As the Planning Board met at 6:30 PM local time Thursday, October 8, 2015 in the Town Hall Auditorium 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
Roscann Denoncourt
Bob Kanauer
Doug McCord
Terry Tydings

ALSO PRESENT: Mark Valentine, Town Engineer
Michael O’Connor, Assistant Engineer
Zach Nersinger, Town Planner
Douglas Sangster, Planning Technician
Pete Weishaar, Planning Board Attorney

II. APPROVAL OF MINUTES:

Meeting minutes from September 10th and September 24th were not yet available for the Board’s review.

III. TABLED ITEMS:

1. 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 associated site improvements on 0.46 +/- acres located at 2775 Penfield Road. The property is now or formerly owned by Jasmin Heganovic, and is zoned RA-2. Appl# 15P-0021 SBL# 141.01-1-15.

The Board voted to ACCEPT the Lead Agency in the review of the Type I Action for this application.

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

Motion was carried.

- The board continued discussions of the review of the proposed site plans.
- Mr. Nersinger and Mr. Valentine provided additional details about the site plan. They noted that the applicant is working with staff to review the drainage calculations for the site.
• Board member Kanauer provided clarification for the board that the residential structure on the property across the street from the site is listed on the National Historic Registry due to its architectural features. The applicant had previously expresses that the site was only listed due to who had taken residency there in the past. Board member Kanauer confirmed this information with the Town Historian.

• In its review the board, acting as the Lead Agency, has made a determination on non-significance and prepared and adopted a Negative Declaration on October 8, 2015. This determination will be provided to the NYS DEC for the next available Environmental Notice Bulletin publication.

The board voted to ADOPT the Negative Declaration.

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<th>Vote: Moved by:</th>
<th>McCord</th>
<th>Seconded by:</th>
<th>Bastian</th>
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<tbody>
<tr>
<td>Chairperson: Hetzke - Aye</td>
<td>Bastian – Aye</td>
<td>Denoncourt-Aye</td>
<td>Kanauer- Aye</td>
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<td>McCord - Aye</td>
<td>Tydings - Aye</td>
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Motion was carried.

• Staff informed the board that the Zoning Board of Appeals (ZBA) will meet on October 15, 2015 to continue its review of the area variances for less setbacks. The board has no comments for the ZBA.

• The board reserves the right to continue its review of the site development plans until it has completed its site plan review.

• The application is hereby CONTINUED TABLED pending the following:

  - An approval from the Zoning Board of Appeals for front and rear setback variances at its September 17, 2015 meeting.

  - Submission of revised engineered site plans with drainage calculations per the comments of the Town Engineer in the PRC Memo dated September 4, 2015.

  - Submission of 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 TABLED this application.

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<th>Vote: Moved by:</th>
<th>Denoncourt</th>
<th>Seconded by:</th>
<th>Bastian</th>
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<tbody>
<tr>
<td>Chairperson: Hetzke - Aye</td>
<td>Bastian – Aye</td>
<td>Denoncourt-Aye</td>
<td>Kanauer- Aye</td>
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<tr>
<td>McCord - Aye</td>
<td>Tydings - Aye</td>
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Motion was carried.
2. James Bammel, Bammel Architects, 6459 West Quaker Street, Orchard Park, NY 14127/Heathwood Assisted Living Facility, requests under Articles III-3-10, VIII-8-3 and IX-9-3 of the code for Preliminary and Final Site Plan, Subdivision and EPOD permit approval to construct a two-story 44 unit building addition of 28,175 +/- sq. ft. and resubdivision of properties with associated site improvements on 12.10 +/- acres located at 100 Elderwood Court and 2030 Fairport Nine Mile Point Road, Penfield, NY 14526. The properties are now or formerly owned by Limestone Development Co. LLC and Elderwood Rochester ALF, and are zoned MR. Appl# 15P-0019 SBL#'s 125.03-2-55 and 140.01-1-1.3. 

The board continued its review of the proposed site plans and TABLED the application pending the following:

- The review of the proposed conservation easement boundary limits by the Zoning Board of Appeals per its conditions of approval at the August 20, 2015 meeting. The applicant will meet with the Zoning Board of Appeals on October 15, 2015. The board is supportive of conservation easement over the lands that are adjacent to the property located at 2012 Fairport Nine Mile Point Road that would not include the area proposed to be disturbed for the installation of a driveway. The creation of this easement area would support Town Board’s rezoning resolution from 2008 that required all access to and from this property off of Pembroke Drive. The Town Engineer will review this matter with the Zoning Board Appeals at its next meeting.

- Review of revised site plans submitted on September 24, 2015, and responses to the September 4, 2015 PRC Memo by the board and the Project Review Committee.

- A review by the Town’s Landscape Consultant of the revised landscaping plan submitted on September 24, 2015.

- The board’s review of the lighting/photometric plan with details and cut sheets of proposed fixtures submitted on September 24, 2015. The board requests footcandle calculations for all surfaces of the site be added to this plan. Isofootcandle contours should be shown with the cut sheets of the proposed light fixture type. A copy of the original cut sheets for each type of fixture shall be provided for the Board’s review.

- The board is supportive of having shorter light poles installed. The plans currently show a 20 foot light pole and the board feels that will be too high. The applicant should consider a shorter height for the benefits of the neighbor. An additional pole may be needed along the proposed roadway to better illuminate the area for vehicles.

- The board is supportive of adding glare shields to light poles to direct light away from any residential properties. The plans shall be updated to reflect this modification.

- A survey map of the property detailing the distance of the remaining tree line from the northern property limits shall be provided. The board will review the area as to how it compares to the 60 foot buffer area of trees that was required in the 2008 approvals for this site.
• The Town Engineer’s review of any required maintenance of the drainage ditch that borders the eastern property line adjacent to residential homes that carries stormwater runoff a catch basin and then on to the detention pond. Previous approvals from the town will be reviewed to determine if the applicant is responsible for any of the work that may be needed to clean the drainage ditch.

The board is unable to make a determination of environmental significance until it has completed its review.

The board TABLED the application.

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

Motion was carried.

3. Marathon Engineering, 39 Cascade Drive, Rochester, New York 14614/ Mike D’Amico, Combat Construction requests under Articles VIII-8-3 and IX-9-3 of the code for Preliminary Overall Subdivision and Final Site Plan approval for Section 1 under Town Law 278 to construct an 86 lot single family residential cluster subdivision with associated site improvements on 42.95 +/- acres located at 2826 Atlantic Avenue, Penfield, NY 14526. The property is now or formerly owned by Dolomite Products Co. Inc., and is zoned R-1-15. Appl# 15P-0018 SBL# 124.01-2-1.1.

The board continued its review of the proposed site plans and TABLED the application pending the following:

• The board requested that the traffic queuing study of Five Mile Line Road be resampled at a time that is a weekday while regular school is in session, and is not during a holiday period. The board recommended that a second study be done between the weekdays of Tuesday through Thursday. The board is in receipt of an email update from the applicant dated Wednesday, October 7, 2015 to inform town staff and the board that traffic engineers were scheduled to visit the site that day to complete additional existing traffic counts, queuing and observation as requested. The results of the continued traffic study and analysis will be provided for the Board’s review and consideration.

• The board has reviewed the conventional plan, dated August 19, 2015, and requests the plan be revised to show only one access onto Five Mile Line Road, per the comments of the Monroe County Department of Transportation. Currently the plan shows two (2) additional access points for five (5) lots with frontages on Five Mile Line Road.

• The board recommends the dedication of lands to the town for the proposed stormwater management infrastructure and any other amenities that will require future maintenance.
• The board requests that the applicant place wooden stakes along the northern property line and along the limits of the proposed conservation easement area. This will help the neighbors on Lone Oak identify the limits of their property that backs to this project site. The applicant shall notify the town when the stakes have been installed on the site.

The board TABLED the application.

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

Motion was carried.

III. MISCELLANEOUS:

1. Regarding the application of Charles Smith, Design Works Architecture, 3300 Monroe Avenue, Suite 117, Rochester, NY 14618/Lalit R. Shah and Surekha L. Shah requests under Articles VIII-8-2 and IX-9-2 of the Code Preliminary and Final Site Plan and Subdivision with the Board regarding a Final Subdivision and Site Plan approval to allow the resubdivision of two parcels and to build a 6,000 +/- Sq. Ft., two story office building on 2.79 +/- acres located at 30 Sanders Farm Drive and 2041 Penfield Road. The property is now or formerly owned by Lalit R. Shah and Surekha L. Shah and is zoned PD. Appl# 12P-0019. SBL#'s 139.08-2-1 and 139.08-2-1.11.

• Mr. Nersinger discussed with board that the applicant has submitted a letter to the board to request field changes to the approved site plan.
• Mr. Valentine reviewed the current conditions or the site, the history or approvals from the town for site development, and the request for the field changes as follows:
  - The creation of a berm from the excess top soil in a location north of the rain garden, which in turn would serve as a buffer to the residential properties to the north.
  - Confirmation of sidewalk installation along driveway entrance from Penfield Road.
  - Removal or bump out in parking lot.
• The board was supportive of the creation of a berm with the excess top soil providing it be graded, seeded, and landscaped with a few plantings to the satisfaction of the Town Engineer.
• The board confirmed the sidewalk is required to be installed along the driveway entrance.
• The board reviewed the parking layout and was supportive or removing the bump out noted on the plans. Board member McCord requested the landscape plantings for this area be relocated to the berm. The board members agreed with this condition.

The board APPROVED the field changes to be addressed by the Engineering Department.
In a separate matter, as an FYI for the board, Mr. Valentine described to them that the applicant has expressed considering applying for a revised site plan application to allow for the installation of a loading dock with parking and pavement modifications to accommodate deliveries to the site for a tractor trailer vehicle. The request came after the applicant received interest from a prospective tenant that could occupy the entire floor space for the office building for a publishing and software company.

The applicant, Mr. Lalit Shah, was present in the audience to hear the Board’s discussion.

Mr. Valentine informed the board that the proposed revisions would require a public hearing meeting.

Mr. Valentine reviewed what the sketch plan would look like with a standard turning template overlaid on the plan. His review of the plan with the overlay concluded that the truck’s limited turning motions would not be possible in the proposed location for the loading dock. It would also require the removal of a considerable area of vegetation and tall trees adjacent to a residential property to allow for additional pavement to be installed. Further, the proposed location of the loading dock would effectively cut off both lanes of travel for vehicles along the internal roadways when the tractor trailer is parked and offloading materials. An elevation drawing of the loading dock was included for the Board’s reference that confirmed the conflict points the tractor trailer would create while parked on site.

Chairman Hetzke suggested that a smaller delivery truck may offer better options for the site. Further, if the applicant continues to pursue the possibility of a loading dock to be added to the office building’s structure then an alternate layout for deliveries should be considered. The applicant should inform the prospective tenant that this site could not accept deliveries from a tractor trailer vehicle.

Mr. Shah spoke from the audience and stated the company’s deliveries require the services of a tractor trailer vehicle.

The board expressed concerns of this commercial use in a PD District and adjacent to residential properties. Primarily, the noise generated from a tractor trailer vehicle would cause a significant impact to the neighbors’ wellbeing.

Mr. Valentine informed the board that the applicant would have to seek approvals from the Town Board for the proposed use since this site is in a PD District. He also reviewed the language of the PD District from the Zoning Ordinance.

The deferred the request of the applicant to the Town Board for its review and consideration in a future work session meeting.
Penfield Planning Board
October 8, 2015

There being no further business to come before the Board, this meeting was adjourned at 7:35 PM, Thursday, October 8, 2015.

These minutes were adopted by the Planning Board on October 22, 2015.