

CHILI PLANNING BOARD
February 28, 2018

A special meeting of the Chili Planning Board was held on February 28, 2018 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Vice Chairperson John Hellaby.

PRESENT: Paul Bloser, David Cross, Matt Emens, Glenn Hyde, Ron Richmond and Vice Chairperson John Hellaby. Chairperson Michael Nyhan was excused.

ALSO PRESENT: Michael Hanscom, Town Engineering Representative; David Lindsay, Commissioner of Public Works/Superintendent of Highways; Eric Stowe, Assistant Counsel for the Town; Paul Wanzenried, Building Department Manger.

Vice Chairperson John Hellaby declared this to be a legally constituted meeting of the Chili Planning Board. He explained the meeting's procedures and introduced the Board and front table. He announced the fire safety exits.

PUBLIC HEARING:

1. Application of John Shuman, 20 Assembly Drive, Box 699, Mendon, New York 14506, property owner: 3237 Union Street LLC for preliminary site plan approval for a change of use in portion of building (approx. 2,970 sq. ft.) to allow a physical therapy center at property located at 3237 Union Street in G.B. zone.

David Monsees, Jeremy and Todd Alexander were present to represent the application.

MR. MONSEES: My name is David Monsees. I'm one of the owners, minority owners in the Lattimore Physical Therapy Group that is planning on opening the physical therapy office. Jeremy is here representing us, as well. He will be the physical therapist running the physical therapy office, and we have Todd Alexander, our contractor, who will be doing the work on the building.

I guess do you guys have any questions?

JOHN HELLABY: Oh, you bet.

According to the Town Engineer's review, the parking is adequate with room onsite for future expansion. He did note that short form EAF form page 1, line 2 is incorrect -- or marked incorrectly. I don't know.

Have you received a copy of these comments? Probably not.

MR. MONSEES: I got an email today.

JOHN HELLABY: Well, basically it says, "Does the proposed action require a permit approval or funding from any other governmental agency. If yes, list the agency, name the permit or approval."

It should have been checked "yes" because you are required to have a building permit from the Town of Chili.

MR. ALEXANDER: Probably incorrectly marked.

JOHN HELLABY: So I will change that on this EAF form this evening.

Hours of operation? I noticed in your letter of January 25th, you have got 7 a.m. to 7 p.m., Monday through Friday for a 40-hour workweek. In my book it looks more like 60 hours.

Do you want to try to explain that one?

MR. MONSEES: Typically two mornings and two nights. So we work most of the time like 9 to 7 on two days a week and we start at 7 a.m. a couple days a week. We asked for the 7 to 7 to have the ability to change our hours for what our patients will need.

JOHN HELLABY: So it is not set in stone yet as to what you're--

MR. MONSEES: Correct.

JOHN HELLABY: But no weekend operation?

MR. MONSEES: No weekend operations, no.

JOHN HELLABY: Any exterior changes to the building?

MR. MONSEES: At this time, no.

JOHN HELLABY: I'm not the engineer on the project. I'm sure your contractor looked at this to some extent, but this back door back here (indicating), it seems to me should swing the other way. It looks like it is the only exit from that area. You might want to check it. I know it has to do with travel businesses and stuff to exit.

MR. MONSEES: Is that the door that --

JOHN HELLABY: You don't want it going out -- the one going out the back.

MR. ALEXANDER: That door doesn't actually exit out of the building. It directly exits into another space.

JOHN HELLABY: Right. But there is an exit door out of that space that -- I don't know if

you technically need an exit. I'm just pointing it out, you might want to take a closer look at that.

MR. MONSEES: That's the door.

MR. ALEXANDER: This door here (indicating), that goes back into this garage area where the utility room is back here (indicating).

So you think that door should swing out?

JOHN HELLABY: I'm just saying, check with your engineers. Because they're going to be able to tell you travel distance and stuff to the exits that are there. I don't know if you need to have it swinging out.

MR. ALEXANDER: Here is the thing. It was that way from originally, though.

JOHN HELLABY: It doesn't mean it was right.

MR. ALEXANDER: I understand. All right.

JOHN HELLABY: Plus you have a whole different operation. You have a few guys working at a tractor repair shop. Now you have the general public in there all of the time. So just take a look at it.

MR. ALEXANDER: Point of travel from here to here to here (indicating). All right. I will. I will check the distances and the swing.

JOHN HELLABY: All right.

PAUL WANZENRIED: More than likely, Mr. Chairman, that would fall in my purview and the Building Department.

JOHN HELLABY: I understand. I just wanted to bring it to their attention.

On the site plan, a little bit confusing. This parcel is this flag lot -- is this parcel out here part of the major lot, correct? So you have 75 foot of road frontage?

MR. ALEXANDER: Right. That's a shared egress from the road between the post office and the adjacent plaza.

JOHN HELLABY: All right. Just trying to picture in my mind where this Westside Properties comes in, because it is not actually part of the plaza.

MR. ALEXANDER: You're talking about the adjacent property next door? That Dunkin' Donuts is right there on -- if you come in that entrance, you can actually access the Dunkin' Donuts parking lot, as well. It is kind of rough in there, but, um, the plaza owns everything in -- from -- from the easement line.

JOHN HELLABY: But Westside does have an easement for your entire right-of-way?

MR. ALEXANDER: Yes, it does. You're correct.

JOHN HELLABY: So that is all I have got for right now.

RON RICHMOND: Any plans to repave the lot?

MR. ALEXANDER: I did speak with the owner and we're going to do probably some minor repairs so that -- the front parking lot is totally adequate and that is striped. I recommended we restripe it. He said maybe this summer we'll do that. But the other side is scheduled to have some repairs done to it. He is aware that it should be completely taken out, reboxed and repaved.

RON RICHMOND: Just as you're looking at the -- the south side and you have patients coming in looking to -- for physical therapy, there is a lot of divots there.

MR. ALEXANDER: There is a lot. So he has been -- I think been in contact with the adjacent land owner and is he going to try to work something out with him to share the cost in getting that replaced. Because he is well -- definitely well aware it needs to be addressed.

RON RICHMOND: Probably good use for the building.

MR. ALEXANDER: Yes. His intentions are to get that repaired, yes.

DAVID CROSS: Any signage proposed with the project?

MR. MONSEES: We have not -- I don't think we have discussed -- signage?

MR. ALEXANDER: The signage, um, will remain within the scope that was on there, as far as the same size as the John Deere site. So there will be no changes to size or dimension for the sign.

DAVID CROSS: You don't anticipate any variances or anything for the signage?

MR. ALEXANDER: No, nothing.

JOHN HELLABY: Still will require a permit, correct?

MR. ALEXANDER: Didn't we talk about that? If we just change the lens or the -- the same size.

PAUL WANZENRIED: Still need a permit. A permit. You won't need a variance.

MR. ALEXANDER: Right. So yes, the permit will be applied for, yes.

DAVID CROSS: Are you going to own the entire building and just furnish this portion of it? Or what is the arrangement?

MR. MONSEES: We do own the entire building. Physical therapy will be in the 2,900 square feet and we'll hopefully in the near future lease out the side spaces that are there. We're in the process of -- the adjacent part of the John Deere showroom that was there, Todd is going to vanilla box and get it cleaned up to rent. But we don't have any tenants at this time.

DAVID CROSS: That's all I have.

PAUL BLOSER: No questions.

ERIC STOWE: Number 4 on the short form EAF, does it include residential use nearby. But that's pretty minor.

JOHN HELLABY: So noted.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

John Hellaby made a motion to close the Public Hearing portion of this application, and Matt Emens seconded the motion. The Board unanimously approved the motion.

The Public Hearing portion of this application was closed at this time.

JOHN HELLABY: Conditions of approval?

In lieu of landscaping, applicant to make a donation to the Town's Tree Planting Fund in the amount of 1 percent of the total project costs.

Application is subject to all required permits, inspections and code compliance regulations. Subject to the approval of the Town Fire Marshal.

Any sign changes shall comply with the Town Code and obtain -- include obtaining a sign permit.

Any other conditions of approval?

The applicant has paid their fee for final. It is requested final be waived.

DAVID CROSS: I make a motion to consider that.

MATT EMENS: Second.

ERIC STOWE: Don't we want to do SEQR first, guys?

JOHN HELLABY: You're right. I'm sorry. I'm jumping ahead of myself. Thank you.

John Hellaby 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 an unlisted action with no significant environmental impact, and Matt Emens seconded the motion. The Board all voted yes on the motion.

JOHN HELLABY: Now, back to where we were.

On the application, waiving final with the said conditions of approval, um, voting on the application of John Shuman, 20 Assembly Drive, Box 699, Mendon, New York 14506, property owner: 3237 Union Street LLC for preliminary site plan approval for a change of use in portion of building (approx. 2,970 sq. ft.) to allow a physical therapy center at property located at 3237 Union Street in G.B. zone.

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

1. In lieu of landscaping, applicant to make a donation to the Town's tree planting fund in the amount equal to 1% of the total project cost.
2. Application is subject to all required permits, inspections, and code compliance regulations.
3. Subject to approval by the Town Fire Marshal.
4. Any signage change shall comply with Town Code, including obtaining sign permits.

Note: Final site plan approval has been waived by the Planning Board.

The meeting ended at 7:14 p.m.