The Planning Board met at 6:30 PM local time Thursday, June 14, 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.
Doug McCord
Terry Tydings

ABSENT: Sue Kreiser
Pete Weishaar, Legal Counsel

ALSO PRESENT: Linda Cummings, Secretary
Katie Evans, Planning Board Clerk
Mark Valentine, Planning Department Head
Zach Nersinger, Planning Technician

II. APPROVAL OF MINUTES: May 24, 2012

The Board approved the minutes of May 24, 2012.

Vote: Moved by: Hetzke Seconded by: Bastian

Chairperson Markarian – Aye Bastian – Aye Burton – Aye Hetzke - Aye

Kreiser – Absent McCord - Abstain Tydings – Aye

Motion was carried.

III. PUBLIC INFORMATION MEETING:

1. Charles Smith, Design Works Architecture, 3300 Monroe Avenue, Suite 117, Rochester, NY 14618/Lalit R. Shah and Surekha L. Shah requests under Articles VIII-8-2 and IX-9-2 an informal discussion with the Board regarding a Final Subdivision and Site Plan approval to build a 6,000 +/- Sq. Ft., two story office building on 2.79 +/- acres located at 30 Sanders Farm Drive and 2041 Penfield Road. The property is now or formerly owned by Lalit R. Shah and Surekha L. Shah and is zoned PD. Appl# 12P-0015. SBL#’s 139.08-2-1 and 139.08-2-1.11.

Applicant, Neeraj Shah, addressed the Board and explained the scope of the project.

- Two story office building approximately 6,000 sq. ft.
- Mr. Shah will be the prime occupant
- A tax preparation office, dental office and a detached garage exist currently on the location
- Mr. Shah currently owns a law business in Gates and is looking to serve his clients better by moving to Penfield
The proposed building will be used for professional businesses (legal firm, CPA firm, real estate and other professional offices) so there will be little to no traffic during the evenings.

There has been variance application submitted to the Zoning Board for a front setback to allow the two buildings to align and a signage variance.

Mr. Shah grew up in Penfield and is looking forward to moving his business back to the area.

Charles Smith of Design Works Architects addressed the Board and displayed maps showing the two entrances to the proposed projects (one from Sanders Farm Drive and one from Penfield Road).

- Since the lots are owned by the same owner, the decision was made to combine the lots instead of easements.
- Parking will be combined for both buildings to provide for improved traffic flow.
- Eliminating existing curb cut.
- Rear of property will be used for storm water control and rain garden.
- A civil engineering firm has been retained to work out topography and drainage control on the property.

Applicant, Neeraj Shah, addressed the Board and closed out the presentation.

- Mr. Shah has noticed his clients having difficulty entering the current entrance with the heavy traffic on Penfield Road.
- Elimination of current curb cut on Penfield Road will be much safer for clients and traffic on Penfield Road.
- Keeping the parking area in the rear and side of the building will maintain the esthetics of the area.
- Business will create jobs and new curb cuts will create safer access to the building.
- Current property has always been maintained very well.

Board Member Comments:

- Board Member, Burton asked if the current occupant (dentist office) will be staying at the location. Mr. Smith replied that they will be remaining at the location.
- Chairperson Markarian asked about the current walk out basement and if it is going to be closed up. Mr. Smith replied that they will drop the grade outside the basement and a plan is in process to deal with the basement access to ensure that no flooding will occur.
- Board Member Tydings asked if Mr. Smith could explain to the viewers at home and in the audience exactly where the property is located.
- Board Member McCord asked what variances they are asking for from the Zoning Board. Mr. Smith replied that they are asking for a front setback of 50 ft.
- Board Member McCord asked that considerations be made in regards to lighting to minimize disturbance to the current neighbors. He also commented that sidewalks from Penfield Road to the building may be appropriate. Mr. Smith replied that they may provide a walkway along the vehicle entry to widen the curb rather than cut across the green space.
- Board Member McCord asked if the trees on the east property line could be saved along with any trees near the parking area to help screen area from neighbors. Mr. Smith replied there is a natural hedgerow that they will protect during construction and they will thicken up any bare spots to provide screening during the winter months.
- Board Member McCord asked if the dumpster will be moved to the South portion of the parking lot. Mr. Smith replied that is a good idea and they will look into it.
- Board Member McCord asked about the reserved land banked parking. Mr. Smith replied that it will be moved down further to the south of the property to prevent moving the rain garden.
- Board Member McCord asked for clarification regarding the drainage problem on the south side of the property. Mr. Smith replied that they requested information from the Town Engineer regarding drainage complaints in the area.
- Town Planner, Katie Evans gave a brief description of what the Planned Development District is and how it relates the proposed project. An access road between this parcel and the parcel to the east will be discussed further during the preliminary/final stage of the application.

Public Comments:

John Troughbridge, owner of 16 Sanders Farm Drive addressed the Board with the following concerns:
• Too many accidents on Penfield Road near Sanders Farm Drive
• Sanders Farm Drive is too narrow to use as an access road
• Parking lot might be too close to existing neighbors and cause drainage problems to an already wet area
• Lighting may interfere with the surrounding neighbors
• Esthetics need to be considered to keep area attractive

David Royder of 16 Sanders Farm Drive addressed the Board with the following concerns:
• Traffic is very dangerous on Penfield Road
• There should be a sidewalk along Sanders Farm Drive because of increased traffic
• Where will snow removal be stored and how will effect an already wet area

The Board further discussed the application following the public hearings. The Board directed staff to include the following in a sketch plan review response letter:

1. The Board would like to see the following incorporated within a any future submitted drawings:
   • Site lighting shall be localized and unobtrusive. Specifically, care should be taken to minimize impacts to the adjacent residential properties.
   • Pedestrian circulation should be considered particularly in providing a connection to Sanders Farm Road and Penfield Road. Additionally, any future submission should demonstrate compliance with the Town’s Sidewalk Policy.
   • The Board has concerns with the site’s drainage. The applicant is encouraged to work with the Engineering Department to minimize impacts to adjacent property owners. Adequate snow storage should also be incorporated into the site design.
   • Additional year-round landscape buffering to adjacent residences should be considered where practical and may be required upon future review.
   • Any future submission should comply with the recommendations found in the PRC memo dated June 8, 2012, the Conservation Board report dated June 5, 2012, and should provide itemized responses to said documents.

2. At the time of a preliminary and final site plan submission, the following architectural information is required for the Board’s review and consideration:
   • Building plans and elevation drawn to scale that are numbered and dated.
   • A first floor plan.
   • Three dimensional representations of primary building facades should be included that include roof forms, method of screening visible building equipment, trash and loading areas. These drawings shall indicate color and material representations.
   • Provide colored elevations of all building elevations, screening, light fixtures, roof penetrations, HVAC grilles, building-mounted lights, signs and canopies. Clearly identify all materials and colors, including exterior soffit materials.
   • Provide a written list of all exterior building materials with samples of each material for the public hearing. A sample of glass will be required if anything other than clear glass is being proposed.

3. Will there be any exterior changes to the existing office building façade? If so, please provide detailed information within a future submission.

4. The Board is in favor of the requested front setback variance since it aligns the proposed building with the existing building and because it allows a greater setback from the proposed building to the adjacent residence.

5. Upon submission of an application for Preliminary and Final approval, you should provide written responses to the above comments. Additionally, written responses to the factors of consideration for Subdivision and Site Plan found in Articles VIII-8-3 and IX-9-3 of Chapter 29, Town of Penfield Zoning Ordinance should also be submitted.

The Board directed staff to issue the sketch plan review response letter as directed above.
IV. PUBLIC HEARING:

1. Kevin Overton of Harris Beach PLLC, 99 Garnsey Road, Pittsford, NY 14534/YMCA of Greater Rochester requests under Articles VIII-8-2, IX-9-2 and X-10-2 of the Code Preliminary and Final Site Plan and Subdivision and Expansion of Conditional Use approval to allow the resubdivision of two parcels and use of existing residence for administrative offices and other site improvements on 42.73 +/- acres located at 1851 Fairport Nine Mile Point Road and 1835B Fairport Nine Mile Point Road. The property is now or formerly owned by YMCA of Greater Rochester and is zoned RR-1. Appl# 12P-0010. SBL#’s 125.01-1-34.2 and 125.01-1-34.12.

** Board Member, Hetzke recused himself from the discussion **

Applicant, Kevin Overton of Harris Beach addressed the Board regarding the proposed application.
- Building will be used as an administrative office housing four staff members
- There will be no material changes to the 1.1 acre parcel
- The existing curb cut and driveway will remain
- There are two garages currently on the property - the second garage will be replaced by four parking spaces
- There will be no road signage except for a small sign noting administrative offices
- Noise level will not be effected
- Office hours will be between 8am – 6pm
- All buffering trees will remain
- There will be no noxious odors and no additional exterior lighting

Board Member Comments:
- Board Member Bastian asked what the house is currently being used for. Kevin Fitzpatrick, Executive Director of the Eastside YMCA replied that it is being leased to three collegiate runners.
- Chairperson, Markarian asked what parking will be available for visitors. Mr. Overton replied that it is not anticipated that there will be visitors at that office, however, if there is an occasional visitor they can park in the adjacent YMCA parking lot and walk to the office.
- Board Member Burton asked what the benefit is to the YMCA currently or in the future to merge the two parcels. Mr. Overton replied that it would be much easier for accounting purposes to have one tax parcel. Olen Campbell of the YMCA commented that is was recommended by Town staff to merge the parcels.
- Board Member Bastian asked if there are any restrictions on what the proposed office could be used for in the future. Mr. Overton replied there are no restrictions at this time, however, restrictions could be added if the Board requires it.

Public Comments:
There were no comments from the public regarding this application.

The application was TABLED upon staff review of recently submitted material

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

2. Doug Eldred of BME Associates, 10 Lift Bridge Lane East, Fairport, NY 14450/FRJ Associates of Rochester requests under Articles VIII-8-2 and IX-9-2 of the Code Preliminary and Final Subdivision and Site Plan approval to allow addition of approximately 8,200 +/- sq. ft. to an existing building at 2000 Empire Boulevard, an addition of approximately 1,000 +/- sq. ft. to an existing building at 2010 Empire Boulevard, façade alterations and other site improvements for both buildings and resubdivision of 2002A into 2000 Empire Boulevard on 3.99 +/- acres located at 2000, 2002A, and 2010 Empire Boulevard. The property is now or formerly owned by Calus and Young Partnership, and Laureland, Inc. and is zoned LB. Appl# 12P-0011. SBL#'s 093.01-1-12.1, 093.02-1-11, and 093.02-1-10.

Applicant, Doug Eldred of BME Associates, addressed the Board regarding the proposed application.
- FDR Associates owns the building on 2000 Empire Boulevard and is currently used for medical offices
- Rochester General Hospital would like to expand this area
- Improvements would be in two phases. Phase first would be the acquisition of 2010 Empire and expand it by 1,000 sq. ft. and converted into a 20 bed dialysis center. The second phase would include expansion of 2000 Empire to include approximately 3,200 sq. ft. and 5,000 sq. ft. to the existing building. There will be additional parking and changes in access points.
- Project is consistent with the character of the neighborhood
- Loading dock will be added to the rear of the property for the dialysis unit
- Utilities are available at the site
- The project will require several variances which are currently pending before the Zoning Board of Appeals.

Fred Rainaldi, Jr. of Laureland, Inc., addressed the Board regarding the proposed application.
- Goal is to create a mini campus
- Had experience building a similar facility in Irondequoit which has been very successful
- 2010 Empire Boulevard would be the dialysis facility and 2000 would house a blood lab, pediatric unit, and internal medicine unit. The 5,000 sq. ft. addition would house an imaging unit.
- Site lines will be greatly improved along Empire Blvd.
- There will be a tractor trailer delivery once a week and will use the center entrance
- The materials for all the buildings will match each other (a similar example is Platinum Office Park)
- There will be landscaping added but may not be as dense as the renderings portray
- Doug Eldred added that they will be requesting a parking variance for 2010 Empire (reciprocal access easement over both parcels) because they will be approximately 16 parking spaces short. A large number of patients are dropped off and picked up, so the parking space shortage should not pose a problem

Board Member Comments:
- Board Member Burton asked if the northern curb cut could be eliminated. Mr. Eldred replied that they cannot because of the access easement to the DiSalvo parcel.
- Board Member Burton asked if the existing access easement is required to be maintained as impervious surface. Mr. Eldred replied that is will be left as impervious surface, and that he will be meeting with the Town Engineer and DOT to review the curb cuts and access.
- Board Member Burton asked if all the trees along the east end of the property will be removed and how this will affect the visual screening to Daniels Creek Apartments. Mr. Eldred replied pine trees will be supplemented to produce an effective screen.
- Board Member Burton asked about the large change in elevation in regards to the northern side of the property and how it will be blended in with the existing structures, etc. Mr. Eldred replied there will be a retaining wall and grading. There will be an emergency generator behind the dumpster.
- Board Member Burton asked about the dry well coming in off the drop inlet and if they will be feeding into the pond. Mr. Eldred replied that the new inlets will be feeding into the pond.
- Board Member Burton commented the façade improvements look very nice and he is pleased with the project.
- Chairperson Markarian asked if sidewalks will be added. Mr. Eldred replied that they will extend sidewalks to connect areas that are not connected as this point.
· Board Member Hetzke asked if it would easier to just rebuild the structures. Mr. Eldred replied that it would not because all the buildings are structurally sound.
· Board Member Burton requested the applicant provide the Board a simulation of the traffic flow in, out, and around the building. Mr. Eldred replied that the traffic flow needs to be reviewed and studied further.
· Mr. Rainaldi commented that they have requested Bergmann Associates to conduct a capacity analysis and traffic analysis which will be submitted to staff. Due to the patients using the facility, sensitivity and care must be taken to make sure accessibility to the facility is easy and clear.

Public Comments

Joe DiSalvo of 2016 Empire Boulevard had the following concern:
· How will the renovations of the proposed development effect his current signage that is located in front of his business (Empire Weekly’s). Mr. Rainaldi showed Mr. DiSalvo a photo of a monument sign he is proposing.
· How will right of way be affected? Mr. Rainaldi explained that it will be discussed with the town and addressed appropriately.

The Board further discussed the application following the public hearing. The following was itemized:

1. The Board wishes to see the following incorporated into revised plans:
   · Additional landscape buffering to adjacent residences where practical to provide visual screening.
   · A revised limit of disturbance to reflect necessary grading and to demonstrate what landscaping, if any, will be removed.
   · Areas shall be identified for snow storage. Considering the lot coverage and proposed uses, the Board is concerned how snow will be managed.

2. The traffic analysis referred to during the public hearing shall be submitted for review. Specifically, the Board is interested in knowing what potential impacts this project many have on the Empire Blvd. corridor.

3. A copy of the access easement should be provided to the Town and the liber and page numbers noted on the plat map.

4. Written responses to all reviewing agency comments shall be submitted including but not limited to the Project Review Committee memo dated June 6, 2012 and Monroe County Planning letter dated May 29, 2012.

The application was TABLED pending submission of the above items.

Vote: Moved by: Burton Seconded by: Tydings

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

Motion was carried.

3. Ed Summerhays, 2509 Browncroft Blvd, Suite 209, Rochester, NY 14625/Jennifer Handler requests under Articles IX-9-2 of the Code Preliminary and Final Subdivision approval to allow the division of a 3.86 acre lot into two lots located at 1901 Fairport Nine Mile Point Road. The property is now or formerly owned by William F. Alvut and is zoned R-1-20. Appl# 12P-0013. SBL# 125.13-01-04.2.

Applicant, Ed Summerhays, addressed the board regarding the proposed application.
   a. Parcel is currently vacant and will be divided into two parcels (one will be 1.86 acres and the other will be 2.00 acres).
b. There are no improvements proposed at this time. The owner’s intention is to sell the parcels for residential dwellings.

**Board Member Comments:**
- Board Member Hetzke asked about the little “tail” end on the west side of the parcel. Karen Hoody of 1891 Frpt. Nine Point Road replied that her grandmother previously owned the property and the surrounding lots were owned by several different family members. The “tail” area on west side of the property was created so family can easily walk to her grandmother’s house.

The Board AUTHORIZED Chairman Markarian to sign the Part II EAF

**Vote:** Moved by: Hetzke  Seconded by: Tydings

Chairperson Markarian – Aye  Bastian –Aye  Burton –Aye  Hetzke - Aye

Kreiser –Absent  McCord -Aye  Tydings - Aye

Motion was carried.

The application was APPROVED with conditions

**Vote:** Moved by: Hetzke  Seconded by: Tydings

Chairperson Markarian – Aye  Bastian –Aye  Burton –Aye  Hetzke - Aye

Kreiser –Absent  McCord -Aye  Tydings - Aye

Motion was carried.

V  **TABLED**

1. 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.

Town Planner, Katie Evans, informed the Board all outstanding issues have been addressed.

The Board AUTHORIZED Chairman Markarian to sign the Part II EAF

**Vote:** Moved by: Hetzke  Seconded by: Bastian

Chairperson Markarian – Aye  Bastian –Aye  Burton –Aye  Hetzke - Aye

Kreiser –Absent  McCord -Aye  Tydings - Aye

Motion was carried.

The application was APPROVED WITH CONDITIONS

**Vote:** Moved by: Markarian  Seconded by: Hetzke

Chairperson Markarian – Aye  Bastian –Aye  Burton –Aye  Hetzke - Aye

Kreiser –Absent  McCord -Aye  Tydings - Aye

Motion was carried.
2. 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.

Staff informed the Board that a letter was submitted by Chip Russell on behalf of the Ellison Heights Homeowners Association for review and consideration. Staff also expects revised plans to be submitted very soon.

The application was CONTINUED TABLED pending review of submitted material

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Motion was carried.

VI. MISCELLANEOUS:

- Town Planner Katie Evans and Planning Department Head Mark Valentine gave an overview to the Board of a dumpster enclosure for Kids First Daycare. The Board supports the improvement.
- Department Head, Mark Valentine discussed possible dates for the Planning Board summer picnic. Mark will check availability of the Dolomite Lodge and will e-mail the Board with a date.

There being no further business to come before the Board, this meeting was adjourned at 9:30 p.m., Thursday, June 14, 2012.

These minutes were adopted by the Planning Board on June 28, 2012.