The Planning Board met at 6:30 PM local time Thursday, April 14, 2011 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: Arsen Markarian, Chairperson
          John Albright
          Doug McCord, at 6:50 PM
          Jim Burton
          Sue Kreiser
          Terry Tydings

ABSENT: Allyn Hetzke, Jr.

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

A. APPROVAL OF MINUTES: March 10, 2011

The Board did not approve the minutes due to a lack of qualified votes.

II. PUBLIC HEARING:

A. Eric Schaaf/Marathon Engineering, 39 Cascade Drive, Rochester, NY 14614/Steven Cerrone requests under Article IX of the Code Preliminary and Final Site Plan approval to allow the installation of a parking lot and associated site improvements on 0.41 +/- acres, to be known as 2221 Penfield Road. The property is located at 2221 Penfield Road, is now or formerly owned by Steven Cerrone and is zoned BN-R and TF. Appl# 11P-0005. SBL# 140.01-2-1.

Appearances by:

Eric Schaaf, Marathon Engineering

The applicant is seeking preliminary and final site plan approval to allow the installation of 6 parking spaces and one landbanked parking space on .41 acres located at 2221 Penfield Road. This property is zoned BN-R and is currently an unoccupied single-family house. There are no variances requested. The applicant has presented a plan consistent with comments from PRC which pulls the parking away from the rear of the property which is adjacent to the current residential area.
The snow storage area was pointed out to board members. Board member Burton asked if there was a separate area for motorcycles and/or bicycles. The applicant stated that there was not a separate area and regular parking spaces would be utilized.

Board members asked about drainage. The applicant stated that there are no drainage issues on this property at this time. Board member Burton questioned whether drainage provisions were necessary to plan for the future possibility of the property directly east being under different ownership than 2221 Penfield Road.

LUAMP calls for cross easements along the rear of this and adjacent parcels. Board members questioned whether rear access was still an option. The applicant explained that they would prefer to keep traffic away from the residential homes to the rear and would have to confirm with the property owner if an easement is required.

The applicant has applied to the Building Department for a sign permit.

Illumination will remain as it is on the existing structure with possible lighting on the sign.

The applicant stated that the existing garage will not be utilized for office space and will remain as storage only.

Board member McCord questioned lawn/landscape plans – the applicant stated that the asphalt area extends to the lot line and no additional landscaping will be included.

The applicant stated that he will provide a cross access easement/agreement to the property located at 2217 Penfield Road.

The Board discussed this application following the public hearing. The application was TABLED pending the following:

1. Written responses to this tabling motion as well as all reviewing agency comments including the Project Review Committee memo dated April 8, 2011, and the Monroe County Planning report dated April 11, 2011.

2. The current site plan shows sheet flow drainage to the property directly east, currently Fitch Construction. Though these properties are currently under the same ownership, the Planning Board is obligated to plan for future possibilities. The drainage impact on the adjacent property shall be addressed on this plan as if it were a typical neighboring business, with mitigation measures installed to intercept any additional stormwater. The Engineering Department (340-8683) may be contacted regarding this matter.
3. The cross access easement along the front of the property shall extend to the eastern property line to provide cross access should it be needed in the future.

4. A note shall be added to the plan indicating that all disturbed impervious areas will be required to be restored with landscaping or reseeded.

5. A landscaping plan shall be submitted for the Board’s review showing landscape in the following locations:
   a. Along the front of the building
   b. West of the driveway entrance
   c. Around the proposed sign
   d. In the vacant area at the northeast corner of the parking lot
      This does not preclude the applicant from proposing landscape in other areas as well. The applicant may consider incorporating a rain garden to address both drainage and landscaping.

6. A note shall be added to the plan stating that the garage is not approved for occupied space and shall be the sole storage location for all refuse.

7. The proposed location of snow storage shall be shown on the plan.

8. Spec sheets for any additional exterior lighting shall be provided to the Board for review.

9. The applicant shall work with staff to develop an agreement providing for a future access easement to be established in the rear of the property. The location of said easement would be agreed upon by the town and the owner at a future date. The intention of this agreement is to plan for future cross access in this area as recommended by the Land Use and Access Management Plan. The Planning Department (340-8682) may be contacted regarding this matter.

Vote: Moved by: Burton Seconded by: Kreiser

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

Motion was carried.

III. TABLED:
1. Edwin A. Summerhays, L.S., 2509 Browncroft Boulevard, Suite 209, Rochester, NY 14625/Don Corsaro requests under Articles III-3-10, VIII-8-2, and IX-9-2 of the Code Preliminary and Final Subdivision and Site Plan approval and EPOD Permits to allow the subdivision of 1.93 +/- acres into two parcels with the construction of one residential home, located at 2149 Five Mile Line Road, to be known as Corsaro Subdivision. The property is now or formerly owned by Don Corsaro and is zoned R-1-15. Appl # 11P-0002. SBL#139.10-1-6.

Board members discussed this application. Written comments with revised maps were provided to the Board. This application will be considered under the Penfield Environmental Quality Review Local Law, since this application was heard by the Planning Board prior to PEQR’s repeal by the Town Board on April 6, 2011.

The Board AUTHORIZED the Chairperson to sign part 2 of the Environmental Assessment Form.

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

Motion was carried.

The Board has determined that this proposal will not have a significant effect on the environment. The Board voted to ADOPT the Negative Declaration.

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

Motion was carried.

The Board voted to APPROVE the application with conditions.

Vote: Moved by: Albright Seconded by: Tydings
Chairperson Markarian - Aye Albright – Aye Burton – Aye Hetzke - Absent Kreiser – Aye McCord -Absent Tydings - Aye
2. 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 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.

There was NO ACTION TAKEN regarding this application.

IV. MISCELLANEOUS:

1. Caroline Court Sketch Plan – the board reviewed an alternative layout plan showing the road on the southern property boundary. Adjacent property owners have been contacted regarding this new layout. Board members were polled and prefer the alternative layout as shown tonight. A PRC memo was provided for Board review.

2. Peck Subdivision Re-approval – Board members discussed the request by the applicant, Michael Peck, to re-approve this subdivision. The applicant did not file the plat map within the allotted time limit. There are no changes proposed to this subdivision.

The Board voted to RE-APPROVE this application.

   Vote: Moved by: Albright  Seconded by: Kreiser

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

   Motion was carried.

4. Cambridge Estates Re-approval – Frontier Management has requested the Board consider re-approving this subdivision. Construction was delayed because of legal issues dealing with the pedestrian easement. There are no changes proposed to this subdivision.

The Board voted to RE-APPROVE this application.
Vote: Moved by: Tydings Seconded by: Kreiser

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

Motion was carried.

5. Oakmonte Re-subdivision – Board members reviewed the proposed plat map showing a lot resubdivision due to building reconfiguration. Board members agreed to the resubdivision.

The Board AUTHORIZED the Chairperson to sign the plat map.

Vote: Moved by: Albright Seconded by: Kreiser

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

Motion was carried.

6. Toscano/Smirolodo Resubdivision – Board members reviewed the request for resubdivision of a pre-existing, non-conforming lot. The Zoning Board of Appeals granted approval in March.

The Board AUTHORIZED the Chairperson to sign the plat map.

Vote: Moved by: Albright Seconded by: Tydings

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

Motion was carried.

There being no further business to come before the Board, this meeting was adjourned at 8:10 PM, April 14, 2011.

These minutes were adopted by the Planning Board on May 26, 2011.