

CHILI ZONING BOARD OF APPEALS  
September 28, 2021

A meeting of the Chili Zoning Board of Appeals was held on September 28, 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 Chairperson Adam Cummings.

PRESENT: Mark Merry, Fred Trott, Philip Supernault, James Wiesner and Chairperson Adam Cummings.

ALSO PRESENT: Eric Stowe, Assistant Counsel for the Town; Paul Wanzenried, Building Department Manger.

Chairperson Adam Cummings declared this to be a legally constituted meeting of the Chili Zoning Board of Appeals. He explained the meeting's procedures and introduced the Board and front table. He announced the fire safety exits.

ADAM CUMMINGS: Any signs -- issues with the signs?

The Board indicated they had no problems with the meeting notification signs.

1. Application of Clifton Fire Department owner; 53 Wheatland Center Road, Churchville, New York 14428 for a variance to erect a monument sign A.) 6'-8" tall (5'-0" allowed) B.) Area of sign to be 32 sq. ft. per side totaling 64 sq. ft. (16 sq. ft. per side total 32 sq. ft. allowed) at property located at 53 Wheatland Center Road in RA-1 District.

Matt Emens was present to represent the application.

ADAM CUMMINGS: If you recall, these were the two that were postponed from the July meeting to this meeting while they could gather more information for us.

MR. MATT EMENS: Yes. Good evening, Adam (Cummings), gentlemen and Sandra (Hewlett). Matt Emens, Clifton Fire Department, 53 Wheatland Center Road.

Yes, Adam (Cummings). As you guys recall, we were here at the July 27th meeting with five of these. We did get three of them through. We agreed and we asked for them to be tabled based on discussions on a couple of things we wanted to work through to try to better those things and lessen those variances that were needed so we could get that back to you guys.

We did reach out to a sign vendor and got some additional information. We also made some material selections. That helped us get that drawing that you guys should have, the updated drawing of the monument sign. Still schematic but shows the dimensions of the sign from the sign company and then also we were able to bring that height down to that 6 foot 8, as you mentioned.

So we achieved that a couple ways. We actually made the sign smaller and got it shorter. And then we also -- if you guys recall, on the first set of drawings we gave you, we were calling out a precast cap -- concrete cap. We actually went with a 4-inch natural stone one that we picked out at Miller Brick so that will actually help bring the height of those down. That is how we achieved the 6 foot 8 we're asking for.

And then also obviously with the reduction in the square footage of the sign -- or the size of the sign, it reduced the square footage on both sides. I know we sent that in and, Adam (Cummings), you read that off, but I think we have got actually both of those less than what we had talked about.

ADAM CUMMINGS: So the sign -- well, the square footage, we obviously had that one down at the -- if I look at my notes.

MR. MATT EMENS: 32 square feet. We were at like -- yeah. Significantly more than before -- or less than before. So we did get that down in size. Still really can't go much smaller because really what is driving it is the size and the format of the LED message center. But we did bring the height of the upper part, the fixed sign down and I think we're pretty close on that. So we're comfortable on the 32 square feet per side. And then got it down to that 6 foot 8.

ADAM CUMMINGS: Okay. So we have reduced it from 7 foot 4 inches to 6 foot 8 inches on the height and it was 38 square foot per side before for a total of 76 and we got that down to 64 square feet.

MR. MATT EMENS: Yep.

I think that's all I got. Obviously you guys remember most of the history. If not, I could work back and refresh memories if need to.

JAMES WIESNER: No questions.

ADAM CUMMINGS: I just wanted to point out a sign permit will need to be obtained.

FRED TROTT: I just want to note that you need to have someplace where you have your address on the -- I think on the past one you had --

MR. MATT EMENS: Yes, Fred (Trott).

FRED TROTT: Just wanted to remind you of that.

MR. MATT EMENS: Actually, it's funny you say that. It dropped off on the new drawing.

FRED TROTT: Yeah.

MR. MATT EMENS: The 53 will be on that front post, the leading pier towards the road. That is still our plan.

FRED TROTT: Yeah.

JAMES WIESNER: Because if the Fire Department wants to find them, that would be important. (Laughter.)

ADAM CUMMINGS: If the Fire Department can't figure it out, they can call the Building Department. They will know what the address is. (Laughter.)

MR. MATT EMENS: That just dropped off. We plan on having that part, though, yes.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

Mark Merry made a motion to close the Public Hearing portion of this application, and Philip Supernault seconded the motion. The Board unanimously approved the motion.

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

ADAM CUMMINGS: If everybody is okay with it, I would just do this as one decision.

Eric (Stowe), do you recall -- well, we just did the Public Hearing anyway.

Did we do SEQR on these last time?

ERIC STOWE: They were withdrawn before you did your SEQR determination.

ADAM CUMMINGS: Okay. Thank you. So I will do SEQR tonight. One condition of approval, as I mentioned earlier, will be that a sign permit will need to be obtained.

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 an Unlisted Action with no significant environmental impact, and Philip Supernault seconded the motion. The Board all voted yes on the motion.

ADAM CUMMINGS: Now I will ask for a motion to adopt this application with one condition.

Mark Merry made a motion to approve the application with one condition, and Fred Trott seconded the motion. All Board members were in favor of the motion.

ADAM CUMMINGS: Once again, this is both of them together, A and B.

DECISION: Unanimously approved by a vote of 5 yes with the following condition:

1. Sign permit must be obtained.

The following finding of fact was cited:

1. Size of sign has been reduced compared to original proposal and is appropriately placed to both inform the public of this emergency response center and avoid detrimental impacts to neighboring properties.
2. Application of Shea Collaghan 85 Names Road, Rochester, New York 14623, S & J Lakeview Enterprises, LLC, 1761 Scottsville Road, Rochester, New York 14623 owner; for a variance to erect a second wall sign of 15.91 sq. ft. (13.36 sq. ft. allowed) at property located at 1761 Scottsville Road in FPO, RAO-20 District.

Shea Collaghan was present to represent the application.

MR. COLLAGHAN: My name is Shea Collaghan. I'm the owner of The Tap It Bar & Grill at 85 Names Road and the location of the business is 1761 Scottsville Road, Rochester, New York 14623.

ADAM CUMMINGS: So this second sign you're looking for is on the north side of the building?

MR. COLLAGHAN: Correct.

ADAM CUMMINGS: You're just replacing the Dribbles one on the east side?

MR. COLLAGHAN: We replaced the east side -- we're looking to replace the east side, as well, and then also the north side as both signs were previously up.

ADAM CUMMINGS: Okay.

JAMES WIESNER: I mean, I have to admit I was a little leery on the second sign, but then after stopping to see it and seeing you removed everything over the window and the door, it looks pretty clean over there. I thought it would fit in pretty well. So that is the only comment I have.

FRED TROTT: So you already put the sign up, correct?

MR. COLLAGHAN: Correct.

FRED TROTT: There is not going to be a sign on the south side?

MR. COLLAGHAN: No.

FRED TROTT: Okay.

PHIL SUPERNULT: No questions. The same question as Fred (Trott). I'm good. Thank you.

ADAM CUMMINGS: I would just like to add in -- like the first application, you will need a sign permit from the Building Department, so continue to work with them on that.

MR. COLLAGHAN: I believe I did, sir.

PAUL WANZENRIED: (Paul Wanzenried nodded).

ADAM CUMMINGS: Okay. Usually he denies them and sends them to us.

PAUL WANZENRIED: I haven't approved it yet. It is just sitting here waiting for your approval.

ADAM CUMMINGS: I like when they're ahead of the game.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

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

Fred Trott made a motion to close the Public Hearing portion of this application, and Philip Supernault seconded the motion. The Board unanimously approved the motion.

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

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 an Unlisted Action with no significant environmental impact, and Philip Supernault seconded the motion. The Board all voted yes on the motion.

ADAM CUMMINGS: Ask for a motion to adopt the application with one condition of approval.

James Wiesner made a motion to approve the application with one condition, and Mark Merry seconded the motion. All Board members were in favor of the motion.

DECISION: Unanimously approved by a vote of 5 yes with the following condition:

1. Sign permit must be obtained.

The following finding of fact was cited:

1. Sign is only slightly larger than the size permitted in this zone. The second wall sign provides landmark and wayfinding uses for patrons looking for this establishment from the predominantly traveled roadways from the north.

ADAM CUMMINGS: Now we'll move on to approval of two months' worth of minutes. Any comments on those?

JAMES WIESNER: No, sir.

MARK MERRY: Do we have to do that separately?

ADAM CUMMINGS: We can.

Fred Trott made a motion to accept and adopt the 7/27/21 Zoning Board of Appeals meeting minutes, and Mark Merry seconded the motion. All Board members were in favor of the motion.

ADAM CUMMINGS: Now we'll except and approve August 2021 minutes.

Mark Merry made a motion to accept and adopt the 8/24/21 Zoning Board of Appeals meeting minutes, and Philip Supernault seconded the motion. All Board members were in favor of the motion.

Adam Cummings made a motion to adjourn the meeting, and Philip Supernault seconded the motion. All Board members were in favor of the motion.

The meeting was adjourned at 7:12 p.m.