

CHILI PLANNING BOARD  
June 11, 2024

A meeting of the Chili Planning Board was held on June 11, 2024 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 Michael Nyhan.

PRESENT: Paul Bloser, David Cross, Joseph Defendis, Matt Emens, Glenn Hyde, John Hellaby and Chairperson Michael Nyhan.

ALSO PRESENT: Michael Hanscom, Town Engineering Representative; Jared Hirt, Counsel for the Town; Paul Wanzenried, Building Department Manger.

Chairperson Michael Nyhan 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:**

1. Application of Schultz Associates, P.C., 129 South Union Street, Spencerport, New York 14559, applicant; Effortless Real Estate, LLC, 1440 Scottsville Road, New York 14624, owner; for preliminary site plan approval to erect a walk in cooler at the property located at 1440 Scottsville Road. GB District.

Tabled at the applicant's request.

**INFORMAL:**

2. Application of Gizzi Real Estate Holdings, LLC., 3850 Buffalo Road, Rochester, New York 14624 applicant/owner; for final site plan approval to convert the existing building into A) convert existing office building to 12-unit apartment building. B) 1,160 sq. ft. addition to existing building (known as Berkeley Place Phase 1) at the property located at 4415 Buffalo Road. GB District.

Kris Schultz and Joe Gizzi were present to represent the application.

MICHAEL NYHAN: This was heard and approved last month and I think there were three items you were going to address. The Conservation Committee, the AAC and Michael (Hanscom) -- or Town Engineer's letter to address his questions.

MR. SCHULTZ: Correct, sir.

MICHAEL NYHAN: Thank you.

MR. SCHULTZ: I'm Kris Schultz representing Gizzi Land Development, LLC. As you mentioned, we were here last month and we had a few other Boards to attend to take care of a few items.

We did go to the Zoning Board for a couple area variances and those variances were granted.

We had a good meeting with the Conservation Board and went through the landscaping plan. They did compliment us on the plan. In their opinion, it addressed all of the concerns that were raised. And we did have an opportunity to address the Town Engineer's letter from April 28th. I can run through those real quick.

The first item was the cross-access easement. So we generated that document. The attorney was -- for my client sent the documents to the Town Attorney who reviewed them. They have been cycled back to my clients' attorney and he is actually -- went for recording today. Those are cross-access and parking between the two lots.

Item Number 2 --

MICHAEL NYHAN: Can you pull the microphone towards your mouth?

MR. SCHULTZ: How is that?

MICHAEL NYHAN: I can hear you, but the audience.

MR. SCHULTZ: Item 2 was the Zoning Board, as I mentioned. We were successful getting the two area variances at the last Zoning Board meeting for lot width and for side setback on the building.

The site plan has been updated. Item Number 4 to show the setback lines.

We did supply the square footage of the proposed apartments. Those were plans that were submitted by architect Al Arilotta and they do conform to at least the minimum square footage is -- required for each type of an apartment.

And item Number 5, again landscaping plan, that was submitted. Signed by the landscape architect. Reviewed by the Conservation Board. And they did approve that.

Paul Bloser arrived.

MR. SCHULTZ: And, of course, our comment letter back addressing -- I said any additional comments that the Town Engineer, Town staff generate, we would, of course, address in the future.

And we would agree with any approval by this Board is contingent upon Town Engineer and Commissioner of Public Works final review.

MICHAEL NYHAN: Okay. Thank you.

I noticed on the plans that there was a fence requested along the southern border and there is a line there that's not marked "fence."

Is that where a fence will be?

MR. SCHULTZ: Yes, sir.

MICHAEL NYHAN: So include that on the final drawings as a fence.

MR. SCHULTZ: Yes, sir.

MICHAEL NYHAN: Very good.

And the Conservation Board unanimously adopted that. So we'll review that recommendation.

And then the AAC was heard tonight. Correct, Matt (Emens)?

MATT EMENS: Yes.

MICHAEL NYHAN: And you -- you have some recommendations for this Board?

MATT EMENS: Al (Arlotta) and Mr. Gizzi were there this evening at 6 o'clock. We did review the drawings. There was a couple of recommendations and some clarifications.

The rendering showed white trim windows, but they are confirmed to be black -- new black, vinyl trim windows.

The front entrances are aluminum glazed storefront entrances that will also be black.

The drawing showed a certain scenario that was -- Mr. Gizzi presented a different alternate color and the recommendation you will hear when you read from -- Chairman Ignatowski will capture that -- that we just made a recommendation on a change in the roof color if they did go with what they presented tonight, other than what was on the drawings.

So that recommendation was if the horizontal siding color is used as presented on the drawings, the roof color can remain black. If the siding remains the dark blue, it should be switched to a lighter roof color.

And then we also discussed the update of the materials enclosing the dumpster. To be a metal fence with vinyl slats with a color to complement the -- the new architectural aesthetic.

MICHAEL NYHAN: Okay. And you will be able to provide all those recommendations for the AAC's -- great. Thank you.

Any other -- that answers the three items that you came back for tonight for final approval, I should say.

And are there any other questions from the Board?

JOSEPH DEFENDIS: All set.

MATT EMENS: The Fire Marshal recommendation on the existing driveway, is that captured on the revised drawings? Or will be captured on the final drawings?

MR. SCHULTZ: Yes.

MICHAEL NYHAN: Is that something you're going to keep or going to remove still?

MR. SCHULTZ: It is -- it is going to remain with the development of the Lot 2 that it would be removed.

MICHAEL NYHAN: So when you come back for the next application for that lot, you will take that into consideration for that plan?

MR. SCHULTZ: Yes.

MICHAEL NYHAN: Great. Thank you.

At this time I will review the -- just so you have the -- on the record the -- the conditions from previously and I will add a couple based on what we have heard here tonight.

Prior to that, I just wanted to -- as this is an application for final, I just wanted to acknowledge there is no significant changes to the approved preliminary plan dated May 14th, 2024 and SEQR determination made at that time. Therefore, the Planning Board affirms the determination this is an Unlisted Action with no significant environmental impact.

I will now go through your conditions at that time and then the ones that I have added.

Approval is subject to the final approval of the Town Engineer and Commissioner of Public Works.

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

The one I have added is all previous conditions imposed by this Board that are still pertinent to the application remain in effect.

Copies of all easements associated this project shall be provided to the Assistant Town Counsel for approval.

And all filing information; i.e., liber and page number, shall be noted on the mylars.

Prior to the issuance of a Certificate of Occupancy, all easements are to be filed and recorded at the Monroe County Clerk and acknowledged by the Town of Chili Clerk.

Applicant to comply with all pertinent Monroe County Development Review Committee comments.

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

Pending approval of the Zoning Board of Appeals, which you have.

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

The applicant shall supply landscape plan drawn by a licensed architect along with the required checklist to the Conservation Board for review and recommendation, which has been done.

The applicant shall provide landscaping equivalent to 1 percent of the total project, which you have done.

The applicant shall submit a building design elevation to the Architectural Advisory Committee for their review and recommendation, which was completed.

The one we'll add is the Planning Board approves the recommendations of the Architectural Advisory Committee and requests that the applicant comply with these recommendations.

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

And the application is subject to all required permits, inspections and code compliance regulations.

Those are the conditions that I mentioned that we added and all of the rest just exist if they still apply from the previous one.

Those conditions, application of Gizzi Real Estate Holdings, LLC., 3850 Buffalo Road, Rochester, New York 14624 applicant/owner; for final site plan approval to convert the existing building into A) convert existing office building to 12-unit apartment building. B) 1,160 sq. ft. addition to existing building (known as Berkeley Place Phase 1) at the property located at 4415 Buffalo Road. GB District.

JOHN HELLABY: Second.

DECISION: Unanimously approved by a vote of 7 yes with the following conditions:

1. Approval is subject to final approval by the Town Engineer and Commissioner of Public Works.
2. The Town Engineer and Commissioner of Public Works must be given copies of any correspondence with other approving agencies.
3. All previous conditions imposed by this Board that are still pertinent to the application remain in effect.
4. Copies of all easements associated with this project shall be provided to the Assistant Town Counsel for approval, and all filing information (i.e. liber and page number) shall be noted on the mylars.
5. Prior to the issuance of a Certificate of Occupancy, all easements are to be filed and recorded with Monroe County and filed, recorded, and acknowledged by the Town of Chili Clerk.
6. Applicant to comply with all pertinent Monroe County Development Review Committee comments.
7. Applicant to comply with all required life safety conditions and permits from the Town Fire Marshal.
8. Pending approval of the Zoning Board of Appeals of all required variances.
9. Applicant to comply with all conditions of the Zoning Board of Appeals as applicable.
10. The applicant shall supply a landscape plan drawn by a Licensed Landscape Architect along with the required checklist to the Conservation Board for review and recommendation.
11. Applicant shall provide landscaping equivalent to 1% of the total project cost.
12. Applicant shall submit building design elevations to the Architectural Advisory Committee for their review and recommendation.
13. The Planning Board affirms the recommendations of the Architectural Advisory Committee and requests that the applicant comply with these recommendations.
14. Building permits shall not be issued prior to applicant complying with all conditions.
15. Application is subject to all required permits, inspections, and code compliance regulations.

MICHAEL NYHAN: Only other order of business is the meeting minutes from last month.

Michael Nyhan made a motion to accept and adopt the 5/14/24 Planning Board meeting minutes, and Matt Emens seconded the motion. All Board members were in favor of the motion.

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