

CHILI ZONING BOARD OF APPEALS
February 25, 2020

A meeting of the Chili Zoning Board was held on February 25, 2020 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, Phil Supernault, Fred Trott, 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: Our newest member. Welcome, Phil (Supernault).

PHIL SUPERNAULT: Thank you.

1. Application of Michael Bock, owner; 38 Janice Drive, Rochester NY, 14624 for variance to allow existing deck to be 54' from front lot line (60' req.) at property located at 38 Janice Drive in R-1-15 zone.

Michael Bock and Ms. Bock were present to represent the application.

MR. BOCK: Hello. Mike Bock. We live at 38 Janice Drive, Rochester, New York 14624.

ADAM CUMMINGS: Anything else to add other than your application and what is shown up on the screen?

MR. BOCK: Not other than the porch was preexisting. It was built in 2003, from my understanding. We have been in the house going on four years and -- in August, I believe.

MS. BOCK: July.

MR. BOCK: July.

MS. BOCK: July.

ADAM CUMMINGS: I will move onto Board questions.

FRED TROTT: What is this 32 by 24? Is that a shed?

MR. BOCK: Um --

MS. BOCK: Garage.

MR. BOCK: I just built a garage. That is what brought this up. I pulled permits and then that was one of the things -- um, there were at one point three existing sheds on the property and going through for the garage, we decided two of which had to be torn down, which I planned on doing and then another was a playhouse that I had already removed prior to this. For the garage construction, I'm pulling a permit for that.

ADAM CUMMINGS: Okay. So, Paul (Wanzenried), it does meet all code requirements and this is to keep the property code compliant?

PAUL WANZENRIED: Formality.

PHIL SUPERNAULT: I had a couple, but Fred (Trott) asked them.

ADAM CUMMINGS: I would just like to point out through the drive through the neighborhood, I saw at least five others that are similar to this. There are a few in this cul-de-sac street.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

Fred Trott made a motion to close the Public Hearing, and Mark Merry seconded the motion. All Board members were in favor of the motion.

ADAM CUMMINGS: There will be one condition of approval. Building Department probably already told you you need a building permit prior to the construction of this one. Goes without saying.

PAUL WANZENRIED: Prior to construction of what?

ADAM CUMMINGS: Oh, I keep thinking of the garage. It is existing.

MR. BOCK: The garage is done now.

MS. BOCK: He is like of what? It is there.

MARK MERRY: You probably saw it when you drove through the neighborhood.

MS. BOCK: I mean, wasn't that the reason to be in the neighborhood?

ADAM CUMMINGS: I'm out of practice, I think.

MARK MERRY: New year.

ADAM CUMMINGS: One month off and I forget everything. Red in the face and everything. So no conditions on that.

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 a Type II action with no significant environmental impact, and Mark Merry seconded the motion. The Board all voted yes on the motion.

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

DECISION: Unanimously approved by a vote of 5 yes with no conditions. The following finding of fact was cited:

1. Location of deck does not adversely encroach neighboring properties. There are numerous properties in this neighborhood with similar porch structures.

ADAM CUMMINGS: Now we just have -- since we didn't have a meeting in January, looking for a motion to approve the December 17th, 2019, meeting.

Phil (Supernault), you should probably abstain from this one because you weren't there.

James Wiesner made a motion to adopt the December 17, 2019 Zoning Board of Appeals meeting minutes, and Mary Merry seconded the motion. The vote on the motion was 4 yes with 1 abstention (Phil Supernault).

Adam Cummings 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 7:06 p.m.