PLANNING BOARD
MEETING MINUTES
APRIL 26, 2018
The Planning Board held a meeting at 6:30 PM local time Thursday, April 26, 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: Bill Bastian
Jim Burton
Bob Kanauer
Terry Tydings

ABSENT: A.J. Hetzke

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 #’s 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. Costich Engineering, 217 Lake Avenue, Rochester, NY 14608, on behalf of Atlantic 250 LLC, requests an informal discussion before the board with plans for a mixed use development project with associated site improvements on a total of 97 +/- acres at 1255 Penfield Center Road, 1600, 1611, 1615, 1643, 1657 Fairport Nine Mile Point Road, and 3278 Atlantic Avenue. The properties are now or formerly owned by Atlantic 250 LLC and Gary and Stephanie Craft and zoned MUD. Application #18P-0014, SBL #’s 110.03-1-4.206, 110.03-1-4.215, 110.03-1-4.212, 110.03-1-4.205, 110.03-1-25.2, 110.03-1-25.1, 110.03-1-24.

- Mr. Nersinger reviewed the application with the Board and what was discussed at the public hearing on April 12, 2018.
• Board member Burton stated the applicants met the criteria under the MUD zoning and as the applicant intended to make a second Sketch Plan application it was premature of the Board to speak on certain aspects of the project, such as use and density. Mr. Burton suggested the applicant revise the current concept plan based on comments made during the public hearing and the PRC’s memo and proceed to resubmit a second Sketch application.

• Mr. Nersinger asked the Board if they would like to provide any high-level feedback to the applicant at this time.

• Board member Bastian asked if written comments had been received from the public. Mr. Nersinger confirmed written comments were received that varied from suggestions such as alternative energy sources and car charging stations to questions regarding utilities and traffic, which staff were able to address.

• Board member Bastian pointed out the common concerns voiced during the public participation portion of the public hearing were regarding impacts to traffic, the connection to Penfield Center Road, density of use, and rental units.

• Mr. Nersinger suggested requesting the applicant provide price points for the proposed residences.

• Board member Kanauer asked to review the submitted elevations. Staff reviewed submitted examples and renderings with the application.

• Board member Bastian asked if the applicant had responded to the Project Review Committee’s (PRC’s) memo or other agency comments. Mr. Nersinger explained it was not customarily expected for applicant to provide these responses in a Sketch Plan application, but would request responses with a revised Sketch plan application.

• Board member Bastian was in support of the proposed five (5) acre green space adjacent to the community center.

• Mr. Weishaar asked if any of the proposed buildings in Zone A of the project area were multi-use. Mr. Nersinger explained it was discussed in the public hearing and the applicant proposed to construct 2-story buildings that could be a combination of commercial on the ground floor and residential on the second floor.

• Board member Tydings asked if the Webster Central School District had been informed of this proposed project. Mr. Nersinger confirmed that staff had informed them of this project and added they were an interested agency during the MUD rezoning project.

The Board voted and directed staff to send a memo to the applicant with direction to prepare a revised Sketch Plan application that addressed the Board’s discussion and the public comments that were heard at the April 12, 2018 public hearing along with the PRC’s memo.

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

Motion was carried.
3. William Wickham, 1787 Fairport Nine Mile Point Road, Penfield, NY 14526 requests an informal discussion before the board with plans for a farm market operation with associated site improvements on a total of 53.8 +/- acres at 1303 and 1315 Sweets Corners Road and 1689 Dublin Road. The properties are now or formerly owned by William and Debbie Wickham and zoned MUD, RR-1, and RA-2. Application #18P-0017, SBL #'s 125.01-1-24, 125.01-1-22.1, and 125.01-1-21.

- Mr. Nersinger reviewed the application, which included three (3) properties, two (2) having the Willmes’ Conservation Easement on them and the property at 1315 Sweets Corners Road was zoned MUD in the Zone B area. He explained the applicant had met with the Town Board at the December (13th) and January (10th) work sessions to discuss the proposed uses on the properties within the conservation easement. The Town Board determined that the proposed uses did not violate the terms of the Easement. In addition, the Town Board would have to agree to a proposed farmstead area upon completion of this board’s review of a formal site plan application.
- Board member Burton suggested the applicant reduce the delineation of the farmstead area to be parallel to the 100 foot buffer area along the property lines in order to preserve the buffer area. The board was supportive of this proposal.
- Board member Kanauer asked where livestock was proposed to be housed. The Board invited William Wickham to address this question. Mr. Wickham explained the animals were planned to be temporarily housed within the farmstead area during the operation of the recreational activities as he did not keep animals for his traditional agricultural operations.

The Board voted and APPROVED staff issue a sketch plan review letter and directed the applicant to provide the following:

- A refined site plan identify all proposed uses for the Farmstead Area and the lands surrounding it, including, but not limited to, the MUD zoned parcel at 1303 Sweets Corners road.
- Per the Board’s discussion the Farmstead Area should be reduced in size such that the buffer areas are outside the limits of the area.
- Stamped engineered site plans that have been designed to meet the criteria of the Planning Department’s Site Plan Design Checklist.
- Colored building elevations and renderings for the proposed CSA Barn, as identified on the current site plan. Building materials and colors shall be identified on the elevation drawings. Physical sample materials and colors shall be provided at the public hearing meeting. Similar drawings or photos of built examples shall be provided for the food/bathroom structures.
- Cut sheets for all proposed light fixtures as represented on a lighting plan. Fixtures shall be dark sky compliant with a pedestrian design.
- Full planting schedule for all proposed landscape features shown on a landscape plan.
- A SWPPP report shall be provided documenting compliance with stormwater regulations for water quality and quantity.
• An Engineer’s Report for the proposed site improvements for the proposed site improvements for the project.

• A revised letter of intent with any updates to the initial scope of the project.

Vote: Moved by: Bastian Seconded by: Burton

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

Motion was carried.

4. Marathon Engineering, 239 Cascade Drive, Rochester, NY 14614, on behalf of Pellittiere & Jonsson, PLLC, requests under Chapter 250 Articles VI-6.1 and XII-12.2 of the Code of the Town of Penfield for Preliminary/Final Site Plan and E POD Permit approval to allow for the construction of a professional office building with associated site improvements on a 0.75 +/- acre property located at 2316 Fairport Nine Mile Point Road. The property is now or formerly owned by 2316 Nine Mile Point LLC and zoned BN-R. Application #18P-0012, SBL #140.01-2-62.

• Mr. Nersinger informed the Board the Zoning Board of Appeals (ZBA) had tabled the application for area variances following their public hearing on April 19, 2018 pending feedback from this board regarding the site plans. At the ZBA’s hearing the application had presented a survey map of the property showing the previous residence as being less than twelve (12) feet from the south property line.

• Mr. Nersinger informed the Board the applicant had made changes to the proposed use of the building by adding office space to the ground (lower) level floor for conference rooms. The use of the first floor tenant space was proposed to be reduced by half, reserving the second area for a future possible tenant at the later date (pending further review by this board).

• Board member Burton suggested the addition of conference space did not necessarily increase the occupancy of the building as they were ancillary spaces for people already occupying the building.

• Staff then presented the floorplan submitted by the applicant April 19, 2018. Board member Burton stated the proposed use was more than just conference space as there was a reception and waiting area and four conference rooms, which could potentially increase the occupancy of the building. Mr. Burton suggested the applicant submit a revised plan showing a lesser-dense use on the lower level of the building.

• Mr. Pellittiere asked to address the Board on the use proposed floor plan, the Board agreed. Mr. Pellittiere explained the floorplan rendering was not representative of the number of people proposed to be in any of the conference rooms, he intended to have different size conference areas to accommodate different needs. Board member Burton suggested he submit an alternate floorplan representing his intended uses.

• Board member Bastian asked why a reception area was necessary for the lower level conference area. Mr. Pellittiere explained a reception area was necessary to his business and this area was originally proposed on the second floor but could be relocated to the lower level as part of this modification. He added this was preferable as he practiced
elder and estate law and it was more convenient for his clients, he considered sharing
the conference spaces with his tenant(s).

- Mr. Nersinger informed the Board that staff had concerns regarding the amount of
proposed grading on the site and requested a modified grading plan to minimize
potential impacts to the creek at the rear of the property. The Town Landscape
Consultant also had concerns with the proposed grading and requested a landscaped
buffer along the parking lot. The board agreed with these concerns and the
recommendations.

- Mr. Nersinger asked if the Board had concerns with the proposed design of the
building. The Board had no concerns with the proposed architectural design of the
building.

- Mr. Nersinger asked if the Board would like to provide feedback to the Zoning Board
of Appeals (ZBA). Board member Burton stated the applicant was limited to changing
the side setbacks as the access drive needed to be wide enough to allow two (2)
automobiles to pass in and out of the parking lot. The board had no additional
comments for the ZBA at this time.

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

- Revised site plans addressing comments issued in the PRC’s memo, dated March 28,
  2018, and in the Board’s Landscape Consultant memo, dated April 23, 2018. The
  board was supportive of a landscape plan that provides an enhanced buffer of the
  parking lot for the residential homes located to the east of the site.

- Revised floor plans for the ground level floor for the proposed conference rooms per
  the Board’s discussion regarding the layout.

- A decision from the Zoning Board of Appeals for the requested area variances
  associated with the project. The board was not opposed to the requested side setback
due to the dimension requirements for the commercial driveway.

Vote: Moved by: Burton Seconded by: Bastian

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

Motion was carried.

5. T.Y. Lin International, 255 East Avenue, Rochester, NY 14604, on behalf of Ronald A.
Wilbert, requests under Chapter 250, Article XII-12.2 of the Code of the Town of Penfield
for Preliminary/Final Site Plan approval to allow for the expansion of the vehicle storage
area with associated site improvements on a 17.94 +/- acre property located at 1272 Salt
Road and a portion of the 44.8 +/- acre property located at 1251 Salt Road. The properties
are now or formerly owned by Wilbert’s Automotive LLC and Ronald A. Wilbert and
zoned RA-2. Application #18P-0015, SBL #095.04-2-2.1 and 095.02-2-5.

The Board took NO ACTION on this item at the request of the applicant.
6. Pinewoods Engineering, P.C., 42 Aston Villa, North Chili, NY 14514, on behalf of Mary Wynne, requests under Chapter 250, Article XII-12.2 of the Code of the Town of Penfield for Preliminary/Final Site Plan approval to allow for the construction of twelve (12) garage units with associated site improvements on a 1.02 +/- acre property located at 2567 Browncroft Boulevard. The property is now or formerly owned by Mary and Robert Wynne and the Wynne Family Wealth Trust and zoned R-1-20. Application #18P-0016, SBL #123.08-1-30.

- Mr. Nersinger reviewed the application with the Board. The applicants had met with the Town Board to discuss the possibility of obtaining a Special Use Permit to allow a twelve (12) unit apartment in the existing structure on the property. The Historic Preservation Board was reviewing the building designs proposed for the renovation of the structure and the proposed garages.
- Mr. Nersinger informed the Board an updated grading and landscape plan had been submitted that included a landscaped berm on the rear of the property to buffer the parking area from residential neighbors. The plan included plantings along the side property line behind the 9-bay garage. The Town Landscape consultant recommended additional plantings be installed on the eastern side of the property as well as changing some of the proposed species to heartier varieties. The Board was supportive of the Town Landscape Consultant’s recommendations and requested staff follow up with the applicant to revise the plans.
- Board member Kanauer asked if the proposed 3-bay garage structure was a replacement as there was a footprint of an existing structure of the same size in that location. Mr. Nersinger confirmed there was a carport in that location which would be replaced by the new 3-bay garage.
- Board member Tydings asked if any variances were required for the project. Staff confirmed no variances were required for the project.
- The Board had no further concerns with this application.

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

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

The Board voted and APPROVED the application with conditions.

Vote: Moved by: Kanauer Seconded by: Burton
Chairperson: Hetzke - Absent Bastian – Aye Burton - Aye
Kanauer - Aye Tydings - Aye
Kanauer - Aye
Tydings - Aye
Motion was carried.
III. **ACTION ITEM:**

1. 1661 Empire Boulevard, site plan modifications.
   - Mr. Nersinger informed the Board the Zoning Board of Appeals had approved the area variance for greater lot coverage per the modified site plan for this site.
   - Board member Burton asked if site work had been completed for the project. Staff explained the site work had begun but was not completed. The renovations to the existing structure had been completed but the residence on the rear of the property had not begun construction.
   - The Board had no further concerns with the project.

The Board voted and **APPROVED** the modified site plan.

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<th>Burton</th>
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<td>Chairperson:</td>
<td>Hetzke - Absent</td>
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<td>Kanauer - Aye</td>
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Motion was carried.

IV. **NEW BUSINESS ITEMS:**

1. 2730 Atlantic Avenue, Heritage Christian Services Daycare
   - Mr. Nersinger informed the Board the Penfield Central School District (PCSD) had submitted comments regarding the proposed daycare facility that had previously been reviewed as a sketch plan. The PCSD anticipated no more than three (3) school buses would be needed to provide transport for students at the site. The PCSD planned to direct all their bus traffic to enter from the Atlantic Avenue access drive.
   - Mr. Nersinger informed the Board the applicant was working toward a modified site plan and may remove the existing single family residence, due to maintenance issues, which would allow for more landscaping opportunities.
   - Mr. Nersinger asked if the Board would prefer the applicant submit a traffic study with a formal application, or to require this study prior to the application being made. In either case, it would be important for the applicant to begin the work this spring so the study would reflect traffic conditions while school was in session. The Board felt the applicant should submit the results of the traffic study prior to the submission of a formal application if the results of the study warrant the Board's review. Otherwise it would be expected to be included with a formal application for site plan review.
   - The Board was supportive of the applicant preparing a formal application for Preliminary/Final site plan application.

There being no further business to come before the Board, this meeting was adjourned at 7:54 PM.

These minutes were adopted by the Planning Board on May 10, 2018.