PLANNING BOARD AGENDA
Thursday, May 14, 2020, 6:30 PM
Allyn "AJ" Hetzke, Chairman presiding
Tony LaFountain, Town Board Liaison

I. Call to Order

II. Approval of Minutes – April 30, 2020

III. Public Hearing Application
1. Application #20P-0003
   2071 Fairport Nine Mile Point Road, Starbucks at Parkside Commons Plaza
   Preliminary/Final Site Plan and Conditional Use Permit for new restaurant
2. Application #20P-0004
   1394 Jackson Road and 1440 Jackson Road, Forest Ridge subdivision
   Final Subdivision and Preliminary/Final Site Plan and EPOD Permit
3. Application #20P-0005
   1918 Jackson Road, Evergreen Estates subdivision
   Preliminary/Final Subdivision, Site Plan and EPOD Permit

IV. Tabled Applications
1. Application #19P-0026 - WITHDRAWN
   1549 Empire Blvd, Children’s Dyslexia Center of Rochester

V. Action Items
1. Application 18P-0022
   Penfield Square, sign package design review
2. 339 Embury Road & 1534 Creek Street Resubdivision

VI. Held Items
1. Application # 16P-0004
   Bayview Landing at 1185 Empire Blvd, 1211 Empire Blvd & 41 Woodhaven Dr
   Preliminary/Final Site Plan, Subdivision, and EPOD Permit
2. Application # 19P-0008
   280 Panorama Trail
   Preliminary/Final Subdivision, Site Plan and EPOD Permit

VII. New Business

VIII. Executive Session

IX. Next Meeting: May 28, 2020 – Work Session

X. Adjournment

This meeting will be video recorded and broadcast LIVE via the town’s website www.penfield.org
and the Town’s Government Access Cable Channel 1303
Questions regarding video coverage contact Penfield TV at (585) 340-8661.
NOTICE OF PUBLIC HEARING MEETING, PENFIELD PLANNING BOARD

PLEASE TAKE NOTICE that a public hearing will be held on Thursday, May 14, 2020 at 7:00 PM local time by the Penfield Planning Board to discuss, in a meeting open to the public, the applications listed below.

Due to the Covid-19 Virus and the closing of town operations consistent with Governor’s Executive Orders, including Executive Order 202.1, which suspended certain provisions of the Open Meetings Law, and Executive Order 202.15, which postponed public hearings unless they can be held remotely through the use of telephone conference, video conference, and/or other similar service, the May 14, 2020 Planning Board meeting will be held remotely beginning at 6:30 PM. In-person public access to the Town Hall facility will not be permitted. This meeting will be video recorded and broadcast LIVE via the town’s website www.penfield.org, on the Town's Government Access Cable Channel 1303, and on streaming media device: ROKU, Apple TV, and Amazon Fire. Search "Penfield TV" in your device's app store, it is free. The meeting will be later transcribed. For questions regarding video coverage please contact Penfield TV at (585) 340-8661.

There will be "public participation" opportunities for each public hearing application listed below. The board chairman will announce the appropriate time for public participation for each application. To address the board during the public participation portion of the meeting please call (585) 340-8771 to be connected with Penfield TV, or complete an electronic submission form that will be available on the town’s website www.penfield.org the day of the meeting.

The Planning Department will also accept public comments on public hearing applications leading up to the meeting, and for one (1) week after the meeting. A copy of the letter of intent and proposed site plan for each public hearing application is included in this agenda for reference beginning on page 4. Please submit your comments to the Planning Department via email at planning@penfield.org. We encourage this method for all public comments. All comments sent via email must include the following in the body of the message for the project record.

(1) Name(s)
(2) Local Address
(3) Public Hearing Application Number - #20P-000__

Please contact the Planning Department with any questions.

PUBLIC HEARING APPLICATIONS:

1. BME Associates, 10 Lift Bridge Lane East, Fairport, NY 14450, on behalf of Conifer Penfield Associates, requests under Chapter 250 Articles XII-12.2 and XIII-13.2 of the Code of the Town of Penfield for Preliminary/Final Site Plan and Conditional Use Permit approval to construct a new Starbucks restaurant with drive-thru service and associated site improvements on a ±1.20 acre portion of the property located at 2071 Fairport Nine Mile Point Road, known as Parkside Commons Plaza. The property is now or formerly owned by Conifer Penfield Associates and zoned General Business (GB). Application #20P-0003, SBL #140.05-1-1.2/2160.

2. Marathon Engineering, 39 Cascade Drive, Rochester, NY 14614, on behalf of Combat Construction, requests under Chapter 250 Articles VI-6.1, XI-11.2 and XII-12.2 of the Code of the Town of Penfield for Final Subdivision and Preliminary/Final Site Plan and EPOD Permit approval to construct a 72-lot single-family subdivision under Town Law §278, on ±90.5 acres located at 1394 Jackson Road and 1440 Jackson Road. The property is now or formerly owned by Lupo Brothers Family Trust, Pridonoff Family Trust, Kasunich Family Trust, Peter Rubino, G. DiPisa, and Santa Puccio and zoned Single Family Rural Residential, RR-1. Application #20P-0004, SBL #095.03-1-39, 110.01-1-14.
3. BME Associates, 10 Lift Bridge Lane East, Fairport, NY 14450, on behalf of Insite Land Development Inc., requests under Chapter 250 Articles VI-6.1, XI-11.2, XII-12.2 of the Code of the Town of Penfield for Preliminary/Final Subdivision, Site Plan, and EPOD Permit approval to construct a 20-lot single-family subdivision under Town Law §278 with associated site improvements on a ±13.26 acre lot, located at 1918 Jackson Road, and to be known as the “Evergreen Estates” subdivision. The property is now or formerly owned by Benoit and Sylvia Dumais, and zoned Single Family Residential R-1-20. Application #20P-0005, SBL #124.16-1-39.3.

TABLED APPLICATIONS:

1. LaBella Associates DPC, 300 State St. Suite 201, Rochester, NY 14614, on behalf of Thomas Gangemi, requests under Chapter 250 Article XII-12.2 of the Code of the Town of Penfield for Preliminary/Final Site Plan approval for a parking expansion with associated site improvements on ±0.79 acres located at 1549 Empire Boulevard. The property is now or formerly owned by Thomas Gangemi and zoned LB. Application #19P-0026, SBL #093.19-01-004.

WITHDRAWN

The Planning Board will meet at 6:30 PM local time on May 14, 2020 to discuss tabled matters and other business that may be before it. Please contact the Planning Department with any questions or concerns.

Amy Steklof, RMC/CMC
Town Clerk
Public Hearing Application #1
2071 Fairport Nine Mile Point Road
Starbucks at Parkside Commons Plaza
Application #20P-0003

See Pages to Follow
February 27, 2020

Town of Penfield
3100 Atlantic Avenue
Penfield, New York 14526
Attn: Zach Nersinger

Re: Starbucks - Penfield

Dear Zach:

On behalf of Conifer Penfield Associates, we submit the enclosed application for the Planning Board to consider for Site Plan and Special Use Permit approval for a new Starbucks. The project site is located within the Parkside Commons Plaza, at the northwest of the Fairport Nine Mile Point Road (NYS RT 250) and Penfield Road (NYS RT 441) intersection. We request to appear at the Planning Board’s April 2, 2020 meeting, and we have enclosed the following application materials for your review:

- Nine (9) copies of the Penfield Planning Department Application Form
- Nine (9) copies of Short Environmental Assessment Form
- Nine (9) full size copies of the Site Plans
- Five (5) 11”x17” copies of the Site Plans
- Nine (9) copies of 3D Rendering
- Nine (9) copies of Building Elevations
- Two (2) copies of the Engineer’s Report
- Two (2) copies of Factors of Consideration
- One (1) copy of Permission Letter
- One (1) Application Fee of $750 ($500 + $125 per 1,000 sf for +/- 2,000 sf)

This redevelopment project would demolish the existing building located at 2071 Nine Mile Point Road, just north of the plaza entrance/exit to NYS RT 250 and modify the adjacent parking lot to provide additional drive through access and stacking. The building was formerly used as a bank with a drive-thru and other retail uses. The property is within the General Business (GB) and Routes 441/250 Overlay District (TFOD), and the proposed eating establishment use is allowable with a conditional use permit from the Planning Board.

The proposed building will connect to the existing private water system and Town owned sanitary sewer within the Plaza. Stormwater will continue to be collected by an existing private storm sewer network and conveyed to the existing stormwater facility located along the western property limits. No improvements to the stormwater management facility are proposed with the redevelopment activities as impervious area is being reduced, however a new CDS unit is being proposed to provide additional water quality for the property. Access to the property will be maintained, including cross access agreements which are currently in place with the adjacent properties to the north and south of the redevelopment area. The existing parking area will be reconfigured for the proposed drive through lane and will include relocating parking spaces to the eastern property limits, and the number of parking spaces will meet the Town Code requirements based upon pervious approvals for the property. Existing light poles within the redevelopment area will be removed and reinstalled per the proposed site configuration. The project will result in a net increase in green space and include new landscaping and foundation plantings.
A variance will be requested from the Town of Penfield Zoning Board of Appeals from Town Code Section 250-6.3.F(1) to allow for a 4.6 foot setback from the required 50 feet from the state right-of-way which shall be devoted to landscaping. The proposed building meets the bulk setback requirements. There was an existing variance granted by the Zoning Board of Appeals on November 17, 2005 allowing for a 15.6 foot setback from the 50 foot landscape requirement. It should be noted due to previous NYSDOT takings of the property the distance originally planned to the ROW was decreased from the initial development of the plaza, and there is a currently a pre-existing condition on the property between 2075 Fairport Nine Mile Point Road (Monroe Muffler) and the ROW where a 0.0' setback and landscaped buffer is provided. There are several other developments in the vicinity of the project and within the TFOD zoning district which do not provide the 50 foot setback for a landscape area.

The property is not within any of the Town’s EPOD districts and the redevelopment area does not contain any state or federal wetlands and is not within a mapped FEMA floodplain. No work is proposed within the NYSDOT Route 250 right-of-way. It is anticipated the site improvements would commence during summer 2020 after receiving the necessary approvals and permits.

We look forward to meeting with Planning Board on April 2, 2020. Please feel free to contact our office with any questions you may have in this regard.

Thank you.

Sincerely,
BME ASSOCIATES

[Signature]

James G. Cretekos, P.E.

/JGC

Enclosure

c: Fred R Rainaldi; Conifer Penfield Associates
Public Hearing Application #2
1394 Jackson Road & 1440 Jackson Road
Forest Ridge Subdivision
Application #20P-0004

See Pages to Follow
March 2, 2020

Mark Valentine
Town of Penfield
3100 Atlantic Ave
Penfield NY 14526

Re: Revised Overall and Final Subdivision Approval
Forest Ridge Estates, 1394 & 1440 Jackson Road
Town of Penfield, Monroe County, NY

Dear Mark,

On behalf of our client, Combat Construction, we are submitting plans of the above referenced project for your review. We request that this project be placed on the agenda for the Planning Board meeting of April 2nd, 2020 for Revised Overall and Final Subdivision Approval.

The 72-lot single-family home subdivision will be constructed on 90.5 +/- acres, comprised of two parcels located on the east side of Jackson Road, south of Plank Road, zoned RR-1, Rural Residential. The applicant is proposing to develop under Town Law 278, with relief from the standard front setback, lot area, and lot width requirements.

A sketch plan providing a ‘base-zoning layout’ that complies with the underlying zoning and included maintenance of existing wetlands on-site, stormwater management facilities and other environmental considerations on the site was developed and approved by the Planning Board in April 2019. On September 12, 2019 the Planning Board granted Preliminary Overall Subdivision Approval.

There is one 15 +/- acre estate lot in the northwest portion of the subdivision with access from Plank Road. There will be a curvilinear dedicated road servicing Forest Ridge Estates, with one ingress/egress from Jackson Road and one from Plank Road providing access to the 71 cluster lots. Sidewalks are proposed for only the west/north side of the new dedicated road.

Approximately 22.5 acres of land will be dedicated to the Town of Penfield and will contain several federal wetlands, woodland buffers and stormwater management facilities for the site. An additional conservation easement over the rear of several lots will restrict an additional 17.3 acres of the proposed subdivision. It is anticipated the entire subdivision will be developed as one section; the section may be phased for construction and filing purposes depending on the season of year that construction starts.

Utilities will be provided to service the project through normal subdivision development:

- Gas and electric will be extended to the project by RG&E.
- Water main will be extended through the project and dedicated to the MCWA
• Storm run-off will be collected in a dedicated storm sewer system with stormwater management facilities installed as required by the NYSDEC.

• Sanitary sewer service will be provided a sanitary forcemain that will be extended to the north along the western side of the Jackson Road right-of-way to a town of Penfield sanitary sewer near the intersection of Alden Glen Drive. The forcemain will extend approximately 4,200’ to the connection point and will be directional drilled for the entire length – it will be dedicated to the Town upon completion.

Changes to the overall layout previously approved include:

• There will be a dedicated pump station for the sanitary sewer rather than individually owned low-pressure pumps

• A cul-de-sac was added to the layout due to gravity sewer design modification

Enclosed with this submission is the following information to aid in your review:

• 9 copies of this Letter of Intent

• 9 copies of the Planning Department Application Form

• 2 copies of the Factors for Consideration – Site Plan (Revised)

• 2 copies of the Response to 09/12/2019 Planning Board Approval Conditions

• 2 copies of the Revised Engineers Report

• 2 copies of the Revised Stormwater Pollution Prevention Plan (SWPPP)

• 9 copies of the Site Plan set (24x36)

• 9 copies of the Subdivision Plat Sheets (34x44)

• 1 cd with pdfs of the above material

• 1 check for the PB Application fee ($5,800)

We look forward to presenting this project to the Planning Board on April 2nd. If you have any questions, or require additional information, please do not hesitate to contact our office.

Respectfully submitted,

Matt Tomlinson CPESC
Marathon Engineering

cc: Mike D’Amico, Combat Construction
Public Hearing Application #3
1918 Jackson Road
Evergreen Estates Subdivision
Application #20P-0005

See Pages to Follow
April 3, 2020

Planning Board
Town of Penfield
3100 Atlantic Ave.
Penfield, NY 14526

Re: Evergreen Estates Subdivision

Dear Board Members:

On behalf of Insite Land Development Inc., we are pleased to submit the enclosed application for Preliminary/Final Plan submittal for your review. The applicant requests to subdivide this property according to Town of Penfield Code Section 250-11.4 for Cluster Developments. The number of dwelling units does not exceed the number of units established on the Conventional Subdivision Plan designed in conformance to the minimum lot size and density requirements of Chapter 250. This plan was presented at the Concept Plan Application Public Hearing. We request to appear at the Planning Board’s meeting on May 14, 2020, and have enclosed the following application materials for your review:

- Letter of Intent (1 original and 1 copy)
- Application Form (1 original and 1 copy)
- Preliminary/Final Plan Set (3 full size copies)
- Short Form EAF (1 original, 1 copy)
- Engineer’s Report
- $400 Application Fee
- $2,500 Engineer’s Review Fee (20 lots x $75/lot)

The proposal is to subdivide ±13 acres into twenty (20) single-family lots. The property is located at 1918 Jackson Road and is zoned Residential R-1-20 (Single-Family Residential District). The following lot standards are proposed: minimum lot width of 80’ (measured at setback), side setback of 8’, front setback of 40’, rear setback of 20’, and minimum lot size of 14,500 SF.

Utilities include proposed sanitary sewer with private sanitary lateral connections, watermain with individual water service connections, and storm sewer with laterals. Watermain will be connected to existing main located on Jackson Road, and sanitary sewer will be connected to existing sewer at Pond View Lane to the east.

The stormwater management area is placed within the existing Town of Penfield pond area. It is proposed that stormwater management will utilize the existing stormwater management dry pond to the east on Town of Penfield land. This existing pond area was improved to meet current NYSDEC guidelines as discussed with the Town staff and Town Board.

The proposal has been designed to meet the density established by R-1-20 (Single-Family Residential District) zoning requirements and under clustering provisions of the Town Code Section 250-11.4. No variances are requested for the development.
Clustering of the 20 lot proposed development will provide the following benefits:

1. A larger buffer to Jackson Road and existing adjacent residencies will be provided by land conveyance and reduced front setbacks.
2. Reduction of impervious surfaces by reducing length of driveways, and providing large green space along the project boundary lines.
3. Flag lots shown on Conventional Cluster Plan will be eliminated.
4. Improving existing stormwater management area on Town’s property to the east, and using it for this project will benefit Town and applicant by the following:
   - There will be only one pond maintained by the Town, not two.
   - The Town’s existing dry pond does not meet today’s standards and provides only limited water quality treatment; the applicant will propose improvements.
   - Placement pond in open Town parcel will save more buffer trees.

We are requesting to appear on your May 14, 2020 agenda for presentation of this proposal. If you require any additional information, please contact our office.

Sincerely,

BME ASSOCIATES

Fred Shelley

Frederick A. Shelley, LS

/FAS

Encl.

c: Rudy Neufeld; Insite Land Development Inc.