PLANNING BOARD MEETING
MINUTES

JULY 15, 2014
As the Planning Board met at 6:30 PM local time Tuesday, July 15, 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
Roseann Denoncourt
Bob Kanauer
Doug McCord
Terry Tydings

ABSENT: Bill Bastian; Peter Weishaar

ALSO PRESENT: Katherine Kolich-Munson, Secretary
Zachary Nersinger, Town Planner
Mark Valentine, Planning Department Head

II. APPROVAL OF MINUTES:

1. The Board APPROVED the June 12, 2014 meeting minutes as written.
   Vote: Moved by: Denoncourt Seconded by: Tydings
   Chairperson: Hetzke - Aye Bastian - Absent Denoncourt - Aye Kanauer - Aye
   McCord - Aye Tydings - Aye
   Motion was carried.

2. The Board APPROVED the June 24, 2014 meeting minutes as written.
   Vote: Moved by: Tydings Seconded by: Kanauer
   Chairperson: Hetzke - Aye Bastian - Absent Denoncourt - Aye Kanauer - Aye
   McCord - Abstain Tydings - Aye
   Motion was carried.

III. PUBLIC HEARING:

1. Ed Martin, P.E., LandTech Surveying & Planning, P.L.L.C, 3708 St. Paul Boulevard., Rochester, NY 14617/ Dr. Lawrence Giangreco requests under Article IX-9-2 of the code for Preliminary and Final Site Plan approval for the construction of a 3,000 +/- sq. ft. dental office with associated improvements located at 1285 and 1289 Creek
Street on a total of 1.00 +/- acres. The property is now or formerly owned by Creek Street LLC and is zoned GB. Appl# 14P-0014 SBL#'s 093.15-1-55 and 093.15-1-50

- Mr. Ed Martin, with LandTech, spoke on behalf of 1285 Creek Street. Last seen before the Board for sketch plan review on May 8, 2014 for concept approval.
- Since the last meeting with the Board, the applicant has obtained required variances from the Zoning Board of Appeal. Soils testing for storm water management was also completed and testing all came back very good. They were able to catch all the water on site.
- Architecture of the proposed building elevations has been revised, and little modification was necessary for the site plan. The proposed building is total of 3,000 square feet for the operation of dental office. The parcel will share access with 1289 Creek Street through a single curb cut at the roadway. There will be 26 available parking spaces provided for 1285 which includes one space within proposed one stall garage. There will be 21 spaces for 1289 which includes two spaces for the existing garage. Those 19 spaces will be land-banked for future development of 1289 Creek Street.
- Standard utilities (gas, water, electric and sewer) are available and proposed for service connections on Creek Street.
- The existing driveway at 1289 will be removed and a new common entrance will be constructed north of that.
- They have received comments from Monroe County DRC and Town staff. The comments were very minor and technical in nature and very confident to resolve with Town Engineer.
- The applicant has taken great efforts to preserve the tree line to the south of the site.

Board Comments:
- Board member Tydings asked if the applicant went to the Zoning Board for variances and how many were requested. Mr. Martin replied that they have received all the necessary variances. There were seven (7) variances with several setbacks requested because of the unique nature of this being a partial business and an adjoining residence to the South.
- Board member Tydings asked if there were any easements that had to be resolved and is there going to be a driveway connection to Tim Hortons. Mr. Martin replied that they did show a proposed cross access easement on the plans between the properties so there could be future connection if it was warranted. A single cross access point would be best because most of Dr. Giangreco’s patient base is elderly it may cause some confusion if there were multiple access points around the site. Should conditions change later, where the operation needs a different access point, the proper measures are in place to accommodate that later.
- Board member Tydings asked if there were any concerns with PRC report. And for the property at 1289 Creek Street, will the owner be utilizing or developing any of that parcel at this time. Mr. Martin replied that they have no concerns
with the majority of comments issued in the RPC Memo with the exception of a request to include a bike rack. As for the 1289 property, it is an existing home and is vacant. The owner has no intentions to use the house or any of its property for his business.

- Board member Tydings asked if the fencing along the property will be taken down and what the plans, if any, were there for the vacant building at 1289 Creek Street. Mr. Martin replied that the fencing will be taken down and will not be replaced as the driveway will be constructed in that area. The applicant would like to keep his options open for the 1289 parcel to either augment his current business or perhaps market the property for another professional use.

- Chairman Hetzke asked for clarification as to what the vacant property will be used for. Mr. Martin replied that it is currently vacant and there is no immediate plan for the parcel.

- Board member Tydings asked if the vacant lot at 1289 Creek Street will be cleaned up as development of the dental office take place. He also asked what the landscaping will consist of for the new building. Mr. Martin replied that the proposed landscaping on the south and west side of the new building would be low lying plants and surrounding of the doors. The Applicant is not proposing any major site work the 1289 property. They are open to work with the Town’s landscaping consultant.

- Board member Tydings asked what the intended use of the garage on the new building would be for the business. Mr. Martin replied that garbage totes will be stored in garage, as well as Dr. Giangreco’s personal vehicle. It also allows for a dry and secure place for equipment/supplies that may be delivered to the site.

- Board member Tydings asked how many doctors will be working in the building. Mr. Martin replied on behalf of Dr. Giangreco that there will be one full time and two part-time employees.

- Board member Tydings asked what type of exterior lighting will be used for the site. Mr. Martin replied that they have limited the site to building mounted lights.

- Chairman Hetzke indicated that there were no cut sheets viewed. He asked what they are specifically proposing for the fixtures. Mr. Martin replied that they will be using carriage style lighting that will be dark sky compliant, and gooseneck lighting fixtures as well.

- Board member Denoncourt asked if there was only going to be the one sign on the front of the building. Mr. Martin replied that a monument sign is proposed to be installed at the front of the property. It is self-lit (from the bottom up) and it will have the business name and address on it. The material will match the building designs with stone treatments.

- Board member Denoncourt asked what the hours of operation will be. Mr. Martin replied on behalf of Dr. Giangreco that the hours would be as follows:
  
  Monday: 8:30 AM - 6:00 PM  
  Tuesday: 7:30 AM - 6:00PM  
  Wednesday: 7:30 AM - 5:00PM  
  Thursday: Closed
Friday: 8:30 AM - 4:30 PM  
Every other Saturday: 9:00 AM – 1:00 PM

- Board member McCord asked about the lighting in the parking lot. Mr. Martin replied that felt that the building mounted lights and the light that is emitted from Tim Horton’s to the north would provide sufficient lighting for customers in the parking lot.
- Chairman Hetzke suggested electrical conduit for future pole lighting be installed underground from the building out to the end of the parking lot. Mr. Martin replied that they would look at some other fixtures to increase the lighting.
- Board member McCord agreed with the installation of underground conduit lighting as well.
- Chairman Hetzke asked what the existing building at 1285 Creek Street was used for. Mr. Martin replied that used as office space though they are not sure what the use was for.
- Board member Kanauer asked what will be used for the exterior of the building. Mr. Martin replied that stone treatment will be used through center portion of the building facing the road, vinyl cedar materials will be used in remainder of the building, and on the north and south side they will continue the use of vinyl siding along with white corner pieces.
- Chairman Hetzke asked if the building would be wood frame construction. Mr. Martin replied that yes it will be wood frame.

Public Comments:
- No comment from the public.

Board discussion after public hearing:
- The board discussed the application 1285 & 1289 Creek Street.
- Board member Kanauer agreed that the lighting from other parking lot may not be sufficient enough for the parking lot, which could be a potential safety issue.
- Mr. Valentine asked the Board if they would like to see the lighting cut sheets. All members agreed that they would be helpful. Chairman Hetzke explained that a conduit line should be installed to the outer limits of the parking lot for future installation of pole lights. Two (2) poles would be appropriate for this site considering the size of the parking area. The concern being for the safety of the parking area in times of low light or dark evenings in the fall and winter seasons. Board member McCord asked if there were any commercial requirements for lighting on the property. Staff replied that the only requirements are that the lighting must not spill over to adjacent properties.
- All board members agreed that the building architecture had an appealing design.
- The Board agreed that the Town’s landscape consultant should review the landscaping plans.
- The applicant has not proposed a dumpster for this site; however, if a dumpster was needed at a future date, the design and location of the unit and its enclosure would require Planning Board review in a work session.
The Board AUTHORIZED the Planning Board Chair to sign the Part II Short EAF.

Vote: Moved by: Tydings Seconded by: Kanauer
Chairperson: Hetzke – Aye Bastian – Absent Denoncourt- Aye Kanauer – Aye
Absent McCord - Aye Tydings - Aye

Motion was carried.

The Board discussed the application and APPROVED the draft approval resolution with conditions.

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

Motion was carried.

2. T.Y. Lin International, 255 East Avenue, Rochester, NY 14604/ Nicholas D’Angelo requests under Articles III-3-10, VIII-8-2, and IX-9-2 of the Code and Town Law 278 for preliminary and final Cluster Subdivision and Site Plan approval as well as Environmental Protection Overlay District (“EPOD”) permit approval for the construction of an 11 lot single family residential cluster subdivision, on 13.31 +/- acres located at 1469 Jackson Road. The property is now or formerly owned by Nicholas D’Angelo and is zoned RR-1. Appl# 14P-0015 SBL# 109.02-1-12.1

- Mr. Robert Keiffer spoke on behalf of 1469 Jackson Road. The site under review features a 13 +/- acre parcel that is being proposed to be subdivided into 11 lots for single family homes with residual parcel that would contain a stormwater management feature.
- Last seen before the Board for sketch plan review on May 8, 2014 for concept approval.
- Since then, the applicant has contacted the Nature Conservation, as previously suggested by the Planning Board, along with reviewing the comments in the sketch plan review letter that was issued by the Board following the May 8, 2014 meeting. Applicant will continue to work with NC and will provide culvert through the swale.
- The applicant ensured the Board that the proposed private drive meets the safety needs for emergency vehicles by widening the driveway off of the cul-de-sac. Sprinkler systems are proposed to be installed in these homes as well.
• Emergency generators are expected to be installed by future homeowners as each home will have an E-1 ejector pump unit that will connect to a low pressure force main system on Jackson Road.

• It is understood that applicant needs a special improvement district because they are proposing a detention pond that applicant would like to have maintained by the Town. The low pressure force main system on Jackson Road would be an added amenity to the Town as it would provide future access to sewers as properties are redeveloped in that area.

• The cul-da-sac will have a grass island area in the middle, and a light will be installed at the corner of the new road and Jackson Road.

• The applicant stated they did receive comments from PRC and the Conservation Board. The comments were lengthy but minor from the applicant’s perspective. One concern that was noted mentioned the removal of the materials from the site as some grading work has taken place previously. There is going to be continuing effort to clean the rest of the site.

• The proposed detention pond would discharge into the wetlands of the Thousand Acre Swamp and into Way Pond in the event of a significant storm event. The detention pond will be designed to minimize or eliminate any potential impacts to the conservancy lands.

• The applicant stated that they are currently reviewing the input received from the involved agencies and believes they can address all comments.

Board Comments:
• Board member McCord asked if there was a physical connection of the proposed detention pond and Way Pond in the Thousand Acre Swamp. Mr. Keiffer replied that they are proposing to collect the storm water from their site and run it via open swale and closed piping to a detention pond. Any runoff from the detention pond would flow towards Way Pond.

• Board member McCord asked about the access easement that the Nature Conservatory uses to annually maintain a mowed area in the Thousand Acre Swamp. Mr. Keiffer replied that the existing easement will remain in place and that they could make the area more accessible with a modified culvert at a connection point along the proposed dedicated road. In addition, the Town could possibly take ownership of the land south of the proposed road through a special improvement district, which would also help provide access and maintain the buffer to the Thousand Acre Swamp for the nature Conservancy. Board member McCord was supportive of this.

• Chairman Hetzke asked what school district this property was located in. Mr. Keiffer replied that the homes would be in the Penfield School District.

• Board member Kanauer asked confirmation of the rear setbacks. Mr. Keiffer replied that the lines shown on the plans indicate pre-existing lot lines. Setbacks will not be an issue.

Public Comments:
• An audience member (anonymous) asked if these new homes were going to be condos. Mr. Keiffer replied that this subdivision would feature single family
homes and anticipate to be in the 400,000 plus range. The homes would not be condominiums.

- Michael Piacentino of 1561 Jackson Road spoke about the previous demolition of the structures that once stood on the property, and the smell that lingered for weeks after they had been burned as part of fire department training exercise. He also noted that the homes would be built on "virgin" soil. He then asked the Board, if they knew the depth of the basement cellars. Mr. Piacentino shared his knowledge of the attempt to build a home at 1493 Jackson Road about eight years ago. The cellar was dug to a certain depth and eventually filled up with water. He was concerned about the perk rates for this site. He also spoke about the natural flow of water towards the swamp and the environmental concerns with building on this land.

- Mr. Piacentino expressed his concern for the traffic on Jackson Road and the impact to wildlife from the development of this site. He stated to the Board that very little construction has occurred on Jackson Road since the 1960s. He also asked if street lights were proposed for the road.

**Applicant Responses:**

- Mr. Keiffer replied to the comments from the audience.
- He noted that virgin soils were present on the site since it formerly used as farm land and horse stables. Test pits were dug to confirm acceptable perk rates in the soil. All basements in these homes will use a sump pump to manage any surge in groundwater levels.
- The SWPPP report that was composed for this application has factored in the stormwater drainage and runoff rate that would occur at this site once constructed and the detention pond will be constructed to manage the water and sediments that will flow into it. He noted that the impact from 13 +/- acres will not be significant to swamp that measures nearly 1,000 acres in size.
- Once built, this subdivision will yield a tax positive gain for the Town of Penfield due to the cost of the homes and the size of the lots.

**Board Comments:**

- Chairman Hetzke assured Mr. Piacentino that our Engineering Department will review and address all comments and concerns. The applicant will be held responsible to follow state and federal laws that pertain to this project. And the Town will be there to enforce these laws as necessary. Mr. Hetzke explained that anyone could potentially purchase this land development or preservation. The Board is charged with the responsibility of reviewing applications and making a decision ultimately to approve or deny such projects. This site under review is zoned in accordance with the intended use for single family residential homes as well.

**Discussion after PB meeting:**

- The board discussed 1469 Jackson Road and the concerns brought up in the public hearing.
• Board member Denoncourt asked about the land that would be dedicated to the Town and asked about the water detention pond.

• Mr. Valentine explained that the Town has used Special Improvement Districts to pay for the maintenance of dedicated land in residential subdivisions. Town Board will have to approve any dedication of land to the Town.

• The Board also discussed the concerns of basement flooding and preferred the Town Engineer to review the SWPPP report.

• Board member Kanauer asked how many of the deep holes were completed and there was a total of four done. The cul-da-sac is the highest elevation point on the proposed grading plan.

• Mr. Valentine shared that the sidewalks have not been discussed. The applicant would have to submit sidewalk waiver for Town Board approval to gain relief from installing any for this project.

• Mr. Valentine also explained that no street lights have been proposed for this application; however, one would be required at the entrance to the subdivision off of Jackson Road.

• Board member Kanauer asked if there were any street tree guidelines as far as recommending the type of tree to be used. Mr. Valentine replied that the applicant would have to follow the Town’s Street Tree Policy. PRC is supportive of trees on both sides of the road to buffer the Nature Conservancy land to the south.

• Board member McCord asked if we had updated the recommended tree types. Mr. Valentine explained that the Town Board needs to have a meeting to discuss the changes before anything can be approved. Mr. McCord recommended a native species selection would be appropriate for this site. The Board would like to see a landscaping plan to show the street trees and plantings around the proposed detention pond.

• The Board also discussed the proposed sanitary sewer system. Each home will have an El ejector pump unit that will connect to a low pressure sanitary force main out to Jackson Road. The existing sewer on Jackson Road will be extended by the developer an additional 1,300 feet to tie into the low pressure force main. The Board questioned if there were any design standards for the pumps being used. Staff replied that the Engineering department is working on this matter.

The Board TABLED the application pending the submission of the following:

1. The Board requests the following be incorporated into the project drawings:
   • The Board would like to see the plans in compliance with the Town’s Street Tree Policy, by providing street trees along both sides of the road 75’ on center.
   • The applicant should seek a waiver from the Town’s Sidewalk Policy from the Town Board.
   • A planting plan needs to be provided for the stormwater treatment pond.
   • Provide an improved access for the Nature Conservancy.
2. Submission of written responses to all reviewing agency comments, including but not limited to this tabling resolution.

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

Vote: Moved by: McCord Seconded by: Denoncourt

Motion was carried.

IV MISCELLANEOUS:

- Gurudwara of Rochester church, located at 2041 Dublin Road, has requested an extension to the previously approval resolution and site plan from the Planning Board due to an ongoing litigation over future expansion plans.
  - The Board unanimously voted to approve a one (1) year extension to the previously approved project.

Vote: Moved by: Hetzke Seconded by: Tydings

Motion was carried.

- Mr. Valentine provided a brief overview of the following applications for the August public hearing:
  - 2175 Penfield Road: The applicant would like to relocate the retail building to rear of the property to include a drive through window service and associated site improvements.
  - 1318 Hatch Road: Three (3) lot subdivision to create two (2) new single family homes.

There being no further business to come before the Board, this meeting was adjourned at 8:30 PM, Thursday, July 15, 2014.

These minutes where adopted by the Planning Board on August 26, 2014.