

ZONING BOARD
January 27, 1981

The meeting of the Zoning Board of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, NY 14624 on January 27, 1981. The meeting was called to order at 8:00 p.m. by Chairwoman Janice Chapman.

Present: Janice Chapman, Chairwoman
Victor Lynd, Vice Chairman
Robert Burnett
Ralph Barbaro
Robert Newman, Jr.
Robert Erwin
Shirley Whelpton

Also Present: Dan Miller, Deputy Town Attorney
Robert Connolly, Building Inspector

Mr. Miller stated that notice of this meeting was posted on the Town Clerk's bulletin board and has been advertised in the Gates-Chili News.

1. APPLICATION of Ronald Osipovitch, 1742 Parma Hilton Road, Spencerport, New York 14559 for variance to create a building lot to be 5 acres (20 acres required) and for variance for 250' lot width (700' required) at property located 1 lot south of #265 Stottle Road in RA-20 zone.

Daryll Carmichael of 266 Lyell Avenue, the engineer for the project was present to explain and answer any questions. The single family residence would have a setback of 100 feet and a two stage sanitary system. Mr. Carmichael discussed this application with the Health Dept. and they felt it looked satisfactory.

Mrs. Chapman asked if Mr. Osipovitch currently owns the land and was told no, Mr. Atkins is the owner. She stated that the new ordinance in March will possibly decrease lot size requirements and this application seems to be in keeping with the new ordinance.

Mr. Barbaro asked if Mr. Osipovitch will be living in the house and are there other lots in the area that are smaller and was told yes to both questions.

Mr. Kastner of 265 Stottle Road, who lives next door stated he has no objections to the project.

Mrs. Chapman stated that this application has gone to Monroe County Planning and returned with the recommendation that this is for local decision.

DECISION: Unanimously approved.

2. APPLICATION of Anthony Perrotta (Toper Construction), 1350 Buffalo Road, Rochester, New York 14624 for variance to erect a house on a corner lot to be 19.6' from front lot line (Tarrytown Drive) where 60' is required and 6' from rear lot line where 30' is required at property located on Chestnut Ridge Road in R-1-12 zone.

Mr. Perrotta was present and stated this is the last lot on the old subdivision that was approved 30 years ago. He also stated that there are many small lots in the area that have already been built on. He presented a picture of the corner lot with the driveway on Tarrytown Drive.

Mrs. Chapman asked Mr. Perrotta if he was the developer of the property and was told no that he has owned the property for about three years. She also asked if he had attempted to sell this lot. Mr. Perrotta said he has had it for sale for 6 months.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date.....*1-22-81*.....

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated.....*1-21-81*.....

Geraldine C. Snyder
.....
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 19*81*

Patricia M. Smith
.....
Patricia M. Smith
Publisher

Zoning Book
Jan 27-1981

Legal Notice

CHILIZONING BOARD OF APPEALS

Pursuant to Section 271 of Town Law, a public hearing will be held by the Chili Zoning Board of Appeals at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on January 27, 1981 at 7:30 p.m. to hear and consider the following applications:

1. Application of Ronald Osipovitch, 1742 Parma Hilton Road, Spencerport, New York 14559 for variance to create a building lot to be 5 acres (20 acres required) and for variance for 250' lot width (700' required) at property located 1 lot south of #255 Stottle Road in RA-20 zone.

2. Application of Anthony Ferrotta (Tope

Construction), 1350 Buffalo Road, Rochester, New York 14624 for variance to erect a house on a corner lot to be 19.6' from front lot line (Tarrytown Drive) where 60' is required and 6' from rear lot line where 30' is required at property located on Chestnut Ridge Road in R-1-12 zone.

3. Application of Pride Mark Development, 50 Lyell Avenue, Rochester, New York 14608 for variance for a house to be 9.35' from side lot line (10' required) at property located at 39 Alger Drive in R-1-12 zone.

At such time, all interested persons will be heard. By order of the Chairwoman of the Chili Zoning Board of Appeals.

Janice Chapman
Chairwoman

Mr. Perrotta informed the Board that the 1076 square foot home will have three bedrooms. He does not have a purchase offer drawn up, but he does have a customer for the home.

Mr. Miller asked why the house would be facing Tarrytown Drive and not Chestnut Ridge Road and was told because of the size of the house. The lot is over 200 feet deep and it would look better this way.

Mr. Barbaro asked how he would excavate without encroaching on the neighbors. Mr. Perrotta said he has built on many small lots and has never had a problem.

Mr. Lynd questioned how old the other homes in the subdivision are and was told they were built in 1955. He also asked Mr. Perrotta if when he purchased this property did he know that he was going to build here. He answered yes, but stated he did not know that a variance was necessary because there is no building across from his lot that fronts on Chestnut Ridge Road with a setback of 8 feet. Mr. Barbaro answered that this is an old garage and not a house.

Mr. Perrotta stated that a majority of lots are about 13,000 square feet, but this lot is 10,000 square feet. At Chestnut Ridge Road the setback is 22 feet. On Jenson Road one house has a 6' setback and at 120 Chestnut Ridge Road the setback is 14 feet.

Mr. Connolly questioned how close the house is next door and was told about 8 feet.

Mr. Miller asked what is the setback on that house and was informed 35 feet.

Mr. Barbaro asked what the price range of the home would be and was told \$47,000.

Mr. Connolly stated that a three bedroom house must be at least 1150 square feet and Mr. Perrotta said he could adjust this.

Mr. Lynd asked how he will handle drainage and was told there will be sump pumps.

Mr. Barbaro questioned where the drainage will go and was told by Mr. Perrotta that he did not know. Mr. Barbaro also asked if he has been before the Drainage Committee. He filled out a form and was turned over to the Conservation Committee.

Mr. Burnett stated there are no storm sewers. Mr. Perrotta stated he would run it 120 feet if necessary. Mr. Burnett also asked if they had a fire in the rear of the house how they fight the fire. Mr. Connolly answered they would have to trespass on the neighbors property.

No one spoke in favor of this application.

Mr. Rudolph Boldel of Chestnut Ridge Road stated he has lived here for 30 years and was present to speak in opposition. He said this lot sits about five or six feet above Chestnut Ridge Road. Mr. Elmer Pommering of 168 Chestnut Ridge Road, the owner of the house behind this property, wanted to buy this lot but was told he could not.

Mrs. Anita Dolan of 170 Chestnut Ridge Road stated she can not see how this house can fit on that lot.

Mr. Sanford Marvin, 151 Chestnut Ridge Road, stated this house will not really effect him, but if the immediate neighbors do not want this, it should not be built.

Mrs. Chapman received a letter from Mr. Dan Melville of 16 Tarrytown Drive stating he is against this application.

DECISION: Unanimously denied.

ZONING BOARD

1-27-81

3. APPLICATION of Pride Mark Development, 50 Lyell Avenue, Rochester, New York 14608 for variance for a house to be 9.35' from side lot line (10' required) at property located at 39 Alger Drive in R-1-12 zone.

Mr. James Barbato of Pride Mark Development informed the Board that a mason committed an error and the foundation is not at right angles to the side of the road, but it does conform in the front. The house is already built and sold. The attorney for the buyer asked for a survey and that is when they noticed this. It was a simple human error and was not done for any reason.

No one spoke in favor or opposition.

DECISION: Unanimously approved.

Janice Chapman
Chairwoman
Chili Zoning Board

ZONING BOARD
February 24, 1981

The meeting of the Zoning Board of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, NY 14624 on February 24, 1981. The meeting was called to order at 7:45 p.m. by Chairwoman Janice Chapman.

Present: Janice Chapman, Chairwoman
Victor Lynd, Vice-Chairman
Ralph Barbaro
Robert Erwin

Also Present: Dan Miller, Deputy Town Attorney

Mr. Miller stated that notice of this meeting was posted on the Town Clerk's Bulletin board and has been advertised in the Gates-Chili News.

1. APPLICATION of Arthur Nau, 76 Jenkins Road, Churchville, New York 14428 for variance to erect a house on a corner lot to be 32' from front lot line (Hubbard Drive) where 60' is required and 20' from rear lot line where 30' is required at property located on Westside Drive/Hubbard Drive in R-1-12 zone. Property to be changed to Hubbard Drive address upon approval.

Mr. Nau was present to answer any questions about the single family dwelling he will be building for his mother. He wants this property because of its location; it is close to her sons and shopping area.

The lot is 82 feet wide and 152 feet deep. The 1100 square feet ranch home will be 100 feet from Westside Drive and will face Hubbard Drive. It will have clapboard siding and the roof will conform with the neighborhood.

Mr. Barbaro asked why Mr. Nau isn't building the house facing Westside Drive. He answered that paving it toward Hubbard will allow him to set the house back as far as possible.

Mrs. Chapman asked about the drainage situation and was told there is no standing water. The house will be on a water main and they will use down spouting.

Mr. Miller asked what the setback is for the houses to the south and was told approximately 60 feet.

Mrs. Sheri Tulley and Mrs. Andrew Tulley, who lives in the house backing up the proposed home, spoke in favor of the project.

Mr. Gordon Mosher of Westside Drive stated he does not violently oppose this, but would like to see a more than 30 foot setback. He stated he does not want to see any changes and would prefer not to have a house here.

Mrs. Chapman informed Mr. Nau that Monroe County Planning is leaving this for local determination.

DECISION: Unanimously approved.

2. APPLICATION of Bernard McCullen, 166 Sunset Street, Rochester, New York 14606 for variance for relief from Section 4.020 of Chili-Zoning Ordinance (Conditional Uses) to allow a 20' x 25' Fruit Stand; variance to erect the fruit stand to be 50' from front lot line (100' required on State Road); and variance to allow front yard parking at property located at 3429 Chili Avenue in R-1-20 zone.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date.....*2-19-81*.....

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated.....*2-18-81*.....

Geraldine C. Snyder
.....
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 19*81*

Patricia M. Smith
.....
Patricia M. Smith
Publisher

Janice Be Book
Feb 1981

Gates-Chili NEWS, Rochester, N. Y., February 18, 1981

Legal Notice

CHILI ZONING BOARD OF APPEALS

Pursuant to Section 267 of Town Law, a public hearing will be held by the Chili Zoning Board of Appeals at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on February 24, 1981, at 7:30 p.m. to hear and consider the following applications:

1. Application of Arthur Nau, 76 Jenkins Road, Churchville, New York 14428 for variance to erect a house on a corner lot to be 32' from front lot line (Hubbard Drive) where 60' is required and 20' from rear lot line where 30' is required at property located on Westside Drive/Hubbard Drive in R-1-12 zone. Property to be changed to Hubbard Drive address upon approval.

2. Application of Bernard McCullen, 166 Sunset Street, Rochester, New York 14606 for variance for relief from Section 4.020 of Chili Zoning Ordinance (Conditional Uses) to allow a 20'x25' Fruit Stand; variance to erect the fruit stand to be 50' from front lot line (100' required on State Road); and variance to allow front yard parking at property located at 3429 Chili Avenue in R-1-20 zone.

3. Application of Donald Avery, 25 Main Street, Suite 400, Rochester, New York 14614 for variance to create an undersized building lot to be 3.65 acres (10 acres required) at property located at 100 Humphrey Rd. in RA-10 and FPO zone. New lot to front on Brook Road approximately 775' east of Humphrey Road.

4. Application of Lester Freer, 62 Delta Terrace, Rochester, New York 14617 for variance to erect a house on a lot with 371' lot width (500' required) at property located at 100 Humphrey Road in RA-10 and FPO zone. House to front on Brook Road approximately 400' east of Humphrey Road.

At such time all interested persons will be heard. By order of the Chairwoman of the Chili Zoning Board of Appeals.

Janice Chapman,
Chairwoman
Chili Zoning
Board of Appeals

Mr. McCullen stated Mr. Richard is also a partner and would like to be named in this application. He presented a petition from his neighbors which states they are in favor of the project. The one-story barn will be behind the temporary stand that has been there for several years. The existing barn will be used for storage; it will be painted and the metal stripping will be removed. Mr. Richard will live in the house.

The 20' x 25' open stand will be 75' east of the existing house and parallel to Chili Avenue. It will be in operation from 10:00 a.m. to 7:00 p.m. seven days a week from April to December. The produce will be grown on the premises. They will also sell flowers grown in a greenhouse on the premises.

Mrs. Chapman stated she would like to see parking on the side instead of the front with a sign stating this so that customers do not park in front. Mr. McCullen answered they have no objection to this.

Mr. Barbaro asked how the pole barn will be built and was told telephone poles will be used with no enclosures or side walls and a shingled roof. There will be a dirt floor which will eventually be concrete.

Mr. Randall Richard, 7 Rose Road stated he will farm this facility. He presently runs a truck farm.

Mr. Barbaro asked Mr. Miller if Mr. Richard and Mr. McCullen decided at a later date to close in the stand would this be possible without a variance? Mr. Miller answered they do not need a relief because this has always been a farm and they are not changing this. However, Mr. Richard informed the Board that he will be living here and he does not want to enclose the stand because it will not look good. He is currently operating the Ford Farm Market in Chili, so this type of business is not new to him.

Mr. McCullen stated that the existing stand is 20 feet from the road and they would like this one to be 50 feet from the road rightaway. Mr. Miller stated this could cause a traffic hazard. Mr. McCullen also stated that a sign will be erected on the building. There is also a circular driveway here now. Mr. Barbaro informed him that they will need State permission for driveway cuts because this is a State highway.

Mr. Miller asked if they could live with the stand 60 or 70 feet back instead of 50 feet and Mr. McCullen answered they could if necessary.

Mr. Ed Rague, 3390 Chili Avenue spoke in favor of the application. He also stated he feels that whether it is 50 feet back or 500 feet this will not change the traffic problem. Mr. Barbaro answered the closer the parking is to the road, the more problems and front parking would compound this.

Mr. Lester Freer, 62 Delta Terrace stated he has a stand in Irondequoit that is setback approximately 30 feet and there is very little problem here even though this is on Titus Avenue. Therefore, a 60 foot setback would not seem to be any problem.

Mr. Jack Linder, 3490 Chili Avenue is in favor and he presented a petition signed by eleven people stating they have no objection to the application.

Mrs. Virginia McCullen, 166 Sunset Street also spoke in favor.

No one spoke in opposition. Mrs. Chapman informed everyone that Monroe County Planning states this is for local decision.

DECISION: Unanimous approval with the stipulation that they seek and obtain a road-cut approval from the State; stand to be 70 feet from the south line road of Chili Avenue with parking to be situated on the east side of the property for 12 cars with physical barriers plus landscaping in front to prevent parking, the parking area to be crushed stone with the entranceway marked as such.

This approval is for 5 years only for an open sided pole barn not to be enclosed without further approval and is to be used only for sale of produce primarily grown on the pre-existing farm property.

3. APPLICATION of Donald Avery, 25 Main Street, Suite 400, Rochester, N.Y. 14614 for variance to create an undersized building lot to be 8.65 acres (10 acres required) at property located at 100 Humphrey Road in RA-10 and FPO zone. New lot to front on Brook Road approximately 775' east of Humphrey Road.

Mr. Don Avery presented the plan with some pictures. The property line is established by trees and there seems to be no problem with the septic system. It is not in the flood overlay zone.

Mrs. Chapman asked who owns the property and was told Lester Freer who is selling it to someone else. The buyer has an option to buy pending approval. It will be a one family house located next to the Cummings property. There is a 55-65 gallon well here and there are no drainage problems.

Mr. Lester Freer, 62 Delta Terrace spoke in favor. No one spoke in opposition. Monroe County Planning states this is for local determination.

DECISION: Unanimous approval.

4. APPLICATION of Lester Freer, 62 Delta Terrace, Rochester, N.Y. 14617 for variance to erect a house on a lot with 355' lot width (500' required) at property located at 100 Humphrey Road in RA-10 and FPO zone. House to front on Brook Road approximately 400' east of Humphrey Road.

Mr. Freer described the proposed solar home. It will be heavily insulated with many windows. The sun will supply heat through the open roof with the duct system picking up the warm air and circulating the heat.

Mr. Barbaro asked when he will start building and was told as soon as possible.

Mr. Don Avery, 7 Brewster Lane spoke in favor stating this would be a good addition to the Town.

No one spoke in opposition.

DECISION: Unanimous approval.

Janice Chapman,
Chairwoman
Chili Zoning Board

ZONING BOARD
March 24, 1981

The meeting of the Zoning Board of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624 on March 24, 1981. The meeting was called to order at 8:00 p.m. by Chairwoman Janice Chapman.

Present: Janice Chapman, Chairwoman
Victor Lynd, Vice-Chairman
Ralph Barbaro
Robert Newman, Jr.
Shirley Whelpton

Also Present: Dan Miller, Deputy Town Attorney
Robert Connolly, Building Inspector

Mr. Miller stated that notice of this meeting was posted on the Town Clerk's bulletin Board and has been advertised in the Gates-Chili News.

1. APPLICATION of Advanced Mold & Tooling, Inc., 1141 Scottsville Road, Rochester, New York 14624 for variance to allow a 3.5' x 6' non-illuminated freestanding sign (42' square feet - total both sides) with 3 colors advertising Advanced Mold & Tooling, Inc. at property located at above address in M-2 zone.

Mr. Christopher Koatery presented the plan to the Board. The business is approximately 350 feet from the roadway on Scottsville Road, therefore, the sign is necessary. They have the sign which was removed from the premises to comply with the ordinance and they would like to return it. If they move the sign back it would be in the parking area and they would have to break the existing pavement. Mr. Koatery stated he would appreciate any recommendations from the Board as to what to do with the sign. It would create a hardship if they did not have a sign.

Mrs. Chapman asked where exactly would you like the sign and was told they have spoken to the NYSDOT because it is a State rightaway and they are leaving it up to the Town. Monroe County has also stated this matter is for local decision. Mr. Miller stated the sign should be allowed contingent upon approval from the State. Mr. Koatery asked if they would have to return to the Board if the State denied this and Mr. Miller answered it would be subject to the Building Inspector. Mr. Connolly recommended the sign be placed 15 feet from the lot line.

Mrs. Chapman asked what sort of material is the sign made of. Mr. Peter Grossel, President of Advanced Mold and Tooling, answered it is an aluminum filled board which is two sided. The top of the sign is 72 feet from the ground level. It will not be lighted.

Mr. Lynd feels that all tenants on the premises should get together and put up one sign. However, Mr. Koatery informed him that Singer Co. has had a sign up for quite a while. Mr. Grossel stated that J & J will not need another sign because they already have one and Singer has terminated their lease and there will not be any other tenants here.

Mr. Barbaro asked the cost of the sign and was told over \$400.00.

No one spoke in favor or opposition.

DECISION: Unanimously approved pending approval of NYSDOT; such sign to be located no more than 20 feet east of the easterly driveway. This Board is to be notified immediately of DOT approval or denial within three months. This approval to be for two years.

2. APPLICATION of Kenneth Moyer, 748 Morgan Road, Scottsville, New York 14546 for variance to erect a 32' x 30' metal barn to be 34' from side lot line (50' required) and 45' from rear lot line (50' required) at property located at above address in RA-20 zone.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date. *March 18, 1981*

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated. *March 18, 1981*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 19*83*

Patricia M. Smith
Patricia M. Smith
Publisher

*zoning Bd. Book
March 1981*

PAGE 30

Legal Notice

CHILI ZONING BOARD OF APPEALS

Pursuant to Section 267 of Town Law, a public hearing will be held by the Chili Zoning Board of Appeals at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on March 24, 1981 at 7:30 p.m. to hear and consider the following applications:

1. Application of Advanced Mold & Tooling, Inc., 1141 Scottsville Road, Rochester, New York, 14624 for variance to allow a 3.5'x6' non-illuminated freestanding sign (42' square feet-total both sides) with 3 colors advertising Advanced Mold & Tooling, Inc. at property located at above address in M-2 zone.

2. Application of Kenneth Moyer, 748 Morgan Road, Scottsville, New York 14546 for variance to erect a 32'x30' metal barn to be 34' from side lot line (50' required) and 45' from rear lot line (50' required) at property located at above address in RA-20 zone.

3. Application of Monroe Tree Surgeons, 225 Ballantyne Road, Rochester, New York 14623 for variance to extend a non-conforming use (property was Commercial-new Rural-Agricultural) for a 40'x60' metal warehouse; and variance for relief from Article 3, Section 3.025, Paragraph B-4 (flood requirements-non-residential construction) at property located at above address in RA-20, FPO, & FW zones.

4. Application of Lyell Metals, 1515 Scottsville Road, Rochester, New York 14623 for variance to erect a 250'x35' warehouse addition to be 5' from side lot line (30' required) at property located at above address in M-2 zone.

At such time all interested persons will be heard. By order of the Chairwoman of the Chili Zoning Board of Appeals.

Janice Chapman,
Chairwoman
Chili Zoning Board
of Appeals

Mr. Moyer informed the Board that there are two parcels of property and the barn would not be on the same lot as the house. It would be set back behind the house.

Mrs. Chapman asked how he would have access to the barn and was told through the side. There will be no road, just a dirt track. She also asked if the debris presently on the property will be put in the barn. He answered yes and he will also work on his tractor inside. He also has a 1½ car garage.

Mrs. Chapman asked if the barn is prefabricated metal and what is the exterior made of. Mr. Moyer answered yes and the roof will be galvanized. It will be on a concrete foundation with pillars and a dirt floor. He wants to clean up the area and the barn will help him do this. No business will be conducted out of it; it will be just for personal use.

Mr. Newman asked if it will be heated and was told by temporary heat, not permanent gas. There will be no animals in the barn.

Mr. Lynd asked how big the parcel of land is that the house is located on and was told 100 foot frontage, 208 feet across the side, and 100 feet to the rear. The barn would be put up this spring.

Mr. Miller questioned why he wants it 45 feet from rear instead of 50 feet and was informed that there is a large dirt pile there and he does not want to remove it.

No one spoke in favor or opposition. Monroe County states this is for local determination.

DECISION: Unanimous approval for storage of household goods with no intended commercial use or livestock.

3. APPLICATION of Monroe Tree Surgeons, 225 Ballantyne Road, Rochester, New York 14623 for variance to extend a non-conforming use (property was commercial - now Rural-Agricultural) for a 40' x 60' metal warehouse; and variance for relief from Article 3, Section 3.025, Paragraph B-4 (Flood requirements - non-residential construction) at property located at above address in RA-20, FPO, & FW zones.

Mr. Don Avery represented the applicants who have been on the premises 15 years. The road leads into the main office and they would like a new building next to it. It would be a similar style building; metal with galvanized siding and an aluminum roof and will be used to store trucks. There will be two overhead doors and a door at the side with no windows, just siding.

Mr. Avery also stated the FP level is 525 and their elevation is at 522, therefore, they are requesting a variance because it would cause a hardship to raise the building. There will be no sanitary facilities and it would not need to be floodproofed.

Mrs. Chapman asked about the foundation. Mr. Bob Hooper, Vice President, answered it will be on 6 x 8 columns and he does not feel there will be any problems with the warehouse.

Mr. Barbaro asked what is stored in the existing building and was told truck equipment. Insecticides are stored in the building behind the main office and this will not be changed. There will be no chemicals in the proposed warehouse. Mr. Hooper also stated that no material was swept from the existing building in the last flood.

No one spoke in favor or opposition.

3-24-81

DECISION: Unanimous approval only for 40' x 60' metal warehouse for relief from article 3, section 3.025, paragraph B-4 for this addition only, built as shown on map and specifications submitted to this Board. No pesticides, chemicals, or petroleum based products, or any water soluble materials to be stored here.

4. APPLICATION of Lyell Metals, 1515 Scottsville Road, Rochester, New York 14623 for variance to erect a 250' x 35' warehouse addition to be 5' from side lot line (30' required) at property located at above address in M-2 zone.

Mr. Burton Taninbaum, attorney for the applicants stated the existing building is too small and they feel more space is necessary. The building is 40 feet from the north lot line neat the Playpen. Mr. Stock, owner of the Playpen, has no objections to the project and a letter was presented stating this.

The addition would line up with the front of the existing structure. The lot to the west is presently used for outdoor storage of material and it would be extremely expensive to change this.

Mrs. Chapman asked if there would be any additional bays and was told no, there will be one exterior pedestrian door for an emergency exit. The warehouse would conform to the existing building. The 527.50 elevation does meet flood protection elevation.

Mr. Barbaro requested they present this application to the Drainage Committee and the Planning Board. Mrs. Chapman informed the Board that Monroe County states there is no environmental impact.

No one spoke in favor or opposition.

DECISION: Unanimous approval with this application seeking Drainage Committee review prior to Planning Board review.

INFORMAL

The Board requested an amendment to the variance for Lester Freer for property located at 100 Humphrey Road approved at the February 24, 1981 meeting. Mrs. Chapman will send a letter to Mr. Freer stating that a recent subdivision of his property requires approval of the Planning Board.

Janice Chapman
Chairwoman
Chili Zoning Board

ZONING BOARD
April 28, 1981

The meeting of the Zoning Board of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624 on April 28, 1981. The meeting was called to order at 8:00 p.m. by Chairwoman Janice Chapman.

Present: Janice Chapman, Chairwoman
Victor Lynd, Vice-Chairman
Robert Burnett
Ralph Barbaro
Robert Erwin
Shirley Whelpton

Also Present: Dan Miller, Deputy Town Attorney

Mr. Miller stated that notice of this meeting was posted on the Town Clerk's bulletin Board and has been advertised in the Gates-Chili News.

1. APPLICATION of Brian McConnell, 3 Sunderland Trail, Rochester, New York 14624 for variance to erect a 6' Stockade fence on a corner lot (Marshall Road) where 3' is allowed at property located at above address in R-1-15 zone.

Mr. McConnell was present to explain that he would like to enclose his backyard. The fence would be 15' to 20' from the private road, 10' from Marshall Road and 70' from the house. He stated he wants to use it for a play area for his son. Mrs. Chapman stated she feels that it is too close to Marshall Road.

Mr. Barbaro informed him that one fence would be on a sanitary sewer easement and there is an ordinance against building a permanent structure there. He asked if it would cause a hardship to put the fence inside the easement and Mr. McConnell answered that there are trees there and he would like them inside the fence.

Mr. McConnell would like the fence 53½' from the road which should be 60'. Mr. Barbaro asked how far it would be from the edge of the garage to the lotline and was told approximately 50'.

No one spoke in favor.

J. Bevona, 779 Marshall Road feels this fence will create a driving hazard because it will block the view of traffic. He very strongly objects to this application.

Mr. Barbaro asked if Mr. McConnell has considered a lower fence or a chain link fence. Mr. McConnell answered that a 3' fence would not keep his son in and a 4' or 5' fence would not prevent the obstruction of the view. He prefers stockade because it would match his deck, however, he would install a chain link if necessary.

Mrs. Chapman stated this application does not need to be submitted to Monroe County for review, so the Board may vote on this tonight.

DECISION: Reserved - Board needs specific measurements on the fence.

2. APPLICATION of Keith Schwab, 3376 Chili Avenue, Rochester, New York 14624 for variance to allow an addition to house to be 87' from front lot line (100' required) and 3'5" from side lot line (10' required) at property located at above address in R-1-20 zone.

Mr. Schwab explained that he wants to build a family room on the back of his house. He has two children and they do not have enough room in their cape cod home and they would like to remain in Chili. Neighbors on both sides have given their consent on the addition that he has been planning for years. He feels there is plenty of room to build this and the trees and shrubbery in the area will not be affected.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *April 22, 1981*

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated... *April 22, 1981*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 19 *83*

Patricia M. Smith
Patricia M. Smith
Publisher

Legal Notice

CHILI ZONING BOARD OF APPEALS

Pursuant to Section 267 of Town Law, a public hearing will be held by the Chili Zoning Board of Appeals at the Chili Town Office, 3235 Chili Avenue, Rochester,

New York 14624 on April 28, 1981 at 7:30 P.M. to hear and consider the following applications:

1. Application of Brian McConnell, 3 Sunderland Trail, Rochester, New York 14624 for variance to erect a

6' Stockade fence on a corner lot (Marshall Road) where 3' is allowed at property located at above address in R-1-15 zone.

2. Application of Keith Schwab, 3376 Chili Avenue, Rochester, New York 14624 for variance to allow an addition to house to be 37' from front lot line (100' required) and 3'5" from side lot line (10' required) at property located at above address in R-1-20 zone.

3. Application of Mr. Bettula Betti, 3411 Hindsburg Road, Albion, New York 14411 for variance to erect a house on a lot having 43' lot width (90' required), total lot size of 8,600 sq. ft. (15,000 sq. ft. required), 65' front setback (100' required), and 5' side setback (10' required) at property located at 554 Paul Road in R-1-15 zone.

4. Application of Ronald Wright Sr., 3240 Union Street, North Chili, New York 14514 for variance to erect a 24'x44' detached garage to be 2' from side lot line (10' required) at property located at above address in R-1-12 zone.

5. Application of Marc Rodrigue, 972 Paul Road, Rochester, New York 14624 for renewal of variance to keep livestock on property in a Residential zone at property located at 972 & 974 Paul Road in R-1-15 zone.

6. Application of LeRoy Lime & Crushed Stone, 1535 Scottsville Road, Rochester, New York 14623 for variance to allow a 8'x8' (128 sq. ft.)

located at 3200 Chili Avenue in C-2 zone.

9. Application of Charles Polvino, 22 Mercedes Drive, Rochester, New York 14624 for variance to allow an addition to house to be 8' from side lot line (10' required) at property located at above address in R-1-12 zone.

10. Application of John Konik, 28 Ironstone Drive, Rochester, New York 14624 for variance to allow an inground swimming pool to be 8' from rear lot line (10' required) at property located at above address in R-1-15 zone.

11. Application of John & Rosemary Buttermore, 16 Sand Pebble Drive, Rochester, New York 14624 for variance to allow a 14'x20' enclosed porch to be 36' from rear lot line (50' required) at property located at above address in RA-5 zone.

At such time all interested persons will be heard. By order of the Chairwoman of the Chili Zoning Board of Appeals.

Janice Chapman
Chairwoman

*Min Book
Zoning Bd
April 1981*

It will conform to the house and will have a slanted roof. It will be unexcavated with no crawl space. There will be gutters and downspouts. Mrs. Chapman asked if he has a problem with standing water and was told no, his property slopes to woods and open fields.

Mr. Burnett is concerned with a fire and the fact that he would have to infringe on his neighbor's property for trucks to get in. Mr. Schwab answered that it would be well over 16' from his lot line to the left and there would be plenty of room. He also added that he has been a member of the fire department for 15 years and he feels there would be no problem.

Mr. Erwin asked if he has a sump pump and where it leaches out. He answered it comes out from the garage and will not create a problem.

Mr. Bob Wickson, 843 Paul Road spoke in favor of the application. He has been in the fire department for 32 years and has been in a lot tighter spaces than this for a fire, therefore, he feels there would be no problem here.

No one spoke in opposition.

Mrs. Chapman informed Mr. Schwab that this application must go to Monroe County Planning before the Board can make a decision.

DECISION: Reserved pending Monroe County Planning comments.

3. APPLICATION of Mr. Bettino Betti, 3411 Hindsburg Road, Albion, New York 14411 for variance to erect a house on a lot having 43' lot width (90' required), total lot size of 8,600 sq. ft. (15,000 sq. ft. required), 65' front setback (100' required), and 5' side setback (10' required) at property located at 554 Paul Road in R-1-15 zone.

A Dunlop Hyde Associate was here to present the application for a one story two bedroom house.

Mrs. Chapman asked Mr. Betti if he owns the lot and how long. He said yes he has owned it for 2 months. He stated the house will be built longways on the lot with the garage in front.

Mr. Barbaro asked if he would be building the house himself and was told he will be living in the house with his wife and will do the plumbing and heating and subcontract the rest.

Mr. Lynd asked what the square footage would be and was told 852 square feet. Mr. Chapman asked the lot is less than half the size than what is required and Mr. Betti is asking for a significant variance here. He answered it will be a cape cod and there are provisions for an addition on the second floor in the future. Mr. Miller responded that a two bedroom house must have at least 1000 square feet.

Mrs. Chapman stated the Board will allow Mr. Betti to resubmit the application next month with a different floor plan.

Mr. Barbaro asked if the lot was purchased with a contingency to build and was told yes.

Monroe County Planning has stated this is for local decision.

Mr. Alfred Buttarazzi, Tarrytown Drive has been building all of his life and feels this lot can be built on. He has built on lots of this size before on Scottsville Road.

Mr. Generoso Buttarazzi, 9 Tarryton Drive feels this is good for the town because this lot is wasted if it is not built on. He feels the 5' side lot line is adequate.

A letter was received from Mr. Argentiere, 560 Paul Road who feels the lot is too narrow for a home.

Mrs. Spefonic, 57 Red Bud Road brought in a letter from the neighbors who also feel the lot is too small to build on. She feels this could start a precedence and she does not want to see this.

Mr. Joe Steiner, 537 Paul Road lives on a 50 foot lot and can hear everything his neighbors say. He feels the developer is in this just to make money.

Mr. Argentiere, 560 Paul Road was present stating they would be using his driveway when they build this because it is so close to his land. He also is opposed because there is a drainage problem on this lot.

Mrs. Lumbino, 24 Adela Circle is opposed because a house will not look good set on the lot this way. There is also a bad drainage problem here.

Mr. Jerry Donahoe, 550 Paul Road lives adjacent to the property in question and states that all the houses here face the road, but this house would not architecturally conform.

Mr. Stata, 15 Adela Circle stated the back of this lot borders his lot and the back is flooded. Everyone is concerned with where the water will go if this lot is built on.

Mrs. Argentiere, 560 Paul Road presented a newspaper clipping of when this was turned down in the past in 1961. She feels this decision should not be reversed.

Ms. Ann Argentiere, 560 Paul Road says the lot is too small to build on and is opposed to this.

Mrs. Mary Lou Johnson, 538 Paul Road states her backyard is larger than this lot and is opposed.

Mr. George Steiner, 525 Paul Road is opposed to the application.

Monroe County Planning has stated this is for local determination.

DECISION: Denied unanimously. Applicant is asking for too great a variance, and there are significant drainage problems here.

4. APPLICATION of Ronald Wright, Sr., 3240 Union Street, North Chili, New York 14514 for variance to erect a 24' x 44' detached garage to be 2' from side lot line (10' required) at property located at above address in R-1-12 zone.

Mr. Wright was present stating he would like to build a 3½ car garage for his 3 family house. There is footing here that must have been a garage before; he would build here. The house and garage will conform with vinyl siding and the new roof on his house. The garage will have a concrete floor with 42' footers. He wants one garage for each apartment and will use the rest to store his lawn mower.

Mrs. Whelpton asked which street the garage will be on and was told Varian.

No one spoke in favor or opposition.

Monroe County Planning states this is for local matter.

DECISION: Approved unanimously.

5. APPLICATION of Marc Rodrigue, 972 Paul Road, Rochester, New York 14624 for renewal of variance to keep livestock on property in a Residential zone at property located at 972 & 974 Paul Road in R-1-15 zone.

Mr. Rodrigue stated he has three steer, one calf, one house, a foal and three chickens on his enclosed lot. He has put in a new fence which has barbed wire on the corner of the lot. Mr. Erwin asked how high the fence is and was told 4 feet.

Mr. Lynd asked when he originally received this variance and was told 4 years ago. He has lived in the house 6 years.

Mr. Burnett asked if he is a farmer and Mr. Rodrigue answered no, just this is a hobby. However, this property has always been a farm.

Mr. Lynd asked if he knew the length of time he was given on the original variance. He answered he was given one year three or four years ago. He also stated he would like to request a permanent variance. Everyone knows him and what he is doing and this will not change. He has a million dollar insurance coverage for his property and livestock.

A petition of approval from 60 neighbors was presented.

Mr. D. Donney, 15 Edgemere helped get the petition signed and no one spoke against it. The property has been cleaned up since Mr. Rodrigue moved in and the animals do not bother anyone.

Mrs. Russell, 542 Paul Road feels it is quite refreshing to have animals here.

Mrs. White, 1005 Paul Road has known him for two years and her son plays here and the animals have never hurt anyone. The area is quite clean.

Mr. Ken Zeller, 16 Starlite Drive is in favor of the application.

R. Webber, 970 Paul Road, whose mother-in-law owned this property before, is in favor of the application. This has been farm land for 27 years or more.

Mr. Zinger, 14 Starlite Drive is in favor of the application.

Mr. James Coprear, 980 Paul Road said Mr. Rodrigue started with one cow and now he has many more animals. Before they were in the back, but not they are close to the front. Mr. Coprear has a pool and these animals bring flies and a bad odor. The area is clean, but the cows have gotten out and he has even helped Mr. Rodrigue bring them back. He is in opposition.

Mr. Burchell, 984 Paul Road sent a letter of opposition to the Board.

Ms. Barb Stott, 8 Starlite Drive says the lot is not fenced all around.

Mr. Stott, 8 Starlite Drive does not object to the animals when they are in the back, but he does not like them in the front yard.

Mr. Rodrigue stated he offered to put up a fence in back for the neighbors.

Ms. Carol Hayes, 395 Chestnut Ridge Road stated that people moved into the area and they knew what they were getting into. They should move back to the city if they don't like this.

Monroe County states this is for local determination.

DECISION: Approved with no more than 5 large animals and six small. Fence to be erected 5' away from rear property lines of 8 Starlite Drive, 984 Paul Road, and 980 Paul Road. No barbed wire within 5' from any neighboring property; to be installed within 30 days.

6. APPLICATION of LeRoy Lime & Crushed Stone, 1535 Scottsville Road, Rochester, New York 14623 for variance to allow a 8' x 8' (128 sq. ft. - total both sides) illuminating freestanding sign, variance to allow the sign to be 10' from front lot line (15' required) at property located at 1531 Scottsville Road in M-2 & FPO zone.

Dropped because no one was present for this application.

7. APPLICATION of Wendy's Corp., 11 State Street, Pittsford, New York 14534 for variance to allow a dumpster, front yard parking, and 82' front setback (100' required) for a Wendy's Restaurant at property located at 3200 Chili Avenue in C-2 zone.
8. APPLICATION of Wendy's Corp., 11 State Street, Pittsford, New York 14534 for variance to allow a 11' x 6' (132 sq. ft. total both sides) illuminated freestanding sign with 4 colors advertising Wendy's Restaurant; variance for 2 entrance and 2 exit signs to be more than 1 sq. ft., each; variance for 6' x 6' (36 sq. ft.) free-standing sign to be used as a driveup menu with speaker for drive-thru services at property located at 3200 Chili Avenue in C-2 zone.

Mr. Teamerson, Attorney for Wendy's Restaurant of Rochester; Mr. Fox, President of Wendy's; and Mr. Pasero, Engineer, were present to answer any questions about the restaurant to be built west of the First Baptist Church on Chili Avenue.

They would like a dumpster outside the main structure which would be enclosed with a gate. The brick or decorator block enclosure will be about 8' tall. They have seven of these structures in the area and they have had no problems with debris. It would have a concrete base with 2' footing on a slab. They would like to conform to other Wendy's in the area.

Mr. Fox stated they would like the parking of approximately 12-14 vehicles in the setback area. Mrs. Chapman stated there have been problems with this, so they discourage front parking. She asked how much parking they will have and was told 25 cars are required, but they will provide 43 spaces.

The area will be curbed and landscaped. There will be no parking on the Paul Road side and they feel a fence is unnecessary.

Mr. Barbaro stated a brick dumpster, such as McDonald's has, would look much better. Mr. Teamerson answered they will do this and it will be properly secured and locked.

Mr. Lynd asked what the curbing will be and was told poured concrete with a 6' reveal.

Mr. Burnett stated 25' is not adequate for ingress and egress and was told they will comply with what the State requires here. He was also concerned with the tree in the church area which he feels will obstruct the view of traffic. Mr. Barbaro and Mrs. Whelpton agreed that this tree is tall enough not to cause a hindrance.

Mr. Burnett was also concerned about traffic flow on Paul Road and Chili Avenue, but he was told there will be two exits and two entrances, one from Paul Road. They would like entrance and exit signs which would be back lighted. Mrs. Chapman informed them the standard is 1' square with an arrow and they agreed to comply.

The take out order station would be a 6 x 6 sign back lighted which would not be visible from the street. The advertising sign will be 6' x 11', 132 square feet, which would be set at less than 18'. It will be a two sided sign with the company logo and would be mint green, red, yellow, and black. Mr. Miller stated the ordinance calls for a 32 square foot sign and they are asking for 132 square feet. Mr. Teamerson answered they do have a sign that is 6' x 8' which is the smallest sign they have. It would be 15' high.

4/28/81

Mr. Fox lives in Brighton and is the sole owner of Wendy's in the Rochester area. There are seven stores in operation since 1975 and he feels this establishment will not be detrimental to the residents of Chili.

No one spoke favor.

Mrs. Stephanie, 57 Red Bud Road is in opposition. She talked to Supervisor Powers who stated the Town has an ordinance for no more than three colors on a sign. She does not want this to look like the Wendy's in East Rochester and she does not feel we need one here because there is one in Gates on Buffalo Road just 10 minutes away. She is also concerned about the Traffic problem it can create. She is speaking for Bright Oaks and feels Chili does not need another fast food chain.

Mr. Bernie Baker, 841 Paul Road states this will border his property and he would like to know the size of the building. Mr. Fox answered the parking area will be 5' from his property. The size has not been established as yet.

Mrs. Mary Marshall, 836 Paul Road states her driveway is in a direct line with the proposed Wendy's. She is opposed because traffic will be coming into her yard from there.

Mr. Selden Marshall, 836 Paul Road also spoke in opposition.

Mr. Burnett is concerned about the sound of the speaker which would bother the neighbors. He was told the tone is a low sound and would project to 6 feet.

Mrs. Whelpton asked what the hours of business would be and was told 10:30 a.m. to 10:30 p.m.

DECISION: Dumpster approved at proposed location, solid wall enclosure with gate, walls 12" taller than dumpster. Front parking approved with exception of 6 spaces immediately in front of building. 72' setback approved. Approved a 6' x 8' freestanding sign with four colors 15' from right of way of Chili Avenue, up to 18' high, 2 entrance & 2 exit signs no more than 1 square foot each. A 6' x 6' menu board approved contingent upon a sound barrier being provided.

9. APPLICATION of Charles Polvino, 22 Mercedes Drive, Rochester, New York 14624 for variance to allow an addition to house to be 8' from side lot line (10' required) at property located at above address in R-1-12 zone.

Mr. Polvino explained that his home is on a pie shaped lot and one corner of the addition would be 8' from his lot line. The addition will be 12' x 18' wide and will be built on the patio which has a one foot footer. He has not decided how he will tie in the roof. His cape cod home has aluminum siding and is gold in color; and the addition will be white aluminum.

No one spoke in favor or opposition.

DECISION: Granted unanimously. A building permit must be obtained.

10. APPLICATION of John Konik, 28 Ironstone Drive, Rochester, New York 14624 for variance to allow an inground swimming pool to be 6' from rear lot line (10' required) at property located at above address in R-1-15 zone.

Mr. Konik was present and stated that the neighbors are in full agreement of this application. There is open land behind his property.

No one spoke in favor or opposition.

DECISION: Granted unanimously. A building permit must be obtained.

11. APPLICATION of John & Rosemary Buttermore, 16 Sand Pebble Drive, Rochester, New York 14624 for variance to allow a 14' x 20' enclosed porch to be 36' from rear lot line (50' required) at property located at above address in RA-5 zone.

Mr. Buttermore was present stating there are no neighbors to the east; he is on a dead-end street and is the last house.

No one spoke in favor or opposition.

DECISION: Granted unanimously.

Janice Chapman
Chairwoman
Chili Zoning Board

ZONING BOARD
May 26, 1981

The meeting of the Zoning Board of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624 on May 26, 1981. The meeting was called to order at 8:00 p.m. by Chairwoman Janice Chapman.

Present: Janice Chapman, Chairwoman
Robert Burnett
Ralph Barbaro
Robert Newman, Jr.
Shirley Whelpton

Also Present: Dan Miller, Town Attorney (Deputy)
Robert Connolly, Building Inspector
Rick Donahue, Assistant Building Inspector

Mr. Miller stated that notice of this meeting was posted on the Town Clerk's bulletin Board and has been advertised in the Gates-Chili News.

1. APPLICATION of John Jensen, 183 Morgan Road, Scottsville, New York 14546 for variance to allow a 6'x20' addition to house to be 66' from front lot line (100' required) at property located at above address in RA-20 zone.

Mr. Jensen explained the addition will be at 66', the same as his house and will not go beyond his garage. It will be built on a 3' footer with a crawl space and will have the same exterior as his house. The addition will be one-story and will have a separate peaked roof due to the fact that his house is 1½ stories.

Mr. Barbaro asked if this will drain on his walkway and he was told no, there is a drain.

No one spoke in favor or opposition.

Monroe County states this is a matter for local determination.

DECISION: Unanimous approval.

2. APPLICATION of Olympic Recreation Center, 1300 Scottsville Road, Rochester, New York 14624 for variance to erect a 6' chain link fence around entire go-cart track with 3 tiers of barbed wire at property located at 1380 Scottsville Road in C-2 zone.

Mr. Joseph Schuler, Jr. was present to explain they would like the fence for protection purposes. Mr. Barbaro asked why they need protection and why they want barbed wire. Mr. Schuler answered to protect the property and Mr. Robert Quinn, Attorney, added go-carts have been stolen in the past with one stolen just last week.

Mr. Burnett and Mr. Barbaro both stated barbed wire is prohibited, so why don't they have just the 6' fence. Mr. Quinn asked if they would agree to just wire and not barbed wire. Mr. Barbaro answered then they would be asking for a variance for a 7' or 8' fence.

Mr. Burnett asked if they are intending to leave the tires where they are now and was told no, they are going to be sunken into the ground which has been done already with some of them.

Mrs. Whelpton stated, however, that there is extensive barbed wire all along Scottsville Road and installing the barbed wire on a 6' fence would be different than installing just a barbed wire fence. It would not be dangerous to children and animals and would deter vandals and thieves.

Mr. Quinn stated if they cannot get the barbed wire, they would like a three strand extended wire fence.

Mr. Miller asked if there were any police dogs on the premises and was told no.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date *May 20, 1981*

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated *May 20, 1981*

Geraldine C. Snyder
Notary

GERALDINE C. SNYDER

NOTARY PUBLIC, State of N.Y. Monroe Co.
My Commission Expires March 30, 19*83*

Patricia M. Smith
Patricia M. Smith
Publisher

Legal Notice

CHILI ZONING BOARD OF APPEALS

Pursuant to Section 267 of Town Law, a public hearing will be held by the Chili Zoning Board of Appeals at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on May 26, 1981 at 7:30 p.m. to hear and consider the following applications:

1. Application of John Jensen, 188 Morgan Road, Scottsville, New York 14546 for variance to allow a 8'x20' addition to house to be 66' from front lot line (100' required) at property located at above address in RA-20 zone.

2. Application of Olympic Recreation Center, 1300 Scottsville Road, Rochester, New York 14624 for variance to erect a 6' chain link fence around entire go-cart track with 3 tiers of barbed wire at property located at 1390 Scottsville Road in C-2 zone.

3. Application of Daniel & Kathleen Clayton, 25 Tarrytown Drive, Rochester, New York 14624 for variance to allow a 16'x22' attached garage to be 4' from side lot line (10' required) at property located at above address in R-1-12 zone.

4. Application of Gallo & Iacovangelo, Suite 600 Wilder Building, Rochester, New

York 14614 for variance to allow a lot to have a lot depth of 76' on the west side of lot and 155' on the east side of lot (250' required) at property located at 3215 Chili Avenue (Stop N Go Market) in C-2 zone.

5. Application of Lester Freer, 62 Delta Terrace, Rochester, New York 14617 for variance to create an undersized building lot to be 5.1 acres (10 acres required) and variance to allow a 330' lot width at building line (500' required) at property located at 100 Humphrey Road in RA-10 & FPO zone. New Lot to front on Brook Road approximately 370' east of

Humphrey Road.

6. Application of Mr. and Mrs. Robert Preston, 32 College Drive, North Chili, New York 14514 for variance to erect on above ground swimming pool to be 39.8' from side lot line (55' required on corner lot) at property located at above address in R-1-15 zone.

7. Application of Mr. and Mrs. John Feiock, 1 Brookview Road, Rochester, New York 14624 for variance to allow a 34'x8' addition to house to be 32' from front lot line (60' required) and 9' from side lot line (10' required) at property located at above address in R-1-15 zone.

8. Application of Earthborn Builders, 4415 Buffalo Road, North Chili, New York 14514 for variance to erect a house to be 6' from both side lot lines (10' required) at property at 28 Mapleton Drive in R-1-15 zone.

9. Application of John VanDyne, 12 Loyalist Avenue, Rochester, New York 14624 for variance to allow a 27' Diam. Above ground swimming pool to be 2' from rear lot line (10' required) at property located at above address in R-1-15 zone.

At such time all interested persons will be heard. By order of the Chairwoman of the Chili Zoning Board of Appeals.

Janice Chapman,
Chairwoman
Chili Zoning
Board of Appeals

*Zoning Book
May 1981*

No one spoke in favor or opposition.

Monroe County states the fence will not affect the airport, therefore, it is a matter for local determination. They do not need to prepare an environmental impact statement.

DECISION: Approval with Mr. Burnett voting no and all others voting yes.

3. APPLICATION of Daniel & Kathleen Clayton, 25 Tarrytown Drive, Rochester, New York 14624 for variance to allow a 16' x 22' attached garage to be 6' from side lot line (10' required) at property located at above address in R-1-12 zone.

Mr. Clayton stated the garage would be the same size as others in the area. It will be cinderblock footing and aluminum siding built by a contractor and will conform to the house. It will be set back the same as everyone else's on the street.

Mrs. Chapman questioned whether there will be a problem with the garage being next to the neighbor's bedroom and 10' to the lotline. Mr. Clayton answered his neighbor is in accordance with what he is doing. She also asked whether he is going to have gutters with a downspout and was told yes, front and back.

Mr. Burnett asked if he has sanitary sewers and was told yes.

Mr. Barbaro stated there are no storm sewers here, there are culverts and questioned how Mr. Clayton will prevent the flow into his neighbors yard. Mr. Clayton answered the roofing and gutter work will be provided by a qualified person will will work to prevent this.

No one spoke in favor or opposition.

This application does not have to go to Monroe County for review.

DECISION: Approval with Mr. Burnett abstaining and all others voting yes

4. APPLICATION of Gallo & Iacovangelo, Suite 600 Wilder Building, Rochester, New York 14614 for variance to allow a lot to have a lot depth of 76' on the west side of lot and 155' on the east side of lot (250' required) at property located at 3215 Chili Avenue (Stop N Go Market) in C-2 zone.

Mr. Bernard Iacovangelo, Esq. was present on behalf of Michael Truisi, owner. He would like to purchase the property from Sun Oil Co. and would like a variance to use the addition land for a parking lot for people entering the building. This land was used in the past by the Chili Fire Dept., but has not been used by them for five years. He has no parking in the front, so he needs this area. Mr. Truisi has a purchase offer accepted by Sun Oil.

Mrs. Chapman asked if there are plans to pave or improve the area and was told it will be leveled and filled with Crushed stone and paved eventually.

Mr. Miller stated this application will have to go before the Planning Board and Mr. Iacovangelo answered they have an appointment with the Board in two weeks.

Mr. Burnett feels this could cause a drainage problem to the property behind that belongs to the Fire Department. He also does not feel that the 30' entrance is adequate because 40' is the standard width for a driveway.

Mr. Newman asked if this would be strictly for parking and was told yes.

Mr. Barbaro is concerned that they are asking for a 67% on one side and a 30% variance on the other. He also feels it will enhance the traffic problems here. Mr. Iacovangelo stated that using this area for parking will alleviate some of the traffic.

Mr. Barbaro asked what the hardship is here that he is asking for such a large variance. He was told that Mr. Truisci rents the building and his tenants would be able to facilitate more business.

Mr. Connolly stated this did come before the Planning Board and they would like to make these fire lanes in the front. Mr. Barbaro answered if this is done it would represent some hardship.

Mr. Burnett and Mr. Barbaro would like to see a definite plan here. However, Mr. Iacovangelo answered he will have no definite plan until he finalizes the contract with Sun Oil.

Mr. Burnett said this driveway will be directly opposite the Pizza Hut which also has high volume traffic.

Mrs. Whelpton asked if Mr. Truisci has approached Sun Oil to rent the property instead of buying it and was told they do not want to rent it.

No one spoke in favor or opposition.

Monroe County states this is for local determination.

DECISION: Denied because the variance is for 50% or more with Mrs. Whelpton voting yes and all others voting no.

5. APPLICATION of Lester Freer, 62 Delta Terrace, Rochester, New York 14617 for variance to create an undersized building lot to be 5.1 acres (10 acres required), and variance to allow a 330' lot width at building line (500' required) at property located at 100 Humphrey Road in RA-10 & FPO zone. New Lot to front on Brook Road approximately 370' east of Humphrey Road.

Mr. Freer stated the former estate withheld one acre and gave him 99 acres which makes this an illegal subdivision. He will be building smaller than he requested last year and has made a 5% down payment on the materials for a solar home. He must have a delivery date by July 1. Mr. Freer has had it surveyed at \$2500 and to get a surveying crew in again would cause a hardship to him. He would like to build shortly.

Mr. Freer talked to Mr. Charipar about this subdivision and he sees no problems.

Mr. Barbaro asked what is different from the proposal he submitted a few months ago and was told this is a formal application and will be presented to the Planning Board in two weeks.

Mrs. Chapman asked why he is requesting 5 acres instead of 10 and was told this would be less expensive.

Mr. Barbaro asked what the difference is between his west lot line and Humphrey Road and was told 450'.

Mr. Freer stated there is only one place that a house can be build here because of the flood plane. The north section is too low.

Monroe County states this is for local determination.

No one spoke in favor.

Mrs. June Babbitt of Trojan Pines on Humphrey Road is concerned that he will make a subdivision here. She does not like the idea of subdividing less than 10 acres.

Mr. Babbitt of the same address would like Mr. Freer to comply to the 10 acre ordinance.

Mr. Merk Scudder, 884 Brook Road does not feel Mr. Freer will sell any of the land for building on the low land. He is building on the hill which is the only possible area to build on.

DECISION: Unanimous approval of the 330' lot width with conformance to the 10 acre ordinance.

6. APPLICATION of Mr. & Mrs. Robert Preston, 32 College Drive, North Chili, New York 14514 for variance to erect an above ground swimming pool to be 39.8' from side lot line (55' required on corner lot) at property located at above address in R-1-15 zone.

Mrs. Preston stated the pool has already been installed this year and they did not know they needed a variance. It was installed by Kenny's Pool in Fairport who told them they did not need a building permit.

Mrs. Chapman sees no problem here because they are quite high.

Mr. Newman asked if they are in accordance with all fire and electrical codes. Mrs. Preston answered yes and she also has a doctor's prescription for the pool.

No one spoke in favor or opposition.

This application does not have to go to Monroe County.

DECISION: Unanimous approval.

7. APPLICATION of Mr. & Mrs. James Feiock, 1 Brookview Road, Rochester, New York 14624 for variance to allow a 34' x 8' addition to house to be 32' from front lot line (60' required) and 9' from side lot line (10' required) at property located at above address in R-1-15 zone.

Mr. Feiock stated there is an existing roof and they will be enclosing the screened porch and extending it the entire length of the house.

Mrs. Chapman asked what sort of a foundation is there and was told poured footings that the contractor states are in accordance.

Mr. Barbaro would like the building inspector to inspect the foundation to make sure it is adequate.

Mrs. Chapman asked how far the house is from the front lotline and was told 40' from the road rightofway, the same as most of his neighbors.

The addition will have the same siding as the existing house.

Mr. Raymond Webster, 27 Brookview Road lives three houses away and feels they should not build any closer to the road. Mrs. Feiock answered all they are going to do is enclose the existing porch.

DECISION: Unanimous approval.

8. APPLICATION of Earthborn Builders, 4415 Buffalo Road, North Chili, New York 14514 for variance to erect a house to be 8' from both side lot lines (10' required) at property located at 28 Mapleton Drive in R-1-15 zone.

Mr. Fred Holbrook, the lot owner, was present informing the Board that Mrs. Anhiser will be the homeowner and would like a 72' wide ranch home built here.

Mrs. Chapman asked if all the other houses have a 60' setback and was told yes.

Mr. Holbrook stated they would like a two foot variance on each side for the \$80,000-85,000 1640 sq. ft. house.

Mr. Burnett asked the size of the lot and was told 112.54 x 74.37. He is concerned with the side setback in case of fire.

No one spoke in favor.

ZONING BOARD

5/26/81

Mr. Jim Kline, 32 Mapleton Drive said this house will be next door to him. He stated they are very nice plans, but he would like to see them adhere to the ordinance.

Mr. John Barrow, 31 Mapleton stated the setback between the other homes in the neighborhood are in compliance and he would like to see this here also.

Does not have to be submitted to Monroe County Planning.

DECISION: Approved with Mr. Burnett voting no and all others yes.

9. APPLICATION of John VanDyne, 12 Loyalist Avenue, Rochester, New York 14624 for variance to allow a 27' Diam. Above ground swimming pool to be 2' from rear lot line (10' required) at property located at above address in R-1-15 zone.

Mr. and Mrs. VanDyne stated they bought a 27' pool this winter and moved into the home three weeks ago. They would like a variance for the pool as no one is living in the back or on either side of them. There is just a drainage creek in the back. Neighbors on both sides have no objections. It would be 20' back from the house.

Mrs. Chapman asked where the electrical wires are and was told underground.

Mr. Burnett is concerned with flooding.

No one spoke in favor or opposition.

This application does not have to be submitted to Monroe County.

DECISION: Unanimous approval.

OLD BUSINESS

1. APPLICATION of Brian McConnell, 3 Sunderland Trail, Rochester, New York 14624 for variance to erect a 6' stockade fence on a corner lot (Marshall Road) where 3' is allowed at property located at above address in R-1-15 zone.

DECISION: Unanimous approval.

2. APPLICATION of Keith Schwab, 3376 Chili Avenue, Rochester, New York 14624 for variance to allow an addition to house to be 87' from front lot line (100' required) and 3'5" from side lot line (10' required) at property located at above address in R-1-20 zone.

DECISION: Approval with Mr. Burnett voting no and others voting yes.

Janice Chapman,
Chairwoman
Chili Zoning Board

ZONING BOARD

June 23, 1981

The meeting of the Zoning Board of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624 on June 23, 1981. The meeting was called to order at 7:30 P.M. by Chairwoman Janice Chapman.

Present: Janice Chapman, Chairwoman; Victor Lynd, Vice Chairman, Robert Burnett, Ralph Barbaro, Robert Newman, Jr., Robert Erwin, and Shirley Whelpton.

Also Present: Dan Miller, Deputy Town Attorney, and Robert Connolly, Building Inspector.

Mr. Miller stated that notice of this meeting was posted on the Town Clerk's bulletin board and has been advertised in the Gates-Chili news.

1. APPLICATION of McDonald's, 3313 Chili Avenue, Rochester, New York 14624 for variance to allow a playground area in front of the existing Restaurant within the 100' front setback; and variance to allow a 4'6" fence around playground area where 3' is allowed at property located at above address in C-2 zone.

Mr. Jack Landry, engineer, was present to explain and answer any questions about the application. The play area which can only be entered through the restaurant would be built on a concrete slab with astroturf. He was asked about adult supervision here and answered the children can be seen from the restaurant.

Mr. Lynd asked if they have problems with vandalism in their other restaurants with such equipment. Mr. Landry answered no, but Mr. Burnett stated he had heard otherwise. He also added the Town has a park right next door and he does not feel this project is necessary.

The Board felt this would cause more loitering and could be a safety hazard. They also felt it as a definite advertising scheme; and that the "Ronald McDonald" statue would function as additional and excessive signage for this business.

No one spoke in favor of this project.

Mrs. Mary Klapp of Chili-Scottsville Road feels it is for the children, but it also means the parents would have to go through the store to enter the play area and would feel they have to purchase goods here. She is also concerned with the noise factor.

Mr. Ed Carroll, 2879 Chili Avenue, is also concerned with noise and possible problems with children.

Monroe County states this is a matter for local determination.

• **DECISION:** Denied.

1. The proposed use inherently dangerous to the proposed users of the facility because of the site being only 43' from a heavily traveled major highway.
2. Removal of the existing landscaping would detract from the appearance of the Town of Chili.
3. The Playland would prove a distraction to passing motorists and cause of traffic hazard.
4. A playland would increase exterior noise in an area where levels of exterior noise are already of concern to neighbors.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *June 17, 1981*...

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated *June 17, 1981*..

Geraldine C. Snyder

Notary

GERALDINE C. SNYDER

NOTARY PUBLIC, State of N. Y. Monroe Co.

My Commission Expires March 30, 19*83*

Pat M. Smith

Patricia M. Smith
Publisher

Legal Notice

CHILIZONING BOARD OF APPEALS

Pursuant to Section 267 of Town Law, a public hearing will be held by the Chili Zoning Board of Appeals at the Chili Town Offices, 3225 Chili Avenue, Rochester, New York 14624 on June 23, 1981 at 7:30 p.m. to hear and consider the following applications:

1. Applications of McDonald's, 3313 Chili Avenue, Rochester, New York 14624 for variance to allow a playground area in front of the existing Restaurant within the 100' front setback; and variance to allow a 4'6" fence around playground area where 3' is allowed at property located at above address in C-2 zone.
2. Application of Gillette Machine, 955 Millstead Way, Rochester, New York 14624 for variance to erect a 100'x20' warehouse addition to be 15' from side lot line (30' required) at property located at above address in M-2 zone.
3. Application of Norman Thurley, 744 Paul Road, Rochester, New York 14624 for variance to erect an 8'x5' enclosed porch to be 43.8' from front lot line (100' required); and variance to erect a 15.2'x5' addition to house to be 49½' from front lot line (100' required) at property located at above address in R-1-12 zone.
4. Application of David DeRuyscher, 525 Westside Drive, Rochester, New York 14624 for variance to erect an 18'x26' addition to house to be 72' from front lot line (100' required); and variance to erect a 24'x39' garage to be 68' from front lot line (100' required) and 40' from side lot line (60' required on corner lot) at property located at above address in R-1-20 zone.
5. Application of Charles Gray, 2031 Scottsville-Mumford Road, Scottsville New York 14546 for variance

to create 2 undersized lots from a total 1.15 acre parcel consisting of approximately .58 acres each (2 houses are currently on the 1 parcel); variance to allow both parcels to have 150' lot width (700' required); variance for the house that will be moved to have a front setback of 75' (100' required); variance to allow the existing house to be 21' from side lot line (50' required) at property located at 4185 Union Street in RA-20 zone.

6. Application of Russell Allen, 195 Chestnut Ridge Road, Rochester, New York 14624 for variance to allow a 4'x22' addition to garage to be 63' from front lot line (100' required) and 9' from side lot line (10' required) at property located at above address in R-1-15 zone.

7. Application of William Wood, 6 Toni Terrace, Rochester, New York 14624 for variance to erect a 10'x14' wood shed to be 2' from rear lot line (10' required) at property located at above address in R-1-12 zone.

8. Application of Beth Bryant, 64 Hubbard Drive, North Chili, New York 14514 for variance to erect a 28'x28' addition to detached garage to be 5' from side lot line (10' required) at property located at above address in R-1-12 zone.

9. Application of Michael Pernicano, 15 College Drive, North Chili, New York 14514 for variance to erect an 8'x8' addition to house to be 54½' from front lot line (60' required) at property located at above address in R-1-15 zone.

At such time, all interested persons will be heard. By order of the Chairwoman of the Chili Zoning Board of Appeals.

Janice Chapman,
Chairwoman
Chili Zoning
Board of Appeals

W. J. King Board - June 1981

6/23/81

2. APPLICATION of Gillette Machine, 955 Millstead Way, Rochester, New York 14624 for variance to erect a 100' x 20' office addition to be 15' from side lot line (30' required) at property located at above address in M-2 zone.

Mr. Herman Klingenberger explained this would be an office addition. There would be no anticipated additional employees, so there is ample parking. They do have a landscape plan and are working on a drainage plan. The addition would eliminate any front parking and a sign could be installed stating this.

The addition would be of masonry and recessed brick the same height as the existing structure. It would be an l-shaped structure.

No one spoke in favor or opposition.

Monroe County states this is a matter for local determination.

DECISION: Unanimously approved.

3. APPLICATION of Norman Thurley, 744 Paul Road, Rochester, New York 14624 for variance to erect an 8' x 5' enclosed porch to be 43.8' from front lot line (100' required); and variance to erect a 15.2' x 5' addition to house to be 49 1/2' from front lot line (100' required) at property located at above address in R-1-12 zone.

Mrs. Thurley was present explaining they would like to build an entranceway and repair the siding which would extend the building out a bit. However, every house on the street is setback the same as this. The enclosed porch would extend 5' and would look like part of the house. Part of their garage will be used as a dining area.

Mrs. Carlton Reynolds, 750 Paul Road, lives next door and has no opposition to the application.

Mrs. Thurley also added they would be moving their driveway to the opposite side of the house and NY State sees no objection to this.

No one spoke in favor or opposition.

Monroe County states this is a matter for local determination.

DECISION: Unanimous approval.

4. APPLICATION of David DeRuyscher, 525 Westside Drive, Rochester, New York 14624 for variance to erect an 18' x 26' addition to house to be 72' from front lot line (100' required); and variance to erect a 24' x 30' garage to be 68' from front lot line (100' and 40' from side lot line), 60' required on corner lot, at property located at above address in R-1-20 zone.

Mr. DeRuyscher stated the addition will be to the west of the house and 14' to the closest point of Westside Drive. They will be putting in a basement.

Mrs. Chapman requested they cut their corner shrubs back to 3' because they block the corner view.

They will be having gutters and downspouts.

No one spoke in favor or opposition.

Monroe County states this is a matter for local determination.

DECISION: Unanimous approval.

5. APPLICATION of Charles Gray, 2031 Scottsville-Mumford Road, Scottsville, New York 14546 for variance to create 2 under-sized lots from a total 1.15 acres parcel consisting of approximately .58 acres each (2 houses are currently on the one parcel); variance to allow both parcels to have 150' lot width (700' required); variance for the house that will be moved to have a front setback of 75' (100' required); variance to allow the existing house to be 21' from side lot line (50' required) at property located at 4185 Union Street in RA-20 zone.

Mr. Gray explained the property was built in 1979 and because of an error it is 150' instead of 200'. He wants to move the smaller house from the back which he feels will be an improvement. They would like to build a garage on the house after it is moved. Also, a new well, driveway, and leach bed would have to be installed.

No one spoke in favor or opposition.

The application must be held pending Monroe County comments.

DECISION: Unanimous approval.

6. APPLICATION of Russell Allen, 195 Chestnut Ridge Road, Rochester, New York 14624 for variance to allow a 4' x 22' addition to garage to be 63' from front lot line (100' required) and 9' from side lot line (10' required) at property located at above address in R-1-15 zone.

Mr. Allen does not have full use of the garage, so he would like to extend it and install two doors. The overall size would be 25' wide and 22' deep. It would be 9' from the side lot line and 61' from the front lot line.

No one spoke in favor or opposition.

DECISION: Unanimous approval.

7. APPLICATION of William Wood, 6 Toni Terrace, Rochester, New York 14624 for variance to erect a 10' x 14' wood shed to be 2' from rear lot line (10' required) at property located at above address in R-1-12 zone.

Mr. Wood would like to replace this existing metal shed to give his children more room to play in the yard. He has talked to his neighbors about this and they do not object. Just one house on Bright Oaks backs up to his yard and they already have a foundation for a shed which would back his. No one else would even be able to see it.

No one spoke in favor or opposition.

DECISION: Unanimous approval.

8. APPLICATION of Beth Bryant, 64 Hubbard Drive, North Chili, New York 14624 for variance to erect a 28' x 28' addition to detached garage to be 4' from side lot line (10' required) at property located at above address in R-1-12 zone.

Ms. Bryant and Mr. Doug Salsbury were present explaining this will be their future home. The addition would conform to the existing structure. The roof will be in with the existing roof. There will be no windows, but it will be insulated. The addition will be approximately 4'.

No one spoke in favor or opposition.

DECISION: Unanimous approval.

9. APPLICATION of Michael Pernicano, 16 Collage Drive, North Chili, New York 14615 for variance to erect an 8' x 8' addition to house to be 54 1/2' from front lot line (60' required) at property located at above address in R-1-15 zone.

Mr. Pernicano explained he would like to close off his garage. The roof will slope to the opposite way of the existing roof. The siding and roof will conform to the existing structure and will be insulated. He will use this as a foyer or entranceway.

No one spoke in favor or opposition.

Monroe County states this is a matter for local determination.

DECISION: Unanimous approval.

Janice Chapman,
Chairwoman
Chili Zoning Board

ZONING BOARD
July 28, 1981

The Meeting of the Zoning Board of Appeals of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624 on July 28, 1981.

Present: Janice Chapman, Chairwoman; Victor Lynd, Vice Chairman; Ralph Barbaro, Robert Newman, Jr., Robert Burnett.

Also Present: Dan Miller, Deputy Town Attorney; and Robert Connolly, Building Inspector.

Mr. Miller stated that notice of this meeting was posted on the Town Clerk's bulletin board and has been advertised in the Gates-Chili News.

1. APPLICATION of Alan Whitney, Box 88 RD-1, Springwater, New York 14560 for variance for relief from Article 3, Section 3.025 par. 3-B (flood requirements-residential construction) for an existing garage built without a building permit; and variance to allow the garage to be 79.5' from front lot line (100' required) and 44.2' from side lot line (50' required) at property located at 21 Milewood Road in RA-20 & FPO zones.

Mr. Whitney purchased this land five years ago and hired a contractor to construct the garage. A permit was not obtained unbeknownst to him. The garage is on an 8" concrete slab. He did have a problem in the flood of 1972. Mrs. Chapman stated he must get permission for relief for flood insurance.

This was submitted to Monroe County and they stated it is a local matter. If this variance is not granted the loss could be approximately \$2,500.00.

No one spoke in favor or opposition.

DECISION: Unanimous approval.

2. APPLICATION of John Harrigan, 2095 Westside Drive, Rochester, New York 14624 for variance to allow a 10' x 20' enclosed porch to be 13' from side lot line (60' required) when on corner lot at property located at above address in R-1-12 zone.

Mrs. Harrington stated that last year they received a permit to construct a roof over their open porch. They would enclose the porch with plywood and siding to match the house. There will be gutters to drain into the side of the road.

No one spoke in favor or opposition.

Monroe County states this is a matter for local determination.

DECISION: Unanimous approval.

3. APPLICATION of John Fallon, 2 Hunt Point, Rochester, New York 14624 for variance to erect an 18' above ground swimming pool to be 7'5" from rear lot line (10' required); 54.7" from side lot line (55' required) on corner lot and 8' from other side lot line (10' required) at property located at above address in R-1-12 zone.

No one was present to address this application.

DECISION: Mr. Fallon will be allowed to resubmit this application without prejudice in August.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *July 22, 1981*

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated *July 22, 1981*

Geraldine C. Snyder

Notary

GERALDINE G. SNYDER

NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 19*83*

Patricia M. Smith

Patricia M. Smith
Publisher

Legal Notice

CHILI ZONING BOARD OF APPEALS

Pursuant to Section 267 of Town Law, a public hearing will be held by the Chili Zoning Board of Appeals at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on July 28, 1981 at 7:30 p.m. to hear and consider the following applications:

1. Application of Alan Whitney, Box 88 RD-1, Springwater, New York 14569 for variance for relief from Article 3, Section 3.025 par. B-3 (flood requirements-residential construction) for an existing garage built without a building permit; and variance to allow the garage to be 79.9' from front lot line (100' required) and 44.2' from side lot line (50' required) at property located at 21 Milewood Road in RA-20 & FPO zone.
2. Application of John Harrigan, 2095 Westside Drive, Rochester, New York 14624 for variance to allow a 10'x30' enclosed porch to be 13' from side lot line (50' required when on corner lot) at property located at above address in R-1-12 zone.
3. Application of John Fallon, 2 Hunt Point, Rochester, New York 14624 for variance to erect and 18' Above Ground Swimming Pool to be 7.5' from rear lot line (10' required), 54.7' from side lot line (55' required on corner lot), and 8' from other side lot line (10' required) at property located at above address in R-1-12 zone.
4. Application of Donald Wilbert, 945 Paul Road Rochester, New York 14624 for variance to erect a 12'x20.8' garage addition to be 67.9' from front lot line (100' required) at property located at above address in R-1-15 zone.
5. Application of Edwin Blance, 245 Stryker Road, Scottsville, New York 14546 for variance to allow a 16'x24' addition to house to be 44' from side lot line (50' required) at property located at above address in RA-20 zone.
6. Application of Peter Palmer, 16 Sunnyside Lane, North Chili, New York 14514 for variance to erect a 22'x24' garage to be 47' from front lot line (60' required) at property located at above address in R-1-12 zone.
7. Application of Fridemark Development, 50 Lyell Avenue, Rochester, New York 14608 for variance to allow 2 road cuts on one lot (only one is allowed) at property located at 40 Alger Drive in R-1-12 zone.
8. Application of Giles Fleming, 24 Alfred Avenue, Rochester, New York 14623 for variance to erect a 5' fence in front of a portion of the house (3' is allowed) at property located at above address in RA-20 and FPO zone.
9. Application of Mike Divito, 8 Cutter Drive, Rochester, New York 14624 for variance to erect a 11'x10' shed to be 1' from the front corner of the shed to the side lot line and 1/2' from the rear corner of the shed to the side lot line, and 4' from the garage (10' required) at property located at above address in R-1-15 zone.

At such time all interested persons will be heard. By order of the Chairwoman of the Chili Zoning Board of Appeals.

Janice Chapman,
Chairwoman
Chili Zoning
Board of Appeals

*Janice
Chapman
July 1981*

ZONING BOARD

7/28/81

4. APPLICATION of Donald Wilbert, 945 Paul Road, Rochester, New York 14624 for variance to erect a 12' x 20.8' garage addition to be 67.9' from front lot line (100' required) at property located at above address in R-1-15 zone.

Mr. Wilbert would like to increase the width of his garage to conform to his house. He would like to make the one-car garage into a two-car garage with the siding and roof conforming to his present home.

Mrs. Margaret Decker of 941 Paul Road stated that she has no objection to this project.

Mr. Harry Favor, 28 Wills Road, lives behind Mr. Wilbert and has no objections.

No one spoke in opposition.

Monroe County states this is a matter for local determination.

DECISION: Unanimous approval.

5. APPLICATION of Edwin Blanc, 245 Stryker Road, Scottsville, New York 14546 for variance to allow a 16' x 24' addition to house to be 44' from side lot line (50' required) at property located at above address in RA-20 zone.

Mr. Blanc was not present because of a death in his family out of town.

DECISION: Application adjourned because Mr. Blanc has a legitimate reason for non-appearance.

6. APPLICATION of Peter Palmer, 16 Sunnyside Lane, North Chili, New York 14514 for variance to erect a 22' x 24' garage to be 47' from front lot line (60' required) at property located at above address in R-1-12 zone.

Mr. Palmer stated the garage would be 22' x 24' with the same siding as the house using the existing driveway. He feels there will be no problems with the neighbors. He also will be adding a breezeway connecting the garage to the house. The corner of the garage will be 17' from the lot line. He will have gutters installed.

No one spoke in favor or opposition.

Monroe County states this is a matter for local determination.

DECISION: Unanimous approval.

7. APPLICATION of Pridemark Development, 50 Lye&l Avenue, Rochester, New York 14608 for variance to allow 2 road cuts on one lot (only one is allowed) at property located at 40 Alger Drive in R-1-12 zone.

Mr. James Barbato was present representing Pridemark. The residents would like a circular driveway and were not aware that a variance was needed.

Mr. Burnett said he sees no need for this, but Mr. Barbato and Mr. Newman feel it is safer and more practical.

No one spoke in favor or opposition.

This application did not have to be submitted to the County for their approval.

DECISION: Approved - 4-1 vote.

8. APPLICATION of Giles Fleming, 24 Alfred Avenue, Rochester, New York 14623 for variance to erect a 5' fence in front of a portion of the house (3' is allowed) at property located at above address in RA-20 zone and FPO zone.

Mr. Fleming obtained a building permit earlier this year to convert his garage into a family room with a sliding glass door. He would now like a fence in front of the door for privacy. The fence would be made of wood to match the siding of the house.

No one spoke in favor or opposition.

Monroe County stated this is a matter for local determination.

DECISION: Unanimous approval.

9. APPLICATION of Mike DiVito, 8 Cutter Drive, Rochester, New York 14624 for variance to erect a 11' x 10' shed to be 1' from the front corner of the shed to the side lot line and 1 1/2' from the rear corner of the shed to the side lot line, and 4' from the garage (10' required) at property located at above address in R-1-15 zone.

Mr. DiVito would like a garden shed on the west side of his property for snowblower equipment. It would be built by BOCES and WEMOCO in a Cape Cod saltbox design. He feels the neighbors do not object. It will be built on a concrete base with 2 x 4 hardwood 17' from his neighbors' lot line.

No one spoke in favor.

Mrs. Patricia Flanagan's attorney was present to object to this on her behalf. She is their immediate neighbor and feels the shed will obstruct her view. When she agreed to the project she was not aware of the dimensions of the shed. Since then she has submitted a letter of objection to the Board.

Mr. Burnett is concerned about access of the Fire Department in case of fire.

Mrs. Flanagan had a realtor inform her that this would be a detriment to the value of her property.

Mrs. Trudy Brown, 14 Cutter Drive, feels the shed will destroy the aesthetic value of her property, and the neighborhood.

The application does not have to be submitted to the County for this approval.

DECISION: Mrs. Chapman, Mr. Lynd, and Mr. Barbaro voted yes. Mr. Newman and Mr. Burnett voted no. Application denied due to the lack of a quorum vote.

Janice Chapman,
Chairwoman
Zoning Board of Appeals

ZONING BOARD
August 25, 1981

The meeting of the Zoning Board of Appeals of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624 on August 25, 1981. The meeting was called to order at 7:30 P.M. by Vice-Chairman, Victor Lynd.

Present: Victor Lynd, Vice-Chairman; Robert Burnett, Ralph Barbaro, Robert Newman, Jr., Robert Irwin, and Shirley Whelpeton.

Also Present: Dan Miller, Deputy Town Attorney; and Robert Connolly, building Inspector.

Mr. Miller stated that notice of this meeting was posted on the Town Clerk's bulletin board and has been advertised in the Gates-Chili News.

1. APPLICATION of John Fallon, 2 Hunt Point, Rochester, New York 14624 for variance to erect an 18' above-ground swimming pool to be 7.5' from rear lot line (10' required), 54.7' from side lot line (55' required) on corner lot and 8' from other side lot line (10' required) at property located at above address in R-1-12 zone.

Mr. Fallon was present and asked the Board if there were any questions. Mr. Lynd asked if there was a problem from the standpoint of putting a pool in. Mr. Fallon explained a pool had been erected in that spot before. Mr. Barbaro asked where the power lines were located, and was told they were in the rear, underground, on the far side of the house.

No one spoke in favor or opposition.

Monroe County states this is a matter for local determination.

DECISION: Unanimous approval.

2. APPLICATION of Edwin Blance, 245 Stryker Road, Scottsville, New York 14546 for variance to allow a 16' x 24' addition to house to be 44' from side lot line (50' required) at property located at above address in RA-20 zone.

Mr. Blance was present for questions. Mr. Lynd asked if the addition was in the back of the house and was told yes. Mr. Barbaro wanted to know if the foundation had already been begun. Mr. Blance said the cement block, footers are there; this will be a mud room, small bathroom, and family room.

Mr. Lynd asked how old the main structure was and was told 28 years. He also asked if the addition was going to have a full basement and was told a crawl space - one story. Mr. Barbaro inquired as to the siding and was told cedar shakes, vinyl siding. Mr. Lynd wanted to know if this would be compatible to existing home; and was told yes; he also asked if the roof will be the same as the existing home, and was told yes, and the bathroom will run into the existing septic system. Mr. Lynd asked if the roof will slope from the rear to the front, and was told there will be a gradual slope.

Mr. Burnett inquired as to the kind of soil and will the addition of 380 feet accept that much more. Mr. Blance said there is a sandy loam soil and have no water problems and foresees none.

Mr. Barbaro asked if there will be a laundry facility, and was told there will be one additional toilet and no laundry facility. Mr. Barbaro asked Mr. Connolly if there were any additional health requirements and Mr. Connolly said none.

No one spoke in favor or opposition.

Monroe County states this is a matter for local determination.

DECISION: Unanimous approval.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *8-19-81*...

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated... *8-19-81*...

Geraldine C. Snyder

Notary

GERALDINE C. SNYDER

NOTARY PUBLIC, State of N. Y. Monroe Co.

My Commission Expires March 30, 19*83*

Patricia M. Smith

Patricia M. Smith
Publisher

Legal Notice

CHILI ZONING BOARD OF APPEALS

Pursuant to Section 267 of Town Law, a public hearing will be held by the Chili Zoning Board of Appeals at the Chili Town Offices, 3235¹ Chili Avenue, Rochester, New York 14624 on August 25, 1981 at 7:30 p.m. to hear and consider the following applications:

1. Application of John Fallon, 2 Hunt Point, Rochester, New York 14624 for variance to erect an 18' Above Ground Swimming pool to be 7.5' from rear lot line (10' required) 54.7' from side lot line (55' required on corner lot) and 8' from other side lot line (10' required) at property located at above address in R-1-12 zone.
2. Application of Edwin Blance, 245 Stryker Road, Scottsville, New York 14548 for variance to allow a 18' x 24' addition to house to be 44' from side lot line (50' required) at property located at above address in RA-20 zone.
3. Application of Aldo Lepore, 3216 Chili Avenue, Rochester, New York 14624 for variance to allow front yard parking for 7 vehicles for the Chili Liquor Store (3218 Chili Ave.) at property

located at 3216 Chili Avenue in C-2 zone.

4. Application of G.W. Associates, 923 Midtown Tower, Rochester, New York 14604 for variance for relief from Section 3.095 par. B to allow a warehouse to be 65' from a buffer zone (100' required when abutting a residential district), variance to allow the warehouse to corner 42% of the lot (3.5% allowed), variance to allow loading within the required front yard at property located at 997 Beahan Road in M-2 zone.
5. Application of Bausch & Lomb Inc., 1400 N. Goodman Street, Rochester, New York 14609 for variance to allow a fence to be 7' high (6' allowed) with 2 strands of barbed wire angled at 45 degrees to enclose a 40' x 32' tank farm at property located at 465 Paul Road in M-1 & FPO zone.
6. Application of Ralph Wilson, 999 Paul Road, Rochester, New York 14624 for variance to allow a 10' x 9' enclosed porch to be 52' from front lot line (100' required) at property located at above address in R-1-15 zone.
7. Application of Ronald Ketchum, 9 Minute Man Trail, Rochester, New York 14624 for variance to allow a Radio Tower to be 40' maximum height in the

Airport Zone at property located at above address in R-1-15 zone.

8. Application of Edward Neubauer, 60 Battle Green Drive, Rochester, New York 14624 for variance to allow a Radio Tower to be 48' maximum height in the Airport Zone at property located at above address in R-1-15 zone.

9. Application of Mobil Oil Corp., c/o 1750 Lincoln First Tower, Rochester New York 14604 for variance to allow a 57" x 8' (92 sq. ft. total both sides) illuminated sign advertising Mobil Oil Corp. at property located at 3152 Chili Avenue in C-2 zone.

10. Application of Albert Zavaglia, 1805 Scottsville Road, Rochester, New York 14623 for variance to erect a 24' Above Ground Swimming pool to be 23' from side lot line (55' required on corner lot) at property located at above address in RA-20 & FPO zone.

At such time all interested persons will be heard. By order of the Chairwoman of the Chili Zoning Board of Appeals.

Janice Chapman
Chairwoman
Chili Zoning
Board of Appeals

3. APPLICATION of Aldo Lepore, 3216 Chili Avenue, Rochester, New York 14624 for variance to allow front yard parking for 7 vehicles for the Chili Liquor Store (3218 Chili Avenue) at property located at 3216 Chili Avenue in C-2 zone.

Mr. Lepore was present and explained that the parking lot will be located next door, on the east side of the store. Mr. Lynd asked if he intended to extend parking over to the existing house next door and was told yes, and that he rented out that house. Mr. Lynd asked if they intend to utilize their driveway next door and was told no. Mr. Lepore said that the proposed parking will stop on the edge of that driveway so the renter can use it so he doesn't have to back up onto Chili Avenue.

Mr. Irwin asked if people would have access to the driveway next door, he said there would be nothing from keeping people from parking next door. Mr. Lepore said they could put curbs up with no problem.

Mr. Barbaro asked if there were plans to remove the existing tree that is there, and was told yes, that is is half dead now.

Mr. Burnett said on the east side running back towards Paul Road there is a good distance where this parking lot could be extended toward Paul Road. Mr. Lepore explained that the house is four feet below grade of the store. Wouldn't water drain into the middle of the parking lot; the pavement will be going towards drain that is there now. Mr. Burnett said the Board was trying to maintain green areas as much as possible and that there is a fair amount of macadam there now. Mr. Lepore said that he has a problem during the holidays, and they park their cars all over the road. Mr. Burnett asked how wide the existing driveway was next door and was told 9-10 feet. Mr. Lynd asked if there was an objection to barricading this off and preventing access from use of this driveway; and was told no objection. Mr. Lynd asked if Mr. Lepore maintained that there is no other spot to put in the additional parking spots. Mr. Lepore said none.

Mr. Burnett said that currently one space is allowed per 200 square feet and basically the store remains the same size. Mr. Lepore said there is 14-15 parking spots there now. Mr. Lynd asked if consideration was given to combining these two parcels into one? Mr. Lepore answered that maybe someday but has given no consideration to that now.

Mr. Connolly said that according to Article 6 you can have additional off-street parking if it is adjoining.

No one spoke in favor or opposition.

DECISION: Approved with the following conditions: Curb barrier or barricade be installed at the east end of the parking area, variance granted for a 3-year period.

4. APPLICATION of G. W. Associates, 923 Midtown Tower, Rochester, New York 14604 for variance to relief from Section 3.095 par. B to allow a warehouse to be 65' from a buffer zone (100' required when abutting a residential district), variance to allow the warehouse to cover 42% of the lot (35% allowed), variance to allow loading within the required front yard at property located at 997 Beahan Road in M-2 zone.

Mr. Gianniny and Mr. Katona were present. Mr. Gianniny said they proposed to build warehouse and requesting variance for 42' coverage. A variance for parking in the front of the building, and a variance for the height of the building to 39'. Wegmans will be occupying this building. Requesting 65' instead of 100' required. 55' on one lot line, but zoned M-2 also.

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Mr. Lynd asked if any attempts had been made to increase the size of this parcel of land to bring it into compliance, and was told that this is the size of the land we can buy from the company who owns the property. Mr. Gianniny stated that they propose landscaping and berming the land.

Mr. Barbaro asked about the drainage, and if overflows will go into residential areas. Charlie Costich, engineer, said that building's drainage will be confined into relocated swale.

Mr. Burnett said that approximately 100,000 square feet of roof area will be added. There is no culvert on Beahan Road for drainage. Mr. Costich said that they will make an application and ask the County. Mr. Burnett asked if there will be paved parking and was told yes. He asked where the drainage goes and was told into the creek. Mr. Newman said the entire parcel of land must be almost all hardtopped, he is concerned about drainage, and about sufficient runoff. Mr. Costich said they are not planning on building warehouse that will be flooded.

Mr. Lynd indicated he needed comments on environmental review, the Zoning and Planning boards need to coordinate on this matter, need a complete review on this.

Monroe County states this is a matter for local determination.

Mr. Lynd asked about relocating parking. Mr. Costich said there was a problem with traffic flow -- there are planned 12 incoming and 4 outgoing trucks a day and the hours of operation will be from 7 a.m. until 6 p.m.

Mr. Newman asked about the flow of traffic and items that the warehouse will be storing. Mr. Costich explained that the items will be completely separate from other warehouse items, nothing perishable. He also said that the County made the Zoning Board lead agency on this study. Mr. Barbaro said approval would have to be made from the Drainage Committee. Mr. Newman said the size of the building was not in conformity, and not completely satisfied with swale you plan on drainage detention.

No one spoke in favor.

James Bargo, 925 Beahan Road, feels building is way too large for the size of the lot, problem with water, traffic. His lot is soaked all the time now.

Nina Bargo, 925 Beahan Road, objects to swale, feels that snow from the building's roof will come into her yard.

Constance Wilkens, 429 Fisher Road, feels there is drainage problems. Opposes changing variances.

Mr. Cambisi, 420 Fisher Road, lives three houses up, and Black Creek culvert backs up into his property in a rain storm. There is no way to stop the water. Feels no runoff. Opposes.

Joseph Gartland, 320 Paul Road, wanted to know what the purpose of the warehouse was. Opposes.

Mr. Costich explained that he would not be building the berm in such a way to impede neighbors' drainage.

DECISION: Application denied.

5. APPLICATION of Bausch & Lomb, Inc., 1400 N. Goodman Street, Rochester, New York 14609 for variance to allow a fence to be 7' high (6' allowed) with 2 strands of barbed wire angled at 45 degrees to enclose a 40' x 32' tank farm at property located at 465 Paul Road in M-1 and FPO zone.

Mr. Roger Wood was present to represent Bausch & Lomb. He stated that the reason for this additional height was to protect these tanks and keep vandals away. They are located in the south of the building directly behind the building.

They have signed permission from the Fire Marshal and Town Board.

Monroe County states this is a matter for local determination.

No one spoke in favor or opposition.

DECISION: Unanimous approval.

6. APPLICATION of Ralph Wilson, 999 Paul Road, Rochester, New York 14624 for variance to allow a 10' by 9' enclosed porch to be 52' from front lot line (100' required) at property located at above address in R-1-15 zone.

Mr. Wilson was present and said this is an existing porch, and the house is 26 years old. He is enclosing it because of snow build up.

Mr. Irwin said the house is only 63 feet from the highway. Mr. Wilson explained that the original house was built that way, and that he had to repair the steps so wanted to enclose the porch. New footers and blocks had to be put in. Mr. Miller inquired as to what street he was near and was told Starlite Drive. Mr. Lynd asked what was the proposed type of framing and siding and was told vinyl siding to conform to existing structure.

No one spoke in favor or opposition.

Monroe County states this is a matter for local determination.

DECISION: Unanimous approval.

7. Application of Ronald Ketchum, 9 Minute Man Trail, Rochester, New York 14624 for variance to allow a Radio Tower to be 40' maximum height in the Airport Zone at property located at above address in R-1-15 zone.

Mr. Ketchum was present and explained the tower will be used to hold an antenna for ham radio signals.

Mr. Lynd inquired as to the height of the tower and Mr. Barbaro asked if it would be used solely for ham antenna, and they were told yes. Mr. Barbaro inquired as to why the antenna was already up, and Mr. Ketchum said he had talked to a neighbor in the area and he felt there was no variance needed.

Mr. Burnett inquired about Section 3.115 regarding putting up in an Airport Zone, and wanted to know if he had appeared before the Airport Commission. Mr. Ketchum said yes, and the airport has approved his application; and he has filed forms with the Federal Government. Mr. Connolly said that Section 3.112 stated that no structure to be over 35 foot in R-1-15 zone. Mr. Burnett asked if this signal would interfere with the neighbors and was told no. Mr. Barbaro asked how far the tower is from the lot line. He was told 10 feet from the lot line.

Monroe County states this is a matter for local determination.

No one spoke in favor.

Ms. Linda Nash, 8 Minuteman Trail, said she was not entirely opposed. In the past month she has had three interruptions on her television set, on both cable and antenna. Wanted to know if this was going to interfere with her television reception.

DECISION: Application granted - 5-1 vote.

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8. APPLICATION of Edward Neubauer, 60 Battle Green Drive, Rochester, New York 14624 for variance to allow a radio tower to be 48' maximum height in the Airport Zone at property located at above address in R-1-15 zone.

Mr. Neubauer was present and explained that the FCC has set of rules and regulations that they must abide by, or they could lose their license.

Mr. Lynd asked Mr. Neubauer what he would consider the limit of tower height to be for home ham operator? Mr. Neubauer said normally the height is 48 to 42 feet maximum, but he keeps it at 35 feet normally. He said he talked to the Town before purchasing tower and they told him variance wasn't needed. Mr. Burnett said this is a residential area, and ground rules must be of an acceptable height. Mr. Neubauer said that Monroe County Department of Planning sets 630 feet above sea level in our area. His antenna is 588 feet above sea level.

Mr. Irwin asked if Mr. Neubauer had been to the Airport Commission and was told yes.

No one spoke in favor or opposition.

DECISION: Application granted - 5-1vote.

9. APPLICATION of Mobil Oil Corp., c/o 1750 Lincoln First Tower, Rochester, New York 14604 for variance to allow a 5'7" x 8' (92 sq. ft. total both sides) illuminated sign advertising Mobil Oil Corp., at property located at 3152 Chili Avenue in C-2 zone.

Mr. Frank Sidoti, Esq., was present and explained this station was operated by Mr. George Rice. At the present time there is a large free-standing sign, and there is a total of 150 square feet of signage there now. With this variance the total will be a 92-foot reduction of what is there now. The main reason for this is the self-service. The sign will read Mobil and under that self-service.

Mr. Lynd asked what color the sign will be and was told red, white and blue, and the sign will be on the same pole and at the same height that exists there now.

Mr. Connolly said that he has had difficulty with the signs illegally there now and their removal. Mr. Sidoti said that there would be no problem and they would be removed and in the future to contact Mobil if there are too many signs there. Mr. Irwin asked why Mobil didn't meet the zoning requirements with the proposed sign and was told that they felt that the sign would be too small.

Mr. Frank Sipriano, 3131 Chili Avenue, asked what signs were legal and what were not, and wanted to know if the illegal signs would be removed.

Mr. Connolly said that it was his responsibility to issue an appearance ticket and if they did not comply he would do so.

Mr. Lynd asked if the hours of operation would be the same and was told yes.

DECISION: Unanimous approval with the following condition:
All illegal signs to be removed from the property.

10. APPLICATION of Albert Zavaglia, 1805 Scottsville Road, Rochester, New York 14623 for variance to erect a 24' above-ground swimming pool to be 23' from side lot line (55' required on corner lot) at property located at above address in RA-20 and FPO zone.

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Mr. Zavaglia was present and said that there was always a pool there. Mr. Lynd said he would like to know the distance from the rear of the house to the pool and was told 40 feet. Mr. Lynd asked if there were any power lines there and was told no.

Mr. Eddie, 1807 Scottsville Road, explained that a pool was there before and then taken down. In favor.

No one spoke in opposition.

DECISION: Unanimous approval.

Victor Lynd,
Vice-Chairman
Zoning Board of Appeals

ZONING BOARD
September 22, 1981

The meeting of the Zoning Board of Appeals of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624 on September 22, 1981. The meeting was called to order at 7:30 p.m. by Chairwoman Janice Chapman.

Present: Janice Chapman, Chairwoman, Cliff D'Heron, Robert Burnett, Ralph Barbaro, Robert Newman, Jr., Robert Erwin, Shirley Whelpton.

Also Present: Robert Connolly, Building Inspector.

In the absence of Mr. Miller, Mrs. Chapman stated that notice of this meeting was posted on the Town bulletin board and has been advertised in the Gates-Chili News.

1. APPLICATION of Gary Chilson, 19 Blue Ridge Trail, Rochester, New York 14624 for variance to erect a Radio Tower to be 40' maximum height in the Airport District at property located at above address in R-1-15 zone.

Mr. Chilson was present to discuss this with the Board. He stated that this tower is used for ham radios and is an amateur radio tower. Mrs. Chapman asked if the tower was attached to the house; and was told yes, it is. Mrs. Chapman asked if there was a problem with wind? Mr. Chilson said no, that it was very secure. Mrs. Chapman asked how the tower was put in the ground and Mr. Chilson stated that it is in three feet of concrete - 2 feet in diameter. Mrs. Chapman wanted to know if there was any possibility this tower would function as a lightening rod, and Mr. Barbaro asked if it was separately grounded? Mr. Chilson said it was, that it was a configuration of four antennas that form a large H and that they are horizontal to the ground. He also indicated that all antennas are used concurrently. Mr. Barbaro asked if it will remain horizontally polarized and was told yes.

No one spoke in favor or opposition.

DECISION: Approval - 6-1 vote.

2. APPLICATION of Robert Boyack, 24 Battle Green Drive, Rochester, New York 14624 for variance to erect a Radio Tower to be 55' maximum height in the Airport District at property located at above address in R-1-15 zone.

Mr. Boyack was present to discuss this with the Board. He indicated that his tower is a multi-functioning tower, and it provided line of sight path from his tower to the repeater. Mrs. Chapman asked about the location of the tower near the trees in the back of the property. Mr. Boyack said the towers serves to provide lightening protection for him and his neighbors. Mr. Barbaro said if his present tower is 42.5 feet tall why does he want it 55 feet; and Mr. Boyack said he would like to extend it 10 feet for noise ratio, it needs to be higher. Mr. Barbaro asked where the repeater is located and was told the Town of Rush. Mr. Newman asked if he had approval from the Airport District and was told yes, and also from the FAA and FCC.

Mr. Burnett indicated that at the last meeting they had two applications for radio towers, and in view of the fact that there isn't anything on the books relative to this, the Board does not have any guideline to make decisions on the height, each applicant will have a different determination. Mrs. Chapman indicated that the Zoning Board would make recommendation, but Town Board could enact this. Mr. Burnett said he felt that the Zoning Board should seek counsel from someone on this.

Mr. Boyack said his tower is a public service, that if one of the ham operators finds someone who needs assistance, they can use this as a means. Mr. Barbaro asked if the FCC limits radio tower heights, and Mr. Boyack said they limit it to 200 feet,

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date... *9-16-81*

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated... *9-16-81*

Geraldine C. Snyder

Notary

GERALDINE C. SNYDER

NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 19*83*

Patricia M. Smith

Patricia M. Smith
Publisher

Legal Notice

CHILI ZONING BOARD OF APPEALS

Pursuant to Section 267 of Town Law, a public hearing will be held by the Chili Zoning Board of Appeals at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on September 22, 1981 at 7:30 p.m. to hear and consider the following applications:

1. Application of Gary Chilson, 19 Blue Ridge Trail, Rochester, New York 14624 for variance to erect a Radio Tower to be 40' maximum height in the Airport District at property located at above address in R-1-15 zone.
2. Application of Robert Boyack, 24 Battle Green Drive, Rochester, New York 14624 for variance to erect a Radio Tower to be 55' maximum height in the Airport District at property located at above address in

R-1-15 zone.

3. Application of Gary Jennejohn, 14 Milewood Road, Scottsville, New York 14546 for variance for relief from Article 3, Section 3.025-b (flood requirements-residential construction) to build a 24'x30' detached garage to be 12' from one side lot line (50' req.) and 39' from the other side lot line (50' req.) with the floor elevation of 522.0 at property located at above address in RA-20, FPO & FW zone.
4. Application of John Battaglia, 180 Ballantyne Road, Rochester, New York 14623 for variance for relief from Article 3, Section 3.016-a (structures prohibited in Floodway District) to erect a single family dwelling with basement elevation of 522.0 at property located at above address in RA-20, FPO & FW zone.
5. Application of Genesee LeRoy Stone Corp., 1535 Scottsville Road, Rochester, New York 14623 for variance to erect a portable blacktop batching plant to be 50' in height (36' allowed) at property located at above address in M-2 & FPO zone.
6. Application of Beverly Bashaw, 4475 Buffalo Road, North Chili, New York 14514 for variance to allow 2-

11½'x6' additions to house to be 54.3' from front lot line (100' req.) and variance for one of the additions to be 9.9' from side lot line (10' req.) at property located at above address in R-1-15 zone.

7. Application of Mr. and Mrs. Robert Lippa, 13 Bellmawr Drive, Rochester, New York 14624 for variance to enclose a 7'x4' portion of existing open porch to be 57' from front lot line (60' req.) at property located at above address in R-1-15 zone.

8. Application of Gray-Raycheff, 69 Rochester Street, Scottsville, New York 14546 for Land Use Variance for an Automobile Dealership at property located at 2780 Scottsville Road in RA-20 zone.

9. Application of Charles Gray, 2031 Scottsville-Mumford Road, Scottsville, New York 14546 for variance from Section 3.032-h to allow two single family dwellings on one lot, variance for one of the houses with a new garage that will be moved to be 75' from front lot line (100' req.) at property located at 4185 Union Street in RA-20 zone.

10. Application of Peterson Drugs, 40 Main Street, Oakfield, New York 14125 for variance to erect a 4'x40' (160 sq. ft.) illuminated wall sign

(100' allowed) at property located at 3240 Chili Avenue (Chili-Paul Plaza) in C-2 zone.

11. Application of Rob Armstrong, 3400 Chili Avenue, Rochester, New York 14624 for variance to enclosed an existing 7'x14' side porch to be 79' from front lot line (100' req.) at property located at above address in R-1-20 zone.

12. Application of Linda Morrison, 4641 River Road, Scottsville, New York 14546 for variance to combine 2 illegal undersized lots to make a total 2 acre undersized lot (10 acres req.), variance for a 270' lot width at building line (500' req.), variance to repair existing structure with 44.10' side setback (50' req. and 11.44' front setback (100' req.), variance to allow an existing concrete building to have a 6.7' rear setback (10' req.) at property located at 880 & 876 Brook Road in RA-10 zone.

At such time all interested persons will be heard. By order of the Chairwoman of the Chili Zoning Board of Appeals.

Janice Chapman
Chairwoman
Chili Zoning
Board of Appeals

Gary Ed New Road

depending on their proximity to an airport.

No one spoke in favor or opposition.

DECISION: Approved - 6-1 vote.

3. APPLICATION of Gary Jennejohn, 14 Milewood Road, Scottsville, New York 14546 for variance for relief from Article 3, Section 3.025-b (flood requirements-residential construction) to build a 24' x 30' detached garage to be 12' from one side lot line (50' required) with the floor elevation of 522.0 at property located at above address in RA-20, RPO and FW zone.

Mr. Jennejohn was present to discuss this with the Board. He indicated that the garage will be mainly for storage of car and lawn vehicles, etc. There is no garage there now, and everything is left outside. Mrs. Chapman asked if no flood water has ever flooded there, and was told none. Mrs. Chapman asked what the foundation would be and was told that there would be 6 inches of stone and concrete slab. Mrs. Chapman asked if he was digging down for this and was told he was going up. Mrs. Chapman asked how Mr. Jennejohn was planning on attaching the garage to concrete and was told with anchors. She inquired as to what the siding would be and was told Texture 111 - 4 x 8 sheets or cedar siding.

No one spoke in favor or opposition.

Monroe County states this is a matter for local determination.

DECISION: Unanimous approval.

4. APPLICATION of John Battaglia, 180 Ballantyne Road, Rochester, New York 14623 for variance for relief from Article 3, Section 3.016-a (structures prohibited in Floodway District) to erect a single family dwelling with basement elevation of 522.0 at property located at above address in RA-20, FPO and FW zone.

Mr. Edward Somerhays, who is employed by Herman Klengenberger, was present to discuss this with the Board. Mr. Somerhays indicated that the lands are owned by Mr. Battaglia and it is 3.1 acres. He showed the Board a map which showed this land and the existing contours and grades. The flood elevation is 530 feet. The basement will be firmly anchored and waterproofed. There will be no entrances below 525 feet. Mrs. Chapman inquired as to the reason why Mr. Battaglia feels it is necessary to build a basement on this particular site, and Mr. Somerhays indicated that he had no knowledge of that. He said they would have to bring in about 10 feet of fill if a basement is built. Mr. Connolly indicated an environmental map was sent. This is 99 percent in the floodway and one percent in FPO. Mrs. Chapman said in a letter from the County Director of Planning it stated that this parcel is outside floodway determination for Black Creek. In order to build on this site Section 3.020 should be conformed to. Mr. Connolly said he felt the Board should look at this very carefully. Mr. Barbaro asked what the hardship would be if the level of the structure would be raised? Mr. Somerhays indicated that the basement would have to go up four feet - hardship would be bringing in 10 feet of fill.

Mr. Barbaro asked if Mr. Battaglia was a builder or planning on building this for himself, and was told that this property would be on Mr. Battaglia's land. Mr. Newman asked if there is an existing structure on this land right now; and Mr. Somerhays indicated yes, there was, 75 to 100 feet from the road. Mr. Connolly indicated that the structure will be demolished and that it is a legal lot, but it does have to conform to the Town's setbacks.

Mr. Burnett indicated that he felt this is not feasible unless you can raise the level of structure. If they were planning on evacuating water with a sump pump and fill, this will just bring water back in. It is the nature of the land that water just rises there.

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Mr. Newman asked what the proposed dimensions of the house were, and was told by Mr. Somerhays that he didn't have knowledge of this. Mr. Barbaro asked if Mr. Somerhays had any knowledge of the type of house and was told no.

Monroe County states this is a matter for local determination.

No one spoke in favor or opposition.

DECISION: Unanimously denied.

1. There was overwhelming evidence of water standing on the site at its present elevation. Therefore, a basement could not be dug 4.5 feet below this elevation.
 2. Allowing residential construction below the legal elevation on the Flood Plan Overlay District of 526.5' might jeopardize the Federal flood insurance eligibility for the Town of Chili.
 3. The owner was not present to discuss alternative housing plans, it was not possible to explore any other residential use of this land.
5. APPLICATION of Genesee LeRoy Stone Corp., 1535 Scottsville Road, Rochester, New York 14623 for variance to erect a portable blacktop patching plant to be 50' in height (36' allowed) at property located at above address in M-2 and FPO zone.

Mr. James Gillman, plant engineer of the site, was present to discuss this with the Board. He indicated that they have been before the Planning Board. He explained what they anticipate doing. He showed the Board a photograph. This is a 70-foot ton storage tower.

Mrs. Chapman asked if this was on a pad, and was told a concrete foundation will be underneath it. Mrs. Chapman indicated that the height of this would be lower than the two other pre-existing towers which they have a variance for. Mr. Gillman indicated that the property is surrounded by trees. Mr. Burnett asked if the property was in the airport zone and was told yes, and Mr. Gilman showed a letter from the Airport Review.

Monroe County states this is a matter for local determination.

Mr. and Mrs. Bazaar, 2073 Scottsville Road, inquired as to the impact on increased truck traffic. Mr. Gillman indicated there would be very little or 20 percent at the most. Mrs. Bazaar indicated that one day she counted 165 gravel trucks alone. Mrs. Chapman said that the Zoning Board does not consider the question of truck traffic, this application has been before the Planning Board, that this is a legitimate business in this area.

No one spoke in favor.

DECISION: Unanimous approval.

6. APPLICATION of Beverly Bashaw, 4475 Buffalo Road, North Chili 14514 for variance to allow 2-11 1/2' x 6' additions to house to be 54.3' from front lot line (100' required), and variance for one of the additions to be 9.9' from side lot line (10' required) at property located at above address in R-1-15 zone.

Mrs. Bashaw was present to discuss this with the Board. She indicated that the purpose is to enlarge living room and bedroom of her home. Mrs. Chapman asked if the existing center piece is at this distance from the road, and was told yes, they wanted to make this even all the way across. Mrs. Chapman inquired as to siding on this house; and was told Texture 111 will be used on the whole front of the house. Mr. Erwin asked if there would be any other entrances and was told no. Mr. Erwin asked if there would be basement additions and was told no, on a slab.

Monroe County states that this is a matter for local determination.

No one spoke in favor or opposition.

DECISION: Unanimous approval.

7. APPLICATION of Mr. and Mrs. Robert Lipka, 13 Bellmawr Drive, Rochester, New York 14624 for variance to enclose a 7' x 4' portion of existing open porch to be 57' from front lot line (60' required) at property located at above address in R-1-15 zone.

Mrs. Lipka was present to discuss this with the Board. They are enclosing a part of their porch and creating an entranceway for additional space in the living room. Mrs. Chapman asked if the siding would match and was told it would match exactly what's there now.

No one spoke in favor or opposition.

Monroe County states this is a matter for local determination.

DECISION: Unanimous approval.

8. APPLICATION of Gray-Raycheff, 69 Rochester Street, Scottsville, New York 14646 for Land Use Variance for an Automobile Dealership at property located at 2780 Scottsville Road in RA-20 zone.

This application was called and no one was present for applicant. Mrs. Chapman indicated that Mr. Gray had been admitted to the hospital. The Board will postpone without prejudice.

DECISION: Application tabled.

9. APPLICATION of Charles Gray, 2031 Scottsville-Mumford Road, Scottsville, New York 14546 for variance from Section 3.032-h to allow two single family dwellings on one lot, variance for one of the houses with a new garage that will be moved to be 75' from front lot line (100' required) at property located at 4185 Union Street in RA-20 zone.

Mr. Gray was present to discuss this with the Board. Mr. Connolly indicated that Mr. Gray did not legally subdivide property, so he could not issue a building permit. Mr. Barbaro asked Mr. Gray if he wanted some sort of extension to subdivide. And was told that he was willing to do anything. Mr. Barbaro said that the Board would be granting him permission to keep this for one year. Mr. Barbaro told Mr. Gray he would have to hire an engineer and get the property subdivided within one year.

Mr. Connolly indicated that a letter of recommendation was sent to Mr. Gray outlining what he should do to subdivide this property.

No one spoke in favor or opposition.

DECISION: Approved with a vote of 6-1; for a period of nine months. At the end of that time the legal subdivision process must be initiated and must be completed by October 1, 1982.

10. APPLICATION of Peterson Drugs, 40 Main Street, Oakfield, New York 14125 for variance to erect a 4' x 40' (160 square foot) illuminated wall sign (100' allowed) at property located at 3240 Chili Avenue (Chili@Paul Plaza) in C-2 zone.

Mr. Gerold Rosenberg, representing Peterson Drug Company, was present to discuss this with the Board. He indicated they are moving store next to the 2001. The frontage is greater and the name of the store is long, so need more room to put the sign. He showed the

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Board a drawing of the sign. Mrs. Chapman asked about the colors and was told lettering would be black, background white, "Love of Pete" would be in red. Mrs. Chapman asked if the sign extends above the roof line, and was told no. Mr. Erwin inquired as to what the sign would be made of and was told Florescent lighting, frame is steel. Mr. Erwin asked if the sign would be attached to the face of the building and was told yes. Mr. Burnett asked that from an aesthetic standpoint is there any reason why this sign is located where they propose it, and was told that if you look at the building, they centered it.

No one spoke in favor or opposition.

DECISION: Unanimous approval.

11. APPLICATION of Rob Armstrong, 3400 Chili Avenue, Rochester, New York 14624 for variance to enclose an existing 7' x 14' side porth to be 79' from front lot line (100' required) at property located at above address in R-1-20 zone.

Mr. Connolly indicated there was a question of whether he had been notified.

DECISION: Tabled.

12. APPLICATION of Linda Morrison, 4641 River Road, Scottsville, New York 14646 for variance to combine 2 illegal undersized lots to make a total 2-acre undersized lot (10 acres required), variance for 270' lot width at building line (500' required), variance to repair existing structure with 44'10" side setback (50' required), and 11.44' front setback (100' required), variance to allow an existing building to have a 6.7' rear setback (10' required) at property located at 880 and 876 Brook Road in RA-10 zone.

Mr. Wayne Morrison was present to discuss with the Board. He said that they will use part of the structure that is there and renovate it and leave it there. The land originally belonged to his wife's grandmother. The estate left the land like that. They bought one lot and tried to buy additional land but the estate would only sell one acre. Mr. Connolly indicated that this has been done by the deed. The variance for the structure is an old blacksmith's shop. Mrs. Chapman asked about the possibility of moving the whole thing back. Mr. Morrison indicated that the cost wouldn't warrant that. Mr. Barbaro asked if they had done work on this structure; and was told yes, new gas service, electrical heating system, new windows and doors; between \$5,000 and \$6,000 worth, plus labor.

Mr. Burnett asked about the existing concrete building there that is about 300 feet from the main house, and was told by Mr. Morrison that they use it to store building materials in for the house. In the future, Mr. Morrison indicated, he would use it for a wood shop.

Noone spoke in favor or opposition.

DECISION: Unanimous approval.

Janice Chapman
Chairwoman
Zoning Board of Appeals

ZONING BOARD

ZONING BOARD
October 27, 1981

The meeting of the Zoning Board of Appeals of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624 on October 27, 1981. The meeting was called to order at 7:30 p.m. by Chairwoman Janice Chapman.

Present: Janice Chapman, Chairwoman; Cliff D'Heron, Robert Erwin, Ralph Barbaro, Robert Burnett.

Also Present: Dan Miller, Deputy Town Attorney; and Robert Connolly, Building Inspector.

Mr. Miller stated that notice of this meeting was posted on the Town Clerk's bulletin board and has been advertised in the Gates-Chili News.

1. APPLICATION of Rob Armstrong, 3400 Chili Avenue, Rochester, New York 14624 for variance to enclose an existing 7' x 14' side porch to be 79' from front lot line (100' required) at property located at above address in R-1-20 zone.

Mr. Armstrong was present to discuss this before the Board. He said this is an existing porch that has been in existence for 40 years. The timbers on the roof and porch are bad. Now, there is five outside doors and this would eliminate one of them. Mrs. Chapman asked Mr. Armstrong if he was removing what was there previously or merely enclosing the porch? Mr. Armstrong said he was repairing this and enclosing it. Mrs. Chapman asked what kind of roof and siding were to be there and Mr. Armstrong said they will have the same roof and siding as the house. Mrs. Chapman asked what sort of foundation existed there previously, and was told a cement slab and this will remain the same.

Mrs. Chapman indicated that from the application the house sits back 24 feet from right-of-way of the road, and Mr. Armstrong said yes, the addition will be five feet further than that. Nothing has been changed sizewise, this will remain the same.

No one spoke in favor or opposition.

Monroe County states this is a matter for local determination.

DECISION: Unanimous approval.

2. APPLICATION of Gray-Raycheff, 69 Rochester Street, Scottsville, New York 14546 for Land Use Variance for an Automobile Dealership at property located at 2780 Scottsville Road in RA-20 zone.

Mr. Rusty Raycheff, Pittsford, was present to discuss this before the Board. He indicated that they purchased the land in '64. In '66 it was zoned commercial, in '74 the land was changed through a general zoning change to RA-20 zone. They had purchased this property and hoped to move their dealership from Rochester to this piece of land. The south side of this land is zoned commercial, the east side is owned by Rodney Farms, nothing is across the street. Since '74 they have sold their business in the city. Now they are hoping the land will be turned back to commercial property. They are in the process of selling this piece of land now.

Mr. Barbaro asked if a purchase offer is pending now from an automobile dealership, and Mr. Raycheff said yes, that this dealership intends to build a new facility. Mr. Erwin asked if they intended to sell both new cars and used cars and have service and was told yes. Mr. Barbaro asked if Mr. Raycheff was free to divulge the name of that dealership. Mr. Gray of Gray-Raycheff said they could not say, but would say it is a GM dealership. Mr. Erwin asked what they would do if the variance is not approved, if they would still sell the land for something else? Mr. Gray indicated that

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date *Oct 21, 1981*

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated *Oct 21, 1981*

Geraldine C. Snyder

Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 19*83*

Patricia M. Smith

Patricia M. Smith
Publisher

Joining to the Board

Oct 1981

Legal Notice

CHILI ZONING BOARD OF APPEALS

Pursuant to Section 267 of Town Law, a public hearing will be held by the Chili Zoning Board of Appeals at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on October 27, 1981 at 7:30 p.m. to hear and consider the following applications:

1. Application of Rob Armstrong, 3400 Chili Avenue, Rochester, New York 14624 for variance to enclose an existing 7'x14' side porch to be 79' from front lot line (100' req.) at property located at above address in R-1-20 zone.
2. Application of Gray-

Raycheff, 69 Rochester, Street, Scottsville, New York 14546 for Land Use Variance for an Automobile Dealership at property located at 2780 Scottsville Road in RA-20 zone.

3. Application of Winsor Ireland, 268 Archer Road, Churchville, New York 14423 for renewal of variance to allow existing out-building to be used as living quarters at property located at above address in R-1-20 zone.

4. Application of Mary Casper, c/o Don Avery, 25 Main Street East, Suite 400, Rochester, New York 14614 for variance to erect a modular home in the Floodway District, in an M-2 district, with a 35' front

setback (50' req.) at property located at 1474 Scottsville Road in M-2 & FW zone.

5. Application of Mr. and Mrs. Dusan Kuzmanovski, 15 Bright Oaks Circle, Rochester, New York 14624 for variance to erect a 21'x9' wood shed to be 8' from rear lot line (10' req.) at property located at above address in R-1-15 zone.

At such time all interested persons will be heard. By order of the Chairwoman of the Chili Zoning Board of Appeals.

Janice Chapman
Chairwoman
Chili Zoning
Board of Appeals

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this is the last thing the corporation owns and they will try to sell it. Mr. Gray also said if the Board looked at the property, they would see it would be doubtful it would sell for residential.

Mr. Burnett asked the gentlemen if they were familiar with what the use of this proposed land was zoned for - general farming, single family dwellings. Mr. Gray said he felt that it doesn't lend itself to any of those. Mr. Burnett indicated that the other business that is in that area were there prior to the rezoning, he also said that they should have come before the Board when the rezoning went into effect. Mr. Raycheff said he felt that the Planning Board felt that a variance would just pinpoint this particular spot only and leave the rest of this area as residential.

Mrs. Chapman asked if they had tried to sell this property as residential or agricultural land? Mr. Raycheff indicated no, they feel it isn't adaptable. Mr. Gray said they were trying to phase out this corporation and were able to get a purchase offer on this land.

Mr. Barbaro asked the gentlemen if they felt they would have to accept less money if they had to sell for residential? Mr. Gray said there are no homes being built in that area right now. He said he felt they would suffer a financial loss if they couldn't sell as commercial property. Mr. Barbaro asked if the land has been appraised since the rezoning as you are stating that this is a unique parcel of land and would be difficult to sell as residences? Mr. Gray said that when they were having it appraised they were told it had been rezoned.

No one spoke in favor.

Andrew and Mary Bazaar, 2783 Scottsville Road, live across the street from this land, and they would have to look across the street at an automobile agency. This is a rural agricultural setting. Would be putting something totally unlike surrounding countryside there. Everything you see there is basically farmland and country surroundings. Admittedly, not much of the land would be good for homes, but some of it would. They showed the Board some slides of this land. They said certain parts of the site would not be objectionable to building homes on. Mrs. Mary Bazaar said that she objected to this, in good faith they had believed this was residential area. They plan on staying there the rest of their lives. They are presently putting a lot of themselves into their home, not from just a financial standpoint, but through their efforts. To have a used car lot across from you and floodlights is quite objectionable. They have had problems around their house over the last few years and this has been cleaned up. They would like to enjoy their house and cannot afford to move if car dealership came in. It is their investment and they would hate to see it devaluated.

Monroe County states this is a matter for local determination.

DECISION: Unanimously denied.

1. No legal grounds for granting a Land Use Variance.
2. No attempt to sell the property for any of the allowed uses.
3. No evidence of any hardship was presented.
4. Opposition to granting land use variance from neighboring residential owners who bought their property with the understanding that the whole area was zoned rural-agricultural.

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3. APPLICATION of Windsor Ireland, 268 Archer Road, Churchville, New York 14428 for renewal of variance to allow existing out-building to be used for living quarters at property located at above address in R-1-20 zone.

Mrs. Ireland was present before the Board and asked for a renewal of this variance. Mrs. Chapman asked her how long they had had this variance; and was told 25 years, and that they first built building for in-laws and now it is occupied by a single lady for the past eight years. Mr. Burnett asked if this property would be sold would this variance be continued? Mr. Miller said that a variance that runs with the land regardless of who owns it. Mr. Miller said that he felt that is why Board elected to give this a time period of one year. Mr. Burnett asked if the property were sold during continuance of variance would this affect the new owner? Mr. Miller stated no. Mrs. Ireland said they have been living there since '47. Mr. Miller said they could give a variance for the life of Mr. and Mrs. Ireland and their heirs.

No one spoke in favor.

Mr. Buttarazzi, 244 Archer Road, opposed this. He felt that the zoning ordinance punishes innocent people. If an ordinance says one thing, it should be that way. Mrs. Chapman said they have ordinances, and that some people need relief from them. Mr. Buttarazzi said if the laws are for everybody, feel should not grant variances. Mr. Erwin asked him what his specific opposition was to the variance and he said this is an out building not for rental purposes and is against the law. Mr. Barbaro asked him if he was opposed to this being a multiple residence and he said yes. Mr. Barbaro said that the zoning regulations control building in an orderly fashion. People come before the Board for relief or hardship cases.

DECISION: Unanimous approval.

Variance granted so long as the applicant and/or his wife, Barbara Ireland, shall own and reside on the premises.

4. APPLICATION of Mary Casper, c/o Don Avery, 25 Main Street East, Suite 400, Rochester, New York 14614 for variance to erect a modular home in the Floodway District, in an M-2 district with a 35' front setback (50' required) at property located at 1474 Scottsville Road in M-2 and FW zone.

Mr. Don Avery was present to discuss this before the Board. He indicated that the original house was destroyed by fire on July 3, 1981. If you go south on Scottsville Road, make a sharp left turn (showed map of the house to the Board). Wants to put proposed house on side and owner wants to put new leach field in. Might have to move part of this field. Monroe County Health Department said house situation is fine. He has taken elevation shots and there should be no problem with 100-year flood plan. 523' is the base flood elevation. Mr. Connolly said that the 521' elevation on map is correct, part of this property is in the FPO and part in the floodway. Mr. Avery said that he didn't agree with the County that this is industrial, this lot is between two houses. He said they are trying to improve the lot, and they are keeping everything the same. Mrs. Chapman said the County was concerned about noise abatement, that the Zoning Board was not concerned about this, but wanted him to be aware of it.

Mrs. Chapman asked Mr. Avery about the setback of the house from a private road, and Mr. Avery said it would be just about the same. Mrs. Chapman asked if this was a proposed two-bedroom house and Ms. Casper said yes.

Mr. Burnett asked if they foresaw any difficulty with the proposed leach field position, and Mr. Avery said they had talked to the County and they want to look at moving the leach field, but he sees no problem.

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Mr. D'Heron asked if the house was being built on the existing foundation and Ms. Casper said the house will basically be where the previous one was with a new basement.

No one spoke in favor or opposition.

Monroe County states this is a matter for local determination.

DECISION: Unanimous approval.

5. APPLICATION of Mr. and Mrs. Dusan Kuzmanovski, 15 Bright Oaks Circle, Rochester, New York 14624 for variance to erect a 21' x 9' wood shed being 8' from rear lot line (10' required) at property located at above address in R-1-15 zone.

Mr. Kuzmanovski was present to discuss this before the Board. He said he had built this shed and didn't know he needed a variance. Mrs. Chapman asked him why he had built such a large shed and he indicated he was a painter and house has only a one-car garage and no basement, and so he needed a shed. Mr. Burnett inquired as to a basement, and Mr. Kuzmanovski said only a family room. Mr. Barbaro asked what the shed was on and was told blocks. He has concrete on the side and has cement blocks. Stone and cement is on the floor. Mrs. Chapman asked if this was an existing shed and was told yes. Mr. Barbaro asked how long ago this was built? Mr. Kuzmanovski said he started two months ago and then received notice and stopped. Mr. Barbaro asked if Mr. Kuzmanovski was aware there was a 10' variance and he said not aware. Mr. Barbaro asked Mr. Kuzmanovski if he could move this shed, and he said if he had to, he wants to know what he should do.

Mr. Bresovski, 4 Ravire Drive, who is Mr. Kuzmanovski's brother-in-law, was present and said if someone had complained they should be here. The shed is set inside property, and is really losing about one foot for variance.

No one spoke in opposition.

DECISION: Denied - 4 to 1 abstention (Mr. Burnett)

Applicant did not offer any evidence of hardship in conforming to the Zoning Ordinance, applicant is directed to move the shed in question to be in a position not closer than 10 foot from the rear lot line.

Janice Chapman,
Chairwoman
Zoning Board of Appeals

ZONING BOARD
November 24, 1981

A meeting of the Zoning Board of Appeals of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624 on November 24, 1981. The meeting was called to order at 7:30 p.m. by Chairwoman, Janice Chapman.

Present: Janice Chapman, Chairwoman; Cliff DiHeron, Bob Erwin, Bob Burnett, Bill Cates, and Shirley Whelpton

Also Present: Dan Miller, Deputy Town Attorney; and Robert Connolly, Building Inspector

Mr. Miller stated that notice of this meeting was posted on the Town Clerk's bulletin board and has been advertised in the Gates-Chili News.

1. Application of Robert Stein, 5 Minute Man Trail, Rochester, New York 14624 for variance to erect a 10' x 12' wood shed to be 3' from side lot line (10' required); variance to erect the shed on a side and rear easement at property located at above address in R-1-15 zone.

Mr. Stein was present to discuss this before the Board. He indicated that the shed would be on the place indicated on the maps that he provided to the Board. This structure will be portable with no foundation. It cannot be easily moved to another location. There is sewer drainage running down easement and that is the reason why this structure was created to be portable to allow equipment to gain access to that line. He has not received any complaints about the location of this structure. His immediate neighbor has agreed and is here tonight. The storm sewer in question is free flowing drain and opens to large swale in the back. There is no traffic over that line and requires very little maintenance to that line. The line has been in place 12 years and has not required any maintenance. This structure is attractive and is portable.

Mrs. Chapman asked how long it has been in that position and was told just this summer. Mr. Stein said there should be no high water there. There is ample room to allow for water. Mr. Stein said there was a problem of moving the structure as he would have to relocate one tree at least.

Mr. Cates asked if there was an existing tool shed there now and would that be staying? Mr. Stein said this will be a replacement for that.

Mr. Erwin asked if there was room to move the shed through the trees and Mr. Stein said no. Mr. Cates asked if there was any reason why this could not be relocated to where Mr. Stein's swing is now. Mr. Stein said the problem would be to relocate this shed to the swing location through the trees without losing any. Mr. Cates asked if they could go down the property line and Mr. Stein indicated that the problem with doing that was the slope of the hill.

Mr. Burnett asked about the soil and Mr. Stein indicated it was basically clay. Mr. Burnett asked if Mr. Stein planned on storing any chemicals in that shed and was told solid chlorine and they are stored in his garage at the end of the season. Mr. Stein said he put gravel underneath the shed to allow for drainage.

Mr. David Hogan, 3 Minute Man Trail, said he was his neighbor to the west. This structure is closest to his property line and he has no problems dealing with this structure. Concur with everything Mr. Stein said, it could be moved into his yard in case of any problems with the easement.

Mr. H. Beach, 1 Minute Man Trail, said from an aesthetic point of view this is an attractive building. He has lived in the area since 1969 and no water has been as high as the structure. No objections.

No one spoke in opposition.

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date...11-18-81.....

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated...11-18-81.....

Geraldine C. Snyder

Notary

GERALDINE C. SNYDER

NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 1983

Patricia M. Smith

Patricia M. Smith
Publisher

John B. Smith
Nov 1981

Legal Notice

CHILI ZONING BOARD OF APPEALS

Pursuant to Section 287 of Town Law, a public hearing will be held by the Chili Zoning Board of Appeals at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on November 24, 1981 at 7:30 p.m. to hear and consider the following applications:

1. Application of Robert Stein, 5 Minute Man Trail, Rochester, New York 14624 for variance to erect a 10'x12' wood shed to be 3' from side lot line (10' required), variance to erect the shed on a side and rear easement at property located at above address in R-1-15 zone.

2. Application of Gillette Machine, 555 Millstead Way, Rochester, New York 14624 for variance to a low parking within the front setback to accommodate 8 spaces at property located at above address in M-2 & FPO zone.

3. Application of John Bataglia, 140 Autumn Chapel Way, Rochester, New York 14624 for variance for relief from Article 3, Section 3.016a (structures prohibited in Floodway zone) to erect a single family dwelling with the basement elevation of 524.0 at property located at 180 Ballantyne Road in RA-20, FPO & FW zone.

4. Application of Hans-Peter Banmeister, 1091 Paul Road, Churchville, New York 14628 for variance to enclose a 4'x8' porch to be 76' from front lot line (100' required) at property located at above address in R-1-20 zone.

5. Application of Seymour Baskin, 1840 Monroe Avenue, Rochester, New York 14618 for Land Use Variance for outside storage of paper bales in rear of property located at 1200 Scottsville Road in C-2 zone.

6. Application of Eric A. Ruhle, Ampor Beach, Hilton, New York 14488 for Land Use Variance to allow a general contracting business with offices, with the storage of construction equipment, and mixing & packaging of asphalt and cement patching product at property located at 1535 Union Street in M-2 zone.

7. Application of Legris Inc., 244 Paul Road, Rochester, New York 14624 for variance to erect a 20'x80' manufacturing addition to be 13' from side lot line (30' req.) and 41' from front lot line (100' req.), variance to erect a 100'x50' warehouse addition to be 13' from side lot line (30' req) and 11' from rear lot line (40' req.), variance for 36.5% lot coverage (35% allowed), variance to allow additional front parking for 2 spaces at property located at above address in M-2 zone.

At such time all interested persons will be heard. By order of the Chairwoman of the Chili Zoning Board of Appeals.

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Monroe County states this is a matter for local determination.

DECISION: Approved 5-1 vote.

2. APPLICATION of Gillette Machine, 955 Millstead Way, Rochester, New York 14624 for variance to allow parking within the front setback to accommodate 8 spaces at property located at above address in M-2 and FPO zone.

Mr. Klingenberger was present to discuss this before the Board. He said this parking was for visitors only. Down the road and across the street they are parking in front of the buildings. They are not doing something that is not already established within the area. Gillette's parking requirements are within 30 feet of the highway boundary line.

Mrs. Chapman asked if they were proposing to do was to increase the area as shown in the map in the front and Mr. Klingenberger indicated yes, there will be a 20-foot strip from existing entrance driveway. Mrs. Chapman asked if these parking spaces would be marked out in any way and Mr. Klingenberger said that he would suppose that they would.

Mr. Cates said that one of the reasons they didn't wish for parking in front of the buildings was for their aesthetic value. Mr. Klingenberger indicated that Mr. Gillette felt that parking in front is a necessity for visitors.

Mrs. Chapman asked if they propose to retain the flowering trees and other schubbery, and was told yes.

Mr. Maddelino from Penfield said he was Gillette's general contractor and he felt Mr. Gillette was very particular and wanted to have three foot in front as planting area.

No one spoke in opposition.

Monroe County states this is a matter for local determination.

DECISION: Approved 5-1 vote.

Additional visitor parking to be screened with shrubbery planted every 4-5 feet.

3. APPLICATION of John Battaglia, 140 Autumn Chapel Way, Rochester, New York 14624 for variance for relief from Article 3, Section 3.016a (structures prohibited in Floodway zone) to erect a single family dwelling with the basement elevation of 524.0 at property located at 180 Ballantyne Road in RA-20, FPO & FW zone.

Mr. Klingenberger was present on behalf of Mr. Battaglia. He explained Mr. Battaglia wants to build a house on Ballantyne Road. This application was presented previously and adjourned without prejudice. At this time revisions have been submitted showing a basement floor elevation moved up to 524'. There is an existing sanitary sewer on Ballantyne Road. Building the driveway off to Fricker Avenue. The ground around the house will be 4' above, finished floor allows 2' above that. There will be no architectural openings below that. Mr. Battaglia is present this evening.

Mrs. Chapman said that the problems before were that the Board had only technical persen present and no one else. She said houses have been built before above ground level, but with no basements. Mr. Klingenberger said the basement will be about one foot below existing ground level. Mrs. Chapman asked if there would be a sump pump and was told yes. Mr. Erwin asked if there would be a full basement and was told yes, but for storage space, not living space.

Mr. Burnett said they addressed the subject of a sump pump at the last meeting, and that he felt standing water was back there now. Mr. Battaglia said he did not believe there was any.

Mr. Klingenberger said the proposed ground level will be at an elevation of 528', which would be 4 feet above 100-year flood zone. Mr. Battaglia said that where this house is proposed to be built the land is dry.

Mr. Miller asked about the existing house and was told it would be torn down. Mr. Battaglia said the Fire Department will burn it down as a practice drill. Mr. Burnett said one of the Board's previous questions was the structure of the house, dimensions, etc. Mr. Battaglia said it would be a 3-bedroom. Mr. Burnett asked if he were going to built this or move it on the premises and was told that he doesn't know for sure. Mr. Burnett said it was difficult to make a decision unless they know the size of the basement and run-off of water on the roof. Mr. Klingenberger said the house would probably be a frame house, will conform to the zoning laws.

Mr. Butarazzi, 244 Archer Road, said that any land will be good for building a house on if properly constructed.

No one spoke in opposition.

Monroe County states this is a matter for local determination. They did mention noise factor and sound protection.

DECISION: Approved - 5 with 1 abstention.

4. APPLICATION of Hans-Peter Baumeister, 1091 Paul Road, Churchville, New York 14428 for variance to enclose a 4' x 6' porch to be 76' from front lot line (100' reqd.) at property located at above address in R-1-20 zone.

Mr. Baumeister was present to discuss this with the Board. He said the porch is on a 4' x 6' existing concrete platform. This already has a roof and base, enclosing it solely for purposes of energy conservation.

Mrs. Chapman asked if this would be sided and was told wood siding.

No one spoke in favor or opposition.

Monroe County states this is a matter for local determination.

DECISION: Unanimous approval.

5. APPLICATION of Seymour Baskin, 1840 Monroe Avenue, Rochester, New York 14618 for Land Use Variance for out-side storage of paper bails in rear of property located at 1200 Scottsville Road in C-2 zone.

Mr. Baskin was present to discuss this with the Board. He said that this parcel of land is 15.5 acres and presently there is a drive-in there, which is in operation for six months of the year. This storage would be for the winter months. Bales would be 3' x 4' x 5'. This would begin next year. The paper bales would be removed before the drive-in season began. His taxes were \$9,070.00 in '79 and in '81 have increased to \$11,232.00. This would help pay for these taxes. Mr. Baskin doesn't feel this would be an eyesore in any way. Behind the land there is a railroad track that is not used any longer. Burger King is on one side and a car wash on the other. This product is tightly sealed and baled and no damage could occur to the bales or to their property. Makes no difference if these bales get wet.

Mrs. Chapman asked if there was any fencing around this property. Mr. Baskin indicated yes. Mr. Erwin asked if Mr. Baskin was concerned about the possibility of fires and Mr. Baskin replied there is no store there and the bales would be located on the far plot of the property. Mr. Burnett has a concern with the paper and felt children might enter this property and could start fires. He indicated that a fire could smolder and go undetected.

Mr. Erwin asked how close Burger King was to this and Mr. Baskin indicated about 700 feet. Mr. Erwin asked if there was going to be

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a problem with cleaning up the paper and Mr. Baskin said they have an agreement that at the end of the season they will take care of the extra cleanup.

Mr. DiHeron asked if Mr. Baskin visualized having a problem with rodents nesting in the paper and Mr. Baskin said the bales are very tightly baled.

No one spoke in favor or opposition.

Monroe County states this is a matter for local determination.

DECISION: Unanimously denied.

6. APPLICATION Of Eric A. Ruhle, Ampor Beach, Hilton, New York 14468 for Land Use Variance to allow a general contracting business with offices, with the storage of construction equipment, and mixing and packaging of asphalt and cement patching product at property located at 3535 Union Street in M-2 zone.

Mr. Ruhle was present to discuss this with the Board. He said he felt that he was in compliance with the present zoning articles. This was to be basically a cold patch and cement patch and general contracting business.

Mrs. Chapman asked what activities were going to go on in this site. Mr. Ruhle said the products will be manufactured and packaged on site and then shipped out. They intend to upgrade the building. They will be adding partitions and will paint the building. There will be some plantings and other than that no intention of changing anything else on the site.

Mr. Miller inquired as to whether there would be storage of sand and gravel on the grounds. Mr. Ruhle said they may have some from time to time, some crushed stone and sand. This will be processed inside and kept undercover. Mr. Miller asked where they intended to store things and was told in the rear of the building. Mr. Miller inquired as to what would be stored and was told bulldozers, heavy equipment, etc. Mr. Ruhle indicated that normally these would be on the work site unless they come in for repair. Mr. Ruhle indicated one area would be designated for storage. Mr. Miller asked if this would be fenced in and was told no. He asked if they had any plans to put any additional structures on the roof of the building? Mr. Ruhle said that at the present time there are two dust collectors there, and that they will be rehabilitated and made in compliance with the Monroe County Department of Health. Mr. Miller asked the components of the product and Mr. Ruhle answered stone, chemicals and these are non-toxic and non-combustible. Mr. Miller asked if they are placed into containers and Mr. Ruhle answered 3, 7 and 15-pound containers (plastic) and they are sold retail and commercially.

Mr. Connolly asked how many employees would be at this plant and was told approximately 10.

Mr. Burnett asked if all the equipment in the storage areas would be their own and was told yes. Mr. Burnett asked if the building had sprinklers and was told no. Mr. Ruhle indicated that it would take approximately \$50,000 to bring the building up to standards.

Mr. Cates asked if the driveway would be repaved, and Mr. Ruhle said at some point in time they will asphalt the area.

Mr. Winchell, from Archer Road, said he felt that the Town and this Board should give Mr. Ruhle as much encouragement as possible.

No one spoke in opposition.

DECISION: Unanimous approval.

7. APPLICATION of Legris, Inc., 244 Paul Road, Rochester, New York 14624 for variance to erect a 20' x 80' manufacturing addition to be 13' from side lot line (30' required) and 41' from front lot line (100' required); variance to erect a 100' x 60' warehouse addition to be 13' from side lot line (30' required) and 11' from rear lot line (40' required), variance for 36.5% lot coverage (35% allowed), variance to allow additional front parking for 2 spaces at property located at above address in M-2 zone.

Mr. Larry DeCarolis and Ann Haag, Architect, were present to discuss this with the Board. There will be two additions @ manufacturing area and storage space in the back of the existing structure. The existing manufacturing addition is one story, the addition will be alongside this. The warehouse addition is two stories and runs close to rear lot line. This lot is small and they have tried to buy property and have not been able to. Due to manufacturing growth they need expansion. The two parking spots are to be in front of the addition. More will be added in the rear.

Mrs. Chapman asked what they manufactured and was told pneumatic fittings out of brass and plastic. There is an assembly operation on the premises. They need more space. Mrs. Chapman asked what type of construction and was told block and they will conform as much as possible to existing building.

Mr. Burnett asked the height of this addition and was told 22, feet in the front 14 feet. The very front houses the offices and they are presently two stories. Mr. Burnett asked about runoff water, and was told at the present time they have downspouts that go into the ground. They are thinking of running dry wells. Mr. Burnett said that they have only 13 feet from side lot, and that they couldn't possibly due it with that amount. Mr. Burnett said that they were adding more than 7600 square feet of roof. Miss Haag said percolation tests were not done yet.

No one spoke in favor or opposition.

No comments from Monroe County.

DECISION: Reserved.

Janice Chapman,
Chairwoman
Zoning Board of Appeals

ZONING BOARD
December 22, 1981

The meeting of the Zoning Board of Appeals of the Town of Chili, was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624 on December 22, 1981. The meeting was called to order at 7:30 p.m. by Chairwoman, Janice Chapman.

Present: Janice Chapman, Chairwoman; Robert Erwin, Ralph Barbaro, Cliff DiHeron, Robert Burnett and Bill Cates

Also Present: Dan Miller, Deputy Town Attorney; and Robert Connolly, Building Inspector

Mrs. Chapman, in the absence of Mr. Miller, stated that notice of this meeting was posted on the Town bulletin board and was advertised in the Gates-Chili News.

1. APPLICATION of Carl Marsocci, 194 Stenson Street, Rochester, New York 14604 for land use variance to allow a coin shop in garage of existing building at property located at 12 Chestnut Ridge Road in R-1-12 zone.

Ms. Susan Dean was present, representing Mr. Marsocci. This would be located in a single car garage attached to the building itself. Part-time coin shop, three days a week - 3-4 hours at night.

Mrs. Chapman asked what the dimensions of the garage were and if there was a door elsewhere or would you get into the building through the existing business there? Ms. Dean indicated the dimensions were 16 x 22 roughly, and there was a separate door.

Mr. Connolly said that this building already has a variance for a beauty shop and single family dwelling there. Ms. Dean said this was a temporary apartment, and only would be in use for the next 2-3 months.

Mr. Barbaro inquired as to the nature of the coin shop? Ms. Dean said Mr. Marsocci is interested in rare coins, and Chili does not have a coin shop. Mr. Burnett stated that there is a coin shop in the Town, and asked if it would be to buy and sell coins? Ms. Dean said more to evaluate coins. Mr. Burnett inquired if they were planning on doing any structural work, and was told no, just paneling. Mr. Burnett asked if they were going to have signs, and was told none. He asked if this venture would fail, would Mr. Marsocci pursue any other interest in any other venture in the same building, and was told no.

No one spoke in favor.

Mr. Donald Haas, Fenton Road, stated he lives next door, and has no objections to this venture, but was concerned about present parking. He stated there is no problem with parking at this time, but was concerned about the future.

Mr. Burnett asked if there would be any new parking spaces and Ms. Dean said no.

Monroe County stated this is a matter for local determination.

(Mr. Miller appeared.)

DECISION: Unanimously denied.

2. APPLICATION of Walter Garnham, 805 Marshall Road, Rochester, New York 14624 for variance to allow two road cuts on one lot at property located at above address in R-1-15 zone.

Mr. Garnham was present to discuss this with the Board. He stated this application was for a second driveway would allow him to get trucks in and out of his driveway. Mrs. Chapman inquired as to what business he was in, and was told a carpenter, he stores

Forsing Min Book 100

Gates-NEWS-Chili

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date *12-16-81*

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE
PUBLISHED IN THE

GATES-CHILI NEWS

Issue Dated *12-16-81*

Geraldine C. Snyder

Notary

GERALDINE C. SNYDER
NOTARY PUBLIC, State of N. Y. Monroe Co.
My Commission Expires March 30, 1983

Pat M. Smith

Patricia M. Smith
Publisher

Legal Notice

CHILIZONING BOARD OF APPEALS

Pursuant to Section 267 of Town Law, a public hearing will be held by the Chili Zoning Board of Appeals at the Chili Town Offices, 3235 Chili Avenue, Rochester, New York 14624 on December 22, 1981 at 7:30 p.m. to hear and consider the following applications:

1. Application of Carl Marsocci, 194 Stenson Street, Rochester, New York 14606 for Land Use Variance to allow a coin shop in garage of existing building at property located at 12 Chestnut Ridge Road in R-1-12 zone.
2. Application of Walter Garnham, 805 Marshall Road, Rochester, New York 14624 for variance to allow two road cuts on one lot at property located at above address in R-1-15 zone.
3. Application of John Erbeling, 363 Chestnut Ridge Road, Rochester, New York 14624 for variance to erect an 8'x12' addition to house to be 95' from front lot line (100' required) at property located at above address in R-1-15 zone.

At such time all interested persons will be heard. By order of the Chairwoman of the Chili Zoning Board of Appeals.

Janice Chapman
Chairwoman
Chili Zoning
Board of Appeals

tools in a small building, couple of hand tools and shop tools. Mrs. Chapman asked how many trucks and was told two.

Mrs. Chapman inquired as to how long the driveway was and what surface and was told a gravel driveway about 100 feet deep to get back to the building in the back.

Mr. Barbaro asked what kind of a hardship this would be if you can't expand the existing driveway? Mr. Garnham indicated that he would have to go through his back yard and remove some trees. Mr. Barbaro asked if there were trees along the front of the property? Mr. Garnham said on the sides, across the street and some in the back. Mr. Barbaro asked if Mr. Garnham felt there would be a hazard for having an adequate line of sight going onto Marshall Road? He was told that it is more hazardous right now.

Mr. Burnett asked why he could not put in a driveway along the swing, and was told he would have to go through the back lawn and cut down trees.

Mrs. Chapman asked if there was a curve in the road there and was told yes. Mr. Miller inquired as to the size of the lot and was told 5-5 1/2 acres, and he has 500 feet lot frontage. Mr. Chudyk said the Town of Chili Department of Public Works opposes this stating that (a) approval would be on downgrade of Marshall Road, (b) trees and shrubbery obstruct driveway, causing additional hazard, (c) Marshall Road is heavily travelled and (d) Marshall Road in the winter could be slippery, and (e) believe one driveway for this location with turn-around off right-of-way should be adequate.

Mrs. Chapman said this did not have to be submitted to the County.

No one spoke in favor or opposition.

DECISION: Granted 5-1 vote.

3. APPLICATION of John Erbelding, 363 Chestnut Ridge Road, Rochester, New York 14624 for variance to erect a 8' x 12' addition to house to be 95' from front lot line (100' required) at property located at above address in R-1-15 zone.

Mr. Erbelding was present to discuss this with the Board. He stated that the purpose for this addition was to house a woodburning boiler, want to use as a supplemental heating system for that address.

Mrs. Chapman asked how far the house was from the road and was told 60 feet. She asked what side of the house this addition would be on and was told the west side. Mr. Burnett asked what sort of framing he was planning on using, and was told wood storage with fire wall, fire resistant drywall. He also asked what was the intent of the openings according to Mr. Erbelding's drawing and was told one of them for piping. Mr. Erbelding stated there will be a separate chimney, which will be enclosed in the building. Mr. Burnett asked if he was planning on adding a solar greenhouse, and was told yes in the future. Theree will be two separate boiler units. Mr. Burnett asked what provision would be made for wood storage and was told part of the addition would be for wood storage.

No one spoke in favor or opposition.

Monroe County states this is a matter for local determination.

DECISION: Granted 5 - 1 abstention.

Janice Chapman
Chairwoman
Zoning Board of Appeals