NOTICE OF PUBLIC HEARING, PENFIELD PLANNING BOARD

PLEASE TAKE NOTICE, that a public hearing will be held at the Penfield Town Hall in the auditorium on Thursday, June 10, 2010 at 7:00 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.

1. Peter Vars, PE, BME Associates, 10 Lift Bridge Lane East, Fairport, NY 14450/Summers Pittsford Family, LLC requests under Articles VIII-8-2 and IX-9-2 of the Code Final Subdivision and Site Plan approval to allow the construction of 18 single family residential lots on 10.94 acres, to be known as Newbury Park Section 7. The property is located at 3000B Atlantic Avenue, is now or formerly owned by Summers Pittsford Family, LLC and is zoned R-1-20. Appl# 10P-0010. SBL# 109.04-1-42.

APPROVED WITH CONDITIONS

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, June 10, 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, June 10, 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
          Allyn Hetzke, Jr. arrived at 7:25 PM
          Arsen Markarian
          Terry Tydings

ABSENT: Mike Simon

ALSO PRESENT: Katie Evans, Planning Board Clerk
               Deanna Herko, Planning Board Secretary
               Evan Sheppard, Planning Technician
               Mark Valentine, Assistant Engineer
               Peter Weishaar, Legal Counsel

II. APPROVAL OF MINUTES: May 13, 2010

The Board approved the minutes.

Vote: Moved by: Markarian Seconded by: Bastian

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

Motion was carried.

III. PUBLIC HEARING:

A. Peter Vars/Summers Pittsford Family, LLC requests Final Subdivision and Site Plan approval to allow the construction of 18 single families residential lots on 10.94 acres located at 3000B Atlantic Avenue to be known as Newbury Park Subdivision Section 7. Appl# 10P-0010. SBL# 109.04-1-42.

Appearances by:

Mike O’Conner, BME Associates

The Applicant stated that the Newbury Park Subdivision received preliminary overall approval in 1997 and revised preliminary overall approval in 2002. This
project occurred under Town Law 278, and is consistent with the conditions of the preliminary overall approval.

Board member Tydings asked for the following clarifications:
- Are lots and dimensions the same as the preliminary approval?
- Lighting plan
- Installation of sidewalks
- Are there drainage concerns?
- Drainage plan details for the existing pond
- Dedicating land to the Town

The applicant responded with the following:
- Lots and dimensions are to remain the same as set in the preliminary approval
- No street lights or sidewalks are proposed
- Existing pond is part of a previous section and a drainage plan is proposed

Katie Evans, Town Planner, stated that the Town currently owns the land dedicated as part of the Newbury Park Subdivision and that the Town has not decided on future plans for the property.

Chairperson Kyle requested clarification regarding the plans that indicate temporary and permanent seeding to be accompanied by the application of a phosphorus-contained fertilizer. Since the proposed property is in close proximity to the Thousand Acre Swamp the Conservation Board recommends an alternative plan. The applicant stated they will not be using phosphorus-contained fertilizer and the note on the plans has been revised.

Mrs. Kim Benedetto and Mr. Joe Benedetto of 102 Millford Crossing shared their concerns with the Board regarding the following:
- Drainage issues in backyard
- Redirecting the existing swale that drains into their property
- Proposed houses and value

The applicant stated the proposed houses will be similar in size and character to the existing residential homes. The applicant is also aware of the drainage issues in the area and is currently reviewing the issue with Town Officials to ensure the plans will create a functional stormwater management system.

Board member Tydings requested details explaining the drainage flow. The applicant explained the existing deep swale. The proposed plans include installation of new swales to redirect the flow to the north to avoid flooding to the existing properties.
The Board discussed this application following the public hearing. The Town Engineer is currently addressing all the drainage concerns and has developed an improved plan with the applicant. The existing deep swale will be removed and additional catch basins with new pipes will be installed for additional drainage. Currently there are no plans to provide drainage relief to the existing residents because completion of the proposed application will alleviate their concerns. Board member Albright feels it is important for the Town to also make a trail connection from the adjacent Town owned land to nearby park lands. The Board reviewed the draft approval resolution and requested the following condition be included:

- The Town Engineer’s drainage concerns within the PRC Memo shall be addressed prior to obtaining final signatures.

This application was APPROVED WITH CONDITIONS.

Vote: Moved by: Tydings Seconded by: Bastian

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

Motion was carried.

IV. MISCELLANEOUS:

A. Bay Towne Plaza Expansion Rezoning – Staff provided an update regarding this application. The Planning Board reviewed a recent submittal of the concept plan from the applicant. The recently submitted materials were posted on the Town of Penfield website. The Planning Board agreed with staff that the submitted concept plan does not meet their standard review requirements. Staff is meeting with the applicant on Monday, June 14th at 2:00 PM and will provide further information to the Board at their next meeting.

B. Conmar Subdivision – The Applicant is requesting the Board to rescind those conditions of approval in the previous resolution which required the submission of a Letter of Credit. The Project Review Committee reviewed the recently submitted letter from the Applicant and requests the following additional condition:

- A declaration of covenants and restrictions shall be placed upon each lot stating: “Prior to issuance of a building permit, improvements must be completed including completion of the site grading, erosion control installation, landscaping, and private drive instillation to the satisfaction of the Town Engineer. This work is to be done at one time to ensure drainage is properly handled and the private drive meets minimum standards.”
The Board is in favor of requiring filing the declarations of covenant as an alternative to establishing a letter of credit.

The request was APPROVED with the additional condition of approval.

Vote: Moved by: Albright Seconded by: Markarian

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

Motion was carried.

C. Comprehensive Plan – The Board discussed the section of the Comprehensive Plan regarding increasing the variety of living options available for Penfield residents. Chairperson Kyle recommends the Board hosts a Public Informational Meeting to see what the wants and needs are of Penfield residents. The Board agreed to reserve August 12th as a tentative date.

D. Abbington Place Incentive Zoning Application – The proposal includes development of 99 residential lots. The Board reviewed the submitted plans for this application and feel the proposal is too dense for this property and lacks imaginative design. The Board may submit their concerns in writing to the Town Board for consideration. After discussion the Board opted not to issue any additional comments to the Town Board.

There being no further business to come before the Board, this meeting was adjourned at 7:40 PM, Thursday, June 10, 2010.

These minutes where adopted by the Planning Board on July 8, 2010.