PLANNING BOARD
MEETING MINUTES

JUNE 09, 2016
The Planning Board held a meeting at 6:30 PM local time Thursday, June 9, 2016 in the Town Hall Auditorium to discuss, in a meeting open to the public, tabled matters and other business that was before it. The board then held a public hearing meeting at 7:00 PM to hear new applications.

I. CALL TO ORDER:

PRESENT: Allyn Hetzke, Jr.
Bill Bastian
Jim Burton
Bob Kanauer
Terry Tydings

ALSO PRESENT: Zachary Nersinger, Town Planner
Michael O’Connor, Assistant Engineer
Douglas Sangster, Planning/Environmental Technician
Pete Weishaar, Planning Board Attorney
Alison Sublett, Board Secretary

II. APPROVAL OF MINUTES:

The board voted and APPROVED the draft meeting minutes for May 26, 2016.

Vote: Moved by: Bastian Seconded by: Burton

Tydings - Aye

Motion was carried.

III. PUBLIC HEARING APPLICATIONS:

1. Free Methodist Church of Webster dba Crossroads Community Church, 1188 Jackson Road, Webster, NY 14580, requests under Chapter 250, Article XII-12.2 of the Code of the Town of Penfield for Preliminary and Final Site Plan approval for a 4,000 +/- square foot parking lot expansion with associated site improvements on the 3.15 +/- acres parcel. The property is now or formerly owned by the Free Methodist Church of Webster and zoned R-1-20. Application #16P-0005, SBL #095.01-1-14.1.

Mr. Nersinger clarified that the square footage of the parking expansion referenced in the legal statement for a 4,000 +/- square foot expansion only applied to the additional parking stalls. The total square footage of the proposed expansion, when including the drive aisles, was in fact 8,600 +/- square feet according to the applicant’s engineer.

Junior Lee of the Crossroads Community Church presented the proposed project to the board.
Mr. Lee explained to the Board that the existing parking lot was approximately 25 years old and in need of repairs as the surface is currently badly broken up. The church has grown in size for its membership in recent years and the current parking lot needs to be expanded for this growth. Often cars have had to park along the street when the church has hosted special events.

Mr. Lee noted that a revised site plan was submitted this day of the meeting. Mr. Nersinger confirmed that the board has received that plan.

Mr. Lee pointed out Mr. Olek property on the map that is adjacent to the church’s property. The town had initial concerns about the proximity of the proposed site work to the neighbor’s property.

Due to this, the plan was revised and an Area Variance Application had been submitted to the Zoning Board of Appeals to address the proposed setback distance from the property line.

Handicap spaces have been added that are closer to the front door entrance.

**Board Comments:**

- Chairman Hetzke asked if the entire parking lot is proposed to be paved. Mr. Lee replied that it would all be paved.
- Chairman Hetzke asked what the proposed setback was for the area variance. Mr. Lee replied the setback requested was 15 feet.
- Chairman Hetzke asked what the distance was from the edge of pavement at the northernmost corner of the parking lot to the property line. Mr. Lee did not know the exact distance but he could confirm that it was greater than the proposed 15 foot setback from the property line. Mr. Lee estimated that it was approximately 20 feet beyond the setback line. Chairman Hetzke made a summation of 30 to 35 feet.
- Chairman Hetzke asked if the existing parking lot had handicap parking spaces that are delineated. Mr. Lee explained that currently there was one (1) large handicap parking space at the front entrance. New handicap spaces are proposed near the front door and there are two (2) more at the rear of the building currently.
- Board member Kanauer asked if the current parking lot was within the 50 foot required setback. Mr. Lee replied that the current parking lot was outside buffer area.
- Board member Kanauer asked if the current northeast corner of the parking lot is changing. Mr. Lee replied, after clarification of the question, that the existing parking area to the north would not expand and would remain as it exists currently.

**Public Comments:**

- Mr. Lee Olek, 1175 State Road, spoke in support of the application. Mr. Olek explained that he is the immediately neighbor to the northeast.
- Mr. Olek stated that he attended a similar board meeting about 15 years ago when the church asked to have its parking lot expanded then. He supported the proposed expansion then and he stated that he still supports the parking expansion.
- Mr. Olek expressed concern for the proposed rain garden and berm that would require the removal of trees. Mr. Olek felt the trees adequately absorbed any runoff and wished to preserve the trees and not disturb the area for a berm and rain garden that he felt would be a redundancy in drainage efforts. He added that the removal of trees may impact the ecology of the area and the wildlife.
Chairman Hetzke replied that the suggestion is related to DEC and stormwater requirements. Mr. Nersinger explained that the rain garden is needed to treat stormwater runoff for the proposed expansion that is over 6,000 square feet, which is a requirement by the IWC for the Irondequoit Creek Watershed. If the project was smaller than 6,000 square feet then the removal of trees, grading, and rain garden would not be required. Mr. Nersinger added that perhaps other options for stormwater management could be explored for this site plan under the oversight of the Town engineers.

Mr. Olek added that the pond to the east was installed for stormwater retention and it has done a good job to help relieve the drainage issues in the Angean Drive area and for runoff. The outlet to the north is a stream that appears to be dry most times of the year.

Following the meeting the board discussed the following:

Chairman Hetzke asked for clarification on the requirements for the rain garden requested staff investigate the benefit of preserving existing trees versus benefits of the rain garden. Mr. O’Connor explained that the property is located in the Irondequoit Creek Watershed and the IWC (Irondequoit Creek Watershed Collaborative) requires stormwater quantity and quality treatment for any expansion of 6,000 square feet or greater of impervious surface. The rain garden is one option that could be used to treat the stormwater runoff prior to entering the pond to the east. There are other options, such as dry wells, that could be used but those, specifically, are typically more expensive and require perc tests. Mr. O’Connor noted that the plans don’t show the location or the number of trees that would need to be removed and the applicant should show that information on a revised plan. The board agreed to request the applicant investigate alternative designs that may require less land area and less tree removal for the purposes of mitigating stormwater.

Staff reviewed the upcoming Zoning Board of Appeals and Planning Board meeting dates and confirmed the applicant’s submission for the Zoning Board.

The board voted and TABLED the application pending the review and/or submission of the following items:

- Submission of a revised site plan that identifies all trees proposed to be removed for the expansion of the parking lot area.
- Provide details for any proposed outdoor lighting improvements on the site plan.
- The board requests the applicant consider installing tree plantings where appropriate to revegetate the land and enhance the buffer from the parking lot for adjacent properties.
- The board requests the applicant to investigate alternative stormwater management designs that may require less land area and less tree removal for the proposed rain garden facility. Revisions to the site plan are subject to the review of the Town Engineer.

Per the requirements of the Irondequoit Creek Watershed Collaborative (IWC), all proposed development within the Irondequoit Creek Watershed with over 6,000 square feet of impervious surface must include a stormwater management facility, such as a rain garden, dry wells, underground storage system, etc., to handle the increase quantity of stormwater runoff and pollutants that accumulate from the atmosphere, vehicles, and other

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

Motion was carried.

2. Michael Ritchie, P.E., Costich Engineering, D.P.C., 217 Lake Avenue, Rochester, NY 14608/ Mike D’Amico, Combat Construction, requests under Chapter 250, Articles XI-11.2 and XII-12.2 of the Code of the Town of Penfield for Preliminary and Final Subdivision and Site Plan approval for a three (3) lot subdivision to construct two (2) new single family residential homes on a total of 1.9 +/- acres located at 1429 Shoecraft Road. The property is now or formerly owned by John and Nancy Williamson and zoned R-1-20. Application #16P-0008, SBL #109.07-1-12.

Michael Ritchie, P.E., Costich Engineering presented the application to the board. Also present was Mark DiFrancesco.

- Mr. Ritchie outlined the proposed project for a three-lot subdivision on 1.9 +/- acres of land and construction of two new residences on Lots 2 and 3 with the existing house on Lot 1 to remain.
- The existing house would remain on Lot 1 but the driveway is proposed to be relocated from Shoecraft Road to Garden Hill Lane.
- The project was previously presented to the town with a proposal for a four (4) lot subdivision. Based on comments from town staff the project has been revised to show three (3) lots.
- The revised layout meets the requirements of the R-1-20 District.
- PRC comments were received and the applicant provided revised plans and written responses to the comments on June 3, 2016.
- Mr. Ritchie had no issues with the Monroe County DRC comments that were recently received.
- Mr. Ritchie concluded with stating that he and client believes the proposed project fits the nature of the surrounding community and should be a benefit to the area.

Board Comments:

- Board member Bastian referenced the PRC memo and inquired about the site distance for Lot 2 on Shoecraft Road. PRC memo read that the site distance should be 445 feet, and the plan shows 335 feet. Mr. Ritchie that initially the site distance was set base on the designed speed rather than the posted speed limit of Shoecraft Road. Once the site distance was updated to match the posted speed limit, the issue was resolved. Mr. Ritchie noted that the site distance to the north was sufficient and met the minimum requirements.
- Board member Bastian asked if a sidewalk waiver was being requested for this application. Mr. Ritchie and Mr. DiFrancesco conferred and stated that this was yet to be determined.
• Board member Bastian asked if any variances were required for this application. Mr. Ritchie replied that no variances were required and the submitted plan was compliant with the R-1-20 zoning district.

Public Comments:
• Dale Merz, 1399 & 1419 Shoecraft Road, spoke to details of the site plan.
  o Mr. Merz owns the properties next door the project site. He stated that he likes the revised site plan layout but his main concern was the drainage.
  o Mr. Merz hopes that the rain gutters of the proposed homes will be piped to discharge to Shoecraft Road where a catch basin is located at the northwest corner of the proposed Lot 2.
  o Mr. Merz explained that water currently drains to the northwest, which is downhill from the project location, and flows over his land. Any improvements to the grading that would direct water away from his land and direct it to Shoecraft Road and Garden Hill Lane would help minimize the drainage concerns.
  o Mr. Merz stated he had installed a french drain on his property to help dry out portions of his land.
  o Mr. Merz was supportive of sidewalks for the area.
  o Mr. Merz asked for clarification of the site distance data as he did not want the driveway location for Lot 2 to move.

Applicant Responses:
• Mr. Ritchie addressed Mr. Merz’s concerns. He explained the site plan included small drainage swales and a stormwater dry pond in the rear of the proposed lots to intercept any runoff from the backside of the properties. The dry pond would not hold water all year round but it has been designed to handle the runoff collected in the swales and release the water at a reduced rate.
• The fronts of the properties would sheet flow on to Garden Hill Lane and Shoecraft Road.
• Since there is no storm sewer available on Garden Hill Lane the water was directed to the swale.
• Mr. Ritchie explained that the catch basin at the northeast corner of the property was too high to capture any stormwater sources that may have piped to it; gravity flow is not sufficient.
• Mr. Ritchie clarified that the rear sections of the lots and the roofs would direct stormwater runoff to the swales to be treated in the dry pond, which would then discharge water at a controlled rate to improve current conditions. However, per town comments the roof gutters and sump pump from the existing home on Lot 1 would be directed to Shoecraft Road.
• Mr. Ritchie displayed the proposed grading plan for the site. He added that the existing drainage pattern flows in the direction of Mr. Merz’s land. The pattern of flow is not changing but the grading plans proposes contain the runoff and control the flow at reduced rate. Chairman Hetzke asked for clarification that that would reduce the flow. Mr. Ritchie confirmed it would reduce the flow.

Public Comments (continued):
- Mr. Merz asked about the addition of impervious surfaces that may add to the runoff. Mr. Ritchie replied that there will be close to a net wash for the project as the existing barn and portions of the existing driveway will be removed, which helps offset the amount of impervious surfaces that will be added with the construction of the new homes.
- Mr. Merz asked if there was a chance to direct water to the existing catch basin. Mr. Ritchie replied that gravity flow is not possible as there is not enough fall (grade change) to make that work properly.
- Luanne Reinis, 1428 Shoecraft Road, spoke in favor of the current proposed application and supportive of the three-lot subdivision.

Following the public hearing the board discussed the following:
- The board requested clarification regarding the required site distances for the proposed subdivision. Mr. O’Connor explained the required site distances for different traffic situations and clarified the calculations changed according to the posted speed limit versus the likely speed of drivers and explained the updated plans were adequate for line of sight.
- Board member Tydings asked if sidewalks were existing on Shoecraft Road. Staff explained sidewalks were not existing in this area. Sidewalk waivers were granted for the Crowne Pointe Subdivision, which include future sections of Garden Hill Lane and portions of Shoecraft Road near the intersection at Plank Road. Staff added that the town was in the process of revising the Town’s Sidewalk Policy to address future sidewalk needs.
- Board member Bastian asked if the proposed lots could be tied to storm sewers on Shoecraft Road. Mr. O’Connor explained that the storm sewers were not available to all the proposed lots so staff requested grading changes to disburse the water evenly and slowly. Catch basins may be possible along Garden Hill Lane to relieve drainage issues in the future.
- Board member Burton asked if easements could be required for drainage prior to subdivision approval. Mr. O’Connor explained that easements would have to be obtained from existing lots to the west in order to access the proposed lots and install drainage pipes. Staff has discussed addressing this matter as the Crowne Pointe Subdivision continues to be built out as there may be an opportunity at that time to improve current drainage conditions.

The board voted and TABLED the application pending the review and/or submission of the following items:

- Town staff is directed to prepare a draft approval resolution for the Board’s review and consideration at the June 21st work session meeting.

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

   Motion was carried.
IV. TABLED APPLICATIONS:

1. Passero Associates, 242 West Main Street, Suite 100, Rochester, NY 14614 / Midlakes Management, LLC, requests under Chapter 250 Articles VI-6.1, XI-12.2 and XII-12.2 of the Code of the Town of Penfield for Preliminary and Final Site Plan, Subdivision, and EPOD Permit approval under Town Law 278 for the construction of 33 townhomes with associated site improvements on 32.67 +/- acres. The parcels are located at 1185 Empire Boulevard, 1211 Empire Boulevard, and 41 Woodhaven Drive. The properties are now or formerly owned by Howitt-Bayview, LLC and are zoned LLD and R-1-20. Application #16P-0004. SBL # 108.05-2-8.5, 108.05-2-8.33, and 108.10-1-1.111.

- Mr. Nersinger informed the board that staff had spoken with the applicant’s engineer and they informed the staff that they were actively working on the wetland delineations. However, there were no updates submitted for the Board’s review at this time.

The board voted and CONTINUED TABLED the application pending the review and/or submission of the following items:

- Current plans in file show a rear elevation only of the proposed triplex townhomes and a set of elevation drawings from a similar development in the town of Chili. The Board requires a submission of a complete set of building elevations and colored renderings for this specific site location with accurate details. Samples of the proposed building materials shall be provided as well. The board has directed staff to resubmit the building elevations and associated materials to the Town’s Architecture Consultant for his review upon submission.

- Submission of the geotechnical report for the Engineering Department’s review of soil conditions.

- Submission of the latest wetland and floodplains delineations for the site.

- Specification for the board if any ground monument sing would be considered near the entrance or beginning point of the residential subdivision.

- Provide clarification for the intended use of the lands shown on the plans that are assumed to be donated to the Monroe County Parks. This was previously stated during the sketch plan application in 2013.

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

Motion was carried.

III. MISCELLANEOUS:

- Mr. Nersinger reviewed for the Board the recently submitted colored elevation renderings and photos of an existing Burger King with similar designs.
- Board member Kanauer stated that other Burger King locations that are in operation in neighboring towns had similar updated exteriors.
- Board member Burton stated the proposed changes are consistent with industry standards for Burger King.

The Board voted and APPROVED the proposed building façade renovations.

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

Motion was carried.

There being no further business to come before the Board, this meeting was adjourned at 7:54 PM.

These minutes were adopted by the Planning Board on June 21, 2016.