PLANNING BOARD
MEETING MINUTES

FEBRUARY 12, 2015
As the Planning Board met at 6:30 PM local time Thursday, February 12, 2015 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

ABSENT: Doug McCord

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 January 8th, 2015 draft meeting minutes as written.
   Vote: Moved by: Tydings  
   Seconded by: Bastian
   Chairperson: Hetzke - Aye  
   Bastian - Aye  
   Denoncourt- Aye  
   Kanauer - Aye  
   McCord - Absent  
   Tydings - Aye
   Motion was carried.

2. The Board APPROVED the January 22nd, 2015 draft meeting minutes as written.
   Vote: Moved by: Bastian  
   Seconded by: Kanauer
   Chairperson: Hetzke - Aye  
   Bastian - Aye  
   Denoncourt- Abstain  
   Kanauer - Aye  
   McCord - Absent  
   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 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 to construct a 15,600 +/- square foot expansion to the existing health care building with associated site improvements on 6.71 +/- acres located at 1700 Penfield Road and 1700-B Penfield Road. The properties are now or formerly owned by Penfield Place Properties,
Mr. Adam Frosino of McFarland Johnson addressed the board and described the proposed project:

- The applicant presented a plans for a 15,600 sq. ft. expansion to the Penfield Place Nursing Home (owned by Hulbert Care Home Communities). The current buildings is 16,737 sq. ft. and has a total occupancy of 48 beds. The rooms are all double occupancy rooms. The site currently has 32 parking spaces with two of them being handicapped. The building is 50 years old and is in need of some upgrading to meet the industry standards of nursing home facilities.

- The proposed expansion would increase occupancy from 48 beds to 60 beds. The “L” shaped wing addition would allow for single occupancy rooms. This will also allow for the addition of several amenities to residents, including a training room and dining room, laundry and storage space as well.

- Site lighting in the parking area and on the building will be updated.

- Parking on the east and west sides of the building is proposed to expand. The additional parking on the west side will encroach into the 50 foot residential buffer.

- Mr. Frosino reviewed some concerns that were addressed during the sketch plan review process previously as follows:
  - The maximum number of employees to present on site is projected at 34 during the first shift of each weekday. Other shifts, including weekends, require less employees.
  - An application was submitted to the Zoning Board of Appeals requesting approvals for the expansion of a pre-existing non-conforming use and for less setback to the 50 foot residential buffer area.
  - A paved access lane off the eastern parking area was added to the plans per the request of the Fire Marshall.
  - The proposal now includes merging the two properties of 1700 and 1700-B Penfield Road to eliminate a land locked parcel.
  - Mr. Frosino explained that they are currently working with the adjacent property owner(s) to the east to acquire easements over the existing sanitary sewer manhole and the drainage pond that is located on the NW corner of adjacent property.
  - Approximately 0.938 acres will be disturbed for the proposed project, therefore a SWPPP is not required. However, standard green infrastructure practices for stormwater and drainage are included in the site design with rain gardens, tree plantings, and filter strips.
  - Responses to the PRC memo will be provided to the town and the board for review.
Board Comments:

- Board member Denoncourt asked if there were any significant changes to the proposed plans since the board reviewed the sketch plans. Mr. Frosino replied that the overall plans have remained the same.

- Board member Denoncourt asked the applicant to review the proposed architecture and building materials. Mr. Frosino reviewed the building materials and roofing that have been selected to match the existing designs of the current building with the standard materials that are available today.

- Board member Denoncourt asked if there was any lighting plan that was submitted. Mr. Frosino replied that lighting plan was being worked on. Plans show updated parking light with dark sky LED fixtures, building mounted lights, and no changes to the entrance drive.

- Board member Denoncourt asked if any new signage was proposed. Mr. Frosino replied that no new signage is proposed.

- Board member Denoncourt asked if the concerns from neighbors regarding the buffering to the western parking lot has been addressed with the current plans. Mr. Frosino replied that a row of evergreen has been added to the landscape plan to buffer the parking from the residential homes. The trees would be planted at a height of 5 to 6 feet. Types of evergreens proposed include White Fir, Serbian Spruce and White Pine Spruce.

- Board member Denoncourt referenced the report that was provided by the Penfield Conservation Board regarding site runoff and asked the applicant to review plans for stormwater treatment generator by additional impervious surface being added to the site from the roof and parking. Mr. Frosino explained that under the guidelines of the DEC runoff will be handled through a combination of diverting water to the rain garden, treed areas, and sheet flow from the parking to the grass and shrub areas.

- Board member Kanauer what is the new distance from the proposed parking expansion to the property line. Mr. Frosino replied that the new buffer area would range from 32-36 feet. The parking is perfectly parallel to the property line and the buffer area will vary because of that.

- Chairman Hetzke asked if the existing fence to the west was the installed by the neighbors and if so, how far off of properly line is it. Mr. Frosino replied that the fence is not owned by nursing home and is only a few feet off the property line.

- Chairman Hetzke reviewed the details of LED lighting for the parking area. He recommended that all fixtures be shielded to reduce glare. Mr. Frosino stated that a formal lighting plan will be submitted to the town for the board’s review and it will include all the cut sheets of the prosed lighting fixtures.

- Board member Bastian asked about the existing generator which faces the neighbors; what type of generator is it, and what are the decibel levels when it its running and exercised periodically each week. Mr. Frosino stated that it a new emergency generator will be installed and will be natural gas powered. It will be enclosed with a noise
barrier case. Specifications will be provided following the meeting for the board's review.

- Board member Tydings asked the applicant to review the proposed changes to the HVAC ground units on the property as it relates to the proposed expansion. Mr. Frosino replied that two new units will be added and one existing will be relocated on the site. Existing units are enclosed and the new units would also be enclosed with a similar vinyl fence material.

- Board member Tydings asked if a new kitchen area is included in the expansion. Mr. Frosino replied no new kitchen is proposed. Only a dining area in the building addition.

Public Comments:

- Mrs. Mary Williams, 137 Winterset Drive of Penfield, had the following comments:
  - Will the new expansion to the parking lot on the west side of the property that back to her home will feature a landscaped berm?
  - Can the additional parking could be relocated to the eastern side or the front of the property?
  - Had concerns about the stormwater drainage that may impact her property and/or her neighbors.

- Mrs. Mary O’Connell, 129 Winterset Drive of Penfield, had the following comments:
  - Supportive of providing greater care for the elderly.
  - Parking is a concern with regarding to the lighting that currently shines on her property from the western parking area.
  - On several occasions noise can be heard from the employees who are outdoors.
  - Lack of privacy for home owners.
  - Would like to improvement to the lighting around the building for security reasons.
  - Will the proposed buffering to the parking area with evergreens continue along the length of the entire fence or just near the parking area?
  - Concerned with possible negative impact to drainage make the ground more wet than it currently is. She noted that the area has history of being wet.
  - Supportive of a berm in the buffer area.
  - Would like to see the dumpster moved because of the noise. The trash pickup is typically heard by the neighbors around 4-4:30 AM. Can the town enforce a later pick up time for trash removal?

Applicant Comments:

Mr. Adam Frosino provided the following comments to select comments brought up by members of the public:
• All of the proposed improvements to lighting on the property will be dark sky compliant LED fixtures. This way light glare is greatly reduced as the light is more targeted towards the ground in a smaller concentrated areas. This will provide a significant improvement to the existing lighting.

• Due to existing grading conditions on the property and proximity to the steep slope EPOD (environmental protection overlay districts) parking cannot be expanded on the east side of the property any greater than what is proposed on the plan.

The Board discussed this application after the public meeting:

Following a discussion at its February 12, 2015 public hearing and subsequent discussion at its work session the same evening, the Penfield Planning Board offers the following comments:

• Provide photometric plan detailing the lighting foot candles of all the proposed new lighting fixtures for parking and building mounted light fixtures. Provide cut sheets for the building mounted fixtures.

• Provide details for a formal dumpster enclosure to contain all waste storage containers using materials that best match the existing building.

• Revise site plans to enhance the buffering between the neighbors to the west and the proposed additional parking area on the west side of the facility.

• Provide emergency backup generator specifications including but not limited to operating decibel levels and details of testing exercises for the unit.

• Provided HVAC specifications including but not limited to operating decibel levels.

• Provide details for sound attenuation around any ground units that may produce excessive noise or unsightly views that may impact adjacent property owners such us generators and HVAC units.

• Submit 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 board directs staff to submit the proposed landscaping plans to the Town's Landscaping consultant for his review.

• Based on the oral and written testimony provided at the public hearing meeting, the board is supportive of the applicant’s request of multiple variances for an expansion to a pre-existing non-conforming use in the BN-R zoning district, and for relief from a 50 foot buffer to residually zoned properties to install additional parking.

• The board directs staff to issue a letter of support to the Zoning Board of Appeals for the applicant’s request to approve variances for less setback to the 50 foot buffer to the residential zoned properties located adjacent to the site, for an expansion to the pre-existing non-conforming use in the BN-R District.
The board discussed the application and directed staff to send letter to Zoning Board of Appeals.

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

Motion was carried.

The board discussed the application and TABLED pending the submission of materials.

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

Motion was carried.

IV. MISCELLANEOUS:

1. 1867 Empire Boulevard, Qdoba Mexican Grill – requesting 90 day extension of the Planning Board’s approval resolution dated January 9, 2014.

The board APPROVED and granted a 90 day extension. The extension will expire on May 13, 2015.

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

Motion was carried.

2. 1867 Empire Boulevard, Qdoba Mexican Grill – requesting approval from the board to modify the previously approved architectural plans of the building.

- Mr. Valentine reviewed the proposed architectural modifications with the board. PRC issued a memo addressed to the board that was not in agreement with the proposed modifications as it felt they did not fit the nature of the existing characteristics of similar businesses in the area, nor did they meet the Board’s Design Guidelines.

- The board reviewed the originally approved building designs as to how they relate to the latest proposed modifications.

- Board member Denoncourt expressed that the proposed modifications are not very different from what was previously proposed by Qdoba, which the board had previously denied at the December 11, 2014 meeting. She added that she was in favor of maintaining the Board’s original approvals of designs from January 9, 2014.
The board discussed the proposal further and agreed with board member Denoncourt. The board stated that the proposed modification continue to fail to meet the Board’s Design Guideline requirements.

The board DENIED request for modifications to the previously approved architecture designs.

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

Motion was carried.

3. The board reviewed the request of Home Depot at 750 Panorama Trail S for a change to remove two landscaped islands along the front of the building. The board viewed the history of the property and felt the changes are not warranted as the plantings have matured nicely on the property. The board would like to see the mature trees remain in place with the protective curbing in accordance with the Board’s original approvals.

The board DENIED the request for modifications to the site.

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

Motion was carried.

4. In its work session at the February 12, 2015 meeting the Penfield Planning Board discussed the proposed modifications to the previously approved plans for Fox Hill Section 6.

- Mr. Steve Fedyk, of Fedyk Builders, Inc., submitted a plan for the board’s review to alter the sidewalk layout that would effectively eliminate the section that bisects lots 610 and 612, then travels adjacent to lot 611, and ends on Watson Road. In return, sidewalks will be installed along Watson Road to connect the two existing sections of sidewalk. The strip of land dedicated to the Town in the original approvals would then be resubdivided into the aforementioned lots in the subdivision.

- The revised plan also included a request to reduce the amount of required sidewalks on Lynx Court, which would require a Sidewalk Waiver from the Town Board.

- Lastly, the boundary lines of lots 15 through 19 located on Lynx Court in this subdivision were proposed to be redrawn to match the lot dimensions approved for the Ashlyn Rise subdivision that is located immediately to the east of this site. As a result, this development would gain one (1) additional lot on the east side of Lynx Court north of Lot 15 when compared to the previously approved plan.
The board reviewed the submitted proposal and is supportive of the proposed modifications that would allow for the installation of a sidewalk on Watson Road, the request for a Sidewalk Waiver, and the modification to the lot lines to better match those at the neighboring development to the east.

The board discussed the proposal and directed staff to send letter of support to Town Board.

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

Motion was carried.

5. Mr. Valentine reviewed the applications for the March 12, 2015 meeting:
   • 2041 Penfield Road (Shah) – Preliminary/Final application for garage addition.
   • 1724 Kennedy Road (Theravet Acres) – Sketch Plan for expansion.
   • 2175 Penfield Road (Mobil Station) – Sketch Plan for new gas station and car wash.

There being no further business to come before the Board, this meeting was adjourned at 8:00 PM, Thursday, February 12, 2015.

These minutes were adopted by the Planning Board on February 26, 2015.