

CHILI ZONING BOARD OF APPEALS
November 28, 2017

A meeting of the Chili Zoning Board was held on November 28, 2017 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Chairperson Adam Cummings.

PRESENT: Mark Merry, Fred Trott, James Valerio, James Wiesner and Chairperson Adam Cummings.

ALSO PRESENT: Eric Stowe, Assistant Town Counsel; Paul Wanzenried, Building Department Manager.

Chairperson Adam Cummings declared this to be a legally constituted meeting of the Chili Zoning Board. He explained the meeting's procedures and introduced the Board and front table. He announced the fire safety exits.

ADAM CUMMINGS: Only one application.

The second one, I received notice today there is a Type I SEQR action with the Planning Board, so the applicant has asked to postpone their application at this Board until a future one when they have determined all of the SEQR actions and the Planning Board decisions that have been made. So that will be at a future time.

Eric (Stowe), do we want to table that one? They technically withdrew it just without the verb "withdrew," correct?

ERIC STOWE: It has to be tabled to just a different date. They haven't withdrawn in terms of not making the application. They're just making it a future date.

ADAM CUMMINGS: So we have to have a Board vote to --

ERIC STOWE: To table it at the request of the applicant.

ADAM CUMMINGS: We'll have a motion to table this. We'll jump to Number 2.

2. Application of C & M Forwarding, 45 Jetview Drive, Rochester, New York 14624; Property owner: 3457 Union Street LLC; for variance to allow a total of 491 parking spaces per plan submitted (240 cars, 251 trailers) for proposed industrial park (2,250 spaces required), variance to allow front parking per plan submitted (no front parking allowed) at property located at 3457 Union Street in L.I. zone.

Fred Trott made a motion to table the application until a future meeting at the applicant's request, and Mark Merry seconded the motion. The Board was unanimously in favor of the motion.

DECISION: Application withdrawn and postponed until a future meeting per applicant's request.

ADAM CUMMINGS: So we're all set on that one.

Now we'll move on to the one application which I suspect is yours.

1. Application of Tracie Klossner, owner; 4310 Union Street, North Chili, New York 14514 for variance to erect an addition to agricultural building to be 42' from side lot line (45' granted on 2/25/14) at property located at 4310 Union Street in A.C. zone.

Tracie Klossner and Jim Klossner were present to represent the application.

MR. KLOSSNER: Jim Klossner, 4310 Union Street.

MS. KLOSSNER: Tracy Klossner, same address.

ADAM CUMMINGS: So you're coming back from the other -- the previous one that we had which is way up the hill. You can't see it. But it's there.

MS. KLOSSNER: We're coming back where the previous one was not us.

ADAM CUMMINGS: Right. That's true. Talking --

MS. KLOSSNER: Previous owners.

ADAM CUMMINGS: I'm talking in terms of the property. So you are looking to add 3 feet onto it?

MS. KLOSSNER: 3 feet, 5 inches.

MR. KLOSSNER: Make the existing structure 5 inches wider.

ADAM CUMMINGS: I was going to ask because you brought up the 3 foot, 5 inches.

PAUL WANZENRIED: It's counted. Relax.

ADAM CUMMINGS: That's what I wanted to make sure.

PAUL WANZENRIED: I got it.

ADAM CUMMINGS: The 3 feet covers it. Thanks, Paul (Wanzenried). I'm glad our Building Department is on top of these things.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

ADAM CUMMINGS: Not seeing any public, entertain motion to close.

Fred Trott made a motion to close the public hearing and James Valerio seconded the motion. The Board was unanimously in favor of the motion.

ADAM CUMMINGS: Once again, this was granted before -- this is just for an addition onto -- its an agricultural building in an Agricultural Conservation zone and it's not visible to the road. I think you have only got one neighbor that could possibly see it. That would be possibly.

MS. KLOSSNER: Possibly.

ADAM CUMMINGS: With the foliage being down.

MR. KLOSSNER: Possibly.

ADAM CUMMINGS: And that's the Pleasant View Glass downhill from it.

MS. KLOSSNER: No, they can't see it either.

ADAM CUMMINGS: Then it's your neighbors.

MR. KLOSSNER: Murphy's on other side.

MS. KLOSSNER: No. The only people that could even possibly see it is the equine clinic.

PAUL WANZENRIED: Equine clinic, property to the east.

FRED TROTT: Or employees that go up to the cell tower.

MS. KLOSSNER: Yes. If they drive all of the way to the cell tower, yes.

MR. KLOSSNER: Or if they drive up our driveway, which they always do.

ADAM CUMMINGS: No other items to discuss on this one.

Adam Cummings made a motion to declare the Board lead agency as far as SEQR, and based on evidence and information presented at this meeting, determined the application to be Type II action with no significant environmental impact, and James Valerio seconded the motion. The Board all voted yes on the motion.

Mark Merry made a motion to approve the application with no conditions, and James Wiesner seconded the motion. All Board members were in favor of the motion.

DECISION: Unanimously approved by a vote of 5 yes with no conditions, and the following finding of fact was cited:

1. Requested structure addition will not be visible from public right-of-ways and will not impact any neighbors.

ADAM CUMMINGS: Application 2 we voted on. Only other thing I have is minutes from the October meeting.

Fred Trott made a motion to accept the October 24, 2017 meeting minutes, and James Valerio seconded the motion. The Board was unanimously in favor of the motion.

ADAM CUMMINGS: Next meeting is Tuesday, December 19th, so not the fourth Tuesday of the month. If you come on the 26th, the fourth Tuesday, no one will be here and we'll be celebrating Christmas somewhere.

James Valerio made a motion to adjourn the meeting and Fred Trott seconded the motion. The Board was unanimously in favor of the motion.

The meeting ended at 7:09 p.m.