Planning Board Meeting Minutes
June 27th, 2013
The Planning Board met at 6:30 PM local time Thursday, June 27, 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.
Terry Tydings

ABSENT: Doug McCord

ALSO PRESENT: Linda Cummings, Secretary
Mark Valentine, Planning Department Head
Pete Weishaar, Legal Counsel

II. APPROVAL OF MINUTES: June 13, 2013

The Board approved the minutes of June 13, 2013

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

Motion was carried.

III. TABLED:

1. Kip Finley, Indus Companies, One Corporate Place, 1170 Pittsford Victor Road, Pittsford, NY 14534 requests under Articles III-3-10 and IX-9-2 of the Code Preliminary and Final Site Plan and EPOD Permit approval to allow the construction of a 70-75 room, 6 story hotel and associated improvements on 3.2 +/- acres located at 950 Panorama Trail South. The property is now or formerly owned by RDG Incorporated and is zoned LI. Appl# 13P-0020. SBL# 139.09-1-60.1.

Staff informed the Board that requests for lead agencies were mailed on May 15, 2013. No responses were received; therefore the Board declares itself Lead Agency.

The Board reviewed the Part II Environmental Assessment Form.

The Board AUTHORIZED Chairperson Markarian to sign the Part II EAF.

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

Motion was carried.

The Board discussed and reviewed the draft Negative Declaration.

The Board APPROVED the Negative Declaration
Vote:    Moved by:    Burton    Seconded by:    Hetzke
Chairperson Markarian – Aye    Bastian – Aye    Burton – Aye    Hetzke - Aye
McCord - Absent    Tydings - Aye

Motion was carried.

Staff informed the Board that responses were recently received in response to the June 13, 2013 tabling resolution. The Board directed staff to issue a tabling resolution pending review of the submitted material.

The application was CONTINUED TABLED pending review of recently submitted materials
Vote:    Moved by:    Burton    Seconded by:    Tydings
Chairperson Markarian – Aye    Bastian – Aye    Burton – Aye    Hetzke - Aye
McCord - Absent    Tydings - Aye

Motion was carried.

2. Robert K. Winans P.E., 40 Cedarfield Commons, Rochester, New York 14612 on behalf of Midlakes Development and Construction, LTD, requests an informal discussion with the Town Board and the Planning Board regarding the possible construction of 33 single family attached homes and two apartment buildings with a total of 36 units on 32.67 +/- acres. The parcels are located 1185 Empire Blvd., 1211 Empire Blvd., and 41 Woodhaven Drive. The property is owned by Howitt-Bay-view, LLC, and is zoned LLD and R-1-20. Appl # 12P-0017. SBL# 108.05-2-8.5, 108.05-2-8.33, and 108.10-1-1.111

The Board discussed the following:

- The Boards continue to have concerns regarding the safety of the ingress and egress at Empire Boulevard. You must initiate discussions with the NYSDOT and the Town Engineer regarding traffic impacts along this corridor prior to any further meetings with either board. Should this application move forward to a preliminary/final
application a traffic consultant will likely be retained by the Town to assist it with the review of the potential impacts that may be generated by this development.

- A full drainage report documenting compliance with the Phase 2 Stormwater Regulations for water quality and quantity will be required for a preliminary and final application submission.

- All potential impacts to the wetland areas must be identified and mitigation provided. A wetland delineation for all state and federally designated wetlands will be required.

- Based on testimony given at the public information meeting, you are advised to provide documentation as to how this project will not negatively affect drainage to and from adjacent properties within a preliminary/final application submission. Several of the Wilbur Tract Road residents had concerns with the location of the proposed pond and the potential for it to block current drainage patterns.

- An archaeological records check and a cultural resource survey will need to accompany the application.

- A steep slope protection and preservation plan will be required as part of any future submission to detail how these areas will be designed to ensure proper protection.

- Details regarding the sanitary sewer design should be addressed with Mark DiFrancesco, Sewer Administrator (585) 340-8639, which will include; anticipated flows and the required contribution to the pump station upgrade fund.

- A lighting plan will be required including parking lot areas, driveways and buildings. Lighting should be residential in nature, and should be localized and include horizontal cut-offs. Building mounted wall pac units will not be allowed.

- The Board supports the donation of the property located at 1185 Empire Boulevard to the Monroe County Park system. You are encouraged to initiate discussions with the County Parks Department prior to submitting a preliminary and final application.

- Pedestrian access is a very important component of any application to the Town of Penfield. The project must comply with the Town of Penfield Sidewalk Policy. Sidewalks and pedestrian access and safety along the Empire Boulevard frontage will be an important feature. A pedestrian connection to Wood Haven Drive will be required to meet the goals and objectives of the Town comprehensive Plan.

- This site located in a very visible location and the buildings will be visible from all directions. The Boards will require four-sided architectural treatments. Color and material samples should be submitted for review. You should be familiar with the Planning Board Design Guidelines for the Board’s expectations prior to your next submittal. Features such as benches, decorative trash receptacles, bike racks and
hardscape designs should be included into the project, as appropriate. A landscape plan should also be prepared for the project.

- It has been stated in your previous submissions that some data has been collected on the soils on the site. Please provide a geotechnical report on the property, addressing the following:
  - Boring logs and test hole results and locations should be provided, identifying what types of materials are present.
  - Recommendations for structural foundations and underground utility installations should be provided for the entire site, including known fill areas.
  - Structural stability of steep slope areas should be demonstrated, where structures are close to or within the Steep Slope Environmental Protection Overlay District (EPOD).
  - Results of any Environmental Site Assessments should be provided.
  - Water quality impacts to groundwater on the site from septic systems on Old Westfall Road are to be included in your engineers report

- There are four EPODs on the property; Steep Slope, Wetlands, Floodplain and Woodland. All EPOD limits shall be delineated and shown on any future submissions. The Factors of consideration for EPODS shall also be submitted for review with any future applications.

- The Boards are supportive of maintaining the emergency access to Woodhaven Drive. This is not only for the good of your future residents, but in the event of an emergency on Parkview Drive, it would provide an evacuation route for otherwise stranded residents of that long, dead-ended road system south of your project site. This connection along with the proposed material type should be included in any future submission.

- You should be aware that previous discussions with RG&E have indicated very limited gas resources in this area of the town. RG&E is currently looking into upgrades to their system along Empire Boulevard and you are encouraged to speak with their staff as soon as possible to ensure your proposed project is included in their design calculations. There may be some costs associated with the design of the expanded main and you should discuss this with RG&E as well.

- A formal cross-access easement will need to be created to allow continued access for the existing residents on Wilbur Tract Road. Upgrades and maintenance of Wilbur Tract Road within your property limits will also be required.

- In the event that you wish to pursue a preliminary/final application for this proposal, a joint Planning Board and Town Board public hearing meeting will be required.

- The Boards have been advised, based upon the sketch plan review, that the proposed project is classified as a Type I action pursuant to SEQRA. A Draft Environmental Impact Statement may be required, to identify and evaluate potential significant
impacts. A full EAF is required to accompany an application for preliminary/final approval prior to that determination being made.

- As you know, this proposed development involves property in two different zoning districts (Residential 1-20 and LaSalle's Landing Development District). Although the utilization of the cluster subdivision provisions under Town Law Section 278 and Penfield Zoning Ordinance 8-4 may provide for the modification of certain zoning requirements, the two zoning districts applicable to this proposed development have very distinct permitted and conditionally permitted uses. Therefore, if clustering will be sought, the Developer should satisfy itself that the proposed uses still comply with the use restrictions in each district (e.g., multi-family apartment building should not be located on the R-1-20 parcel).

- Upon submission of an application for preliminary/final approval, you should submit written responses to all reviewing agency comments received to date, as well as the above comments of the Town Board and the Planning Board.

The Board AUTHORIZED staff to send the sketch letter to the applicant

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

Motion was carried.

V. MISCELLANEOUS:

1. Edward J. Freeman, PLS, Passero Associates, 242 West Main Street, Suite 100, Rochester, NY 14614/Michael and Rachel Monile, Mauricio and Margaret Felipe, John and Mary E. Trowbridge, and Christopher and Kara Cannarozzo requests under Articles VIII-8-2 of the Code Preliminary and Final Resubdivision to allow the reconfiguration of the subdivision formerly approved by the Planning Board as 1440 Scribner Road resulting in Lot 1 being 0.51 +/- acres, Lot 2 being 1.49 +/- acres, Lot 3 being 0.31 +/- acres, Lot 4 being 0.31 +/- acres, and Lot 5 being 3.42 +/- acres located at 3 Johanna Drive, 15 Cedarbrook Cir, 40 Beacon Hills Dr. N., 44 Beacon Hills Dr. N, and 1440 Scribner Rd. The property is now or formerly owned by Michael and Rachel Monile, Mauricio and Margaret Felipe, John and Mary E. Trowbridge, and Christopher and Kara Cannarozzo and is zoned R-1-20 and PD. SBL#'s 109.05-1-55.31, 109.05-1-90, 109.05-1-51, 109.05-1-52, and 109.05-1-55.11.

The Board discussed the requested resubdivision. The Board is comfortable with the revisions on the condition that the existing easements that are no longer applicable are abandoned and that the plat map reflect signatures of all effected neighbors indicating their approval of the requested changes.
The Board APPROVED the reconfiguration of the subdivision conditioned upon the above mentioned items.

Vote: Moved by: Tydings Seconded by: Bastian

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

Motion was carried.

2. Eric Schaaf/Marathon Engineering, 39 Cascade Drive, Rochester NY 14614/ Steven Cerrone requests under Article IX of the Code Preliminary and Final Site Plan approval to allow the installation of a parking lot and associated site improvements on 0.41 +/- acres, to be known as 2221 Penfield Road. The property is located at 2221 Penfield Road, is now or formerly owned by Steven Cerrone and is zoned BN-R and TF. Appl# 11P-0005. SBL# 140.01-2-1.

The applicant has requested re-approval of the project. He is actively looking for a tenant that is consistent with the permitted uses of the district. He has received interest from potential tenants that are not permitted uses in the BN-R district.

The Board REAPPROVED the application

Vote: Moved by: Hetzke Seconded by: Tydings

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

Motion was carried.

3. Planning Board picnic has been “tentatively” scheduled for August 15th if the pavilion is available. Alternate dates may need to be looked at.

There being no further business to come before the Board, this meeting was adjourned at 7:15 p.m., Thursday, June 27, 2013.

These minutes were adopted by the Planning Board on August 21, 2013.