PLANNING BOARD
MEETING MINUTES

JANUARY 12, 2017
The Planning Board held a meeting at 6:30 PM local time Thursday, January 12, 2017 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
Bob Kanauer
Terry Tydings
Jim Burton

**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 December 8, 2016.

Vote: Moved by: Burton   Seconded by: Bastian

Motion was carried.

III. **PUBLIC HEARING APPLICATIONS:**

1. Springs Land Company LLC, Box 572, Clifton Springs, NY 14432, requests an informal discussion before the board with plans for a commercial building with associated site improvements on a total of 0.68 +/- acres located at 1600 Penfield Road. The property is now or formerly owned by Springs Land Company LLC and zoned GB. Application #17P-0002, SBL# 123.20-2-47.

Jeff Arnold, Springs Land Company LLC, presented the application to the board.

- An updated site plan was submitted that day, January 12, 2017, along with responses to PRC Comments. Hard copies of the plans were provided to the board.
- Mr. Arnold explained the building is intended to be a professional office building for up to two (2) tenants. Construction could commence without tenants in place with the hope that tenants will be found during the construction process. The site work would help market the project to prospective tenants.
The existing foundation was planned to be utilized for the building as required by the NYSDEC remediation plan for the site.

The foundation was tested and in good condition for the proposed project, which required a raised foundation plan to comply with NYSDEC floodplain regulations.

The parking layout for the building included front and rear parking areas with sidewalks leading to a single entrance centered on the east side of the building, with ADA compliant parking set to one side of that entrance.

A second option for the site plan included a drive through lane on the side of the building for a tenant who may require this service.

The proposed exterior design of the building was conservative in style.

The Remedial Action Plan that was required by the State DEC had been submitted for the Board’s review and was currently on schedule to have the work completed in time to start construction this year.

Responses to PRC’s comments included the revised sidewalk width to seven (7) feet along the edge of the parking areas, as well as adding the locations of existing utility poles to the revised plan. The proposed drive aisles were reduced to 24 feet and other parking concerns were addressed in the revised plan. The dumpster enclosure details were provided on the revised plan. The treatment for stormwater runoff will be addressed by a professional engineer in a future application along with other permits and requirements regarding floodplain concerns.

The proposed location for the building was fixed by the NYSDEC requirement that the existing foundation be utilized for the structure, which made the separate parking areas necessary for the site layout. In addition, two access points were preferred for the layout of the site to serve each parking lot from the private drive entrances.

Mr. Arnold explained the adjacent bank ATM did not generate significant traffic and the childcare facility behind the site was only busy during drop off and pick up times, thus traffic for the site was not expected to be an issue.

Board Comments:

Chairman Hetzke asked what type of tenant would have required a drive-through service. Mr. Arnold gave the examples of a limited service restaurant such as Dunkin’ Donuts or a small pharmacy.

Chairman Hetzke asked if the parking was intended to be shared by both tenants as the plan proposed a single entrance on the east side of the building. Mr. Arnold confirmed the parking was to be shared, it did not matter where clients parked as there was to be a single entrance with a small vestibule directing visitors where to go. This plan was comparable to existing offices that were built by the applicant in Clifton Springs Professional Park in Clifton Springs, New York.

Chairman Hetzke asked if the submitted “front elevation” drawing was the south facing elevation for the proposed building. Mr. Arnold confirmed the drawing referred to the south elevation that faced the Penfield Road.

Chairman Hetzke asked how the foundation was proposed to “built up” per the NYSDEC and floodplain requirements. Mr. Arnold stated the floor would be raised up approximately 16 to 18 inches. Mr. Nersinger explained the finished floor elevation was required to be at least two (2) feet above the base flood elevation in the 100 year floodplain.
• Mr. Arnold elaborated the NYSDEC required the existing foundation slab to not be disturbed. Filtration and air entrapment systems would be added along with the raised foundation in order to comply with the NYSDEC regulations.

• Board member Burton asked what the intended use of the proposed building was, professional or mercantile (as explained with the drive-through plan). Mr. Arnold stated the goal was to find professional tenants to occupy the proposed office building, but he desired to keep options open to other tenants who were interested in leasing the space. Mr. Burton explained to Mr. Arnold that the Board needed to know the proposed use as it is critical to site plan issues such as parking and architecture review. The previously example used suggesting a Dunkin’ Donuts would require a new application review. Mr. Arnold confirmed the proposed building was intended for a professional office use.

• Board member Bastian asked if the applicant considered adding a sidewalk connection to the existing sidewalk on Penfield Road. Mr. Arnold did have an answer at the time but was willing to consider installing additional sidewalk.

• Board member Bastian asked if area variances would be necessary for the proposed project. Mr. Arnold was unsure at the time but will review the lot coverage.

• Board member Bastian asked what the proposed building setbacks were on the site plan. Mr. Arnold replied the proposed setback was approximately 20 feet on the sides, and believed the north and south setbacks were in compliance.

• Board member Kanauer asked if the NYSDEC had restrictions for the types of uses for the site as it was a designated brownfield site. Mr. Arnold was not aware of any restrictions regarding the use of the site. He explained a hydrogen peroxide system was working underground to remediate the site and an extensive amount of work had been conducted to prepare the site for construction per the NYSDEC remediation plan.

• Board member Kanauer asked what materials were proposed for the dumpster enclosure. Mr. Arnold stated the material for the enclosure would either be vinyl or composite material with the appearance of wood, or some other material approved by the Board.

Following a discussion at the public meeting and subsequent discussion in a work session, the Penfield Planning Board offered the following comments.

Given that this property is entirely within the NYSDEC 100 Year Floodplain the applicant must demonstrate and provide site plans and building designs that are compliant with all requirements for work within the floodplain the floodplain area.

In addition, the applicant shall continue to provide the Town with updates regarding the active Brownfield cleanup that has begun for this property under the supervision of the NYSDEC.

The Board requested information be provided within a future application for preliminary and final site plan approval regarding the items listed below:

• Two conceptual site plans were presented to the board: one for an office building with parking, and another with a similar layout but featured a drive-thru on the northwest side of the building. The Board was supportive of the site layout without a drive-thru for the proposed use of a professional business or medical office space for one or two tenants. Future site plans for a preliminary and application shall be based on that layout.
• Provide a complete set of engineered site plans per the comments and requirements of the Board and the Town for a preliminary/final site plan application. The submission of said plan shall comply with the recommendations found in the PRC memo dated January 6, 2017.

• The board was supportive of relocating the proposed handicapped parking spaces currently shown along the entrance drive to the one of the proposed parking areas on the site as this would reduce the potential for traffic conflicts entering and exiting the site.

• Provide a lighting and photometrics plan with cut sheets of the proposed fixtures. Dark sky compliant light fixtures are recommended.

• Provide a landscape plan with planting schedule.

• The Board was supportive of the proposed architectural rendering for the office building. The applicant shall provide color samples and building materials, with four sided colored building elevations of the proposed architecture.

• Provide details and visuals for any proposed signage. Review Chapter 250, Article X: Signs, found in the Code of the Town of Penfield, to determine if an application will need to be submitted for the Zoning Board of Appeals.

• Specify hours of operation if available.

The board directed staff to send the sketch plan response letter.

Vote: Moved by: Bastian Seconded by: Tydings
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 there were no updates from the applicant. Staff would continue to reach out to the applicant for status updates.

The board voted and CONTINUED TABLED the application pending the submission of updated project materials from the applicant.
Vote: Moved by: Kanauer Seconded by: Bastian
Tydings - Aye

Motion was carried.

2. Nixon Peabody LLP, 1300 Clinton Square, Rochester, NY 14604, on behalf of Verizon Wireless, requests under Chapter 250 Articles VI-6.1, XII-12.2, and XIII-13.11 of the Code of the Town of Penfield for Preliminary and Final Site Plan, Conditional Use Permit, and EPOD Permit approval to construct a wireless telecommunications facility with a 138 foot +/- monopole tower with associated site improvements on an 11.13 +/- acre parcel located at 1192 Shoecraft Road. The property is now or formerly owned by Thomas and Diane Gibson and zoned RR-1. Application #16P-0014, SBL #094.02-1-1.6.

- Staff provided an overview of the application for the board. Since originally presenting the project, the applicant, per the board's request following the input of the public shifted the location of the tower approximately 286 feet to east in an area that was naturally vegetated and would provide a buffer for neighboring properties. The board accepted the alternate location of the cell tower facility.
- Mr. Nersinger explained a public comment was received from Ms. Richardson, neighbor residing at 1194 Shoecraft Road, suggesting additional trees be planted on the south side of the property. The Board agreed to have the Landscape Consultant review the plans to determine the appropriate number of plantings that would enhance the vegetated buffer.

The Board voted and APPROVED the Part 2 and part 3 Full EAF.

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

Motion was carried.

The Board voted and APPROVED the application.

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

Motion was carried.

The board, having no additional comments or concerns concluded its review of this application.
V. MISCELLANEOUS ITEMS:

1. 18 Saint Ebba’s Drive resubdivision plat map review.
   - Mr. Nersinger explained the owner of 18 Saint Ebba’s Drive, Mr. Guerrera, submitted a resubdivision map for the Board’s review with a request to transfer a small portion of land (0.191 +/- acres) from 1651-B Five Mile Line Road to his property. 1651-B Five Mile Line Road was undeveloped land.
   - Mr. Nersinger explained two parcels were located in two different school districts; 18 Saint Ebba’s was in the Penfield school district, and 1651-B Five Mile Line Road was in the Webster school district. Both school districts submitted letter to the board stating their support for the proposed resubdivision, and pending the Board’s approval, Webster CSD would secede the land to Penfield CSD. The net result of this proposal was that Mr. Guerrera’s newly acquired property would be merged to existing lot and all his lands would be in Penfield CSD. The remaining land of 1651-B Five Mile Line Road would remain in the Webster CSD.
   - The Board had no concerns with the proposed resubdivision of lands.

The Board voted and APPROVED the proposed re-subdivision.

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<td>Chairperson: Hetzke - Aye</td>
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Motion was carried.

There being no further business to come before the Board, this meeting was adjourned at 7:47 PM.

These minutes were adopted by the Planning Board on February 9, 2017.