PLANNING BOARD MEETING MINUTES

FEBRUARY 23, 2016
The Planning Board held a public meeting at 6:30 PM local time Thursday, February 23, 2016 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
Bob Kanauer
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
Alison Sublett, Board Secretary
James Burton

II. BOARD MEMBERSHIP UPDATES:

Chairman Hetzke welcomed Mr. James Burton back to the Planning Board. His appointment will be official following the next legislative meeting of the Penfield Town Board on March 2, 2016.

III. APPROVAL OF MINUTES:

The board APPROVED the draft meeting minutes for January 14, 2016.

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

Motion was carried.

III. TABLED ITEMS:

1. Marathon Engineering, 39 Cascade Drive, Rochester, New York 14614/ Mike D’Amico, Combat Construction requests under Articles VII-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. Application #15P-0018, SBL # 124.01-21.1.
Mr. Nersinger provided the board with updates and summary of the project status.

- Updated site plans have been revised to comply with Monroe County DOT requirements of one subdivision entrance located on Five Mile Line Road. The single entrance would feature a divided entrance using island along the roadway.
- A PRC memo was issued on February 12, 2016, Mr. Nersinger explained staff concerns listed in the memo. The applicant has not provided any responses to the PRC memo to date.
- Monroe County DOT submitted a letter following the applicants revise traffic analysis conducted in October 2015. The letter, in summary, stated that there were no significant concerns from the Country regarding the proposed development.
- The Town Landscape Consultant is in the process of reviewing the proposed landscaping plans including, but not limited to, the following details: the plantings on the berm along Atlantic Avenue; enhancing the plantings along Five Mile Line Road to buffer traffic and headlights; the stormwater pond; the infiltration basin area; the existing tree line along the northern property line that is proposed to be preserved under a conservation easement currently; and any other areas of concern. A memo will be submitted to the board for its review and consideration.
- Mr. Nersinger was awaiting written responses from the Penfield Central School District regarding updates to its ability to accommodate new potential students from the proposed development.
- Mr. Valentine reviewed several aspects of the stormwater management and green infrastructure designs that are shown on the site plans.
- Mr. Valentine reviewed details of the proposed development that will require approvals from the Town Board for waivers listed below.
  - Partial sidewalk waiver for internal sidewalks to be installed on only one side the roadway.
  - Use of splash blocks at the downspouts for portions of the subdivision.
  - Relief from the 100 foot setback to the high water line of the proposed stormwater retention pond.
  - Relief for the length of swales between catch basin inlets, where the Town Code requires a distance of 3 lots or 400 feet, whichever is less.

The board voted to send a letter of support to the Town Board for the request of a partial sidewalk waiver. The board deferred the remaining items to the PRC and the Town Board.

- Mr. Valentine conveyed concerns from the neighboring residents regarding water drainage at the southeast corner of site. Currently approximately half of the site’s runoff drains to the east and at times can make the rear properties of those neighbors very wet. The development of this site would greatly reduce the amount of surface runoff by redirecting the water to the detention basin, retention pond, and drainage swales for recharge. He added that the town staff is exploring additional measures to handle the drainage at the southeast corner of the site.
- Mr. Valentine explained to the board that proposed dedication of lands over the stormwater management facilities, including the landscaped berm along Atlantic Avenue, would be a benefit to the project for long term maintenance that would be under town control. In addition, the dedication of lands to the town along the frontage
of Atlantic Avenue would allow for future improvements to the main roads and signalized intersection at Five Mile Line Road.

- Board member Tydings expressed concerns with establishing an effective landscaped berm along Atlantic Avenue noting that Terrace Hill had issues with keeping trees and plants alive initially due to the construction of the subdivision. He expressed his desire to have more mature landscaping along Atlantic Avenue and Five Mile Line Road. Mr. Valentine reviewed the aspects of the site plans that the Town’s landscaping consultant was investigating. His report will be provided to the board for the next meeting.

- Chairman Hetzke asked who will be responsible for maintaining the proposed pond and whether an aeration system would be possible. Mr. Valentine stated that an aeration system is not required but could be added by developer.

- Mr. Valentine explained that any amenities added to the special improvement district, which would have to be formed for the maintenance of the lands that are proposed to be dedicated to the town, would be included in the cost that homeowners of the subdivision would be charged each year in their taxes.

- Chairman Hetzke asked if there was a plan to keep the private yards from encroaching on the detention basin. Mr. Valentine stated that staff had discussed this issue with the Town’s landscape consultant and planned to propose common plantings and markers along the rear property line of those parcel that would delineate the town owned property from private land.

- Mr. Valentine inquired if the board had thoughts on the proposed conservation easement along the tree line at northern property border and in the center of the subdivision, where the plans show a raise in grade with plantings that would visually break up the sight line between backyards. He informed the board that although staff is supportive of preserving the significant trees along the northern property line, a conservation easement would be unnecessary for this area as it would add restrictions on the property that could create an enforcement issue for the town.

- Chairman Hetzke did not desire conservation easements in the middle and north of the development but understood the intention to preserve any significant trees along the northern property line.

- Board member Bastian wanted to know the benefit of the proposed conservation easements. Mr. Valentine responded these area would not be owned or maintained by the Town but the easement would permanently restrict residents from developing these areas for sheds, pools, fences, etc.

- Mr. Valentine summarized the updated materials from staff and communications with the New York State Department of Transportation in an effort to plan future improvements to the intersection of Atlantic Avenue and Five Mile Line Road.

- Board member Kanauer inquired about proposed Lot #1 that had a long narrow segment protruding to the west and expressed concern over shape of the proposed. Mr. Valentine explained this was one of the staff comments on the grading plan. The applicant proposed a swale that cuts through that lot creating a very short backyard. East of this proposed lot is the Town Community Garden that had some drainage issues in its parking lot. Staff was investigating the possibility of moving the proposed swale closer to the Town property in order to reduce the encroachment of the swale.
The board voted and APPROVED to send a letter of support to the Town Board for the partial sidewalk waiver.

Vote: Moved by: Kanauer        Secended by: Bastian
Chairperson: Hetzke - Aye   Bastian - Aye    Kanauer - Aye   Tydings - Aye

Motion was carried.

The board voted and CONTINUED TABLED the application.

Vote: Moved by: Tydings        Secended by: Bastian
Chairperson: Hetzke - Aye   Bastian - Aye    Kanauer - Aye   Tydings - Aye

Motion was carried.

2. J. Lincoln Swedrock, P.E., BME Associates, 10 Lift Bridge Lane East, Fairport, NY 14450, on behalf of Oak & Apple LLC, requests an informal discussion before the board with plans for a 2,546 +/- square foot farm cider mill associated site improvements on a total of 26.97 +/- acres located at 1381 Sweets corners road, Town of Penfield, NY 14526, to be known as Oak and Apple Ciderhouse. The property is now or formerly owned by Oak and Apple, LLC and zoned RA-2. Application # 16P-0001, SBL # 125.01-1-10.4.

- Counsel suggested to the board that an additional item be added to the draft sketch plan response letter to include language that requires the applicant to provide a written analysis detailing the reasoning for how the proposed use of a hard cider mill complies with the conditions of the Town’s conservation easement with development rights (easement agreement filed with the Monroe County Clerk’s Office on 11/01/2002, Liber 09700, Page 228), and with the laws of New York State Agriculture and Markets under the applicable sections.

- The board had no additional amendments to the draft letter.

The board voted and directed staff to issue the sketch plan response letter as amended.

Vote: Moved by: Bastian        Secended by: Kanauer
Chairperson: Hetzke - Aye   Bastian - Aye    Kanauer - Aye   Tydings - Aye

Motion was carried.
III. MISCELLANEOUS:

1. 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. Application # 15P-0019 SBL #'s 125.03-2-55 and 140.01-1-1.3.

Mr. Nersinger summarized the application and approval given by the board in 2015. The applicant submitted a letter for a 90 day approval extension for the subdivision portion of the project. The board had no issues with this request.

The board voted and APPROVED a 90 day extension to the subdivision approval.

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

Motion was carried.

2. Staff informed the board of the applications that will be heard at the March 10, 2016 public hearing.

There being no further business to come before the Board, this meeting was adjourned at 7:30 p.m.

These minutes were adopted by the Planning Board on March 10, 2016.