PLANNING BOARD MEETING
MINUTES
AUGUST 26, 2014
As the Planning Board met at 6:30 PM local time Tuesday, August 26, 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  
Roseann Denoncourt  
Bob Kanauer  
Terry Tydings  
Doug McCord

**ABSENT:** Mark Valentine, Planning Department Head

**ALSO PRESENT:** Zach Nersinger, Town Planner  
Katherine Kolich-Munson, Secretary  
Doug Sangster, Planning Technician

II. **APPROVAL OF MINUTES:**

1. The Board APPROVED the July 15, 2014 meeting minutes as written.

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

   Motion was carried.

III. **TABLED**

1. 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. Nersinger informed the Board the applicant has submitted revised plans landscaping details and responses to comments, all of which have been provided in the Board’s drop for this meeting. He noted that the revised plans that show landscaping updates have been provided to the Town’s Landscaping Consultant for his review. Further, he updated the Board with the decision from the Town Board to accept the proposed dedicated land to the Town in the form of a Special Improvement District.
• Also included in the drop responses to comments from the PRC Memo, the Monroe County Comments, and the Conservation Board Report.
• Further, he reviewed revised site and grading plans with the Board noting that street trees and pond plantings have been added to the revised plans, dated August 8, 2014. Landscaping comments were received from Bruce Zaretsky dated August 18, 2014, and were provided for the Board’s review.
• The Town Board has approved a partial sidewalk waiver for the project that will require the installation of sidewalks along Jackson Road.
• Also, we have included an approval resolution template and the Part II Short EAF in the drop for your review.
• Board member McCord reviewed his notes on the application with the Board since receiving the updates in the drop. He noted that the plant species for the street trees and pond plantings need to be identified in the plan, as does a street light pole at the intersection of the proposed roadway at Jackson Road. Mr. Nersinger replied that PRC can review these technical details at the pre mylar phase.
• Board member McCord reviewed the area to be dedicated to the Town and asked if access to the Thousand Acre Swamp has been provided to the Nature Conservancy. Mr. Rick Ayling, T.Y.Lin International, was in the audience and was able to address the question. He replied that access will be provided from the roadway adjacent to the boundary of the Conservancy’s land near the cul-de-sac. The curbing will be modified for their access point. The applicant will discuss with staff about the existing easement on 1469 Jackson road that had previously provided a means for access and if it should be abandoned. Future access would be achieve along the dedicated roadway.
• Board member Bastian asked if any markers would be installed along the property boundaries to denote the lands of the Thousand Acre Swamp. Mr. Ayling replied that they have discussed a review the markers that Town Engineer Geoff Benway has provided them. Board member McCord added that the markers shall be installed along all of the individual properties at share a border with the Swamp.

The Board AUTHORIZED the Planning Board Chair to sign the Part II Short EAF.

Vote: Moved by: Kanauer Seconded by: Bastian

Motion was carried.

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

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

Motion was carried.

IV. MISCELLANEOUS

1. 1385 Empire Blvd, Empire Self Storage site plan modification:
   - Mr. Nersinger presented the Board with the proposed site plan changes that were submitted from Mr. Nicholas Meli. He reviewed the current status of the site and previous approvals from the Planning Board in 2008 that detailed the phases for development and the maximum square footage of self storage structures that was approved. He stated that three (3) self storage structures had been built to date as part of Phase 1.
   - For the remainder of Phase 1 and parts of Phase 2, the owner, Mr. Meli request of the Board to approve a site plan modification to the previously approved plans that would allow him to rotate the self storage structures by 90 degrees. Due to the topography of the lands where there future structures would be located, turning them to this new location would require less grading on the site.
   - Board member Bastian asked for confirmation that lighting will still be installed as part of the modification. Mr. Meli was in attendance in the audience and at the Board’s request replied that lighting will be installed.
   - Chairman Hetzke asked if the proposed modifications would exceed the approved 67,450 total square footage of self storage structures that was approved in 2008 by the Board. Mr. Nersinger replied that the plans show that the changes are still below the approved number.

At this work session, the Penfield Planning Board granted the request to modify the approved site plan subject to the following conditions:

   1. The Board grants your request to modify the originally approved site plans dated July, 7, 2008 as referenced in the original Planning Board approval resolution dated August 14, 2008. Phase 1 and Phase 2 of construction will continue with the self storage structures turned 90 degrees from their originally approved locations as shown on the submitted plans prepared by Costich Engineering, P.C., titled Empire Blvd. Self Storage – Phase 2 (CA100), and dated August 8, 2014.
2. Per the requirements of the Board, it shall be noted that the originally approved combined total square footage of the self storage structures to be constructed on this site shall not exceed 67,450 +/- square feet, with 92 outside boat and RV spaces, and associated site improvements. These uses are authorized by Use Variance granted on December 30, 1985 on 33.30 +/- acres located at 1387 Empire Boulevard.

3. Please submit final mylars of the updated site plan with grading and utilities to the Planning Department with signature blocks for the following staff members:

- Planning Board Chairman
- Fire Marshal
- Town Engineer
- Planning Department Head

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Motion was carried.

2. 1374 & 1376 Hogan Road resubdivision:

- Mr. Nersinger presented the Board with the proposed plat map that showed the changes to the existing lot lines that were submitted from Mr. Edwin Summerhays on behalf of the current owner of the properties. He reviewed with the Board that the owners, Mr. Anthony Colombo and Mrs. Annette Colombo, would like to move the lot line between the two parcels to decrease the acreage of larger parcel at 1374 and increase the size of the smaller one at 1376.

The Board no questions regarding the resubdivision of lands at these properties and voted to AUTHORIZE the Chairman to sign the plat map:

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Motion was carried.

3. Tim Hortons neighbor complaint

- Mr. Nersinger reviewed photos of the newly constructed Tim Horton’s site, located at 2230 Penfield Road, that were captured by a home owner residing on Braunston Drive during the late evening hours. The resident had notified the Planning Department about some excessive light coming into their property from cars standing in the drive through lane that face their home. They have asked if there is
any recommendation or direction the Board can provide to the owner of that Tim Horton’s property to remedy the issue.
- The Board discussed that there is no legal tool that would allow it to instruct Tim Hortons to fix the matter under the Board’s jurisdiction. However, the Board did review the approved landscaping plan and recommended that the Planning Department staff to contact the representatives for Tim Horton’s to explain the situation and inquire if they would be willing to install some additional plantings at the south west corner of the property, north of the existing tree, to help buffer the cars waiting in the drive through area. Perhaps the representatives from Tim Horton’s could work something out with the resident on Braunston regarding some contributions to the additional plantings if possible.
- The Board recommended a 2-4 foot high shrub or small arborvitaes for that specific location that might possibly help block the headlights from the drive through vehicles. Staff will ask the Town Landscape Consultant for his input as well.

4. September meeting attendance
- The Board discussed attendance for the upcoming public hearing meeting on September 11, 2014.

There being no further business to come before the Board, this meeting was adjourned at 7:10 PM, Tuesday, August 26, 2014.

These minutes were adopted by the Planning Board on September 11, 2014.