The Planning Board met at 6:30 PM local time Thursday, May 10, 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
Doug McCord
Terry Tydings

ABSENT: Sue Kreiser
Allyn Hetzke, Jr.

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

II. APPROVAL OF MINUTES: April 12, 2012

The Board approved the minutes of April 12, 2012.

Vote: Moved by: Tydings Seconded by: Bastian

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

Motion was carried.

III. PUBLIC HEARING:

1. Edwin Summerhays, L.S., 2509 Browncroft Boulevard, Suite 209, Rochester, NY 14625/Philip M. Brooks requests under Article IX-9-2 of the Code Preliminary and Final Subdivision approval to allow the division of one 13 +/- acre lot into two lots, located at 1346 Harris Road. The property is now or formerly owned by Philip M. Brooks and is zoned RA-2. Appl# 12P-0007. SBL# 095.04-2-58.1.

Applicant, Ed Summerhays addressed the board regarding the proposed application.

Board Member Comments:

- Board Member, Bastian asked there will be any plans to build on the vacant lot. The applicant replied that there are no plans to build at this time.
The Board AUTHORIZED Chairman Markarian to sign the Part II EAF

Vote: Moved by: Bastian Seconded by: Tydings

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

Motion was carried.

The application was APPROVED with conditions

Vote: Moved by: Bastian Seconded by: Tydings

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

Motion was carried.

IV 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 Final Environmental Impact Statement for the proposed action. The Final Environmental Impact Statement is available on the Planning Department’s web page on the Town website located at www.penfield.org. Appl# 09P-0003.

   NO ACTION TAKEN

2. Robert Winans/LaDieu Associates P.C., 40 Cedarfield Commons, Rochester, NY 14615/Masi Enterprises, Inc. requests under Articles III-3-10, VIII-8-2, and IX-9-2 of the Code Preliminary and Final Subdivision and Site Plan approval and EPOD Permits to allow the construction of a 23 lot single family subdivision on 13.6 +/- acres, located at 1813 and 1817 Baird Road. The property is now or formerly owned by Masi Enterprises Inc., James Pschirrer, and Daria Reitknecht and is zoned R-1-20. Appl# 12P-0003. SBL# 124.01-2-28.1 and 124.01-2-29.1.

   The application was CONTINUED TABLED pending review of the recently submitted materials and submission of the Stormwater Prevention Plan and Drainage Report.
   Vote: Moved by: Tydings Seconded by: McCord

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

   Motion was carried.

3. Robert Keiffer of T.Y. Lin International, 255 East Avenue, Rochester, NY 14604/ Paul and Nancy Failing requests under Articles VIII-8-2 and IX-9-2 of the Code Preliminary and Final Subdivision and Site Plan approval to allow the construction of a total of 4 single family lot subdivision including the existing residence on 10.42 +/- acres, located at 1226 Shoecraft Road. The property is now or formerly owned by LuAnn Ferguson and is zoned RR-1. Appl# 12P-0004. SBL# 094.02-1-3.
The application was CONTINUED TABLED pending review of recently submitted materials

Vote:  Moved by:  Markarian  Seconded by:  Tydings

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

Motion was carried.

4. Doug Eldred of BME Associates, 10 Lift Bridge Lane East, Fairport, NY 14450/Ellison Heights, LLC requests under Articles III-3-10, VIII-8-2, and IX-9-2 of the Code and Town Law 278 a modification/amendment to a previously approved preliminary and final Cluster Subdivision and Site Plan approval as well as Environmental Protection Overlay District permit granted on October 14, 1999 to allow the construction of Phase 2 of the project which now is proposed to consist of 180 unit apartment complex in five, four story buildings, including a 3,000+/- sq. ft. clubhouse with a pool on 18.6 +/- acres, located at 1200-A Penfield Road. The property is now or formerly owned by Ellison Heights, LLC and is zoned MR.  Appl# 12P-0005.  SBL# 123.19-1-26.11.

The Board discussed the application, specifically the submitted architectural review comments.

The application was CONTINUED TABLED pending review of submitted materials

Vote:  Moved by:  Markarian  Seconded by:  Bastian

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

Motion was carried.

V MISCELLANEOUS

1. Classy Chassy Re-Approval - Regarding the application of Robert L. Keiffer, PE, FRA Engineering, 255 East Avenue, Rochester, NY 14604/Dave Clements requests under Articles III-3-10, IX-9-2 and X-10-4 of the Code Preliminary and Final Site Plan, EPOD Permit, and Conditional Use Permit approval to allow demolition of an existing dry cleaning facility and the construction of a 6 bay carwash with associated site improvements on a total of 0.68 +/- acres located at 1600 Penfield Road to be known as Classy Chassy Carwash. The property is now or formerly owned by Springs Land Company LLC, and is zoned GB.  Appl# 09P-0021.  SBL# 123.20-2-47.

The application was RE-APPROVED with conditions

Vote:  Moved by:  Bastian  Seconded by:  Markarian

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

Motion was carried.

2. Dunkin Donuts Expansion - Regarding the application of Mark Epling, Parrone Engineering, 349 West Commercial Street, Suite 3200, East Rochester, NY 14445/B & R (NY) Realty, LLC requests under Article IX-9-2 of the Code for Preliminary and Final Site Plan approval to allow construction of a 3,250 square foot retail building on 2.78 +/- acres located at 2055 Fairport Nine Mile Point Road to be known as Dunkin Donuts Plaza Expansion. The property is now or formerly owned by B & R (NY) Realty, LLC and is zoned Limited Business (LB) and in the TF Overlay District.  Appl# 08P-0025.  SBL# 140.05-1-1.403.

Jeff LaDue, the project Architect, respectfully requests the Planning Board to reconsider revisions to the approved building elevations. The application would like to remove the glass at the corners of the buildings.
and replace it with a brick inset instead. The Board discussed the request. The Board wishes the applicant to submit a drawing of the proposed revisions what include a brick inset to provide architectural detail and shadow lines for their review and consideration.

The request was TABLED.

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<tr>
<td>Chairperson Markarian – Aye</td>
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<td>Hetzke - Absent</td>
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<td>Kreiser – Absent</td>
<td>McCord - Aye</td>
<td>Tydings - Aye</td>
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Motion was carried.

3. 1420 and 1440 Empire Boulevard (aka Southpoint Cove) – Special Permit and Preliminary and Final Resubdivision and Site Plan Approval and an Environmental Protection Overlay Permit to Allow the Development of a 358 Unit Apartment Complex and Accessory 3,500 Square Foot Clubhouse and Pool on 26.62 Acres at 1420 and 1440 Empire Blvd. - SBL#s 108.06-1-008.1 and 108.06-1-008.2 - Rochester Waterfront Properties, LLC and Upstate Brownfield Partners LLC.

The Board discussed the application. The following were identified concerns discussed:
- Location of HVAC units
- Traffic
- Noise
- Exterior lighting
- Recommend an architectural and landscape review
- Specific review of the roof lines and any associated HVAC equipment should be considered.
- Archeological review may be warranted
- Sidewalk easement
- Decorative lighting along sidewalk on Empire Blvd.
- Meeting the goals and objectives of the LaSalle’s Landing Area Plan which included in particular public access to waterfront
- The Board looks favorably the proposed architectural elements, the landscaped medians, and the pedestrian plan.

The Board directed staff to prepare a memo to the Town Board itemizing their comments.

The Board directed staff to issue a memo the Town Board

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<td>McCord - Aye</td>
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Motion was carried.

There being no further business to come before the Board, this meeting was adjourned at 8:30 p.m., Thursday, May 10, 2012.

These minutes were adopted by the Planning Board on May 24, 2012.