The Planning Board held a meeting at 6:30 PM local time Thursday, October 26, 2017 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:  Terry Tydings, acting Chairman
Bob Kanauer
Jim Burton

ABSENT:   Allyn Hetzke, Jr.
Bill Bastian

ALSO PRESENT:  Zachary Nersinger, Town Planner
Michael O’Connor, Town Engineer
Doug Sangster, Planning/Environmental Technician
Alison Sublett, Board Secretary

II. APPROVAL OF MINUTES:

The Board voted and APPROVED the draft meeting minutes for October 12, 2017.

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

Motion was carried.

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.

The Board took NO ACTION on this application as there were no new items to review.
2. T.Y. Lin International, 255 East Avenue, Rochester, NY, 14058, on behalf of Sam Kaiser, requests under Chapter 250 Articles VI-6.2 and XII-12.2 of the Code of the Town of Penfield for Preliminary and Final Site Plan and EPOD Permit approval for a parking lot expansion with associated site improvements on 7.82 +/- acres located at 2328 Old Browncroft Boulevard. The property is now or formerly owned by WDFA LLC and zoned R-1-20. Application # 17P-0019, SBL# 108.18-1-1.

Board member Burton recused himself from this application.

The Board took NO ACTION on this application as there was not a quorum of Board members present.

3. Peter P. Romeo, R.A., 35 Paramount Lane, Rochester, NY 14610, on behalf of Jasmin Heganovic, 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 single family residence with associated site improvements on 0.46 +/- acres located at 2775 Penfield Road. The property is now or formerly owned by Jasmin Heganovic and zoned RA-2. Application # 17P-0020, SBL# 141.01-1-15.

- Mr. Nersinger informed the Board the applicant submitted an engineered site plan that included the revisions requested by the Project Review Committee (PRC), which included grading for the drainage and dry wells.
- The submitted plan also included notes regarding the removal of the existing barn prior to the completion of the residence, as conditioned by the Zoning Board of Appeals for the granted area variances.
- Staff noted the Board completed its SEQR review on September 14, 2017 as the project was classified as a Type I action pursuant to SEQR.
- The Board had no further concerns with this application.

The Board voted and APPROVED the application with conditions.

Vote: Moved by: Burton Seconded by: Kanauer

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

Motion was carried.

4. Marathon Engineering, 39 Cascade Drive, Rochester, NY 14614, on behalf of Eric Graff, requests under Chapter 250 Article XII-12.2 of the Code of the Town of Penfield for Preliminary/Final Site Plan approval to construct a new child-care facility with associated site improvements on a total of 3.31 +/- acres located at 1280 Creek Street and 85 Sovran Drive to be known as Kidtopia Daycare. The properties are now or formerly owned by Retlaw Rekced and zoned LB and GB. Application # 17P-0025, SBL #s 093.15-1-2.115 and 093.15-1-2.116.
• Mr. Nersinger reviewed updated plans and responses to the Board that were submitted by the applicant on October 20, 2017.
• A draft Approval Resolution was provided by staff as directed by the Board.
• Mr. Nersinger reviewed with the Board the proposed outdoor lighting plan and asked if the Board desired to condition the lighting be dimmed or turned off during non-business hours. The Board recommended the Town Engineer reserve the right for final approval of the lighting plan so as not to restrict the applicant unnecessarily or create a safety issue for the children and staff at the facility.
• Mr. Nersinger reviewed the use of the proposed outdoor speaker that was to be directed toward the outdoor play area. The applicant submitted documentation stating it was intended for emergency use or in situations when the facility director had to contact a staff member on the playground and was not able to leave the front desk. The speaker was not intended to be used for general announcements or amplified music. The Board had no concerns with the proposed use of the PA system as represented by the Applicant.
• Mr. Nersinger reviewed with the Board the proposed splash pad as noted on the preliminary site plan submitted for the outdoor play area. Staff had concerns with the revised plans as the final design with regards to drainage and water treatment.
• Board member Burton asked if the water could be directed to the retention pond. Mr. O’Connor explained this would depend on whether the water was to be chemically treated as chlorinated water would have to be drained to sanitary sewers.
• The Board agreed that since the playground design was subject to the approval of OCFS (NYS Office of Children and Family Services) it would be appropriate for the Town Engineer to review and approve the final plans for the splash pad.
• Mr. Nersinger asked if the Board wanted to reserve the right to review the Applicant’s OCFS application to review any changes that may be necessary from the current plans the Board is reviewing for site plan approval. The Board agreed this was appropriate.
• Mr. Nersinger informed the Board the easements for the property at 1280 Creek Street that were previously filed for the sanitary and storm sewers were filed improperly as the cover sheets and descriptions were switched during the process of filing them with the County Clerk’s Office. The Board agreed the previously filed documents should be abandoned and refiled.
• The Board had no further concerns and concluded its review of the application.

The Board voted and APPROVED the Chairman to sign the Part II Short EAF.

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

Motion was carried.
The Board voted and APPROVED the application with conditions.

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

Motion was carried.

5. Woods Oviatt Gilman LLP, 700 Crossroads Building, 2 State Street, Rochester, NY 14614, on behalf of India Community Center of Rochester, Inc., requests under Chapter 250 Article XIII-13.3 of the Code of the Town of Penfield for an Expansion to a Conditional Use Permit for the summer camp program. The property is now or formerly owned by India Community Center of Rochester, Inc. and zoned RA-2. Application # 17P-0027, SBL # 141.02-1-5.1.

Board member Burton recused himself from this application.

The Board took NO ACTION as there was not a quorum of Board members present.

IV. ACTION ITEMS:

1. 1661 Empire Boulevard, updated site plan
   • Mr. Nersinger informed the Board this item had been removed from the Agenda.

2. 2735 Atlantic Avenue, plat map
   • Staff clarified the proposed resubdivision was taking place at 2799 Atlantic Avenue.
   • Mr. Nersinger informed the Board that Dolomite Group, the owners of 2779, 2781, 2783B and 2799 Atlantic Avenue, wished to resubdivide those lots in order to allow the mining operations area to be separated from the residential lots that were under its ownership.
   • A plat map was submitted for the Board’s review showing the consolidation of lot 2783B, a land-locked parcel, into the main parcel (2799 Atlantic Avenue). 2779 and 2781 Atlantic Avenue were proposed to be reduced to standard residential lots that were compliant with the Town Code for minimum lot area.
   • The Board had no concerns.

The Board voted and APPROVED the chairman signing the proposed plat map.

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

Motion was carried.
3. 2221 Penfield Road, extension request
   • Mr. Nersinger informed the Board the parking lot expansion that was approved on October 27, 2016 by the Board had not been installed and the owner requested an approval extension for the project.
   • Board member Burton suggested extending the approval to 180 days to carry to the next construction season.
   • The Board agreed and had no further concerns with this request.

The Board voted and APPROVED the site plan approval extension request for 180 days.

Vote: Moved by: Kanauer Seconded by: Burton
Chairperson: Hetzke - Absent Bastian - Absent Burton - Aye
Kanauer - Aye Tydings - Aye
Motion was carried.

V. NEW BUSINESS:

1. 1200 Five Mile Line Road, Water Song Subdivision, Phase 5
   • Mr. Nersinger reviewed with the Board the letter from the Applicant explaining their request for an amendment to condition #3 of the Board’s approval resolution dated October 12, 2017 regarding the construction of all remaining roads in the Water Song subdivision. This included the roads and infrastructure in phases 5 and 3B.
   • The letter explained the infrastructure associated with installing the road through future Phase 3B was cost prohibitive while that section was not yet developed. Staff explained the Applicant proposed to divide Phase 5 into two phases of development; the first section would complete the construction of Watersong Trail to Mayer’s Garden, thus eliminating two existing dead-end roads. The second section of Phase 5 (Lots 112, 113, 114, and 159) and Phase 3B were proposed to be used as parking for the 2018 Home-a-Rama event. The Applicant was concerned with the possibility of damaging underground utilities that would be installed with the road in those sections during the event if it had to be constructed prior to Home-a-Rama.
   • Board member Burton stated the condition set by the Board was not intended to create a hardship for the developer but rather improve circulation for residents and first responders to the area, and the snow maintenance for the Department of Public Works.
   • The Board invited the Applicant to speak about their concerns.
   • Jess Sudol, Passero Associates, explained the proposed phases of the lots in Phase 5 and 3B with regards to the plat maps that would be filed for the project. He reviewed the proposed road layout within the subdivision associated with Phase 5 and the proposed parking layout for the 2018 Home-a-Rama event.
   • Board member Tydings asked when the construction would begin for Phase 5. Mr. Sudol explained they hoped to have the road and utilities installed before the end of the year and construction of the homes were planned to begin the spring of 2018.
   • The Board had no further concerns with this request.
The Board voted and APPROVED the request to amend condition #3 of the Board’s October 12, 2017 approval resolution.

Vote: Moved by: Burton Seconded by: Tydings
Chairperson: Hetzke - Absent Bastian - Absent Burton - Aye 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 November 9, 2017.