PLANNING BOARD MINUTES
MARCH 14, 2013
The Planning Board met at 6:30 PM local time Thursday, March 14, 2013 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  
Bill Bastian  
Jim Burton  
Allyn Hetzke, Jr.  
Sue Kreiser  
Doug McCord

ABSENT:  
Terry Tydings

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

II. APPROVAL OF MINUTES: February 28, 2013

The Board approved the minutes of February 28, 2013

Vote: Moved by: Hetzke Seconded by: McCord

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

Kreiser – Abstain  McCord -Aye  Tydings - Absent

Motion was carried.

III. PUBLIC HEARING:

1. Jared Lusk, Nixon Peabody, LLP, 1300 Clinton Square, Rochester, NY 14604/Bell Atlantic Mobile of Rochester, L.P. (dba Verizon Wireless) requests under Articles IX-9-2, and XI-11-7 of the Code Preliminary and Final Site Plan and Special Permit approval to allow the construction of a 120’ +/- telecommunications facility on 2.29 +/- acres located at 1843 Empire Boulevard to be known as 1843 Empire Boulevard. The property is now or formerly owned by Jeffrey C. Riedel and is zoned GB. Appl# 13P-0010 SBL# 093.15-1-63.

Ashley Champion of Nixon Peabody, addressed the board and explained the scope of the application.
Verizon is seeking special permit, site plan approval, and a setback waiver to install and operate a cell tower facility.

Purpose of the cell tower is to minimize the gap in coverage in the North Penfield crossroads area and provide PCS in building coverage and 4g LTE.

The objective of the site selection was to locate a site that was as close to the center of the gap area as possible.

Each site covers approximately a one-mile radius.

Thirty-five difference parcels in the immediate area were reviewed during the site selection process.

The proposed site was chosen because it provided coverage needed to fill the gap in coverage, good land use, existing natural buffer, and decline in grade.

Board Member Comments:

- Board member Burton asked if all cell towers were looked at during the collocation study or was it strictly Verizon cell towers. The applicant replied that non Verizon cell towers were reviewed as well.
- Board member Kreiser asked for clarification regarding the block out/gap areas affected. The applicant replied that the block out areas do not mean that there is no coverage at all, only that the coverage is not as reliable.
- Board member Burton asked if there is a history of any cell towers falling. The applicant replied that there is no history of cell towers falling that she is aware of. However, they are requesting a waiver from the Planning Board for a 40' fall zone instead of the 200' fall zone. There is 41' feet from the tower to the property line which leaves a 1' buffer.
- Board member Burton asked if the waiver is approved, will Verizon provide an additional buffer, in addition to the 1' buffer. The applicant replied there is a specific lease area that they are permitted to be in.
- Planner, Katie Evans, clarified that the Planning Board does not have jurisdiction to grant the waivers regarding the set back and 200' fall zone. The waiver requests are pending before the Zoning Board next Thursday (3/21/13). The applicant replied that per the Code, it shows that the Planning Board does have jurisdiction, however, an application was submitted to the Zoning Board in the event that the Planning Board does not grant the waivers.

Public Comments:

- There were no comments by the public.

The Board discussed the application following the public hearing. Board member Burton asked Katie Evans if the Planning Board can grant a waiver regarding the set back and 200' fall zone. Katie indicated that she would like to look further into this prior to making that determination. Katie also informed the Board that a Coastal Assessment form is required to be submitted since the project falls within the limits of the Local Waterfront Revitalization Program (LWRP) area.

The application was TABLED pending review of recently submitted materials and submission of the Coastal Assessment Form.
Vote: Moved by: Burton Seconded by: Hetzke
Chairperson Markarian – Aye Bastian –Aye Burton – Aye Hetzke – Aye
Kreiser –Aye McCord – Aye Tydings – Absent

Motion was carried.

2. Kip Finley, Indus Companies, One Corporate Place, 1170 Pittsford Victor Road, Pittsford, NY 14534 requests an informal discussion with the Board regarding the construction of a 70-75 room, 6 story hotel on 3.2 +/- acres located at 950 Panorama Trail to be known as 950 Panorama Trail. The property is now or formerly owned by RDG Incorporated and is zoned LI. Appl# 13P-0011. SBL# 139.09-1-60.1.

*Kip Finley of Indus Companies, addressed the board,* and explained the scope of the sketch plan application.

- Updated drawings (03/14/13) were distributed to the Board.
- Location was selected because it has great views, good traffic flow and is centrally located.
- The proposed sketch plan would be a six story, 70 to 80 room hotel.
- The applicant reviewed the responses to PRC and Conservation Board comments.

Board Member Comments:

- Board member Burton asked how the steep entrance would be controlled during inclement weather. The applicant replied that there will be heavy plowing and salting during those events.
- Board member Burton asked if there will be pervious paving on the slope area. The applicant replied that there will not be any paving on the slope area, however, there will be areas of pervious payment such as pavers, etc. in the upper parking lot to direct the water towards the middle of the parking lot and away from the slopes on the sides of the parking lot.
- Board member McCord mentioned that the rear parking lot is built right up to the back line of the property. He inquired as to what kind of grading will be done in that area and how will it effect the trees and vegetation. The applicant replied that the existing parking lot will be skinned, re-graded and repaved. Additional parking spaces will go inward on the site and on the grassy area. There will be a 20 to 30 ft. buffer from the fence which is 10ft in from the bank.
- Board member McCord asked if there will be grading into the Big Oak property. The applicant replied that they have not communicated with the property owners yet and a grading release will have to be discussed. There will be approximately one foot of grade difference.
- Board member Kreiser asked approximately how many staff members there will be per shift. The applicant replied that during the morning/day hours, there will be approximately three to ten staff members on site. During the over night hours, there will be approximately one to two staff members on site.
• Board member McCord asked if there will be a restaurant on the site and if the public will be able to utilize it. The applicant replied that there will be a dining area for guests only, but not a restaurant for public use.

• Board member Bastian asked what kind of lighting will be on the site. The applicant replied that there will be pedestrian level lighting on 10’ to 12’ poles with downcast lighting. They will not be floodlighting the parking lot.

Public Comments:

• There were no comments by the public.

The Board discussed the application after the public meeting and directed staff to include the following in the sketch plan review letter:

1. The Board recognizes that this is a challenging site to redevelop due to required setbacks and topography. The Board supports the concept of a hotel in this location.

2. The Board requests the following information be included within a future application for preliminary and final site plan approval:
   • Verification of the variances needed to build the project;
   • Show turning templates to verify accommodation of delivery trucks and emergency response vehicles or provide an auto turn file;
   • Sign package;
   • Provide cut sheets for all outdoor lighting cut sheets and patio furniture if proposed; and
   • Identify the number of employees on maximum shift, maximum capacity of meeting rooms, pool, and fitness center, and square footage of offices, business center, and other accessory uses.

3. Due to the visibility of the site and elevation changes, landscaping will be a key element of site design and subsequent review. The applicant is encouraged to take advantage of these unique opportunities by designing a landscape plan that enhances the natural features on the property. The Board advises against blank retaining walls.

4. The applicant is put on notice that per Article III-3-80-B of Chapter 29, Town of Penfield Zoning Ordinance, you are required to make application to the Zoning Board of Appeals for a special permit due to a change of use within a Limited Industrial District.

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

The Board directed staff to prepare and issue a sketch plan review response letter

Vote: Moved by: Hetzke Seconded by: McCord
Chairperson Markarian—Aye  Bastian—Aye  Burton—Aye  Hetzke—Aye
Kreiser—Aye  McCord—Aye  Tydings—Absent

Motion was carried.

IV. TABLED:

3. Jonathan Morris, AIA, Carmina Wood Morris, P.C., 487 Main Street, Suite 600, Buffalo, NY 14203/Vision Dodge/Chrysler/Jeep requests under Articles IX-9-2, and X-10-2 of the Code Preliminary and Final Site Plan and Conditional Use Permit to allow the demolition of a 2,000 sq. ft. showroom and reconstruction of a new 6,640 sq. ft. showroom with additional site improvements and an expansion to a Conditional Use permit on 6.53 +/- acres located at 920 Panorama Trail South to be known as Vision Dodge/Chrysler/Jeep. The property is now or formerly owned by Gary Siconolfi and is zoned GB and LI. Appl# 13P-0005 SBL# 139.09-1-60.21.

The Board briefly discussed the project. Staff shared the list of the outstanding items the Board has previously requested.

This application was CONTINUED TABLED upon receipt of requested materials

Vote: Moved by: Hetzke Seconded by: McCord
Chairperson Markarian—Aye  Bastian—Aye  Burton—Aye  Hetzke—Aye
Kreiser—Aye  McCord—Aye  Tydings—Absent

Motion was carried.

V. MISCELLANEOUS:

1. Caroline Court – Department Head, Mark Valentine, reviewed the easement sketch provided by Fiber Tech regarding the existing easement. The approval resolution, dated August 11th, states that the existing utilities are to be removed from the existing easement that ran from Creek Street back to the cell tower. The approval resolution required the easement to be abandoned and the utilities be relocated to the Miceli Way right of way. When the trench was dug up to move the RG&E line, there were other conduits including one from Fiber Tech. Fiber Tech has requested to re-trench their conduit south along the west property line of lot 15, east along the south property line of lot 15, east along the south property line of lot 7 into the ROW. The existing easement is still required to be abandoned and the new conduit shall be placed within an easement so future property owners know there is a utility in that location.
2. Agricultural Districts – Bob King of Monroe County came into PRC this week to share information about agricultural districts. Town Planner, Katie Evans summarized the meeting for the Board.

There being no further business to come before the Board, this meeting was adjourned at 8:20 p.m., Thursday, March 14, 2013.

These minutes were adopted by the Planning Board on April 11, 2013.