PLANNING BOARD MEETING MINUTES
APRIL 11, 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
Allyn Hetzke, Jr.
Doug McCord
Terry Tydings

ABSENT: Jim Burton

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

II. APPROVAL OF MINUTES: March 14, 2013

The Board approved the minutes of March 14, 2013

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

Motion was carried.

III. PUBLIC HEARING:

1. Randy Bebout, T.Y. Lin International, 255 East Avenue, Rochester, New York 14604/Hess Corporation requests under Article IX-9-2 and X-10-2 of the Code Preliminary and Final Site Plan approval and an expansion to an existing Conditional Use Permit to allow the construction of a drive-thru lane/window and other associated site improvements at the existing Hess facility on 1.78 +/- acres located at 2180 Penfield Road to be known as 2180 Penfield Road. The property is now or formerly owned by Hess Realty Corporation and is zoned GB and TF. Appl# 13P-0013. SBL# 140.01-1-4.

Jerry Goldman, of Fix, Spindelman, Brovitz and Goldman, PC addressed the Board
  • Hess Corporation would like to add a drive thru lane and change two co-brand users on the site.
Randy Bebout of T.Y. Lin International addressed the board and explained the details to the proposed drive thru.

- There will be a bypass lane to exit the drive thru lane.
- Drive thru arrows will guide traffic from both Route 441 and Route 250 to the drive thru lane.
- There will be additional signs added to also help guide traffic.
- Landscaping (evergreen species) will be provided along the northern edge of the property.
- Responses to PRC comments were reviewed.

Board Member Comments:

- Board member Hetzke asked if there are other sites that have co-branding and a Burger King drive thru, and how many cars will be stacked during the busiest time. The applicant replied that the proposed site is comparable to the Florida (Tarpin Springs) location. There should be no more than eleven vehicles stacked at any time.
- Board member Hetzke asked for more clarification on how the traffic flow will be managed in the drive thru. The applicant replied that the traffic flow should move quickly due to the fact that the Burger King only offers a limited menu so customers will be in and out very quickly.
- Board member Hetzke asked how often the “escape” lane will typically be utilized. The applicant responded that in certain situations the “escape” lane will be beneficial for the occasional customer that needs to exit quickly.
- Board member Hetzke asked what the busiest projected times will be. The applicant replied that lunch is usually the busiest time (between 11am and 2pm) with Friday being the busiest day. Saturdays and Sundays are usually the slowest days.
- Board member Hetzke asked if the drive thru will be used exclusively for Burger King. The applicant replied that it will only be used for Burger King, however, customers may order coffee which is provided by Dunkin Donuts. If a customer would like Dunkin Donuts, they must go into the store. The owner of the two Dunkin Donuts facilities nearby is participating with the store, so it is not a competitive situation.
- Board member Hetzke asked if Hess Corporation is divesting from retail gasoline operations as per media reports. The applicant replied that Hess is moving forward regardless and nothing will be changing anytime in the near future.
- Board member Tydings asked if the proposed Burger King menu will consist of burgers, fries and anything made with grease and if so, will there be proper ventilation. The applicant replied that they will be serving hamburgers and fries. They will be installing a new high tech hood and fire suppression system to accommodate the menu.
- Board member Tydings asked if there is a ventilation system currently in place. The applicant replied that there is a system in place, but it will be removed and replaced with the new system.
- Board member Tydings asked if there is a system for grease storage. The applicant replied that there is an existing grease trap.
Board member McCord asked about tree removal on site and will there be any shade trees on the site. The applicant replied that there will be some spruce trees, but they can be replaced by shade trees and some more shade trees can be added.

Board member Hetzke asked if the car wash events will be impacted by the delineated parking area. The applicant replied that they will cone off that area to separate the traffic from the event taking place. The car wash events typically occur on Saturday or Sunday mornings which is usually the slowest time.

Chairperson Markarian asked if the parking along the outside ring will be delineated. The applicant replied that they will be delineated.

Public Comments:

- There were no comments by the public.

The Board discussed the project following the public hearing. The Board directed the following to be included within the tabling resolution:

1. The Town Engineer shall review the stormwater calculations recently submitted to determine if they are adequate for the site.

2. The applicant shall add four shade trees as a minimum in the following locations:
   - One or more in the grass area on the north side of the site, east of the 5’ wide concrete sidewalk;
   - One or more in the grassed island directly south of the drive thru exit; and
   - Two or more in the grassed island created by the bypass lane and the drive thru lane.

3. The Town Landscape Consultant shall review the responses provided to his initial comments along with the revised plans and shall provide any additional feedback to the Board for review and consideration.

4. The applicant shall contact Mark DiFrancesco, Sewer Administrator, at (585) 340-8639 or difran@penfield.org regarding the size and location of the required grease trap.

5. Planning Department staff shall prepare a draft Part II Environmental Assessment Form and draft approval resolution for the Board’s review and consideration.

This application was TABLED pending review of recently submitted materials and the submission and review of the items identified above.

Vote: Moved by: Hetzke Seconded by: Tydings

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

Motion was carried.
IV. **TABLED:**

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 with associated site improvements 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.

This application was CONTINUED TABLED pending the result of the application made to the Zoning Board of Appeals, the preparation of a draft part II Environmental Assessment Form, and the preparation of a draft approval resolution for the Board’s review and consideration.

Vote: Moved by: Bastian Seconded by: Hetzke

Chairperson Markarian – Aye Bastian – Aye Burton – Absent Hetzke – Aye

McCord – Aye Tydings – Aye

Motion was carried.

V. **MISCELLANEOUS:**

1. Review of upcoming applications on the May 9th Planning Board agenda:
   - Vision Dodge
   - The Metal Roof Outlet
   - 55 Aspen Drive

2. Town Supervisor, LaFountain asked for a joint Town Board and Planning Board meeting to be held either May 15th or June 5th regarding the LaSalles Landing project.

There being no further business to come before the Board, this meeting was adjourned at 7:45 p.m., Thursday, April 11, 2013.

These minutes were adopted by the Planning Board on May 9, 2013.