PLANNING BOARD MEETING
MINUTES

JANUARY 08, 2015
As the Planning Board met at 6:30 PM local time Thursday, January 8, 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:

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

II. APPROVAL OF MINUTES:

1. The Board APPROVED the December 11, 2015 draft meeting minutes as written.

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

   Motion was carried.

III. PUBLIC HEARING:

1. Marathon Engineering, 39 Cascade Drive, Rochester, New York 14614/ Mike D’Amico,
   Combat Construction requests an informal discussion with the board regarding the
   construction of an 88 lot single family residential cluster subdivision on 42.95 +/- acres
   located at 2826 Atlantic Avenue. The property is now or formerly owned by Dolomite
   Products Co. Inc. and is zoned R-1-15. Appl# 15P-0003 SBL# 124.01-2-1.1.

   Mr. Robert Bringley of Marathon Engineering addressed the board and described the
   proposed project:

   • The applicant proposes an 88 lot cluster subdivision under Town Law 278 on the 42.95
     +/- acre parcel located at 2826 Atlantic Avenue. Ryan Homes is the intended developer
     of the subdivision.
Mr. Bringley provided handouts of the proposed plans to the board for their reference during the discussion.

Mr. Bringley stated that by applying for a cluster development under Town Law 278, the developer will be able to use smaller lots with dimensions of roughly 75 feet in width by 150 feet in depth, averaging approximately 11,250 square feet in area per lot.

Greenspace is calculated at approximately 30% of the total land area of the parcel for this development.

Landscaped berms are proposed along the road frontages of Five Mile Line and Atlantic Avenue as a visual buffer.

The lots shown on the conventional plan have the appropriate lot size dimensions to meet the R-1-15 code requirements.

With the proposed 278 cluster development plan, less roadway would be needed throughout the development. These roadways would be built to the town specification and are proposed to be dedicated to the town.

Greenspace areas shown on the proposed 278 site plan behind select lots at the borders of the property are currently proposed to be owned by one owner but would receive a conservation easement over the land. Mr. Bringley indicated that he has met with town staff to discuss options for the proposed greenspace, and he will continue to work the town on this matter.

Board Comments:

Chairman Hetzke asked the applicant to review the intent of the proposed conservation easements over the greenspace areas. Mr. Bringley replied that the easements may be an easy solution for maintaining the open areas. The plans show a dashed line on the lots that would own that land; this way it is ties the land to one owner rather than many. Alternatively, a special improvement district could be formed for scheduled maintenance, or the property lines of the lots adjacent to the open space areas could be extended to so as to even distribute the land to separate owners.

Chairman Hetzke asked if there were any preliminary traffic studies that were done for the project considering the traffic issues at the intersection of Five Mile Line Road and Atlantic Avenue. Mr. Bringley replied that no traffic studies have been performed prior to this phase in the project.

Board member Bastian questioned if the conventional plan can show a buildable lot with a stormwater pond encumbering the property per the town code. Mr. Bringley indicated that to the best of knowledge in reviewing the Code that this was a permissible design.

Board member Bastian asked the applicant to review the plans for providing access to the stacked lots numbered 34 and 35 along Atlantic Avenue, and lots 38-46 along Five Mile Line Road as shown on the conventional plan. Further, does this layout meet the town standards for access requirements? Mr. Bringley replied that access could be established with a service entrance road design; however, this was not shown on the submitted drawing of the conventional plan. The design would allow for less curb cuts onto Five Mile Line Road and would meet town standards. Lots 34 and 35 could have access from a private drive within the development.

Board member Denoncourt asked why there was only one point of access for the proposed cluster subdivision plan from Five Mile Line Road. Mr. Bringley replied that
no access point from Atlantic Avenue was shown due to concerns with potential traffic impacts and restrictions from NYS DOT. Sole access from Five Mile Line Road is believed to be a safer option for ingress and egress to the development.

- Board member Kanauer asked the applicant to describe the buffering proposed for the perimeter of the site. Mr. Bringley replied that buffering would be provided with plantings and landforms for the visual buffer. Then for visual buffer behind homes, there would be trees and berms for properties that back to Five Mile Line Road and Atlantic Avenue.

- Board member McCord asked if utility connections would be located to the east or west of the development. Mr. Bringley replied that sanitary and storm sewer connections would be located on the west side. There is a manhole and a 27 inch storm sewer that travel across Five Mile Line Road. Sanitary sewers are available near there as well.

Public Comments:

(1) Mr. Jason Frank, 58 Terrace Hill Drive, 30 year resident of Penfield, expressed his concerns of increased traffic congestion adding to the current problems with the intersection of Five Mile Line Road and Atlantic Avenue.

(2) Mr. Robert Detrie, 2898 Atlantic Avenue, expressed the following concerns:
- the property under review was mentioned in the Town’s Open Space Plan Update 2006
- preferred to see larger lot sizes in the development
- requested to know if the proposed homes would feature basements
  - Mr. Bringley replied that yes the home would have basements
- traffic studies should include data for conditions during elementary school commuting times
- drainage concerns at the rear of his property where it is typically very wet; additional homes may have a negative impact on the drainage conditions

(3) Mr. Carmelo Toscano of 2891 Atlantic Avenue, 40 year resident of Penfield, expressed concerns about drainage, and asked what will be done prevent basements from flooding.

(4) Mrs. Jennifer Riehle, 2904 Atlantic Avenue, expressed concerns about traffic impacts and stormwater drainage. Requested to review traffic reports and studies when documentation becomes available.

(5) Mr. Bill Specksgoor, 14 Tall Tree Drive, would like to know if sidewalks would be installed, and recognized that improvements to the intersection of Five Mile Line Road and Atlantic Avenue fall under the jurisdiction of state and county departments of transportation.

(6) Ms. Sue Sears, 31 Lone Oak Circle, explained to the board that some survey work was done during the weeks leading up to this meeting and residents were not notified by the owners of the site that surveyors would be in the their neighborhood. She requested to the applicant that a notice be sent to homeowners
in advance of site work being done so that is doesn’t appear as if strangers were roaming through the area. She expressed concerns of traffic, possible wildlife impacts, and questioned if any pesticides were used when the land was being farmed for crops.

(7) Mrs. Gauronski, 20 Terrace Hill Drive, expressed concerns of additional traffic during morning and evening travel times; supported the installation of a turn lane if that became possible in the future; and questioned the applicants proposed setbacks on the conventional plan.

(8) Mrs. Mary Ellen Genteel, 17 Terrace Hill Drive, is not in favor of the proposed cluster subdivision as she and her family currently enjoy the view that the current open space condition of the site provides to the neighborhood.

(9) Mr. Colin Merna, 2883 Atlantic Avenue, explained to the board the history of accidents that have taken place at his property or very near to it due to the speeds of vehicles traveling on Atlantic Avenue. There are accidents at least once a year from vehicles losing control in inclement weather and landing on his property. He would like to see the curve of the road modified or have a guard rail installed to protect his home.

(10) Mr. James Edell, 26 Terrace Hill Drive, expressed concerns for traffic impacts, poor site drainage, and the proposed conservation easements on the cluster development plan.

(11) Mr. Dave Woodward, 1265 Harris Road, was not in favor of the proposed conservation easement proposal as it could harm resale values of properties. He also addressed an earlier comment regarding questioned use of pesticides and commented that the soils should not pose any harm to adjacent property owners if the land is excavated. The crops that were grown on the site would not have required harsh pesticides.

(12) Mr. Thomas Ashby, 21 Lone Oak Circle, explained to the board the high water table in the area that prevents efficient drainage. He also expressed concerns of current traffic conditions at the intersection of the Five Mile Line Road and Atlantic Avenue.

(13) Mr. Roy Sargent, 2109 Atlantic Avenue, explained to the board that the bedrock in the area can be very shallow as he had experienced on his property when constructing an addition to his home where water had to be diverted away from the foundation. He was also concerned with impacts to traffic.

(14) Mr. Scott Maginn, 2 Terrace Hill Drive had concerns with impacts to traffic and had previously worked with Town Engineer Geoff Benway to resolve drainage issues on his property.

(15) Mr. Dave Weed, 39 Terrace Hill Drive, expressed concerns for traffic impacts
(16) Ms. Eileen Detrie, 2980 Atlantic Ave, had concerns if blasting would be needed to clear the bedrock if it presents an issue during excavation. She also asked if sidewalks would be installed as well.

Mr. Robert Bringley closings comments:

Analysis for traffic studies and drainage figures will be provided to the town for the next planning stage of this project.

The Board discussed this application after the public meeting:

Following a discussion at its January 8, 2015 public meeting and subsequent discussion at its work session the same evening, the Penfield Planning Board offers the following comments for your consideration:

- The board is supportive of the project and the use of Town Law 278. However, it would like to see a revised conventional plan. It questions the zoning compliant layout for the lots located along Atlantic Avenue and Five Mile Line Road. These lots need to have at least a 100 foot setback from any pond to the home as required by the Town’s Design Specifications. The board specifically sites lots 34-42 as shown on the conventional plan. Revised plans must also account for access to these lots.

- The board is not supportive of the use of conservation easements located over a single property as shown in current layout. The board recommends that the applicant review the possibility of forming a special improvement district over lands to be maintained by the town to minimize the use of conservation easements and extending the rear lot lines of the proposed parcels to eliminate land locked parcels.

- The board has concerns regarding the impact of the additional vehicles from the proposed development to the intersection at Atlantic Avenue and Five Mile Line Road. Discussions with the NYSDOT and the Town Engineer regarding the mitigation of traffic impacts along this corridor will need to be done before any future submissions. Should this application move forward to a preliminary/final application the board will require the submission of a full traffic study complete with an adequate account of the accident history in the surrounding area that shall include but not limited to Atlantic Avenue, Five Mile Line Road, Terrace Hill Drive, Pennicott Circle, and Lone Oak Circle. Further, a traffic consultant may be retained by the Town to assist it with the review of the potential impacts that may be generated by this development. The cost for such assistance, if necessary, shall be borne by you.

- 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.
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:

a. Boring logs and test hole results and locations should be provided, identifying what types of materials are present and the depths of the bedrock.

b. Recommendations for structural foundations and underground utility installations should be provided for the entire site, including any anticipations as to the need for blasting for installation of utilities underground. It shall be noted that blasting is not permitted for the excavation of structure foundations.

The board has concerns with emergency access to the site with the proposed layout and only one means of access to the 88 lot subdivision. The board is supportive of investigating alternative layouts to the site plan that would incorporate a second means of access to the subdivision.

The board recognizes that Atlantic Avenue and Five Mile Line Road are both State and County controlled roads. However, the board is supportive of revising the site plan to include a portion of land along the frontage of Atlantic Avenue to be conveyed to the town or state for highway reservation space and future improvements to the intersection of Atlantic Avenue and Five Mile Line Road, or any other needed improvements by the NYSDOT.

Include a full landscape plan with planting schedule upon resubmission of a Preliminary/Final application.

The board is supportive of buffering the properties adjacent to Atlantic Avenue and Five Mile Line Road with berms and appropriate plantings.

Include revised site plans that comply with the Town’s Sidewalk Policy.

Submission of revised plans shall include property lines, topography and details of adjacent parcels 100 feet all the way around the site.

Provide details for any proposed entrance signage for the subdivision.

The board discussed the application and directed staff to issue a sketch plan review letter.

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

Motion was carried.
2. Peter Romeo, 309 Canterbury Road, Rochester, New York 14607/ Jasmin Heganovic request under Article IX-9-2 of the code for Preliminary and Final site plan review to construct a single family residence with a detached storage shed and associated site improvements on 0.46 +/- acres located at 2775 Penfield Road. The land is currently or formerly owned by Jasmin Heganovic, and is zoned RA-2. Appl# 15P-0001 SBL# 141.01-1-15.

Mr. Peter Romeo, on behalf of Jasmin Heganovic, addressed the board and described the proposed project:

- The applicant is proposing to build a single family home with a two car garage and a shed.
- Parking will be satisfied by a paved black top driveway spanning from the curb cut at Penfield Road to the garage, and the connection to the shed will be stone off the driveway. If necessary parking is also available at the shoulder of the Penfield Road.
- An application to Zoning Board of Appeals has been submitted for area variances.
- The applicant has reached out to the Monroe County health Department with regards to the proposed septic system for the site.
- The applicant will be submitting an application to NYS Department of Transportation for a curb cut permit on Penfield Road.
- There is a drainage ditch to the south of the property that flows towards the Finger Lakes watershed.

Board Comments:
- Chairman Hetzke asked that the location of the septic system as shown be further described in regards to the comments issued by the Town’s Project Review Committee. Mr. Romeo replied the location of the septic system was chosen based on the existing topography of the land. Percolation tests will eventually determine the final size and location of the system.
- Chairman Hetzke asked how many vehicles are expected to parked at the property daily. Mr. Romeo replied that the driveway, garage, and turnaround area will provide ample parking safe maneuverability to enter and exit property on to Penfield Road.
- Board member Kanauer asked the applicant to describe the variances being requested to the Zoning Board of Appeals. Mr. Romeo replied that they will be applying for an area variance for less setbacks to the single family home and the proposed shed. Due to the substandard lot size of the property in the RA-2 district there was no way to design the site without encroaching into the setback limits.

Public Comments:
Mr. Matthew Jewett, 2771 Penfield Road, shares the southern property border to 2775 Penfield Road, expressed his concerns for the proposed project.
- There is a history of standing water along the property border where drainage becomes issue regularly. The deepest part of this standing water is typically found in the southwest corner of the property.
- Surface elevation from Penfield drops off approximately 12 to 15 feet once you reach the rear of the property.
• In 2014 the drainage swale on his property was cleaned by the town for the first time in 30 years.
• Among other drainage issues on his property, Mr. Jewett explained that when Broccolo regraded some of their property he had to install field tile to handle the drainage that was impacting his property.
• Parking maybe an issue for large gatherings at the proposed residence or if part of the property are used to store commercial equipment.
• Mr. Jewett asked if there were any restriction on the time of year when percolation tests can be performed for septic analysis. Chairman Hetzke replied that the board will get an answer from town staff on that matter.
• Concerns with sight distance issues from his driveway onto Penfield Road is abbreviated are proposed to be planted near the road.

Applicant Response:
Mr. Jasmin Heganovic explained to the board that since acquiring this property his plans for it have gone through several rounds of changes once realizing the limitations of the property do to local zoning laws. To clarify, the purpose of the shed it store his tools and equipment for his personal part time concrete business that he operates, which includes a pickup truck and a small dump truck at times. He recently invested money to in an effort clean portions of the property as well. He is aware of the drainage issues on the property and is willing to work with the town to help improve the conditions on the site.

Following the Planning Board’s public information meeting on January 8, 2015, the board offers the following comments:

• The submission and review of required percolation tests for the property.
• The submission of revised plans demonstrating a septic system that fits on the property. Any correspondence between the applicant and the Monroe County Health Department shall be forwarded to the Planning Department.
• 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.
• The submission of any additional site data for the Board’s continued ongoing review of the application. The Board reserves the right to continue its review of the application pending the outcome of the septic system design.

The board discussed the application and TABLED the item.

Vote: Moved by: Tydings Seconded by: McCord
Chairperson: Hetzke - Aye Bastian – Aye Denoncourt- Aye Kanauer - Aye
McCord - Aye Tydings - Aye
Motion was carried.
3. Timothy Hens, P.E., 7319 Quinlan Road, LeRoy, N.Y. 14482 /Dr. Rahul Renjen requests under Article IX-9-2 of the code for Preliminary and Final site plan approval to construct a 3,275 +/- sq. ft. orthodontist office with associated site improvements located at 2124 Penfield Road on 0.53 +/- acres. The property is now or formerly owned by Gordon Griffin, and is zoned BN-R. Appl# 15P-0002 SBL#'s 139.08-1-6.

Mr. Timothy Hens, on behalf of Dr. Rahul Renjen, addressed the board and described the proposed project:

- The applicant is proposing to construct a 3, 275 +/- sq. ft. orthodontist office at 2124 Penfield Road with a private shared access drive entrance from Harris Whalen Park Road.
- The office will have a total of five employees and six treatment rooms.
- The private shared drive will provide rear access at the north of the property.
- 21 parking stalls including handicapped spaces are proposed for the office.
- Comments from reviewing agencies and the previous sketch plan review with the board have been addressed up to this point in the project.
- Variances for parking stall size and less building setbacks were granted on January 6, 2015 from the ZBA.

Board Comments:
- Board member Bastian asked for confirmation that this would be single story structure. Mr. Hens replied that this will be a one story structure. The atrium area at the building’s entrance is simply a high ceiling area.
- Board member Bastian asked for the trash enclosure to be reviewed in detail. The applicant explained the location and the materials of the fencing that would serve as the enclosure of the garbage totes at the north end of the building.
- Board member Bastian asked how much signage will be needed for the site. Mr. Hens replied that two free standing signs and one exterior sign are proposed. Setback variances from NYS DOT and the ZBA will be requested for the free standing sings.
- Chairman Hetzke discussed the lighting plan and recommend that a light pole be installed at the entrance from Harris Whalen Park Road.
- Chairman Hetzke asked if there was a need for the number of parking spaces proposed and to clarify how many are actually needed for daily operations. Mr. Hens replied about 13 or 14 spaces are actually needed. The 21 spaces may be in excess of what is needed but it meets the requirements of the Town Code. In addition, the applicant is aware of the shared parking agreement that will be required for approvals. For now the project will hold off paving to property line until such time it is deemed necessary.
- Board member Denoncourt asked what the final building materials will be. Mr. Hens replied that the base will be wrapped in stone banding on the lower section and the atrium; off white metal panels are proposed the majority of the exterior; windows will feature a dark colored aluminum trim; architectural shingles will be used for the roofing. Mr. Hens displayed building sample materials for the board’s consideration.
- Board member Kanauer asked for further clarification on the details of the signs and the setback distances. Mr. Hens replied that the free standing sign to Penfield Road is 13 +/- feet behind existing sidewalk, and the sign to Harris Whalen Park Road is set at
34 +/- feet from the right of way. Lighting for the free standing signs will have LED lights.

- Board Member Bastian asked if any building mounted lights are proposed. Mr. Hens replied that soffit lighting will be used for the building mounted sign on the exterior.
- Board member McCord asked for details of the type of fence being used at the rear of the property. Mr. Hens replied that a 6 foot high black vinyl coated chain link fence will be installed per the instructions of the town and the rezoning that was completed by the Town Board.

Public Comments: N/A

Following the Planning Board’s public information meeting on January 8, 2015, the board offers the following comments:

- The submission and review of the storm drainage calculations for the rain garden mitigation areas.
- The submittal of planting details and design for the rain garden/biofilter areas.
- The addition of a light for the entrance to the rear common access drive.
- 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.
- Staff is directed to prepare a draft approval resolution and a Part II EAF for the Board’s review and consideration.

The board directed staff to prepare and issue a letter to the ZBA regarding signage.

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

Motion was carried.

The board TABLED the application and directed staff to prepare a draft resolution and Part II EAF.

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

Motion was carried.
III. MISCELLANEOUS:

1. Mr. Valentine reviewed the agenda for the February 12, 2015 meeting.
   
   - 1700 Penfield Road (Penfield Place) – Preliminary/Final application for building addition and resubdivision of properties.

There being no further business to come before the Board, this meeting was adjourned at 10:00 PM, Thursday, January 8, 2015.

These minutes were adopted by the Planning Board on February 12, 2015.