The Planning Board held a meeting at 6:30 PM local time Thursday, January 11, 2018 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 
Jim Burton 

ABSENT: 
Terry Tydings 

ALSO PRESENT: 
Zach Nersinger, Town Planner 
Mike O’Connor, Town Engineer 
Pete Weishaar, Planning Board Attorney 
Alison Sublett, Board Secretary

II. APPROVAL OF MINUTES:

The board voted and APPROVED the draft meeting minutes for December 14, 2017.

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

Motion was carried.

III. PUBLIC HEARING APPLICATIONS:

1. Costich Engineering, 217 Lade Avenue, Rochester, NY 14608, on behalf of DiMarco Group, 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 6,000 +/- commercial/retail building with associated site improvements on a 0.92 +/- acre property located at 1930 Empire Boulevard. The property is now or formerly owned by 1930 Empire Blvd Holdings, LLC and zoned GB. Application # 18P-0001, SBL # 093.02-1-19.

Paul Colucci, DiMarco Group, presented the application to the Board. Also present was Mike Montalto, Costich Engineering.

- Mr. Colucci explained the property was previously used for a restaurant, known as The Beale, which was acquired by the DiMarco Group and had since been demolished for future development of the site.
The proposed project for the site is to construct a 6,000 +/- square foot multi-tenant building for which they had secured a lease with Verizon for a retail store. The second tenant space had not yet been leased. The project is located in the GB District of the Town.

The applicant will be going before the Zoning Board of Appeals on February 8, 2018 for a side setback area variance of 2.3 +/- feet from the required 20 feet from the north property line. The previous building on the site was closer to the southern property line and had a greater variance.

The submitted site plan proposed to relocate the entrance from Empire Boulevard to the south to align the drive aisle with the existing layout of Bay Towne Plaza as part of the overall plan for the Plaza.

The plan proposed 41 parking spaces, which was greater than the 30 required by the Code.

The proposed sidewalks on site would connect to the existing sidewalk on Empire Boulevard as well as those within the plaza for pedestrian circulation.

Utilities were accessible for the project and have sufficient capacity to serve the site for the public water and sanitary sewers.

The landscaping plan was enhanced to be in character with the rest of the plaza.

The proposed building façade was in character with BayTowne Plaza, utilizing a mix of stone, brick, and EIFS that were similar to those utilized in the Plaza.

Proposed lighting would keep in character with BayTowne Plaza with LED light fixtures for the three (3) pole mounted lights shown on the plans.

Board Questions:

Board member Bastian asked what the anticipated traffic would be for the building. Mr. Colucci replied under 100 trips were anticipated and added this parcel was included in the overall traffic study conducted for the BayTowne Redevelopment application that was previously approved by the Town. He added the previous restaurant had a higher traffic generation.

Board member Bastian asked if the building was intended for retail use. Mr. Colucci confirmed it was intended for retail.

Board member Bastian asked if the delivery drive aisle was intended to be a possible drive-thru lane. Mr. Colucci explained it was unlikely this would be used as a drive-thru lane. It was designed to direct deliveries away from the customer entrances and avoided traffic conflicts on the main drive aisle.

Board member Bastian asked if the two dumpster enclosures shown on the site plan were on a separate parcel. Mr. Colucci confirmed they were on an adjacent parcel owned by the applicant (The DiMarco Group) as part of Bay Towne Plaza. That portion of the Plaza was approved for future development and would share the proposed dumpsters. The applicant intended to submit a shared access agreement for the use of the dumpsters by both properties.

Board member Bastian asked if snow storage was adequate for the property. Mr. Colucci explained the on-site snow storage would be adequate for small storm events and the same maintenance provider would be servicing this parcel in conjunction with the plaza, where larger snow storage areas were designated.
Board member Kanauer asked if the two ADA compliant spots were in one location. Mr. Colucci explained the applicant had recently addressed this concern in their responses to the Project Review Committee (PRC) memo that requested they allocated additional ADA compliant parking closer to the second tenant entrance. Revised plans would address this comment

Public Comments:
There were no public comments for this application.

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

- Mr. Nersinger informed the board the Town Landscape Consultant was supportive of the proposed landscaping plan.
- Board member Bastian discussed the shared dumpsters and pointed out they were a distance from the building. The Board agreed the proposed shared access easement would make the dumpster locations acceptable for the site.
- Board member Burton asked for clarification on the applicant’s reference of a multi-tenant space, as shown on the site plan, and asked for clarification regarding the proposed number of tenants for the property.
- Mr. O’Connor confirmed the submitted Engineer’s Report was consistent for two (2) tenant space.
- Staff reviewed the Letter of Intent, submitted by the applicant on December 8, 2017, that stated the parcel was to be redeveloped for a two (2) tenant retail building. The Board requested the site plan labels be updated to match the letter of intent.
- Staff discussed the need for an area variance for less setback to the north property line.

The Board voted and APPROVED staff sending a letter of support for the Zoning Board of Appeals.

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

Motion was carried.

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

- Revise the site plans such that the label of the proposed building is changed from “Multi-Tenant” to “Two (2) Tenant”.
- Provide details about any rooftop mounted units that may be necessary and how those units would be shielded from view with the proposed architecture of the building.
• Revise the architecture on the north facing wall of the building with design techniques such as shadow lines, alternate color treatments, or false windows to enhance the view of passerby traffic travelling south on Empire Boulevard.

• Provide the Town Engineer with a draft copy of the proposed shared access easement for dumpster area.

• The Board directed staff to provide a letter to the Zoning Board of Appeals with no opposition for the requested area variance for less side yard setback.

• The Board directed staff to begin the preparation of a draft approval resolution for its review and consideration at the January 25, 2018 work session meeting.

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

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.

The Board took NO ACTION on this application as there were no new items to review.

V. ACTION ITEMS:

1. 2191 Penfield Rd, McDonald’s remodel/renovation.

   Board member Burton recused himself from this item.

   • Mr. Nersinger explained the applicant had submitted updated colored elevations with modifications to colors and the inclusion of a brand wall and building mounted signage on the north side of the building that faced Penfield Road.

   • The board invited Randy Bebout, T.Y. Lin International, to address them regarding the updated drawings. Mr. Bebout brought a sample of the proposed wood-tone tile to be used on the brand walls and to surround the drive-through windows.

   • Mr. Bebout explained the Zoning Board of Appeals (ZBA) had tabled the application for Special Permit for Signage pending feedback from the Planning Board regarding
the appearance of the building. He noted that during the discussion with the ZBA that if they did not approve all the requested signage the mounted letter sign facing Penfield Road would likely be eliminated first.

- Board member Kanauer asked if the freestanding sign was proposed to change. Mr. Nersinger answered no changes were proposed at that time.
- Board members Bastian and Kanauer were satisfied with the proposed façade updates.
- Chairman Hetzke agreed the updated elevations were an improvement on the originally submitted renderings but preferred the appearance of recently constructed McDonald’s in the area over the remodeled façades.
- The Board had no further concerns regarding the submitted plans.

The Board voted and APPROVED the proposed building façade renovations.

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

Motion was carried.

2. 1822 & 1848 Sweets Corners Rd, Arena-Bahr Resubdivision
- Mr. Nersinger informed the Board the owner of 1822 Sweets Corners Road will be purchasing the rear portion of the property at 1848 Sweets Corners Road and intends to merge lands with his current property. The action would create a five (5) +/- acre parcel for 1848 Sweets Corners Road and merge the remaining seven (7) +/- acres to 1822 Sweets Corners Road.
- Board member Kanauer asked if any structures existed on the land to be conveyed. Mr. Nersinger answered there were no structures on that portion of land.

The Board voted and AUTHORIZED the Chairman to sign the submitted plat map.

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

Motion was carried.

VI. NEW BUSINESS:

1. 2100 Penfield Rd, You Dental extension request.

- Mr. Nersinger explained Dr. You Jia’s modified site plan, which was approved a year ago as of December 2017, had expired and she requested an approval extension. The applicant had recently secured financing was preparing to submit plans for construction in the following months.
• Board member Burton suggested extending the approval to 180 days. The board agreed this was appropriate.

The Board voted and APPROVED the 180 day site plan approval extension.

Vote: Moved by: Bastian Seconded by: Kanauer
Chairperson: Hetzke - Aye Kanauer - Aye
Kanauer - Aye

Motion was carried.

2. Mixed Use District briefing.

• Mr. Nersinger provided an overview of the newly adopted Mixed Use Development zoning district and the development Manual that was distributed the board members.
• The board discussed the objectives and goals for this district.
• Staff informed the board new applications for this district were expected in the spring of that year.

There being no further business to come before the Board, this meeting was adjourned at 7:32 PM.

These minutes were adopted by the Planning Board on January 25, 2018.