TOWN OF PENFIELD
3100 Atlantic Avenue, Penfield, NY 14526-9798

PLANNING BOARD
MEETING MINUTES

SEPTEMBER 22, 2016
The Planning Board held a meeting at 6:30 PM local time Thursday, September 22, 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

ABSENT: Jim Burton

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

III. 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 there were no updated items submitted by the applicant.
   • Mr. Valentine added the road, sidewalks, and related infrastructure included in the plan were a financial concern and the applicant was exploring avenues to address these issues and were actively working on items to submit for the board’s review.

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

   • Submission of updated site plans. The applicant has indicated they are reviewing the costs associated with road improvements.
   • Submission of a geotechnical report for the for the Engineering Departments review of soil conditions.
   • Submission of the latest wetland and floodplain delineations for the site.
• Submission of updated building elevations and samples of the proposed building materials. The board has directed staff to resubmit the building elevations and associated materials to the Town’s Architecture Consultant for his review upon submission.

• Specify if any ground monument signs 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: Bastian
Chairperson: Hetzke - Aye Bastian - Aye Burton - Absent 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 under Chapter 250 Article XII-12.2 of the Code of the Town Penfield for Preliminary and Final Site Plan approval for the construction of a 2,674 +/- square foot farm cider mill with associated site improvements on a total of 26.97 +/- acres located at 1381 Sweets Corners Road, to be known as Oak and Apple Cidery. The property is now or formerly owned by Oak and Apple, LLC and zoned RA-2. Application #16P-0003, SBL # 125.01-1-10.4.

• Mr. Nersinger reviewed the materials submitted on September 20th an 21st that included a letter with responses to the Board’s tabling resolution issued September 8, 2016 public hearing. The responses letter included a copy of a letter from NYS Department of Agriculture and Markets. Also included were updated site plans and architectural plans.

• Mr. Nersinger asked if the board would like to submit the landscape plans to the Town’s landscaping consultant and building designs to the Town’s architecture consultant. The board agreed to send the materials to the consultants for their review.

• Mr. Nersinger asked if the board would like staff to research hours of operation for similar establishments in the area, the board agreed as this was an item brought up in the public comments.

• Board member Kanauer asked if the location of a dumpster or plans for waste removal was indicated in the site plan. Mr. Valentine asked if Kanauer was referring to containers for typical waste disposal or waste related to the production of cider. Board member Kanauer explained the applicant should indicate any disposal containers or dumpsters proposed to be on site as this was typical for all commercial operations.

• Mr. Valentine updated the board that the Town’s planning consultant was reviewing the SEQR concerns to help determine the type of action the proposal could be designated as with regards to any environmental impacts. A recommendation to the board is expected to be submitted prior to the next work session.

The board voted and CONTINUED TABLED the application pending the review and/or submission of the following items:
• Board’s review of applicant’s submission of written responses to the Board’s September 8, 2016 tabling resolution, and updated site plans and building designs.
• Review of the proposed landscaping by the Town’s landscaping consultant.
• Review of the proposed architecture as shown in the building elevation and renderings by the Town’s architecture consultant.
• Input from the Town’s SEQR Consultant regarding the SEQR type classification.
• Staff’s research for hours of operation for similar establishments in the area.
• Provide details for waste removal for daily operations including, but not limited to, the tasting room and the processing of apples. Identify on the site plan where the apple byproduct will stored. If a dumpster is necessary, the site plans must be revised to include a dumpster enclosure pad with similar building materials as those proposed for the primary structure.

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

Motion was carried.

3. Marathon Engineering, 39 Cascade Drive, Rochester, NY, 14614, on behalf of Hometown Antiques & Properties, 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 parking lot expansion with associated site improvements on the 0.41 +/- acres located at 2221 Penfield Road. The property is now or formerly owned by Hometown Antiques & Properties and zoned BN-R. Application #16P-0011, SBL #140.01-2-10.

• Mr. Nersinger informed the board there were no new items submitted in regards to the application and that an application had been submitted to the Zoning Board of Appeals for its October 20, 2016 public hearing for the variance required for the proposed parking expansion.
• Mr. Valentine pointed out that the Zoning Board of Appeals hearing would occur after the board meets on October 13th and the board may have to discuss this application at the October 27th work session. He asked if the board wanted staff to submit the revised plans to the Town’s landscaping consultant upon receiving the revisions. The board agreed to have the Town’s landscaping consultant review the revised plans.

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

• Revised site plans to include the following details:
  a. Sidewalk connection to the building’s rear entrance from the proposed parking area.
  b. Address snow storage and/or removal for the proposed parking area.
c. Add an electrical conduit under the parking area to the rear of the property for a future light fixture if it becomes a desired feature at a later time in the future.

d. Appropriate signage to designate employee parking.

e. A buffer for the adjacent residential properties located to the south in the form of a landscaped berm. The number of plantings to be installed should include at a minimum replacement for those that are proposed to be removed as part of the parking expansion area. The proposed landscaping details will be provided to the Town’s landscaping consultant for their review and consideration upon receipt of the revised site plans.

f. A rain garden or similar stormwater management area shall be added to the site plan to collect the stormwater that is currently discharging to the neighboring property at 2233 Penfield Road via underground pipes from roof leaders. The stormwater management area will also help offset the greenspace that is proposed to be removed to allow for the proposed access driveway on the east side of the building. The new stormwater management area shall be located within the limits of the existing 20 foot drainage easement that was previously granted from 2233 Penfield Road.

- Applicant’s responses to the PRC’s memo dated August 25, 2016 and this tabling resolution.

- The Board is aware the applicant has submitted an application to the Penfield Zoning Board of Appeals for an area variance for less setback to the required 50 foot buffer area between residentially zoned properties and the BN-R District. The application is scheduled to be heard at the October 20, 2016 meeting.

Vote: Moved by: Tydings Seconded by: Bastian

Chairperson: Hetzke - Aye Bastian - Aye Burton - Absent Kanauer - Aye
Tydings - Aye

Motion was carried.

III. MISCELLANEOUS:

1. 1644 Creek Street Plat Map

- Mr. Valentine explained to the board that the owners of 1640 Creek Street, Benjamin and Marilyn Stroyer, requested to merge a portion of land from 1638 Creek Street and four (4) acres of land from the rear of 1644 Creek Street to their property. The owner of the 1644 parcel was selling the property and had no use for the residual acreage. 1640 Creek Street is currently a land locked parcel with an easement that allowed an access drive on 1638 Creek Street, which was also owned by the Stroyer’s. The portion of land from the 1638 parcel would place the access drive within the total holdings of the 1640 parcel. The result of the proposed resubdivision would merely shift property line of the three (3) parcel to transfer a majority of the land to the 1640 parcel as it would now be a flag lot.
• Chairman Hetzke asked if 1644 Creek Street would still comply with the R-1-20 zoning district. Mr. Valentine confirmed the lots would still be compliant to the zoning. There would still be three lots existing, but with new boundaries.

• Chairman Hetzke asked staff if there were any foreseeable negative impacts to this proposal. Mr. Valentine explained the Stroyers desired to acquire the additional land to preserve it for the family’s enjoyment and he no plans to develop any of the land.

The Board voted and APPROVED the request.

Vote: Moved by: Tydings Seconded by: Bastian

Chairperson: Hetzke - Aye Bastian - Aye Burton - Absent Kanauer - Aye

Tydings - Aye

Motion was carried.

2. Planning Board 2017 Meeting Schedule

• Mr. Valentine reviewed the proposed meeting dates for the 2017 Planning Board schedule.

January 12, 2017, Public Hearing
January 26, 2017, Work Session
February 9, 2017, Public Hearing
February 28, 2017, Work Session
March 9, 2017, Public Hearing
March 23, 2017, Work Session
April 13, 2017, Public Hearing
April 27, 2017, Work Session
May 11 2017, Public Hearing
May 25, 2017, Work Session
June 8, 2017, Public Hearing
June 20, 2017, Work Session
July 13, 2017, Public Hearing
August 10, 2017, Public Hearing
September 14, 2017, Public Hearing
September 28, 2017, Work Session
October 12, 2017, Public Hearing
October 26, 2017, Work Session
November 9, 2017, Public Hearing
December 14, 2017, Public Hearing

The board discussed and APPROVED the 2017 Planning Board meeting schedule as amended.
Vote: Moved by: Hetzke 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 6:58 PM.

These minutes were adopted by the Planning Board on October 13, 2016.