

CHILI PLANNING BOARD  
July 13, 2021

A meeting of the Chili Planning Board was held on July 13, 2021 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, Joseph Defendis, Matt Emens, Glenn Hyde and Vice Chairperson John Hellaby.

ALSO PRESENT: Michael Hanscom, Town Engineering Representative; 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 HEARINGS:

JOHN HELLABY: Before we start this evening, I will mention that Applications 2 and 3 of SMATTL Holdings, LLC; owner, 50 Stable Gate Crossing, has asked that those two applications be tabled until next month, so we will not be hearing them tonight if anybody is here for those.

2. Application of SMATTL Holdings, LLC, owner; 50 Stablegate Crossing, Webster, New York 14580 for preliminary site plan approval to erect ten industrial buildings totaling approximately 164,200 sq. ft. per plan submitted at property located at 3513 Union Street in GI District.
3. Application of SMATTL Holdings, LLC, owner; 50 Stablegate Crossing, Webster, New York 14580 for preliminary subdivision approval of 8 lots to be known as Black Creek Industrial Park at property located at 3513 Union Street in GI District.

Applications 2 and 3 were tabled until next month.

1. Application of Flower City Tree, 610 Millstead Way, Rochester, New York 14624, Flower City Land, LLC; owner, for preliminary site plan approval to erect a storage building of 9,760 sq. ft. at property located at 610 Millstead Way in GI District.

Greg McMahon and Andrew were present to represent the application.

MR. MCMAHON: Good evening. My name is Greg McMahon with McMahon LaRue Associates. We're the engineers and surveyors for Flower City Tree. Also here tonight is Andrew, a representative of Flower City Tree. He will be able to answer any questions specific to their business.

The application is for construction of a 9,000 square foot plus storage building on approximately 4.2 acres at 610 Millstead Way. It's currently a vacant parcel. The building will be utilized for storage of Flower City Tree's equipment. There will be connections to the water, sanitary, possibly -- and electric and depending on how they will heat. Probably gas. All those utilities are available at the right-of-way.

We have -- as noted on the plan and in a response letter to the Town Engineer -- noted that parking has been set based on the number of employees, so parking spaces, including an accessible space, are located at the rear of the lot behind the building.

At the last meeting -- I was here in June and made basically the same presentation, provided the Board with some renderings of the building and some colors. None of that has changed. At the time there was some issues with advertising, so that is why we're back here this month.

I guess with that, either Andrew or I would be available to address any questions.

JOHN HELLABY: You are correct. This application was heard last month and it was tabled as there was an advertising error or some other fact that caused it to be tabled. It was open to public comment. That was left open.

I will ask you one thing, though, because this -- your letter in regards to your response to Lu Engineers' letter did not get into my hands and I believe the other Board members' until about 4 o'clock this afternoon. Can you go down through those and just point out how they are answers to the questions? And I can tell you right off the first one, the parking requirements, um, are set by the code. I mean if you're going to need less, you're going to end up going to the ZBA for a zoning variance.

MR. MCMAHON: Well, let me get to the -- as per the letter from Lu Engineers, the Chili Town -- for warehouses and/or storage buildings, it is one space per employee on the maximum shift or one per 400 gross square feet, whichever is greater. Okay.

The applicant has not stated the number of employees, and we did -- we did go based on the applicant's indication to eight employees, which is the number of spaces that we have provided there.

JOHN HELLABY: Is he still going to need 25 spaces? I mean just because he has eight employees -- it is the way the code is written, right?

MICHAEL HANSCOM: That is the way the code is written.

JOHN HELLABY: You will end up going for a variance if you don't want to put the banked parking in there.

MR. MCMAHON: We can show banked parking in there. I can add that to the plan. It was just my misunderstanding of that one comment. So I mean I -- I don't think there is any intent to -- or any need for the parking, but we can add it as banked parking. We can include that in our disturbed area. I think we'll still be under the -- I know we'll still be under the disturbance, so we'll -- we'll show banked parking and I will add this to the plan for signature.

JOHN HELLABY: Okay.

MR. MCMAHON: Going forward, number 2 had to do with -- if I can go to the Board -- there are -- there are several easements, but there is a drainage easement that is taking drainage from this property and other properties to the south, coming across and comes down in a swale along -- through this easement and then there is a culvert pipe here that takes it across Millstead and assuming on to County property. We have kept our -- not necessarily disturbance, but we have graded up to the top of that swale, but we're -- based on our topo -- this topo was done -- this is recent topo -- we're not getting into the disturbance of the main flow. We're right at the top of the bank. But we don't feel we're disturbing the volume of water that -- even in storms like we have been having, it is very low down through there. But that is an easement and we're outside -- all of our work is totally outside of that easement.

JOHN HELLABY: The engineer's letter states there is two swales. I'm confused there because I don't know where the other one would be.

MR. MCMAHON: I mean there is -- again, I looked at this, and I only see one that goes down the property line. There is another -- there is an easement on the north side of the property, but there is no swale in that easement. And again, we're not -- we're doing some grading in that easement, but we're not impacting any drainage. There is a 30 foot wide easement to the Town of Chili that goes across the rear of the property, but there is -- it just looks like a mound -- mound of dirt in that swale. But the main drainage swale is -- runs right along the southerly property line and again, there is the existing culvert that goes across Millstead.

JOHN HELLABY: Does that sound logical, Mike (Hanscom)?

MICHAEL HANSCOM: I may have misstated it simply because the swale is subdivided by that one culvert pipe that interrupts it.

JOHN HELLABY: Okay.

MR. MCMAHON: We're very cognizant of the drainage pattern down through there. There are a lot of easements on that property and we're trying to work within those easements.

Number 3 was dumpsters. The owners have indicated to me that all -- all storage of trash is going to be held within the building.

JOHN HELLABY: Okay.

MR. MCMAHON: They're not -- there is not a need for large dumpsters. They will contain it all within the building.

Building architectural -- or elevations were submitted at the last Planning Board meeting. I did submit to the Town a revised SEQR short form after last month's meeting. Again, we'll -- we'll certainly copy -- there really are no other -- the only -- well, there will be some other approvals. There will be an approval by the Monroe County Water Authority for the connection to the water main. We'll provide that confirmation to the Town and the Town Engineer.

And also there will be an approval by Monroe County Pure Waters for the connection to the sanitary sewer and we will provide all of the paperwork and final approvals for that to the Town.

We did provide a written reply to these comments. And that really goes through everything we received from --

JOHN HELLABY: The short form EAF I have is dated 4/26/21. You say you did submit another one?

MR. MCMAHON: We submitted one -- when we submitted -- after -- after the last Planning Board meeting we submitted revised plans, a response letter to -- it was July 14th, and I have -- I didn't -- I have it here. I didn't re-date it. I just made the one change on the form and it had to do with --

JOHN HELLABY: The permit on page 1?

MR. MCMAHON: Yes. Permit on page 1.

JOHN HELLABY: I apparently don't have the updated one, because this one has not been updated.

MR. MCMAHON: Water services, sewer lateral, Monroe County Building and Town of Chili. I would be glad to give you -- this is a signed copy of the SEQR.

PAUL WANZENRIED: Al (Hellaby), Town has one.

JOHN HELLABY: You got one? Okay. I guess I can sign this one, I guess. All right.

MATT EMENS: Just a few questions about this site here.

The only paving is the front apron, the entry?

MR. MCMAHON: At this time, yes.

MATT EMENS: And then I see the loading area is outlined in the back. That is just -- you were calling that out per the comments?

MR. MCMAHON: Per Town Code.

JOHN HELLABY: The whole lot is gravel?

MR. MCMAHON: It's gravel. It's just an area to meet the code where they would be loading -- in essence, this building is -- there is large doors on each side. Vehicles will be driven in or through and a lot of that will be done within the building, but we did designate that area to comply with the code.

MATT EMENS: Correct. Thank you.

So you just kind of touched on it. But it seems there's a lot of space in the front and it is squared off, which I guess is fine, over simplified because of the fact it will be gravel. The turning radiuses, I guess, aren't as important because they're not large trucks. But the side of the building with only 20 feet on each side -- I guess it is a single lane, but it's not -- so we're just minimal traffic around the building and through it?

MR. MCMAHON: Most of your trucks, I believe, are like a -- small cranes, cherry pickers, the bucket trucks. Typical tree contractor vehicles. Even a -- I mean there -- there -- there is a sufficient turning radius if they wanted to go with a tractor-trailer, make the turn and then 20 feet is -- is enough width to get by the side of the building.

MATT EMENS: Okay. I think it would be tight for a tractor-trailer, but if they don't see tractor-trailers, it is not a big deal.

And the trucks -- I'm sorry -- are parked inside the building?

ANDREW: Correct. The whole point of the building is to keep everything in --

MATT EMENS: Okay. Just trying to remember from last month.

GLENN HYDE: Just vehicles then primarily, correct, in the building?

ANDREW: Correct.

GLENN HYDE: Anything else stored in there?

ANDREW: Bucket trucks, remote control lifts. Any tree work equipment. The whole end game is to get out of the snow, so we can start in the morning, everything is thawed out and starting from zero.

DAVID CROSS: I think you addressed it before. There will not be any outdoor storage of any equipment or materials or anything like that. I think we just might want to condition that, Al (Hellaby).

JOHN HELLABY: It's on here.

MATT EMENS: I don't think they will have much space to store that if they're banking the spots.

DAVID CROSS: Brush piles, chip piles, we don't want it on-site, especially with the proximity to the airport.

PAUL BLOSER: The only lighting I see on here is a wall pack.

MR. MCMAHON: It was just intended to be building-mounted lighting.

PAUL BLOSER: Is the only one you're putting up on the building, the one wall pack?

MR. MCMAHON: No. We have two wall packs on the back and two on the front.

Those -- I have shown -- I have shown some lighting contours. And they overlap at the center of the building. But there would be basically -- at a 1/3 -- at the 1/3 point on the face and the rear of the building would be a wall pack to provide lighting across.

PAUL BLOSER: Across the park lot.

MR. MCMAHON: Basically lighting the face of the building and out a ways.

PAUL BLOSER: Is it down lighting?

MR. MCMAHON: Yes. They would be dark-sky compliant wall packs. Especially with the airport there, we have to do those.

PAUL BLOSER: That's why I'm asking. Thank you. That's all.

PAUL WANZENRIED: Was this property subdivided or was it always this one parcel?

MR. MCMAHON: I believe -- in the past, it -- it was subdivided off of -- I think it -- I'm not sure if it is this parcel. They were going back on some of the old tax maps. There was a -- there was a subdivision. I can't tell you exactly when that was, but it was, I believe, previously subdivided. I'm just looking. I can check on that information.

PAUL WANZENRIED: That's fine, Greg (McMahon).

You bought the property as it is right now --

ANDREW: Correct.

PAUL WANZENRIED: -- right?

ANDREW: Yes. It's just a field.

PAUL WANZENRIED: I know it's just a field. I'm inquiring as to what property it may have been --

ANDREW: I believe it was -- Morgood Tool to the south is who we purchased it from.

PAUL WANZENRIED: Okay. All right.

MR. MCMAHON: It actually originally -- actually included a large piece that went over and then accessed -- had an access out onto Scottsville Road and this subdivision was in 1990 which split those up. And then subsequently, I think, that portion off of Scottsville was combined with what was shown here as Universal Joint Sales. I don't know if it still is.

PAUL WANZENRIED: It's Fleet right now. Okay. I don't have any other questions.

ERIC STOWE: I previously told the Board I had done some work with Flower City Land

that had nothing to with this land or the closing of title.

And just a reminder that the public hearing is still open.

JOHN HELLABY: Correct.

Before I go to the audience, I just realized I have an airport referral form.

Did you ever get anything back from them people?

PAUL WANZENRIED: No.

JOHN HELLABY: Okay. All right.

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: Pretty cut and dry. Just a storage building that people come to in the morning and bring equipment back to every night. I do have some conditions of approval.

Number 1, upon completion of the project, the applicant shall submit a Landscape Certificate of Compliance to the Building Department from a landscape architect, certifying that all approved drawings -- or all approved plantings -- excuse me -- have been furnished and installed in substantial conformance with the approved landscape plan.

I see some plantings on there.

Do you know, has that been to the Conservation Board? I don't think it probably has, has it? No?

MR. MCMAHON: I -- I don't --

JOHN HELLABY: I don't think it has.

MR. MCMAHON: I haven't received any comments if it has gone to them. I haven't seen anything.

JOHN HELLABY: So I mean is that something we're going to need their thoughts on?

PAUL WANZENRIED: No.

JOHN HELLABY: No. All right.

PAUL WANZENRIED: Just -- Al (Hellaby), just put a condition that he submit -- he will either submit something to the Conservation Board or they will do 1 percent. They have -- they have the option. 1 percent of the cost of construction is donated to the Town or develop a -- get a landscape architect and develop some sort of landscaping plan and put it in for Conservation recommendations.

JOHN HELLABY: Approval is subject to final approval by the Town Engineer and Commissioner of Public Works.

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

Applicant shall comply with all pertinent Monroe County Development Review Committee Comments. And I don't recall seeing those.

Building permit shall not be issued prior to the applicant complying with all conditions.

Applicant is subject to all required permits, inspections and code compliance regulations.

Applicant to comply with all required life safety conditions and permits from the Town Fire Marshal.

Any signage shall comply with the Town Code, including obtaining any sign permits. No outside storage of any byproduct of the business such as, but not limited to, wood chips, tree trimmings, logs, et cetera.

And add banked parking to the plans.

Anything else?

PAUL WANZENRIED: I have some.

Any additional buildings or further development of the site will require site plan review.

JOHN HELLABY: Any additional buildings on-site will require site plan approval. All right.

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: Have they paid for final?

PAUL WANZENRIED: Yep.

JOHN HELLABY: You don't see anything that is going to hang you up here, Mike (Hanscom)?

MICHAEL HANSCOM: As long as they can keep the area of disturbance below an acre.

JOHN HELLABY: All right. What is the Board's thought on that?

DAVID CROSS: Yes.

JOHN HELLABY: Application of Flower City Tree, 610 Millstead Way, Rochester, New York 14624, Flower City Land, LLC owner; for preliminary site plan approval, waiving final, to erect a storage building of 9,760 sq. ft. at property located at 610 Millstead Way in GI District.

MATT EMENS: Second.

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

1. Submit Landscaping drawing, stamped by licensed Landscape Architect, to the Town of Chili Conservation Board for their review and approval or make a contribution to the Town of Chili tree planting fund in the amount of 1% of the total construction cost.
  2. Approval is subject to final approval by the Town Engineer and Commissioner of Public Works.
  3. The Town Engineer and Commissioner of Public Works shall be given copies of any correspondence with other approving agencies.
  4. Applicant shall comply with all pertinent Monroe County Development Review Committee comments.
  5. Building permits shall not be issued prior to applicant complying with all conditions.
  6. Application is subject to all required permits, inspections, and code compliance regulations.
  7. Applicant to comply with all required life safety conditions and permits from the Town Fire Marshal.
  8. Any signage change shall comply with Town Code, including obtaining sign permits.
  9. No onsite storage of any byproducts of the business such as but not limited to; wood chips, tree trimmings, logs etc.
  10. Show banked parking on drawing per Town Code.
  11. Any additional buildings added to site in the future will require Site Plan Approval.
4. Application of Anthony D' Agostino, 18 Packet Boat Drive, Fairport, New York 14450 owner; DLG Properties LLC; for renewal of special use permit to allow a daycare center on first floor of building at property located at 4479 Buffalo Road in R-1-15, RPO District.

Anthony D'Agostino was present to represent the application.

MR. D'AOGSTINO: I go by Tony D'Agostino. This is for the continuance of the Special Use Permit of the childcare at 4479 Buffalo Road.

We are not seeking any additional modifications to the building or the property or the use or the volume.

We did get a Town engineering report back there was a desire to have an allocated handicapped parking spot. We have already attained a sign as well as stencil to paint and to conform to the requirement of the Town Engineer 's.

JOHN HELLABY: All right. That was only -- just about the only question I had.

I do have one, though. I did notice that the name of the business now is Home Away From Home Daycare. That is not the original name if I recall.

MR. D'AOGSTINO: No, it is not. I had sold the business itself to a Stephanie DiCenzo about a year and half back and she has taken over the business side of it.

JOHN HELLABY: You still own the building?

MR. D'AOGSTINO: I still own the building. She -- so I'm responsible for the building and she is responsible for the business inside of it. So she is a tenant with a ten-year lease.

JOHN HELLABY: The only other thing I got is, Paul (Wanzenried), in the Monroe County Comments, item 4, they make note of an Ag Data Statement.

That is not required, is it?

PAUL WANZENRIED: No. Nowhere near an ag --

JOHN HELLABY: Well, not in Chili. I believe over the line in Riga -- that is neither here nor there. All right.

MATT EMENS: Just one more question for Paul (Wanzenried).

Paul (Wanzenried), any issues on the property card, complaints or anything since --

PAUL WANZENRIED: No.

MATT EMENS: -- the last issue?

PAUL WANZENRIED: No.

MATT EMENS: No other questions.

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: Pretty cut and dry. They have been operating out of there for quite some time now if I recall correctly.

Conditions will remain the same other than there has been discussion about the time period. I believe this goes back close to 20 -- 20 years. And there is some discussion of eliminating the years all together if there hasn't been any problem.

MATT EMENS: The only thing I will say to that, it seems there is no issues here, but other applications we have had in the past an issue and it gives us the opportunity to have them correct it. So they have to come before us.

JOHN HELLABY: Well, again, I mean the Building Department is there naturally to --

MATT EMENS: Typically that is --

JOHN HELLABY: I mean, they have to live up to all -- it is pretty stringent to the things they have to live up to as far as New York State inspections and licensing and stuff.

MATT EMENS: For the daycare itself. Right. Understood. I mean specific to the daycare and Special Use Permit.

JOHN HELLABY: So are we good with that?

MATT EMENS: What are you proposing to do?

JOHN HELLABY: Dropping the time frame on it all together.

DAVID CROSS: Either that or ten years, Al (Hellaby).

JOHN HELLABY: That wouldn't be too bad.

MATT EMENS: I guess just a question from the Side Table if we're going to do that. How does that work? It goes with the property?

ERIC STOWE: If you remove a time limit, then yes, it's permanent unless it is discontinued.

MATT EMENS: So at the request of the --

ERIC STOWE: No. If they discontinued. If the use ceases -- I think we're a year. If it stops for a year consecutive, then the special permit goes away.

MATT EMENS: Okay. Thank you.

JOHN HELLABY: Well, I guess I'm hearing a consensus they don't want to cut it cold. So I mean if we go ten years --

DAVID CROSS: Seems reasonable, Al (Hellaby).

JOHN HELLABY: All right. So then the conditions that I have are handicapped parking spaces to be clearly marked with signage, which he already stated he would do.

Applicant shall comply with all pertinent Monroe County Development Review Comments.

All previous conditions imposed by the Board that are still pertinent to the application remain in effect.

Application is subject to all required permits, inspections and code compliance regulations. Special Use Permit is granted for a period of ten years.

Anything else? All right.

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: Application of Anthony D' Agostino, 18 Packet Boat Drive, Fairport, New York 14450 owner; DLG Properties LLC; for renewal of special use permit to allow a daycare center on first floor of building at property located at 4479 Buffalo Road in R-1-15, RPO District.

MATT EMENS: Second.

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

1. Handicapped parking space be clearly marked and signed.
2. Applicant shall comply with all pertinent Monroe County Development review Committee comments.
3. All previous conditions imposed by this Board that are still pertinent to the application remain in effect.
4. Application is subject to all required permits, inspections, and code compliance regulations.
5. Special Use Permit is granted for a period of (10) years.

5. Application of Four Point & Gun Club Inc., owner; c/o Guy Slack, 3889 Roosevelt Highway, Hamlin, New York 14464 for renewal of special use permit to allow hunter safety training, skeet, firearms and archery shooting at property located at 4400 Union Street in AC District.

Guy Slack was present to represent the application.

MR. SLACK: Evening, gentlemen. My name is Guy Slack. I'm here representing Four Point Rod & Gun Club. I guess Al (Hellaby) said about everything that we're after. Renewing our conditional use permit.

JOHN HELLABY: All right. How long you been operating out there now?

MR. SLACK: 35 years.

JOHN HELLABY: And if I recall rightly, several years ago you put in a new range or something?

MR. SLACK: We put a rifle/pistol range in about 15 years ago.

JOHN HELLABY: Been that long?

MR. SLACK: It's been that long.

JOHN HELLABY: All right.

MR. SLACK: Time flies.

JOHN HELLABY: Do you have any issues or problems out there?

PAUL WANZENRIED: We do not. We have no formal complaints.

JOHN HELLABY: All operations are still the same as they have been for years, I assume?

MR. SLACK: Yes. That's correct.

JOHN HELLABY: Who is actually the Range Master there when somebody comes to shoot? I know you guys have some strange hours.

MR. SLACK: Gary Putz is one of our rifle/pistol Range Masters.

There is not anybody on-site all of the time. But everyone who uses the range goes through a certification process and they can't -- they can't use the range until they go through the certification process.

JOHN HELLABY: All right.

MATT EMENS: Just on the berm, I know -- is there -- I'm familiar with the design and approval originally, but is that inspected by any authority?

MR. SLACK: There is no agency that does any inspection. We address the berms as needed. They do erode from time to time from getting shot. So we -- so we address them as needed.

MATT EMENS: Okay. I don't have anything else.

DAVID CROSS: Guy (Slack), so this -- you don't have any contracts with public safety organizations for shooting or anything like that?

MR. SLACK: No.

DAVID CROSS: This is private use?

MR. SLACK: We're a private club.

DAVID CROSS: You're asking for eight additional days open at 8 a.m. I would be a little careful with that, just talking to the Board. There are some neighbors in the area.

MR. SLACK: There are.

DAVID CROSS: I know we haven't had any complaints, but I'd like to keep it that way, too. Just my two cents.

MR. SLACK: The reality is we rarely use that option. We rarely start before 9 o'clock. There is only one league that ever started at 8 and we always gave the Town more than a month's notice for each one of those events. So I didn't want to change anything that we have previously already had approved and set up.

DAVID CROSS: Right. So this is not above and --

MR. SLACK: This is nothing new.

DAVID CROSS: Okay. I read it. It is above and beyond.

MATT EMENS: Funny you mentioned that, because I do remember discussing this five years ago.

MR. SLACK: And five years prior to that.

MATT EMENS: Probably.

MR. SLACK: Same boiler plate we had for a long time.

DAVID CROSS: You did change the date on the letter, though.

MR. SLACK: I did change the date, that's correct.

DAVID CROSS: Thanks, Guy (Slack).

JOHN HELLABY: Nice.

DAVID CROSS: No other questions.

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: As far as conditions of approval, remain pretty much verbatim what they had.

All previous conditions imposed by this Board that are still pertinent to the application remain in effect.

The approval is subject to the applicant passing an inspection of the site by the Town Engineer and/or Building Department that ensures all backstops are still in compliance with the approved site plan. I will leave that up to you to set up a time to do that.

MR. SLACK: We can do that. With the Engineering Department?

JOHN HELLABY: Yes. Just go through Paul (Wanzenried). He can set it up.

Hours of operation, they will be 9 a.m. to 8:30 p.m. with the use of the area lighting for archery, firearms, hunter safety training, skeet and trap shooting.

Early, number -- Number 4, early starting times for special events shall not exceed eight per year or start before 8:00 a.m.

Number 5, all special event dates shall be submitted to the Town of Chili Building Department prior to the scheduled event.

Special Use Permit is granted for a period of -- again, I -- I think having no complaints, no problems, no issues, what is the Board's thoughts?

DAVID CROSS: Same. Five years.

MATT EMENS: You don't want to go to ten like the day care?

DAVID CROSS: I don't think -- with this use, I don't -- I --

JOHN HELLABY: Like Paul (Wanzenried) said, you have no formal complaints and no issues over there.

MR. SLACK: I don't think we had complaints the last time, either, in the prior five years.

DAVID CROSS: Ten?

MATT EMENS: Yes.

JOHN HELLABY: We'll go ten years.

MATT EMENS: We're back to the point that we made on the last one. If they get complaints, they will inspect the berms.

JOSEPH DEFENDIS: You have it covered.

JOHN HELLABY: All right. Ten years it is.

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: Before I forget, sir, can you get up to come up here and sign this, the EAF form that apparently never got signed? It will make my job a lot easier if you sign it.

So while he is doing that, the application of Four Point & Gun Club Inc., owner; c/o Guy Slack, 3889 Roosevelt Highway, Hamlin, New York 14464 for renewal of special use permit to allow hunter safety training, skeet, firearms and archery shooting at property located at 4400 Union Street in AC District.

MATT EMENS: Second.

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

1. All previous conditions imposed by this Board that are still pertinent to the application remain in effect.
2. The approval is subject to the applicant passing an inspection of the site, by the Town of Chili Building Department, that ensures all backstops are still in compliance with the approved site plan.
3. Hours of operation shall be 9:00 a.m. to 8:30 p.m. with the use of area lighting for archery, firearm, hunter safety training, skeet, and trap shooting.
4. Early starting times for special events shall not exceed (8) per year or start before 8:00 a.m.
5. All Special Event dates shall be submitted to the Town of Chili Building Department no later than 30 days prior to the scheduled event.
6. Special Use Permit is granted for (10) years.

John Hellaby made a motion to accept and adopt the 6/8/21 Planning Board meeting minutes, and Matt Emens seconded the motion. All Board members were in favor of the motion.

The meeting ended at 7:43 p.m.