PLANNING BOARD
MEETING MINUTES

December 11, 2014
As the Planning Board met at 6:30 PM local time Thursday, December 11, 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
Doug McCord
Terry Tydings

ABSENT: Douglas Sangster, Planning Technician

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

II. APPROVAL OF MINUTES:

1. The Board APPROVED the November 13, 2014 draft meeting minutes as written.

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

   Motion was carried.

III. PUBLIC HEARING:

1. Adam Frosino, McFarland Johnson Inc., 2525 Route 332 Suite 101, Canandaigua, NY 14424/ Penfield Place Properties, LLC, requests an informal discussion with the Board regarding the construction of a 15,600 +/- square foot expansion to the existing health care building with associated site improvements on 6.10 +/- acres located at 1700 Penfield Road. The property is now or formerly owned by Penfield Place Properties, LLC, and is zoned BN-R. Appl # 14P-0035. SBL# 139.05-1-51.

   Mr. Adam Frosino addressed the board and described the proposed project:

   - Mr. Frosino stated for the board that his client from Hurlbut Care Communities, who manages this and ten other care facilities, is in attendance for the meeting.
The applicant is proposing to construct a 15,600 sq. ft. expansion to the existing health care facility currently operating on the site as a pre-existing non-conforming use.

There are currently 24 double occupant rooms and they would like to convert them to single occupancy rooms. The proposed addition would accommodate that need and add space for new occupants as well.

Parking spaces would increase from 32 spaces to 52. Access around the site is proposed to be enhanced per the requirements of the Penfield Fire Marshal.

The proposed project would disturb approximately 0.9 acres for the building expansion. There are mature trees on the property that they will attempt to preserve.

The applicant will be submitting an application to the Zoning Board of Appeals for an expansion to the pre-existing non-conforming use.

Board Comments:

Chairman Hetzke asked what the rough square footage of the existing building was. Mr. Frosino replied that the existing structure is between 15 and 16,000 square feet.

Chairman Hetzke asked if the expansion would match the existing rooflines and design characteristics. Mr. Frosino replied that the proposed expansion would be designed to match the existing building with modern materials.

Chairman Hetzke asked if they had reviewed the comments made by the Penfield Fire Marshal. Mr. Frosino stated that they have reviewed the comment made by the Fire Marshal to provide access to the southeast corner of the proposed addition and they will incorporate that feature into the revised plans.

Chairman Hetzke confirmed that this business began operating in the town prior to the property being rezoned by the town to Business Non-Retail in 1981 and the board would be understanding of that in the review of the proposal.

Board member Tydings asked how the addition will affect existing residences. Mr. Frosino stated that there would be minimal impact to the adjacent property owners from this project. Much of the site is wooded currently and most of it expected to remain undisturbed.

Chairman Hetzke asked what the internal layout of the proposed addition would be like. Mr. Frosino replied that the addition allows for single occupancy rooms throughout the entire facility, a new dining area, and an area for physical and occupational therapy.

Board member Tydings asked if new lighting is proposed for the site. Mr. Frosino replied that they are looking to update the site lighting to meet the new industry standards with LED dark sky compliant fixtures. At least one additional pole will be added to the parking area. The modifications to the lighting would greatly reduce spillage onto adjacent properties.

Board member Tydings asked if there would be changes to the landscaping on the property. Mr. Frosino replied that some vegetation would have to be removed for construction but new plants and vegetation would eventually replace anything that was taken out.

Board member Bastian asked if there were any requirements from the state building code to bring the existing facility up to any necessary standards due to the size of the proposed addition. Mr. Frosino replied that the current facility has been brought
up to code. There would be no changes to the current buildings with regards to the building code.

- Board member Bastian asked if the architecture of the proposed addition would be in kind with the existing building. Mr. Frosino stated that architecture will match the existing building.
- Board member Kanauer asked if the proposed addition would require the installation of a new emergency backup generator. Mr. Frosino stated that a new natural gas fueled generator is proposed to be installed.
- Chairman Hetzke asked if any screening is proposed for the generator and air conditioning units on the ground. Mr. Frosino replied that yes those units would be screened.
- Board member Denoncourt asked if there will be additional staff needed and to verify the need for the additional parking area. Mr. Frosino stated that the parking expansion is to meet town code requirements. The representative from Hurlbut Care Communities stated that of they expect to add four staff members to the day hours, and two to the overnight staff. Included in those additions would be one nurse, two certified nursing assistants and one housekeeper.

Public Comments:

- Mrs. Mary Williams, 137 Winterset Drive, expressed her concern for proposed project and wants to be sure it will not impact the value of property and the surrounding environmental area. Mrs. William also asked about the proximity of the proposed parking expansion to her property line and any modifications to the parking lot lighting.
- Mr. Gerald Russ, 101 Heather Drive, is concerned with how the traffic might impact the American Legion across the street from the property and asked if there were any plans to reconfigure the roads.

The Board discussed this application after the public meeting:

Following the planning board’s public information meeting, the board offers the following comments:

1. The board is supportive of the proposed expansion to the existing facilities on the site. The board is aware that the proposal will require a formal review from the Zoning Board of Appeals for an expansion to a pre-existing non-conforming use as nursing home facilities are not permitted in the BN-R zoning district. However, the facility was constructed before the town rezoned the property to BN-R in 1981. The board acknowledges these factors and is supportive of the proposed expansion.

2. The board would like confirmation on the proposed number of physicians, medical staff, support staff, administrative employees and patients for the site to quantify the parking demand.
3. The board requests the following information be included within a future application:
   - Provide a photometric plan to demonstrate any proposed exterior lighting including but not limited to any new parking lot fixtures that are dark sky compliant. The Board suggests considering using LED light fixtures;
   - A variance from the Zoning Board of Appeals will be necessary for the proposed location of the expansion to the parking area for relief from a 50 foot setback to residentially zoned properties. The board will require the applicant to research any alternative layouts to meet the parking needs for the expansion or buffering measures that will reduce or eliminate any adverse impacts to adjacent property owners;
   - The Board is supportive of matching the architecture for the proposed addition to the existing characteristics;
   - Provide four sided building elevations, a 3D architectural rendering and building colors and material samples for the Board’s consideration;
   - Provide confirmation that the size of the proposed expansion will or will not trigger the need for the existing building to be brought up to code;
   - The board will require proof of licensure from the applicant for the expansion to the nursing home facility from the New York State Department of Health;
   - Include a full landscape plan with planting schedule upon resubmission of a Preliminary/Final application;
   - Demonstrate where snow storage areas will be located or details as to how snow will be removed if necessary for any additional parking areas;
   - Indicate on the site plan the location of the dumpster enclosure area and provide details of the materials to be used;
   - Provide details for screening the new natural gas generator and any ground air conditioning units;
   - Submission of revised plans shall include property lines, topography and details of adjacent parcels 100 feet off the boundaries of the site;
   - Add a note providing details of any variances previously granted on the property and those being requested for a Preliminary/Final application;
   - Provide detailed stormwater management design and details to the satisfaction of the Town Engineer;
   - Include a full grading plan indicating the presence of any Environmental Protection Overlay Districts (EPODs) on the site (e.g. steep slopes and woodlots);
   - Provide details for emergency access around the building where applicable per the comments of the Fire Marshal in the PRC memo dated December 4, 2014.

4. A drainage access easement is being requested, over the stormwater management facility currently located at 1700-B Penfield Road.
5. The board is supportive of the town’s Project Review Committee memo that recommended re-subdividing the lands to merge 1700-B Penfield Road into 1700 Penfield Road so as to eliminate the land-locked parcel.

The board discussed the application and directed staff to prepare and issue a response letter.

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

Motion was carried.

IV. MISCELLANEOUS:

1867 Empire Boulevard – Qdoba restaurant resubmission requesting to significantly modify the previously approved building architecture.

- Mr. Valentine spoke of the proposed architectural changes being requested and reviewed the submitted building renderings with samples of the colors and materials were on display for the board’s consideration.
- Mr. Ray Trotta was in attendance to answer any questions from the board members.
- Mr. Valentine reviewed the concerns of the board from the work session meeting that took place on November 13, 2014.
- The board was provided a memo for the Town’s Project Review Committee dated December 5, 2014 that stated the group was not supportive of the proposed changes that were significantly different from the originally approved designs.
- The board reviewed the previously approved building designs from January 1, 2014 and compared them to the revised renderings provided by Qdoba.
- Chairman Hetzke stated that the proposed changes to the building architecture are not in kind in nature with the surrounding area.
- Board member Kanauer agreed and suggested maintaining the designs from the original approval.
- Board members Tydings, Bastian, and Denoncourt also agreed with the Chairman’s thoughts.
- Chairman Hetzke asked if the revised drawings meet town code. Mr. Valentine said that variances for additional signage would have to be granted from the Zoning Board of Appeals.

The board directed staff to prepare and issue a letter of denial for the requested changes.

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

Motion was carried.
V. MISCELLANEOUS:

1. Mr. Valentine reviewed the agenda for the January 8th, 2014 meeting.
   - 2124 Penfield Road; Renjen Orthodontist – Preliminary/Final application that will require several variances.
   - 2826 Atlantic Ave – Sketch plan for an 88 lot subdivision entering from Five Mile Line Road.
   - 2775 Penfield Road – Preliminary/Final application for a single family home on a pre-existing non-conforming lot in the RA-2 zoning district, with a nationally listed historic property directly across the street from the site.

There being no further business to come before the Board, this meeting was adjourned at 8:00 PM, Thursday, December 11, 2014.

These minutes were adopted by the Planning Board on January 8, 2015.