NOTICE OF WORKSESSION, PENFIELD PLANNING BOARD

PLEASE TAKE NOTICE, that a WORKSESSION will be held at the Penfield Town Hall in the auditorium on Thursday, April 22, 2010 at 6:30 PM local time by the Penfield Planning Board to consider the following applications. All persons in favor of or opposed to said applications will be heard.

TABLED:

1. Eric Schaaf, Marathon Engineering, 2101 Mount Read Blvd., Rochester, NY 14615/Jonny Yuan requests under Articles IX-9-2 and X-10-2 of the Code Preliminary and Final Site Plan and Conditional Use Permit approval to allow the construction of a 5,000 sq. ft. building and associated improvements, to be known as Royal Dynasty Restaurant. The property is located at 1763 Empire Boulevard, is now or formerly owned by Philip Castronova and is zoned GB. Appl# 10P-0007. SBL# 093.15-1-66.

APPROVED WITH CONDITIONS

2. Douglas Eldred, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, NY 14450/2064 Nine Mile Point Associates, LLC. Requests under Article IX-9-2 of the Code Preliminary and Final Site Plan approval to allow construction of two 10,400 sq. ft. single-story office buildings and associated improvements on 3.1 acres, located at 2064 Fairport Nine Mile Point Road, to be known as Platinum Office Complex Phase II – Sports Medicine #2. The property is now or formerly owned by Apollo Development Co. LLC and is zoned BN-R and TF. Appl# 10P-0008. SBL# 140.01-1-2.12.

APPROVED WITH CONDITIONS

3. David Zacharias, BME Associates, 10 Lift Bridge Lane East, Fairport, NY 14450/Wilbert’s Inc. requests under Article VIII-8-2 of the Code Preliminary and Final Subdivision approval to allow the subdivision of 52.5 acres into four parcels to allow separation of the existing Wilbert’s Christmas Tree Farm and the existing Wilbert’s Buick and GM Parts, to be known as Wilbert Property. The property is located at 1272 Salt Road, is now or formerly owned by Arthur Wilbert and is zoned RA-2. Appl# 10P-0002. SBL# 095.04-2-2.

APPROVED WITH CONDITIONS

4. Robert L. Keiffer, PE, FRA Engineering, 255 East Avenue, Rochester, NY 14604/Dave Clements requests under Articles III-3-10, IX-9-2 and X-10-4 of the Code Preliminary and Final Site Plan, EPOD Permit, and Conditional Use Permit approval to allow demolition of an existing dry cleaning facility and the construction of a 6 bay carwash with associated site improvements on a total of 0.68 +/- acres located at 1600 Penfield Road to be known as Classy Chassy Carwash. The property is now or formerly owned by Springs Land Company LLC, and is zoned GB. Appl# 09P-0021. SBL# 123.20-2-47.

CONTINUED TABLED

MISCELLANEOUS:

1. Bay Towne Plaza Expansion Rezoning – The Board received the draft environmental impact statement on September 24, 2009 and declared it incomplete on October 22, 2009. Additional information was submitted on December 1, 2009. On January 21, 2010 the applicant requested
the Planning Board to table the review process pending the submission of an amended plan. The Board decided to honor that request at their January 28, 2010 meeting. For additional details relating to this project please refer to the Planning Department website at www.penfield.org.

The Planning Board will meet at 6:30 PM local time Thursday, April 22, 2010, in the Town Hall Auditorium to discuss, in a meeting open to the public, tabled matters and other business that may be before it.

Amy Steklof
Town Clerk
The Planning Board met at 6:30 PM local time Thursday, April 22, 2010 in the Auditorium to discuss, in a meeting open to the public, tabled matters and other business that was before it.

I. **CALL TO ORDER:**

**PRESENT:**  Sandy Kyle, Chairperson  
John Albright  
William Bastian  
Arsen Markarian  
Mike Simon  
Terry Tydings

**ABSENT:**  Allyn Hetzke, Jr.

**ALSO PRESENT:**  Katie Evans, Planning Board Clerk  
Deanna Herko, Planning Board Secretary  
Evan Sheppard, Planning Technician  
Geoff Benway, Town Engineer  
Peter Weishaar, Legal Counsel

II. **APPROVAL OF MINUTES:**  April 8, 2010

The Board approved the minutes.

<table>
<thead>
<tr>
<th>Vote:</th>
<th>Moved by:</th>
<th>Seconded by:</th>
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<tbody>
<tr>
<td>Chairperson Kyle - Aye</td>
<td>Albright – Aye</td>
<td>Bastian – Aye</td>
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<tr>
<td>Markarian – Aye</td>
<td>Simon – Abstained</td>
<td>Tydings - Aye</td>
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</tbody>
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Motion was carried.

III. **TABLED:**

A. Eric Schaaf/Jonny Yuan requests Preliminary and Final Site Plan and Conditional Use Permit approval to allow the construction of a 5,000 sq. ft. building and associated improvements to be known as Royal Dynasty Restaurant located at 1763 Empire Boulevard. Appl# 10P-0007. SBL# 093.15-1-66.

The Board reviewed the revised plans and written responses to the reviewing agency comments. The Board also reviewed the sign renderings and the external building lighting plan recently submitted by the applicant. The Board reviewed a draft approval resolution for consideration. The Board requested the following conditions be added to the approval resolution:

- Rooftop equipment screening plans will be approved by the Planning Board prior to issuing the building permit
• Clarification of the condition regarding the curbing of the required cross access
• An additional condition requiring parking lot lighting to be turned off 1 hour after closing the restaurant. Security lighting may remain on overnight

The Board APPROVED the Part 2 Environmental Assessment Form.

Vote: Moved by: Bastian Seconded by: Albright
Chairperson Kyle - Aye Albright – Aye Bastian – Aye Hetzke - Absent
Markarian – Aye Simon – Aye Tydings - Aye

Motion was carried.

This application was APPROVED WITH CONDITIONS with revisions incorporated into the draft approval resolution.

Vote: Moved by: Bastian Seconded by: Albright
Chairperson Kyle - Aye Albright – Aye Bastian – Aye Hetzke - Absent
Markarian – Aye Simon – Aye Tydings - Aye

Motion was carried.

B. Douglas Eldred/2064 Nine Mile Point Associates, LLC. requests Preliminary and Final Site Plan approval to allow construction of two 10,400 sq. ft. single-story office buildings and associated improvements on 3.1 acres, located at 2064 Fairport Nine Mile Point Road, to be known as Platinum Office Complex Phase II – Sports Medicine #2. Appl# 10P-0008. SBL# 140.01-1-2.12.

Board member Simon has recused himself from this application.

The Board reviewed revised plans and written responses to the reviewing agency comments. The Board reviewed the draft approval resolution for consideration. The Board requested the Town Engineer address the following concerns:
• Discuss minor grading plan modifications with the applicant
• Discuss the lighting plan with Board member Hetzke

The Board requested the following conditions be added to the approval resolution:
• Reference to the Zoning Board of Appeals approval required

The Board APPROVED the Part 2 Environmental Assessment Form.
Vote: Moved by: Kyle Seconded by: Tydings

Chairperson Kyle - Aye Albright – Aye Bastian – Aye Hetzke - Absent
Markarian – Aye Simon – Recused Tydings - Aye

Motion was carried.

This application was APPROVED WITH CONDITIONS.

Vote: Moved by: Kyle Seconded by: Tydings

Chairperson Kyle - Aye Albright – Aye Bastian – Aye Hetzke - Absent
Markarian – Aye Simon – Recused Tydings - Aye

Motion was carried.

C. David Zacharias/Wilbert’s Inc. requests Preliminary and Final Subdivision approval to allow the subdivision of 52.5 acres into four parcels to allow separation of the existing Wilbert’s Christmas Tree Farm and the existing Wilbert’s Buick and GM Parts located at 1272 Salt Road to be known as Wilbert Property. Appl# 10P-0002. SBL# 095.04-2-2.

Board member Simon recused himself from this application.

The Board reviewed the Zoning Board of Appeals approval resolution. The Board reviewed the revised draft approval resolution for consideration.

The Board APPROVED the Part 2 Environmental Assessment Form.

Vote: Moved by: Markarian Seconded by: Bastian

Chairperson Kyle - Aye Albright – Aye Bastian – Aye Hetzke - Absent
Markarian – Aye Simon – Recused Tydings - Aye

Motion was carried.

This application was APPROVED WITH CONDITIONS.

Vote: Moved by: Markarian Seconded by: Albright

Chairperson Kyle - Aye Albright – Aye Bastian – Aye Hetzke - Absent
Markarian – Aye Simon – Recused Tydings - Aye
Motion was carried.

D. Robert L. Keiffer, P.E./Dave Clements requests Preliminary and Final Site Plan, EPOD Permit, and Conditional Use Permit approval to allow demolition of an existing dry cleaning facility and the construction of a 6 bay carwash with associated site improvements on 0.68 +/- acres located at 1600 Penfield Road to be known as Classy Chassy Carwash. Appl# 09P-0021. SBL# 123.20-2-47.

Staff provided the Board with an update regarding this application. The Board is waiting for responses from the applicant.

This application was CONTINUED TABLED.

Vote: Moved by: Markarian Seconded by: Bastian

Chairperson Kyle - Aye Albright – Aye Bastian – Aye Hetzke - Absent
Markarian – Aye Simon – Aye Tydings - Aye

Motion was carried.

IV. MISCELLANEOUS:

A. Bay Towne Plaza Expansion Rezoning – The Town Board is awaiting submission of the revised proposal from the applicant. The Planning Board will continue to hold the application in abeyance.

B. Abbington Place – The Town Board has requested the Planning Board review this application and provide written comments. This application is a Concept review for Incentive Zoning to subdivide 49.1 acres into 99 residential lots, consisting of 27 conventional single-family lots and 72 patio homes. The property is located on the west side of Fairport Nine Mile Point Road, at the Marchner Road intersection. The Town Board Public Informational Meeting will be held on May 25th. The Planning Board plans to discuss the application at their next meeting.

C. Comprehensive Plan – The Town Board accepted the Final Committee Report and it is available for viewing on the Town website. Staff encouraged the Board to review the plan provided electronically and provide any comments to the Town Board by July.

D. Tree Guidelines – The Town Board adopted the Tree Guidelines as prepared by the Conservation Board. Staff provided the final version to the Board to store on their laptops as a reference file.
E. Draft Approval Resolution Template – The Board discussed the template and revised a few sections. Staff will revise the template and reissue to the Board for review and use.

There being no further business to come before the Board, this meeting was adjourned at 7:23 PM, Thursday, April 22, 2010.

These minutes were adopted by the Planning Board on May 13, 2010.