The Planning Board met at 6:30 PM local time Thursday, September 22, 2011 in the Town Hall 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
Jim Burton
Allyn Hetzke, Jr.
Sue Kreiser
Doug McCord – arrived at 6:40
Terry Tydings

ABSENT:

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

II. APPROVAL OF MINUTES: August 11, 2011

The Board approved the minutes of August 11 2011.

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

Motion was carried.

III. TABLED:

1. 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.
Mark Valentine informed the Board that the department has received responses to the supplemental traffic information submitted in July from SDOT and CDOT. However, the Board’s traffic and noise consultant, Stantec, needed additional information prior to issuing a response to the traffic and noise supplemental information. Therefore comments from Stantec have not been received yet. Staff expects to have these by the next meeting and will provide them to the Board before the October 13th meeting. Katie Evans also noted that comments issued from the reviewing agencies will need responses from the applicant and will continue to go back and forth until the applicant submits information found acceptable by SDOT and CDOT as permitting agencies.

There was NO ACTION TAKEN regarding this application.

IV. MISCELLANEOUS:

A. Staff introduced the two sketch plan applications for the October 13th meeting. One is for a 23-lot subdivision on 13.6 +/- acres located at 1813 and 1817 Baird Road to be known as 1817 Baird Road Subdivision. Board member Tydings will be the lead. The other is for the construction of five four-story apartment buildings consisting of 183 +/- units and one clubhouse with associated improvements on 18.6 +/- acres located at 1200-A and 1200-B Penfield Road to be known as Ellison Heights Section 2. Board member Hetzke will be the lead.

B. General Code – Staff provided an update to the Board regarding the General Code project. The Town Board has hired General Code to codify the Town’s policies, local laws, construction specifications and design criteria, the Town Code and its chapters. Staff requested the Board to think about any revision they would like to propose specifically the threshold for Administrative Site Plan Review and the factors of consideration for Site Plan and Subdivision. Any recommendations the Board wishes to make are welcomed.

C. Ashlyn Rise, Fellows Road – Mark Valentine introduced the project as a 36 lot single family development pending before the Town Board as an Incentive Zoning application. Katie Evans explained that the project was in the sketch phase of the incentive zoning application process. The Planning Board has already issued comments on the application several months ago, but staff wanted to share the application status with the Board since it is expected it will move along in the coming weeks.

D. Bernie Puglisi of Nolan’s Rental requests review of his approval resolution granted on July 10, 2008 under Articles VIII-8-2 and IX-9-2 of the Code for Preliminary and Final Subdivision and Site Plan approval to allow construction of a 30,000 sq ft. office and warehouse building with associated parking on 7.18 +/- acres located at 2 Self Storage Way to be known as Nolan’s Rental Inc. The property owner wishes to add a 15’ extension to the roof line in the rear of the building to assist in snow management. The property is now or formerly owned by Bernmar LLC and is zoned GB and LB. Appl# 08P-0009. SBL# 093.15-1-2.114.

The Board APPROVED the request.

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<th>Vote:</th>
<th>Moved by:</th>
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<tr>
<td>Chairperson Markarian - Aye</td>
<td>Albright - Aye</td>
<td>Hetzke - Aye</td>
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<td>Burton - Aye</td>
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<td>Kreiser - Aye</td>
<td>McCord - Aye</td>
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<td>Tydings - Aye</td>
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Motion was carried.

E. William Seymour L.S., 2055 Kenyon Road, Ontario, NY 14519/Kenneth and Cathleen Powe of 1352 Salt Road requests under Articles XIII-8-2 of the Code authorization for the Chairperson to sign a plat map allowing the re-subdivision of lands to merge SBL# 96.03-1-1.102 and 96.03-1-1.103 together into one 3.982 +/- acre lot.
The Board AUTHORIZED Chairperson Markarian to sign the plat map.

Vote: Moved by: Albright Seconded by: Hetzke

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

Kreiser –Aye McCord - Aye Tydings - Aye

Motion was carried.

F. Freedom of Information Law DVD – Mark Valentine provided the Board members with two copies of a video available from the NYS Department of State, Division of Local Government Services on Freedom of Information (FOIL) and Open Meetings Law. The Board decided to pass the DVDs around to each other and watch it as their schedules permit.

There being no further business to come before the Board, this meeting was adjourned at 7:40 PM, Thursday, September 22, 2011.

These minutes were adopted by the Planning Board on October 13, 2011.