The Planning Board met at 6:30 PM local time Thursday, August 11, 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
          Allyn Hetzke, Jr.
          Sue Kreiser
          Doug McCord
          Terry Tydings

ABSENT: Jim Burton

ALSO PRESENT: Katie Evans, Planning Board Clerk
               Linda Cummings, Secretary
               Mark Valentine, Planning Department Head
               Peter Weishaar, Legal Counsel

II. APPROVAL OF MINUTES: July 14, 2011

The Board approved the minutes of July 14, 2011.

Vote: Moved by: Hetzke Seconded by: Tydings

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

Motion was carried.

III. PUBLIC HEARING:

1. Gerard DeRomanis Jr./LaBella Associates, PC., 300 State Street, Rochester, NY 14614/St. Joseph’s Church requests under Article IX-9-2 and X-10-2 of the Code Preliminary and Final Site Plan and expansion to an existing Conditional Use Permit approval to allow a 1,500 +/- square foot addition on 9.8 +/- acres at 35 and 39 Gebhardt Road, to be known as St. Joseph’s Church Addition. The property is now or formerly owned by St. Joseph’s Catholic Church & School and is zoned R-1-15. Appl# 11P-0011. SBL# 124,18-1-83.1.

Appearances by: Gerard DeRomanis of LaBella Associates
                 Father Jim Schwartz of St. Joseph’s Church

PUBLIC COMMENT:

Gerard DeRomanis – LaBella Associates addressed the board and reviewed plan details.

- Board Chairman Markarian inquired if the condensing units will be updated. Applicant replied that there will be no plans on updating the units at this time.
• Board member Hetzke inquired if the condensing units will be enclosed. Applicant replied that a portion of the courtyard will remain open to accommodate the units.

• Board member Albright inquired if and how much maintenance will be required for the courtyard. Applicant replied that there will be little to no maintenance required for the courtyard at this time.

• Father Jim Schwartz commented that the general community does not use the courtyard in any way.

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

1. Screening should be required prior to obtaining a building permit. If any revisions are done to HVAC units, they will be reviewed by the Planning Department Head.

The Board authorized Chairman Markarian to sign Part II of the Environmental Assessment Form.

Vote: Moved by: Markarian Seconded by: Kreiser

Chairperson Markarian - Aye Albright – Aye Burton – Absent Hetzke - Aye

Kreiser – Aye McCord - Aye Tydings - Aye

Motion was carried.

The application was APPROVED WITH CONDITIONS.

Vote: Moved by: Markarian Seconded by: Hetzke

Chairperson Markarian - Aye Albright – Aye Burton – Absent Hetzke - Aye

Kreiser – Aye McCord - Aye Tydings - Aye

Motion was carried.

IV TABLED:

1. Walt Baker/DSB Engineers, 2394 Ridgeway Ave, Suite 201, Rochester, NY 14626/DiPrima Properties III LLC 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 2,000 sq ft restaurant with associated improvements on 0.442 +/- acres located at 2110 Fairport Nine Mile Point Road to be known as Cam’s Pizzeria. The property is now or formerly owned by DiPrima Properties III LLC and is zoned GB and TF. Appl# 11P-0009. SBL# 140.01-2-3.


• Mr. O’Donnell shared colored elevations of the existing CAM’s pizza location in Ogden, NY and described the building materials (brick, roofing materials, and siding) that will be used and provided samples for the board to review.

• Board member Kreiser voiced concern on the height of the curbing around the facility.

• Mr. O’Donnell recommended placing large planters along the front of the west side of the patio to be used as a buffer to vehicles.

• Board member Hetzke noted that he would prefer to see metal halide lighting around the exterior of the facility.

• The board discussed the possibility of a cross access easement from Route 250 to the access road two parcels behind this property and decided that no easement is needed.
The Board authorized Chairman Markarian to sign Part II of the Environmental Assessment Form.

**Vote:** Moved by: Hetzke Seconded by: Tydings

Chairperson Markarian - Aye Albright – Aye Burton – Absent Hetzke - Aye

Kreiser – Aye McCord - Aye Tydings - Aye

Motion was carried.

The application was APPROVED WITH CONDITIONS.

**Vote:** Moved by: Hetzke Seconded by: Kreiser

Chairperson Markarian - Aye Albright – Aye Burton – Absent Hetzke - Aye

Kreiser – Aye McCord - Aye Tydings - Aye

Motion was carried.

2. Walter Baker/DSB Engineers, 2394 Ridgeway Avenue, Suite 201, Rochester, NY 14626/SDSJ Associates, Inc. requests under Articles XIII-8-2 and IX-9-2 of the Code Preliminary and Final Subdivision and Site Plan approval to allow the construction of a 31 lot residential subdivision on 24.9 +/- acres located at 1617 Creek Street to be known as Caroline Court. The property is now or formerly owned by SDSJ Associates, Inc. and is zoned R-1-20. Appl# 11P-0007. SBL# 108.15-1-31.

Mark Valentine addressed the board with a sketch showing site drainage provided by Town Engineer, Geoff Benway.

- Board member McCord was concerned about the slope and excessive removal of trees along the proposed stormwater discharge path from the pond. He would like to look for other options to avoid major tree removal.

- Planner, Katie Evans made adjustments to the draft Approval Resolution to identify the Board’s desire to minimize as much tree removal as possible on the slope where the pond outfall structure is.

The Board authorized Chairman Markarian to sign Part II of the Environmental Assessment Form

**Vote:** Moved by: McCord Seconded by: Hetzke

Chairperson Markarian - Aye Albright – Aye Burton – Absent Hetzke - Aye

Kreiser – Aye McCord - Aye Tydings - Aye

Motion was carried.

The application was APPROVED WITH CONDITIONS.

**Vote:** Moved by: McCord Seconded by: Hetzke

Chairperson Markarian - Aye Albright – Aye Burton – Absent Hetzke - Aye

Kreiser – Aye McCord - Aye Tydings - Aye

Motion was carried.

3. 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.

- Planning Department Head, Mark Valentine commented that the Traffic Impact Statement, Noise Study and responses to the outstanding agency comments have been submitted. The additional information has been distributed to SDOT, CDOT, and the Board’s traffic and noise consultant, Stantec. Staff will gather comments from the agencies for the Board’s review and consideration.

- Planner, Katie Evans commented that Town Consultant, Doug Fox has recommended that the board request a status of the stormwater review for the project from Town Engineer, Geoff Benway. The Board should also make a motion indicating additional information on traffic and noise are required from SDOT, CDOT, and Stantec before the FEIS can be prepared.

- Board member Kreiser mentioned that she would like to have a special work session devoted to the Baytowne project.

- Planner, Katie Evans responded that the work session should not be scheduled until we receive feedback from State DOT, County, Stantec, and confirmation from Town Engineer regarding storm water drainage.

The Application was CONTINUED TABLED pending review of requested information.

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Motion was carried.

IV. MISCELLANEOUS:

1. Steven Ketch, Popli Engineering, 555 Penbrooke Drive, Penfield, NY 14526/Gurudwara of Rochester requests re-approval under Articles III-3-10, IX-9-2, and X-10-4 of the Code Preliminary and Final Site Plan approval, EPOD Permit, and an expansion to the existing Conditional Use Permit to allow the construction of a 1,900 sq ft. expansion to the existing building with 32 additional parking spaces on 7.9 +/- acres located at 2041 Dublin Road to be known as Gurudwara of Rochester Expansion. The property is now or formerly owned by Gurudwara of Rochester and is zoned R-1-20. Appl# 08P-0011. SBL# 125.03-2-11.1.

The applicant has requested the reapproval of the above application. The board discussed and granted reapproval.

The Application was REAPPROVED WITH CONDITIONS.

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Motion was carried.

There being no further business to come before the Board, this meeting was adjourned at 8:30 PM, Thursday, August 11, 2011.

These minutes were adopted by the Planning Board on September 22, 2011.