PLANNING BOARD MEETING MINUTES
MARCH 22, 2018
The Planning Board held a meeting at 6:30 PM local time Thursday, March 22, 2018 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.
Bob Kanauer
Jim Burton
Terry Tydings

ABSENT: Bill Bastian

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

II. 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 14604, on behalf of the India Community Center of Rochester, requests under Chapter 250 Articles XII-12.2 and XIII-13.3 of the Code of the Town of Penfield for Preliminary/Final site Plan approval and an expansion to a Conditional Use Permit to construct a 3,342 +/- square foot activities building with associated site improvements on a 20.41 +/- acre property located at 2171 Monroe Wayne County Line Road. The property is now or formerly owned by the India Community Center of Rochester, Inc. and zoned RA-2. Application #18P-0003, SBL #141.02-1-5.1.

Board member Burton recused himself from this application.
• Mr. Nersinger informed the Board the draft Approval Resolution had been provided by staff for the Board’s review.
• The Board consulted with legal counsel regarding the draft approval resolution document.
• The Board had no further concerns with this application.

The Board voted and APPROVED the Part 2 and 3 Short EAF

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

Motion was carried.

The Board voted and APPROVED the application with conditions

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

Motion was carried.

3. LandTech Surveying and Planning, PLLC, 710 Latta Road, Rochester, NY 14612, on behalf of Penfield Creek Street LLC, requests under Chapter 250 Articles VI-6.1, XI-11.2, and XII-12.2 of the Code of the Town of Penfield for Preliminary/Final Subdivision, Site Plan, and EPOD Permit approval for a seventeen (17) lot residential subdivision for sixteen (16) new single family homes with associated site improvements on a 16.63 +/- acre property located at 1698 Creek Street to be known as the Capstone subdivision. The property is now or formerly owned by Penfield creek Street LLC and zoned R-1-20. Application #18P-0007, SBL #108.19-1-50.1.

• Mr. Nersinger informed the Board the applicant had met with staff regarding the Board’s site plan concerns as well as the Project Review Committee (PRC) memo issued February 21, 2018. The applicant was working on updated site plans and agreed to remove the landscaped cul-de-sac island due to snow plow accessibility issues.
• Mr. Nersinger explained the landscaped divided entrance was proposed to remain and the applicant was working with the County Department of Transportation to obtain the necessary approvals as Creek Street was a County road.
• Mr. Nersinger added the applicant agreed to remove additional trees from some of the proposed rear yards in order to allow the proposed swale to be located further to the rear of the property lines per PRC comments. Staff had no additional concerns with the proposed project.
• Mr. Nersinger informed the board a draft Approval Resolution and draft EAF had been prepared for the Board’s consideration.
• Board member Burton stated he had no concerns with the application but felt it was prudent to see a revised site plan from the applicant prior to approval of this application. The Board agreed.

The Board voted and APPROVED the Part 2 and 3 of the Short EAF.

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

Motion was carried.

The Board voted and CONTINUED TABLED the application pending the submission of revised site plans per the written responses to the PRC’s memo dated February 21, 2018.

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

Motion was carried.

4. Mitchell Design Build, 7607 Commons Boulevard, Victor, NY 14564, on behalf of Lynn Perry Properties, LLC, requests under Chapter 250 Article XI-11.2, XII-12.2 and XIII-13.2 of the Code of the Town of Penfield for Preliminary/final Subdivision and Site Plan approval and for an expansion to an existing Conditional Use Permit for the construction of two (2) new self-storage building, including one (1) apartment unit on site, and additions to existing storage structures with associated site improvements on a 3.14 +/- acre property at 1677 Penfield road and 10 Plaza Circle. The properties are now or formerly owned by Lynn Perry Properties, LLC and zoned LB and GB. Application #18P-0011, SBL #'s 138.08-1-31 and 138.08-1-42.4.

• Mr. Nersinger informed the Board the applicant had submitted a revised site plan. Building #1 was proposed to be shortened by ten (10) feet in order to allow a greater turning radius for the access drive. The Town fire Marshal and Penfield Fire Chief had no concerns with the widened drive.

• Mr. Nersinger reviewed the applicant’s responses to the Board’s Tabling Resolution from their March 8, 2018 meeting. Staff had submitted a Draft EAF and Approval Resolution for the Board’s review.

• Board member Burton was supportive of the proposed Approval Resolution and asked a condition be added that the mylars call out building materials and colors to be signed by the Chairman.

• The Board invited Spencer Read of Mitchell Design Build to present the color and material samples for the Board’s consideration.
• The Board was supportive of the proposed building materials and had no further concerns with this application.

The Board voted and APPROVED the Part 2 and 3 Short EAF

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

Motion was carried.

III. ACTION ITEM:

1. 1990 Brandt Point Drive, request for site plan modifications for Walmart grocery pickup.

• Mr. Nersinger informed the Board that Walmart and the owners of BayTowne Plaza, DiMarco Group, had requested approval for a site plan modification to allow a customer pick-up area. The modification proposed to install a canopy on the south side of the building and eliminate one (1) parking spot to allow for wider parking stalls under the canopy. The lost parking spot was proposed to be regained by eliminating one shopping cart corral in the main parking field for Walmart.

• Mr. Nersinger explained the applicants were aware their submitted plans included a building mounted sign and directional signage that would require a Special Permit for Signage from the Zoning Board of Appeals (ZBA) due to their proposed sizes and number.

• The board invited Perry Petrillo of Perry M. Petrillo Architects, PC, to explain the proposed color choices for the canopy. Mr. Petrillo explained the canopy frame was proposed to be orange and the canopy off-white, similar to taupe.

• Chairman Hetzke asked how the proposed colors would compare to the existing building. Mr. Petrillo explained the proposed orange was consistent with Walmart’s branding for their pick-up service and the existing EIFS on that side of the building was a burnt orange that complemented it.

• Paul Colucci of DiMarco Group explained the owners were in support of the proposed site plan changes as Walmart was successfully operating and revitalizing the plaza. He stated the recognizable orange color would draw the patrons’ eyes to the less trafficked location.
• Board member Tydings asked if other area locations had the same proposed colors. Mr. Colucci and Mr. Petrillo explained any locations with customer pick up service were utilizing the same proposed orange and the Henrietta Walmart had recently had this implemented. Mr. Petrillo added all the Super WalMart stores were planned to have pick-up service installed.

• Board member Kanauer asked if an ADA compliant parking space was available for the proposed pick up area. Mr. Petrillo explained the proposed spaces were twelve (12) feet wide but customers would not be exiting their vehicles as employees would meet them and load the merchandise into their vehicles as part of the service, therefore ADA compliant spots were not needed.

• Staff and the Board discussed the proposed colors and had no concerns with the proposal.

The Board voted and APPROVED the proposed site plan modifications.

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

Motion was carried.

2. 1930 Empire Blvd, Verizon façade change request.

• Mr. Nersinger informed the Board the applicant for the proposed two-tenant building, which was approved by this board January 25, 2018, requested approval for modifications to the building façade. The modifications reflect the primary tenant’s, Verizon, corporate standard gray color while still in keeping with BayTowne Plaza’s brick and tan EIFs.

• The Board invited Paul Colucci of DiMarco Group to explain the modifications. Mr. Colucci explained they had modified the color of the EIFs on the Verizon tenant space to comply with their corporate standards. An entry door was proposed to be added to the side facing Empire Boulevard at the tenant’s request. He added the second tenant space was proposed to have the buff colored EIFs and the brick was not proposed to be changed from the original plan.

• The Board discussed the proposed changes and agreed they were appropriate.

The Board voted and APPROVED the proposed modifications.

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

Motion was carried.
3. 2055 Fairport Nine Mile Pt Rd, retail store façade change request.

- Mr. Nersinger reviewed with the Board the plans that were approved in 2010 that included two buildings. The larger building, currently housing Dunkin Donuts and Don’s Original, was built, however, the second retail space had not been developed. The owner proposed to complete the development and proposed to change the appearance of the façade from the originally approved elevations to an updated building design with more glass, metal and wood finishes with blue accents.
- Board member Burton supported the proposed change but requested the applicant submit samples of the proposed materials for review.
- The Board took NO ACTION on this item and requested the agent submit material and color samples of the proposed building façade.

4. 2730 Atlantic Ave, informal discussion for HCS Daycare.

- Mr. Nersinger informed the Board that following their sketch plan public hearing on February 8, 2018, Heritage Christian Services had submitted items for the Board’s consideration in order to obtain additional comments to develop a Preliminary/Final application.
- The items submitted included traffic data from other daycare facilities owned by Heritage Christian Services, Responses to the PRC memo, responses to the Sketch Letter, and a revised site plan that showed a reduced building at 9,800 square feet as well as a reduced playground area.
- A tree survey, conducted February 17, 2018, found that there was a lot of dead material, several of the trees had reached maturity, and many were in poor health and susceptible to disease and thus not recommended for preservation. An increased landscaping plan was included in the site plan in response to the survey.
- The applicant submitted correspondence with the State Department of Transportation regarding the relocation of the curb cut on Atlantic Avenue and the DOT had no concerns with this request.
- The facility was intended to offer services for children at the Pre-K range of services and approximately 20 or less children were expected to require school bus service.
- The Board discussed the site plan and other submitted materials were concerned with impacts to traffic as well as means of ingress and egress and a dedicated bus lane for the site.

The Board voted and APPROVED staff issue a letter requesting Town staff or the applicant address the following issues:

- Town Landscape Consultant review the submitted tree survey.
- Comments from Penfield Central School District regarding the application.
- Traffic Impact Statement
Vote: Moved by: Tydings Seconded by: Kanauer
Chairperson: Hetzke - Aye Bastian - Absent Burton - Aye
Kanauer - Aye Tydings - Aye

Motion was carried.

IV. NEW BUSINESS:

1. 1205 Bay Rd, Bay Vista Taqueria approval extension request.

   • Mr. Nersinger informed the Board the application that was approved May 11, 2017 was nearing expiration and the applicant requested a 180 day extension to allow them to commence construction of the project once weather permitted.

   • The Board had no concerns with this request.

   The Board voted and APPROVED the 180 day approval extension.

   Vote: Moved by: Burton Seconded by: Tydings
   Chairperson: Hetzke - Aye 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 7:53 PM.

These minutes were adopted by the Planning Board on April 12, 2018.