PLANNING BOARD MEETING
MINUTES
FEBRUARY 9, 2017
The Planning Board held a meeting at 6:30 PM local time Thursday, February 9, 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
Terry Tydings
Jim Burton

ABSENT: Bob Kanauer

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 January 12, 2017.

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

Motion was carried.

III. PUBLIC HEARING APPLICATIONS:

1. Fantauzzo Family Brands Inc., 1900 Empire Boulevard #225, Webster, NY 14580, requests an informal discussion before the board with plans to renovate an existing residential structure for a new business office with apartment units, and to expand a detached garage with associated site improvements on a total of 0.29 +/- acres located at 1661 Empire Boulevard. The property is now or formerly owned by Fantauzzo Family Brands Inc. and zoned LB. application #17P-0003, SBL #093.19-1-23.

Sam Fantauzzo of Fantauzzo Family Brands Inc., presented the application to the board. Also present was Eric Ferri of LaBella Associates, P.C.
• Mr. Fantauzzo explained the current corporate offices for Fantauzzo Family Brands, Inc. were located at 680 Ridge Road on lease. Mr. Fantauzzo desired to move those offices to the existing building at 1661 Empire Boulevard so he could convert it into the corporate
offices and make other improvements. The existing building was approximately the same square footage as the offices being leased in Webster.

- Mr. Fantauzzo stated improvements were recently completed to the property including updated siding, shingles, windows, and landscaping. The interior was proposed to be converted into offices but the bathrooms would remain.
- Mr. Fantauzzo explained the existing detached four car garage required extensive repairs and planned to replace it with a new garage structure.
- Mr. Fantauzzo planned to sell his current residence and utilize the proposed garage structure to serve as his residence on the second floor above the garage level.
- Mr. Fantauzzo stated his daughter lives on Rossman Drive and he and his wife would like to live closer to her.
- The proposed offices would be used for marketing and franchising of the businesses and traffic would be minimal. Business contacts would visit the site mainly for marketing and sales meetings. Two regular staff members were proposed to work at the proposed offices, as well as a store inspector, who would be off-site the majority of the business day. The proposed offices would not be used for a retail business.
- The location of the proposed project was ideal for him and several of his employees as they reside in the area.
- Mr. Fantauzzo pointed out there were other residences converted for business uses in the area and felt the proposed changes were an improvement as the property was in need of maintenance before he purchased it.

Board Comments:

- Chairman Hetzke asked for a detailed review of the proposed site plan and intended use of the proposed garage. Mr. Fantauzzo explained the existing residence would remain the same as improvements were already made.
  - Regarding the new second structure, he and his wife desire to downsize their current living space but need a large garage space to store a collection of cars and personal items.
  - He explained the second floor space of the proposed garage be used as an apartment but upon further consideration the plan would be to use the space as his local residence.
  - The proposed parking along the side of Rossman Drive was designed to mirror what was existing at the Hairzoo business across the street (at 1673 Empire Boulevard).
  - The existing twenty (20) foot wide sewer easement across the center of the property made it difficult to place the proposed garage in a different location on the site.
  - Variances will be required for the proposed plan.
  - The buildings were proposed to appear residential in design.
  - No signage is facing Rossman Drive.
- Board member Burton referenced the applicant’s letter of intent, dated January 4, 2017, which proposed multiple living spaces on the property and asked for clarification. Mr. Fantauzzo explained that after meeting with town staff he decided to limit the residential space to the just one unit above the garage and use the existing building for the office.
- Board member Burton asked how many automobiles were planned to be stored in the proposed garage. Mr. Fantauzzo explained he hoped to store as many as ten (10) automobiles in the proposed garage for his car collection.
- Board member Burton asked if the applicant was aware the Town Code required a covered space of vehicles for proposed residential units and asked if there was any intention to separate the tenant parking spaces from the storage of his personal vehicles. Mr. Fantauzzo was not planning on separating the spaces as he planned to store daily use vehicles in the same space.
- Board member Burton asked if the proposed apartment was intended for personal use or a rental unit. Mr. Fantauzzo stated the residential space would be for himself and his wife, he planned to list his current residence for sale in the spring and relocate to the proposed property.
- Board member Burton asked if floorplans had been prepared for the garage structure that was proposed. Mr. Ferri explained the framing plan for construction had been completed but the floorplan was not yet completed. Mr. Ferri added the existing residential structure was already designed to be compliant for a commercial use. Access to the residential unit over the garage would be a set of stairs inside the garage.
- Board member Burton asked for clarification on the use of the proposed garage as it appeared the applicant was asking for a residential structure with attached parking. Mr. Ferri confirmed the plan was changed to make the garage a residential structure. This offered some relief for the required parking spaces for the proposed offices as the owners could park their personal vehicles in the garage along with the owner's car collection.
- Chairman Hetzke asked if the applicant was changing the uses of the building by making the garage and residence the primary structure and making the existing house the accessory structure. Mr. Fantauzzo did not have answer at that time.
- Board member Burton explained the Board was seeking clarification on the proposed uses of the structures in order to better understand the application.
- Mr. Ferri added the Town Board approved a sidewalk waiver and curb cut on Rossman Drive for the proposed project.
- Board member Bastian asked what the hours of operation were for the proposed office. Mr. Fantauzzo stated the office hours at the current location were 9:00 AM to 5:00 PM, Monday through Friday. However, some people work remotely so there were not a lot of people at the office every day. Occasionally a meeting may take place, when necessary, on a weekend.
- Board member Bastian asked if there was a designated area for snow storage. Mr. Ferri indicated on the site plan that snow storage would be adjacent to the rain garden and dry well on the north-facing side of the proposed garage.
- Board member Bastian asked if the fence on the submitted renderings was planned to be installed. Mr. Ferri explained the rendering showed a wooden guiderail to prevent automobiles from going into a sloped area of the property on the side of the garage.
- Chairman Hetzke asked for an explanation of the drainage plan. Mr. Ferri explained the paved surfaces were proposed to be sloped toward the rain garden and a dry well on the north side of the property. Water on the south side was proposed to be collected in downspouts and directed to the dry well. On the west side of the property a swale was proposed to prevent water from leaving the property and that water would also be directed to the dry well and the overflow would go into storm sewers.
- Board member Burton asked if stormwater calculations had been performed for the proposed project. Mr. Ferri explained those would be performed prior to the Preliminary/Final application was made. Mr. Fantauzzo added the property was
overgrown with foliage and weeds and the gutters were in poor maintenance when he purchased it. He stated the proposed project would improve stormwater runoff and be less impacting to neighboring properties.

- Board member Tydings asked Mr. Fantauzzo if he would still consider living in a residential apartment above the proposed offices in the current residence. Mr. Fantauzzo explained the ceilings were lower than the main level and he found it preferable to live above the proposed garage that would be separated from the offices and more private.

Public Comments:
- Kelly Vogt, 4 Rossman Drive, expressed concerns regarding the application. She stated the lights and sounds from Empire Blvd. are more noticeable now since the owner removed trees from the property. Ms. Vogt also expressed concerns about possible headlights shining into her windows from the proposed parking lot along Rossman Drive. She stated other commercial properties that abut hers have fencing or landscaping buffers that shield headlights from her property. She expressed concerns regarding the traffic on Rossman Drive and proposed parking layout.
- Barbara Deshambault, 9 Rossman Drive, expressed concerns regarding drainage as she already had issues with water draining toward her house. She was also concerned with the proposed two-story structure that would impact the views from her property. She asked why the applicant was required to have so many parking spaces and felt the proposed plan had excessive impervious surfaces.
  - Chairman Hetzke replied the required number of spaces was determined by the size and use of the commercial property.

Applicant Responses:
- Mr. Fantauzzo addressed Ms. Vogt’s concerns regarding headlights by explaining that the proposed office hours would negate most of these concerns and the proposed Rossman Drive entry would direct headlights away from her property as well as the neighbor to the rear. The proposed garage structure would provide buffering from lights and sounds from Empire Boulevard and would appear residential.
- Mr. Fantauzzo addressed drainage concerns by explaining the plan to direct all drainage to the dry well area would mitigate stormwater concerns for neighboring properties. He was aware that some of the properties on Rossman Drive had drainage issues as his daughter’s property also had drainage problems. He stated he would make sure drainage was not directed towards the residential properties.

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

The Board reviewed the submitted sketch plan application materials and was supportive of the proposed redevelopment of the property including, but not limited to, the renovation of the existing primary structure for office use and the demolition of the detached garage to construct a primary residence with an attached multi-vehicle garage on the first level of the new structure. The Board felt proposed use would be a good fit for the LB District. Staff was directed by the board to confirm the proposed uses would be permitted in the LB District and the Town’s Zoning Administrator has since confirmed the use is permitted.
Among other comments listed below, the Board expressed concerns for lot coverage, setbacks, stormwater management and parking layout due to the size of the proposed residential structure at the rear of the property. The Board is aware the proposed setbacks are significant for the proposed residential structure and the lot coverage exceeds that which is allowed by the Code, and these matters will require area variances. Any request for area variances for setbacks and other site details must be reviewed by the Zoning Board of Appeals in a public hearing. A reduction in the size of the proposed residential structure would lessen the magnitude of the relief sought by the applicant for setbacks and lot coverage. It would also allow for more options to address stormwater management on the site and for alternate parking layouts. The Board recommends the applicant explore options to improve the site plan as proposed.

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

1. Provide the Board a complete set of engineered site plans that meet the requirements of the Town for a preliminary/final site plan application and shall address the Board’s comments and concerns and the PRC’s memos dated January 13 and 25, 2017. The Board placed an emphasis on addressing the stormwater management design for this site as the property owner to the rear of the site expressed a history of drainage issues on her property.

2. Provide a lighting and photometrics plan with cut sheets of the proposed fixtures. Lighting fixtures shall be dark sky compliant and unobtrusive to the adjacent residential properties.

3. Provide a landscape plan with planting schedule and details that shall provide an enhanced buffer for the adjacent properties.

4. The Board was supportive of the proposed building designs per the applicant’s concept renderings. The applicant shall update the renderings to match any modifications made to the site plans. Four sided building elevations of the proposed structures shall be provided with physical examples of building colors and materials.

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

6. Provide the Board with the proposed hours of operations.

7. Provide the Board with data for the number of staff and visitors expected to visit the site during business hours. Provide the minimum number of parking spaces needed to serve the office use. This will play an important role in determining the parking layout.

8. Regarding the proposed parking layout, the Board recommends the applicant relocate the proposed parking perpendicular to Rossman Drive as far from the intersection with Empire Boulevard to reduce traffic conflicts and any issues with site distance for vehicles maneuvering to travel north on Empire Boulevard.

9. Any future submission for a preliminary and final site plan application shall comply with the recommendations found in the PRC memos dated January 13 and 25, 2017. Written responses the memos will be required.
The board directed staff to send the sketch plan response letter.

Vote: Moved by: Bastian Seconded by: Burton
Chairperson: Hetzke - Aye Bastian - Aye Burton - Aye
Kanauer - Absent 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 had scheduled a meeting with the developer and will follow up with the Board at the next scheduled work session with updated information.

The board voted and CONTINUED TABLED the application pending the submission of updated project materials from the applicant.

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

Motion was carried.

V. MISCELLANEOUS ITEM:

1. 2100 Penfield Road, You Dental.

Mr. Nersinger informed the board the applicant proposed a color change for the approved dental office to be constructed. The applicant proposed a darker, slate-colored EIFS and red door as depicted on colored elevations submitted by the applicant on February 7, 2017.
The board discussed the matter and had no concerns regarding the proposed changes and APPROVED the proposed alterations to the previously approved exterior colors.

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

Motion was carried.

There being no further business to come before the Board, this meeting was adjourned at 8:11 PM.

These minutes were adopted by the Planning Board on April 13, 2017.