The Planning Board held a meeting at 6:30 PM local time Thursday, May 24, 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: A.J. Hetzke  
Bill Bastian  
Bob Kanauer  
Terry Tydings

ABSENT: Jim Burton

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. APPROVAL OF MINUTES:

The board voted and APPROVED the draft meeting minutes for May 10, 2018.

Vote: Moved by:  Tydings  Seconded by:  Kanauer  
Chairperson: Hetzke - Aye  Bastian – Abstain  Burton - Absent  
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. Marathon Engineering, 239 Cascade Drive, Rochester, NY 14614, on behalf of Pellitiere & 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 EPOD 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.

The board took NO ACTION in this application as there were no new items to review.

3. 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 a 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 #s 095.04-2-2.1 and 095.02-2-5.

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

4. Marques and Associates, P.C., 930 East Avenue, Suite 1000, Rochester, NY 14607, on behalf of Richard Smith, requests an informal discussion before the board with plans for a four (4) lot subdivision to develop four (4) single family residences with associated site improvements on a total of 4.3 +/- acres at 280 Panorama Trail. The property is now or formerly owned by Richard Smith and zoned R-1-20. Application #18P-0019, SBL #123.16-1-22.

- Mr. Nersinger informed the Board the applicant had submitted additional responses to comments, a revised grading plan, and additional supporting documents regarding proposed Lot #4.
- He reviewed with the board that the profile sheets showed the slope of the driveway was at 9%, which was allowed under the Town Design Criteria.
- Mr. Nersinger added, calculations for the additional fill required for this plan were not yet available. He explained that considering this was a sketch plan review, fill calculations would be addressed with a final application. In addition, impacts to the steep slope Environmental Protection Overlay District (EPOD) and the two drainage-ways on the property could be reviewed more closely at that time.
- Chairman Hetzke submitted excerpts from the *International Residential Code 2015 Edition* on behalf of board member Burton for the record. The Code addressed building location requirements for residential structures placed adjacent to slopes.
- Board member Kanauer expressed concerns with proposed Lot #4 in regards to the elevations and slopes surrounding the proposed structure.
• Board member Tydings agreed the applicant would have to address the environmental impacts of the proposed plan and felt a three (3) lot subdivision was more appropriate for the site. Chairman Hetzke agreed.
• Mr. Nersinger informed the board that the Town Conservation Board was reviewing the submitted proposal and would meet on June 5, 2018 to issue a report that would be provided to the this board.
• Chairman Hetzke pointed out that the existing topography of the neighborhood that gave it character and made it attractive for buyers, but also posed challenges for development.
• Board member Bastian expressed safety concerns regarding the proposed slope of the access drive during inclement weather that was typical in this region.
• The board agreed to await the report from the Conservation Board prior to issuing their Sketch Letter to the applicant.
• Mr. Nersinger asked if the Board was supportive of submitting the application to a geotechnical engineer consultant for review if a formal site plan is submitted at a later date. The Board was supportive of this proposal.
• Mr. Nersinger asked for clarification from all board members if they were supportive of a 3-lot layout versus a 4-lot as proposed. The Board agreed a subdivision of no more than three (3) lots was more appropriate for the property to limit the disturbances of EPODs.

The Board voted and CONTINUED TABLED the application pending the following:
• Continued discussion of the proposed four (4) lot subdivision and conceptual site plan with regards to the Town’s Environmental Protection Overlay Districts (EPODs) that are present in site for steep slopes and woodlands.
• The Board’s review and consideration of a preliminary report by the Conservation Board in this matter to be provided following the June 5, 2018 meeting.
• Staff’s review for a recommendation as to how the proposed development may be classified under SEQRA.
• Information from the applicant about the approximate amount of fill that would be required for the proposed development.

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

Motion was carried.
IV. ACTION ITEM:

1. 1850 Empire Boulevard, McDonald’s proposed site plan improvements and building remodel.
   
   - Mr. Nersinger informed the board the McDonald’s has proposed an interior and exterior remodel to meet the corporate standards. Building elevations and color and material samples were provided for the Board’s consideration.
   - Site Plan modifications were also proposed to relocate the ADA compliant parking away from the north side of the building to the south side, adjacent to the building and closer to the entrance door. Some parking spaces were proposed to be removed to allow for this and near the delivery door. A new section of sidewalk was proposed to provide a connection to along Empire Boulevard.
   - Board member Kanauer was supportive of relocating the ADA compliant parking spaces as the current location forced disabled patrons to cross the drive-through aisle to enter the building.
   - The Board had no concerns for the proposed site plan modifications.
   - Chairman Hetzke discussed the proposed façade changes and felt the building designs were not in character with the rest of BayTowne Plaza.
   - Board member Tydings asked if the submitted elevations were the McDonald’s corporate standard. Staff confirmed it was.
   - The Board discussed the proposed building designs and agreed the applicant should submit revised drawings that complemented the existing plaza and recommended the applicant consult with the Plaza owners to develop an appropriate plan.

The Board voted and APPROVED the proposed site plan improvements as represented on drawing C-1, project no 43.6739.00, entitled Site Plan, McDonald’s Restaurant, prepared by T.Y. Lin International, and dated April 23, 2018.

Vote: Moved by: Seconded by:

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

Motion was carried.

The Board voted and TABLED the façade changes pending updated elevations.

Vote: Moved by: Seconded by:

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

Motion was carried.

There being no further business to come before the Board, this meeting was adjourned at 7:03 PM.

These minutes were adopted by the Planning Board on June 14, 2018.