The Planning Board met at 6:30 PM local time Thursday, December 8, 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.
Bill Bastian
Jim Burton
Sue Kreiser
Doug McCord
Terry Tydings

ABSENT:

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

II. APPROVAL OF MINUTES: November 10, 2011

The Board approved the minutes of November 10, 2011.

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

Motion was carried.

III. TABLED

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.

The Board discussed the application. The Board finds all outstanding issues addressed to their satisfaction.

The action was APPROVED WITH CONDITIONS.

Vote: Moved by: Burton Seconded by: Hetzke
Chairperson Markarian – Aye Bastian – Abstain 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.

NO ACTION TAKEN

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.

Board members Burton and McCord have abstained from the discussion.

a. Planning Department Head, Mark Valentine, summarized the meeting minutes from the meeting between the New York State Department of Transportation, Monroe County Department of Transportation, applicant, and the Town of Penfield regarding the Bay Towne project. He also reviewed the proposed CP-02 plan and new buffering options submitted by the applicant. Responses from the County and State DOT should be coming in soon.

b. Mark shared with the Board that it would be a good idea to go through the FEIS one section at a time.

c. Board member Kreiser requested more information on the noise level from the approved residential development behind the proposed Bay Towne project to Walmart. Katie Evans, Clerk to the Board, stated that when the Board prepares the noise portion of the FEIS, staff can bring in whatever consultants/experts the Board needs to answer their questions.

d. Board member Kreiser also voiced that she is very disturbed by recent emails submitted by the public that border on bullying and defamation of character. She would prefer that any future emails not be forwarded to her. She will check the agenda for any submitted emails. Katie also offered to notify her via e-mail when comments have been submitted and added to the file.

e. Mark Valentine, noted that new board member, Bill Bastian has been updated and forwarded all materials regarding current applications. Documentation to this effect has been added to the project file.

The Board determined the action is hereby continued tabled pending receipt of information previously requested by the Board in its prior tabling resolution dated November 10, 2011, but not yet received & reviewed and further pending the submission of the following by or on behalf of the applicant:

• Written responses from the New York State Department of Transportation and the Monroe County Department of Transportation as identified above.

• 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 enhanced 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 Bastian – Aye Burton – Abstain Hetzke - Aye
Kreiser – Aye McCord – Abstain Tydings - Aye
V  MISCELLANEOUS

1. Edwin A. Summerhayes, PLS, 2509 Browncroft Blvd., Suite 209, Rochester, NY 14625/Charles Schillaci requests under Article VIII-8-2 of the Code Resubdivision approval to allow the resubdivision of two lots located at 2694 Penfield Road resulting in 5.201 +/- acres now or formerly owned by Charles and Annette Schillaci and 2159 Gloria Drive resulting in 0.803 +/- acres now or formerly owned by Charles J. and David Schillaci to be known as Peter Schillaci Resubdivision. The property is zoned RA-2. SBL# 141.01-01-006 and 141.01-01-007.

The action is APPROVED.

Vote:

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

Motion was carried.

2. William J. Kraft, 1191 Salt Rd Webster, NY 14580 requests under Articles IX-9-2 and Article XI-11-7-15 of the Code Preliminary and Final Site Plan and Special Permit approval to allow the construction of a 60 foot energy tower on 8.55 +/-acres located at 1191 Salt Road to be known as 1191 Salt Road Energy Tower. The property is now or formerly owned by William J. and Jill E. Kraft and is zoned RA-2. Application was granted on December 9, 2010. Appl# 09P-0023. SBL# 095.02-2-4.002.

The action is RE-APPROVED WITH CONDITIONS.

Vote:

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

Motion was carried.

3. James K. Glogowski, PLS, 1996 Spencerport Road, Rochester, NY 14606/Kevin Smith requests under Articles VIII-8-2 and IX-9-2 of the Code Preliminary and Final Subdivision and Site Plan approval to allow the subdivision of the existing parcel into 2 lots and the construction of one single family house on a total of 21.3 +/-acres located at 1228 Northrup Road to be known as Smith Subdivision Section 4. The property is now or formerly owned by Gary and Wendy Smith and is zoned RA-2. Application was granted on December 9, 2010. Appl# 09P-0019. SBL# 110.01-1-5.998.

The action is RE-APPROVED WITH CONDITIONS.

Vote:

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

Motion was carried.

4. Miscellaneous Discussion –

- Staff discussed the current threshold within the Zoning Ordinance for Administrative Site Plan review. Board member Burton would like to see the approval process simplified. Katie Evans offered a possible “defer application to staff” option.
• Katie Evans informed the Board of the new RG&E Station 124 Expansion application which is a Type 1 Action. She also stated that the next worksession meeting will be an organizational meeting. If there is anything the Board would like to discuss, please contact staff.

• Mark Valentine, informed the Board that pay stubs will no longer be mailed out but are available online. Board members received instructions on how to access their paystubs this evening.

• The board discussed a tentative date for a holiday party to be Thursday, January 5th. Mark Valentine will follow up to confirm details.

There being no further business to come before the Board, this meeting was adjourned at 7:35pm, Thursday, December 8, 2011.

These minutes were adopted by the Planning Board on January 12, 2012.