PLANNING BOARD MEETING MINUTES
APRIL 10, 2014
As the Planning Board met at 6:30 PM local time Thursday, April 10, 2014 in the Auditorium conference room to discuss, in a meeting open to the public, tabled matters and other business that was before it.

I. CALL TO ORDER:

PRESENT: Allyn Hetzke, Jr
Bill Bastian
Jim Burton
Roseann Denoncourt
Bob Kanauer
Doug McCord
Terry Tydings

ABSENT:

ALSO PRESENT: Katherine Kolich-Munson, Secretary
Zach Nersinger, Planning Technician
Mark Valentine, Planning Department Head
Peter Weishaar, Planning Board Attorney

II. APPROVAL OF MINUTES: March 13, 2014

Vote: Moved by: Tydings Seconded by: Bastian

Chairman Hetzke: Aye Bastian: Abstain Burton: Aye Denoncourt: Aye

Motion was carried

III. PUBLIC HEARING:

Chairman Hetzke announced that the Planning Board public hearing for Baytowne, as of the last meeting is closed due to the absence of some of our board members. Since the meeting, absent members have viewed the public hearing and the planning board is still accepting any/all emails, etc. communication regarding the project.

1. James Peters, 39 Bella Drive, Penfield, NY 14526, requests under Articles III-3-10, VIII-8-2 and IX-9-2 of the code for Preliminary and Final Site Plan, Subdivision, and EPOD permit approval for a one lot subdivision, lot 1 containing 0.482 +/- acres for a proposed single family residence and lot 2 remaining with 7.393 +/- acres on 7.85 +/- acres located at 67 Bella Drive. The property is now or formerly owned by Nancy Peters, and is zoned R-1-20. Appl# 14P-0011 SBL# 109.06-1-1.1.
Mr. James Peters addressed the Board:

- Mr. Peters presented maps of the overall map plan and explained that the subdivision was developed in the late 60's. Mr. Peters built his house there in the mid 70's. The rest of the land is currently vacant and to the north of their property the Crowne Pointe Subdivision sits with an entry way on Plank Road.
- Mr. Peters stated that this proposed subdivision does meet the requirement on the R-1-20 zoning.
- Mr. Peters spoke about the storm drainage that ends at a pipe which discharges north of Bella Drive into a drainage ditch, which then proceeds north and then leads down to another drainage ditch further to the west.
- Mr. Peters said that once that the single lot subdivision was approved he has an interested party that would like to build a house on it.
- Mr. Peters spoke of the Conservation Board's request that they try to save the silver maple tree, but the issue with that is the tree may interfere with the sanitary sewers and the location of the proposed driveway.
- Mr. Peters also mentioned the cul-de-sac that is fairly do able, that the Town requested that where the cul-de-sac is, that a hammerhead be installed, at the owners expense. Mr. Peters stated that the town just added on to the cul-de-sac a few years ago and there is no easement and the town continues to add on as they want.
- He shared his opinion that hammerheads are not efficient and with the cul-de-sac, the school buses, plows and garbage trucks come down and can turn around more easily.

Board Comments:

- Board member McCord questioned the use of the hammerhead turnaround and asked if there were any grading problems. Mr. Peters responded: Yes, it can be done for lots of money, however the town wants us to do it at our expense and for something they put in with no easement. The proposed buyer is willing to maintain the existing pavement and give an easement to the town.
- Board member Denoncourt asked what the difference was between the cul-de-sac and the hammerhead turnaround. Response was the hammerhead is a T shaped configuration for the road and hardly ever used these days, whereas the cul-de-sac is a more used configuration.
- Board member Kanauer asked if there was a reason why the drive-way was placed that way on that side of the house.
- D. Chambry, the potential owner currently residing at 617 Saddle Quest Drive, Webster NY, would like to build a new home that will accommodate his wife's medical condition. The house will be fully handicapped compliant along with a two story elevator. Mr. Chambry also has a vehicle with a ramp that is located on the passenger side which is why he is wanting to build a two car garage. The ramp needs to face the
inside of the house when arriving to make it accessible for his wife’s needs.

Public Comments:
- Mr. Mammino, 59 Bella Drive expressed his concern with having a hammerhead turnaround replacing the cul-de-sac. Since there is a wooded area, which is secluded, it may cause as a “gathering area” for younger adults in the wooded area. He said it may have to be monitored regularly to be sure there is no activity in that area as well.

The Board discussed the application following the public hearing. The Board directed staff to prepare a draft approval resolution for their consideration at the next meeting. Additionally, the Board directed the following be included within a tabling resolution:

1. Staff is directed to prepare a draft approval resolution and a Part II EAF for the Board’s review and consideration.

2. Staff is directed to investigate the history of the existing cul-de-sac and the Town of Penfield’s previous involvement.

3. Written responses from the applicant for any and all outstanding agency review comments shall be submitted for review and consideration including but not limited to this tabling resolution.

This application was TABLED pending receipt of items listed above.


Motion was carried.

IV. TABLED:

1. Christopher Marks, 444 East Main Street, Rochester, NY 14604/ Eastside Family YMCA, requests under Articles IX-9-2 and X-10-2 of the code for Preliminary and Final Site Plan and an expansion to an existing Conditional Use Permit, approval to construct a 20,650 +/- square foot addition to the existing building with associated site improvements, and also requests under Articles III-3-36 and X-10-2 of the code for Conditional Use Permit, approval for a Wellness Partner to operate within the proposed expansion. All located at 1835 and 1835-B Fairport Nine Mile Point Road on 50.83 +/- acres. The property is now or formerly owned by the YMCA of Greater Rochester and is zoned RA-2. Appl# 14P-0005 SBL# 125.01-1-34.13 and 125.01-1-34.12.
The Board reviewed the submitted documents from the YMCA

- The Board members discussed the details of the YMCA & UR Wellness Center and the new information regarding the Conditional Use under the hospital code. Mr. Pete Weishaar explained what regulations are under Article 28 (being under hospital use, Strong Memorial) Mr. Weishaar agrees that under this code the Y’s uses/needs for the Wellness Center clearly fall under this article. He also feels that there should be a condition in any resolution detailing what the Y will be offering/treating.
- Mr. Valentine mentioned that the Planning Board was not comfortable with the previous information because it was not really clear or detailed, but based on the new information, the board has more of an understanding and they will need to review the recently submitted information before it is prepared to come to a decision.
- Board member Kanauer asked if URMC operated Ortho and if that was under the Article 28 information and if there was a possibility that future application could fall under it.
- Board member McCord suggested that there be a list of activities under each of the license.
- Mr. Valentine suggested that we could list them under the conditions of the approval.
- Board member Denoncourt asked the board, if everyone agreed that the Board could proceed with just one resolution.
- Chairman Hetzke suggested that the permitted activities in the resolution be listed and very detailed and specific.

The application was TABLED pending draft of an approval resolution for the Board’s consideration and the preparation of a Part II EAF.

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<th>Vote:</th>
<th>Moved by:</th>
<th>Seconded by:</th>
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<tr>
<td>Chairperson : Hetzke - Aye</td>
<td>Bastian - Aye</td>
<td>Burton - Abstain</td>
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<td>Kanauer - Aye</td>
<td>McCord - Aye</td>
<td>Denoncourt- Aye</td>
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Motion was carried.

2. Joseph Ardietta, P.E., Vanguard Engineering PC, 241 Castlebar Road, Rochester, NY 14610/AutoZone Inc., requests under Article IX-9-2 of the code for Preliminary and Final Site Plan approval for the construction of a 6,446 +/- sq. ft. building and associated site improvements on the 1.38 +/- acres located at 1635 Penfield Road. The property is now or formerly owned by DDR Panorama Plaza, LLC, and is zoned GB. Appl# 14P-0006 SBL# 138.08-1-2.3

- Mr. Valentine briefed the board and reviewed the sketches regarding the façade of AutoZone that was submitted and provided an overview of the
memo that was provided from Plan Architecture, the Board’s architectural consultant.

- Board member Burton questioned the flood proofing of the front area where it is completely windows. The details received from AutoZone were not specific and did not have any consistency. The Board would like
- The board suggestion was to table until all façade information is clear and informing AutoZone of what is exactly needed. The board stated that AutoZone needed to contact Harold Morehouse in the Building/Zoning department, since it was he that made the recommendations.
- The Board would like to see the following information included in a future submission:
  1. Flood proofing details that are specific to this proposed building that meet the ASCE 24 regulations.
  
  2. An architectural design that complies with the recommendations of their design consultant, Plan Architectural Studio as detailed in a letter dated April 8, 2014. The Board preferred the design of the existing Auto Zone in Lincoln California that was provided.
  
  3. Compliance with all aspects of Local Law number 3 of 2000, the Town’s Flood Plain law.

This application was TABLED pending receipt of items listed above.

Vote: Moved by: Burton Seconded by: Bastian
Kanauer - Aye McCord - Aye Tydings – Aye

Motion was carried.

3. Ashley E. Champion, Nixon Peabody LLP, 1300 Clinton Square, Rochester, NY 14604/DiMarco BayTowne Associates, LLC and DiMarco Brandt Point, LLC requests under Articles III-3-10, VIII-8-2, and IX-9-2 of the code for Preliminary and Final Subdivision and Site Plan and EPOD permit approval for the expansion and redevelopment of the existing Bay Towne Plaza to include 186,000 +/- sq. ft. Walmart Supercenter and out parcels shown on submitted drawings prepared by Bergmann Associates with associated improvements on 64.39 +/- acres at 1900, 1970, 1994-B, and 1994-C Empire Boulevard. The property is now or formerly owned by DiMarco BayTowne Associates, LLC and DiMarco Brandt Point, LLC, and is zoned GB and R-1-12. Appl# 14P-0010 SBL#’s 093.02-1-13, 093.02-1-23.11, 093.02-1-24.997, and 093.02-1-25

- Mr. Mark Valentine updated the board on the updated material for the wall going to be built behind the Walmart. The material that was first proposed will be replaced with cement.
- Chairman Hetzke asked how the cement will handle the graffiti and how will it be cleaned, should it appear.
- Valentine provided an update to the Sovran Drive situation and a review of the materials that were submitted today and included within their drop.
- Mr. Valentine informed the board that the Planning Department is still awaiting the responses to the PRC comments and should have them by April 23, 2014.
- The applicant will be attending the PRC meeting on April 23rd to go over the changes with staff.

The application is hereby CONTINUED TABLED pending the review of submitted items as well as the submission and review of the items requested within the Board’s March 27, 2014 letter.

Vote: Moved by: Bastian Seconded by: Denoncourt
Chairperson: Hetzke - Aye Bastian - Aye Burton - Abstain Denoncourt - Aye
Kanauer - Aye McCord - Abstain Tydings - Aye

Motion was carried.

V. MISCELLANEOUS:

1. Costich Engineering, 217 Lake Avenue, Rochester, NY 14608/Morgan Acquisitions LLC, requests under Article VIII-8-2, IX-9-2 and X-10-2 of the Code for Preliminary and Final Resubdivison and Site Plan and Conditional Use Permit approval to allow the renovation of a 2,400 +/- sq. ft. building with the construction of a 450 +/- sq. ft. addition and associated site improvements for a Qdoba Mexican Grill restaurant on 0.78 +/- acres located at 1867 Empire Boulevard. The property is now or formerly owned by Edward Kellett Jr. and Penfield-Kellett LLC, and is zoned GB. Appl# 13P-0033 SBL# 093.11-1-35.

The Board discussed the requested change to move the roof access from the inside to the outside of the building. The Board is comfortable with this revision as long as the ladder is on the side facing Wegmans and not facing Bay Road or Empire Boulevard. The ladder is also required to have a locking mechanism to prevent unauthorized access to the roof.

The Board APPROVED the requested change for an outside ladder access to the roof, conditioned upon the above mentioned items.

Vote: Moved by: Denoncourt Seconded by: Kanauer
Kanauer - Aye McCord - Aye Tydings - Aye

Motion was carried.
2. Jaguar-Land Rover, 770 Panorama Trail South - The property has been purchased by the Vision Dealership Group. The Board received a request to consider architectural façade changes to the former Saturn Dealership exterior. The Board previously approved façade changes as presented on the materials submitted on November 14, 2013 by D.S.B. Engineers and Architects. The Board has received another façade change request as presented on materials submitted on April 10, 2014 by D.S.B. Engineers and Architects.

The Board approves the façade changes noted in the above submission conditioned that all vehicles will be parked on impervious surfaces and not on areas shown as grass within the submission materials.

Vote: Moved by: Tydings Seconded by: Bastian
Kanauer - Aye McCord - Aye Tydings - Aye

Motion was carried.

3. Delta Sonic, 1660 Penfield Road - The Board received a request to consider architectural façade changes to the existing car wash. The Board is supportive of the improved façade changes as presented on the materials submitted on April 9, 2014, by Benderson Development Company LLC.

The Board approves the façade changes noted in the above submission conditioned that the revised canopy does not expose piping or other appurtenances previously screened with the higher canopy.

Vote: Moved by: Tydings Seconded by: Bastian
Kanauer - Aye McCord - Aye Tydings - Aye

Motion was carried.

4. Staff provided a reminder to the Board that the balloon fly for AT&T is scheduled for Saturday April 12th from 9am to 12pm at the former Camp Haccamo site.

5. Jim Burton submitted his resignation from the Planning Board effective April 15, 2014. The Board and staff wished him well and thanked him for his years of service.

There being no further business to come before the Board, this meeting was adjourned at 8:00 PM, Thursday, April 10, 2014.

These minutes were adopted by the Planning Board on April 24th.