

CHILI PLANNING BOARD
February 12, 2019

A meeting of the Chili Planning Board was held on February 12, 2019 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; Eric Stowe, Assistant Counsel for the Town; Paul Wanzenried, Building Department Manager.

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.

INFORMAL:

1. Application of Western Realty LLC, owner; 949 Bay Road, Webster, New York 14580 for final site plan approval to erect two industrial buildings totaling approximately 70,000 sq. ft. at property located at 30 Airline Drive in L.I. w/ADATOD zone.

Joe Ardieta and Ron Pattison were present to represent the application.

JOHN HELLABY: At this time I would also like to note where we're at today. First of all, the applicant received preliminary approval at the December 11th meeting of the Planning Board at which time SEQR was done with a no significant environmental impact finding.

The applicant was at the January 8th meeting seeking final, at which time it was tabled pending information on the release of the railroad right-of-way that ran through the property and additional information on storage in the parking lot between the buildings.

On January 22nd, the applicant received a variance from the ZBA to allow front parking of approximately 83 vehicles per their plan submitted.

On February 4th, they received approval again from the landscaping plans that were submitted to the Conservation Board dated December 3rd, 2018.

All yours, sir.

MR. ARDIETA: Good evening. Joe Ardieta, Vanguard Engineering tonight representing Western Realty, LLC. When last we left off, we were discussing the railroad issue.

Since that time, um, our client's attorney has coordinated with the Town Attorney and there is an agreement that there has never been an easement on that property. It doesn't exist. So the railroad spur is owned by my client and they plan to remove it. Okay? Are there any questions on the issue?

JOHN HELLABY: Um, not as far as the railroad right-of-way.

You're all set with it, right?

ERIC STOWE: Yes. We reviewed the abstract of titles, stamped letter from the surveyor and verified that that parcel is not encumbered by an easement for the benefit of the Railroad.

JOHN HELLABY: All right. I do have a couple other questions, but I will go to the other guys first.

MATT EMENS: So the storage containers that are shown there, you have five of them between the two buildings. Are those -- it says "storage container typical."

What is the storage container that would be on there?

MR. ARDIETA: The storage container you would put on a back of a semi.

MATT EMENS: Okay.

MR. ARDIETA: But he can use it to enclose materials.

MATT EMENS: Materials as in like what? Construction materials?

MR. PATTISON: Light material and light equipment that doesn't need to go inside.

MATT EMENS: And just to jog my memory, I apologize, the reason you wouldn't put it -- that inside the building is just because you don't have enough room?

MR. PATTISON: Space limitations.

MR. ARDIETA: Ron Pattison of Western Realty, LLC.

JOHN HELLABY: Just to expand on Matt (Emens)'s point a little bit, as far as the material storage, I'm assuming that there is going to be no loose pallets of like mortar or 5-gallon pails of concrete and additives and things like that stored back there? All that loose and incidental things will be inside the building, correct?

MR. PATTISON: Yes.

MR. ARDIETA: It's our understanding that it will -- the building will house equipment and some materials, but it's not going to be concrete -- it's not going to be things like pails of

concrete and such, because they do large jobs.

JOHN HELLABY: I realize that. But I mean I just -- the point I'm trying to make, I don't want this being a storage yard for miscellaneous stuff that finds its way back to your office and it just gets thrown out there and somebody just leaves it in a pile for the next six months.

MR. ARDIETA: Understood.

JOHN HELLABY: On drawing S-1, up at the top, and I hate to do this to you, but up along the top is a note on here that says, "Proposed drainage easement to the Town of Chili," and it's actually got arrows from that statement drawn to the both sides of the parking lot. I understand that there is drainage right-of-ways along the top there all labeled, but I can't quite figure out why that pavement is labeled like that. Is that a misprint or --

MR. ARDIETA: We were requested to place an easement that would give access to Town equipment, Town forces so they could drive down our driveway.

JOHN HELLABY: It's an access easement for the drainage?

MR. ARDIETA: For the drainage.

JOHN HELLABY: All right. Okay. That makes sense.

PAUL WANZENRIED: If you were concerned about the storage outside of materials -- if you were -- if you were concerned about the storage outside of outside material, you could say no storage outside.

JOHN HELLABY: Right. I got that added in.

MATT EMENS: That's in the typical --

JOHN HELLABY: Basically.

PAUL WANZENRIED: Other than that, I don't have anything.

MICHAEL HANSCOM: No additional comments.

JOHN HELLABY: Are you satisfied then with the drainage and whatnot? I don't know where you stand with all this.

MICHAEL HANSCOM: Um, the only thing was -- of any significance was the SWPPP called for dry swales, but they weren't labeled on the plans. And he has since sent a revised electronic copy.

MR. ARDIETA: We added labels to the site plan to indicate where the dry swale is.

JOHN HELLABY: All right. Ready to vote?

I make a motion we vote on the Application of Western Realty LLC, owner; 949 Bay Road, Webster, New York 14580 for final site plan approval to erect two industrial buildings totaling approximately 70,000 sq. ft. at property located at 30 Airline Drive in L.I. w/ADATOD zone.

I just realize I probably should have gone through the conditions.

As far as conditions, I figured we would keep the ones that were on the preliminary approval.

Upon completion of the project, the applicant shall submit a Landscape Certificate of Compliance to the Building Department from the landscape architect certifying that all plantings have been furnished and installed in substantial conformance with the approved landscape plan.

Number 2, applicant to comply with all required life safety conditions, permits from the Town Fire Marshal.

Number 3, pending approval of the ZBA of Appeals that all required variances are received and I believe that one has been accomplished already.

Applicant to comply with all conditions of the Zoning Board of Appeals as applicable.

Number 5, building permit shall not be issued prior to the applicant complying with all of these conditions.

Number 6, application is subject to all required permits, inspections and code compliance regulations.

Number 7, applicant shall comply with all pertinent Monroe County Development Review Committee comments.

Number 8, approval is subject to final approval by the Town Engineer and Commissioner of Public Works.

9, the Town Engineer and Commissioner of Public Works shall be given copies of any correspondence with other approving agencies.

10, copies of all of the easements associated with this project shall be provided by the Assistant -- or provided to the Assistant Town Counsel for approval. And all filing information such as liber and page number shall be noted on the mylars.

Number 11, provide location of outdoor equipment and storage on the final plans, which I believe you have done on drawing S-1.

Number 12, applicant to send property survey and abstract to Town Counsel, Town Engineer, Building Department and Planning Board Chair. Ccc abstract and survey for proof of the easement for the rail spur, which has been resolved.

ERIC STOWE: We can remove that one. It has already been completed.

JOHN HELLABY: Pardon?

ERIC STOWE: That has been completed.

JOHN HELLABY: So the new number 12 will become no outside storage of any materials, examples such as: Block, brick, mortar and the likes of any construction materials.

MR. HYDE: Second.

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

1. Upon completion of the project, the applicant shall submit a Landscape Certificate of Compliance to the Building Department from the Landscape Architect certifying that all approved plantings have been furnished and installed in substantial conformance with the approved landscape plan.
2. Applicant to comply with all required life safety conditions and permits from the Town Fire Marshal.
3. Applicant to comply with all conditions of the Zoning Board of Appeals as applicable.
4. Building permits shall not be issued prior to applicant complying with all conditions.
5. Application is subject to all required permits, inspections, and code compliance regulations.
6. Applicant shall comply with all pertinent Monroe County Development Review Committee comments.
7. Approval is subject to final approval by the Town Engineer and Commissioner of Public Works.
8. The Town Engineer and Commissioner of Public Works shall be given copies of any correspondence with other approving agencies.
9. Copies of all easements associated with this project shall be provided to the Assistant Town Counsel for approval, and all filing information (i.e. liber and page number) shall be noted on the mylars.
10. Provide location of outdoor equipment or/and vehicle storage on final plans.
11. No outside storage of any materials.

JOHN HELLABY: The only other issue I have is approval of Planning Board meeting minutes of January 8.

Matt Emens made a motion to approve the 1/8/19 Planning Board meeting minutes, and Ron Richmond seconded the motion. All Board members were in favor of the motion.

The meeting ended at 7:13 p.m.