The Planning Board met at 6:30 PM local time Thursday, January 12, 2012 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
Bill Bastian
Jim Burton
Allyn Hetzke, Jr.
Sue Kreiser
Doug McCord
Terry Tydings

ABSENT:

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

II. APPROVAL OF MINUTES: December 8, 2011

The Board approved the minutes of December 8, 2011.

Vote: Moved by: Kreiser Seconded by: Hetzke

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

Motion was carried.

III. PUBLIC HEARING:

1. Michael Schaffron, LaBella Associates, P.C., 300 State Street, Suite 201, Rochester, NY 14614/Rochester Gas & Electric requests under Articles III-3-10, IX-9-2, and X-10-4 of the Code, Preliminary and Final Site Plan, expansion to an existing Conditional Use Permit, and EPOD Permit approval to construct additional transformers with associated improvements on 84.1 +/- acres located at 1540 Salt Road to be known as RG&E Station 124 Expansion. The property is now or formerly owned by Rochester Gas & Electric and is zoned RA-2. Appl#12P-0001. SBL# 111.01-1-30.

Appearances By: Michael Schaffron, LaBella Associates, P.C.
Girish Behal, SNC – Lavalin (for RG&E)

Applicant Presentation

Applicant, Michael Schaffron of LaBella Associates, addressed the board regarding the proposed application.

- Access to the site is located east of Harris Road at the intersection of Penfield Center Road. The mailing address shows Salt Road and arrangements are being made to rectify the address. The original sub station was constructed in the late 1960’s.
The Federal Energy Regulatory Commission mandated RG&E to make improvements to the existing substation to improve reliability and support future demands of the Town of Penfield.

The expansion of the yard area will be approximately 125,000 sq. ft, and will house two phase shifting transformers and breakers, static bar compensator, and related controls.

Several of the existing culverts will be replaced and an overflow pipe will be installed in the crossing of the access road to the commission ditch.

There will be an overlay of the existing access road.

There will be minimal disturbance of woodland and wetland areas.

The site will be accessed once or twice every two months, so the traffic will kept to a minimum. During the winter months, the access road will be plowed as needed.

There is adequate parking on the site and the end of the access road outside the fence area.

There will be minimal signage on the site and will not be illuminated.

The fence around the parameter of the site will be expanded for safety and security reasons. The current fence is 7 ft. tall and the proposed fence will be an 8 ft. high chain link with three strand barbed wire.

Current noise level from transformers is 41-44 decimals. The noise level is projected to increase to 51 decimals with the new equipment.

RG&E will be adding equipment with added sound attenuation features to help limit the noise disruption.

There will be minimal disturbance of woodland and wetland areas.

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There will be minimal signage on the site and will not be illuminated.

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RG&E will be adding equipment with added sound attenuation features to help limit the noise disruption.

The existing site has one “dusk to dawn” light for emergency access purposes and other lighting will be installed that will be manually operated.

The site is well screened and buffered from public view. There are woodlands on all four sides of the site.

Board Member Comments:

Board member Bastian asked if the access road modifications are the result of the heavy transformers (412,000 lbs each) being transported to the site. Mike Schaffron replied that after doing a study of the road they found that the access road could support the heavy equipment by using specialized vehicles to distribute the weight. The equipment will be delivered by rail car to Fairport and then a special vehicle with 96 wheels will deliver the equipment to the site. The culverts will be replaced by ductal iron pipe.

Board Member Bastian asked if there will be any precautions taken to protect the public roads as far as utility lines and culverts not being able to take the weight of the equipment. Mike replied that special permits will be issued as required for road safety.

Board member Bastian asked if the access road modifications are the result of the heavy transformers (412,000 lbs each) being transported to the site. Mike Schaffron replied that after doing a study of the road they found that the access road could support the heavy equipment by using specialized vehicles to distribute the weight. The equipment will be delivered by rail car to Fairport and then a special vehicle with 96 wheels will deliver the equipment to the site. The culverts will be replaced by ductal iron pipe.

Board member Burton asked what processes will be used for “sound control” on the site. Girish Behal of SNC – Lavalin replied that a special casing is used around the equipment to buffer sound. Most of the noise will be generated by the phase shifting and regular transformers. The sound will be buffered on two or three sides by a fire wall/sound wall (masonry barrier).

Board member Burton asked if there is a possibility of installing weather tight acoustic panels on the fencing around the area to protect the environment from sound disturbance. Girish replied that they have not because the back round noise is very minimal and there will essentially be no noise pollution.

Mike mentioned that when he visited the site, he could not hear any noise from 700ft away from the fence line.

Board member McCord asked about the dimensions of the transformers and associated equipment. Mike replied that the transformers are 14ft high and the control building associated with the site is 10-12 ft. high. Girish stated that there will be two transmission lines coming into the substation that are approximately 20-25 ft. which is what they currently have on the site.

Board member Kreiser asked if there were any other comparable substations in the Penfield area. Girish stated that there was not a comparable station in Penfield, however, there was one in downtown Rochester (Station 23) and one near the Brighton-Rochester town line (Station 42).

Board member Kreiser mentioned that during the boring process, some unstable soil was discovered and inquired as to how this would be addressed being that the site is near a waterway and there will be heavy equipment used on the site. Mike replied that some peat soil was found along the access road. It will be removed and replaced with stable soil. He also stated that since the vehicles using the access road have numerous tires on them, they will distribute the weight over a wide area and not damage the road.

Board member Kreiser asked what the proper process will be to remove and dispose the removed soil. Mike replied that the soil will be moved off-site to upland areas and reused elsewhere if possible.

Board member Bastian asked if there was any contamination found on the site. Girish replied that they will be conducting contamination tests within the next two weeks.

Board member Bastian asked if there will be secondary containment of the oils and transformers.
• Girish replied that yes there will be.

Resident Comments:

• **Dave Woodward of 1530 Penfield Road, Penfield** stated that he does not feel that noise pollution will be a problem. He also stated that the proposed improvements will be beneficial to the community and that RG&E has been very cooperative and forthcoming with information. He is, however, concerned with electric lines buried under the culverts and possible drainage issues.

The Board discussed the application following the public hearing.

1. The Board wishes to have Geoff Benway and Mark Valentine review the background study regarding the site’s effect of the surrounding eco system and work with the applicant.

The application was TABLED

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<tbody>
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<td>Hetzke - Aye</td>
<td>Tydings - Aye</td>
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Motion was carried.

IV TABLED

1. 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.

• Pete Weishaar asked the Board to review the correspondence between the Ellison Heights HOA and attorneys and to be prepared to discuss them at the next work session (1/26/12).

NO ACTION TAKEN

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 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.

• Katie Evans asked the board members to emails any questions regarding stormwater and drainage to her by next Friday (1/20/12).

NO ACTION TAKEN
V MISCELLANEOUS

1. Rothfuss Resubdivision

The application was APPROVED

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Hetzke - Aye  
Kreiser – Aye  
McCord - Aye  
Tydings - Aye

Motion was carried.

2. Modification of October Meeting Minutes

The modification of the October minutes was APPROVED

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Hetzke - Aye  
Kreiser – Abstain  
McCord - Abstain  
Tydings - Aye

Motion was carried.

3. Modification of November Meeting Minutes

The modification of the November minutes was APPROVED

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Hetzke - Aye  
Kreiser – Abstain  
McCord - Abstain  
Tydings - Aye

Motion was carried.

There being no further business to come before the Board, this meeting was adjourned at 7:55 pm., Thursday, January 12, 2012.

These minutes were adopted by the Planning Board on January 26, 2012.