I. CALL TO ORDER:

PRESENT: Arsen Markarian, Chairperson  
            Jim Burton  
            Allyn Hetzke, Jr.  
            Sue Kreiser  
            Doug McCord  
            Terry Tydings  

ABSENT: John Albright  

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

II. APPROVAL OF MINUTES:  

The Board was unable to vote of the draft meeting minutes as they did not have a quorum of 2010 Board members. The Board will consider the December 9, 2010, December 20, 2010, and January 13, 2011 draft meeting minutes at the next scheduled meeting.  

III. TABLED:  

A. Jared Lusk, Nixon Peabody Attorneys at Law, 1100 Clinton Square, Rochester, NY 14604/ DiMarco Brandt Point, LLC requests the Town Board to consider their pending application for the proposed action. The proposed action has been classified as a Type I Action pursuant to applicable SEQRA Regulations, including 6 N.Y.C.R.R. 617.5 et seq, and the Penfield Environmental Quality Review Local Law #3 of 1996. The Planning Board, acting as lead agency, has accepted a Draft Environmental Impact Statement for the proposed action. A public hearing was held October 14, 2010 at 7:00 PM, at which time the Planning Board heard all interested persons on the content of said document.  

The Draft Environmental Impact Statement is available on the Planning Department’s web page on the Town website located at www.penfield.org. Comments on the Draft Environmental Impact Statement were requested and accepted until October 25, 2010. Appl# 09P-0003.  

Jim Burton recused himself from the Board regarding this discussion.  

The Board received and reviewed the draft tabling resolution. The Board is awaiting submission of the following:  

- Written responses to the comments contained in the letter to Geoff Benway of Town of Penfield From William Holthoff of Stantec Consulting Services, Inc. dated October 13, 2009 regarding traffic comments.  
- Written responses to the comments contained in the letter to Katie Evans of Town of Penfield from Brent Penwarden of Monroe County Department of Transportation dated October 25, 2010 regarding traffic concerns.
• Written responses to the comments contained in the letter to Katie Evans of Town of Penfield from David Goehring of NYS Department of Transportation dated December 3, 2010 regarding traffic concerns with attached letter to Paul Colucci of the DiMarco Group dated October 27, 2010 also regarding traffic concerns.

• Written responses to the comments contained in the memo to the Planning Board from the Project Review Committee of the Town of Penfield dated December 27, 2010 regarding DEIS comments.

• Written responses to the comments contained in the letter to Katie Evans of Town of Penfield from Michael Flanigan of Stantec Consulting Services, Inc. dated January 13, 2011 regarding noise comments.

The Board TABLED this application pending the submission of requested materials from the applicant.

Vote: Moved by: Hetzke Seconded by: Tydings

Chairperson Markarian - Aye Albright – Absent Burton – Recused Hetzke - Aye
Kreiser – Aye McCord - Aye Tydings - Aye

Motion was carried.

IV. MISCELLANEOUS:

A. Tire World Expansion – Request for re-approval by Midtown Tire under Articles IX-9-2 and X-10-2 of the Code preliminary/final site plan approval and an expansion to a conditional use permit to allow construction of a 3,110 sq. ft. addition with associated improvements to the existing facility on 0.80 +/- acres located at 2049 Empire Boulevard to be known as Tire World Expansion. SBL # 093.07-2-39. Appl# 09P-0024.

The Board RE-APPROVED WITH CONDITIONS the previously granted resolution dated January 28, 2010.

Vote: Moved by: Hetzke Seconded by: Tydings

Chairperson Markarian - Aye Albright – Absent Burton – Aye Hetzke - Aye
Kreiser – Aye McCord - Aye Tydings - Aye

Motion was carried.

B. Arbor Ridge East Sketch Plan – Request for Town Board approval of an Incentive Zoning application for 28 additional units as an expansion to the Arbor Ridge Subdivision located at 2433 Penfield Road.

The Board reviewed the application and provided the following comments for the Town Board to consider:

• The Planning Board supports the issuance of a sidewalk waiver consistent with the terms approved for the original Arbor Ridge application.

• The applicant’s efforts to preserve the existing trees on site are commendable.

• The Planning Board fully supports the comments issued by PRC in the memo dated January 21, 2011.

• The maintenance of the proposed landscape island within the cul-de-sac should be investigated. It may be appropriate for the Home Owners Association to maintain this area even though it is within a Town dedicated road.

The Board AUTHORIZED a memo to be sent to the Town Board members for their consideration.
Vote: Moved by: Kreiser Seconded by: Hetzke
Chairperson Markarian - Aye Albright – Absent Burton – Aye Hetzke - Aye
Kreiser – Aye McCord - Aye Tydings - Aye

Motion was carried.

C. Windham Woods Section 2 & 3 – This Preliminary/Final Incentive Zoning application proposes to revise a previously approved project on Five Mile Line Road, south of Plank Road. A public hearing for this application occurred on January 19, 2011 with the Town Board.

Staff provided a brief history of this application for the Board. The Board reviewed the proposed application and provided the following comments for the Town Board to consider:

- The Planning Board does not support the use of Newport Ash, or Austrian Pines trees being planted as proposed on sheet CA130. These species are prone to insects and/or disease. Cleveland Norway Maple are no longer recommended as street trees due to their shallow root structure and dense shade. The Board believes Red Pine or Spruce can be used instead of the Austrian Pine and Red Maple, Red Oak, or Silver Linden would be more appropriate instead of the Norway Maple.
- The genus name should be added to the plant schedule on sheet CA130.

The Board AUTHORIZED a memo to be sent to the Town Board members for their consideration.

Vote: Moved by: Tydings Seconded by: Kreiser
Chairperson Markarian - Aye Albright – Absent Burton – Aye Hetzke - Aye
Kreiser – Aye McCord - Aye Tydings - Aye

Motion was carried.

D. Caroline Court Sketch Plan – Request for an informal discussion with the Planning Board regarding the subdivision of 24.9 +/- acres into a maximum of 31 residential lots located at 1617 Creek Street. Appl# 11P-0001. SBL# 108.15-1-31.

Staff provided a brief history of the proposed property for the Board. The public meeting is scheduled for Thursday, February 10, 2011 with the Planning Board.

There being no further business to come before the Board, this meeting was adjourned at 7:30 PM, Thursday, January 13, 2011.

These minutes were adopted by the Planning Board on February 10, 2011.