NOTICE OF WORKSESSION, PENFIELD PLANNING BOARD
The Planning Board met at 6:30 PM local time Thursday, November 10, 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
Allyn Hetzke, Jr.
Sue Kreiser
Doug McCord
Terry Tydings
Jim Burton

ABSENT:

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

II. APPROVAL OF MINUTES: October 13, 2011
The Board approved the minutes of October 13, 2011.

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

Motion was carried.

III. PUBLIC HEARING:

1. John Caruso, P.E., Passero Associates, 100 Liberty Pole Way, Rochester, NY 14604/Webster Montessori School requests under Articles III-3-10, IX-9-2, and X-10-2 of the Code Preliminary and Final Site Plan and EPOD Permit approval and Expansion to a Conditional Use Permit to allow the construction of building additions totaling 16,400 +/- sq ft and associated site improvements on 4 +/- acres, located at 1310 Five Mile Line Road, to be known as Webster Montessori School. The property is now or formerly owned by Webster Montessori School and is zoned R-1-20. Appl# 11P-0018. SBL# 094.03-1-35.

Appearances By: John Caruso of Passero Associates
Jacqueline Greibel, Head of Montessori School
Dave Hanlin, Project Architect
Ross Catalano of Creek Reality

Applicant Presentation

Applicant, John Caruso of Passero Associates, addressed the board regarding the proposed application.
• Applicant explained that the application was presented as a sketch plan back in 2009. However, with the economy taking a turn for the worse, they took a closer look at the proposed plan and cut it slightly. The new proposed plan is essentially the same as in 2009 except that it is on a smaller scale and the esthetics of the building frontage has been improved and the entire building will be wrapped in siding.
• Trailer in the back of the property will be removed as soon as building is complete.
• All EPOD’s have been addressed. All technical comments have been responded to before the Town Engineer and applicant has reviewed the County comments. Applicant has received approval from the Monroe County Water Authority.
• Board Member Kreiser asked if this project has a smaller footprint than the previously proposed project in 2009. Applicant replied that it the building is smaller but the distance is the same to the watershed. Applicant obtained a 7ft variance setback on south side of the property.
• Board Member Tydings asked if the front entrance will be used for buses only. The applicant replied that it will be used primarily for buses and the side (north side) entrance will be used as the main entrance.
• Board Member Tydings asked if the front area will accommodate all the bus traffic. The applicant replied that there is not a large amount of bus traffic and they have ample room to handle the bus traffic.
• Board Member McCord asked about storm water management and if there will be ponding expansion since the roof area will be larger. The applicant replied that they will be providing drainage mitigation in three different areas using green infrastructure design through rain gardens and bio swale.
• Board Member McCord asked if there is any standing water near the play ground. Applicant responded that was not.
• Board Member Hetzke asked if the plan was looked at by the Fire Marshal. Applicant replied that it has and there is room for fire trucks, etc. to enter the area.
• Board Member Burton asked if this project is the direct result of increased enrollment in the school. The applicant replied that it is and that they also want to grow their current programs.
• Board Member Burton asked how the increase in enrollment will affect the noise level around the school. Jacqueline Greibel, Head of Montessori School, replied that the students would primarily be inside the school with the exception of recess once a day in the back of the building. The school is closed by 6pm every day. The applicant also commented that any noise would be deflected towards non residential areas on the south side of the property.
• Board Member Burton asked how the additional enrollment will increase bus traffic. Jacqueline Greibel replied that most of the children are dropped off and picked up by either parents or grandparents.
• The applicant displayed samples of the siding that will used to wrap the building.
• Board Member Kreiser asked what color the building will be. Dave Hanlin, Project Architect for Webster Montessori School, replied that the color is Autumn Tan with white trim. He also stated that an additional accent color may be added.
• Planner, Katie Evans asked that samples of the paint chips be provided to the board.

Resident Comments:

• Ross Catalano of Creek Reality (on behalf of Calvary Chapel) asked if the right of way is still unencumbered. The applicant replied that it is.

The Board discussed the application following the public hearing. The Board decided to table the application pending submission of the following:

1. The Board wishes to review the exterior paint samples for the proposed building expansion. The paint samples along with a written list of all exterior building materials shall be submitted to the Planning Department.
2. Provide calculations of the total existing impervious surface and the total proposed impervious surface for the Board’s review.
3. Provide the total number of existing parking spaces and the proposed number of parking spaces after build-out. Also include information pertaining to typical present parking occupancy as well as anticipated parking occupancy needs at full build-out. If there are special circumstances that require a higher parking occupancy, such as special events, the Board would like to be made aware of them, the parking needs, and the frequency of the events.
4. All variances granted shall be listed on the site plan along with the dates the variance(s) were granted.
5. The Board wishes the applicant to consider using LED lights for the proposed site improvements. LED lighting is efficient, has an extended lifetime, and may be a practical option for this site.
If a new sign is proposed, a signage package shall be submitted for review; including drawings to scale of all signage on site, including building mounted signs and site signage including vehicular traffic control signs. This material shall clearly indicate graphic layout, dimensions, colors, type of illumination and lamp wattage.

The application was TABLED

Vote: Moved by: Hetzke Seconded by: Kreiser

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

Motion was carried.

IV TABLED

1. Robert Winans/LaDieu Associates P.C., 40 Cedarfield Commons, Rochester, NY 14615/Masi Enterprises, Inc. requests an informal discussion with the Board regarding the construction of a 23-lot single family subdivision on 13.6 +/- acres located at 1813 and 1817 Baird Road to be known as 1817 Baird Road Subdivision. The property is now or formerly owned by Masi Enterprises Inc, James Pschirrer, and Daria Reitknecht and is zoned R-1-20. Appl# 11p-0015. SBL# 124.01-2-28.1 and 124.01-2-29.1.

a. Planner, Katie Evans presented the draft letter and cluster information and worksheet to the Board.

b. Board Member Burton asked that a request to move the pond to the rear of the property be added to the draft letter.

c. Board Member Tydings commented that the comprehensive plan be addressed in the draft letter

d. Board Member Kreiser commented that the comprehensive plan should be included in ALL applications.

The Board directed staff to issue the sketch plan review response letter as amended.

Vote: Moved by: Tydings Seconded by: Hetzke

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

Motion was carried.

2. Doug Eldred/BME Associates, 10 Lift Bridge Lane East, Fairport, NY 14450/Ellison Heights LLC requests an informal discussion with the Board regarding 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. The property is now or formerly owned by Ellison Heights LLC and is zoned MR. Appl# 11p-0016. SBL# 123.19-1-26.11 and 123.19-1-26.12.

a. Planning Department Head, Mark Valentine, explained that due to the concerns raised at the sketch plan meeting, the Board’s legal council advises not to take action on this item. Council is revising submissions from the applicant’s legal team as well as the Ellison Height’s Homeowner Association’s legal team. Mark distributed a copy of the previous Approval Resolution and the Supreme Court decision on this project for the Board’s review and consideration.

b. Pete Weishaar - Legal Council, informed the board that he will advise them at the next meeting on a recommendation regarding the Ellison Heights application.

c. The Board agreed not to take action on this sketch plan.

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.

- Board Member McCord recused himself from discussion of the Bay Towne project
- Board Member Burton recused himself from discussion of the Bay Towne project
- Town Consultant Doug Fox presented information pertaining to 1) State Environmental Quality Review Recap of Lead Agency Responsibilities and 2) Bay Towne Plaza Redevelopment Draft Environmental Impact Statement Review of proposed Alternatives. The presentation slides are attached as Exhibit A and are hereby incorporated in the meeting minutes.

Following the presentation the Board discussed the proposed plan alternatives.

- Board Member Kreiser’s comments regarding the Bay Towne project are as follows:
  - In favor of a permanent conservation easement for deed restriction
  - Would like to see more suggestions on berms, and walls for noise reduction and safety
  - Keep noise from large trucks down
  - Maintain the street of shops
  - Be creative with parking
  - Would like to see other options for development of the rear area (keep area “park-like”).

- Board Member Hetzke’s comments regarding the Bay Towne project are as follows:
  - Maintain the street of shops
  - Would like to see a larger buffer area in the rear of the building instead of a new neighborhood
  - Would like to create an environment to camouflage Bay Towne Plaza as much as possible
  - Would like to maintain existing vegetation as much as possible and possibly add trees, etc.
  - Option of an aesthetically pleasing sound wall softened by evergreens, etc.

- Board Member Tydings’ comments regarding the Bay Towne project are as follows:
  - Maintain the street of shops
  - Likes the idea of buffering in the rear of the property
  - Is not opposed to a new residential development
  - Would like to ask Bruce (landscaping consultant) and the applicant to show a buffer with and without privacy wall

- Chairperson Markarian’s comments regarding the Bay Towne project are as follows:
  - Maintain the street of shops
  - Maintain as much buffering on the east side of the property as possible

The Board decided to table the action pending the submission of the following:

1. The Board wishes to review an additional proposed alternative that essentially combines previously analyzed alternatives COM-50 and RES-15 and accomplishes the following to the fullest extent:
   - Maintains as much natural existing and/or enhanced buffer as possible around the proposed super Wal-Mart store and increasing the buffer from what is proposed in the “Com-50” alternative and eliminating the proposed housing in the RES-15 alternative (i.e., replacing the proposed housing in the RES-15 alternative with enhanced buffering).
   - The “street of shops” concept should be included within the plan.
   - No additional residential development behind the proposed super Wal-Mart store.
   - A permanent restriction prohibiting development of the buffer around the proposed super Wal-Mart store to prevent any future building construction.
   - A parking ratio that would satisfy the needs of the proposed commercial development within the plaza. Parking should be located in practical locations that will yield high occupancies.

The Board believes a combination of the Com-50 and Res-15 plans may satisfy the goals in a new proposed alternative.

2. The Board requests the applicant to provide examples of landscaping options and/or sound walls that provide a substantial visual buffer, noise buffer, and enhances security to the adjacent properties. Any landscaping is encouraged to be as maintenance-free as possible. Any examples that could potentially include “living green” walls.
would be welcomed. Examples that exist in the community should have the location identified. Examples are requested to be submitted to the Planning Department in pdf format for the Board’s review.

3. The Board requests the Town’s Landscape Consultant to provide recommendations of landscaping options and/or sound walls that provide a substantial visual buffer, noise buffer, and enhances security to the adjacent properties. Any landscaping is encouraged to be as maintenance-free as possible. Any examples that could potentially include “living green” walls would be welcomed.

The action is continued tabled.

Vote: Moved by: Hetzke Seconded by: Kreiser

Chairperson Markarian – Aye Burton – Abstain Hetzke – Aye Kreiser - Aye
McCord – Abstain Tydings - Aye

Motion was carried.

V MISCELLANEOUS

1. The Board discussed the proposed 2012 meeting schedule.

The 2012 Planning Board meeting schedule was approved.

Vote: Moved by: Kreiser Seconded by: Markarian

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

Motion was carried.

There being no further business to come before the Board, this meeting was adjourned at 9:10pm, Thursday, November 10, 2011.

These minutes were adopted by the Planning Board on December 8, 2011.