

CHILI TOWN BOARD  
July 17, 2019

A regular meeting of the Chili Town Board was held on July 17, 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 Supervisor David Dunning.

**PRESENT:** Councilman DeCory; Councilman Slattery, Councilwoman Sperr and Supervisor David Dunning. Councilman Brown was excused.

**ALSO PRESENT:** Dawn Forte, Supervisor's Secretary; Sandra Hewlett, Stenographer; Virginia Ignatowski, Town Clerk; David Lindsay, Commissioner of Public Works/Highway Superintendent; Councilman Slattery, Deputy Town Supervisor; Richard Stowe, Counsel for the Town.

The invocation was given by Virginia Ignatowski.

The Pledge of Allegiance was cited. The fire safety exits were identified for those present.

**PRESENTATIONS/ANNOUNCEMENTS:**

1. PNOD - Greenwood Townhomes.

**SUPERVISOR DUNNING:** We have one presentation this evening. That is for the PNOD for Greenwood Townhomes. So if you would like, please state your name and the nature of your business if you would, please.

**MR. COX:** Absolutely. I'm David Cox with Passero Associates. I'm the civil engineer for the project and also with me is Jack Howitt, the land owner and developer for the project.

We're here for a modification to the PNOD for the overall Greenwood development. I will get into the presentation if you want.

**SUPERVISOR DUNNING:** Feel free.

**MR. COX:** The whole project started around over ten years ago when Jack Howitt saw a need in the community for some high quality town homes and some housing, so this is the original plan we came up with.

The first phase was up here right along Paul Road (indicating). Ultra successful and Jack (Howitt) said, "Let's move on to the next phases."

So then we started moving in the back. Every time he developed something, they just kept getting snatched up and snatched up. Now he is completely all built out and there's a waiting list. There is a demand for the units he has.

As part of the overall plan, we always had commercial up here at the front. So the residential has been very, very successful. The commercial, not so much. Jack (Howitt) has been marketing it for -- for around ten years and is just having a hard time getting people to bite. Part of the things we're realizing is that we're really -- that this is set up for kind of Neighborhood Business, a little bit smaller, local businesses. Those types of businesses, they want to see the space and they're ready to move in. You know, when they come to Jack (Howitt), "When can I move in?" he is like, "That's a great question. I need about 70 percent, you know, of people ready to move in before I can get the financing to move forward with the project."

So maybe they will sign up for LOI and then he can't get enough people on board to get financing, so people drop off and go some other place.

So Jack (Howitt) really had to start thinking, "How can I mold this to really finish this project?" How to really come -- bring it to completion. And what he realized is that the residential, there is a huge demand. Even people living in the town homes, a lot of them are saying -- we're getting older, empty next. We would be fine with a one or two-bedroom. We don't need a full town home anymore.

So there is this need for the one and two-bedroom where he has more the threes or larger. So there is this pent-up demand. So if we can incorporate the residential into the project, that's enough to where that he can get the financing to then build the project, build out the spec space for the commercial, the people can come in, see the building, see the space and say, "Yes, this is where I want to go."

Then he can turn it around as fast as they can build out the space. So we have had to change with the market and what people want to be able to make a successful project here.

One of the things we have also learned is that if you go to any of the hot cities or places that are really thriving, it's this mixed use environment. Commercial on the first floor, residential on the second or third floors. That's what people want. That's just -- people are just really eating that up right now. That's hot right now. So we want to provide what the market wants.

So we are here for some changes to the PNOD because currently as designed, there is three areas that we need to change so that it can move forward. The first one is residential dwelling units being allowed on the first floor. Currently, that is against the PNOD. So we have these two buildings here, which have commercial on the first floor, residential on the second and third. But

this building over here (indicating) is just strictly residential. So no commercial here (indicating). So there would be residential on the first floor there. So that would require a change to the PNOD.

And then the other one was that in the original, it was -- the gross floor area, fingerprint couldn't be more than 10,000 square feet. So it was creating more. The intent of that was to create -- to draw those smaller businesses. Um, part of the problem with that, is you know, it really kind of limits -- here there is building, building, building, building.

The problem we ran into, if you have someone that says I want 8,000, 6,000 and another guy wants 5,000, you have to put them in three separate buildings and you have a bunch left over. Where if you have a slightly larger building, you can give whatever person whatever they need, the space and move on to the next one. It's a lot more efficient and works a lot better. Provides more flexibility having a larger building.

We're still targeting those Neighborhood Businesses, businesses that would be taking less than 10,000 square feet. So the intent is still the same. We're just doing it in a more economical fashion.

And then the third is the height. The current PNOD only allows a two-story height and we are proposing three stories. So back to what I was saying before, for the bank and the financing, they're essentially financing, you know, based on the residential part and then the commercial will come along once we get that built up. So we need a certain amount of residential units to make the project work for financing. That is why we really need to go to that third story on those buildings.

Um, the mixed use really provides a great transition from -- you have residential on one side and then on the other side of this, we have commercial, Wegmans, Target, you know, like full-on commercial. This is a nice transition that is a mixed use of residential and smaller commercial, so then into the full commercial. So it is really -- provides a nice transition.

Um, traffic, we analyze traffic based on the original plan, versus this plan. And it only ends up being -- adding eight more trips in the peak hour. So that is just a very small increase essentially. The traffic is the same as it was under the original because we did reduce the amount of commercial from 53,000 or 52,400 and now we're down at 39,000. So we're good on the traffic.

Parking, one of the things we did here is we did lay out per code that we can provide all of the required spaces. But being it's a mixed use project, um, that the commercial is hot during the day when people are at work or off, so you really don't need to provide peak, peak parking for both. So we have land banked a bunch of the parking. We land-banked about 96 spaces, so we're providing more than what we think is -- will really be needed, but those have still been designed that if we need more parking, Jack (Howitt) can be super happy -- if he needs to put more parking in. We have designated for it. It is there. We just don't want to put in the impervious if it is not required. We would rather have green space and natural areas. Trying to be more green, just providing actually what we need and not above that.

Um, as far as SEQR is concerned, the project is a similar location. It's really just moving some chess pieces on the board. Utilities, access, traffic, drainage, you know, all of those things are essentially the same, just -- just in slightly different configuration. The only thing that is different is storm water regulations have changed since then. So we will need to update the plan and meet the newest New York State DEC guidelines for storm water quality and quantity. So that will be updated to meet that.

We did go to the Planning Board and we reviewed those three separate changes: The first floor residential, the gross floor area and the third story. And the Planning Board unanimously supported the project and they were -- they were good with it. So that's why we're back here. They had a positive recommendation.

And the other thing we did, even before we went to the Planning Board, is we met with the neighbors. We had a meeting with probably 40 or 50 neighbors that we went through the project, went through the plans to get their feedback and you're going to think I'm lying, but when I got done presenting, they all clapped. I was like, "I don't think this is ever happened to me before. I don't know what is going on right now."

COUNCILMAN SLATTERY: Glad that it was over?

MR. COX: So -- actually, no. That -- I thought maybe that's it. "He is finally done rambling." But they were excited about one and two-bedroom options. Some of them don't want a full town home, but they love the area. They love the product Jack (Howitt) produces, but they want a one or two-bedroom, not a full town home.

A lot were excited about that -- the other ones were excited about the Neighborhood Businesses coming in. "Will you have a coffee shop? Will you have a hair salon?"

They were throwing out ideas. They love the walkability. They want tons of services and commercial they can walk to. They don't have to drive. That was very, very exciting to them.

The other thing was pedestrian connection. We haven't figured it out exactly where it is going to go and we need to talk to Wegmans, but we'll have a pedestrian section with sidewalks to Wegmans.

Right now they would like to walk, but it is down a dirt path with stones. We want a sidewalk. That would be awesome to have. We'll provide a pedestrian connection. So -- and then the other thing, when I talked about the three-story buildings, they were like, "That is great."

I was like, "Why is that great?"

They were like -- some of the lights over there like shine into their units. And they're like, "If you could block those lights, we will be really, really happy."

And frankly, the buildings that we have proposed, look, you know, are a whole lot nicer than the bank and Wegmans, the side of Wegmans and things like that. So they said, "We would much rather look at that than look at Wegmans."

So they were -- everyone was very, very excited for the project and, "When are you going to get started? When will you start building?" was their overall theme, I guess you could say.

So I think that kind of gives you an overall rundown of where we have been, what we did and what we're asking for. I can take any questions that you have.

SUPERVISOR DUNNING: I -- you -- is there any interest or has there been any conversation with the -- you may be familiar with the firm that is working on design of our new Community Center which happens to be in the backyard of this particular project. Any communication or thought process of having a possible pedestrian access to that facility and some of the design in -- perhaps working with the Town to get something done there? Any interest in that?

MR. COX: Yes. We are looking at an overall Master Plan, pedestrian Master Plan that could tie in the Community Center, tie in Wegmans and Target, tie into this project to really create that pedestrian friendly zone. We're kind of waiting to make sure we get through this step and when we get into site plan -- or Jack (Howitt) will mostly be approaching Wegmans and the different parties to talk about where is the best place to put those and where do we want those.

SUPERVISOR DUNNING: Thank you. Questions?

COUNCILMAN SLATTERY: Actually, I do, but will we go to the audience at all?

SUPERVISOR DUNNING: This is not a Public Hearing. This is not a Public Hearing.

COUNCILMAN SLATTERY: Okay. Then, Dave (Cox), in regards to -- I didn't know if you were going to ask -- but you mentioned a few different things. The residential. Then you have on the second, third floors. The height of the building and so forth.

Um, another thing you mentioned is the peak hour. You said "peak hour." You mean peak hours in the morning and then the afternoon, correct?

MR. COX: Right.

COUNCILMAN SLATTERY: When you look at the type of businesses you have coming in there, I'm also looking at, thinking about the parking for the residents. Depending on the type of businesses that come in and then the season -- whether it's a holiday time -- so there's going to be designated -- I don't want to get into the Planning Board questions. I know we don't want to do that. We're looking at rezoning. But those are things coming to my mind when we look at the seasonal concerns for the businesses and the residential parking. I don't want to get into that. That is not our job. But those were things that were just popping in my head.

Also the storm water changes, are you saying it is more restrictive now than what you need to do?

MR. COX: So quantity hasn't really changed much from the original design, so we're good. But quality is. So we have to have more green infrastructure. So we have to sparkle some green infrastructure practices around there to treat it before it goes into the major ponds.

COUNCILMAN SLATTERY: Look at before what -- the work you had done from the original plan, the ponds and just passive recreation, you know, around ponds, people being able to enjoy -- still the outdoors and looking from that transition as you mentioned from commercial to your residential, you know, smaller commercial and -- that's when we looked at that whole area, going all of the way down to The Fathers House -- excuse me -- what was talked about was that transition along Paul Road. So that is important to have that transition. I think it is very important for the community, for the neighbors, the residents in the area.

The last thing is, you said you met with the neighbors?

MR. COX: Yes.

COUNCILMAN SLATTERY: You met with the residents of the existing town homes or did you meet with residents along Grinnell or Paul Road? Were they invited?

MS. HOWITT: It was --

MR. COX: Step up to the --

SUPERVISOR DUNNING: State your name.

MS. HOWITT: Wendy Howitt. It was predominantly, I would say, 90 percent Greenwood residents. However, I did personally deliver to homes on Paul Road and at the corners of the side streets that come anywhere near us. Because I don't know those people, I would not have recognized them if a few of them were at that meeting.

COUNCILMAN SLATTERY: Okay. I just wanted to get an idea of the flavor of the meeting, were they residents or people from the community, in that area. So I have heard from a couple of people, and I know some people that live over there now, and you know, I just got their feedback and wanted their take on it.

But thank you very much for doing that and expanding it out there. I think that is important.

COUNCILWOMAN SPERR: Just one comment more than a question. Or a confirmation. So you will have an entrance and exit from this new area, one, and then you will have another entrance and exit and the current one that will exist from the previous two phases. So we'll have two.

COUNCILMAN SLATTERY: Out on Paul Road.

COUNCILWOMAN SPERR: And they will connect?

MR. COX: Yep. There is this existing one here (indicating), and then there is one here (indicating). And they're connected through here (indicating).

COUNCILMAN SLATTERY: That is the construction access right now?

MR. COX: Yes.  
COUNCILWOMAN SPERR: That's what I thought. Okay. All right. Thank you.  
SUPERVISOR DUNNING: Thank you. I know we do have a resolution here tonight for consideration and we will get to that when we get to that. If there is anything else you would you like to add before -- this is the time.  
MR. COX: No.  
SUPERVISOR DUNNING: Okay. We're good for now.  
MR. COX: Thank you.

AFFP

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**Affidavit of Publication**

STATE OF NEW YORK }  
COUNTY OF ONTARIO } SS

LEGAL NOTICE  
TOWN OF CHILI  
NOTICE OF PUBLIC HEARING

Kay Bullock, being duly sworn, says:

That she is Principal Clerk of the The Post - zone 1, a weekly newspaper of general circulation, printed and published in Canandaigua, Ontario County, New York; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

July 04, 2019

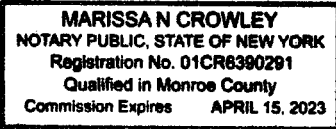
A Public Hearing will be held by the Town Board of the Town of Chili on July 17, 2019 at 7:00 P.M. at the Main Meeting Room, 3333 Chili Avenue, Rochester, NY 14624 to consider Historic Landmark Status for 745 Ballantyne Rd., tax account #159.04-1-10. At such time, all interested persons are entitled to be heard at the public hearing. If special accommodations are required, please notify the Town of Chili by July 8, 2019.  
By order of the  
Town Board of the  
Town of Chili,  
dated June 12, 2019.  
Virginia Ignatowski  
Town Clerk  
Town of Chili  
Jy 04  
74332

That said newspaper was regularly issued and circulated on those dates.  
SIGNED:

Kay Bullock

Subscribed to and sworn to me this 4th day of July 2019.

Marissa N. Crowley  
, Notary Public  
Ontario County, New York



null  
09100210 00074332

TOWN CLERK  
TOWN OF CHILI \*LE\*  
3333 CHILI AVENUE  
ROCHESTER, NY 14624

**PUBLIC HEARING.**

A Public Hearing was held by the Chili Town Board on July 17, 2019 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:18 p.m. to discuss Historic Landmark Status for 745 Ballantyne Road, Scottsville, NY 14546.

Attendance as previously noted in the 7/17/19 Chili Town Board meeting minutes.

**COMMENTS OR QUESTIONS FROM THE AUDIENCE:**

PETER WIDENER: My name is Peter Widener, 4280 Union Street, North Chili, New York and I'm a member of the Preservation Board.

And this home we have been trying to get into the district for a long time. Fortunately, John and Mary Kinton, they decided they want to put it in for a landmark status. There is some great history. It's one of our eight Cobblestone buildings in the Town of Chili.

The 1830 date that we put on that, it takes us back to the liber numbers of 117. When John and Mary Kinton purchased it in 2015, the liber numbers are 11610, so it's been around a long time.

It has some neat features about the construction of it. A lot of the -- what they refer to as rubble stone foundation or rag worth. It means they took the stones and the equipment they could get -- these stones and they put the walls together 2 foot thick. It's like a fortress.

But in the days of 1830, it was quite cold up there. They had two heat sources. One was a Dutch oven in the basement, which the remnants are there. And then the Lord Rumford fireplace on the second floor. The Lord Rumford fireplace is basically a fireplace that is really shallow so only the smoke goes up the chimney and the heat comes out. There are a few of them in Chili. Streeters Inn is another one that has one.

It's kind of interesting that the water was kind of tough on top of the hill. They had four wells drilled -- or -- not drilled, dug and rock-lined. So is it -- John (Kinton) doesn't use them right now.

Interesting enough, the main square footage of the building is 24 by 31. More interesting, at one time there were 11 children and a mom and dad living in that building. That gives about 122 square foot per person with an outdoor privy. That's -- that's really kind of harsh times back in 1830. There are two front door entrances and the largest front door entrance was used for funeral services because they had to get the deceased in and out of the building. The other was a smaller door.

We are really looking forward to this going into the district. Some of the features inside of the main structure are what they call the windows -- the windows are rifle-hole windows. They go back to the Medieval cast times where on the inside, there's a wide angle and the outside, there's just a little slit so you could put your bow and arrow or your gun either way without catching the in-fire or an incoming artillery, if you will. I don't know why it was built that way, but it was a structure of the Cobblestone at the time.

And looking through my notes, this will be our 18th home going into our landmark status. We're quite proud of it. I don't have the exact title that we're going to put on it, but I'm sure Mary and John Kinton's name will be there. The Krenzer's name will be there because the Krenzer Family owned it for quite a few years. That is as far as I can go on it right now.

I support the nomination. I support letting this come into our landmark home status and thank you.

SUPERVISOR DUNNING: Thank you.

COUNCILMAN SLATTERY: Peter (Widener), great job.

The Public Hearing was closed at 7:22 p.m.

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At this point, a Public Forum was conducted to allow public speakers to address the Town Board. No speakers addressed the Town Board. The Public Forum concluded at 7:23 p.m.

**MATTERS OF THE SUPERVISOR:**

New Matters:

1. Clifton Parade 8/2/2019 at 7:00 pm.

SUPERVISOR DUNNING: We have the Clifton Parade coming up on August 7th. That parade starts at 7 p.m. That is the biggest little parade in Monroe County, likely, maybe even in New York. It's a fun time. It's an old-fashioned type event. If you haven't been there, you should be.

And if you are, thank you for going and supporting the Clifton Fire Department, because it is a fun time.

Also, just like to give a brief update where we are with the Community Center. Things are moving along pretty well. They have got -- they're pouring concrete in the foundations now. Steel should be coming in with -- probably in about another three to four weeks we should see the steel delivered and brought in. So there is -- it's coming along nice and it's tough to see what is there. We have now fenced off most of the ball fields and the entry off Old Chili Scottsville is closed at least for the duration of the summer, or maybe a little longer depending how things go, because the fuel tanks will be cleaned out and the fuel island and fuel islands will soon be removed.

So everything -- so everything there is so far going as we expected. Maybe a little -- we had a few rain delays, but they are moving along very, very well and folks on it are doing an excellent job. So I want to thank them for the work they're doing.

**MATTERS OF THE TOWN COUNCIL:** Nothing to report.

The 6/12/2019 Town Board meeting minutes were approved.

**REPORTS SUBMITTED:**

Advanced Payment of Claims – June 2019  
Architectural Advisory Committee Minutes – 6/11/2019  
Building Department Report – June 2019  
Dog Control Reports – June 2019  
Historic Preservation Minutes – 6/10/2019  
Library Board Minutes – 5/28/2019  
Recreation Center Report – June 2019  
Senior Center Report – June 2019  
Town Clerk Report – June 2019  
Zoning Board Minutes – 4/23/2019, 5/28/2019

**CORRESPONDENCE:**

1. The Town of Chili has received notification that Gerry Sauer, Highway Department is retiring effective July 30, 2019.

SUPERVISOR DUNNING: I don't usually comment on these, but Gerry (Sauer) has been a great employee of the Town of Chili for a lot of years. 30 some odd years, I believe. He is one of greatest guys that I have had to work with over in the Highway Department. He is always there when you need him and he does a phenomenal thing. It is good news for him and his family, I'm sure, but not so good news for Mr. Lindsay and the rest the Town of Chili. He will be hard to replace.

COUNCILMAN SLATTERY: If I could, Supervisor.

SUPERVISOR DUNNING: You can.

COUNCILMAN SLATTERY: After hours, when you needed something from -- for somebody to come in or maybe to make those calls to get somebody, Gerry (Sauer) with his position as foreman, he was always on top of things and always willing to help. It will be a sad day. Especially for Mr. Lindsay.

SUPERVISOR DUNNING: I had to get a second box of tissues in my office when he came in to tell me about this. So moving along.

2. The Town of Chili has received notification that Marty Mass, Highway Department is retiring effective June 19, 2019.
3. The Town of Chili has received notification that Tim Putnam, Crossing Guard is resigning effective July 16, 2019.

SUPERVISOR DUNNING: I guess we'll be looking for another crossing guard. Is that accurate, Mr. Lindsay?

DAVID LINDSAY: Yes.

SUPERVISOR DUNNING: So anybody interested in becoming a crossing guard in the Town of Chili, step forward.

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**RESOLUTION #195 RE: Reappointment of Jennie Miller as Assessor**

**OFFERED BY: Councilman Slattery**

**SECONDED BY: Councilwoman Sperr**

**WHEREAS**, Real Property Law 310 requires that the Town Board appoint an Assessor every six years; and

**WHEREAS**, the six year term of Jennie Miller as Assessor expires on September 30, 2019; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Chili hereby appoints Jennie Miller as Assessor for a six-year term from October 1, 2019 through September 30, 2024; and

**BE IT FURTHER RESOLVED**, that the State of New York Office of Real Property Services be notified of such reappointment.

Councilman Brown - Absent  
Councilman DeCory - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #196 RE: Donation to the Senior Center Trust and Agency Account**

**OFFERED BY: Councilman DeCory                      SECONDED BY: Councilman Slattery**

**WHEREAS**, the Senior Center Trust and Agency Account was established in the year 2000 to hold proceeds from fundraising activities to benefit the Chili Senior Center; and

**WHEREAS**, Mary Anne Sears, Director of Programs for the Aging, and the Voices and Visions Committee, a volunteer group of senior citizens, wish to accept a \$450 donation from Sam Montante to be deposited in the Senior Center Trust and Agency.

Councilman Brown - Absent  
Councilman DeCory - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #197 RE: Modification to overall PNOD (Planned Neighborhood Overlay District) development plan, 751 Paul Rd.**

**OFFERED BY: Councilwoman Sperr                      SECONDED BY: Councilman DeCory**

**WHEREAS**, on 6/17/2019 the project manager appeared before the Planning Board and presented a modified overall development plan for 751 Paul Rd; and

**WHEREAS**, on 6/17/2019 the Planning Board determined the modified plan is in keeping with the intent of the zoning and provides a transition from heavier commercial use; and

**WHEREAS**, on 6/17/2019 the Planning Board, by a vote of 7 (seven) in favor, 0 (none) opposed, affirmatively recommended the particulars of the proposed modifications; and

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with §500-23 (K) of the Town of Chili Town Code, the Town Board approves of the modifications as submitted conditioned upon site plan approval and hereby directs the applicant to appear before the Planning Board for site plan approval.

Councilman Brown - Absent  
Councilman DeCory - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #198 RE: 2019 Budget Amendments**

**OFFERED BY: Councilman Slattery                      SECONDED BY: Councilman DeCory**

**BE IT RESOLVED** to transfer \$3,200 from A1990.4 (Contingency) to A1310.4 (Director of Finance – Contractual).

Councilman Brown - Absent  
Councilman DeCory - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #199 RE: SET PUBLIC HEARING FOR INTRODUCTORY LOCAL LAW # \_\_\_\_\_ OF THE YEAR 2019 WHICH WOULD ESTABLISH A SIX-MONTH MORATORIUM ON GROUND MOUNTED SOLAR EQUIPMENT APPROVALS IN THE TOWN OF CHILI**

**OFFERED BY: Councilwoman Sperr                      SECONDED BY: Councilman Slattery**

**WHEREAS**, Introductory Local Law # \_\_\_\_\_ of the year 2019 has been introduced; and

**WHEREAS**, the Town Board, prior to its final deliberations regarding the merits of said local law, wishes to offer the members of the public an opportunity to be heard; and

**NOW, THEREFORE, BE IT RESOLVED**, that a Public Hearing be set for August 14, 2019 At 7:00 p.m. to consider the adoption of Introductory Local Law # \_\_\_\_\_ of the year 2019 to establish a six month moratorium on ground mounted solar equipment approvals in the Town of Chili.

Councilman Brown - Absent  
Councilman DeCory - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #200 RE: Town Court**

**OFFERED BY: Councilman DeCory      SECONDED BY: Councilman Slattery**

**BE IT RESOLVED** that Julia Van Skiver be appointed provisionally Assistant Clerk to Town Justice, and shall be paid an annual salary of \$29,305.00 (PG 24) effective July 22, 2019, expenses to be paid by voucher as incurred.

Councilman Brown - Absent  
Councilman DeCory - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

SUPERVISOR DUNNING: I would like to introduce -- this is Julie (Skiver), right? Welcome.

MS. SKIVER: Thank you.

COUNCILWOMAN SPERR: Welcome.

MS. SKIVER: Thank you, everyone.

SUPERVISOR DUNNING: We wish you all the best.

MS. SKIVER: Very excited to start working.

SUPERVISOR DUNNING: Keep Judge Evangelista in line. We wish you a lot of luck with that.

MS. SKIVER: I'll try.

COUNCILWOMAN SPERR: You will enjoy working there.

SUPERVISOR DUNNING: You got a great office there. The girls are wonderful.

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**RESOLUTION #201 RE: Historic Landmark Designation for 745 Ballantyne Road**

**OFFERED BY: Councilman Slattery      SECONDED BY: Councilwoman Sperr**

**BE IT RESOLVED** that the premises located at 745 Ballantyne Road, Scottsville, NY 14546 tax a/c #159.04-1-10; owned by John & Mary Kinton be designated a "Landmark" as per Local Law #3 of 1993 per the recommendation of the Historic Preservation Board.

Councilman Brown - Absent  
Councilman DeCory - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #202 RE: Chili Fire Department Active List**

**OFFERED BY: Councilman Slattery      SECONDED BY: Councilwoman Sperr**

**BE IT RESOLVED** that the following individual(s) be added to the Chili Fire Department active list effective July 8, 2019:

Kyle Kelly & Aaron Mance

Councilman Brown - Absent  
Councilman DeCory - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #203 RE: Chili Fire Department Remove from Active List**

**OFFERED BY: Councilman Slattery      SECONDED BY: Councilwoman Sperr**

**BE IT RESOLVED** that the following individual(s) be removed from the Chili Fire Department active list effective various dates:

Alexia Chatterton 6/17/2019, Calvin Nau 6/17/2019, Joe Wainwright 6/21/2019,  
David Donovan 6/24/2019

Councilman Brown - Absent  
Councilman DeCory - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #204 RE: C.H.I.P.S. Budget Amendment**

**OFFERED BY: Councilman DeCory      SECONDED BY: Councilman Slattery**

**WHEREAS**, the year 2019 budget for the C.H.I.P.S. account included \$140,000.00; and

**WHEREAS**, the 2019 budget for the C.H.I.P.S. account was amended by Resolution #174 to \$212,280.86 as a result of a change in the 2019 C.H.I.P.S apportionment; and

**WHEREAS**, the Town of Chili has been informed by the State of New York that it will be receiving additional funding under the Extreme Winter Recovery (EWR) Program in the amount of \$30,911.60; and

**NOW, THEREFORE, BE IT RESOLVED**, to amend accounts DA3501 (State Aid/CHIPS) and DA 5112.4 (CHIPS-contractual) to \$243,192.46.

Councilman Brown - Absent  
Councilman DeCory - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #205 RE: Incentive Zoning 219, 223, 225, 227, 229 Golden Road & 29, 31 Stone Barn Road**

**OFFERED BY: Councilman Slattery      SECONDED BY: Councilwoman Sperr**

**WHEREAS**, on March 14, 2018, resolution #123 was approved by a vote of 5 in favor, none opposed; and

**WHEREAS**, the Town Board directed the applicant, if it desired to proceed with the incentive zoning request, to submit the necessary Environmental Assessment Form and other documentation necessary for the Town Board to comply with its duties under SEQRA; and

**WHEREAS**, on the 14th day of May 2019, the applicant did submit 11 copies of a full EAF; and

**WHEREAS**, copies of the submitted EAF were distributed to the Town Supervisor, 4 Town Council members, Town Attorney, Building Department, Commissioner of Public Works/Superintendent of Highways and Town Engineer for review; and

**WHEREAS**, the Board's review of the EAF as submitted changes, substantially, the nature of the proposed development and raises environmental concerns and leaves potential impacts unaddressed; and

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

- (1) The Town Board hereby rejects the submitted EAF form, in its current form.
- (2) The Town Board directs the applicant, if it desires to proceed with an incentive zoning request, to submit a new application to the appropriate Board for review with a complete Environmental Assessment Form and other documentation necessary for the Town Board to comply with its duties under SEQRA.

Councilman Brown - Absent  
Councilman DeCory - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #206 RE: Lead Agency and SEQR Determination for the Rezoning of 1891 Scottsville Road from AC (Agricultural Conservation) & FPO (Flood Plain Overlay) to LI (Limited Industrial) & FPO (Flood Plain Overlay).**

**OFFERED BY: Councilwoman Sperr      SECONDED BY: Councilman Slattery**

**WHEREAS**, the Planning Board at a public hearing meeting held on May 14, 2019 recommended the rezoning of the property located at 1891 Scottsville Road (Tax ID #160.01-1-10) from AC (Agricultural Conservation) & FPO (Flood Plain Overlay) to LI (Limited Industrial) & FPO (Flood Plain Overlay) (hereinafter referred to as the "Action"); and

**WHEREAS**, the Chili Town Board (hereinafter referred to as Town Board) on the 15th of May, 2019 did declare its intent to be designated the lead agency in regards to SEQR for the Action; and

**WHEREAS**, a Public Hearing as required by its Zoning Local Law on the matter was duly held by the Town Board on the 12th of June, 2019, commencing at 7:00 P.M. at the Town Hall in the said Town and discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

**WHEREAS**, the Action is deemed to be an Unlisted Action pursuant to the SEQR Regulations; and

**WHEREAS**, the Town Board has reviewed the Short Environmental Assessment Form, prepared by Robert Winans, Senior Project Manager of DDS Engineers, LLP (Agent of the Applicant) for the Action pursuant to the New York Environmental Conservation Law, Article 8 (State Environmental Quality Review Act) and regulations promulgated pursuant thereto in 6 NYCRR Part 617 (SEQRA Regulations); and

**WHEREAS**, the Town Board has carefully considered the criteria for determining significance as set forth in the SEQR Regulations; the EAF, the application materials, and all documents, correspondence, testimony, and other information supplied to this Board, including correspondence and communication from the Monroe County Department of Planning and Development, Town staff, Town Planning Board, and input obtained during the public hearing; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby designate itself as the lead agency for the Action; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Town Board has considered the list of potential environmental effects set listed in section 617.7, taken a hard look and engaged in a reasoned elaboration of the submitted information, analysis above and all supporting documentation and has concluded that the action will NOT result in a significant adverse environmental impact; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Town Board adopts the Part 2 (Impact Assessment) and Part 3 (Determination of Significance) of the Environmental

Assessment Form attached and hereby makes a "negative declaration" under the State Environmental Quality Review Act, which constitutes a finding no significant adverse environmental impacts from the Action.

Councilman Brown - Absent  
Councilman DeCory - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #207 RE: Rezoning of 1891 Scottsville Road from AC (Agricultural Conservation) & FPO (Flood Plain Overlay) to LI (Limited Industrial) & FPO (Flood Plain Overlay)**

**OFFERED BY: Councilman DeCory      SECONDED BY: Councilwoman Sperr**

**WHEREAS**, the Planning Board conducted a public hearing at its meeting held on May 14, 2019 for the rezoning of property located at 1891 Scottsville Road from AC (Agriculture Conservation) & FPO (Flood Plain Overlay) to LI (Limited Industrial) & FPO (Flood Plain Overlay), which concluded with a "Recommend Vote" (7-0); and

**WHEREAS**, a Public Hearing as required by the Town's Zoning Code on the matter was duly held by the Town Board on the 12th of June, 2019, commencing at 7:00 P.M. at the Town Hall in the said Town and discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

**WHEREAS**, the Town Board, as lead agent for State Environmental Quality Review Act purposes, has reviewed the environmental record with regard to this application and determined it to be an Unlisted action and made a determination of no significant environment impact; and

**WHEREAS**, the proposed Zoning Map Amendment has been reviewed by the Monroe County Department of Planning and Development for comment; and

**WHEREAS**, the Town Board has carefully reviewed and considered the Town's 2030 Comprehensive Plan and has determined that the rezoning of this parcel from AC & FPO to LI & FPO does not conflict with the stated goals of the 2030 Comprehensive Master Plan; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Official Zoning Map of the Town of Chili is amended such that the property located at 1891 Scottsville Road (Tax ID #160.01-1-10) shall be removed from the AC (Agriculture Conservation) & FPO (Flood Plain Overlay) to LI (Limited Industrial) & FPO (Flood Plain Overlay) zoning district is hereby adopted; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to enter said rezoning into the minutes of this meeting and to give due notice of the adoption of this zoning map amendment according to law; and

**BE IT FURTHER RESOLVED**, that the Town Clerk shall direct that the Official Zoning Map of the Town of Chili be amended consistent with this resolution; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the property owner, his representatives, the Town Planning Board, Town Zoning Board of Appeals, Town Director of Public Works, Town Engineer, Town Attorney and Associate Town Attorney.

Councilman Brown - Absent  
Councilman DeCory - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #208 RE: Donation in the Memory of Ravi Dial**

**OFFERED BY: Councilman Slattery      SECONDED BY: Councilwoman Sperr**

**WHEREAS**, the Town and Chili Recreation have received a \$1,000 donation in the memory of Ravi Dial, which is to be used to fund equipment for the Chili Recreation Pee Wee Sports programs; and

**NOW, THEREFORE, BE IT RESOLVED**, to accept the donation; and

**BE IT FURTHER RESOLVED**, to amend the 2019 revenue budget A2089 (Other Culture & Recreation) by an increase of \$1,000.00; and amend the 2019 expense budget A7310.4 (Youth Programs – Future Programming) by an increase of \$1,000.00.

Councilman Brown - Absent  
Councilman DeCory - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #209 RE: June 19, 2019 Abstract**

**OFFERED BY: Councilman DeCory      SECONDED BY: Councilwoman Sperr**

**WHEREAS**, January 2, 2019 Resolution #1 authorized vouchers to be paid June 19, 2019, by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 31445, 31470, 31693-31701, 31706, 31709, 31713-31714, 31723-31727, 31730-31763, 31765-31767, 31769, 31771-31774, 31776, 31778-31805, 31807-31833, 31835-31837 totaling \$612,646.04 to be paid from the Distribution Account as presented by Virginia Ignatowski, Town Clerk; and

**NOW, THEREFORE, BE IT RESOLVED**, to note for the record the above listed vouchers were paid from the following funds:

General Fund	\$	98,712.81
Highway Fund		266,541.38
H60 Community Center		244,861.05
Drainage District		844.06
Park Districts		323.70
Miscellaneous Special Reserve		<u>1,323.04</u>
Total Abstract	\$	612,646.04

Councilman Brown - Absent  
Councilman DeCory - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #210 RE: July 3, 2019 Abstract**

**OFFERED BY: Councilman DeCory      SECONDED BY: Councilwoman Sperr**

**WHEREAS**, January 2, 2019 Resolution #1 authorized vouchers to be paid July 3, 2019, by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 31702, 31704, 31715-31722, 31834, 31844-31853, 31855-31861, 31865-31873, 31875-31876, 31878, 31881-31883, 31885-31889, 31891-31905, 31909-31910, 31916, 31923-31925, 31928-31934, 31936-31960, 31962-31980 totaling \$251,986.21 to be paid from the Distribution Account as presented by Virginia Ignatowski, Town Clerk; and

**NOW, THEREFORE, BE IT RESOLVED**, to note for the record the above listed vouchers were paid from the following funds:

General Fund	\$	93,412.90
Assessment Reserve		500.00
Highway Fund		105,046.09
Library Fund		1,797.25
H60 Community Center		37,417.48
Drainage District		945.82
Street Lighting Districts		<u>12,866.67</u>
Total Abstract	\$	251,986.21

Councilman Brown - Absent  
Councilman DeCory - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #211 RE: July 17, 2019 Abstract**

**OFFERED BY: Councilman DeCory      SECONDED BY: Councilman Slattery**

**BE IT RESOLVED** to pay vouchers 31703, 31705, 31984-31994, 31997-32000, 32005-32027, 32034-32094, 32096-32098, 32100, 32102-32113, 32115-32121, 32123 totaling \$1,290,032.99 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$	70,733.54
Highway Fund		145,379.63
Library Fund		103.40
H60 Community Center		1,073,548.47
Drainage District		<u>267.95</u>
Total Abstract	\$	1,290,032.99

Councilman Brown - Absent  
Councilman DeCory - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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The next regular meeting of the Chili Town Board will be on Wednesday August 14, 2019 at 7:00 p.m. in the Chili Town Hall Main Meeting Room.

The meeting ended at 7:33 p.m.

