The Planning Board held a meeting at 6:30 PM local time Thursday, March 28, 2019 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  
Jim Burton  
Bob Kanauer  
Terry Tydings

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 March 14, 2019.

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

Motion was carried.

III. TABLED APPLICATION:

1. T.Y. Lin International, 255 East Avenue, Rochester, NY 14604, on behalf of Ronald A. Wilbert, requests under Chapter 250 Articles XII-12.2 and VI-6.2 of the Code of the Town of Penfield for Preliminary/Final Site Plan approval and an EPOD Permit 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 9.97 +/- acre property located at 1301 Salt Road. The properties are now or formerly owned by Wilbert’s Automotive LLC and Wilbert’s Tree Farm LLC and zoned RA-2. Application #19P-0002, SBL #s 095.04-2-2.1 and 095.04-2-2.4.

Board members Burton and Kanauer recused from this application.
• Mr. Nersinger informed the board the applicant was going before the Penfield Zoning Board of Appeals (ZBA) for the Expansion to a Pre-Existing, Non-Conforming Use for this proposed project.

• Staff planned to coordinate a site visit for all board members to the Wilbert’s facilities following the ZBA public hearing.

• Updated site plans and responses to comments were being reviewed by staff.

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

• Provide revised site plans and written responses per the comments issued by the Project Review Committee (PRC) in its memo dated February 1, 2019. In addition, per the comments of the Board, provide a striped and signed crosswalk for pedestrians traveling from the southern parking area, across the eastern frontage of the new shipping/receiving building, to the main office building.

• Provide a phasing timeline for the anticipated build-out of all proposed improvements associated with the project.

Vote: Moved by: Tydings Seconded by: Bastian

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

Motion was carried.

2. DSB Engineers, 2394 Ridgeway Avenue, Rochester, NY 14626, on behalf of Redstone Builders, Inc., requests under Chapter 250 Articles XI-11.2, XII-12.2, and VI-6.2 of the Code of the Town of Penfield for Preliminary/Final Subdivision, Site Plan, and EPOD Permit approval for a thirteen (13) lot single family residential subdivision under Town Law §278 with associated site improvements on a 10.19 ± acres located at 1725 Scribner Road. The property is now or formerly owned by R.B. Land Company, LLC and zoned R-1-20. Application #19P-0004, SBL #124.05-1-1.

• Mr. Nersinger informed the board responses to comments had been submitted by the applicant that day, March 28, 2019, and revised site plans were being prepared. The developer was working on a tree replanting plan.

• The applicant wished to seek a sidewalk waiver from the Town Board for one side of the proposed street and planned to install sidewalks on Scribner Road as well as one side of the internal road.

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

• Revised site plans per the comments issued by the PRC memo dated February 28, 2019.

• An updated site plan that is in accordance with the Town’s Sidewalk Policy. The Board was made aware by the applicant that they intend to submit a sidewalk
waiver to the Town Board to seek relief from the policy. As part of the Town Board’s sidewalk waiver review process, the Planning Board would be supportive of providing sidewalks in locations as follows:
- At the frontage of the property along Scribner Road.
- At least one side internally along the proposed dedicated road.
- In lieu of installing sidewalks on both sides of the internal dedicated road, a new sidewalk should be installed along the west side of Scribner Road leading to the existing crosswalk located approximately 120 feet to the north of the project site.

The sidewalk connection would provide a safe pedestrian pathway from the project site to the existing crosswalk to allow residents to access Bay Trail Middle School and Scribner Road Elementary School. This is an important area to fill in gaps of sidewalks as the Town is currently reviewing pedestrian access to the intersection of Scribner Road and Atlantic Avenue.

- A formal landscape plan that complies with the requirements of Section 13 of the Town of Penfield Design and Construction Specifications for street tree installation, and is in accordance with Tree Preservation Guidelines. The plan shall provide revegetation along the proposed limits of disturbance of the project to reestablish a tree line buffer as part of the required benefits to the surrounding area pursuant to Town Law §278. An emphasis shall be placed on plantings near the road’s turnaround at the north end of the site. The approval of a landscape plan shall be subject to the review of the Town’s Landscape Consultant.
- The Board directed staff to begin drafting an approval resolution and parts 2 and 3 of the short EAF for its review and consideration at the April 11, 2019 meeting.

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

Motion was carried.

3. DSB Engineers, 2394 Ridgeway Avenue, Rochester, NY 14626, on behalf of Redstone Builders Inc., requests under Chapter 250 Articles XI-11.2, XII-12.2, and VI-6.2 of the Code of the Town of Penfield for Final Subdivision, Site Plan, and EPOD Permit approval for seven (7) single family residential homes with associated improvements on 11.12 ± acres located at 899 Plank Road, to be known as Crowne Pointe Subdivision, Section 4. The property is now or formerly owned by Plank Road Development LLC and zoned R-1-20. Application #19P-0005, SBL #094.18-1-6.001.

- Mr. Nersinger informed the board the applicant had submitted responses to the PRC Memo that day, March 28, 2019, staff was awaiting updated site plans.
- Staff was reviewing the proposed stormwater management facility with regards to location and ownership and maintenance of the facility.
The Board voted and CONTINUED TABLED the application pending the review and/or submission of the following items:

- Submission of revised site plans in response to comments made in the PRC memo dated February 28, 2019.
- The Board directed staff to prepare a draft approval resolution for its review and consideration at the April 11, 2019 meeting.

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

Motion was carried.

4. BME Associates, 10 Lift Bridge Lane East, Fairport, NY 14450, on behalf of 777 Panorama Properties LLC, requests under Chapter 250 Articles XI-11.2, XII-12.2 and VI-6.2 of the Code of the Town of Penfield for Preliminary/Final Subdivision, Site Plan, and EPOD Permit approval for the construction of a new roadway with utilities to service development lots for a new business park on 55.3± acres located at 125 Panorama Creek Drive. The property is now or formerly owned by 777 Panorama Properties LLC and zoned LI. Application #19P-0007, SBL #138.12-1-1.1.

- Mr. Nersinger informed the board the applicant had provided written responses to comments and the Town’s traffic engineering consultant had submitted comments regarding the proposed means of ingress/egress on the property.
- Mr. Nersinger explained staff had reviewed the Town Code for the Limited Industrial (LI) district and found the setback requirements referred to district boundaries and not setbacks of properties within the LI district.
- The setbacks to neighboring residential districts was 150 feet and setbacks to neighboring nonresidential districts was 100 feet, the applicant planned to modify the setbacks on the plans accordingly.
- Chairman Hetzke asked if the proposed building pads would be modified based on the setbacks allowed for the LI. Mr. Nersinger explained the submitted building pads were preliminary and complied with the required setbacks for the LI district. Variances may be requested if necessary once building site plans had been determined.
- The thirty-day period for responses to the Board’s request to serve as Lead Agent for the project would conclude prior to the work session scheduled for April 25, 2019, at which time they could vote to accept Lead Agency for environmental review.

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

- Revised site plans per the comments issued by the PRC in its memo dated March 1, 2019.
• Provide additional information about the following site plan items with respect to how each can be addressed or implemented for this project and for future site plans of the development lots:
  - Emergency services and vehicle access
  - Site lighting for the dedicated road
  - Tree preservation and replanting plans
• Responses to comments provided by the Town’s traffic consultant in the memo dated March 27, 2019.

Vote: Moved by: Hetzke Seconded by: Bastian

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

Motion was carried.

5. Marathon Engineering, 39 Cascade Drive, Rochester, NY 14614, on behalf of Combat construction, Inc., requests an informal discussion before the board with plans for a 75 lot residential subdivision under Town Law §278 with associated site improvements on a total of 90.5 ± acres located at 1394 and 1440 Jackson Road. The properties are now or formerly owned by Lupo Brothers Family Trust, Pridonoff Family Trust, Kasunich Family Trust, Peter Rubino, G. DiPisa, and Santa Puccio, and zoned RR-1. Application #19P-0006, SBL #s 095.03-1-39 and 110.01-1-4.

• Staff reviewed the submitted conventional plan with the board. The plan had four (4) stormwater management facilities that were located in the rear yards of some of the residential lots. Typical plans proposed stormwater management facilities in a single location on a plot of land to be dedicated to the Town.
• Board member Kanauer asked what the maintenance requirements were for the stormwater facilities as proposed on the conventional plan. Mr. Nersinger explained the proposed cluster plan included a stormwater management facility in the center of the two properties that was to be dedicated to the Town for maintenance.
• Mr. O’Connor explained how owners of private ponds within the Town of Penfield were required to have inspection reports submitted by professional engineers in order to verify these facilities were functioning properly. Any maintenance of these facilities was the responsibility of the property owners.
• The board requested the applicant revise the conventional plan to show a stormwater management facility in a single location.
• Staff reviewed with the board some specific lots in the conventional plan that had limited usable space due to the wetlands being present in those locations. Lots #54, #57, and #46 were discussed in detail as these had limited space for houses or any accessory uses.
• The board agreed the lots were not appropriately configured and requested the applicant revise the conventional plan to create usable lots and have a consolidated stormwater management facility for the project site.
The Board voted and CONTINUED TABLED the application.

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

IV. NEW BUSINESS:

1. 1930 Empire Blvd, Verizon dumpster enclosure modification request.

- Mr. Nersinger informed the board the owners of the plaza had constructed a pressure-treated enclosure to serve the new building temporarily until proposed Building P was constructed, at which time a consolidated dumpster enclosure would be constructed with a full concrete pad and split face block or painted CMU to service both buildings.
- Board member Kanauer asked if the owners had a time frame for construction of Building P. Staff was not informed of the owners’ timeline. The board discussed the possibility of requiring a time limit for the temporary enclosure.
- The board invited Alan Rainbow of Baldwin Real Estate Corporation, representing the property owners, to answer the question regarding how long the temporary enclosure was planned to remain. Mr. Rainbow explained the construction of Building P was market driven, the owners were hoping to build an office building similar to the one occupied by University of Rochester for medical offices. Mr. Rainbow added the enclosure was temporary as it was constructed of wood and built on an asphalt pad.
- Board member Burton asked if a one-year approval was acceptable as the owners could request an extension if needed. Mr. Rainbow agreed this was acceptable.
- Chairman Hetzke asked why the owners decided to build the temporary structure rather than what was approved by the board. Mr. Rainbow believed this was a convenient solution with regards to the development of the master plan for BayTowne Plaza.
- The board asked if the approved dumpster location were different from the constructed enclosure. Mr. O’Connor confirmed the location of the temporary enclosure was the approved site for dumpster.
- The board asked if the proposed permanent dumpster enclosure would consolidate the two separate enclosures depicted on the approved site plan for 1930 Empire Boulevard. Mr. Rainbow confirmed the owners planned to modify the site plan to have one location for dumpers to service both properties.

The board voted and APPROVED the temporary enclosure for one (1) year with the option to request an extension at that time.

Vote: Moved by: Bastian Seconded by: Kanauer
2. 2730 Atlantic Ave, Heritage Christian Services Daycare.

- Mr. Nersinger informed the board the applicant updated their plan which eliminated the existing residential structure and shifting the new daycare facility to the center of the parcel. The proposed new building was reduced from 15,000 square feet to 11,300 square feet. Staff asked if this plan was acceptable to proceed to Preliminary/Final application or if the board would prefer a new sketch plan application.
- The board agreed a second sketch plan application was appropriate for the project as the changes did not adequately address public concerns expressed regarding traffic.

3. 1821 Fairport Nine Mile Point Road, Penfield Square generator.

- Mr. Nersinger informed the board the applicants had located an area for an emergency back-up generator for the independent living facility at the project site. The submitted plan included a Level 2 noise enclosure, landscaping around the sides and rear of the structure, and bollards in the front which abutted the parking lot.
- The board was concerned with the appearance of the generator from Route 250 and the commercial buildings and reviewed the proposed landscape plan to buffer the unit.
- Chairman Hetzke asked if the generator could be installed below ground level in a vault. The board was in favor of this option.
- The board requested the applicants either install the generator in a subterranean vault or submit renderings showing how the generator would be visually buffered from view with a structure enclosing the generator that would be surrounded by landscaping.

There being no further business to come before the Board, this meeting was adjourned at 7:29 PM.

These minutes were adopted by the Planning Board on April 11, 2019.