattractive. Mr. Rice said that the swale is in the right

of way and that they would need State permission to remove the cattails. Ray Bleier asked if they would be landscaping on the side and Mr. Rice said "no".

Cherie Bevona said that the Conservation Board had declared this application as having no significant environmental impact.

Tom Guerin asked if the drainage would be handled by the existing storm line and Mr. Rice said that the increased drainage would be very minimal since most of it would be handled by the ditch. Tom Guerin suggested that the cattails be removed and Mr. Rice said that he would check with the State. Tom Guerin said that they should have more than one handicapped parking space.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Joseph Gartland - 320 Paul Road

He asked what the addition would be used for and Mr. Rice said "office space". Mr. Gartland asked if this was an expansion of the engineering office and Mr. Rice said that it was but that the number of employees would remain the same. Mr. Gartland asked why airport space was being used and Don Faso said that the airport had leased it.

Cherie Bevona asked what would be stored in the basement and Mr. Fortier said that old records and files would be stored there.

John Nowicki suggested that final approval be waived.

DECISION: Unanimously approved by a vote of 5. The Planning Board have declared themselves lead agency under the State Environmental Quality Review (SEQR) Act. The application is found to be an Unlisted Action with no significant environmental impact.

3. Application of Edwin Rague, owner; 3390 Chili Avenue, Rochester, New York 14624 for preliminary subdivision approval of one lot to be known as Chili Animal Care at property located at 3388 Chili Avenue in GB zone.
4. Application of Edwin Rague, owner; 3390 Chili Avenue, Rochester, New York 14624 for preliminary site plan approval to erect a 10' x 20' storage addition to property located at 3388 Chili Avenue in GB zone.

Applications 3 and 4 were heard concurrently.

Mr. Edwin Rague of 3390 Chili Avenue was present to represent the application. He explained that he was legalizing the lot and adding an addition.

Don Faso asked what the addition would be used for and Mr. Rague said that medical supplies and not necessarily drugs would be stored there.

Don Faso read the County Comments which identified points requiring action prior to submission of the final plans:

1. show proposed method of temporary erosion/siltation control
2. obtain an air emission permit if contaminants will be emitted
3. inform the Supplier of Water of the intended use
4. connect the floor drains to the sanitary sewer
5. permit from the DOT for work in the right of way

Ray Bleier asked how high the storage would be and Mr. Rague said "one story".

John Nowicki asked if the decor would meet with the existing building and Mr. Rague said that it would be a cement block. John Nowicki asked about the roof and Mr. Rague said that it would be a shed roof with a pitch to the back.

Cherie Bevona asked if chemicals or used syringes would be stored and Mr. Rague said that alcohol would be stored but that the used syringes would be destroyed and discarded. Cherie Bevona said that the Conservation Board had declared this application as having no significant environmental impact.

DECISION ON APPLICATIONS 3 AND 4: Unanimously approved by a vote with 5 waiving final subdivision approval. The Planning Board has declared themselves lead agency under the State Environmental Quality Review (SEQR) Act. The application is found to be and Unlisted Action with no significant environmental impact.

5. Application of Frances Schrader, 3209 Chili Avenue, Rochester, New York 14624, property lowner: M. Truisi; for preliminary subdivision approval of 2 lots to be known as Schrader Sub-division at property located at 3209 & 3215 Chili Avenue in GB zone.

Mr. Jeffrey Considine of Scottsville Road was present to represent the application. He explained that they would be combining two irregular shaped parcels. He said that the Pink Parrot Restaurant and Lounge has parking restricted to the restaurant. He explained that the front parking lot is in a state of disrepair and does not have sufficient parking spaces. Mr. Considine said that the rear parcel is currently Stop "n" Go's property on Chili Avenue. He explained that a hardship is created because of the irregular lots.

Mr. Considine said that he has been working with Bob Connolly and that 59 parking spaces have been created. He said that the total use of the building had not yet been determined. He said that very little of the property would be taken with the widening of the road. He said that they would be providing more specifics.

Mr. Considine said that he spoke with Bill O'Neil of the State Farm Insurance and that he is in favor of the application.

Mr. Considine said that one large driveway would be created for both businesses. He said that there would be landscaping in the rear with a sign indicating parking. He explained that there would be handicapped parking and a dumpster located in the back. He felt that it would not alter the character of the neighborhood; but improve the look and ease the traffic flow.

Don Faso asked when they would be coming in for site plan approval and Mr. Considine said that they would be applying for a site plan approval when they decide what to do with the building.

Don Faso asked that the sanitary sewer and easement be shown on the site plan and Mr. Considine said that it would be.

Don Faso read the County Comments which identified points requiring action prior to submission of the final plans:

1. design and construct the petroleum storage facilities pursuant to Environmental Conservation Law
2. inform the Supplier of Water of the intended use
3. connect the floor drains to the sanitary sewer
4. show proposed services for the existing watermain and the sanitary sewer
5. contact Mr. Thomas Stein in regards to a backflow prevention device
6. submit plans to the DOT for a review

Ray Bleier asked about the driveways and Mr. Considine explained the 30' segment between the restaurant and Stop 'n' Go via the map.

John Nowicki asked if Mr. Truisi was buying this piece and Mr. Considine said "yes". Mr. Considine explained that Stop 'n' Go would be selling to Mr. Truisi to make the area U-shaped.

Mitch Rakus asked if the existing building would be torn down and Mr. Considine said that the building would be staying as is.

John Nowicki asked if the building meets the building codes and John Madigan said that the second floor cannot be occupied in its current state.

Ray Bleier expressed concern over the condition of the building and the lack of improvements that have been made. Ray Bleier also was concerned about the entrance being so removed from the parking. Mr. Considine said that parking is an issue since the parking lot is irregular shaped.

John Cross said that he spoke with the Schraders and that he believes that they truly intend to improve the property. John Nowicki felt that the application should be scrutinized because of past neglect.

Cherie Bevona asked if they had any landscaping ideas and Mr. Considine said that they are not sure yet. Cherie Bevona said that the Conservation Board has declared this application as having no significant environmental impact.

Tom Guerin said that a survey could not be taken with the lot lines and Mr. Considine said that he was working with Bob Connolly on this.

John Madigan felt that this would be an improvement.

John Nowicki suggested that final approval not be waived. Tom Guerin said that there is not sufficient information for preliminary subdivision approval. Mr. Considine said that additional information will be provided since he does not want to hold this up. Don Faso said that the easements would need to be shown.

Mr. Considine asked how he should address the Chili Avenue access and Don Faso said that that would need to be handled by the Fire Marshal. Marcia Havens said that a release of easement from the Fire Department would need to be investigated.

DECISION: Unanimously approved by a vote of 5 with the following conditions:

1. A plat map shall be submitted to the town showing all easements.
2. Pending approval of the town engineer.

Final subdivision approval has been waived. The Planning Board had declared themselves lead agency under the SEQRA Act. This application is found to be an Unlisted Action with no significant environmental impact.

6. Application of the Party House, 677 Beahan Road, Rochester, New York 14624 for preliminary site plan approval to erect 3 additions totaling 3,046 sq. ft. at property located at above address in GB zone.

Mr. Rick LeTourneau, Manager of the Party House, was present to represent the application. Mr. LeTourneau explained that there were 3 additions which would then square up the building. The additions would consist of a 13' x 54' storage area on the west end, an addition to the southeast, and an addition to the southwest.

Don Faso asked if the gravel would be surfaced and Mr. LeTourneau said that the area would be paved if parking was needed.

Mitch Rakus asked if the storage would be accessed from inside or outside and Mr. LeTourneau said "both". Mr. LeTourneau said that the storage would consist of tables and chairs and would have two openings, one of which would be an 8' overhead door. Mitch Rakus asked about the two additions on the southerly side. Mr. LeTourneau said that the restrooms and coat room would be relocated and a small bar to add lounge space would be created on the south east end. On the south west side, dining space to accommodate 25-30 people and a cooler would be added.

John Cross asked what the capacity is and Mr. LeTourneau said that there is 9000 sq. ft. in the dining room which would accommodate 850-900 people. Don Faso asked what the Fire Code capacity is and Mr. LeTourneau said that he wasn't sure but that he would check into it.

Cherie Bevona asked if they will be adding landscaping and Mr. LeTourneau said "no". Cherie Bevona said that the Conservation Board has declared this application as having no significant environmental impact.

Tom Guerin said that 7 handicapped parking spaces are required and that they only have 2 and Mr. LeTourneau said that he wasn't aware of this but that it would be taken care of. Don Faso said that pavement striping and eye level signs are required.

John Madigan asked what was being filled on the left hand side and Mr. LeTourneau said that they were trying to create a park like setting. John Madigan said that a land fill permit is required.

Don Faso read the County Comments which approved the application insofar as airport considerations and environmental review were concerned. They identified points requiring action prior to submission of final plans:

1. inform the Supplier of Water the intended use
2. review completed by the Department of Health
3. connect the floor drains to the sanitary sewer
4. show the existing water main and lateral on the plan

DECISION: Unanimously approved by a vote of 5 with the following condition:

1. Five additional handicap parking spaces shall be provided.

Finalsite plan approval was waived. The Planning Board declared themselves lead agency under the SEQRA Act which found this application to be an Unlisted Action with no significant environmental impact.

7. Application of Passero Associates, 100 Liberty Pole Way, Rochester, New York 14604, property owner: A. Semmler; for rezoning of 31 acres from RM, FPO & FW to R-1-12 at property located at 3861 Chili Avenue.

Mr. Jim Howarth, Westchester Development Contractor, and Mike Smith, Passero Landscape Architect, were present to represent the application.

Mr. Smith said that the total site area was on a 107 acre parcel and that the topography slopes range from .05% to 10%. He said that there would be a drainage swale through the middle of the site.

Don Faso asked if it would line up with Whispering Winds and Mr. Smith said that it would. Mr. Smith said that there would be 16 lots 12-15,000', 18 lots 15-18,000', 18 lots 18-20,000', and 5 lots over 30,000'. Don Faso said that this was higher than the original Westchester calculations and Mr. Howarth said that there were more larger lots and less smaller lots in the original plan. Don Faso said that he was concerned about the lot sizes.

Mr. Smith said that the existing Chili Avenue sanitary sewer could service half the people and another one would be added to serve the other half. Mr. Smith said that a retention/detention storm system was proposed.

Ray Bleier suggested that the zoning be conditional based on lot sizes and Marcia Havens said that this would be recommended to the next district up.

Mitch Rakus said that he felt the site looked pretty good. Mitch Rakus asked if there would be sump pumps and Mr. Smith said "yes".

Ray Bleier asked about the existing 18" culvert on Chili Avenue and Don Faso said that this would be handled on site plan approval.

John Cross asked if there would be a problem if this was encouraged to to R-15 and Mr. Howarth said that he would have to look at re-designing. Don Faso asked if Mr. Howarth would guarantee nothing less

than R-15 next to Whispering Winds and Mr. Howarth said that he would.

Don Faso asked if the purchase was optional on approval and Mr. Howarth said "yes".

Ray Bleier said that he would prefer this under R-15 and Mr. Howarth said that he would look into it. Don Faso asked about Section 281 for smaller lots and Marcia Havens thought that this would be a good solution.

Mitch Rakus asked about the prices of the houses and Mr. Howarth said that they would average between \$85-90,000.

John Nowicki cautioned them on the detention/retention pond and Mr. Howarth said that it would be flat and mowable.

Cherie Bevona said that the Conservation Board declared thsi application as having no significant environmental impact.

Tom Guerin mentioned that there were some existing problems at Westchester.

John Madigan asked if there would be gutters and sump pump hookup and Mr. Howarth said that they would do what the Town wants.

Don Faso read the County Comments which offered the following comments:

White the requested rezoning of this property appears to be consistent with the existing development pattern to the east, the board should keep in mind that one of the goals of their master plan is to assure that the Town of Chili has adequate, vacant residentially zoned land which can result in the provision of a variety of housing types. This in turn will provide the citizens of Chili with a choice of housing types and a range of housing costs, including affordable housing, which can be built on sites serviced by public sewers and public water and are close to other amenities such as shopping, employment opportunities, and other public services.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

James Kalish - 29 Haverhill Circle
He submitted pictures to the Board illustrating drainage problems. He felt that the building of homes would be an assest but that he was concerned about the existing drainage problems. He was concerned about the safety factor and his inability to grow grass.

John Nowicki asked if the letters of credit were released and Tom Guerin said "no". Mr. Howarth said that he would get together with Tom Guerin to straighten up the problems. John Nowicki asked what the system was designed for and Tom Guerin said a "10 year storm". Mr. Kalish felt that Mr. Howarth needed direction from the Town.

Steven Hall - 14 Haverhill Circle
He submitted pictures to the Board illustrating the drainage problems. He expressed concern over the drainage issues.

John Nowicki asked if there were any basement problems and both Mr. Kalish and Mr. Hall said "no".

DECISION: Voted unanimously by a vote of six no to recommend rezoning. Voted unanimously by a vote of six to recommend to the Town Board that this parcel be rezoned to R-1-15 and the developer will be encouraged to proceed with the project under Section 281 of Town Law. The Planning Board's reason for this recommendation are as follows:

1. The existing development to the east is zoned R-1-12.
2. Final approval has been given to a development to the west, zoned R-1-20.
3. Rezoning themiddle parcel to R-1-15 would make a logical blending of the three district.

4. Using 281, the developer could achieve a variety of lot sizes and housing types that would meet the varying economic needs of the community.

INFORMAL:

1. Wegmans Enterprises - proposal for ballfields and recreation building at 249 Fisher Road.

Mr. Ken O'Neil, Professional Engineer, was present to represent the conceptual plan. He said Phase I would be the industrial and recreational project. He said that they would construct 4 softball fields fronting Fisher Road, 600' west of the boundary in the RA zone. Therefore, they would be requesting formally a conditional use permit. Mr. O'Neil said that the portion outside of the 600' would contain a recreational and training center. Mr. O'Neil said that there would be Wegmans softball leagues only playing during the hours of Monday, Tuesday, and Wednesday 5:30 p.m. - 9 p.m. and Sunday 1 p.m. - 9 p.m., during the months of May thru August. He said that the recreational building would be used at other times of the year.

Mr. O'Neil said that the field would not be lit and no alcohol would be allowed on the premises. He explained that this would be adjacent to the right of way and that there would be berm around the backyards of the residential lots and berm to buffer traffic. He said the traffic impact would not drop below a level B per information taken on the service level capacities. He said that there would be a drive going to the individual parking lots consisting in total of 223 parking spaces.

Mr. O'Neil said that there would be earth and berm bleachers. He said that they propose to establish a detention area for drainage. He said that they were to receive comments from the Board and that they would be back officially for conditional use approval.

John Nowicki asked if they would use their own security and Mr. O'Neil said "yes". John Nowicki asked if there would be a gate at the entrance to control access and Mr. O'Neil said "yes".

Don Faso asked how complete the calculations were and Mr. O'Neil said that they are designed for a 100 year storm. Don Faso asked how high the berms would be and Mr. O'Neil said "3-4'". Don Faso asked if they would be submitting landscaping plans and Mr. O'Neil said "yes". Don Faso asked if there would be lighting at the restroom and concession stand and Mr. O'Neil said that there may be a small fixture. Don Faso asked if the parking lot would be lit and Mr. O'Neil said "no".

John Nowicki asked if the parking would be paved or stone and Mr. O'Neil said "stone".

Don Faso asked if there would be drinking fountains and Mr. O'Neil said "yes".

John Cross asked what the size of the recreation facility would be and Mr. O'Neil said that it would be approximately 100' x 100' and would contain restrooms, vending machines, and a picnic area.

Bill Deans asked why there are breaks in the berms and Mr. O'Neil said that this is where the drainage areas are. Bill Deans suggested that Mr. O'Neil speak with the neighbors.

Mr. O'Neil said that under the Town Code, the facility must be in operation 6 months of the year and Marcia Havens said that the Planning Board could approve this. Don Faso asked that Mr. O'Neil state this in the letter of intent.

Ray Bleier asked if there would be on site security and Mr. O'Neil said that he wasn't sure that this would be needed. Mr. O'Neil said that there would be communication devices. Ray Bleier asked what would happen in the event of emergency and Mr. O'Neil said that Medical Services were on 24 hour call. Ray Bleier asked what the vending machines would contain and Mr. O'Neil said soft drinks and possibly ice cream.

Don Faso asked who was responsible for complaints and Mr. O'Neil said "Employee Services, Maintenance, and Dave Wegman".

Ray Bleier asked that parking be discouraged on Fisher Road. Ray Bleier stated that he felt that this was a good layout with the fields away from Fisher Road.

Don Faso suggested that the recreational building infields be put where the parking lot is because in RA-10, this is a permitted use.

Ray Bleier asked if the driveway going through the area would be paved and Mr. O'Neil said "no". Don Faso suggested that oil be put on the gravel to minimize dust. Don Faso said that they should make sure that they have adequate parking.

Mitch Rakus suggested that the Board recommend off street parking.

Ray Bleier asked about rainouts and Mr. O'Neil said that the fields would not be used on Thursday, Friday, or Saturday.

Marcia Havens asked if the plantings would be on berm and how high they would be and Mr. O'Neil said that the pine trees would be 6-8' and the height of the berm would 3-4'.

Cherie Bevona asked what the fields would consist of and Mr. O'Neil said that they would be skinned.

Tom Guerin suggested that the trees be moved back to be even with the houses.

OLD BUSINESS:

1. Application of Dietmar Schellenberg, 1164 Wall Road, Webster, New York 14580 for preliminary site plan approval to erect a 20' x 50' kennel/boarding building at property located at 610 Ballantyne Road in RA-20 & FPO zone.

Dr. Schellenberg of 1164 Wall Road, Webster was present to represent the applicaiton. He submitted revised plans to the Board.

Dr. Schellenberg explained that he would have an earth berm wall as an additional measure to shield the noise between the kennel and the houses. He explained that the dogs would always be confined at night. He said that he would be using scientific methods to control the noise and that he would eventually have a separate addition for the noisy dogs. He said that he had submitted the plans to the Chili Dog Control Officer.

Don Faso read the attached letter from the Dog Control Officer. Dr. Schellenberg said that he proposed to build warm water heat ducts in the floor on a separate boiler from the house to resolve the concern stated in the letter.

Don Faso said that Dr. Rague had some concerns with the plans because he felt that the water would freeze and that up to 75 dogs could be totally enclosed. Dr. Schellenberg said that the ventilation would then be a problem and that there is an advantage to allowing dogs outside. He said that he would put a roof on the outdoor runs.

John Cross asked if barriers would be provided on the side and Dr. Schellenberg said that it would be with a canvas fabric over the chain link fence.

Mitch Rakus asked about the building phases and Dr. Schellenberg said that the garage would be first, the kennel second, and the home last.

John Nowicki asked if the house would be occupied before the kennels and Dr. Schellenberg said "yes". John Cross asked what the time frame would be and Dr. Schellenberg said "8-10 months".

Dr. Schellenberg said that he would be enlarging the septic system to accomodate the house and the kennel as suggested by the Monroe County Health Department. Don Faso said that the Monroe County Health Department needed to witness the perc test and Dr. Schellenberg said that this would probably be done within the next 2 weeks.

Ray Bleier asked what the average boarding time for a dog would be and Dr. Schellenberg said that it would epend but that it would probably be for a weekend or a week.

Don Faso read the attached letter from Polly Ashley. John Nowicki brought up the fact that there were complaints listed in the Webster newspaper regarding Dr. Schellenberg. Dr. Schellenberg said that this was slander and then he distributed the newspaper clippings.

Mitch Rakus felt that this kennel was for commercial use since it was a business to make money, he referred to the Town of Chili Code Book - 115-11 RA under permitted uses "Kennels - ment for personal uses." Then he referred to 115-16 G.B. where there was no mention of kennels. He pointed out that commercial kennels are a conditional use in a General Business District. It was Mitch Rakus's feeling that a commercial kennel would effect the neighborhood in a negative way.

Cherie Bevona said that the parking lot would need to be screened and that berm would need to be planted to screen the kennel.

Tom Guerin asked how the water would be moved through the fences and Dr. Schellenberg said that it would be removed through a trowel.

Don Faso said that he was in receipt of two letters from the Wanzenreids. He addressed the letters and explained that the Planning Board would be addressing all of the concerns.

Mr. Ed Rystak, Attorney, stated that he was present to represent the Wanzenreid's. He said that Dr. Schellenberg had applied to Henrietta for a kennel and that it was turned down. He submitted the attached letter stating that there would be trained police dogs on the premise and that there would be target shooting. The letter is dated April 9, 1986.

Mr. Rystak distributed copies of the code. He felt that there is a distinction between commercial and non-commercial kennels. He felt that the area would be blighted and that the character of the neighborhood would be changed if this application was approved. He said that he felt there would be the risk of contaminants and that the property values would be lowered.

Mr. William Von Dolan of 2080 Ridge Road West, Attorney, was also present. He said that the perks left something to be desired. He said that he felt that the Board didn't have sufficient information to grant SEQR and John Nowicki asked what information was lacking. Cherie Bevona felt that the Environmental Review was complete.

Mr. John Hellaby of 850 Ballantyne Road submitted a drawing by a licensed engineer which he felt was more complete and accurate. Mr. Von Dolan asked that the Monroe County Health Department and the DRC approve the application first and Don Faso said that the Planning Board needs to approve the application first. Mr. Von Dolan said that the proper Environmental Assessment Form has not been followed because the issues of drainage and traffic have not been addressed. Mr. Von Dolan felt that the site plan did not meet the qualifications.

Marcia Havens said that if kennel was not defined in the code then the common meaning of kennel would be used. Mr. Rystak said that a kennel does not belong in residential area.

Marcia Havens said that the particulars had been addressed as follows:

Number of dogs- Max. 20 if business prospers; 10 initially
 Number of patrons at one time - one; infrequently 2, parking spaces for 6 if overflow
 Kennel thickness of wall - 8" block concrete with soundproofing material
 Noise expected - night would be silent; day may be muffled noise

Mr. Rystak asked about the solid waste and John Nowicki said that Dr. Schellenberg would be following what Dr. Rague does.

Marcia Havens asked about the cleaning chemicals and Dr. Schellenberg said that they would be commercial disinfectants. Don Faso said that a permit would be required for controlled substances.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

John Henderson - 860 Ballantyne Road

He asked if this was FCI approved and Dr. Schellenberg said "no". He asked how unmanageable dogs would be handled and Dr. Schellenberg said that they would be taken out of the car and put into the kennel. He expressed concern about the neighborhood value and why the kennel was being built before the house. Dr. Schellenberg said that the kennel was proposed first since he needed to sell his residence in Webster. Mr. Henderson was concerned that Dr. Schellenberg would be training dogs and Marcia Havens said that Dr. Schellenberg would have to come back to the Planning Board for training school approval.

Mr. Rystak felt that the whole package should be brought out and Don Faso said that he disagreed because we don't know what will happen. Marcia Havens said that with a track record, it is easier to judge.

Jim Powers - 17 Evergreen Drive

He was concerned about the definition of a kennel.

Linda Wanzenreid - 700 Ballantyne Road

She submitted photos on the neighbor's home to the Board. She submitted that attached letter from Nothnale stating the potential for property devaluation. She played a tape of a dog staked in a kennel as heard from her bedroom window. She said that the recorder was on the front lawn next to the house and that her husband was snapping his fingers from the road. She felt that this would be disturbing if this application was approved.

Sandra Henderson - 860 Ballantyne Road

She asked what kind of reaction would the dogs have from the birds in the trees.

James Colby - 403 Ballantyne Road

He said that he has had trouble with the dogs on the property up the street and that he didn't want anymore problems.

Linda Wanzenreid - 700 Ballantyne Road

She submitted pictures to the Board of the drainage from Dr. Schellenberg's property to hers.

Mr. Steven Krenzer - Clifton

He said that the drainage goes through and backs up at Black Creek.

Joyce Krenzer - 745 Ballantyne Road

She submitted a petition of 361 names opposed to this application. She said that 91.5% of these people resided in a 3-4 mile radius. She read a letter written by Richard Bloom who was also opposed to the application.

John Hellaby - 850 Ballantyne Road

He was concerned over the fact of what the dogs would do to the wildlife. He submitted articles concerning the safety issues and Bill Deans felt that these were not relative to the application. He submitted plans for the application and Don Faso asked what method was used to prepare the map. Mr. Hellaby said that the map shows the drainage and the cross-sections that Dr. Schellenberg's map has failed to show.

Thomas Hellaby - 816 Ballantyne Road

He asked if the operation would be run as in Webster and Dr. Schellenberg said "no". He said that he spoke with the Monroe County Health Department. He said that they had recommended two separate septic systems. He read an article dated 5-15-87 in which a postal carrier was attacked by a police dog getting into a car. He said that he jogs in the area and that he was concerned about being attacked.

Joyce Krenzer - 745 Ballantyne Road

She said that she visited the house. She asked about obtaining a good perc test. She said that she had received a phone call on July 13 at 7:45 a.m. and was offered the opportunity to buy Dr. Schellenberg's land at \$1500 an acre. Dr. Schellenberg said that he offered to sell land to Mrs. Krenzer but that he felt a kennel in this area would be an asset.

Mrs. Hellaby

She expressed concern over the safety issue.

PRE-DECISION DISCUSSION:

Marcia Havens and John Cross felt that more information was needed for this application. Marcia Havens felt that an Environmental Assessment Form would be a good idea. Mitch Rakus made a motion that more information be given which was seconded.

DECISION: Unanimously agreed to table without prejudice by a vote of 6 until the applicant resubmits the following information:

1. Long form environmental assessment review form (attached).
2. List of chemicals used and their method of disposal.
3. A report and/or drawings showing the proposed size, height, type of construction (including sound insulation measures) and approximate cost of the kennel.
4. Applicant shall submit the items required by the following subsections of Section 115-29 of the Zoning Code:
 - a. 115-29 paragraph "A" (2-b)
 - b. 115-29 paragraph "A" (2-d-1 and 2-d-2)
 - c. 115-29 paragraph "A" (3-a-5)
 - d. 115-29 paragraph "A" (3-c-1)
 - e. 115-29 paragraph "A" (3-e-1 and 3-e-2)

All other requirements of Section 115-29 have been waived by the Planning Board because they were sufficiently covered at the public hearing and/or provided by previous submittals by the applicant.

Mitch Rakus made a motion for a kennel definition to be included in the Town Code and Ray Bleier seconded it. Don Faso said that he would write a letter addressing this issue with the Town Board.

The June Planning Board minutes of the Town of Chili were approved.

Don Faso
Planning Board Chairperson

CHILI PLANNING BOARD

July 15, 1987

The meeting of the Town of Chili Planning Board was held in the Administrative Office, 3235 Chili Avenue, Rochester, New York 14624 on July 15, 1987 at 8:15 P.M. The meeting was called to order by Chairperson Don Faso.

PRESENT: Bill Deans, John Nowicki, John Cross, Mitch Rakus, Ray Bleier, and Chairperson Don Faso.

ALSO PRESENT: John Madigan, Building Inspector; Tom Guerin, Town Engineer; Cherie Bevona, Conservation Board; Marcia Havens, Town Attorney.

Chairperson Don Faso declared this to be a legally constituted meeting of the Chili Planning Board. He further stated that notice of the meeting had been advertised in the Gates-Chili News, as well as posted on the Town Clerk's bulletin board. He also read the Fire Exit Notice.

This is a draft only, and is being filed to comply with the Section 106 of the Public Officers Law. These minutes have not been approved by the Chili Planning Board and, therefore, are subject to change.

APPLICATIONS:

- 1. Application of Stephen Chudyk, owner; 10 Yolanda Drive, Rochester, New York 14624 for preliminary subdivision approval of two lots to be known as Chudyk Subdivision at property located at 10 Yolanda Drive and 136 Chestnut Ridge Road in R-1-12 zone.

Mr. Stephen Chudyk was present to represent the application. He explained that he wanted to alter the lot lines.

Mitch Rakus asked about the Howarth property and Mr. Earl Howarth, from the audience, explained via the map that it had been built this way. John Nowicki asked why Mr. Howarth would not sell the property. Mr. Chudyk said that they had talked about it. Mr. Howarth said that Mr. Chudyk did not want to buy the property. Mr. Chudyk said that he does not plan on building on the property.

Marcia Havens summarized the situation by explaining that Mr. Chudyk wanted to erase one lot line and have one large lot. She explained that Lot 1 is already subdivided. Mr. Chudyk agreed.

Don Faso asked why there was a 2' strip and Howarth said that that is because he is paying taxes on the 2' strip and that it is on a separate tax account.

Cherie Bevona said that the Conservation Board declared this application as having no apparent significant environmental impact.

Don Faso read the County Comments which offered no comments.

DECISION: Unanimously approved by a vote of 6 with no conditions.

Please note that final subdivision approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

- 2. Application of Richard Schickler, owner; 870 Chili Scottsville Road, Scottsville, New York 14546 for preliminary subdivision approval of one lot with a simple alteration of lot lines, to be known as Schickler Subdivision at property located at 844 and 870 Chili Scottsville Road in RA-20 zone.

Mr. Don Avery of Avery Engineers was present to represent the application. He explained that property had been swapped with the Kowalskis. He said that he would like to be considered for site plan approval since he had submitted the site plan and drainage report.

Gates-NEWS-Chili

1635 BROOKS AVENUE, SUITE 2, WEST BLDG. ● ROCHESTER, NEW YORK 14624

Date... *7-8-87*

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

GATES-CHILI NEWS

Issue Dated... *7-8-87*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y., Monroe Co.
My Commission Expires April 30, 19*89*

Patricia M. Smith
Patricia M. Smith
Publisher

**LEGAL NOTICE
CHILI PLANNING BOARD**

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on July 15, 1987 at 8:15 p.m. to hear and consider the following applications:

1. Applications of Stephen Chudyk, owner; 10 Yolanda Drive, Rochester, New York 14624 for preliminary subdivision approval of two lots to be known as Chudyk Subdivision at property located at 10 Yolanda Drive and 136 Chestnut Ridge Road in R-4-12 zone.

2. Application of Richard Schickler, owner; 870 Chili

Scottsville Road, Scottsville, New York 14546 for preliminary subdivision approval of one lot with a simple alteration of lot lines, to be known as Schickler Subdivision at property located at 844 and 870 Chili and Scottsville Road in RA-20 zone.

3. Application of Robert Stryker, owner; 347 Westside Drive, Rochester, New York 14624 for preliminary subdivision approval of one lot to be known as Stryker Subdivision at property located at 494 Chili Scottsville Road in PRD zone.

4. Application of Antonio Filippone, owner; 3205 Chili Avenue, Rochester, New York 14624 for preliminary subdivision approval of one lot at property located at above address in GB zone.

5. Application of Arnold Carmichael, P.E.; 570 Driving Park Avenue, Rochester, New York; M/M P. Sevene; for

preliminary site plan approval to erect a single family dwelling at property located at 49 Names Road in RA-20 & FPO zone.

6. Application of Arnold Carmichael, P.E., 570 Driving Park Avenue, Rochester, New York 14613; property owner: M/M P. Sevene; for preliminary site plan approval to erect a single family dwelling at property located at 77 Names Road in RA-20 & FPO zone.

7. Application of K & M Construction, 4097 Buffalo road, Rochester, New York 14624, property owner: Chili Ventures; for conditional use permit to allow a Par 3 golf course at property located at 760 Chili Scottsville Road in RA-20 FPO zone.

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

J. Donald Faso, Chairman

Chili Planning Board 7/8

FOR DISCUSSION:

1. Al Heilman, Atty.-proposed rezoning of 1791 Scottsville Road from RA-20 & FPO to NB & FPO.

*Planning
Book
July 15-1987*

Marcia Havens said that the application could not be heard for site plan approval because it was not advertised and that the public is entitled to hear the application. Don Faso said that he would send a letter to the Board recommending that the fee be waived since the applicant would have to come back.

Mr. Schickler said that he would be building a 40' x 88' storage area, office space, and a conference room. He explained that the Agway would be parallel to the existing buildings.

John Nowicki asked if there would be storage of chemicals on the property and Mr. Schickler said "no".

Mr. Avery said tht there would be no retail selling and that the parking would be for employees.

Mr. Schickler asked about expediting the site plan approval because of the work that had already had been contracted out and the extra expense involved if the application was held up. Don Faso said that he could sign off to the Town and continue with the work thereby releasing the Town of any liability should the application be turned down.

Don Faso read the County Comments which offered the following comments:

Points requiring action prior to submission of final plans:

1. the proposed method of temporary erosion/siltation control to be used,
2. sewage disposal system plans,
3. proposed individual sewage pumping unit plans,
4. soil test results and locations,
5. location of wells and septic systems,
6. engineering report for the Department of Health,
7. contact Mr. Stein at the Monroe County Water Authority for possible backflow prevention device,
8. submit plans to the Department of Transportation for review

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Jack Shaver

He saw no problem with the application. He complimented Mr. Schickler on the appearance of his home and yard.

Martha Yates

She agreed with Mr. Shaver's comment.

Ray Bleier asked about the fuel tanks on the property and the lack of barriers surrounding them. Mr. Schickler said that they would be moved.

DECISION: Unanimously approved by a vote of 6 with no conditions.

Please not that final subdivision approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

3. Application of Robert Stryker, owner; 347 Westside Drive, Rochester, New York 14624 for preliminary subdivision approval of one lot to be known as Stryker Subdivision at property located at 494 Chili Scottsville Road in PRD zone.

Mr. Lee Sinsebox was present to represent the application. He explained that the property would be for Mr. Stryker's own use with no intention of subdividing it. He explained that the Zoning Board had approved the 5 acre variance. He said that there is a septic tank system, available gas, and a well. He explained that the perc's had tested exceptionally well; 11-12 minutes.

Don Faso read the County Comments which offered the following comments:

The final plan should contain a tie distance to Stryker Road. Without this information it is difficult to precisely locate this subdivision on the larger parcel from which it is being subdivided.

The DRC identified points requiring action prior to final submission:

1. the proposed method of temporary erosion/siltation control,
2. plans for the sewage disposal system,
3. sanitary invert elevations must be provided,
4. location of wells and septic systems within 500 feet,
5. plans submitted to the Department of Transportation for review.

Cherie Bevona said that according to the wetland map, the house is in the middle of a state protected wetland. She suggested that the DEC visit the property to determine the wetland.

Tom Guerin said the survey information would be needed on the final plan.

Marcia Havens suggested that the application be tabled until the wetland area is determined because it was not mentioned on the County Comments.

Mitch Rakus said that he is familiar with the land and that he sees no problem.

DECISION: Voted by 5 to 1 to table without prejudice for one month for additional information regarding the wetlands and buffer zone.

4. Application of Antonio Filippone, owner; 3205 Chili Avenue, Rochester, New York 14624 for preliminary subdivision approval of one lot at property located at above address in GB zone.

Mr. Lee Sinnebox was present to represent the application. He explained that they wanted to move the lot line back to where it originally was. Don Faso said that Mr. Colombini legalized his parcel which left this as an illegal lot.

John Nowicki asked who owns Lot 1 and Don Faso said "Antonia Filippone". Don Faso said that the lot was recorded as surrounding the house but then the house was removed.

Don Faso asked about the addition and Mr. Sinnebox said that it would contain freezing and cooling units but that the Building Department had put a stop order on it.

John Nowicki asked if this would have any effect on Colombini and Marcia Havens said that Bob Connolly had said "no".

Don Faso read the County Comments which offered the following comments:
The DRC identified points requiring action:

1. the proposed method of temporary erosion/siltation control,
2. inform Supplier of Water the intended use of their public water,
3. floor drains shall be connected to the sanitary sewer,
4. easements should be shown for all utilities,
5. contact Mr. Stein of the Monroe County Water Authority in regards to a backflow prevention device,
6. plans submitted to the Department of Transportation for review.

DECISION: Unanimously approved by a vote of 6 with no conditions.

Please note that final subdivision approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

5. Application of Arnold Carmichael, P.E.; 570 Driving Park Avenue, Rochester, New York 14613, property owner: M/M P. Sevene; for preliminary site plan approval to erect a single family dwelling at property located at 49 Names Road in RA-20 & FPO zone.
6. Application of Arnold Carmichael, P.E., 570 Driving Park Avenue, Rochester, New York 14613; property owner: M/M P. Seven; for preliminary site plan approval to erect a single family dwelling at property located at 77 Names Road in RA-20 and FPO zone.

Applications 5 and 6 were heard concurrently.

Mr. Arnold Carmichael was present to represent the application. He explained that the Zoning Board had granted the variance. He said that there would be no basement and no occupation below the elevation.

Don Faso asked Mr. Sevene who he had purchased the lot from and Mr. Sevene said "Perotta".

Don Faso asked Mr. Steve Nelson, a neighbor, if he knew whether Perotta had been before the Board and Mr. Nelson said that he didn't know.

Don Faso asked who would be building and Mr. Sevene said that he would. John Nowicki asked if he was a builder and Mr. Sevene said "no". Don Faso asked if one of these properties would be for his son and Mr. Sevene said "perhaps".

John Nowicki asked if they had been designed with FPO requirements in mind and Mr. Carmichael said "yes".

Don Faso read the County Comments which offered the following comments: The application was approved insofar as airport considerations were concerned. It was also recommended that a noise reduction level of 25 decibels be achieved by using construction standards.

The Zoning Review yielded these comments:

1. The map should clearly indicate that this residence is to be built on a slab, and will not have a basement.
2. The notation on the plan concerning the base flood elevation should also note the source of this information: the Flood Insurance Rate Map, Community Panel Number 360411 0015 A, effective date February 1, 1979.

Ray Bleier expressed concern over the steepness of the slope towards Mr. Carmichael's property.

John Nowicki asked what the average normal height of a crawl space is and Mr. Carmichael said "2-3'". Tom Guerin said that it could be any height as long as it contained utilities.

John Nowicki expressed concern over the height of the crawl space. Bill Deans asked if there would be stairs leading to the crawl space and Mr. Carmichael said that there would not be and that he was just trying to save fill.

John Madigan asked if the garage would be set up so that water could go through it and Mr. Carmichael said "yes".

Don Faso asked if the walls would be waterproofed and Mr. Carmichael said "yes".

John Nowicki asked why there is a 4" water drain on the cross section and Mr. Carmichael said that that is an error. John Nowicki said he felt more information was needed. He said that he would like the definition of a crawl space and the difference between waterproof and dampproof.

Mitch Rakus asked why they couldn't build on slab and Mr. Carmichael said that it would be more desirable not to with a wood floor.

Cherie Bevona said that the Conservation Board had declared this application as having no apparent significant environmental impact.

Mitch Rakus said that he would like to see the elevation raised by 1' because of the water problems and Mr. Carmichael said that he would do that.

John Cross asked what would be in the crawl space and Mr. Carmichael said that it would just be air space. Tom Guerin said that a water in and out was needed in the crawl space. John Nowicki said that there are FPO design standards available. Mr. Sevene said that the crawl space would be the same height as the garage floor.

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. Design standards of all applicable codes must be met.
2. Certification that all codes have been met shall appear on the map.
3. Monroe County Department of Planning comments #1 and 2 of a letter dated 6/24/87 must appear on the map.
4. Change zoning note to include FPO district.
5. Pending approval of the town engineer.

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be a Type II Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

7. Application of K & M Construction, 407 Buffalo Road, Rochester, New York 14624, property owner: Chili Ventures; for conditional use permit to allow a Par 3 golf course at property located at 760 Chili Scottsville Road in RA-20 & FPO zone.

Mr. Catalano was present to represent the application. Don Faso said that he was in receipt of the disclosure statement.

Don Faso asked if there would be counter service and Mr. Catalano said "yes".

John Nowicki said that he felt information was lacking and Bill Deans and John Cross agreed. John Nowicki motioned to table the application with Bill Deans seconding it.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Lynn Lavelle - 530 Humphrey Road^W
He explained that his mother-in-law resided in the area. He submitted a copy of the attached to Don Faso.

John Cross asked about the cost of the project and Mr. Catalano said that it would cost between \$100,00-125,000. John Nowicki asked about the size of the buildings and Mr. Catalano said that they would be approximately 30' x 40'.

Mr. Catalano expressed concern over the application being tabled.

Marcia Havens recommended that there be a re-notice on the application.

Don Faso read the County Comments which deemed the application for local determination.

DECISION: Voted by 4 to 2 to table the application without prejudice until the applicant submits a full site plan review.
Don Faso and Ray Bleier voting no - all others present voting aye.

FOR DISCUSSION:

1. Al Heilman, Atty. - proposed zoning of 1791 Scottsville Road from RA-20 & FPO to NB & FPO.

Mr. Al Heilman, Attorney, was present. He submitted maps to the Board. He explained that the Fowler's and the Murphy's are owners of the property. He said that Mrs. Fowler would like to use the front portion of the house for a grocery store. He said that the parcel would need to be rezoned for the grocery store and the apartments. John Madigan explained that there had been a fire in the front portion of the house.

John Madigan said after the fire, do not occupy signs were posted but that they had been removed and Mrs. Fowler had moved in.

Bill Deans asked why the building couldn't be made into apartments. John Nowicki asked why the building wasn't repaired after the fire and Mrs. Fowler said that the insurance was limited because of the office space.

Bill Deans suggested making the store into a dairy since this was a permitted use in the zone.

Marcia Havens asked how come they didn't want to go for a land use variance instead and Mrs. Fowler said that she didn't want to because of the amount of land.

John Nowicki asked what Mrs. Fowler owned and she said that she owned the house and shed in the back.

Mr. Steve Nelson suggested that they seek the neighbors opinions and Mrs. Fowler said that the neighbors didn't seem to object.

Marcia Havens said that she felt it was a hardship and therefore, a land use variance would be an available option.

Mitch Rakus said that the idea of apartments would need some research but that they would be an asset to the community.

Mr. Heilman said that he would talk to his client. Don Faso recommended that they talk to the neighbors.

RECOMMENDATION:

The Chili Planning Board, at their July 15, 1987 meeting heard the above proposal. We recommend that you proceed with a land use variance rather than rezoning this parcel. We feel you could prove enough of a hardship to warrant a land use variance.

Don Faso
Planning Board Chairperson



VOID

10/10



CHILI PLANNING BOARD

August 11, 1987

The meeting of the Town of Chili Planning Board was held in the Administrative Office, 3235 Chili Avenue, Rochester, New York 14624 on August 11, 1987 at 7:00 P.M. The meeting was called to order by Chairperson Don Faso.

PRESENT: George Ford, John Nowicki, John Cross, Mitch Rakus, Ray Bleier, and Chairperson Don Faso.

ALSO PRESENT: John Madigan, Building Inspector; Tom Guerin, Town Engineer; Cherie Bevona, Conservation Board; and Marcia Havens, Deputy Town Attorney.

Chairperson Don Faso declared this to be a legally constituted meeting of the Chili Planning Board. He further stated that notice of the meeting had been advertised in the Gates-Chili News, as well as posted on the Town Clerk's bulletin board. He also read the Fire Exit Notice.

This is a draft only, and is being filed to comply with the Section 106 of the Public Officers Law. These minutes have not been approved by the Chili Planning Board, and, therefore, are subject to change.

APPLICATIONS:

OLD BUSINESS:

Application of Robert Stryker, owner; 347 Westside Drive, Rochester, New York 14624 for preliminary subdivision approval of one lot to be known as Stryker Subdivision at property located at 494 Chili Scottsville Road in PRD zone.

Mr. Charles Costich of 217 Lake Avenue was present to represent the application. He said that he had met with the DEC regarding the wetlands and was told that this area was a regulated wetland. However, since the project is outside of the wetland, a wetland permit would not be required.

John Nowicki asked about the tie on Stryker Road and Mr. Costich said that it would be on the plans before they were signed.

Cherie Bevona asked why the wetland boundary does not follow the contours and Mr. Costich said that it was not closely determined.

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. Tie distances to the property must be shown on the final plan.
2. Pending approval of the Town Engineer.

Please note that final subdivision approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

INFORMAL:

1. Application of Dewey, Clark & Associates, 186 North Water Street, Rochester, New York 14604 for sketch plan approval for a 9 lot subdivision to be known as Beaver Road Industrial Park at property located at 100 Beaver Road in L.I. Zone.

Don Faso said that the applicant has requested this application to be temporarily withdrawn.

1. Application of Richard Schickler, owner; 870 Chili-Scottsville Road, Scottsville, New York 14546 for preliminary site plan approval to erect a 30' x 88' office at property located at 870 Chili-Scottsville Road in RA-20 zone.

Mr. Don Avery of Avery Engineering was present to represent the application. He said that the Health Department approved the application. He explained that they would be drinking bottled water and that the well would be used for the bathrooms since it contained 150 gallons per day.

Gates-NEWS-Chili

1635 BROOKS AVENUE, SUITE 2, WEST BLDG. ● ROCHESTER, NEW YORK 14624

Date... *8-5-87*

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

GATES-CHILI NEWS

Issue Dated... *8-5-87*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y., Monroe Co.
My Commission Expires April 30, 19 *89*

Patricia M. Smith
Patricia M. Smith
Publisher

**LEGAL NOTICE
CHILI PLANNING BOARD**

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on August 11, 1987 at 7:00 p.m. to hear and consider the following applications:

1. Application of Richard Schickler, owner; 870 Chili Scottsville Road, Scottsville, New York 14546 for preliminary site plan approval to erect a 30' x 88' office at property located at 870 Chili Scottsville Road in RA-20 Zone.

2. Application of Faber Construction, 80 W. Main Street, Rochester, New York 14614; property owner: Bernard & Frank Iacovangelo; for preliminary subdivision of 1 lot to be known as Morgan Road Subdivision at property located at 977 Morgan Road in RA-1 Zone.

3. Application of Don Seely, owner; 4277 Buffalo Road, North Chili, New York, 14514; for preliminary subdivision of 1 lot to be known as Seely Subdivision at property located at 800 Chili Avenue Extension in R-1-20 Zone.

4. Application of Antonio Filippone, owner; 3205 Chili Avenue, Rochester, New York 14624 for preliminary site plan approval to erect at 12' x 26' cooler at property located at above address in G.B. Zone.

5. Application of Elmer Parent, 2 Tarrytown Drive, Rochester, New York 14624; property owner: Dana Chapman; for preliminary subdivision approval of 3 lots to be known as Parent Subdivision at property located at 176 Chestnut Ridge Road in R-1-12 Zone.

6. Application of Gallo and Iacovangelo, 80 W. Main Street, Rochester, New York 14614, property owner: Candice Garnham; for preliminary subdivision approval of 4 lots to be known as Garnham Subdivision at property located at 805 Marshall Road in R-1-15 Zone.

7. Application of Mark IV Construction, owner; 301 Exchange Boulevard, Rochester, New York 14608 for final site plan approval of 40 townhouse units to be known as

Riverview Townhomes Phase I at property located at 1951 Scottsville Road in RM & FPO Zone.

8. Application of Mark IV Construction, owner; 301 Exchange Boulevard, Rochester, New York 14608 for final subdivision approval of 42 lots to be known as Riverview Townhomes Phase I at property located at 1951 Scottsville Road in RM & FPO Zone.

9. Application of Gilbert Glidden, 3216 Union Street, North Chili, New York 14514, property owners: N. Maier, D. Maine, R. Glidden; for final subdivision approval of 14 lots to be known as Glidden Estates, Section A. at property located on King Road in R-1-15 Zone.

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

**J. Donald Faso, Chairman
Chili Planning Board**

INFORMAL:

1. Application of Dewey, Clark & Associates, 186 North Water Street, Rochester, New York 14604 for sketch plan approval for a 9 lot subdivision to be known as Beaver Road Industrial Park at property located at 100 Beaver Road in L.I. Zone.

OLD BUSINESS:

1. Application of Robert Stryker, 347 Westside Drive, Rochester, New York 14624 for preliminary subdivision approval of one lot to be known as Stryker Subdivision at property located at 494 Chili Scottsville Road in PRD Zone.

FOR DISCUSSION:

1. Prides Crossing Subdivision - proposed Haul Road.

8-5

1. Chili Planning Board - Aug 11 - 1987

John Nowicki asked if the well water would be used for the bathing facilities and Mr. Schickler said "yes". John Cross asked about water softeners and Mr. Schickler said that they haven't worked well. Mitch Rakus asked how often the plumbing is replaced and Mr. Schickler said "too often". John Nowicki asked why the bottled water was being used and Mr. Schickler said "because of the sulfur". John Nowicki asked how deep the wells were and Mr. Schickler said "45'". John Nowicki asked what type of system would be used and Mr. Avery said "sand".

George Ford asked how many people would be in the building and Mr. Avery said "six". John Nowicki asked what the pump station was for and Mr. Avery said that the pump goes to the septic tank and up to the field. Mr. Avery said that the County had approved the plan. Don Faso said that the County was taking responsibility for the pump station. John Nowicki asked if there was to be a security device for overflow and Mr. Avery said that there would be a lighted alarm. Mitch Rakus asked if the water would go into the leech field and Mr. Avery said "yes". Ray Bleier asked about the fuel tanks since they were not on the map and Mr. Schickler said that they would be moved to the back area.

John Nowicki asked about the work done and Mr. Schickler said that the business consists of mostly landscaping work.

Cherie Bevona said that the Conservation Board had declared this application as having no apparent significant environmental impact.

Tom Guerin had no comments.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Mr. Ed Kowalski - 569 Morgan Road

He asked where the building was located and Mr. Avery showed him via the map that it would be 250' from the center of the road. Mr. Avery explained that the cars would not be seen with the Austrian pine trees. Mr. Kowalski asked where the leech field was located and Mr. Avery said that it would be partly in the hedge and partly in the west parking area. Mr. Kowalski asked if it will affect the property to the north and Mr. Avery said that the well was over 370' and therefore should have no effect.

Mr. Reggie Lamber - 626 Morgan Road

He expressed concern over the business. He felt that it was growing into a full blown construction business since it was originally a nursery and is now a construction business. He presented an ad from the paper advertising Mr. Schickler's business. He said that Mr. Schickler was using heavy equipment. He asked about the previous variances.

Don Faso - no variances were needed, everything is a permitted use in that zone.

George Ford asked what is stored at the property and Mr. Schickler said "backhoes and trucks". George Ford asked if all the equipment was related to the landscaping business and Mr. Schickler said "yes".

John Nowicki asked what color the siding was and Mr. Schickler said that it was cedar like the barn.

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. Show the exact location of the storage tanks on the final plan.
2. Pending approval of the town engineer.

Please note that final site plan approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

2. Application of Faber Construction, 80 W. Main Street, Rochester, New York 14614; property owner: Bernard & Frank Iacovangelo; for preliminary subdivision of 1 lot to be known as Morgan Road Subdivision at property located at 977 Morgan Road in RA-1 Zone.

Mr. Charles Costich and Mr. Anthony Iacovangelo were present to represent the application. Mr. Costich submitted a possible layout for review only. He said that the parcel was 5.42 acres and that there was no standing ground water. He said that the area did not percolate well and that there is a sand fill for septic system. He said that he wanted approval on the concept before seeking Health Department approval. He

said that this would be a 2100 sq. ft. house west of the house Mr. Iacovangelo just sold.

John Nowicki asked if the easement would remain and Mr. Costich said that it would because of the hill. Mr. Costich said that it would be joint accessed and Mr. Mark Deacon of 975 Morgan Road, from the audience, said that it was an exclusive easement.

Ray Bleier said that the plans show a separate driveway cut and Mr. Costich said that is correct.

Cherie Bevona said that the Conservation Board had determined this application as having no apparent significant environmental impact.

Tom Guerin had no comments.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Ms. Cathy Corey - 43 Clifton Road

She asked about the 14 lots being developed and whether they would be presented piece by piece before the Board. Don Faso said that that was up to the applicant. Mr. Costich said that he assumed that the remaining parcel would be presented to the Board as a hole but that there was no hurry on the remaining land.

Mitch Rakus asked if there was water in the area and Mr. Costich said that he didn't know.

Mr. Rex Miller - 365 Chili Riga Road

He said that there is a drainage problem and a problem with the wells going dry. He wanted to know if the Town would accept responsibility for the wells going dry if the application was approved. Don Faso said that the drainage had been addressed in the subdivision approval. Don Faso said that the applicant can subdivide and tap into the well legally as long as it meets with the Health Department's approval. Don Faso said that the Board has no control over this.

Mr. Robert Evans - 949 Morgan Road

He asked if the applicant can legally bring the area piece by piece before the Board and Don Faso said "yes".

Mr. Tim Clancy - 63 Wheatland Center Road

He questioned whether the map illustrating the drainage was final and Don Faso said that it was only a concept.

Mr. Iacovangelo said that he had a contract with a contingency on the house.

Mr. Gordon McDonald - 381 Chili Riga Road

He expressed concern over the drainage and the quality of the water.

Don Faso asked how far the area was from the water district extension and Marcia Havens said that it was quite far.

Ms. Claudine Gillan - 976 Morgan Road

She expressed concern over the lack of well water.

Mr. Mark Deacon - 975 Morgan Road

He expressed concern over the sulfur in the water and wanted to know how would the proposed application affect the sulfur content in the water. Tom Guerin said that he was not sure but that it shouldn't make it any worse. Don Faso suggested that Mr. Deacon go before the Town Board with his concern over water quality and quantity.

Mr. Robert Evans - 949 Morgan Road

He asked what type of home was proposed and Mr. Iacovangelo said that a 2 story, Tudor style home was proposed with 4 bedrooms and a sanitary filter bed on the side if possible. Mr. Evans asked if there was a limit to the number of filter systems that can be installed and Mr. Costich said that it depends on the percs.

Don Faso read the County Comments which offered the following comments:

Points requiring action prior to submission of final plans:

1. show the proposed method of temporary erosion/siltation control
2. plans for the sewage disposal system must be submitted
3. two percolation tests and one deep hole must be done on the leech field
4. soil test locations and results must be shown on the plans
5. a more detailed plan will need to be reviewed for final comments

Don Faso asked what would happen if the percs did not test okay and Mr. Costich said

that it is in his best interest to see that they did.

PRE-DECISION DISCUSSION:

Mitch Rakus suggested that the final approval be held. John Nowicki said that the Board didn't have the authority since it needs County Health Department approval. Mitch Rakus asked that a recommendation be made to them.

Don Faso suggested that the neighbors go collectively as a group to the Town Board meeting to address the well water and drainage issues.

DECISION: Approved by a vote of 5 with Mitch Rakus casting the negative vote. The following condition was imposed:

1. Pending approval of the Town Engineer.

Please note that final subdivision approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

3. Application of Don Seely, owner; 4277 Buffalo Road., North Chili, New York 14514 for preliminary subdivision of 1 lot to be known as Seely Sub-
division at property located at 800 Chili Avenue Extension in R-1-20 zone.

Mr. Don Avery of Avery Engineering was present to represent this application. He explained that the driveway was already cut with a chain across it. He said that the driveway was at the top of the hill which allows for good sight vision. He said that the property had been purchased at an auction and that the percs are illustrated on themap. Via the map, he indicated the well and the turnaround.

Don Faso read the County Comments which offered the following:

Points requiring action prior to submission of final plans:

1. plans for the sewage disposal system must be submitted and approved by the Monroe County Health Department
2. the location of wells and septic system must be shown on the final plans
3. any work within the right-of-way will require a permit

John Nowicki asked what type of style the house would be and Mr. Seely said that it will probably be a 1900-2400' colonial but that he's not exactly sure. George Ford asked if Mr. Seely will live there and Mr. Seely said "yes". George Ford asked if there would be any future development and Mr. Seely said that there may be a small guest house added for his parents.

Mitch Rakus asked how deep the wells were and Mr. Gene Hermantrondt said "14-20'". Mitch Rakus asked how can the septic system be approved when it's 14' and not 100' from the property. Mr. Avery said that the sand will purify the water. Don Faso said that they can petition for a water district. John Nowicki said that they could possibly get the people from the new subdivision involved.

George Ford asked what the cost of the system was and Mr. Seely said "\$3000-5000".

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Mr. Mike Ford - 720 Chili Extension
He verified the cost of the system from his experience.

Cherie Bevona said that the Conservation Board had declared this application as having no apparent significant environmental impact.

DECISION: Unanimously approved by a vote of 6 with the following condition:

1. Pending approval of the Town Engineer.

Please note that final subdivision approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

4. Application of Antonio Filippone, owner; 3205 Chili Avenue, Rochester, New York 14624 for preliminary site plan approval to erect a 12' x 26' cooler at property located at above address in G.B. zone.

Mr. Charles Costich was present to represent the application. He said that the foundation was already in and that there would be a front and rear entrance. Don Faso asked about the exterior and Mr. Costich said that it would be the same style, concrete blocks.

John Nowick asked about the addition and John Madigan said that they have the foundation plan. Mr. Costich said that they would excavate a portion of the foundation for a building inspection.

John Nowicki said that he would like to see the building improved.

Don Faso read the County Comments which offered the following:

Points requiring action prior to submission of final plans:

1. must inform the Supplier of Water of the intended use of the water
2. plans must be submitted and reviewed by the Health Department
3. floor drains shall be connected to the sanitary sewer
4. plans must show the existing watermain and sanitary sewer
5. a permit will be required by the DOT for any work within the right-of-way

John Madigan asked if the door on the cooler was the exit door and Mr. Filippone said that it was. John Madigan said that this could not be. John Madigan asked where the deliveries would be made and Mr. Filippone said that they would be brought in through the kitchen from the door on the side on the first floor.

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. All applicable codes must be met.
2. Pending approval of the Town Fire Marshal.
3. Pending approval of the Town Engineer.

Please note that final site plan approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

5. Application of Elmer Parent, 2 Tarrytown Drive, Rochester, New York 14624; property owner: Dana Chapman; for preliminary subdivision approval of 3 lots to be known as Parent Subdivision at property located at 176 Chestnut Ridge Road in R-1-12 Zone.

Mr. Don Avery was present to represent the application. He said that the barn and trees would be removed. He said that there would be sewers and water and that a catch basin and dry well would handle the grading problem. Mr. Avery said that a variance would be needed since there is only 78.18' where 80' is required.

Ray Bleier asked if the old subdivision was on the map and Mr. Avery said "yes". Don Faso said that the Chapmans live in the existing house and that they purchased the Tarrytown lots.

John Nowicki asked about the downspouts and Mr. Avery said that he is open to suggestions since the soil is sandy. John Nowicki asked about the house and Mr. Parent said that there would be two (2) 1200' 3 bedroom ranches with full basements. Don Faso asked if Mr. Parent would be building and Mr. Parent said "yes". Don Faso asked if there were any buyers yet and Mr. Parent said that he didn't have any yet as he didn't own the property until next year. John Nowicki asked if Mr. Parent had built any other houses and Mr. Parent said that he had built one in Wayne County.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Mr. Andy Dispartis - 90 Coldwater Road
He said that he was concerned about the water runoff because he has a wet basement with sump pumps.

George Ford asked about the dry well and how deep it was and Mr. Avery said that it's 4-5' deep. George Ford asked how long the water would be retained and Mr. Avery

said that it depends upon the percolation. John Nowick said that the percs should be taken both spring and fall. JohnNowicki said that final approval should not be granted until all issues are addressed.

Marcia Havens asked if they had applied to the Zoning Board for the variance and Mr. Avery said that they had planned on getting it here. Marcia Havens recommended that variance approval be granted by the Zoning Board.

Cherie Bevona said that the Conservation Board had declared this application as having no apparent significant environmental impact.

Tom Guerin said that he would not be opposed to a dry well and leech field to get to the downspouts. He said that splash blocks were not allowed. He said that there was a question on the dry well culverts.

Mitch Rakus questioned why the variance would need to go before the Zoning Board when it is so close to the requirement.

Ray Bleier said that he thought it was unfair to ask for comments from the developer. Mitch Rakus felt that this was being picky.

John Cross asked if there would be a log home and Mr. Prent said "no".

Bill Diesel - 984 Coldwater Road

He said that he lives downhill from the Chapmans and he was experiencing drainage problems.

Ray Bleier asked Tom Guerin if it was okay to waive the final and Tom Guerin felt that his engineering questions were answered. Mitch Rakus suggested that a condition be that the perks test to the Town Engineer's satisfaction.

Don Faso took a vote on rather the variance should go before the Zoning Board. The vote was 4-2 that it shouldn't go before the Zoning Board. John Nowicki and Don Faso felt that it should and voted accordingly.

Don Faso read the County Comments which offered the following:

Points requiring action before final submission of the plans:

1. how the proposed method of temporary erosion/siltation control to be used

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. Perk test must be conducted to determine the size of the dry wells.
2. Pending approval of the Town Engineer.

Please note that final subdivision approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

6. Application of Gallo and Iacovangelo, 80 W. Main Street, Rochester, New York 14614, property owner: Candice Garnham; for preliminary subdivision approval of 4 lots to be known as Garnham Subdivision at property located at 805 Marshall Road in R-1-15 Zone.

Mr. Don Avery and Mr. Jim Perna were present to represent the applicaiton. Mr. Avery explained that Mr. Garnham wanted to divide the property into 4 lots and sell 2 lots to Forest Creek Equity.

John Nowicki asked about the lots and Mr. Avery said that lots 1 and 2 would be sold and Lot 3 would developed. Mr. Perna said that easements and sanitary and storm sewers were needed. Don Faso asked if the size of the pond was accurate and Mr. Avery said "pretty much". John Nowicki asked what year storm would be handled and Mr. Avery said that it was designed for a 25 year storm and that the details would be given with the Wellington approval. Mitch Rakus asked how deep the hole was and Mr. Perna said that this is only an illustration.

Ray Bleier asked if houses would be constructed on the lots and Mr. Perna said that there probably would be but that it would be a least 2 years before they got to that section.

Don Faso asked about the windmill and what would happen if it fell over and Mr. Avery said that it would hit the existing shed.

Cherie Bevona asked who would own and maintain the pond and Mr. Perna said that he didn't know. Mr. Perna said that it will eventually be part of Wellington's drainage district and would then be handled by the Homeowner's Association.

Tom Guerin recommended that in the culvert calculations, they should go back to 15 or 18 instead of the 12 or 15 that it is now. He also said that the invert in the channel needs elevation.

Don Faso read the County Comments which offered the following:

Points requiring action prior to submission of final plans:

1. show the proposed method of temporary erosion/siltation control to be used

John Cross said that #10 on the general rules regarding the splash blocks needs to be removed.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Mr. Jack Macadon - 29 Marshall Road

He asked about the sizes and Mr. Avery said that it would be 90' x 195' with a 75' setback.

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. General note #10 must be removed from the plan (downspouts to splash blocks).
2. Pending approval of the Town Engineer.

Please note that final subdivision approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

7. Application of Mark IV Construction, owner; 301 Exchange Boulevard, Rochester, New York 14608 for final site plan approval of 40 townhomes units to be known as Riverview Townhomes Phase I at property located at 1951 Scottsville Road in RM & FPO Zone.
8. Application of Mark IV Construction, owner; 301 Exchange Boulevard, Rochester, New York 14608 for final subdivision approval of 40 lots to be known as Riverview Townhomes Phase I at property located at 1951 Scottsville Road in RM & FPO Zone.

Applications 7 and 8 were heard concurrently.

Mr. Wayne Wegman and John Caruso of Passero Associates and Mr. Richard Rosen of Mark IV Construction were present to represent the application. Mr. Wegman amended Application #8 to read 40 townhomes. He said that a water and lighting district had been established to serve all the units. He said that the drainage would be gravity fed. He said that there would be no problems complying with Pure Water comments. Mr. Wegman said that they were attempting to subdivide at the final subdivision phase to satisfy the new County regulations.

John Nowicki said that he was concerned about the Saldawitz's and Mr. Saldawitz said that everything would be cleaned up in the next 60 days.

Mr. Wegman said that there would be slab on grades, 125-140, and that there would be no basements. Mitch Rakus asked about storage and Mr. Rosen said the the development was governed by the Homeowner's Association Restricted Conveyance. Mr. Rosen said that most people were willing to pay for storage but that there would be a storage room on the first floor.

Cherie Bevona complimented the applicants on the landscaping.

Mitch Rakus asked if there would be underground wire for lighting and Mr. Wegman said that all the wiring would be underground.

Tom Guerin said that he was working with the applicants and that everything was going well.

John Madigan asked if they would guarantee the restricted convenance and Mr. Rosen said that the building certificated could be held until the covenance had been approved.

John Nowikci asked about the site work and Mr. Rosen said that they would like permission to begin moving dirt immediately. Don Faso said that a grading permit was needed from the Town Engineer.

DECISION ON APPLICATION #7: Unanimously approved by a vote of 6 with the following conditions:

1. Pending approval of the Town Fire Marshal.
2. Pending approval of the Town Engineer.

DECISION ON APPLICATION #8: Unanimously approved by a vote of 6 with no conditions.

Application of Gilbert Glidden, 3216 Union Street, North Chili, New York 14514, property owners: N. Maier, D. Maine, R. Glidden; for final subdivision approval of 14 lots to be known as Glidden Estates, Section A. at property located on King Road in R-1-15 Zone.

Mr. Avery was present to represent the application. He said that everything would comply with the Code and that the design was the same as the preliminary. He said that they were not asking for any variances. Mr. Avery explained that there would be a stub road and a detention pond. He said that Mr. Fallone was buying the property.

George Ford asked what year storm would be handled and Mr. Avery said "25". Mr. Avery said that there would be a haul road and a temporary turnaround.

John Nowicki asked were all the conditions addressed stood in the letter dated March 10 from the Town Engineer. Tom Guerin said that there were 11 items. Mr. Avery said that the items on the letter had been addressed.

Ray Bleier asked if the drainage would go to the northeast corner and Mr. Avery said that there was no other ditch. Mitch Rakus commented on the pond pipe, 570 to 571 through the spillway and that he felt this was unlikely. Mitch Rakus said that this would spill on the ground and Mr. Avery said that this would happen but that he was working on a swale.

John Nowicki asked if there would be water on the neighbor's property and Mr. Avery said that there would be no more than there is now. Tom Guerin agreed.

John Cross asked if the Fallone property would be identified on the final and Don Faso said that this was on the next month's agenda.

John Nowicki asked for an idea of what the houses would look like as other builders have supplied this and Mr. Glidden submitted a brochure of houses, 1600-188 sq. ft. that he may use. Mr. Glidden said that he would be developing and building himself.

George Ford said that he was against the application. He said that this was not for the betterment of Chili, that the drainage calculations were not always the actual situation, that this would not work, that he questioned Mr. Glidden's integrity, that he was appalled the application had went through, and that he believed that this would be sold and developed.

Cherie Bevona said that the Conservation Board recommended that the street trees be diversified and there be a landscape buffer between the existing and new homes.

Tom Guerin said that the trees should be kept out of the easement and that the ends of the large pipes should be closed.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Mr. Joseph Salvatino - 141 King Road
He expressed concern over the drainage and he wanted assurance that the water won't be brought back and Mr. Avery said that the water would go to the Glidden property and then to Black Creek. Don Faso said that the ditches would be cleaned before C of O's were granted.

Mr. Gail Elder - 2 Bellmawr Drive
He said that he is a Real Estate Agent and that the houses would be built upon

demand. He said that the houses would be nice and that he was in favor of the application.

Mr. Pat Frame - 150 King Road

He expressed concern over the drainage and the amount of water that he gets.

Mr. Nat Gooley - 138 King Road

He showed pictures illustrating his existing water problems. He asked about the price of the houses and Mr. Glidden said that there would be some \$70,000 to \$80,000 and some \$90,000 to \$120,000 by Springbrook. He said that he was concerned about the drainage.

Ms. Nancy Page - 140 King Road

She said that she thought this was unfair and that they were being flooded because of construction. She said that she did not see any changes since the original applicaiton.

Mr. Fred Granby - 132 King Road

He said that he upgraded his pipes and that he has had no problems since.

Mr. Joe Salvatino - 141 King Road

He said that there is water coming out of the ground.

John Madigan asked about the culvert on King Road and Tom Guerin said that the pipe can't be lowered until the ditches are cleaned.

John Nowicki asked when construction would begin and M. Glidden said that he's not sure if it will begin this year.

Mr. Glidden said that the property would have to be sold as an estate to several different builders in answer to George Ford's comment of integrity.

John Cross said that he would like to see the drainage swale question answered and Marcia Havens said that this is aside from the agreement.

John Nowicki said that he felt that this was a risk and that he had trouble finding good faith. He said that the improvements seem to indicate compliance. He said that he is counting on Mr. Glidden's integrity because he is holding him responsible. He said that he hopes that he can be proud of this addition to Chili.

Don Faso said that he can sympathize with the drainage problems but that enough engineers had reviewed the plans to grant their approval.

Mitch Rakus said that the Town Engineer should check the railroad culvert on Union Street to be sure that it is the propert elevation and is not contributing to the drainage problems. Tom Guerin said that if everything is put in as designed it should work well.

DECISION: Approved by a vote of 5 with George Ford casting the negative vote. The following conditions were imposed:

1. Applicant must enter into a hold harmless agreement with the Churchville-Chili School District (as per preliminary condition).
2. All applicable ditch cleaning must be completed before a Certificate of Occupancy is issued for the first house (as per preliminary condition).
3. Pending approval of the Town Engineer.

FOR DISCUSSION:

1. Prides Crossing Subdivision - proposed Haul Road

Mr. Otto Layer was present. John Nowicki suggested that the base be put on the road in the subdivision and then be used for a haul road. Mr. Layer said that he used binder. John Nowicki said that he would risk damage to the gutters. Mr. Layer said that he would be willing to hold off on putting the top on the road. Don Faso said that they need to enter into a hold harmless contract with the School District. Tom Guerin suggested using the back of Yankee Court for the haul road. Ray Bleier said that he didn't like the construction vehicles on the road. Don Faso said that the road could be dedicated and that the construcion vehicles could enter from Paul Road. Don Faso said that he would need to keep it clean.

DECISION: The Board is hereby rescinding this as a condition of approval with the

following conditions:

1. Access for all construction vehicles must be from Paul Road.
2. The developer must keep all roads clean and free of mud and debris.

Mr. Bert Kozel of 1150 Scottsville Road was present. He said that he would like to use his \$2000 credit for demolishing the building rather than planting landscaping. Don Faso asked what was proposed for the vacant lot and Mr. Kozel said that he would make a more orderly front. Don Faso asked what he would do with the stock and Mr. Kozel said that he would put it right up to the fence. Don Faso said that this would be no great benefit. Cherie Bevona said that she felt the building was less of an eyesore than the junk laying outside. John Nowicki said that he would like landscaping, housekeeping to be done, and the building to be torn down.

Letters were read by Don Faso. The letter from Councilman Brixner was going to be forwarded to Dr. Schellenberg for his response. The letters were going to be read into the minutes at the next town Board Public Hearing Meeting.

The July Planning Board minutes for the Town of Chili were approved.

Don Faso
Planning Board Chairperson

CHILI PLANNING BOARD

September 8, 1987

The meeting of the Town of Chili Planning Board was held in the Administrative Office, 3235 Chili Avenue, Rochester, New York 14624 on September 8, 1987 at 7:00 P.M. The meeting was called to order by Chairperson Don Faso.

PRESENT: John Nowicki, John Cross, Mitch Rakus, Ray Bleier, Bill Deans, and Chairperson Don Faso.

ALSO PRESENT: John Madigan, Building Insepctor; Tom Guerin, Town Engineer; Cherie Bevona, Conservation Board; Marcia Havens, Deputy Town Attorney.

Chairperson Don Faso declared this to be a legally constituted meeting of the Chili Planning Board. He further stated that notice of the meeting had been advertised in the Gates-Chili News, as well as posted on the Town Clerk's bulletin board. He also read the Fire Exit Notice.

This is a draft only, and is being filed to comply with the Section 106 of the Public Officers Law. These minutes have not been approved by the Chili Planning Board and, therefore, are subject to change.

APPLICATIONS:

OLD BUSINESS:

1. Application of K & M Construction, 4047 Buffalo Road, Rochester, New York 14624 for conditional use permit to allow a Par 3 Golf Course at property located at 760 Chili Scottsville Road in RA-20 and FPO zone.

Mr. Tony Catalano of 4047 Buffalo Road was present to represent the application.

John Cross asked if the power line at the rear of the property had been discussed with the Engineer and Mr. Catalano said that the Engineer hadn't said anything about it as the same thing exists across the street.

Bill Deans asked if the neighborhood drainage concerns had been addressed and Don Faso said that the operation is just being dealt with now. Bill Deans said that the site plan stage would require more information.

Marcia Havens asked if the Chili Country Club would own the property and Mr. Catalano said "yes". Marcia Havens asked who would operate and maintain the property and Mr. Catalano said that he would by a legal lease agreement document. Marcia Havens asked if Mr. Catalano would have the option to buy and Mr. Catalano said "yes".

Cherie Bevona said that the Conservation Board had determined this application as having no significant apparent environmental impact.

Tom Guerin said that the site plan would need to show the drainage, erosion control, and the ends of the pipes closed.

John Madigan said that the setback is shown at 50' when it should be 75'. Mr. Catalano said that this would be changed.

Marcia Havens asked if the operation would include night hours and Mr. Catalano said "yes". Marcia Havens asked if the area would be lit and Mr. Catalano said "yes". Marcia Havens asked if the hours would be 7-10, 7 days a week and Mr. Catalano said "yes".

Don Faso said that the County Comments deemed this applicaiton for local determination.

Mitch Rakus asked if there would be winter activities and Mr. Catalano said that there would be a fast food restaurant. Mitch Rakus asked if beer and liquor would be served and Mr. Catalano said "no".

Don Faso asked what the timeframe was and Mr. Catalano said that he wanted to open next spring.

DECISION: Unanimously approved by a vote of 6 for 3 years. A site plan must be submitted to the Planning Board for review and approval before any building permits can be issued.

The Chili Planning Board has declared itself lead agency under the State Environmental

Gates-NEWS-Chili

1635 BROOKS AVENUE, SUITE 2, WEST BLDG. ● ROCHESTER, NEW YORK 14624

Date.....*9-2-87*.....

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

GATES-CHILI NEWS

Issue Dated.....*9-2-87*.....

Geraldine C. Snyder
.....
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y., Monroe Co.
My Commission Expires April 30, 19*87*

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

**LEGAL NOTICE
CHILI PLANNING BOARD**

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on September 8, 1987 at 7:00 p.m. to hear and consider the following applications:

OLD BUSINESS:

1. Application of K & M Construction, 4047 Buffalo Road, Rochester, New York 14624 for conditional use permit to allow a Par 3 Golf Course at property located at 760 Chili

Scottsville Road in RA-20 and FPO zone.

PUBLIC HEARINGS:

1. Application of John Spennacchio, owner; 24 Miramar Road, Rochester, New York 14624 for preliminary site plan approval to erect a single family dwelling at property located at 3935 Chili Avenue in R-1-20, FPG & FW zone.

2. Application of Fred Stoffel, owner; 580 Chestnut Ridge Road, Rochester, New York 14624 for preliminary resubdivision of 1 lot into 2 lots to be known as Stoffel Resubdivision at property

located at above address in R-1-15 zone.

3. Application of Wegman Enterprises, 1500 Brooks Avenue, Rochester, New York 14624, owner: R. Goldman; for conditional use permit to allow 4 ballfields with a recreation/storage bldg. at property located at 249 Fisher Road in RA-10 zone.

4. Application of Wegman Enterprises, 1500 Brooks Avenue, Rochester, New York 14624 for preliminary site plan approval to erect a recreation/storage building at property located at 249 Fisher Road in RA-10 zone.

5. Application of Robert

Fallone, owner; 237 Fisher Road, Rochester, New York 14624 for final subdivision approval of 17 lots to be known as West Forest Estates Section 7 at property located at 109 West Forest Drive in R-1-15 zone.

6. Application of Don Ball, 75 Woodview Drive, Rochester, New York 14624, owner: N. Ball; for preliminary site plan approval to erect 8 mini storage buildings to accommodate 232 units at property located at 3497 Union Street in G.I. zone.

7. Application of John Perna, owner; 3785 Chili Avenue, Churchville, New York 14428 for preliminary site plan approval to erect a 29' x 46' addition to service station at property located at above address in N.B. zone.

8. Application of Perna Homes, owner; 849 Paul Road, Rochester, New York 14624 for final subdivision approval of 10 lots to be known as Country View Subdivision at property located at 482 Chestnut Ridge Road and portion of 492 Chestnut Ridge and 1055 Paul Road in R-1-20 zone.

9. Application of Perna Homes, owner; 849 Paul Road,

*Planning Book
9-1987*

Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

PUBLIC HEARINGS:

1. Application of John Spennacchio, owner, 24 Miramar Road, Rochester, New York 14624 for preliminary site plan approval to erect a single family dwelling at property located at 3935 Chili Avenue in R-1-20, FPO & FW zone.

Mr. Richard Nau of 43 Parkridge Lane was present to represent the application.

Don Faso asked if this was the old refuse waste site and Mr. Nau said "yes". Don Faso asked if the owner would be cleaning up the dump and Mrs. Judy Spennacchio said that Parcel A was theirs and Parcel B was the dump site.

Ray Bleier asked if there was a clump of trees on the property and Mr. Nau said that there is a cornfield and that the site is behind the Carson property.

John Nowicki asked how many acres were involved and Mr. Nau said "12.2098".

Don Faso said that the proper title block would need to be on the map before it was signed.

John Nowicki asked what the size of Parcel B was and Mrs. Spennacchio said that it was the same.

Cherie Bevona said that the Conservation Board had determined this application as having no significant apparent environmental impact.

Tom Guerin said that the downspouts would need to be continued.

John Nowicki asked if this property was on a well and Mr. Nau said that the water main going to the tap would be shown on the map.

Don Faso asked about the sewer and Mrs. Spennacchio asked when it would be in. Don Faso said that it should be in by next year.

Don Faso read the County Comments which identified points needed addressing prior to submission of the final plans:

1. show the proposed method of temporary erosion/siltation control
2. plans for the sewage disposal system
3. location of wells and septic systems within 500 feet
4. submit plan to the Department of Transportation

John Madigan asked if there was a tradeoff with the Carsons on the property and Mrs. Spennacchio said that it had not yet taken place.

John Nowicki said that FPO and FW should be shown on the maps. He said that he felt that the application was lacking information such as the setbacks, floodways, and water hookup.

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. Final plans submitted to the town for signature must have a proper title block showing all pertinent information.
2. All setback lines and floodway boundary must be shown on the final plans.
3. Proposed water main hookup must be shown on the final plans.
4. Subject to the approval of the Town Engineer.

Please note that final site plan approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

2. Application of Fred Stoffel, owner; 580 Chestnut Ridge Road, Rochester, New York 14624 for preliminary resubdivision of 1 lot into 2 lots to be known as Stoffel Resubdivision at property located at above address in R-1-15 zone.

Mr. Don Avery of Avery Engineering was present to represent the application. He said that a one story house would be built for Mr. Stoffel. He said that he was asking for a 60' variance since a sewer cannot be put in if the house is further back. Mr. Avery said that the house would be below the road elevation at 563'.

Don Faso asked about the grade of the driveway as he felt that it was awful steep. Mr. Avery said that there was a 10% slope on the driveway and that it would connect to the water with a sewer along the right of way. Mr. Avery said that the drainage would be contained in the back and that it wouldn't get to the railroad ditch.

Don Faso asked Mr. Fred Stoffel if this would be his primary residence and Mr. Stoffel said "yes". Don Faso asked if Mr. Stoffel was selling his house now and Mr. Stoffel said "yes". Don Faso asked if there were any plans for a future subdivision and Mr. Stoffel said "maybe". Don Faso asked what kind of house would be built and Mr. Stoffel said that it would be a 1165' modular with 3 bedrooms. Mr. Stoffel said that it would be 15 sq. ft. over the requirements.

Don Faso said that he realizes that Mr. Stoffel had no control but that he was disappointed in the appearance of the Stoffel subdivision. Mr. Stoffel said that it was the builders.

John Nowicki said that he was concerned about the driveway. He felt that it was not well designed and that it would be difficult for safety vehicles to get in and out. Mr. Stoffel said that the driveway couldn't be altered.

Ray Bleier asked if there would be a full basement and Mr. Stoffel said that it was 8 blocks.

Mitch Rakus said that he had the same concerns as the others.

John Cross suggested that more blocks be put in to add a full basement. He felt that it would look better. Mr. Avery said that something could be worked out.

John Nowicki asked if they had any information on the houses and Mr. Avery submitted a sheet for the Board's review.

Cherie Bevona said that the Conservation Board had determined this application as having no significant apparent environmental impact.

Tom Guerin said that #9 needs to come off on the general notes.

Don Faso said that there should be a drainage easement for future development. Tom Guerin thought that this was a good idea. Don Faso said that D and DI should be included in the Black Creek Central Drainage District. Tom Guerin agreed.

Don Faso read the County Comments in which the Development Review Committee offered the following:

1. a 12 inch corrugated metal pipe with end sections is required for the driveway

DECISION: Approved by a vote of 5 with John Nowicki casting the negative note. Final approval was waived. The following conditions were imposed:

1. First floor elevation must be raised to accommodate a full basement because the house will be much lower than the road (driveway slope to be adjusted accordingly).
2. A 10 foot wide permanent drainage easement must be shown along the north property line.
3. You must petition the Chili Town Board to include this resubdivision in a drainage district.
4. Subject to approval of the Town Engineer.

Please note that final subdivision approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

3. Application of Wegman Enterprises, 1500 Brooks Avenue, Rochester, New York

14624, owner: R. Goldman, for conditional use permit to allow 4 ball-fields with a recreation/storage building at property located at 249 Fisher Road in RA-10 zone.

4. Application of Wegman Enterprises, 1500 Brooks Avenue, Rochester, New York 14624 for preliminary site plan approval to erect a recreation/storage building at property located at 249 Fisher Road in RA-10 zone.

Applications 3 and 4 were heard concurrently.

Mr. Ken O'Neil and Mr Charles Costich, Professional Engineers, were present to represent the applicaions. Mr. O'Neil said that the property was a portion of the large rezoning. He said that there would be 4 softball fields and a recreation facility to be used May through August on Monday, Tuesday, Wednesday, and Sunday. He said that there would be no anticipated use on Thursday, Friday, and Saturday. Mr. O'Neil said that there would be 30 teams within the Rochester area playing during the hours of Monday through Wednesday 5:30 - 9 pm and Sunday 1 pm - 9 pm. He said that there would be no alcoholic beverages and no lighting.

Mr. O'Neil said that the recreation facility had been moved from the west side to the east side as the Board recommended. He said that the maintenance would be by Wegmans or by a private contractor under Wegmans control. He said that the security would be by Wegmans and that the area would be patrolled all year round. Mr. O'Neil asked the Board to act as lead agency in SEQR.

Don Faso asked about an easement with the power company and Mr. O'Neil said that this is not a part of this portion of the project. He said that they are trying to obtain use and occupancy with the power company but that they would not receive a decision until next month.

Ray Bleier asked if there would be a security guard and Mr. O'Neil said that the facilities would be locked at all times except when they are in use.

Mr. Charles Costich said that there would be a 12" sanitary sewer at Fisher Road built to Pure Waters standards. He said that the water main starts at Fisher Road to the Lexington Subdivision. He said that a traffic report had been submitted. He said that this report assumed the worst conditions of 150 people. The report said that 90% of the traffic would be traveling north and 10% would be traveling south. The intersection at Fisher Road was given a level A and the Fisher Road and Chili Avenue intersection was given a level B which means that this will not adversely affect traffic conditions.

Mr. Costich said that there would be crushed stone parking lots to decrease the runoff. He said that the landscaping was prepared by Mr. Paske, Licensed Landscaper, and that the selection was based on water.

Don Faso read the County Comments which approved the application insofar as airport considerations were concerned. The Zoning Review recommended that the application be approved for the following reasons:

1. This proposed recreation complex is consistent with and compatible with the development of the Greater Rochester International Airport.
2. This proposed use is consistent with the County Department of Planning's land use recommendations for this area.
3. This proposed use is consistent with the land use recommendation in the Town of Chili Comprehensive Plan.

Points requiring action by the applicant prior to submission for approval by the DRC were as follows:

1. the local SEQR ordinance must be satisfied
2. must inform the Supplier of Water the intended use
3. plans of the proposed food service must be submitted and reviewed by the Department of Health
4. a permit may be required if hazardous wastes are generated
5. plans for any extension or relocation of a watermain or sanitary sewer must be submitted and approved to the Department of Health
6. a trench cross section of the sanitary sewer pipe installation must be shown
7. floor drains shall be connected to the sanitary sewer
8. results of the hydrant flow
9. easements should be shown for all utilities
10. contact Mr. Stein in regard to the possible need for a backflow prevention device

Mr. Charles Costich said that the County Comments have been or are being answered.

Mr. O'Neil said that they are anxious to get the project underway so that it can be used next spring. He said that they would like final waived.

Don Faso asked if chemicals were going to be stored in the Wegman storage building and Mr. O'Neil said that they wouldn't since there were no facilities available for chemical storage.

Don Faso asked about the advantages of a filter fabric fence and Mr. Costich said that it does a better job and looks neater.

Bill Deans asked about the drainage under Fisher Road and Don Faso said that he had asked Mr. Costich to reduce the plan but that the originals were available. Mr. Costich said that he had discussed the drainage concerns with the Town Engineer. Tom Guerin said that he had requested an easement from the neighbors in which the neighbors are considering it. Mr. Costich said that the drainage was designed for a 100 year storm and that all expenses for drainage improvements have been born by Wegmans.

Bill Deans asked if there was any intention to use the access road to the other buildings and Mr. Costich said "no".

Mitch Rakus said that he would like to see the ball diamonds moved back further but realizes that it would interfere with the zoning. Mitch Rakus asked about moving the roads to alleviate traffic from the Gallen property.

Mr. Costich said that the noises would be adequately buffered. Mitch Rakus asked what guarantee there would be on the noise buffer and Mr. Costich said that the earth berm gives a considerable buffer but that it can't be guaranteed. Mr. O'Neil said that they were trying to separate the noise from the residents. Mitch Rakus asked about the policing of the area to eliminate the congregation of teenagers. Mr. O'Neil said that fencing was an option of this becomes a problem. He said that it would be in Wegmans interest to patrol the area.

John Nowicki asked if the property would be posted and Mr. O'Neil said "yes". John Nowicki asked if they would prosecute and Mr. O'Neil said that it depended on the circumstances.

John Cross asked that a sign be posted regarding unauthorized vehicles to give the impression that this would be prohibited. Mr. O'Neil said that they would be willing to do this.

Mitch Rakus asked what guarantee there was that the ballfields wouldn't be removed and an industrial structure like Brooks Avenue wouldn't be constructed. Don Faso said that it wasn't zoned for this.

Ray Bleier asked if there would be a stop sign at the entrance from Fisher Road and Mr. Costich said "yes". Ray Bleier asked about the contents of the vending machines and Mr. O'Neil said that they would probably contain pop and small snacks. Don Faso asked if they would be contracting out and Mr. O'Neil said "yes". Ray Bleier felt that the development would curtail unauthorized vehicles.

Marcia Havens asked if the hours were all set so that the Board could restrict the application to these and Mr. O'Neil said that there may be some flexibility for warm up times and special events. Marcia Havens asked if alcoholic beverages could be stipulated as a restriction and Mr. O'Neil said "no problem".

Ray Bleier mentioned that hours of operation should have some flexibility for warm-ups.

Cherie Bevona asked where the water in the infield would go and Mr. Costich said that it would go to a filter fab stone bed on the diamond. Cherie Bevona said that the Conservation Board had declared this application as having no significant apparent environmental impact. She said that the Conservation Board wanted to commend the developers on their landscaping plans.

Tom Guerin said that the easements have not been finalized yet.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Catherine Hartman - 6 Henry Circle
She asked if state land could be used for the complex and Don Faso said that if the

land was abandoned, the Town could pick up the option on the land. She expressed concern over the stop signs that were recently installed because she felt that traffic and safety would be an issue. She was also concerned that they were losing buffers from the complex and that they now would be getting noise from the fields.

Bob Belt - 236 Fisher Road

He expressed concern over the drainage with the elevation of the road and the ballfields. Mr. Costich said that no water would cross the road in this area. Mr. Costich said that the 55' infield water would carry to the 8' deep swale and then to the detention pond.

Mary Jean Lowery - 24 Jacqueline Drive

She asked about the entrance through Fisher Road and Don Faso said that this was just through to the recreation facility and not to the complex.

Irene Brixner - 292 Fisher Road

She said that she was speaking on behalf of her mother. She asked how high the land was by the detention pond and Mr. Costich said "540". She asked about the water through the culvert and Mr. Costich said that this would be 4-5' below the pavement. She asked if the culvert was the lowest part and Mr. Costich said that this was correct. She asked about the earth berm near Fisher Road and Mr. Costich said that it was gently sloped, 4-5' above the road with trees planted on top of it. She said that her mother objects and is not in favor of the applicaiton.

Marlene Kretsner - 56 Lexington Parkway

She asked why spruces were not used as this would be a better buffer. She asked how tall the building was and Mr. O'Neil said that it was a one story slab on grade building. She asked about the entrance and the exit and Mr. O'Neil said that they were on a crest of the hill. She said that she hoped that the Board had investigated everything that had been said.

Robert Fallone - 237 Fisher Road

He expressed concern over the dust that would occur from the entrance. Don Faso said that dust control had been discussed.

Charles Lofton - 266 Fisher Road

He said that he thought that Mr. Goldman still owned the property and Mr. O'Neil said that they had closed on the property to the best of his knowledge.

Jerry Brixner - 14 Hartom Road

He asked if the recreation facility would fall within the 600' buffer and Mr. O'Neil said "yes". He asked if there would be a buffer to the industrial activity and Mr. O'Neil said that the buffer would minimize the noise impact. Mr. Brixner asked if the recreation building would be used for other purposes during the ball season and Mr. O'Neil said that it would be a center for future training, executive meetings, and special events.

Bernie Hartman - 6 Henry Circle

He asked how far the infields were from Fisher Road and Mr. Costich said "400'". He asked when they would begin the project and Mr. Costich said that they would like to start this fall.

Tom Mattice - 466 Chestnut Ridge Road

He asked how come there would be a 12" water main for washrooms only and Don Faso said that they were closing the water main loop.

Irene Brixner - 292 Fisher Road

She asked how far in the trees would be and Mr. Costich said that they would be 40' from Fisher Road.

Bob Belt - 236 Fisher Road

He asked how high the trees were and Mr. Costich said "8-12'". He felt that the trees would be a hindrance to the highway department.

Bernie Hartman - 6 Henry Circle

He asked who on the Planning Board would like to buy one of the four houses in the project area. Don Faso said that the parcel was not rezoned and that recreation is a permitted use in which the Planning Board has no control.

Catherine Hartman - 6 Henry Circle

She stated that the road is for emergency access.

Marlene Kretsner - 56 Lexington Parkway

She asked who they would call in regards to parking problems and Don Faso said that he would recommend a parking ordinance to the Town Board.

Bruce Randall - 26 Windmere Drive

He asked what kind of controls there would be for traffic and Mr. Costich said "the usual controls". He asked if there would be stop signs and Mr. Costich said "not on Fisher Road". He felt that there would be a significant traffic problem at peak times. Mr. Costich said that for special occasions, there may be a flag man. Mr. O'Neil said that the traffic report has rated it as a level A service.

Mary Jean Lowery - 24 Jacqueline Drive

She asked what the parking capacity was and Don Faso said "208". She asked if the Board felt that this was adequate and Don Faso said "yes".

Marlene Kretsner - 56 Lexington Parkway

She was concerned about the parking issue. She said that there could be a lawsuit if emergency vehicles could not get through. Marcia Havens said that no on street parking could be imposed by the Board if it becomes a problem.

Bruce Randall - 26 Windmere Drive

He asked if there was a way to distinguish who was parking on the street and Don Faso said "no".

Irene Brixner - 292 Fisher Road

She asked what the gray area was in the back on the map and Mr. Costich said that it was the parking lots.

Mary Jean Lowery - 24 Jacqueline Drive

She said that she would like a different type of buffer and Don Faso said that the landscaping plans had been reviewed by the Conservation Board.

Charles Lofton - 266 Fisher Road

He asked if the culvert would accommodate the water and Don Faso said that it would be a policing matter.

Don Faso took a vote from the audience and 15 people were against the application.

DECISION FOR APPLICATION #3: Approved by a vote of 5 with Mitch Rakus casting a negative vote. Mitch Rakus said that he voted no because he felt that there would be not control over teenage congregation noise, and parking. The following conditions were imposed:

The following is a list of conditions of approval:

1. Hours of operation shall be as follows:
 - a. Weekdays (M,T,W,T,F,) 5:30 p.m. to ½ hour past sunset.
 - b. Weekends (s,s) 1:00 p.m. to ½ hour past sunset.
 Commencement of activity prior to the official starting time shall be for pregame player warmup only.
2. There shall be no on site lighting of ballfields or parking areas except for security lighting for the storage/recreation building.
3. There shall be no alcoholic beverages permitted on site.
4. There shall be no on-street parking of players or spectators along Fisher Road.
5. The property must be posted to control the unauthorized use of motor vehicles.
6. The proposed building shall be used only for recreation and storage with regard to the sports program.
7. Access to the ballfields shall be from Fisher Road only. Any access between the recreational area and the industrial area shall be for emergency and police vehicles only and a suitable barricade provided.
8. This conditional use permit is hereby granted for a period of 2 years from the date of this letter.

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be a Type I Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant and the environmental assessment done by Town Board at the time of rezoning for this parcel and evidence submitted at a public hearing.

DECISION FOR APPLICATION #4: Approved by a vote of 5 with Mitch Rakus casting the negative vote. The following conditions were imposed:

1. Extend the pavement for the access road to 400 feet.
2. Access to the ballfields shall be from Fisher Road only. Any access between the recreational area and the industrial area shall be for emergency and police vehicles only and a suitable barricade provided.
3. Provide a stop sign on the access road at Fisher Road.
4. Landscaping plans and planting material list to be approved by the Chili Conservation Board.
5. Subject to the approval of the Town Engineer.

Please note that final site plan approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be a Type I Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant and the environmental assessment done by the Town Board at the time of rezoning for this parcel and evidence submitted at a public hearing.

Jerry Brixner asked why final was Waived and Don Faso said additional information was not required.

5. Application of Robert Fallone, owner; 237 Fisher Road, Rochester, New York 14624 for final subdivision approval of 17 lots to be known as West Forest Estates Section 7 at property located at 109 West Forest Drive in R-1-15 zone.

Mr. Charles Costich of 217 Lake Avenue was present to represent the application. He said that the last section was composed of 17 lots and that this would complete the subdivision. He said that it was completely in accordance with the previous application and that all questions have been answered and complied with. He said that the homes would be similar to what is being built in the rear section now.

Don Faso pointed out an error in the general notes and Mr. Costich said that that would be corrected before the Board signed the plans.

Ray Bleier said that there were quite a few homes left to be built in Section 6 and Mr. Costich said that they would file both maps together.

Don Faso asked Tom Guerin what standards were being followed and Tom Guerin said that the old ones were but that some notes needed to be revised with the adaption of 97.

Ray Bleier said that some lots in Section 6 contain debris and that these lots are close to some occupied houses. Mr. Costich said that this would be cleaned up during the construction phase.

Mr. Robert Fallone of 237 Fisher Road said that these are undeveloped lots.

Mitch Rakus said that he liked what he saw.

Cherie Bevona asked if street trees are required and Mr. Costich said that the trees would be put in. Mr. Fallone said that there would be one on each lot. Cherie Bevona said that the Conservation Board recommended that the trees be diversified to include the following: Shademaster Locust, Sugar Maple, and Norway Maple.

Tom Guerin said that he did not review Section 6. He asked about the piping and Mr. Costich said that there was a temporary swale.

DECISION: Unanimously approved by a vote of 6 with the following condition:

1. Street trees be varied according to the recommendation of the Chili Conservation Board.

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be a Type II Action and have determined that there will be no significant environmental impact.

This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

6. Application of Don Ball, 75 Woodview Drive, Rochester, New York 14624, owner: N. Ball; for preliminary site plan approval to erect 8 mini storage buildings to accommodate 232 units at property located 3497 Union Street in G.I. zone.

Mr. Don Avery of Avery Engineering was present to represent the application. He said that they were open for suggestions. He said that there would be mini storage buildings of concrete vertical blocks with doors. He said that there would be 30 units which would be 40'x150' with no sewer, water, nor heat. He said that there would be electric and a fence around the area for security. He said that they were asking for a 10' variance for the buildings. He said that there would be drainage from the present building to the back. Mr. Avery said that it was difficult to get the specifics with the construction. He said that they had permission to bring the road in from the state.

Bill Deans asked what would be put between the buildings and Mr. Avery said "8" of gravel and 2" of crushed stone".

John Nowicki asked about the 35' setbacks. He said that he didn't like it. Mr. Avery said that they wanted as many units as possible.

Bill Deans said that 10' is not a lot of room to swing a vehicle and Mr. Avery said that front slots would be used. Bill Deans asked how much room was between the units and Mr. Avery said "20".

John Nowicki asked about security and Mr. Don Ball said that they're not sure yet.

Bill Deans said that he could recall storage units with more room and electric and Mr. Avery said that there would be electric. John Nowicki stated some examples of storage units with live-in security and pavement surrounding the units.

Ray Bleier asked what would happen to the equipment on the site and Mr. Ball said that it would be moved behind the existing building. Ray Bleier asked if there was any equipment located off site and Mr. Ball said "no". Ray Bleier said that there is water running right through the middle and Mr. Ball said that there is a low spot.

Bill Deans asked what the roof would be constructed of and Mr. Ball said "wood and plywood shingles".

Ray Bleier asked where would the equipment go with the storage buildings installed and Mr. Ball said that he would probably need to rent one of the units himself.

Don Faso asked if there were any codes restricting this application and John Madigan said that the units must be separated for fire safety. John Nowicki asked what would separate the units and Mr. Ball said "metal studs and drywall".

John Cross asked if customers would sign a lease agreement and Mr. Ball said "yes".

John Nowicki said that there would be no room for the pine trees and that it would be crowded with too many buildings. John Cross said that he thought it would be too crowded.

Marcia Havens asked if these units would be pre-fab and Mr. Ball said that they would be constructed. Marcia Havens said that the units could be reduced to comply. Marcia Havens asked if there was a financial hardship and Mr. Ball said that they wanted to put as many units in as possible. Marcia Havens asked how many buildings could be removed to comply and Mr. Avery said "one".

John Nowicki asked why they wouldn't just comply and Mr. Avery said that they would have to redesign if they couldn't get a variance. John Nowicki said that he felt the design was unattractive.

Bill Deans said that he would like to see a drive around the buildings. John Cross said that there was a potential for fire. Mitch Rakus said that he agreed with the Board members.

Don Faso read the County Comments which offered the following comment:

The board should consider requiring the applicant to provide a landscaping plan for the area between Union Street and the storage units prior to final site plan review and approval. This requirement is consistent with the Chili Zoning Ordinance provisions, Article V, Section 115.30 D (12). If the Board waives final site plan approval, then this

should be considered a condition for preliminary site plan review.

Points requiring action to final approval by the DRC were as follows:

1. plans should be submitted to the Department of Transportation for review
2. developers should contact Mr. Stein in regard to the possible need for a backflow prevention device

Cherie Bevona said that the Conservation Board would like to see good landscaping. She recommended that a cedar fence be installed along the entire front of the property in place of the barbed wire fencing. If metal fencing must be used, she recommended that a landscape screen of 4' be planted in front of the fence.

Tom Guerin said that fewer units would comply with the setbacks.

John Madigan said that there is a 13' drop from the road and Mr. Avery said that the State has given an 8-9' elevation.

Don Faso asked about the new bridge grading and Mr. Avery said that they didn't have it yet but that they could bring it down to 6%.

Mitch Rakus said that he felt the Board shouldn't review this application until Union Street is completed. Mr. Avery said that they are trying to get the final plans.

John Nowicki made a motion to table without prejudice until a redesign was completed and Mitch Rakus seconded it.

DECISION: Unanimously agreed by a vote of 6 to table the application until the applicant resubmits plans showing the Board's recommendations.

7. Application of John Perna, owner; 3785 Chili Avenue, Churchville, New York 14428 for preliminary site plan approval to erect a 29' x 48' addition to service station at property located at above address in N.B. zone.

Mr. Don Avery of Avery Engineering was present to represent the application. He explained that John Perna needed this addition because of his increasing business. Mr. Avery said that the architecture has shifted to the front. Don Faso asked why it had shifted and Mr. John Perna of 276 Chestnut Ridge Road said that it looks nicer. Mr. Perna said that there would be a side door access and that not as much fill was needed in the rear. Don Faso asked if there would be bigger doors to accommodate trucks and Mr. Perna said "no".

Mr. Avery said that the rear setback would be 38' where 40' was required and the side setback would be 32' where 40' was required.

John Nowicki asked what the size of the doors were and Mr. Perna said "11". Don Faso asked if there would be additional lifts and Mr. Perna said that there would be two additional lifts and that they would push the cars waiting forward to make room for equipment. John Nowicki asked why they would be so big and Mr. Perna said that this would sell tires also. He said that he had a lot of cars coming in and out.

John Cross asked what are the plans for the six unlicensed vehicles and Mr. Perna said that the two vans in the rear have parts stored in them and with the addition, they would be eliminated. Mr. Perna said that with accident cases, the cars have to be kept on the property until the insurance company comes out for the appraisal. Don Faso asked if Mr. Perna did towing for the AAA and Mr. Perna said "no".

John Nowicki said that the business seems to be more than a service station and Mr. Perna said that he has capitalized on auto repair rather than groceries.

Don Faso asked how many jobs would be created and Mr. Perna said that he was not looking to create any.

John Nowicki asked how many more cars would be on site and Mr. Perna said that they would eliminate cars by getting them in and out. John Nowicki asked who owned the property and Mr. Perna said "my father and I".

John Cross asked if there was an agreement with Mobil on gas and Mr. Perna said that it is a 3 year renewable agreement.

Mr. James Valerio said that Mr. Perna was very busy and that the business would become a 4 bay facility with approval of this application.

Cherie Bevona said that the Conservation Board objected to the arrangements for drainage from the pavement. They do not like the fact that the drainage from the asphalt, and all the toxic materials on that asphalt goes into Black Creek. The Board would like to see more landscaping done on the property similar to the store across the street.

Don Faso read the County Comments which offered the following comment:

Rip-rap or another appropriate measure should be used below the discharge point at the end of the stormwater gutter to prevent erosion there.

Points requiring action prior to the submission of final plans were as follows:

1. must inform the Supplier of Water of the intended use of public water
2. floor drains shall be constructed to the sanitary sewer
3. any work within the right of way will require a permit

John Nowicki asked how the floor drains would be handled and Mr. Perna said that the drain allows the water to go through but leaves the oil on top from which it will be disposed of in the waste oil tank. John Nowicki asked if there was any outside storage and Mr. Perna said "no". John Nowicki asked if Mr. Perna had to accept waste oil by law and Mr. Perna said "yes". John Nowicki asked about the appearance and Mr. Perna said that the brick would be the same color with new garage doors and a new overhang. Mr. Perna said that it would look like brand new.

Mr. James Perna of 849 Paul Road said that they would like final waived.

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. There shall be no outside storage of parts or material.
2. Proposed landscaping plan be approved by the Chili Conservation Board.

Please note that the Planning Board also approved the following variances:

1. 32' side setback (40' required)
2. 38' rear setback (40' required)

Please note that final site plan approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

8. Application of Perna Homes, owner; 849 Paul Road, Rochester, New York 14624 for final subdivision approval of 10 lots to be known as Country View Subdivision at property located at 482 Chestnut Ridge Road and portion of 492 Chestnut Ridge Road and 1055 Paul Road in R-1-20 zone.

Mr. Don Avery of Avery Engineering and Mr. James Valerio were present to represent the application. Mr. Valerio said that they had changed from 2 family homes to single homes. He said that they would be similar to what is usually seen. Mr. Avery said that every driveway has a turnaround and that the houses would be staggered. Mr. Avery said that in some cases, houses would be 1-2' below the road. He said that the sewer is in front of the property with a walkout basement and a swale and pond. He said that they were asking for a front setback of 60' and a rear setback of 90'.

Don Faso asked if the pond would be a 50 year and Mr. Valerio said that it would be at least a 50 year. John Cross asked about increasing it to a 100 year storm and Mr. Valerio said that a 50 year storm would be big enough for 10 lots.

Bill Deans asked what had been done regarding the previous objection to digress and egress. Mr. Perna said that they did the town a favor by putting in the pond. Bill Deans said that he wanted them to get away from the kitty corner effect and have everything pushed down to the north. Mr. Avery said that they would guarantee that there would never be a road.

Mr. Valerio said that they would like to have flexibility in building and that eventually this would be one large development.

Bill Deans suggested that the storm sewer be put between lots 1 and 2 and Mr. Perna said that they would like to keep the right of way. Mr. Perna said that they didn't plan on doing anything with the 60' piece. Mr. Avery said that they could put 60' easement between lots 2 and 3.

John Nowicki asked why lots 6,7, and 8 extend to the northwest and Don Faso said that the Town Attorney had requested this. Mr. Perna said that this was set up when there were supposed to be 2 family homes. Mr. Avery said that the property had changed owners and that is why the 60' was not originally considered.

John Nowicki asked how many people are covered, in the deed, who own lots and Don Faso said that the property is a drainage easement. Marcia Havens said that it would show on the survey and the deed.

Don Faso asked who owns the pond and Mr. Perna said that this father did. Don Faso asked if they would be accessing the easement to the Town and Mr. Perna said "yes".

Bill Deans discussed his objections with the applicants via the diagram. Don Faso summarized the changes that the applicant had agreed to as follows: the rear lot lines for lots 6,7,8,9, and 10 would be eliminated; lots 1 and 2 would shift to the north; and 60' right of way would move to the south to be between lots 2 and 3.

Marcia Havens asked why lot 10 was larger and Mr. Avery said that it was because it was an access.

Cherie Bevona said that the Conservation Board would like to see more than one variety of trees; preferably 2 different kinds.

Tom Guerin said that note 10 needed to be removed.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

John Mattice - 466 Chestnut Ridge Road
He said that the swale that adjoins the rear property line is 20' wide and 5' deep and is laden with rocks. He said that it is difficult to maintain since it is filled with misquitos and weeds. He said that the pond is never dry. Don Faso asked why he maintained the ditch and Mr. Mattice said that if he didn't there would be 4' weeds and many misquitos. Mr. Mattice said that he felt it was a safety issue with a small child of his own. He said that the sides of the pond and the base have eroded. He said that he felt that it wasn't fair that he should get all the water.

Elaine Warner - 577 Chestnut Ridge Road
She said that she had no problems with the single family homes but she thought that they were very close together. She said that the pond has never been dry and that she was never notified about the pond being discussed in the Board meeting. She said that she felt she should be informed about what is going on in her neighborhood. She said that she didn't like the unnatural berms and that the trees should be saved and used. Don Faso said that she should have been notified by the Town Board regarding the drainage district. Mr. Valerio said that it was included in the Chestnut Drainage District.

Mr. Perna said that the ditch is not on the property. Mr. Mattice said that he disagreed since they dug through the highest point.

Tom Guerin said that Don Avery and he would look at the Mattice property.

Gene Kuchak -
He asked what the size of the pond was and Tom Guerin said that it was 4' deep. He asked if there would still be half acre lots and Tom Guerin said "yes". He asked about the variances and Don Faso said that they were 60' front setback and 60' rear setback. He asked if the lots were greater than 100' deep and Mr. Valerio said that they were 222'.

Bill Deans asked that lot 1 blend with the setback on the Gates property and Mr. Avery said "okay".

Don Faso made a motion to table the application for one month without prejudice. The Board agreed.

DECISION: Unanimously agreed by a vote of six to table the application until the applicant resubmits plans showing the Board's recommendations.

9. Application of Perna Homes, owner; 849 Paul Road, Rochester, New York 14624 for final subdivision approval of 33 lots to be known as Chestnut Phase 3 at property located at 1034 Paul Road in PRD zone.

Mr. James Valerio and Mr. Don Avery were present to represent the application. He said that they would be doing Phase III before Phase II. He said that Monroe County was requiring a water connection but that they would need to build to get the connection. He said that they wanted quick approval.

Mr. Avery said that he had talked with Tom Guerin and that they would be using the haul road that is coming in to the section now. He said that they would bring another haul road if need be.

Mr. Avery said that there would be a sanitary sewer to the pump station in Sunset. He said that there is a permanent pond that has been designed according to the standards. He said that the water is hooked to a 30" line which will hook into Golden Road. He said that there is a lot of fill in the back area but that they could do nothing about that. He said that they would provide an easement for the pond in a common area as suggested by Tom Guerin.

Cherie Bevona said that the Conservation Board recommended that the street trees be diversified to include: Shademaster Locust, Sugar Maple, and Norway Maple.

Tom Guerin said that there were a few changes to be made as discussed.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Barbara Want - 396 Chestnut Ridge Road
She said that she was not notified and that she was concerned over the drainage as she felt it would stop the natural drainage. She said that she didn't want a house built so close to her house and that she didn't want other people's drainage on the easement. Mr. Avery said that he would grade lower so that it would drain into the pond.

DECISION: Unanimously approved by a vote of 6 with the following condition:

1. Subject to the approval of the Town Engineer.

INFORMAL:

1. Application of John Choromanskis, 63 Hallock Road, Rochester, New York 14624 for resubdivision of 1 lot at property located 679 Marshall Road in R-1-20 zone.

DECISION: Unanimously approved by a vote of 6 with no conditions.

Re: Conditions placed on approval for apartment over hair studio.

DECISION: Voted 4-2 to keep the original conditions of a letter dated July 20, 1987.

The August minutes of the Chili Planning Board were approved.

Don Faso
Chili Planning Board Chairperson

CHILI PLANNING BOARD

October 13, 1987

The meeting of the Town of Chili Planning Board was held in the Administrative Office, 3235 Chili Avenue, Rochester, New York 14624 on October 13, 1987 at 7:00 P.M. The meeting was called to order by Chairperson Don Faso.

PRESENT: John Nowicki, George Ford, Ray Bleier, Bill Deans, John Cross, and Chairperson Don Faso.

ALSO PRESENT: Tom Guerin, Town Engineer; Cherie Bevona, Conservation Board; Marcia Havens, Deputy Town Attorney.

Chairperson Don Faso declared this to be a legally constituted meeting of the Chili Planning Board. He further stated that notice of the meeting had been advertised in the Gates-Chili News, as well as posted on the Town Clerk's bulletin board. He also read the Fire Exit Notice.

This is a draft only, and is being filed to comply with Section 106 of the Public Officers Law. These minutes have not been approved by the Chili Planning Board and, therefore, are subject to change.

APPLICATIONS:

OLD BUSINESS:

1. Application of Perna Homes, 849 Paul Road, Rochester, New York 14624 for final subdivision approval of 10 lots to be known as Country View Sub-division at property located at 482 Chestnut Ridge Road and portion of 492 Chestnut Ridge Road and 1055 Paul Road in R-1-20 zone.

Mr. Don Avery of Avery Engineering was present to represent the application. He said that the Planning Board had previously suggested that the right of way be moved and that this change was shown on the plans. He said that item #10 on the general notes was removed as requested. He said that the pipe that drains the area on the east side of the road would be removed. He said that the property line cut is shown as previously requested. He also said that they would be providing two variety of trees.

John Nowicki asked why the property lines were shown going back through the property line easement and Mr. Avery said that this could be corrected. Ray Bleier said that page 2 of the plans did not show this.

Cherie Bevona said that the Conservation Board would like to see more than one variety of trees.

Tom Guerin said that he had discussed with Mr. Avery what was needed.

Don Faso asked if anything would be done with the pond and Mr. Avery said that they were willing to have this integrated into the drainage issues further down.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Gene Turchik - 493 Chestnut Ridge Road
He asked if the system was designed for a 100 year storm and Tom Guerin said that it was designed for a 50 year storm. He asked about the drainage problems and Mr. Avery said that the pond was originally designed as a detention pond.

DECISION: Unanimously approved by a vote of 6 with the following conditions;

1. The property lines for lots 6 and 10 must be corrected on the subdivision plat map.
 2. Pending the approval of the Town Engineer.
2. Application of Nina Ball, 75 Woodview Drive, Rochester, New York 14624 for renewal of Conditional Use Permit to allow the outside storage of construction equipment at property located at 3501 Union Street in G.I. Zone.

Don Faso said that the property was much improved since the on-site inspection and that he would be willing to give Ms. Ball another year. Ray Bleier agreed.

DECISION: Unanimously approved by a vote of 6 with the following conditions:

Gates-NEWS-Chili

1635 BROOKS AVENUE, SUITE 2, WEST BLDG. ● ROCHESTER, NEW YORK 14624

Date... *10-7-87*

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

GATES-CHILI NEWS

Issue Dated... *10-7-87*

Geraldine C. Snyder
.....
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y., Monroe Co.
My Commission Expires April 30, 19*89*

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

LEGAL NOTICE

CHILI PLANNING BOARD

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili Town offices, 3235 Chili Avenue, Rochester, New York 14624 on October 13, 1987 at 7:00 p.m. to hear and consider the following applications:

OLD BUSINESS:

1. Application of Perna Homes, 849 Paul Road, Rochester, New York 14624 for final subdivision approval of 10 lots to be known as Country View Subdivision at property located at 482 Chestnut Ridge Road and portion of 492 Chestnut Ridge Road and 1055 Paul Road in R-1-20 Zone.

2. Application of Nina Ball, 75 Woodview Drive, Rochester, New York 14624 for renewal of conditional use permit to allow the outside storage of construction equipment at property located at 3501 Union Street in G.I. Zone.

3. Application of Don Ball, 75 Woodview Drive, Rochester, New York 14624 for preliminary site plan approval to erect 8 mini storage buildings to accommodate 232 units at property located at 3497 Union Street in G.I. Zone.

INFORMAL:

1. Application of Spring Lake Apartments, 31 Powers Lane, Rochester, New York 14624 for preliminary site plan approval to erect a 20' x 12' addition to storage building at property located at 850 Paul Road in Rm Zone. Applicant is requesting formal site plan procedures be waived.

2. Application of Dewey Clark & Associates, 186 North Water Street, Rochester, New York 14604 for sketch plan approval for a one lot subdivision to be known as L.A.I. Complex at property located at 401 Paul Road in L.I. & FPO Zone.

3. Application of North Chili Community Church, 3355 Union Street, North Chili, New York 14514 for resubdivision of one lot with a simple alteration of lot lines, to be known as North Chili Community Church Subdivision at property located at 3355 & 3361 Union Street in RM Zone.

INFORMAL:

4. Application of Case-Hoyt, 100 Beaver Road, Rochester, New York 14624 for approval to amend site plan which was granted on September 19, 1986 to add an additional 12' x 66' temporary office trailer at property located at above address in L.I. Zone.

5. Application of James Farnsworth, 194 S. Union Street, Spencerport, New York 14559 for revised site plan and subdivision approval which was granted on July 8, 1986 for Shelter Creek Subdivision at property located at 1-18 Shelter Creek (formerly 3285 Union Street) in RM Zone.

PUBLIC HEARINGS:

1. Application of Elmer Taylor, 1965 New Michigan Road, Canandaigua, New York 14424, property owner: The Taylor Kids; for renewal of Conditional Use Permit to allow a single family dwelling combined with a service station at property located at 1415 Scottsville Road in G.I. Zone.

2. Application of William Kolb, owner; 65 Archer Road, Rochester, New York 14624 for Conditional Use Permit to allow an in-law apartment in home at property located at above address in R-1-15 Zone.

3. Application of Earlborn Builders, 169 Maplewood Avenue, Spencerport, New York 14559, property owner; A. Semler; for preliminary subdivision approval of 57 lots under Section 281 of Town Law, to be known as Westchester Village Section 2 & 3 at property located at 3861 Chili Avenue in R-1-15 Zone.

FOR DISCUSSION:

1. Perna Homes - Proposed office complex at 849 Paul Road.

2. George Riley - Proposed engine repair business in home at 3450 Union Street.

3. Robert Fallone - Proposed Subdivision under Section 281 of Town Law at 90 King Road.

4. Sear Brown - waiving requirement for rehearing due to the expiration of time limit on the Mayflower Village approvals.

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

J. Donald Faso, Chairman

Chili Planning Board.

10-7

Chili Planning
Book 10/1987

1. All previous conditions as set forth by the Planning Board shall be considered still in effect.
2. This Conditional Use is hereby granted for a period of one year.

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

3. Application of Don Ball, 75 Woodview Drive, Rochester, New York 14624 for preliminary site plan approval to erect 8 mini storage buildings to accommodate 232 units at property located at 3497 Union Street in G.I. Zone.

Ms. Charla Peterson of Avery Engineering was present to represent the application. She said that the buildings had been changed to be lengthwise. She said that all side setbacks had been met and that there would be a drive around the building to provide better access. She explained that the rear setback would not be met by 10'. Ms. Peterson said that Mr. Ball would store his equipment in the part of the 84 unit section that has access to his lot. She said that the drive would be paved.

Don Faso asked if there would be phases to the project and Ms. Peterson said that they would start the project and see how everything went. She said that they would probably start with the unit containing 34 sections. She said that they had taken the calculations from the state and that there would be a 4% grade with the drainage close to the property lines. She said that there would be fencing around the property for security reasons.

John Nowicki asked if the state had been contacted regarding the curb cut and Mr. Avery said "yes". Don Faso said that it was a separate tax account. John Nowicki said that he would like to hear what the insurance company thinks of this project if it gets to final approval. Don Faso said that this could be a condition of approval.

John Cross asked how many units were in the first application and Tom Guerin said "232". Ms. Peterson said that there is now 214.

Don Faso said that this was a decrease from the previous application and that they were complying with the setbacks. Don Faso said that the application was amended to 4 ministorages and 214 units.

John Nowicki said that a review should be done to ensure that fire equipment can get around the unit containing 84 sections. John Cross suggested that there be a road down the middle. Don Faso asked how wide each unit was and Ms. Peterson said "10'". Mr. Ball asked if the building could be wider to make up for the lost units if an opening was made. Mr. Ball said that this would create double units and that the setback would be made on one end but not the other. Tom Guerin said that there should be a 75' setback on Union Street.

John Nowicki asked if a study had been done as far as the number of units that were needed and Mr. Ball said that it was more economical to build as many as possible.

Bill Deans suggested running the units more towards the north as he felt this would be a better alternative. Don Faso said that if a 20' wide access was created, 8 units would be lost.

Ray Bleier asked what buildings would be started first and Mr. Ball showed the Board via the map. John Nowicki asked why they wouldn't be starting in the rear and Mr. Ball said that starting in the front would be better for renting purposes and for getting the area cleaned up. Mr. Ball said that he wanted to go front to back as he doesn't have the money to do the whole project at once.

John Nowicki asked about the construction and Mr. Ball said that it would be masonry with wood trusses and 3 in 1 shingles. Bill Deans asked about the exterior and Mr. Ball said that it would be strided block on 8x8 blocks.

Don Faso said that he felt that it would be a good idea to split the buildings.

Cherie Bevona said that the Conservation Board wanted to remind them that they had agreed to landscape the other property at the same time this is done. She said that evergreens were only needed in the front.

Tom Guerin said that he was concerned about trees in the drainage area. He said that they should think about boat storage because a boat wouldn't make it around the building.

DECISION: Unanimously approved by a vote of 6 with the application amended to be four buildings and 214 units. The following conditions were imposed:

1. Split the two larger buildings to provide a 20' wide driveway straight through to the back units.
2. Landscaping shall be in accordance with the Chili Conservation Board's comments.
3. There shall be no trees planted in the drainage ditch.
4. Pending the review and approval of the Town Fire Marshal.

Please note that the Chili Planning Board has granted a rear setback of 30' (40' required).

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

PUBLIC HEARINGS:

1. Application of Elmer Taylor, 1965 New Michigan Road, Canandaigua, New York 14424, property owner: The Taylor Kids; for renewal of Conditional Use Permit to allow a single family dwelling combined with a service station at property located at 1415 Scottsville Road in G.I. Zone.

Mr. Elmer Taylor was present to represent the application. Don Faso asked if there were any changes, additions, or complaints and Mr. Taylor said "no".

John Nowicki asked if the tanks were to be tested under the new law and Mr. Taylor said that they weren't to be tested until 1993. Don Faso asked whether they were steel or glass and Mr. Taylor said "steel".

Don Faso asked how long the permit was granted for last time and Mr. Taylor said "5 years". Don Faso asked if all the same conditions were still agreeable and Mr. Taylor said "yes".

Cherie Bevona said that the Conservation Board appreciates the appearance of the property and asked if it would be possible to put berm in front of the property and Mr. Taylor said that the problem is that there is no water there.

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. All previous conditions as set forth by the Planning Board shall be considered still in effect.
2. This Conditional Use is hereby granted for a period of five years.

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

2. Application of William Kolb, owner; 65 Archer Road, Rochester, New York 14624 for Conditional Use Permit to allow an in-law apartment in home at property located at above address in R-1-15 Zone.

Mr. William Kolb was present to represent the application. Don Faso asked if an addition would be put over the one story part of the house and Mr. Kolb said that that was correct. Don Faso asked about the plans and Mr. Kolb said that he wanted to get approval first.

John Nowicki asked if the house was presently constructed in the easement and Mr. Kolb said "yes". John Nowicki asked what the measurements of the house were and Mr. Kolb said "25' x 35'".

Don Faso asked if Mr. Kolb had gotten a variance for a larger garage and Mr. Kolb said that that was how the house was built.

John Nowicki asked which in-law it was for and Mr. Kolb said that it was his mother.

Don Faso read the standard conditions for approval of an in-law apartment and asked Mr. Kolb if he had any objections and Mr. Kolb said "no". Don Faso asked if Mr. Kolb had talked to any neighbors and Mr. Kolb said that he had talked with neighbors on one side and that they had no objections.

John Nowicki asked how old Mr. Kolb's mother was and Mr. Kolb said that she was in her late 50's and that she had no disabilities. Mr. Kolb explained that because of the easement, there was no other place to put the addition.

Ray Bleier asked about the entrance to the apartment and Mr. kolb said that there would be a separate entrance.

John Nowicki asked if there would be any change to the numbering of the house and Don Faso said "no".

Cherie Bevona said that the Conservation Board had determined this application as having no apparent significant environmental impact.

John Nowicki said that he would like to see the elevation of the house. Don Faso stated examples of additions to split level houses. John Nowicki asked if an architect would do it and Mr. Kolb said "yes".

Don Faso read the County Comments which deemed the application for local determination.

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. The Conditional Use is granted for use by in-law only and shall cease to exist when the in-law ceases to use it.
2. The apartment maynot be used as a rental unit.
3. A copy of this decision must be filed in the Monroe County Clerk's Office under miscellaneous records and tied to the liber and page of your deed. The cost will be \$15.00 and payable to the Town of Chili.
4. Furnish a copy of your deed (both sides) to the Deputy Town Attorney along with the filing fee.
5. You are to supply the building elevations to the Planning Board when you contract to have the work done.
6. Pending the approval of the Town Building Inspector.

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

3. Application of Earthborn Builders, 169 Maplewood Avenue, Spencerport, New York 14559, property owner: A. Semler; for preliminary subdivision approval of 57 lots under Section 281 of Town Law, to be known as Westchester Village Section 2 & 3 at property located at 3861 Chili Avenue in R-1-15 Zone.

Mr. Dan Schum, Attorney was present to represent the application. He said that the parcel was rezoned to R-1-15 and that the same basic layout had been presented to the Town Board. He said that the houses would be all single homes completed in two phases. He said that the road cut would be Phase I and the loop would be Phase II. He said that they were purposing a stub road to match the development to the west. He said that the minimum lot size would be 80' x 115'. Mr. Schum said that they would be asking for 281 approval. He said that the minimum lot area would be 12,000' and the setbacks would be as required.

Mr. Dan Savage of Passero Associates was also present to represent the application. He said that the project would be serviced by sanitary sewer. He said that they would install a sanitary sewer that the whole project could be gravity fed by. He said that they have worked with Whispering Winds to get the drainage and stub road agreements. He said that Whispering Winds would provide the detention pond. Mr. Savage said that the hydrant flow tests had been done to ensure that the water main was sufficient to handle the project. He said concrete swales would be installed to correct the drainage problem. He said that the plans had been revised to contain 4' wide concrete swales through the site.

Mr. Savage said that as Tom Guerin and he had discussed, he believed that he could

revise the easement through lot 8 so that the easement would be in the center and the house would not be restricted. He said that the traffic had been investigated and that the traffic level would remain at an A. He said that fill would be used to keep the lots balanced. He said that there would be positive drainage from the house to the storm sewer system.

Don Faso read the County Comments which offered the following:

1. To avoid the possibility of sending emergency services to the wrong address, the Planning Board should have the applicant check the proposed street names, when they are identified, with the County's 911 Program Analyst, Mary Louise Meisenzahl at 428-2035. She will compare the proposed street name with existing ones to identify whether the proposed street name is a duplicate or a similar sounding one to existing street names in the 911 service area.
2. The Preliminary Grading Plan indicates that straw bales are proposed for the west end of the storm water drainage system. This is inadequate. An energy dissipating measure should be used to minimize soil erosion where the storm water leaves this site.

The DRC identified the following points that would require action prior to the submission of the final plans:

1. will require the submission and approval of subdivision plans by the Monroe County Department of Health
2. the results of the hydrant flow test will be required
3. easements should be shown for all utilities
4. plans should be submitted to the NYS DOT for review

Mr. Savage said that information would be submitted in regards to the County Comments. He said that they had submitted information to the NYS DOT and expect the comments back by Friday but that the NYS DOT did not see any problems on the preliminary review.

Mr. Savage said that he had met with Tom Guerin and discussed making a change to lot 7. He said that they would review the last section of the storm sewer and would comply with the storm material recommendations by Tom Guerin if the capacity was too great.

John Nowicki asked where they would be discharging to and Mr. Savage said that they would discharge to an end section with a grade on it. John Nowicki asked if this would be in the existing easements and Mr. Savage said "yes". John Nowicki asked if the area would be flat enough to be mowed by the homeowners and Mr. Savage said "yes".

Don Faso asked about the timing of the project since he felt that they would move faster than Whispering Winds. Mr. Savage said that they would coordinate the development of the projects. Mr. Schum said that they could provide a temporary detention pond.

John Nowicki asked why they would be using concrete block and Mr. Savage said that they were creating a pond because there was not enough grade to provide proper cover.

Tom Guerin asked if they had considered filling lot 15 in Phase I. John Nowicki said that he was concerned with a drainage system consisting of concrete. Mr. Savage said that concrete swales improve the drainage. John Nowicki suggested that the Town Engineer review this and check with the neighbors and that they would like to be filled. John Nowicki said that he encouraged the Board to go for a piped system. Mr. Schum said that the area was almost flat now and would need to be 4-5' of fill with 24" piping. Mr. Savage said that they would work it out with the Town Engineer.

Bill Deans asked if Phase I was under 281 and Don Faso said "no". He said that he had a problem with using 281 on this and Don Faso said that it was the Board's recommendation for them to come in under 281. Bill Deans asked what the people were getting out of this and Mr. Savage said that they were trying to follow the master plan of Chili. He said that there would be reduced utilities.

Mr. Schum said that 41 lots exceed 15,000' and that there weren't any lower than 12,000'. Bill Deans said that he was still concerned about using 281 and Mr. Schum said that he felt that it offered benefits. Ray Bleier said that lot 14 was 14,000' with surrounding lots of 20,000'. He felt that this could be better balanced. Tom Guerin said that an easement line was located there. Ray Bleier

suggested moving the property line and offsetting the easement and Mr. Savage said that they would look at this.

Marcia Havens asked how many homes could be installed with the conventional layout and Mr. Savage said "57". Marcia Havens asked if the new layout would be taking out the roadway and adding utilities and Mr. Savage said that that was correct. Don Faso asked what the reduction would be in the lineage of the roadway and Mr. Savage said "750".

Cherie Bevona suggested that the street offer three different varieties. She said that the Conservation Board would like nicely landscaped berm at the entrance to the roadway.

Tom Guerin asked about the roadside ditch piping as previously discussed and Mr. Savage said that he was not sure. Tom Guerin asked if the developer would be willing to share the detention pond cost with Whispering Winds since it was based on the design and Mr. Savage said that he was not sure. Tom Guerin suggested that the developers get together to work this out.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Mark Dickson - 16 Haverhill

He said that he was concerned about the easement on lot 14. He submitted photos to the Board regarding the drainage problems. He said that he felt it would be easier to put piping rather than culvert inverts. He said that he was concerned about the drainage and felt that it needed to be pitched down due to the volume of standing water. He said that last winter his pipes froze because the roof had no blocking. He said that it was fixed but that it is still not correct. He said that the attic insulation was also a problem since the upstairs is much cooler than the downstairs.

Don Faso said that this was not an isolated case because things weren't built according to the plans and that the builder was not always willing to cooperate.

John Nowicki suggested that a letter containing the complaints be written to the Board and addressed by the Building Department. Don Faso asked if Mr. Dickson would be willing to grant use of the backyard for a temporary construction project to clean up the drainage problem and Mr. Dickson said that he would.

Warren Burrell - Haverhill (lot 17)

He said that he was happy with his house and that he would also be willing to have the drainage issues resolved. He said that the drainage has been a problem but that it has improved.

Don Faso asked how many lots would need to be filled and Tom Guerin said "possibly 3". Tom Guerin said that they could get pipes in for both of them. John Nowicki suggested that the Town Engineer should talk with the homeowners to come up with a feasible solution and Tom Guerin agreed.

John Nowicki made a motion to table the application without prejudice until the issue was resolved. Ray Bleier said that he would like to see the connection of the storm drainage with the coordination of Whispering Winds.

George Ford asked when the development would be started and Mr. Schum said that it would begin in mid November. Mr. Schum said that he felt the connection of the storm water drainage could be a condition. George Ford asked for Mr. Schum's opinion on what Mr. Howarth would do regarding the drainage and Mr. Schum said that the Town Engineer and the development engineer could work that out.

John Nowicki said that final could possibly be waived if the application was tabled for one month. Don Faso seconded the motion to table.

DECISION: ~~Voted~~ unanimously by a vote of 6 to table the application for one month without prejudice. Upon resubmission, the applicant must address the upstream drainage conditions and a temporary storm water detention area.

INFORMAL:

1. Application of Spring Lake Apartments, 32 Powers Lane, Rochester, New York 14624 for preliminary site plan approval to erect a 20' x 12' addition to storage building at property located at 850 Paul Road in RM Zone. Applicant is requesting formal site plan procedures be waived.

Mr. George Brenner, Builder, was present to represent the application. He said that the addition was for the storage of appliances. He said that a stop order was placed on the construction because they had not applied for a permit. He said that the maintenance location was revised back to the front of the building.

Don Faso asked if they were changing the front setback and Mr. Brenner said that they weren't since the addition was on the side.

Bill Deans asked if the appearance would be the same and Mr. Brenner said "yes". Don Faso asked if there would be drastic pitch and Mr. Brenner said that it would be a flat pitch.

John Nowicki asked about the construction and Mr. Brenner said that it would have a 12' x 20' concrete floor, footings, and a wood frame. John Nowicki asked about the existing garage door entrance and Mr. Brenner said that there would also be another door of 8-9'. Don Faso said the applicant was only here because of zoning requirements.

John Nowicki asked if the lot line was okay with Pumpkin Hill's and Mr. Brenner said "yes". John Nowicki asked what the height of the building would be at the low side of the pitch and Mr. Brenner said "8' from the ground".

Don Faso asked what the purpose was for the addition and Mr. Brenner said that the appliances would be stored there. John Nowicki asked if there would be storage of chemicals and Mr. Brenner said "paint only". Don Faso asked if gasoline would be stored and Mr. Brenner said that they would only store five gallon cans.

DECISION: Unanimously approved by a vote of 6 with no conditions.

2. Application of Dewey Clark & Associates, 186 North Water Street, Rochester, New York 14604 for sketch plan approval for a one lot subdivision to be known as L.A.I. Complex at property located at 401 Paul Road in L.I. & FPO Zone.

No one was present to represent the application.

3. Application of North Chili Community Church, 3355 Union Street, North Chili, New York 14514 for resubdivision of one lot with a simple alteration of lot lines, to be known as North Chili Community Church Subdivision at property located at 3355 & 3361 Union Street in RM Zone.

Mr. Frank Russell of Lozier Engineers was present to represent the application. He said that the long term goals were not to be presented at this time. He said that they just wanted to combine the lots into one tax account.

Don Faso asked how long they owned the property and Mr. McComber said that they closed about one month ago. Don Faso asked what the plans were for the building and Mr. McComber said that they wanted to add parking and a main sanctuary at the south end of the building.

John Nowicki asked if it was okay to add acreage to a conditional use permit and Marcia Havens said "yes".

DECISION: Unanimously approved by a vote of 6.

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Un-listed Action and have determined that there will be no significant environmental impact.

4. Application of Case-Hoyt, 100 Beaver Road, Rochester, New York 14624 for approval to amend site plan which was granted on September 19, 1986 and amended on December 9, 1986, to add an additional 12' x 66' temporary office trailer at property located at above address in L.I. Zone.

Mr. Jim Jackson, Engineer for Case-Hoyt was present to represent the application. He said that the office area was not sufficient to handle all the employees. He said that the trailer would be connected to the existing walkway and additional parking would be added.

Don Faso said that the initial proposed temporary office trailer was approved for 2 years and already a year has gone by with no construction. Mr. Jackson said that he was not at these hearings. He said that they had an additional load due to the staff transferred from St. Paul location. He said that the construction plan for the office building was to be presented at the November 7 meeting in Canada. He said that this plan was proposing adding 40,000 sq. ft. for storage.

Bill Deans said that they had another year. John Nowicki said that he had a problem with this.

George Ford asked where the people were working now that would need office space and Mr. Jackson said that the people were doubled up in offices and that vacant positions were being filled. Don Faso asked if one trailer would be enough and Mr. Jackson said "yes".

John Nowicki said that he would like to see correspondence from Case-Hoyt regarding the results of the November 7 meeting. Mr. Jackson said that he would write a letter and copy the Chili Planning Board.

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. Furnish the Planning Board correspondence from Corporate Headquarters on the progress and time table of the proposed addition.

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

5. Application of James Farnsworth, 194 S. Union Street, Spencerport, New York 14559 for revised site plan and subdivision approval which was granted on July 8, 1986 for Shelter Creek Subdivision at property located at 1-18 Shelter Creek (formerly 3283 Union Street) in RM Zone.

Mr. Richard Washburn was present to represent the application. He said that the application was initially approved with 3 buildings consisting of 6 townhome two story units. He said that due to the change in the market, he would like to build one story ranches instead. He said that some would remain two stories. He said that the NYSDOT requests can be accommodated with a 40' separation between the drive and the building. Mr. Washburn said that 2 side setback variances were needed; 25' and 30' where 40' is needed. He said that this could be shuffled. The alternatives were 2 ranches and 4 two story houses or 4 ranches and 2 two story houses with a 28' setback.

Mr. James Farnsworth said that similar construction areas have had some sales problems. He said that the houses would contain one car garages, 9-12 or 12-12 roof pitches, 900 sq. ft., and 1-2 bedrooms. George Ford asked if they had any architectural renderings and Mr. Farnsworth said "no". John Nowicki asked what the price range would be and Mr. Farnsworth said \$70,000 - \$80,000. John Nowicki asked how soon the project would start and Mr. Farnsworth said "spring of 1988".

Cherie Bevona asked if the wetland was shown on the map and Don Faso said "yes". Don Faso asked where the deed stood and Mr. Farnsworth said that he wasn't sure.

Tom Guerin asked if the final map was filed and Mr. Washburn said "yes". John Nowicki asked if there would be basements and Mr. Washburn said "yes".

John Nowicki suggested that the applicant go with alternative A and that the application be tabled without prejudice. He said that he would like to see the floor plans, building elevations, and architectural renderings. The Board agreed.

DECISION: Voted unanimously by a vote of 6 to table the application without prejudice until the applicant resubmits plans showing the revised building elevations.

FOR DISCUSSION:

1. Perna Homes - Proposed office complex at 849 Paul Road.

Mr. James Valerio was present. He said that the complex would be a two story design with a wood frame, full basement, 25,000 sq. ft., and a traditional look. He said that there would be 199 parking spaces. He said that there would be an entrance from Paul Road. He said that there was a connection to the plaza but that he did not want that to be considered. He said that they would be asking for a front parking lot variance of 23 spaces if the road comes through as discussed. He said that there would be two phases and that they would move their existing homes rather than demolish them.

John Nowicki asked if office spaces would be leased and Mr. Valerio said "yes". He said that they would only take 20% of the building space. He said that there would

be no retail stores in the building.

Don Faso said that he thought that it was a nice plan and that this would be an asset to Chili Center. John Nowicki agreed. Mr. Valerio said that they would like to get in late next summer. Mr. Valerio asked what the next step was and Don Faso said that it was preliminary approval.

Ray Bleier asked if there would be a problem removing snow without the amount of additional parking and Mr. Valerio said that it would be plowed nightly and if necessary they would explore other alternatives.

Don Faso said that the front parking variance would go to the Zoning Board and the resubdivision to the Planning Board.

Marcia Havens said that they should include what they consider side parking in the front parking variance.

2. George Riley - Proposed engine repair business in home at 3450 Union Street

Mr. George Riley was present. He submitted a map to the Board. He said that they would need a variance from the Zoning Board and site plan approval from the Planning Board. He said that there is an existing dwelling and that there would be no major outside changes.

John Cross asked if Mr. Riley lived on the property and Mr. Riley said that his two sons live in the house. Mr. Riley said that they put a new roof and new back wall on the building.

John Nowicki asked what type of work would be done and Mr. Riley said that small engines and garden tractors would be repaired. John Nowicki asked if the Fire Marshal had been contacted and Mr. Riley said that he found out from Jack Madigan and the Fire Marshal what he needs to do.

Don Faso asked the Board what was needed on the map for Planning Board site plan approval. John Nowicki said that the parking needed to be shown. Tom Guerin said that a copy of the tape location map should be prepared by a licensed engineer. George Ford said that he felt that they didn't need anything but what had been submitted. Don Faso agreed because he felt that the parking lot could be sketched and any questions answered. Marcia Havens felt that more than what was provided on the map was needed. George Ford made a motion that the map was sufficient as provided and Don Faso seconded it. Ray Bleier felt that the map was sufficient but needed upgrading and John Cross agreed. John Nowicki and Bill Deans felt that the map wasn't sufficient.

Don Faso said that he would go over the Code with Mr. Riley and help him prepare a better map.

3. Robert Fallone - Proposed Subdivision under Section 281 of Town Law at 90 King Road.

Mr. Charles Costich was present. He said that Mr. Fallone had made a purchase offer. Mr. Costich said that the property was presently zoned RA-10 and that they would like to have that rezoned to R-1-15. He said that left of the railroad tracks was zoned L.I. He said that they were requesting a 281 application. He said that they would be providing a detention pond for the problem downstream and that they would be donating about 40 acres to the Town. He said that there would be a 625-650 acre runoff and that there would be 2 units per acre.

Don Faso asked if the 40 acres would be accessible and Mr. Costich said that it would be from both developments. John Nowicki asked what the value of the 40 acres would be to the Town and Mr. Costich said that it was a wetland. Cherie Bevona said that it was an Article 24 wetland.

Don Faso asked about the density and Mr. Costich gave the calculations. John Nowicki asked if there would be enough water moving through and Mr. Costich said "yes". Don Faso said that if they were asking for rezoning, they could possibly substantiate in drainage issues. Mr. Costich said that they would look into it. Don Faso said that the neighbors would be concerned about the drainage and Mr. Costich said that he would prepare for this. John Nowicki asked who the water supplier was and Mr. Costich said that they had not approached that water authority yet.

Ray Bleier suggested that the Town work with several developers to regulate and facilitate the drainage problems. Mr. Costich asked that the Board talk with the

Penfield Board to get their feedback on the similar detention pond installed there.

Don Faso said that the Planning Board would require a full engineer's report for this type I action.

4. Sear Brown - Waiving requirement for rehearing due to the expiration of time limit on the Mayflower Village approvals.

Don Faso said that the approval had expired and no meaningful construction had taken place within the year. He said that there were no changes. Don Faso said that he asked for a letter stating the changes and had received a letter stating that there were no changes. Marcia Havens suggested that this be subject to the Town Engineer's approval.

DECISION: Unanimously approved by a vote of 6.

OFFERED BY DON FASO

SECONDED BY JOHN NOWICKI

WHEREAS, application has been received and is in order in the matter of the rezoning of approximately 86 acres, being part of the Roberts Wesleyan College, from R-1-15 to PUD and,

WHEREAS, The Town Board of the Town of Chili has determined that it had no objection to the Planning Board having lead agency designation and,

WHEREAS, the rezoning is subject to the State Environmental Quality Review Act and,

THEREFORE, BE IT RESOLVED that the Planning Board of the Town of Chili hereby declares itself lead agency for the purpose of conducting the environmental review of said application and,

BE IT FURTHER RESOLVED that it declares this application to be a Type I action, and hereby directs the applicant to submit the long form Environmental Assessment, supplemented by an engineering report giving particular attention to the issues of drainage and traffic and,

BE IT FURTHER RESOLVED that the applicant shall submit said engineering report for review at least thirty (30) days prior to the public hearing and,

BE IT FURTHER RESOLVED that the appropriate agencies be so advised.

Unanimously passed by a vote of six this 13th day of October, 1987

The September minutes of the Chili Planning Board were approved.

Don Faso
Planning Board Chairman

CHILI PLANNING BOARD

October 27, 1987

A special meeting of the Town of Chili Planning Board was held in the Administrative Office, 3235 Chili Avenue, Rochester, New York 14624 on October 27, 1987 at 6:30 P.M. The meeting was called to order by Chairperson Don Faso.

PRESENT: John Nowicki, Ray Bleier, Bill Deans, John Cross, and Chairperson Don Faso.

ALSO PRESENT: Tom Guerin, Town Engineer; Cherie Bevona, Conservation Board; Marcia Havens, Deputy Town Attorney; John Madigan, Building Insepctor.

Chairperson Don Faso declared this to be a legally constituted meeting of the Chili Planning Board. He further stated that notice of the meeting had been advertised in the Gates-Chili News, as well as posted on the Town Clerk's bulletin board. He also read the Fire Exit Notice.

This is a draft only, and is being filed to comply with Section 106 of the Public Officers Law. These minutes have not been approved by the Chili Planning Board, and therefore, are subject to change.

APPLICATIONS:

1. Application of Dewey Clark & Associates, 186 North Water Street, Rochester, New York 14604 for sketch plan approval for a one lot subdivision to be known as L.A.I. Complex at property located at 401 Paul Road in L.I. & FPO Zone.

Mr. Lowell Dewey was present to represent the application. He said that this complex would occupy 8 acres out of a 209 acre parcel. He said that it would be located on the south side of Paul Road and adjacent to the east side of the armory. He said that they would be maintaining the mature strand of trees in two acres for buffers to the residential areas. He said that parking would essentially be in front of the site with a proposed landscaping buffer.

Mr. Dewey said that the storm detention would be in a naturally low spot which would let the drainage out at a controlled rate. He said that they did not have the drainage calculations to the Town Engineer yet because they were going to the Zoning Board first. He said that the proposed dedicated roadway would be 24' wide. He said that there would be an 8" water main in which a fire hydrant would need to be re-located according to the Fire Marshal's standards. He said that one way traffic would be coming in to the site and that there would be handicapped ramps throughout the building.

Mr. Jack Morton, Architect, was also present to represent the application. He said that there would be 2 unloading areas for van traffic which would control one way traffic on the corner. He said that there would be a workshop and day training center, a day treatment facility, and an administrative area.

John Nowicki asked if there would be live-ins and Mr. Morton said "no". John Nowicki asked what the ages would be and Mr. Morton said "21 and over". Mr. Morton introduced the team of developers as follows: Ann Brady, Julia Pierce, and Dick Taylor. Mr. Morton said that they want the building occupied by mid April.

Don Faso asked if they had talked to the State regarding the two curb cuts since it may be a problem and Mr. Morton said that they hadn't yet. Don Faso asked if there would be a temporary turnaround on the dedicated road and Mr. Morton said "yes".

John Nowicki asked what Zoning Board variance they were asking for and Mr. Morton said "parking". John Nowicki asked what the building would look like and Mr. Morton said that it would be a brick building up to 8' with metal siding on top of that. John Cross asked what the total height would be and Mr. Morton said that it would be 20' with 13' in the front section. John Cross asked if L.A.I. were the owners or the operators and Mr. Morton said that they would be the owners at the end of 5 years. John Cross asked who owns it now and Mr. Morton said "Dick Taylor and Ken Morrele". John Cross asked if it would be a taxed area and Don Faso said that that was dependent on the Town.

Don Faso asked if the trees would live and Mr. Morton said that they would clean out the underbush and the trees should be okay.

John Nowicki asked if there was a need for this and Ms. Brady said that mentally and physically retarded adults would be trained here. John Nowicki asked if these adults would be working and Ms. Brady said that there would be a work environment on the

Gates-NEWS-Chili

1635 BROOKS AVENUE, SUITE 2, WEST BLDG. ● ROCHESTER, NEW YORK 14624

Date... *10-21-87*

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

GATES-CHILI NEWS

Issue Dated... *10-21-87*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y., Monroe Co.
My Commission Expires April 30, 19*89*

Patricia M. Smith
Patricia M. Smith
Publisher

**LEGAL NOTICE
CHILI PLANNING BOARD.**

Pursuant to Section 271 of Town Law, a Special Public Hearing will be held by the Chili Planning Board at the Chili town offices, 3235 Chili Avenue, Rochester, New York 14624 on October 27th at 6:30 p.m. to hear and consider the following application:

1. Application of Dewey Clark & Associates, 186 North Water Street, Rochester, New York 14604 for sketch plan approval for a one lot subdivision to be known as L.A.I. Complex at property located at 401 Paul Road in L.I. & FPO Zone.

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

J. Donald Faso, Chairman

Chili Planning Board

10-21

*Planning Board Meeting
10/27/87*

property that companies would sub-contract work from.

Don Faso asked what the day training facility was for and Ms. Brady said that it would be a workshop to train these people basic survival skills and also to teach them employment skills.

John Nowicki asked where the people would come from and Ms. Brady said that half would come from homes and half would come from the Monroe Developmental Center.

Bill Deans asked what the small building was for and Mr. Morton said that the transportation vehicles would be repaired and maintained here. He said that there would be 2 bays for maintenance and facilities for gardening tool storage.

Don Faso asked if the parking lot in back would be for vans and Mr. Morton said that that was correct. Ray Bleier asked about the volume of vans and the times they would be arriving and departing. Ms. Brady said that the vans would be arriving between 8:15-9:00 a.m. and leaving between 3:00-3:45 p.m. She said that there would be 10-14 vans for client use. Ray Bleier asked how many employees there would be and Ms. Brady said that there would be 75 employees and 190 clients.

Bill Deans asked what they had in mind for the back area and Mr. Taylor said that they would have a lawn. Mr. Morton said that they would also scatter trees since they didn't want to screen the building.

John Cross asked why there would be parking in the back and Mr. Morton said that they only had 8 acres to design the area with and they felt that the residents of the area would prefer the parking in the back. Ray Bleier asked why they were restricted to 8 acres and Mr. Morton said that basically it was due to economics. He said that the building can only be one story because of the interaction. Don Faso said that he understood that they had checked with the neighbors and Mr. Taylor said that he went door-to-door and got the neighbors' feedback. Mr. Taylor said that people were concerned about the tractor trailer raw material pickups. John Nowicki asked if the tractor trailers would be inside or outside and Mr. Taylor said "outside".

Ray Bleier asked about the chain link fence and Mr. Taylor said that it would be along the armory and that it wouldn't be on this property. John Nowicki asked if only veterans would be on site and Mr. Morton said "no".

Cherie Bevona asked if it was possible that cars from the armory could use the parking lot on this property on weekends to eliminate the street parking and Ms. Brady said that this request would need to go to the Board of Directors. Cherie Bevona asked if there would be any chemicals or solvents in the day training facility and Ms. Brady said that she wasn't aware of any. Cherie Bevona asked if all clients would be mentally and physically handicapped and Ms. Brady said "yes". Cherie Bevona asked if they were aware of the Bausch & Lomb heavy traffic at 3:30 p.m. and Ms. Brady said that they were aware of this. Cherie Bevona asked if the detention pond would hold water all year round and Mr. Dewey said that it wouldn't. Cherie Bevona asked how deep the pond would be and Mr. Dewey said that it would be 3-4' deep with mowable side slopes. Cherie Bevona said that the Conservation Board will need to review the formal landscaping plans by a licensed architect.

Tom Guerin said that he has talked with Mr. Dewey about his concerns. He said that the developer road in the site would need to be a collector road with gutters and will need to comply with the Town. He asked if the storm water collection design from the roadway would be screened and Mr. Morton said that they would try to get to the meeting on November 10th with the preliminary designs. He said that the County already had the drawings. Don Faso stated that there is a 10 day cutoff for submission of applications to the Planning Board. John Nowicki asked when they would start digging and Mr. Morton said that they would start as soon as the application was approved. Don Faso asked who was funding this site and Mr. Dewey said that the Monroe County Development was.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Bob Wells - 428 Paul Road

He said that the area would need berm because the trees are dead. He also mentioned that there was a lot of traffic on Paul Road between 3:30 - 4:00 p.m.

Rita Wells - 428 Paul Road

She asked about the address and Don Faso said that that was taken from the tax rolls. She asked if this property would be tax exempt and Don Faso said that tax exempt status would be determined by the Town Board.

DECISION: Please be advised that this letter will serve to confirm that you have met the requirements for sketch plan review for the L.A.I. Complex at 401 Paul Road.

Mr. James Jackson
Case-Hoyt Corporation
Graphic Park
100 Beaver Road
Rochester, New York 14624

Mr. Jim Jackson was present. He submitted plans to the Board. He said that there would be a second level for plate making and office space. He said that there would be one construction enclosure because of economics. He said that the project would cost \$2-2.5 million. He said that this would separate the traffic shipping area from the rest of the traffic. He said that there would be additional parking.

Don Faso asked if they would be eliminating the existing shipping area and Mr. Jackson said that there would be five shipping docks with no enclosures. Don Faso asked if they had approached the State on the curb cut and Mr. Jackson said that they hadn't.

Mr. Jackson asked what they needed and Don Faso said that they should follow the code. John Nowicki asked why there would be tractor trailers when there was all this land. John Nowicki said that he was concerned about the appearance as it would seem that they could go to the side with the tractor trailers. Mr. Jackson said that there would be high excavation costs with the mound on the side.

Bill Deans asked if the truck docks were new and Mr. Jackson said that this was a change. Bill Deans said that he was concerned with the trucks facing the main road because he thought that they were heading in the wrong direction. Mr. Jackson said that they needed to think of economics and future expansion.

John Nowicki said that he would fight the tractor trailer staging area. He said that the loading dock was okay because it could be screened.

Ray Bleier said that they could put the shipping activity to the side with the offices in the front and Mr. Jackson said that it was a matter of economics.

Cherie Bevona said that the loading docks could go to the side of the addition and Mr. Jackson said that there would then be excavation costs. He said that the shipping area needed to be on that side of the complex.

John Nowicki asked about the timing on the project and Mr. Jackson said that they would be applying for preliminary approval in January.

Don Faso said that it was the consensus of the Board to move the front staging area.

Mr. Ken Avery asked if they could request the variances to the Planning Board and Marcia Havens said that the parking variance could be handled by the Planning Board and the setback variances would need to go before the Zoning Board.

Mr. Jackson asked if there would be a problem if they relocated the trailers for construction to the back area and Don Faso said "no".

RECOMMENDATION:

The Chili Planning Board, at a Special meeting held on October 27, 1987, has reviewed your proposed new addition for your existing plant site. The Board is quite concerned over the location of the loading docks and trailer staging area. We feel that the trailer staging area should be re-located to the rear of the existing building and if at all possible, the loading docks should be moved to the west side of the building rather than front. You should also check with the New York State Department of Transportation for permission for a second curb cut on Beaver Road before you proceed with your preliminary design work.

Don Faso
Planning Board Chairperson

CHILI PLANNING BOARD
November 10, 1987

The meeting of the Town of Chili Planning Board was held in the Administrative Office, 3235 Chili Avenue, Rochester, New York 14624 on November 10, 1987 at 7:00 P.M. The meeting was called to order by Chairperson Don Faso.

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

ALSO PRESENT: Marcia Havens, Deputy Town Attorney; Cherie Bevona, Conservation Board; Tom Guerin, Town Engineer; Gerald Charipar; Monroe County Planning Department.

Chairperson Don Faso declared this to be a legally constituted meeting of the Chili Planning Board. He further stated that notice of the meeting had been advertised in the Gates-Chili News, as well as posted on the Town Clerk's bulletin board. He also read the Fire Exit Notice.

This is a draft only, and is being filed to comply with Section 106 of the Public Officers Law. These minutes have not been approved by the Chili Planning Board and, therefore, are subject to change.

APPLICATIONS:

OLD BUSINESS:

1. Application of James Farnsworth, 194 S. Union St., Spencerport, N.Y. 14559, for revised site plan and subdivision approval for Shelter Creek Subdivision at property located 1 - 18 Shelter Creek (formerly 3283 Union St.) in RM Zone. The original approval was granted on July 8, 1986.

No one was present to represent the application.

DECISION: Unanimously agreed by a vote of 7 to table the application without prejudice until the applicant resubmits plans showing the revised building elevations.

2. Application of Earthborn Builders, 169 Maplewood Ave., Spencerport, N.Y. 14559, property owner: A. Semler; for preliminary subdivision approval of 57 lots under Section 281 of Town Law, to be known as Westchester Village, Sec. 2 & 3, at property located at 3861 Chili Avenue in R-1-15 Zone.

Mr. Dan Schum, Attorney was present to represent the application. He explained that the application had been tabled last month because of detention pond issues and an on site inspection.

Mr. Dan Savage, Passero Associates, was also present to represent the applicaiton. He said that they were proposing a temporary detention pond on lots 24 and 25 in the Phase I development. He said that the discharge would be at the same location. He said that the lots would be regraded at the time Whispering Winds was ready. He explained that they had upsized the piping as the Town Engineer had requested. He said that lots 7 and 8 had been reconfigured so that the easement was on the dividing line.

Mr. Savage explained that they had reviewed the Section 1 drainage concerns and have two alternatives. One alternative was to use a closed piping system and the other alternative was to connect the pipes with a concrete swale.

Mr. John Caruso, Project Engineer, was also present to represent the applicaiton. He explained that Section 1 had been approved by the Planning Board in 1985 and that there were no comments or suggestions at that time. He said that Howarth did the study as requested and a topographic survey had been prepared. He said that the topo survey was close to the design of Phase I and that erosion was found at the drainage and siltation points. Mr. Caruso explained the drainage alternatives. He said that one alternative would be to install storm sewer pipes to the proposed inlet. He said that 3 inlet manhole structures and extensive fill (4,000 cubic yards) would be required. He said that a temporary grading easement from the homeowners would be required. He said that the cost of this alternative would be \$27,000 and would be completed mid 1988.

Mr. Caruso explained the other alternative which was to install a 4' wide concrete gutter at the storm sewer discharge point. He said that there would be 3 bar screens to keep children away and no additional easements would be required. He said that construction would be completed this year and would require areas to be regraded. He said that the cost of this alternative would be \$11,000.

Mr. Caruso explained that they have selected the alternative of a concrete swale.

Gates-NEWS-Chili

1635 BROOKS AVENUE, SUITE 2, WEST BLDG. ● ROCHESTER, NEW YORK 14624

Date. *11-4-87*.....

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

GATES-CHILI NEWS

Issue Dated. *11-4-87*.....

Geraldine C. Snyder

Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y., Monroe Co.
My Commission Expires April 30, 19*89*

Patricia M. Smith

Patricia M. Smith
Publisher

LEGAL NOTICE

CHILI PLANNING BOARD

Pursuant to Section 271 of Town Law, a Public Hearing will be held by the Chili Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624, on November 10th, 1987, at 7:00 P.M. to hear and consider the following applications:

OLD BUSINESS:

1. Application of James Farnsworth, 194 S. Union St., Spencerport, N.Y. 14559, for revised site plan and subdivision approval for Shelter Creek Subdivision at property located at 1 - 18 Shelter Creek (formerly 3283 Union St.) in RM zone. The original approval was granted on July 8th, 1986.

2. Application of Earthborn Builders, 169 Maplewood Ave., Spencerport, N.Y. 14559, property owner: A. Semler; for preliminary subdivision approval of 57 lots under Section 281 of Town Law, to be known as Westchester Village, Sec. 2 & 3, at property located at 3861 Chili Avenue in R-1-15 zone.

3. Application of Fred & Gloria Stoffel, owner, 580 Chestnut Ridge Rd., Rochester, N.Y. 14624, for reconsideration of the conditions of the approval of the resubdivision of 1 lot into 2 lots, known as Stoffel Resubdivision, granted on September 8, 1987, at property located at above described address in R-1-15 zone.

PUBLIC HEARINGS:

1. Application of John Hellaby, P.E., 816 Ballantyne Rd., Scottsville, N.Y. 14546, property owner: C. Gribbon, J.

Nealy and M. Buccì; for site plan approval to erect a 34' x 115' masonry addition to enclose buildings and truck facilities with 6' high chain link fence with barbed wire top and install gravel parking area at rear of fenced area at property located at 1525 Scottsville Road in G.I. zone.

2. Application of Passero Associates, 100 Liberty Pole Way, Rochester, N.Y. 14604, for Battle Construction Co., Inc., property owner: W. Dangelmayer, et al; for site plan approval for a 9,900 sq. ft. addition to rear of existing building at property located at 367 Paul Road in L.I. zone.

3. Application of George Riley, 3450 Union St., N. Chili, N.Y. 14514, for preliminary site plan approval for a small engine repair shop in a portion of the dwelling at property located at above described address in L.I. zone.

4. Application of Dallas Davis, 3760 Chili Ave., Rochester, N.Y. 14624, for preliminary site plan approval for 3,000 sq. ft. addition to Convenient Store at 3774 Chili Ave. in G.B. zone.

5. Application of Frances Truisci Schrader, 3300 Chili Ave., Rochester, N.Y. 14624, for preliminary site plan approval for a Day Care Center on the first floor of an existing building at 3304 Chili Avenue in G.B. zone.

6. Application of Frances Truisci Schrader, 3300 Chili Avenue, Rochester, N.Y. 14624, for Conditional Use Permit to operate a Day Care Center on the First Floor of an existing building at 3304 Chili Avenue in G.B. zone.

7. Application of Charles

Costich, 217 Lake Ave., Rochester, N.Y. 14608, for Robert Fallone, property owner: Megiddo Church, 481 Thurston Rd., Rochester, N.Y. 14619, for rezoning of parcel of land at 90 King Rd. from RA-10 (Rural Agricultural) to R-1-15 (Residential).

8. Application of Dewey Clark & Assoc., 186 N. Water St., Rochester, N.Y. 14604, property owner: Edwards Partnership, for preliminary subdivision approval for a 1 lot subdivision at property located at 401 Paul Road in L.I. and FPO zones.

9. Application of Dewey Clark & Assoc., 186 N. Water St., Rochester, N.Y. 14604, property owner: Edwards Partnership; for preliminary site plan approval for L.A.I. Complex located at 401 Paul Road in L.I. and FPO zones.

INFORMALS:

1. Application of Costich Engineers, 217 Lake Ave., Rochester, N.Y. 14608, property owner: Wegman's Enterprises; for revised site plan for a Recreation Building at property located at 249 Fisher Road in RA-10 zone.

DISCUSSION:

1. Wm. C. McCombs - the future development of 85 Old Chili-Scottsville Road.

Mayflower Village - to present building elevations and floor plans.

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

**J. Donald Faso, Chairman
Chili Planning Board**

Tom Guerin said that the detention section pond was not adequate because it would only be able to handle Phase I of Section II. He said that he would prefer to see it in the backyards. Mr. Savage said that this could be moved.

Ray Bleier asked if any fill would be required on the concrete swale alternative and Mr. Savage said that a little fill would be required for the eroded areas. Ray Bleier asked what Phase I consisted of and Mr. Savage said "27 lots".

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Jim Kalish - 29 Haverhill Circle

He thanked the Planning Board for their concern. He said that he would be willing to purchase a Howarth home. He said that he was speaking for many of the homeowners. He said that the homeowners would like to see piping and an easement. He said that the homeowners would be willing to listen to other alternatives, however, they would not be real happy with concrete gutters. He said that concrete gutters would cut off 1100 sq. ft. of his backyard.

Steven Hall - 14 Haverhill

He said that he had been told by Howarth that the area would be piped.

Mark Dickson - 16 Haverhill

He said that he was also told by Howarth that the area would be piped.

William Wilcox -

He said that he felt the flow of water should be slowed from Whispering Winds. He said that the small pond would take off the pressure.

Donna Hall - Lot 15

She said that there was standing water in the ditch in the backyard and that they were told the area would be piped.

Tom Guerin said that either alternative would solve the problem. He said that the piping system would be better because it would give the residents full use of their yards. He said that he would recommend the piping system because it would be better in the long run for maintenance of the Town.

Don Faso suggested that perhaps the Town could offer something as a tradeoff for the additional expense. John Nowicki said that he was concerned about the future development. Don Faso read the new section of the Code. John Nowicki felt that the piping system was worth the investment. John Cross asked about the piping that the residents indicated Howarth had promised. George Ford felt that the builder should not be required to pay the additional expense since it was not in their control. Marcia Havens said that if the concrete swale alternative was okay, there shouldn't be any additional expense. She said that she would recommend the concrete swale alternative if it would work well.

Bill Deans said that he felt there should be some continuity between the two developments since they have the same developer. Marcia Havens said that if the Board's intent was to join the pipes, the developer could be required to go back in.

John Nowicki asked if all the money had been released from the letters of credit for Phase I and Tom Guerin said "no". Mr. Schum said that 10% was retained for drainage.

Mitch Rakus said that he felt corrective action should take place between the engineers. He felt that pipes should be required. Mr. Schum said that he felt that the Board cannot require anything else since the design was previously approved.

Marcia Havens said that legal documents would be needed from the neighbors for approval on the drastic regrading.

DECISION: Approved by a vote of 6 with George Ford casting a negative vote. The following conditions were imposed:

1. The developer shall pipe the storm sewer system from Westchester Village I as stated in the developer's engineer's letter dated November 6, 1987 "Alternate No. 2" (Developer shall obtain all necessary temporary construction easements from the homeowners).
2. Temporary detention pond shall be moved to the center of the development.
3. Pending Town Engineer approval.

Please note that final approval has been waived by the Planning Board for Phase I.

IN THE MATTER OF THE WESTCHESTER VILLAGE II

DECISION

WHEREAS, Earthborn Builders of 169 Maplewood Avenue, Spencerport, New York, has made application to the Chili Planning Board for preliminary subdivision approval under Section 281 of the Town Law for a 57 lot subdivision to be known as Westchester Village II at property located at 3861 Chili Avenue in an R-1-15 Zone. Under Section 96-1 of the Chili Code, the Planning Board has been authorized to review and approve, or modify and approve, subdivision plans under the provisions of Section 281 of the Town Law.

WHEREAS, on October 13, 1987, at a regular meeting of this Board, after proper notice was published, a public hearing was held on this application where all interested persons were given an opportunity to be heard regarding the proposed application.

WHEREAS, the application is subject review under the State Environmental Quality Review Act and the applicant has submitted the Town of Chili Environmental Assessment Form.

WHEREAS, The Planning Board makes the following determinations, pursuant to Section 281 of the Town Law, and Part 617 of the N.Y.C.R.R. (SEQR regulations), after careful consideration of all the evidence that makes up the record of this application, including but not limited to: the drawings and plans submitted by the applicant; comments received from the public; testimony presented by the applicant and the applicants agents; recommendations and comments from the Town Engineer, Chili Conservation Board, the Monroe County Department of Planning, and the Environmental Assessment Form:

DETERMINATIONS
AND
FINDINGS OF FACT

1. The proposed action is an Unlisted Action as the same is defined under Part 617 of the NYCRR, section 617.2 (kk).
2. The proposed subdivision will be located on 30.465 acre site on the north side of Chili Avenue, approximately one-half mile west of Union Street. The present zoning of the parcel is R-1-15. There is a residential subdivision made up of detached, single family homes to the immediate east of the proposed subdivision with an approved residential subdivision (Whispering Winds) in a R-1-20 district to the west.
3. Residential use of the parcel is consistent with the Comprehensive Plan of the Town of Chili.
4. The 30.465 acre parcel could be subdivided into a maximum of 57 building lots if the parcel were to conform to the minimum lot size and density provisions, as well as the building setback requirements of the Chili Zoning Code applicable to R-1-15 districts. This determination is based on the Board's review of the applicant, said plat conforming to all requirements of the Chili Zoning Code.
5. The subdivision, as proposed, would result in 57 building lots of varying sizes, with minimum setbacks, as follows:

Minimum front setback:	60'
Minimum side setback:	10'
Minimum rear setback:	30'
6. All dwelling units will be constructed as detached, single family units, which is consistent with the residential subdivisions neighboring the subject parcel.
7. The minimum lot will be 12,000 square feet, with 23 lots exceeding 20,000 square feet. Seventeen (17) lots are less than 15,000 square feet. The smaller lots would comprise the center of the subdivision, with larger lots bordering the Whispering Winds Subdivision, Chili Avenue and the northerly portion of the subdivision. The layout of the subdivision provides a good transition between Westchester Village I, which is zoned R-1-12 and Whispering Winds, which is zoned R-1-20.
8. The proposed subdivision has approximately 750 fewer feet of road ways and

utilities than shown on the conventional subdivision plat of the same parcel. This reduction in road way and utility footage should result in a cost savings to the Town of Chili, as well as other agencies, in terms of maintenance, repairs and improvements of said facilities.

9. The varying lot sizes, housing types and curved streets, as shown on the drawings and plans submitted by the applicant, should result in a subdivision attractive to homebuyers, as well as an innovative, attractive addition to the Town of Chili.
10. Adequate measures will be taken to correct existing drainage problems on adjacent portions of Westchester Village I. Also, engineering plans provide for adequate storm water drainage for the subject subdivision.

NOW, THEREFORE, pursuant to Sections 276, 277, 278 and 281 of Town Law, and Section 96-1 of the Chili Zoning Code, be it resolved as follows:

1. For purposes of the required SEQR review, the Planning Board hereby declares itself "Lead Agency" and makes the determination that the proposed subdivision will have no significant effect on the environment.
2. The provisions of the Chili Zoning Code which govern R-1-15 districts shall be modified, as necessary, to permit the lot sizes, dimensions and, front, rear and side setbacks as shown on the preliminary subdivision plat, as the same are modified and approved on the final subdivision plat.
3. The application of Section 281 of the Town Law to the subject parcel has not resulted in greater number of building lots than would have been permitted if the land were subdivided into lots conforming to the minimum lot size and density requirements of the Chili Zoning Code applicable to R-1-15 districts.
4. The approval of the Westchester Village II subdivision under Section 281 of the Town Law will benefit the Town of Chili for the following reasons:
 - a. It will result in a flexible subdivision design and development of the land in such a manner as to promote its most appropriate use as a single family residential subdivision.
 - b. It will facilitate the adequate and economical construction, maintenance and improvement of roadways and utilities.
 - c. It will result in an innovative and attractive subdivision that will be an asset to our community.
 - d. It will result in a blending transition of zoning districts between Westchester Village II, Section I (R-1-12) and Whispering Winds Subdivision (R-1-20).
5. Preliminary subdivision approval of 57 lots to be known as Westchester II, located at 3861 Chili Avenue in a R-1-15 zone, be granted, subject to the following conditions:
 - a. Developer shall pipe the storm sewer system from Westchester Village I as stated in the developer's engineer's letter dated November 6, 1987 "Alternate No. 2" (developer shall obtain all necessary temporary construction easements from the homeowners).
 - b. Temporary detention pond shall be moved to the center of the development.
 - c. Pending Town Engineer approval.

Submitted by: John Nowicki

Seconded by: John Cross

Vote: For 6 Against George Ford

3. Application of Fred and Gloria Stoffel, owner, 580 Chestnut Ridge Road, Rochester, New York 14624 for reconsideration of the conditions of the approval of the resubdivision of 1 lot into lots, known as Stoffel Resubdivision, granted on September 8, 1987, at property located at above address in R-1-15 zone.

Mr. Fred Stoffel was present to represent the application. He said that he was asking not to have to have the full basement because his wife was handicapped on using stairs.

Don Faso said that who occupies the house is of no concern to the Board.

Mr. Stoffel said that there would be a 92" pitch to the basement and a door going to the outside. He said that there would be no stairs and that they would not be having 11 blocks because of the expense of the fill. He said that the house would be a ranch with a walkout to ground level. He said that he saw no need to give the right of way because he would give up 2,000 sq. ft. of land. He said that he would like a 6'8" cellar.

Don Faso said that they often require a right of way on a drainage district with a subdivision of 2 or more lots. Mr. Don Avery asked if it would be easier to create a 3 lot subdivision and Don Faso said that that could not be considered at this meeting.

DECISION: Unanimously denied by a vote of 7. The Chili Planning Board feels your circumstances do not warrant the changes you have requested. While they may be unique in your case, it may prove to be a hindrance in the resale of the house in the future. The house should be built to proper standards and then modified for your needs.

4. Mayflower Village - to present building elevations and floor plans.

Mr. Alan Burr and Mr. Patrick Bassett of Harts Meadow Development Corp. were present to represent the application. Mr. Bassett said that they had decided to move the homes back. He submitted brochures on the homes and said that the homes would give a rural type of atmosphere.

Don Faso asked why the house was sitting so high and Mr. Bassett said that they had difficulty in getting the mortgage release. Mr. Bassett said that the house would be taken down. Mr. Bassett said that they were here to bring the Planning Board up to date on the development. He said that they would be okay on the setbacks.

DECISION: Unanimously approved by a vote of 7.

PROCEDURE FOR APPROVAL OF TOWNHOMES
LOTS FOR MAYFLOWER VILLAGE, PHASE I

WHEREAS, the Chili Planning Board, at its May 20, 1987 meeting, granted preliminary subdivision approval, and waived final subdivision approval of a two lot subdivision known as Hart Estates (now Mayflower Village). Said subdivision consists of a neighboring business lot made up of 3.66 acres fronting on the corner of Buffalo Road and Westside Drive, and a residential lot consisting of 25.26 acres on the south side of the Oscar Kuebler Subdivision, the residential lot to be developed for townhomes; and

WHEREAS, the Chili Planning Board, at its July 8, 1986 meeting, voted unanimously to grant final site plan approval of Phase I of Mayflower Village (formerly Hart Estate Phase I), such site plan providing for the construction of 72 townhomes at property located at 4201 Buffalo Road in the Town of Chili; and

WHEREAS, title will be conveyed to each townhome owner by warranty deed granting in fee ownership to the specific parcel of land on which their townhome is constructed, with a Homeowners' Association retaining ownership to the remainder of the land for roadways, common areas and parking areas; and

WHEREAS, it will be necessary to re-subdivide Phase I of Mayflower Village into 72 individual townhome lots which comply with the minimum setback requirements set forth in the final site plan approval of said Phase I; and

WHEREAS, Section 96-6 of the Subdivision Ordinance of the Town of Chili allows the Planning Board, at its discretion, to waive normal subdivision procedures for simple alteration of lot lines;

NOW, THEREFORE, BE IT RESOLVED:

That the Planning Board Chairperson, or in his or her absence, the Vice Chairperson, or the Chairperson Pro Tem, on behalf of the Town of Chili may grant approval of the resubdivision of Mayflower Village Phase I into separate townhome units upon submission to the Town of Chili of an Instrument Survey Map of each townhome building duly certified by a Licensed Land Surveyor or Professional Engineer.

Submitted by: J. Donald Faso

Seconded by: George Ford

Vote: For 7 Against 0

PUBLIC HEARINGS:

1. Application of John Hellaby, P.E., 816 Ballantyne Rd., Scottsville, N.Y. 14546, property owner: C. Gribbon, J. Nealy and M. Bucci; for preliminary site plan approval to erect a 34' x 115' masonry addition to enclose buildings and truck facilities with 6' high chain link fence with barbed wire top and install gravel parking area at rear of fenced area at property located at 1525 Scottsville Road in G.I. zone.

Mr. Thomas Hellaby of 833 Ballantyne Road was present to represent the applicaiton. He said that he was representing Armored Motor Service.

Don Faso asked if a barbed wire fence could be installed in an area other than an agricultural area and Jack Madigan said that it couldn't without a variance from the Zoning Board. Ray Bleier asked why a barbed wire fence was being proposed and Mr. Hellaby said that it was for insurance reasons.

Mr. John Salombini was also present to represent the application. He said that fencing was needed; preferrably barbed wire. John Nowicki asked if there was any other way to top the fence and Mr. Hellaby said that he wasn't aware of any other way. John Nowicki asked how long they were without a fence and Mr. Salombini said "3 years". Mitch Rakus asked if there was a barbed wire fence at the previous location and Mr. Salombini said "no".

Ray Bleier asked if the decor would match the existing buildings and Mr. Hellaby said "yes". John Nowicki asked about the cost and Mr. Hellaby said that it was \$55 a sq. ft. Mitch Rakus suggested that the barbed wire go to the corner and not in the front so that shrubbery can be put here. Mr. Hellaby said that he had no problem with this and that it was a viable option.

John Nowicki said that a percentage of the cost must be put in landscaping and Mr. Hellaby said that he wasn't aware of this. Don Faso said that a 12' lane was awful narrow and Mr. Hellaby said that it would actually be larger.

Cherie Bevona said that the area used to be a disposal dump. She said that the Conservation Board recommended that a decision not be made until the landfill committee review the area. She said that the Conservation Board did not like the idea of barbed wire.

Gerald Charipar said that the County Comments had approved the application insofar as airport considerations, zoning review, and environmental review were concered.

Tom Guerin said that he would like to see the seal on the final plan. Marcia Havens said that the barbed wire was subject to approval by the Zoning Board.

Don Faso made a motion to table the applicaation and Ray Bleier seconded the motion.

DECISION: Unanimously agreed by a vote of 7 to table the applicaiton without prejudice until the applicant resubmits with the information requested at the public hearing.

2. Application of Passero Associates, 100 Liberty Pole Way, Rochester, N.Y. 14604, for Battle Construction Co., Inc., property owner: W. Dangelmayer. etal; for site plan approval for a 9,900 sq. ft. addition to rear of existing building at property located at 367 Paul Road in L.I. zone.

Mr. John Caruso of Passero Associates was present to represent the application. He said that the site was on a parcel of 3.9 acres. He said that this was not a production facility but that of plastic and injection services. He said that there would be 50 parking spaces for 40-45 employees.

He said that they have provided an additional turning lane and a ramp for a light duty truck or van with an overhead door. He said that the building had been designed for fire safety with a gabled roof. He said that they were proposing a swale for drainage with a parking lot that would be paved.

Mr. Caruso said that the existing light on the building would be moved to the back for security reasons. He said that they would be adding one more light to the west side of the building.

Mr. Caruso said that the Building Department would get the plumbing and architectural plans. He said that there would be one handicapped parking spot and that existing trees would buffer the parking lot.

Mr. Peter Grassel, Advanced Mold and Tooling of 1141 Scottsville Road, and Mr. Steven Van were also present. Mr. Van said that the existing people were moving out. Ray Bleier asked why no one was occupying the building now and Jack Madigan said that it was closed for one month.

John Nowicki asked what type of materials were stored in the building and Mr. Caruso said "silicons for mold release". He said that there was a screened dumpster in the back. He said that they would not be using flammable materials. Mr. Grassel said that there would be no injections because it was a machine shop.

John Nowicki asked about the color of the building and Mr. Van said that it would match the existing building. Ray Bleier said that the enclosed dumpster was in a state of disrepair and Mr. Caruso said that it was not salvagable. John Nowicki suggested that the turnaround be paved also.

Cherie Bevona asked if there would be outside storage of anything and Mr. Grassel said "no". Cherie Bevona asked if the cutting oils would be disposed of and Mr. Grassel said that they would evaporate. Cherie Bevona asked how they would dispose of the filings and Mr. Caruso said that they would be in enclosed bins for pickup. Cherie Bevona said that the Conservation Board would like landscaping added, especially to the parking lot.

Mr. Caruso asked if the Board would object to an oil penetrated surface on the turnaround and Don Faso asked why they would stop there.

The County Comments approved the application insofar as airport considerations, zoning review, and environmental review were concerned. The following points were identified as requiring action prior to the submission of final plans:

1. must inform the Supplier of Water of the intended use of their public water supply
2. floor drains shall be connected to the sanitary sewer
3. the existing and sanitary laterals must be shown on the plan
4. the developer shall contact Mr. Stein of the Monroe County Water Authority in regards to a backflow prevention device
5. any work within the right of way of Route 252A will require a permit from the NYS DOT

DECISION: Unanimously approved by a vote of 7 with the following conditions:

1. truck turnaround area shall be paved
2. no outside storage of any material
3. landscaping plans shall be approved by the Chili Conservation Board
4. color scheme of the addition shall compliment the existing building
5. pending approval of the Town Engineer

Please: that final site plan approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

3. Application of George Riley, 3450 Union Street, North Chili, NY 14514, for preliminary site plan approval for a small engine shop in a portion of the dwelling at property located at above described address in L.I. zone.

Mr. George Riley was present to represent the application. Don Faso stated that any future improvements must meet the site plan approval from the Board.

Cherie Bevona asked what they planned to do with the degreaser or greaser solvents and Mr. Riley said that they wouldn't have any. Cherie Bevona stated that the Conservation Board wanted all materials on the site to be kept in the back.

Jack Madigan said that he wanted the cars kept off the property. John Nowicki asked if they would be blacktopping this year or next and Mr. Riley said that it was already blacktopped.

DECISION: Unanimously approved by a vote of 7.

Please note that final site plan approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this applicaiton to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

4. Application of Dallas Davis, 3760 Chili Avenue, Rochester, New York 14624, for preliminary site plan approval for 3,000 sq. ft. addition to Convenient Store at 3774 Chili Avenue in G.B. zone.

Mr. Dallas Davis was present to represent the applicaiton. He explained that the business had grown. Mr. Don Avery of Avery Engineering was also present to represent the applicaiton. Mr. Avery said that they were not subdividing and that they would be putting in a dry well for additional water from the roof. He said that in lieu of a 40' buffer, they would like an easement granted which will give a 35' buffer.

Marcia Havens suggested doing an alteration of lot lines. She recommended resub- ing, moving the lot line, and requesting a variance.

Mr. Davis said that they eventually plan on moving the house. He said that they prefer an easement because it would be quicker. Marcia Havens said that a sub- division would not be more time consuming because the Board could waive resub- division regulations. Don Faso said that if they resubbed, the Planning Board could handle the variances rather than the Zoning Board. Mitch Rakus said that they could transfer property to the business.

Mr. Avery said that the new building would require 15' and that there was 25' now. Mr. Davis said that he would prefer an easement. Marcia Havens said that she would like to have a month to research this.

John Nowicki asked why they're doing this and Mr. Avery said that they needed more inventory storage. He said that the addition would include office space, 2 bath- rooms, books, gifts, video rentals, and potted plants. Don Faso asked about the L shape in the middle of the building and Mr. Avery said that the planter would be removed. Don Faso asked if they were increasing the number of gas pumps and Mr. Avery said "no".

Cherie Bevona said that the Conservation Board felt that the parking situation was crowded. She said that they would like to see egress and ingress to the site and that they should be marked by enter and exit signs. She said that the Conservation Board commended the landscaping and would like to see more trees as a buffer.

Gerald Charipar read the County Comments which identified the following requiring actions prior to final submission:

1. show the proposed method of temporary erosion/siltation control
2. all new petroleum storage facilities or any addition, repair, or replacement to an existing facility must be designed and constructed pursuant to NYS law
3. applicant must inform the Supplier of Water of the intended use
4. floor drains shall be connected to the sanitary sewer
5. water, sanitary, and storm laterals must be shown on the plan
6. developer should contact Mr. Stein of the Monroe County Water Authority in regard to a backflow prevention device
7. any work within the right-of-way of Route 33A will require a permit from NYSDOT

Tom Guerin asked where the existing storm line drained to and Mr. Avery said that he didn't know. Tom Guerin asked why they would put a dry well when there was an existing storm line to the building and Mr. Avery said that they would eliminate that.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Bonnie Balmer - 63 Battlegreen Drive
She asked what kind of books would be sold and Mr. Gary Gell. Manager, said that they would be family books.

Marcia Havens recommended that the Board reserve judgment until she researched this application.

DECISION: Unanimously agreed by a vote of 7 to table the application without prejudice until the applicant resubmits the information requested at the public hearing.

5. Application of Frances Truisi Schrader, 3300 Chili Avenue, Rochester, New York 14624, for preliminary site plan approval for a Day Care Center on the first floor of an existing building at 3304 Chili Avenue in G.B. zone.
6. Application of Frances Truisi Schrader, 3300 Chili Avenue, Rochester, New York 14624, for Conditional Use Permit to operate a Day Care Center on the first floor of an existing building at 33-4 Chili Avenue in G.B. zone.

Applications 5 and 6 were heard concurrently.

Mr. Don Avery was present to represent the application. He said that they wanted to put a day care center on the first floor of the existing home. He said that they would be adding a little parking area. He said that the garage would be restructured at a later date for use of the day care center.

Mr. Avery said that he had talked with Jack Madigan and the architect and the apartment on the second floor would remain and the third floor would be vacated. He said that they would install a \$6,000 fire system that would be tied to the firehouse. He said that the outside would stay the same.

Don Faso asked if they would eliminate the third story apartment and Mr. Avery said that that was correct. Mr. Avery said that they were working with the Fire Marshal. Don Faso asked if this was the first venture at day care and Ms. Schrader of 3270 Chili Avenue said that it was but that she had worked with children for 17 years. Don Faso asked if Social Services had approved this and Ms. Schrader said that they were waiting for approval from the Fire Marshal and the Planning Board. Ms. Schrader said that the State Inspector of Social Services was satisfied with everything and the Fire Marshal liked the fire system. She said that they were discussing the walls with the Fire Marshal. Don Faso asked when the State would come in and Jack Madigan said that they would after the Town approval.

John Nowicki asked how many children would be on the first floor and Ms. Schrader said that she hoped to have 35. John Nowicki asked what qualifications the teachers would need and Ms. Schrader said that she was looking for State Certified teachers. Don Faso asked if there would be a structure for children before and after school and Ms. Schrader said that the garage could possibly be used for this. John Nowicki asked about the ingress and egress and Ms. Schrader said that there would be a one way driveway from Chili Avenue to Rose Road.

Bill Deans asked what outside facilities there would be for children to play and Ms. Schrader said that there would eventually be an outdoor playground next door on the adjoining property. She said that the property belonged to her. Bill Deans asked if she would be adding improvements to the building and Ms. Schrader said that she wouldn't immediately but eventually would. Don Faso asked if an outdoor playground was required and Ms. Schrader said that it wasn't but if there was one it must be fenced in. She said that she would eventually like a full fledged playground.

Mitch Rakus asked how they would keep the children from going across the street and Ms. Schrader said that they would be supervised. Mitch Rakus said that he was concerned about the rise in the highway and children running out in the road and Mr. Avery said that he didn't feel this was a problem. Ray Bleier asked what the ages of the children would be and Ms. Schrader said "6 weeks - 12 years".

Don Faso asked how many parking spaces there would be and Ms. Schrader said "8". Don Faso asked how close the house was to the back and Mr. Avery said "90' away". Marcia Havens asked if children must be in a fenced area if they are playing outside and Ms. Schrader said that she didn't plan on letting children outside at this time and if she did she would use the surrounding homes that she owns. Don Faso asked if there would be field trips and Ms. Schrader said "possibly". Marcia Havens asked if there were any programs where additional parking would be needed and Ms. Schrader said that they have gravel to enlarge the parking lot. Marcia Havens asked how many people they would anticipate and Ms. Schrader said that if it was an open house, she would hope that all parents would come. Marcia Havens asked if she would be willing to combine both parcels of land and Ms. Schrader said that she would since they both belong to her. John Cross said that he would like to see the outline for the fenced in playground area.

Gerald Charipar read the County Comments which identified the following points requiring action prior to final submission:

1. applicant must inform the Supplier of Water of the intended use
2. water and sanitary laterals must be shown
3. developer should contact Mr. Stein at the Monroe County Water Authority in regard to a backflow prevention device
4. any work within the right-of-way of Route 33A will require a permit from the NYS DOT

Bill Deans asked how long she owned the property and Ms. Schrader said that she owned this property 5 years and the one next door that she lives in for 9 years.

Tom Guerin said that he thought the playground should show in the site plan.

Jack Madigan asked if there would be any handicapped children and Ms. Schrader said "eventually".

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Christopher Schmidt - 37 Shrubbery Lane

He asked if the back parking lot would be blacktopped and Ms. Schrader said that she would like to blacktop it. He asked about snow removal and Ms. Schrader said that it would be taken care of. He asked what the hours would be and Ms. Schrader said "6 am - 6 pm".

Michele Colombo - previous tenant

She said that she worked with Ms. Schrader. She asked who would be running the day care center and Ms. Schrader said that she wasn't sure yet. She said that she was concerned that the teachers would not be qualified.

Tracy Mellen - tenant

She said that she would like to see a day care center in this area.

Marcia Havens said that the Planning Board has authority because this was not a home day care center. John Nowicki said that he would like to see guidelines on day care centers.

Michael Truisi - 3732 Chili Avenue

He expressed concern over the building code regulations.

Ms. Schrader said that she doesn't plan a playground at this time. She said that she has to meet all the rules. Bill Deans said that he would like to see a full fledged plan. Marcia Havens said that the Board should tell the applicant exactly what they want to see. Marcia Havens said that she would provide NYS regulations on day care centers. The Board mentioned that they would like to see 2 parking spaces per teacher, a play area, a parking area for parents, hours of operation, landscaping buffers, and building specs for any upgrades. Ray Bleier felt that some members of the Board were overstepping their bounds. Don Faso motioned that the applicaiton be tabled and George Ford seconded the motion.

DECISION: Unanimously agreed by a vote of 7 to table the application without prejudice until the applicant resubmits with the following information:

1. proposed fenced-in play area
2. required number of parking spaces
3. hours of operation
4. any outside improvements to the building
5. proposed landscaped buffers

DECISION: Unanimously agreed by a vote of 7 to table the application without prejudice pending site plan approval.

7. Application of Charles Costich, 217 Lake Ave., Rochester, N.Y. 14608, for Robert Fallone, property owner: Megiddo Church, 481 Thurston Rd., Rochester, N.Y. 14619, for rezoning of parcel of land at 90 King Road from RA-10 (Rural Agricultural) to R-1-15 (Residential).

Mr. Charles Costich, 217 Lake Ave., was present to represent the application. He said that he was representing Robert Fallone and his two sons. He said that the property was to the east of King Road and consisted of 160 acres. He said that single family residential homes would be built and that there would be a mixture of patio homes. He said that patio homes were units with different configurations. He showed a map of similar drainage area in Penfield with a major detention pond. He said that the pond would reduce the discharge of water by about 1/3. He said that the traffic would enter Glidden Estates and Evergreen Drive. He showed via the map an area that would be dedicated to the Town of Chili if they wanted it. He said that they were requesting the area to be rezoned from RA-10 to R-1-15. He said that the zoning was deemed so because they had been unable to sewer, however, now they can. He said that he believed the property had been a farm. He said that they were requesting development under 281.

Dr. Frank Scarmonato was also present to represent the applicaiton. He explained that this would be a cluster development containing a large detention facility.

Mr. Steve Ferante, Traffic Engineer, was also present. He explained that he would be collecting data for the traffic study.

Marcia Havens said that they must reduce the amount of land by the wet lands when determining the number of homes under 281.

Cherie Bevona said that the Conservation Board was concerned about the poor drainage existing now.

Gerald Charipar read the County Comments which expressed concern over Conrail.

Tom Guerin asked if they had contacted the developer to the west about the connection into the subdivision and Mr. Costich said that they would be purchasing that parcel of land.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Dave Dana - 65 Brian Drive

He expressed concern about the traffic that would be created on Evergreen Drive. He asked why there couldn't be more entrances to the development. He asked if the patio homes would have full basements and Mr. Costich said "yes". Mr. Costich said that they would add entrances if the traffic study warranted it.

Robert Fallone -

He said that he was buying the property to the west.

Roland Chugg - Evergreen Drive

He asked if they would start the Glidden track first and Don Faso said "yes". He asked if the track between the estates would be completed next and Don Faso said "yes". He said that Evergreen was not large enough to accommodate the traffic that would be caused from this applicaiton.

Jim Ralston - 47 Evergreen Drive

He expressed concern about the traffic and Evergreen Drive accommodating the traffic.

Vince Accardi - 16 Sandpebble

He said that he couldn't see the property being developed. He said that he felt the property was a nice buffer and that the Board should consider the opposition.

Douglas Eshaer - West Forest Estates

He expressed concern over the traffic.

Greg Kitt - Evergreen Drive

He expressed concern over the traffic. He said that there were no streetlights, sidewalks, or stop signs in Evergreen.

Mike Santangelo - 55 Evergreen Drive

He said that the map was not accurate. He said that he was concerned about the cost of taxes and education with more children. Don Faso said that the School District had to provide education for every child. Mr. Santangelo said that he felt the Board was not impartial.

John Overfield - 13 Stonemeadow Drive

He expressed concern over the development and said that he was opposed to the applicaiton.

Bruce Quinby - 36 Sandpebble Drive

He said that the proposed site was an excellent habitat and that he would hate to have it destroyed. He said that he was concerned about the value of the patio homes and what this would do to the value of the surrounding homes.

Mike Maddalena - 29 Sandpebble Drive

He said that he purchased his home because of the open area. He said that he was concerned about the traffic.

Dave Filler - 11 Stonemeadow Drive

He asked how the drainage would be leveled where the pond runs because he was concerned about wet basements. Mr. Costich said that they were not building with the intent of wet basements. Mr. Filler expressed concern over the traffic on West-side Drive.

Dallas Davis - 3760 Chili Avenue

He asked where the additional road would be put and Mr. Costich said that they could split the pond. Mr. Davis said that he didn't think this development was practical.

Bruce Beisheim - 50 West Forest Drive

He was concerned about where the wetlands would go and where the pond would run. Mr. Costich said that the wetlands would not interrupt drainage. Mr. Costich said that they would not be backing into the wetlands and therefore there would be no affect to the wetlands. Mr. Beisheim asked if the new track would connect into West Forest Estates and Mr. Costich said "no".

James Powers - 17 Evergreen Drive

He asked if the traffic analysis would take into consideration the traffic distribution and Mr. Ferante said "yes".

Carl Schoffel - 16 Evergreen Drive

He asked if they had considered connecting to King Road and creating a shortcut which would result in lots of traffic and Mr. Ferante said that this would be difficult to use as a shortcut with this configuration. Mr. Schoffel said that he didn't consider this application good use for land in Chili.

Kim Capellis - 110 King Road

He said that he had no objection to the development but did believe it would devalue his home because of the lesser value of the homes in the development. He said that he objected to the easement through the front property. He asked what the estimated value of homes would be in the development and Mr. Costich said "over \$100,000".

Debra Simmons - 51 West Forest Drive

She asked if the trains would become louder without a buffer and Don Faso said "no". She asked what were the chances of having a sound barrier and Don Faso said "slim".

Greg Kitt - 58 Evergreen Drive

He was concerned about drainage because the area was never dry. He said that there was no pipe under his yard and water takes up to a week to drain.

Donna Waterman - 36 Sandpebble Drive

She asked what would prevent children from getting on the railroad tracks and Don Faso said "nothing".

Thomas Key - 29 Evergreen Drive

He was concerned about traffic.

Janice Jones - 21 Evergreen Drive

She asked what size were the patio homes and Mr. Avery said "850 sq. ft. for a one bedroom".

Mike Sanfilippo - Sandpebble Drive

He said that he didn't want the woods to be removed behind Brian and Sandpebble Drives. He said that he didn't want to see the homes packed in like West Forest Estates.

Don McHugh - Evergreen Drive

He asked why there couldn't be a highway for traffic rather than using Evergreen Drive and Don Faso said that the Board could consider that.

Don Faso read letters that he had received regarding the applicaiton. Dan Miller, Town Attorney, wrote declaring his conflict of interest. Charlotte and Thomas Greenwood of 25 Sandpebble Drive wrote expressing their concern about the lot size of the development and about the number of animals displaced. Anne Mercier of 58 Evergreen Drive wrote saying that she was opposed to the application and would like to see that the open space was maintained. James Donovan of 56 Evergreen Drive wrote in opposition to the applicaiton because of drainage, public safety, destruction of nature, elimination of rural community, and increased traffic flow on Evergreen Drive. Greg Kitt also wrote in opposition to the applicaiton. The letters are on file with the Building Department.

Mitch Rakus felt that the Board should take into consideration the distance from the first house to the railroad tracks and the buffer that may be needed.

Don Faso motioned to table the application and George Ford seconded it. Don Faso read the resolution as follows:

DECISION: The Chili Planning Board has declared themselves lead agency for the rezoning of this parcel of land. Unanimously agreed be a vote of 7 to table the applicaiton until the applicant resubmits with the information requested in the following resolution:

WHEREAS, application has been received and is in order in the matter of the rezoning of approximately 160 acres, being part of the King Forest Estates,

John Cross asked if there would be signs to mark "Entrance Only" and Ms. Brady said "yes". Don Faso asked what the number of vans would be and Ms. Brady said "12". Don Faso asked how many clients there would be and Mr. Dewey said "180". Mitch Rakus asked how long the daily program was and Ms. Brady said "6 hours".

Cherie Bevona stated that there were some errors on the EAF.

Gerald Charipar read the County Comments which approved the application insofar as airport considerations and environmental review were concerned. The following comment was offered on the zoning review:

A landscaping plan is required by the Chili Zoning Ordinance before this proposed training facility receives final site plan approval. We suggest that attention be given to the grassed area in front of the building which divides the parking area. It's appearance could be improved with an enhanced landscape treatment.

The following points were identified as requiring action prior to final submission:

1. show proposed method of temporary erosion/siltation to be used
2. an air emission permit must be granted if contaminants will be emitted
3. applicant must inform the Supplier of Water of the intended use
4. plans for any extension or relocation of a watermain or sanitary sewer
5. floor drains shall be connected to the sanitary sewer
6. results of a hydrant flow test
7. easements for all utilities
8. proposed water services
9. developer should contact Mr. Stein of the Monroe Conty Water Authority in regard to a possible backflow prevention device
10. submit plans to NYSDOT for review

Tom Guerin said that the cul de sac needed for the dedicated roadway would not need to be paved.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Tom Platt - 411 Paul Road

He said that Marshall Road and Paul Road was a dangerous intersection and therefore the entrance would be dangerous. He asked if the parking lot would be lit all night and Ms. brady said "no". He asked if there would be security lighting around the building and Ms. Brady said "yes". He said that he wanted trees to screen the loading dock view from his home and Mr. Dewey said that it would. He also expressed concern over trash and Don Faso said that the ordinance says that it must be enclosed. Mr. Dewey said that it would be fenced in and hidden from view.

Marlen Krestner - 56 Lexington Parkway

She said that she was the president of the Homeowners Association and that she sees no problem with the application. She thanked the applicants for the blueprints.

Bonnie Balmer - 63 Battlegreen Drive

She thanked the applicants for the blueprints.

Bob Wells -

He asked how far back the berm would be from the road and Mr. Dewey said "65' from the center of the road".

Bonnie Platt - 414 Paul Road

She expressed concern about the traffic on Paul Road.

DECISION ON APPLICATION #8: Unanimously approved by a vote of 7.

Please note that final site plan approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

DECISION ON APPLICATION #9. Unanimously approved by a vote of 7 with the following conditions:

1. Applicant shall comply with the Conservation Board's comments in their minutes dated November 2, 1987.
2. Pending approval of the Town Engineer.

Please note that final site plan approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

CONSERVATION BOARD'S COMMENTS - November 2, 1987

8. Dewey Clark & Associates
9. 186 N. Water Street
Rochester, NY 14604

For preliminary subdivision and site plan approval for L.A.I. Complex located at 401 Paul Road in L.I. and FPO zones.

When will the applicant start cleaning out the woods? The Conservation Board wants to see the woods maintained properly, with weed growth contained and dead-trees and brush removed as needed. How does the applicant plan to keep down the growth of weeds? How will the applicant prevent the woods from getting overgrown and unsightly again?

On November 1, 1987, I visited Mr. & Mrs. Wells, who live directly across Paul Road from the property and the woods. They would like to see the dead trees removed from the woods. They would also like to see the smaller, less desirable trees removed from the woods as well. They would like to see the landscaped berm extend the entire length of the property bordering Paul Road, with the small trees that are growing there now removed. The Conservation Board concurs with this suggestion.

Mr. & Mrs. Wells are also concerned about the additional road cut proposed closer to Marshall Road. They feel this would create too much congestion on an already congested highway. How does the applicant plan to make sure that the road is used only for ingress?

Aside from these recommendations, the Conservation Board finds the applicant's landscaping plans to be acceptable.

INFORMALS:

1. Application of Costich Engineers, 217 Lake Ave., Rochester, N.Y. 14608. property owner: Wegman's Enterprises; for revised site plan for a Recreation Building at property located at 249 Fisher Road in RA-10 zone.

Mr. Charles Costich was present. He explained that there was a shift in the location of the recreation building. He said that this location would be more centralized and access ble. He said that the parking spaces had increased from 208 to 253.

DECISION: Unanimously approved by a vote of 7 the revisions to the site plan map as stated in your letter of intent dated October 28, 1987

The October minutes of the Chili Planning Board were approved.

Don Faso
Planning Board

CHILI PLANNING BOARD

December 8, 1987

The meeting of the Town of Chili Planning Board was held in the Administration Office, 3235 Chili Avenue, Rochester, New York 14624 on December 8, 1987 at 7:00 P.M. The meeting was called to order by Chairperson Don Faso.

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

ALSO PRESENT: Marcia Havens, Deputy Town Attorney; Cherie Bevona, Conservation Board; Jack Madigan, Building Inspector.

Chairperson Don Faso declared this to be a legally constituted meeting of the Chili Planning Board. He further stated that notice of the meeting had been advertised in the Gates-Chili News, as well as posted on the Town Clerk's bulletin board. He also read the Fire Exit Notice.

This is a draft only, and is being filed to comply with Section 106 of the Public Officers Law. These minutes have not been approved by the Chili Planning Board and, therefore, are subject to change.

APPLICATIONSOLD BUSINESS:

1. Application of Dallas Davis, 3760 Chili Avenue, Rochester, New York 14624, for preliminary site plan approval for 3,000 sq. ft. addition to Convenient Store at 3774 Chili Avenue in G.B. zone.

Mr. Dallas Davis and Mr. Don Avery were present to represent the application. Mr. Avery said that they were planning on going before the Zoning Board in December for a 15' variance and a variance for 28 parking spaces where 30 are required. Don Faso said that the parking variance could be handled by the Planning Board. Mr. Avery said that they were presenting more extensive plans than were submitted last month. Mr. Davis said that he owns the adjoining property where they were asking for the variance.

Don Faso asked if the eastside doorway was going to be removed and Mr. Davis said that it would remain a doorway with a possible arch. Ray Bleier asked why there were so many doors and if customers would be using them. Mr. Davis said that he was not sure what they would be doing. Don Faso asked if the deliveries would be on the westside and Mr. Davissaid "yes".

John Nowicki said that he was confused because he felt that it may be more than one business. Mr. Davis said that they were talking about a gift and card shop. Don Faso asked if this would all be related to Convenient and Mr. Davis said "yes". John Nowicki asked if Mr. Davis would object to a stipulation that all business must be related to the Convenient Food Mart business and Mr. Davis said "no". John Cross said said that he wouldn't object to another entrance because of the length of the building.

Bill Deans asked if they would be bringing trucks and vehicles around the back of the building and Mr. Avery said "no". John Nowicki said that he was concerned about the first entranceway because it was extremely dangerous. He said that he was concerned about the traffic increase. He suggested that there be signage indicating in and out. Don Faso asked if this could be required and Marcia Havens said "yes". Don Faso said that the western entrance should be for exit only and Mr. Davis said that that was okay.

Marcia Havens asked if the entranceway would be open between the old and new portion and Mr. Davis said "yes". Marcia Havens asked if there would be any individual stores and Mr. Davis said "no".

Cherie Bevona asked if there would be two restrooms and Mr. Davis said "yes". Cherie Bevona asked if they would be open to the public and Mr. Davis said "no". Cherie Bevona said that the neighbors had reported incidents in which people were using the back of the building in place of a restroom. Therefore, she said that the Conservation Board recommended that the restrooms be open to the public. Mitch Rakus asked if there would be additional bathrooms outside for the gas station portion and Mr. Avery said that Mr. Davis and the architects would work that out.

DECISION: Unanimously approved by a vote of 7 with the following conditons:

1. Signage for the two driveway curb cuts will be required as follows:

- a. The westerly driveway shall be clearly marked "Exit Only".
 - b. The easterly driveway shall be clearly marked "Entrance" and "Exit".
2. Variances for the easterly side setback requirements must be obtained from the Chili Zoning Board of Appeals.
 3. The Chili Planning Board hereby grants a parking variance under Section 115-33c (11) of the Chili Town Code for 27 pspaces (30 required). Two of those spaces shall be clearly marked "Handicapped Parking Only" and shall be located near the entrance to the building.
 4. Landscaping Plans shall be submitted to and approved by the Chili Conservation Board.
 5. Public rest rooms shall be provided.
 6. Pending the approval of the Town Engineer.

Please note that final site plan approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

2. Application of Frances Truisci Schrader, 330 Chili Avenue, Rochester, New York 14624, for preliminary site plan approval for a Day Care Center on the first floor of an existing building at 3304 Chili Avenue in G.B. zone.
3. Application of Frances Truisci Schrader, 330 Chili Avenue, Rochester, New York 14624, for Conditional Use Permit to operate a Day Care Center on the first floor of an existing building at 3304 Chili Avenue in G.B. zone.

Applications 2 and 3 were heard concurrently. Mr. Don Avery was present to represent the applications. Don Faso said that a letter had been received by the Zoning Board from Mr. Avery requesting variances. Don Faso said that converting the garage to a day care center can be handled by the Planning Board.

Mr. Avery said that the play area was now shown on the map. He said that parking spaces had been added and that a ramp had been provided for handicapped teachers to enter the first floor. He said that the third floor fire escape would be removed to add the handicapped ramp. He said that all site data was provided and Marcia Havens had provided an information packet on day care centers (Publication 1056A is on file with the Building Department). Don Faso stated that the Board had reviewed and considered Publication 1056A in their decision.

John Nowicki referred to Section 418.3 of Publication 1056A. He asked the date the application was filed and Ms. Schrader said that it was filed 4 months ago but that it was on hold until the application was approved by the Planning Board. Don Faso said that the State would not approve the application until the Town had approved it. John Nowicki asked if everything was complied with in the New York State regulations and Ms. Schrader said "yes". John Nowicki said that according to the publication, approval could take up to 75 days and Ms. Schrader said that she has worked with the State and that she didn't believe it would take that long. John Nowicki asked if approvals had been granted by the Fire Marshal, Health Department, and Building Inspector and Ms. Schrader said that they weren't because site plan approval was needed first. John Nowicki asked about the play area. Ms. Schrader said that it would be a fenced area. She showed the Board via the diagram. She said that they would be starting out small because they didn't know what the enrollment would be.

George Ford referred to Section 418.8 Publication 1056A. He expressed concern about the exterior appearance. He said that he didn't want the interior to look like the exterior. Ms. Schrader said that she intended on fixing the exterior. Don Faso read a letter dated November 9, 1987 from Barkstran and LaCroix listing the building deficiencies. This letter is on file with the Building Department.

John Cross asked for an estimate on the total cost and Ms. Schrader said "\$20,000". John Cross asked if Ms. Schrader would be opposed to fencing in the whole area and Ms. Schrader said "no".

George Ford said that he felt that the matter was out of their jurisdiction. He said that any decision needed to be subject to the NYS regulations.

Ray Bleier asked about the hours of operation being 7 days a week, 24 hours a day.

Ms. Schrader said that she took a survey of the towns in the vicinity and there were potential customers for all 3 shifts. She said that she would like to start with these hours and adjust them if necessary. Don Faso said that he would have a problem with a 24 hour operation at that location.

Don Faso asked if some parking spaces, perhaps 3, could be eliminated along Chili Avenue. He said that he felt that the parking was excessive. Mr. Avery said that there would be no problem eliminating some spaces. Ms. Schrader said that the teachers could park at her home. Marcia Havens said that if Ms. Schrader's driveway was going to be used, a condition should be that the parking would be maintained.

Bill Deans said that he would like to see the entrance and exit in relation to McDonalds. He also expressed concern about the exterior appearance of the building. Ms. Schrader said that the people she talked to like the site. She said that she would have no problem with a condition stating that she must side the house within one year. John Nowicki referred to Publication 1056A in which it stated that a permit was granted for up to 2 years.

Don Faso referred to the requested variance of converting the garage to be used for the day care center. He said that the garage was small. Jack Madigan said that there wouldn't be much room because 50 sq. ft. would be needed for restrooms and additional space would be needed for a heating unit.

Mitch Rakus asked Ms. Schrader if she would have an adequate cash flow and Ms. Schrader said that she would if the application was approved.

Marcia Havens said that the Board should address the number of parking spaces. She said that she would suggest that the number of spaces be a condition. She said that it would be up to the Zoning Board whether front parking would be allowed.

Cherie Bevona said that the Conservation Board was concerned about the backup of traffic. She said that the Conservation Board would recommend that Rose Road be used for the entrance and Chili Avenue be used for the exit. Don Faso said that that wouldn't work. Tom Guerin suggested bringing the entrance way around to Rose Road. Ms. Schrader said that she would like to use her own driveway.

Tom Guerin said that the wheelchair ramp was too small. He said that two 5' wide landings were needed.

John Nowicki said that he felt that the need was there but that they were struggling with one property and he would like to have seen a plan which would have taken into consideration the requirements of Chili. He said that he felt this would not be as asset to Chili. He stated that he felt uncomfortable about the presentation as shown. George Ford felt that the application should not have been heard because it wasn't complete.

Don Faso said that he felt the application was complete. He said that he agreed with some of John Nowicki's reservations. He said that he felt the business was needed but that he felt uncomfortable with all the what/its.

John Nowicki said that a project of this size takes time and care. He said that the community would be unhappy with the Board if they made the wrong decision. He said that he felt the presentation was poor.

Don Faso took a non binding poll of the Board. Ray Bleier said that he would vote no because he would be concerned that the conditions wouldn't be met. Mitch Rakus said that he would vote yes as far as the inside was concerned. John Cross said that he felt that the Board was getting hung up on NYS regulations. He said that he would vote yes with many conditions. John Nowicki said that he would vote no. George Ford said that he would vote yes because he didn't see how they could justify a negative vote in court. Bill Deans said that he would vote no. Don Faso said that he would vote yes. He said that he was not happy with the intended use, however, he would be willing to grant the applicant the opportunity to proceed. Don Faso also took a poll on the amendment for the garage. A positive vote was cast by Mitch Rakus while the other members of the Board voted negatively. George Ford said that any decision would be with the Board's understanding that compliance of Publication 1056A would be met.

DECISION ON APPLICATION #2: Approved by a vote of 4 with negative votes being cast by Ray Bleier, John Nowicki, and Bill Deans. The following conditions were imposed:

1. The required number of parking spaces shall be 16 spaces. Providing Handicap Parking near the building entrance. Relocate the three parking spaces closest to Chili Avenue (as shown on the site plan) to the rear of the property.

- 2. Landscaping plans shall be submitted to and approved by the Chili Conservation Board.
- 3. Pending approval of the Town of Chili Fire Marshal and Building Inspector.
- 4. Pending a variance from the Chili Zoning Board of Appeals to allow front parking.
- 5. Any exterior lighting shall not be directed toward any adjacent property.
- 6. Signage for the two driveway curb cuts will be required as follows:
 - a. Chili Avenue shall be clearly marked "Entrance Only"
 - b. Rose Road shall be clearly marked "Exit Only"
- 7. Pending approval of the Town Engineer.

Please note that final site plan approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

DECISION ON APPLICATION #3: Approved by a vote of 4 with negative votes being cast by Ray Bleier, John Nowicki, and Bill Dean. The following conditions were imposed.

- 1. The Conditional Use Permit is hereby granted for a period of one year from the date you receive your Certificate of Occupancy.
- 2. The required number of parking spaces shall be 16 spaces. Provide Handicap Parking near the building entrance. Relocate the three parking spaces closest to Chili Avenue (as shown on the site plan) to the rear of the property.
- 3. Landscaping plans shall be submitted to and approved by the Chili Conservation Board.
- 4. Hours of operation may be 24 hours a day, seven days a week. This condition is granted for a probationary period of one year to coincide with the Conditional Use Permit.
- 5. Applicant shall furnish the Chili Planning Board copies of all permits issued by the Department of Social Services to indicate that all the licensing regulations for the operation of a day care center have been met pursuant to Publication No. 1056A.
- 6. Pending approval of the Town of Chili Fire Marshal and Building Inspector.
- 7. Pending a variance from the Chili Zoning Board of Appeals to allow front parking.
- 8. Any exterior lighting shall not be directed toward any adjacent property.
- 9. Plans for the exterior improvements as discussed at the public hearing shall be submitted to the Chili Planning Board at the time of Conditional Use Permit renewal.

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

Earthborn Builders
 169 Maplewood Avenue
 Spencerport, NY 14559

Re: Revised approval of Westchester Village II

Mr. Dan Savage was present to represent the application. Don Faso said that they had a meeting last Thursday to discuss rephrasing. Don Faso said that Dan Schum had requested that the Town get the easements and if the neighbors didn't give their approval, discussion would come back to the Planning Board.

Mr. Savage said that the phase line had previously went north to south. He said that Mr. Howarth had secured additional property and that it was more logical to change the phase line. He illustrated the phase line via the diagram. He said that 34 lots would be impacted by the new phase line. Mr. Savage also discussed condition 2 on the approval. He said that they wanted to put the detention pond on lot 24 and not build on it. He said that otherwise the lots would be backed up to the detention pond. He said that this could be a permanent detention pond depending on Whispering Winds. Mr. Savage addressed Tom Guerin's drainage concerns. He said that the fench drain would gravity drain the water to the outside lot.

John Nowicki asked what would be built first and Mr. Savage said "Phase I". John Nowicki asked if this would be piped and Mr. Savage said "yes".

Don Faso said that Dan Schum wished to reiterate to the Board that Mr. Howarth wants to work with the Town.

Don Faso said that the original conditons would be amended and that the plan of action would depend on the neighbors approval on the easement. Don Faso said that the people were made aware of the alternatives and discussion.

Mitch Rakus said that he visited Mr. Bart's property on 6 Haverhill. He showed the Board pictures of the building. He said that he was disappointed in the footings and the high beam. He said that he didn't like it.

John Nowicki asked Tom Guerin if he was satisfied with everything and Tom Guerin said "basically". Tom Guerin said that he would be more critical at signature time.

DECISION: Unanimously approved by a vote of 7 to amend the approval of Westchester Village II as follows:

1. Approval to re-phase the project has been granted as per drawing FU-1, revised November 23, 1987.
2. Temporary storm detention area may remain on lot 24 as originally shown.
3. The developer's obligation to do the work described in Alternative #2 shall be contingent upon the Town of Chili obtaining all the necessary temporary construction easements from the affected property owners. The developer shall provide the legal descriptions for the temporary construction easements for each lot. If the Town cannot secure the required easements, then the developer shall do the drainage work described in Alternative #1, rather than Alternative #2.
4. Final approval is for Phase I only.

PUBLIC HEARING:

1. Application of Walter Pekey, 1171 Titus Avenue, Rochester, New York 14617, property owner: Arvadia Costanza; for preliminary subdivision approval for one lot to be known as Costanza Subdivision at property located at 650 Paul Road in R-115 zone.

Mr. Walter Pelkey was present to represent the application. He said Mrs. Costanza sold land south of Paul Road to Perna and that he was under the impression that the Costanza subdivision was approved with Perna's. Since it wasn't, he said tht an illegal lot was createu. He said tht he was here to legalize the lot.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Jim Martin -

He asked what was going on and Don Faso explained that Perna should have included the Costanza lot in the subdivision but didn't and therefore the lot was illegal in the eyes of the Town. Mr. Martin asked if the lot would be developed and Mr. Pelkey said "no".

DECISION: Unanimously approved by a vote of 7 with no conditions.

Please note tht final site plan approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

2. Application of Don Ball, 3501 Union Street, North Chili, New York 14514, for final site plan approval to erect 8 mini storage buildings to accommodate 232 units at property located at 3497 Union Street in G.I. zone.

Ms. Cheryl Peterson of Avery Engineering was present to represent the application. She said that the buildings had been split for center access. She said tht the landscaping plans had been prepared and were submitted to the Conservation Board. She said that the driveway would be gravel for drainage purposes. Bill Deans commended the variety of landscaping.

Mitch Rakus asked what the distance was between the buildings and Ms. Peterson said "20'". Mitch Rakus said that he would have liked to see more space. He asked what would happen to the drainage ditch and Ms. Peterson said that it was a slight drainage ditch of a maximum depth of 1'. Mitch Rakus asked where the water would end up from the drainage and Ms. Peterson said "Black Creek". Mitch Rakus said that if everything was okay with the Engineer it was okay with him.

Jack Madigan said that the State was going to grade back on the property. Don Faso asked what the final grade would be on the driveway and Ms. Peterson said "4%".

John Nowicki said that he would like asphalt pavement on the front part of the driveway. Mitch Rakus said that he didn't want this operation to look like EZ Storage but more like the operation in Lakeville. Ms. Peterson asked how far back John Nowicki wanted the asphalt and John Nowicki said that he would like it at least to the security gate.

Cherie Bevona said tht the landscaping plans looke good.

John Nowicki asked if there would be any landscaping along the rear or the sides and Cherie Bevona said "no". John Nowicki asked if there would be grass seed planted and Ms. Peterson said "yes".

DECISION: Unanimously approved by a vote of 7 with the following condition:

1. The front driveway shall be paved from Union Street to the security gate and shall be noted on the final plan.

INFORMAL:

1. Application of the Chili Fire Department, Co. #1, 3225 Chili Avenue, Rochester, New York, 14624, for final site plan approval for 1071 sq. ft. addition to the Firehouse at 3225 Chili Avenue in G.B. zone.

Ms. Joann Skillman of Patterson Architects and Mr. Jim Lechner of the Chili Fire Department were present to represent the application. Ms. Skillman said that the addition would be a one story brick building to match the existing building. She said that the new area would be a lounge area and tht the existing lounge area would be used for storage.

George Ford asked what the total cost would be and Ms. Skillman said "\$148,000". George Ford asked how this would be funded and Mr. Lechner said that it was funded by Fund Drive and budgeted money.

John Nowicki asked if a light could be put in front of the building to indicate that fire vehicles were coming out and Mr. Lechner said tht it was always rejected by the State. John Nowicki said tht he would like a light. He suggested tht a letter be written requesting a light on behalf of the Board. Don Faso said that he could write a letter to the Town Board and the NYS DOT. George Ford asked tht a light also be added at the Union Street station and Mr. Lechner suggested that they all be done.

Don Faso asked about the apartment on the plans and Mr. Lechner said that this would be for a live-in dispatcher paid by the Chili Fire Department.

DECISION: Unanimously approved by a vote of 7 with no conditions.

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

DISCUSSION:

1. William C. McCorbs - development of 85 Old Chili Scottsville Road.

Mr. Bill Deans was present. He said that he had nothing formal for the Board to

review at this time. He said that there was an 11 acre parcel behind the existing construction business. He said that they wanted to move the business to parcel and redevelop the property on Chil Avenue. Don Faso asked if this would be an office warehouse and Mr. McCombs said "yes".

Mr. McCombs said that there was a piece in the wetland district. He said that Charles Costich would be doing this project and that the formal plans would be presented in January or February. He said that the parcel was large enough to be two sites. He said that they may be purchasing Wegman's parcel also. Don Faso asked what he would be doing with the parcel and Mr. McCombs said that it would be a retailing development.

John Cross asked if this would be retail space to be leased and Mr. McCombs said that that was correct. Don Faso asked if he owned the parcel and Mr. McCombs said "yes".

Cherie Bevona said that the wetlands and buffers needed to be outlined on the preliminary plans.

Perna Homes, Inc.
849 Paul Road
Rochester, New York 14624

Re: Request to add 2 lots to Phase III of the Chestnut Subdivision.

Don Faso said that Don Avery didn't need to be there. He said that they wanted to include two lots in the last phase that received approval. He said that the street was in.

DECISION: Unanimously approved by a vote of 7 to approve the addition of lots A-71 and A-72 to Phase III of the Chestnut Subdivision.

Mr. Arnold Carmichael
570 Driving Park Avenue
Rochester, New York 14613

Re: Driveway cuts in Little Fort Hill

Mr. Arnold Carmichael was present. Don Faso said tht Mr. Carmichael wanted permission to relocate the driveways on Little Fort Hill. Mr. Carmichael said that the driveways would be separated by 10'. Mr. Carmichael said that one lot was under contract to be purchased but that they had not yet filed.

DECISION: Unanimously voted by a vote of 7 to approve two driveways for this two-lot subdivision and the elimination of the one common driveway as originally approved.

The Chili Planning Board minutes of October 27 and November 10 were approved.

Don Faso
Planning Board Chairperson

CHILI PLANNING BOARD

January 12, 1988

The meeting of the Town of Chili Planning Board was held in the Administrative Office, 3235 Chili Avenue, Rochester, New York 14624 on January 12, 1988 at 7:00 P.M. The meeting was called to order by Chairperson Don Faso.

PRESENT: John Nowicki, John Cross, Mitch Rakus, Ray Bleier, Bill Deans, and Chairperson Don Faso.

ALSO PRESENT: Marcia Havens, Deputy Town Attorney; Cherie Bevona, Conservation Board; Tom Guerin, Town Engineer; Jack Madigan, Building Inspector.

Chairperson Don Faso declared this to be a legally constituted meeting of the Chili Planning Board. He further stated that notice of the meeting had been advertised in the Gates-Chili News, as well as posted on the Town Clerk's bulletin board.

This is a draft only, and is being filed to comply with Section 106 of the Public Officers Law. These minutes have not been approved by the Chili Planning Board and, therefore, are subject to change.

1. Application of Case-Hoyt, 800 St. Paul Street, Rochester, New York 14601, for preliminary site plan approval for a 23,600 sq. foot addition to an existing building to be used for warehouse and shipping at 100 Beaver Road in L.I. zone.

Mr. Ron Mariano was present to represent the application. He said that the intention was to identify the plant on Beaver Road as an independent business. He said that they required facilities that previously they did not have. He said that they were in dire need for a warehouse and that they needed a pre-press operation at this facility. Don Faso said that he had met with Tom Guerin and Mr. Mariano regarding the drawings.

Mr. Mariano said that the addition would be on the southwest corner of the building and that it would be metal sided. He said that the color would be the same as the existing building. He said that the loading facility would be on the southwest corner in view of the tractor trailer traffic. He said that it was located here because if it was facing the wind, there could be snow accumulation in the loading dock. He said that there would be an incline on the loading dock. He said that it would be \$76,000 less to locate the loading dock here than anyplace else. He said that they had proposed a secondary curb cut and that the Zoning Board appeared to have no problems with this. He said that they would also be contacting the State. He said that there would be an additional parking facility. Mr. Mariano said that the facade would contain full height glass and that it would be attractive. He said that the personnel were currently there.

Ray Bleier asked that the trailer staging area remain to the back because trailers could otherwise be seen from the road. Mr. Mariano said that the berm would be 4' high and trees would also provide density. Ray Bleier said that he was concerned that they would be asking for an extension for for trailers in the future. He said that he would prefer the trailers be in the back. Mr. Mariano said that he wouldn't have any difficulty with that.

Ray Bleier asked what the proposed completion date was and Mr. Mariano said that the project would be completed prior to the end of May. Ray Bleier asked if the trailers would be removed when the project was completed and Mr. Mariano said "yes".

John Cross asked if they owned the property between the buildings and Cedars and Mr. Mariano said "yes". John Cross asked if there were any plans to use this property and Mr. Mike Anderson said "not to the west but maybe to the north". John Nowicki asked if the shipping drive and the parking lot would be paved and Mr. Mariano said "yes". John Nowicki asked who the architects were and Mr. Mariano said "Passero Associates".

Don Faso read the County Comments which identified the following points requiring action prior to the submission of the final plans:

1. show the proposed method of temporary erosion /siltation control

2. must inform the Supplier of Water of the intended use
3. plans for any extension or relocation of a watermain
4. floor drains shall be connected to the sanitary sewer
5. all proposed trench drains which could become contaminated must be connected to the sanitary sewer
6. easements should be shown for all utilities

Cherie Bevona asked what would happen to the landscaping of the trailer staging area if it moved to the back and Mr. Mariano said that it would remain undeveloped. Cherie Bevona asked if they would keep the berm and Mr. Mariano said "no". Cherie Bevona said that the Conservation Board recommended that they keep the berm and that evergreen trees on the westerly side would be helpful. Cherie Bevona said tht they would like the loading dock screened and detailed landscaping plans.

Tom Guerin said that the loading dock to Beaver Road could be dangerous and Mr. Mariano said that there would only be a 10% grade. Tom Guerin said that erosion control should be on the final plans.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Dario Marchioni - 120 Chili-Scottsville Road
He asked if the applicant would be willing to join the drainage district and Marcia Havens said that she would check into it.

PRE-DECISION DISCUSSION:

John Nowicki said that he wanted the loading docks hid. He said that the trailer staging should be moved to the back. Ray Bleier said that he would like a condition stating that the trailers must be removed upon completion of construction. Mitch Rakus said that he would like the area screened properly.

DECISION: Unanimously approved by a vote of 5 with the following conditions:

1. The temporary office trailers must be removed 30 days after receipt of the Certificate of Occupancy.
2. The trailer staging area must be moved to the rear of the building.
3. Landscaping plans shall be approved by the Conservation Board.

Please note that final site plan approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

2. Application of Mr. & Mrs. Robert Stryker, 347 Westside Drive, Rochester, New York 14624, for preliminary site plan approval for a modular home at 471 Chili Scottsville Road in PRD zone.

Mr. Robert Stryker was present to represent the application. He said that he would like to go from an on-site home to a modular home. John Cross asked why he chose a modular home and Mr. Stryker said that it was less expensive than to build from scratch.

Don Faso read the County Comments which identified the following points requiring action prior to the submission of the final plans:

1. plans should be submitted to the NYSDOT for review

John Nowicki asked if a seal would be required on the drawings and Jack Madigan said "yes". John Nowicki asked if it would conform to all codes and Jack Madigan said "yes".

Mitch Rakus said that he had inquired about modular homes and that the savings was considerable.

Marcia Havens asked about the square footage and Mr. Stryker said "1500". Tom Guerin said that the plans would have to be resigned.

Gates-NEWS-Chili

—1635 BROOKS AVENUE, SUITE 2, WEST BLDG. ● ROCHESTER, NEW YORK 14624

Date.....*1-6-88*.....

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

GATES-CHILI NEWS

Issue Dated.....*1-6-88*.....

Geraldine C. Snyder

Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N.Y., Monroe Co.
My Commission Expires April 30, 19*89*

Patricia M. Smith

Patricia M. Smith
Publisher

1-12-88

Planning Board

LEGAL NOTICE

CHILI PLANNING BOARD

Pursuant to Section 267 of Town Law, a public hearing will be held by the Chili Planning Board at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624, on January 12, 1988, at 7:00 P.M. to hear and consider the following applications:

1. Application of Case-Hoyt, 800 St. Paul Street, Rochester, New York 14601, for preliminary site plan approval for a 33,600 sq. ft. addition to an existing building to be used for warehouse and shipping at 100 Beaver Road in L.I. zone.

2. Application of Mr. and Mrs. Robert Stryker, 347 Westside Drive, Rochester,

New York 14624, for preliminary site plan approval for a modular home at 471 Chili Scottsville Road in PRD zone.

3. Application of Costich Engineering, 217 Lake Avenue, Rochester, New York 14608, for Faber Construction; property owner: Bernard and Frank Iacovangelo; for preliminary subdivision approval of 10 lots to be known as the Morgan Road Subdivision at property located at 977 Morgan Road in RA-1 zone.

4. Application of Gerald Condello, 20 Belvedere Lane, Batavia, New York 14020, property owner: Norma Charroux, 402 Fourth Street, Merritt Island, Florida 32952; for preliminary site plan

approval to erect a 35 ft. x 75 ft. building at property located at 3328 Chili Avenue in G.B. zone.

5. Application of Gerald Condello, 20 Belvedere Lane, Batavia, New York 14020; property owner: Norma Charroux, 402 Fourth Street, Merritt Island, Florida 32952; for Conditional Use Permit to operate a quick oil change business at property located at 3328 Chili Avenue in G.B. zone.

6. Application of Robert Mikols, 54 Chestnut Ridge Road, Rochester, New York 14624, property owner: Mr. and Mrs. John Juster; for preliminary subdivision approval of 2 lots to be known as the Chestnut Ridge Subdivision at property located at

2694 Chili Avenue in R-1-20 zone.

7. Application of Raymond Bubel, 24 Jensen Drive, Rochester, New York 14624; property owner: Estate of Pearl Bubel; for approval of alteration of west lot line to be moved 20 ft. east at property located at 2872 Chili Avenue in R-1-15 zone.

DISCUSSION:

1. Cedar Groves: 132 lot subdivision located at Chestnut Ridge Road and Chili Avenue in R-1-20 zone.

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

**J. Donald Faso, Chairman
Chili Planning Board 1-6**

DECISION: Unanimously approved by a vote of 5 with the following condition:

1. Pending approval of the Town Engineer.

Please note that final site plan approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

3. Application of Costich Engineering, 217 Lake Avenue, Rochester, New York 14608, for Faber Construction; property owner: Bernar & Frank Iacovangelo for preliminary subdivision approval of 10 lots to be known as the Morgan Road Subdivision at property located at 977 Morgan Road in RA-1 zone.

Mr. Lee Sinsebox of Costich Engineering and Mr. Bernie Iacovangelo of 20 Autumnwood Road were present to represent the application. Mr. Sinsebox said that this was a 48.3 acre site. He said that most lots were 5 acres in size due to the poor percolation tests. He said that there were no public improvements proposed. He said that each lot would be constructed on a contract basis with no mass grading. He said that the houses be serviced by a well. He said that the houses would be fairly expensive and would be compatible with the area.

Don Faso read the County County which identified the following points requiring action prior to the submission of the final plans:

1. show the proposed method of temporary erosion/siltation control
2. plans for the sewage disposal system must be submitted and approved
3. two percolation tests and one deep hole must be done in the proposed leach field
4. all soil test locations and results must be shown on the plans
5. sanitary invert elevations must be provided at the house wall, septic tank, distribution box, and ends of the leach lines.
6. cut or fill in the leach field area must not exceed one foot
7. details should be shown for well, septic tank, distribution box, and lateral trenches
8. location of the wells and septic systems within 500 feet of the proposed development must be shown
9. proposed well location must be shown

John Nowicki asked about the cost of the average lot and Mr. Iacovangelo said "\$20,000-\$25,000". John Cross asked if there were any buyers now and Mr. Iacovangelo said that the houses would be sold at \$175,000-\$200,000 when built. John Nowicki asked about the quality and quantity of the water and Mr. Iacovangelo said that they had experienced no problems. Mitch Rakus said that the water problem is bad in the area. He said that the water problem should be addressed prior to the application being addressed. He said that he spoke with Mr. Gillen and was told that the water was terrible. He said that he would be opposed to any building in the area until the water problem was addressed.

Marcia Havens explained that an area in Chili has petitioned for a water district and that perhaps these neighbors may want to consider that. She said that the Health Department approves the water supply. She asked if any tests had been done to the water in the lots and Mr. Iacovangelo said "no". Marcia Havens asked what plans there were to accommodate the homes and Mr. Iacovangelo said that there would be different types of filtration devices to soften the water and that it would need to pass the Health Department's tests. Don Faso asked how the water tested and Mr. Sinsebox said that there was a minimal flow and that a sample had been taken for bacterial testing. Don Faso asked when this would be done and Mr. Sinsebox said "prior to the granting of the C of O. Don Faso suggested that it would be better to test prior to building and Mr. Iacovangelo said that it was basically the same.

John Cross asked if they had researched the different types of filtering that were available and Mr. Iacovangelo said that costs range from \$2,000 to \$20,000. John Nowicki asked if the buyer was told about the water problems and Mr. Iacovangelo said that they were. Mr. Iacovangelo said that

he would like to build on public water but that it wasn't there. John Nowicki asked if there were any savings on the homeowner's insurance with the different water and Mr. Sinsebox said that it was less than 10%.

Cherie Bevona said that the Conservation Board had determined this application as having no adverse environmental impact. Tom Guerin had no comments.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Kathy Corey - 43 Clifton Road

She said that the quantity and quality of water are a problem. She said that she has a petition with 55 neighbors signatures that are concerned with the impact that these lots would have. She said that 10 homes was a lot to add for a rural area and that there was also a drainage concern.

John Nowicki asked if plastic was affected on faucets the same way that metal was and Ms. Cory said that the metal was mostly eaten away but that she wasn't sure about plastic. John Nowicki asked how she felt about the water district and Ms. Corey said that she wasn't sure.

Don Faso read a letter dated November 13 submitted by some neighbors requesting that the current RA-1 zone be amended to RA-5. Don Faso read the letter of reply dated December 27 submitted by Ms. Anderson stating that the Board had investigated this proposal and determined that they would not proceed with this action. The letters are on file with the Town Clerk's Office.

Tim Clancy - 63 Wheatland Center Road

He said that on lots 8,9, and 10, standing water can be seen. He asked what were the results of the perc tests and Mr. Sinsebox said that there was a poor drainage pattern in the area. Mr. Sinsebox said that the perc tests were done and that some cleaning of the culverts and ditches would be needed. He said that there would be some re-grading and that they were obligated not to impede the neighbor's property. He said that perc tests would need to be done again with the Health Department.

Mike Williams - 73 Wheatland Center Road

He asked why he hadn't been informed of this application and Don Faso said that he would check the mailing list but that it had been published in the paper. Mr. Williams said that he runs out of water in the summertime and that he was concerned about the quantity of water. He said that in the spring, he has a drainage pond and that he was concerned that it would increase. He said that he was also concerned about adding \$200,000 homes. John Nowicki asked how he felt about the water district and he said that he really wasn't in favor of it.

Donn Lici - 24 Clifton Road

She asked if they had public water, would there be more houses and Don Faso said that there wouldn't be because a public sewer would not be in. She said that she was concerned about the quantity of water and poor drainage.

Paul Dash - 29 Clifton Road

He asked what would happen if the wells became completely dry and Don Faso said that that would be a legal decision. Don Faso said that the County has to approve the water tests.

John McHugh - 10 Virginia Lane

He said that he was concerned about the drainage issues and Don Faso said that the drainage district would take care of this.

Dick Tytler - 486 Chili Riga

He said that he was concerned about the drainage problem. Don Faso asked why the culverts weren't shown on the plans and Mr. Sinsebox said that they didn't plan on doing any mass grading.

John Choen - 4 Toni Terrace

He said that the applicant could block the ditch off and Don Faso said that he could not legally do this.

Chris Hayes - 10 Harmony Lane

He said that he felt there was an environmental impact.

James Gillen - 976 Morgan Road

He said that if more homes were built that this would have a negative impact on the quantity and quality of water. He said that he would be in favor of a water district. Don Faso asked about the water and Mr. Gillen said that the quality has gone down and that the quantity has remained about the same.

Ms. Corey said that they would like a positive impact statement on what would happen if

the application was approved. She said that the rights of the citizens should be considered. Don Faso said that it may be a buyer beware situation.

Mark Deacon - 3975 Morgan Road

He said that he supported Ms. Corey's statement. He said that the quality of water was not good.

Bob Emmens - 945 Morgan Road

He asked what would happen if the percs didn't receive the Health Department's approval and Don Faso said that they would re-sub.

Tom Guerin asked the audience how deep the wells were and he was told between 30-75'.

Dwight Rogers - 477 Chili Riga

He said that his well overflows in the spring. He said that the water was okay but that the surface water may be a problem.

Mr. Iacovangelo said that the application basically complies with the zoning requirements and that it would meet all requirements of the Health Department.

PRE-DECISION DISCUSSION:

John Cross said tht he felt uncomfortable voting tonight because he needed more information. John Nowicki said that he felt the situation could not be predicted. Tom Guerin said that water costs about \$2,600 a year for a two person home and that public water would be cheaper. Marcia Havens said that she would like to research to see if this application would impact water quantity. She said that she would like the application tabled for 2 weeks.

DECISION: Unanimously agreed by a vote of 5 to table the application without prejudice until the January 27, 1988 meeting, to enable the Deputy Town Attorney to report back to the Board on a legal question raised.

4. Application of Gerald Condello, 20 Belvedere Lane, Batavia, New York 14020, property owner: Norma Charroux, 402 Fourth Street, Merritt Island, Florida 32952; for preliminary site plan approval to erect a 35' x 75' building at property located at 3328 Chili Avenue in G.B. zone.
5. Applicaiton of Gerald Condello, 20 Belevedere Lane, Batavia, New York 14020; property owner: Norma Charroux, 402 Fourth Street, Merritt Island, Florida 32952; for Conditional Use Permit to operated a quick oil change business at properpty located at 3328 Chili Avenue in G.B. Zone.

APPLICATIONS 4 AND 5 WERE HEARD CONCURRENTLY.

Mr. Gerry Condello was present to represent the applicaiton. He said that he runs a quick lube oil service in Batavia. He said that this would be a 4 bay station servicing autos and trucks for lubrication only. He said that there would be no gas related or muffler business. Via the diagram, he showed the traffic pattern, black top, storage area, basement, and shrubbery. He said that the outside appearance of the building would be the same as the Batavia location. He submitted pictures and brochures of the Batavia business to the Board. he said that the tanks would be in the basement and that there would be an oil separator. He showed slides of the Batavia business.

Don Faso asked where the employees would park and Mr. Condello showed the Board via the diagram. Don Faso asked how many employees there would be and Mr. Condello said that initially there would be one manager and three mechanics. Don Faso read the requirements according to the NFPA as supplied by Jack Madigan.

Don Faso read the County Comments which identified the following points requiring action prior to the submission of the final plans:

1. show the proposed method of temporary erosion/siltation control
2. new petroleum storage facilities must be designed, constructed, and installed pursuant to NYCRR
3. must inform the Supplier of Water of the intended use
4. a permit may be required for any hazardous waste
5. floor drains shall be connected to the sanitary sewer
6. existing watermains and sanitary sewer along with the proposed services must be shown
7. contact Mr. Stein at the Monroe County Water Authority in regard to the possible need for a backflow prevention device
8. more detailed plans showing the location and geometrics from the proposed driveways should be submitted to the NYSDOT

Don Faso said that he would have a problem with outside signs other than the main sign

because of the residential area. Mr. Condello said that this was no problem. John Cross asked if this would be a franchise of Quaker State and Mr. Condello said "no". Mr. Condello then showed the Board slides of his present location.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Beverly Smith - 57 Shrubbery Lane

She asked what the hours would be and Mr. Condello said "Monday - Wednesday 8-5, Thursday and Friday 8-7, Saturday 8-4". She asked if there would be lights and Mr. Condello said that there would be underneath the overhang on the sides and front and that they would be lit until midnight. She asked how many cars would be serviced a day and Mr. Condello said "30". She asked if the oil leaked in the tanks, where would it leak to and Mr. Condello said "a pan". She asked how they would build on the land slope and Mr. Condello said that he didn't see a problem with the slope. She said that she objected to the application because the shrubbery wouldn't be adequate, she didn't want to see the business from her window, she was concerned about the traffic flow on Chili Avenue, and she was concerned about the railroad crossing.

Richard Conley - 65 Shrubbery Lane

He agreed with Ms. Smith and said that most oil lube places didn't look clean.

Don Stefanou - 55 Shrubbery Lane

He said that he was a real estate agent and that it appears as though they wouldn't do enough business to pay for the building. He said that he was concerned about the lights in a residential neighborhood. He said that he was opposed to the application because it would set a precedent.

Spencer Pope - 63 Shrubbery Lane

He said that he was concerned about the railroad crossing and the tanks. He said that he was concerned about the traffic density and the environmental impact. He said that he objected to the applicaiton because of the dangers.

Marianne Gurula - 3326 Chili Avenue

She said that she was speaking on behalf of her mother. She said that there was nothing separating her mother's lot and the oil lube shop. She said that she agreed with the others regarding the traffic concerns.

Gene Mori - 56 Shrubbery Lane

He said that he was concerned about the creek if there was a major spill because the excess water would be in the neighbor's yards. He said that he was not in favor of the application.

Tim Brady - 53 Shrubbery Lane

He said that he agreed with the neighbors.

Bernice Mori - 56 Shrubbery Lane

She said that she moved here because she didn't want to live in a commercial area.

Dave Burns - 3325 Chili Avenue

He agreed with the neighbors.

Marcia Havens said that the property behind the RG&E station was residential. Cherie Bevona said that the Environmental Assessment for was incomplete. She said that the Conservation Board felt that there would be a significant negative affect for the following reasons:

1. air and noise levels
2. increase in traffic
3. inconsistent with the neighborhood

She said that if the applicaiton was approved, the Conservation Board would like to see a stockage fence.

Tom Guerin said that he was concerned with the adequacies of the drawings. He said that there was no engineering information. Jack Madigan said that oil cannot be stored in a pit where people are working. He said that steps and not a ladder were needed in the pit area.

Don Faso said that this was a highly intense use and that a lube station would be out of place in a strong residential neighborhood such as this.

John Nowicki said that they had done a nice job on the presentation. He said that the project was not in coordinaiton with the intent. He referred to the purpose of the applicaiton. He said that this would not lend a smooth transition to the neighborhood and that he was opposed to a project in that location. Don Faso read that conditional

uses as stated in the Town Code.

DECISION: Unanimously denied by a vote of 6 for the following reasons:

1. Chapter 115, Article IV, Section 21 of the Chili Town Code states - "the purpose of conditional use approval is to allow the proper integration into the community of uses which may be suitable only on certain conditions and at appropriate locations....." "with respect to....." "surrounding properties".
2. Section 115-16 (C-5) lists and automobile service station as a conditional use, not a permitted use in a general business district.
3. Variances for the site may be required which would be a reduction in town standards and are not in the best interests of the adjacent property owners or the town as a whole.
4. It is our opinion that this conditional use would be out of character to the general neighborhood development at that particular site, in manner proposed and the site plan exhibited.

Because of the denial of the Conditional Use Permit, the applicant withdrew his site plan applicaiton.

6. Applicaiton of Robert Mikols, 54 Chestnut Ridge Road, Rochester, New York 14624, property owner: Mr. & Mrs. John Juster; for preliminary subdivision approval of 2 lots to be known as the Lowell S Lane Subdivision at property located at 2694 Chili Avenue in R-1-20 zone.

Mr. Jim Glogowski, surveyor, was present to represent the applicaiton. He said that Mr. Mikols was proposing to buy the property. He said that they were cutting 106' wide to create a new building lot. He said that there would be a new driveway on the west side of the existing house. he said that there would be minimal grading with approximately 1' of fill.

John Nowicki asked what kind of house would be built and Don Faso said "a single family home". Don Faso said that they would build and then sell the house and that it would not be their first venture. Mr. Glogowski said that it would tie into the existing utilities. Don Faso asked about eh subdivision name and Mr. Glogowski said that the applicaiton should be amended to Lowell S. Lane.

Don Faso said that the setback is 60' on 2690 and 80' on 2694. He said that they would be requesting a rear setback of 80'. Bill Deans asked if the utilities would come from 2694 and mr. Glogowski said that he wasn't sure.

Cherie Bevona said that the Conservation Board had determined this applicaiton as having no significant environmental impact.

Tom Guerin said that Note 4 was not applicable. He said that there were drainage problems in the rear and that the downspouts should be connected. He said that the subdivision map would need to be sealed by a licensed engineer.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Louise Juster

She said that a sump pump wasn't required.

John Choen - 4 Toni Terrace

He asked about the lot sizes and Mr. Glogowski said that they would be 120' and 106'.

Don Faso read the County Comments which identified the following points requiring action prior to the submission of the final plans:

1. show the proposed method of temporary erosion/siltation control
2. floor drains shall be connected to the sanitary sewer
3. a waste site review may be needed
4. plans should be submitted to the NYS DOT for review

DECISION: Unanimously approved by a vote of 6 with the following conditions:

1. Storm laterals must be tied to the storm sewer.
2. Remove general note #4 from the plans.
3. Front setback shall be a mean of the two adjacent homes.

4. Rear setback variance of 80 feet has been granted (90' req.).

Please note that final subdivisions approval has been waived by the Planning Board. We have also declared ourselves lead agency under the State Environmental Quality Review (SEQR) Act. We find this applicaiton to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

7. Applicaiton of Raymond Būbel, 24 Jensen Drive, Rochester, New York 14624; property owner: Estate of Pearl Būbel; for approval of alteration of west lot line to be moved 20 ft. east at property located at 2872 Chili Avenue in R-1-15 zone.

Amended: Resubdivision of 2 lots with a simple alteration of lot lines.

Mr. Ray Būbel and Mr. Norman Būbel were present to represent the application. Mr. Ray Būbel said that his mother had passed away and his neighbor, Mr. Crayton, had approached them to buy the land 20' to the west. He said that there was an easement on the property and that they would keep 56' of the land with the estate. Don Faso said that the map was not acceptable if filing with the County.

Don Faso read the County Comments which identified the following point requiring action prior to the submission of the final plans:

1. any work within the right-of-way of Route 33A would require a permit from the NYSDOT

DECISION: Unanimously approved by a vote of 6.

The Chili Planning Board has declared itself lead agency under the State Environmental Quality Review (SEQR) Act. We find this application to be an Unlisted Action and have determined that there will be no significant environmental impact. This decision was based on information supplied by the applicant on the Environmental Assessment Form and/or evidence submitted at a public hearing.

DISCUSSION:

1. Cedar Groves: 132 lot subdivision located at Chestnut Ridge Road and Chili Avenue in R-1-20 zone.

Mr. Lee Sinnebox was present. He said that they would be submitting under 281. He said that they examined the wetlands and would like to preserve the wooded area. He said that there would be a flat channel and a wet pond to create a focal point. He said that the pond would be relatively small. He said that a 100 year storm could be controlled with the pond. He said that they would keep the 3 sections separate to preserve the trees and separate the communities. He said that from Chili Avenue, the section would be hardly visible. He said that they would be doing some landscaping and adding some walkways and benches. He said that they would start with the larger homes first by bringing the sewers up. He said that they wanted the Board's input.

Don Faso said that the Assessor and the Fire Marshal were concerned about the street names. He asked for the linear footage of the loop and Mr. Sinnebox said 1000' in length and 300' in depth. John Nowicki said that he was pleasantly surprised with the layout.

Don Faso said that the traffic and safety committee would like to review the project. He asked how large the walkways would be and Mr. Sinnebox said "5-6' of crushed stone". John Cross asked if any thought had been given to a street lighting district. Mitch Rakus said that the project looked good. He asked if there would be underground wiring and Mr. Sinnebox said "yes". Ray Bleier said that the project looked good. He was concerned about the small patio homes being behind the large lots on Chili Avenue. Ray Bleier asked if the 4.5 acres would be dedicated to the Town and Mr. Sinnebox said that he was not sure. Don Faso asked if there would be a Homeowners' Association and Mr. Sinnebox said "no". Don Faso said that they should refer to the Recreation Committee. John Nowicki said that they should consider forming a Homeowners' Association. Mr. Sinnebox said that they didn't have a problem with keeping the property private near the pond.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

Ron Visley - 3475 Chili Avenue

He asked about the pond and the drainage issues. Mr. Sinnebox explained the drainage concept. He said that it would greatly decrease the runoff.

Dario Marchioni - 120 Scottsville-Chili Road

D. Marchioni continued:

He asked if the lots being developed now would be in the drainage district and Don Faso said "yes".

Cherie Bevona said that the soils did not agree with the map. She said that the DEC had said that the Army Corps of Engineers were interested in this land. Mr. Sinsebox said that he was told that they would not be interested in this land.

Connie Roy - 3470 Chili avenue

She asked about the DEC study and Cherie Bevona said that it was a wetland. She asked what the price range would be for the hoses and Mr. Sinsebox said "\$140,000-\$300,000".

Mitch Rakus asked if there would be sump pumps and Mr. Sinsebox said that they would put them in if they were needed. Tom Guerin said that he had discussed the entrance driveway with Mr. Sinsebox and Mr. Sinsebox said that they would see what the State said.

The Chili Planning Board, at their January 12, 1988 meeting, hereby grants concept approval for Cedar Grove Subdivision with the following recommendations:

1. Meet with the Recreation Committee for a recommendation on dedication of open space.
2. Meet with the Drainage Committee for review of subdivision drainage.
3. Meet with the Traffic and Safety Committee for review of road layout.
4. Meet with the Fire Marshal for review of road layout and street names.
5. Meet with the Town Assessor for review of subdivision and street names.

The December 8, 1988 minutes of the Chili Planning Board were approved.

Don Faso
Planning Board Chairman