The Planning Board held a meeting at 6:30 PM local time Thursday, April 25, 2019 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.  
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. 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 that staff had reviewed the most recent set of plans for the project and sent a PRC memo on April 23, 2019.
- The requested landscaping plan was submitted that day, April 25, 2019, showing plantings along the frontages of Salt Road that were more tolerant to road salt. The board requested this plan be sent to the Town’s landscaping consultant.
- The Zoning Board of Appeals (ZBA) heard the application for and Expansion to a Pre-Existing, Non-Conforming Use on April 18, 2019 and sent a memo to the board in support of the project. The ZBA tabled the application pending a SEQRA (State Environmental Quality Review Act) determination by the Planning Board.
- Staff was finalizing details regarding the proposed site tour for Zoning Board and Planning Board members.
- Staff asked if the board would like to review a lighting plan. The board agreed and requested a lighting plan be submitted.
• Mr. Nersinger informed the board he had received some telephone calls from neighboring residents who were curious about the PA (public announcement) system and whether there would be changes to the current system in use. The board requested clarification regarding the PA system and whether any changes were proposed.
• The board discussed the non-customer based operations, which sometimes occurred outside of the retail operations, and requested clarification regarding the proposed hours of all operations on the property.

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

• Revised site plans with written responses to the latest memo from the Project Review Committee (PRC) dated April 24, 2019.
• Submission of a lighting plan for the facility, which shall include lighting contours for both existing and proposed light fixtures for both building mounted and pole mounted fixtures. Cut sheets for the proposed pole mounted LED fixtures were provided with the original application materials. Additional cut sheets will be required for building mounted fixtures.
• The board requested additional information for the hours of operations for staff, specifically with concerns for the usage of heavy equipment that may generate noise from back-up alarms.
• The board requested additional information for the facility’s use of the existing PA system and if any changes were proposed. Details should include frequency of use and average sound level emitted from the speaker system.

Vote: Moved by: Tydings Seconded by: Bastian

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

Motion was carried.

2. BME Associates, 10 Lift Bridge Lane East, Fairport, NY 11450, 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 explained the 30-day period for awaiting responses from agencies regarding the Board’s request to act as lead agent for SEQR review was completed.
• The updated grading plan showed no disturbance to the steep slope near the top of the hill to initially preserve the existing large trees in that location until building site plans were determined.
• Staff was reviewing the latest set of revised plans that included responses to the PRC memo.

• A letter was received from the Allen’s Creek Valley Home Owners’ Association on April 25, 2019 with questions about the project as well as permitted hours of work. Staff was working on responses to the questions in the letter in order to allow the applicant and the Board to review the listed concerns.

• The Board requested staff begin drafting a Negative Declaration pursuant to SEQRA for their review.

The Board voted and ACCEPTED lead agency pursuant to SEQRA for the review of this application as a Type 1 action.

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


Motion was carried.

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

• Revised grading plan showing no proposed disturbance and the necessary tree protection measures for the existing stand of large caliper Oak trees (approximately 8 trees) located at the southern area of the site.

• Staff’s preparation of a draft negative declaration in accordance with the New York State Environmental Quality Review Act (SEQRA).

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


Motion was carried.
3. Marques and Associates, PC, 930 East Avenue, Suite 1000, Rochester, NY 14607, on behalf of Richard Smith, 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 four (4) lot single family residential subdivision with associated site improvements on 4.3 ± acres located at 280 Panorama Trail. The property is now or formerly owned by Richard Smith and zoned R-1-20. Application #19P-0008, SBL #123.16-1-22.

- Mr. Nersinger informed the board the applicant had submitted responses to Tabling Resolution issued April 11, 2019 and was working on updated site plans to reflect those responses.

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

- A completed part 1 section of the NYS DEC Full Environmental Assessment Form (EAF) shall be provided for the Board’s review.
- Review of the applicant’s written responses to comments submitted on April 25, 2019.
- Submission of revised site plans that have addressed the comments issued in the PRC’s memo dated April 11, 2019.
- Review of the width for the proposed driveway. Currently the plans show a 16 foot wide private drive on a 9.7% downward stope from Panorama Trail to the internal cul-de-sac. The Board expressed concerns for the driveway being too narrow to safely accommodate two vehicles. Provide information for adjustments to the amount of fill and potential impacts to the existing slopes if the proposed driveway is widened to 18 feet.
- The use of a guide rail system, or equivalent measures, along the sloped driveway shall be added to the site plans. Engineered details and specification shall be provided for the review of the Town Engineer.
- Provide a lighting plan for the project demonstrating the sloped driveway could be safely illuminated without creating any excessive glare to adjacent properties. The typical street light poles and fixtures are not encouraged as there are several alternatives of providing adequate lighting with LED fixtures that are low in height.
- The protection of Panorama Trail and the infrastructure of the Town owned road, the neighboring residents, and the commuters that travel this road are among the top concerns for the Board. Detailed information about how the project will facilitate a safe construction site for heavy equipment and delivery of truckloads of fill material to construct the proposed private driveway shall be provided for the review of the Town Engineer and the Director of Public Works.
- Provide additional calculations and information about the number truckloads of fill material needed for the proposed project. The calculations shall account for both the temporary haul road and private driveway. Provide figures for the number of truckloads that would be needed for the project as well as the rate of fill material deliveries on an hourly basis. The schedule shall demonstrate compliance with the
permitted hours for the construction set forth in the Town of Penfield Design and Construction Specifications.

- Provide clarification if the proposed subdivision will be managed by a formal home owners’ association (HOA).
- Staff was directed to obtain comments from the Penfield Fire Chief regarding accessibility to the project site.

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

Motion was carried.

III. ACTION ITEMS:

1. 2451 and 2453 Penfield Road, Crane Resubdivision.

- Mr. Nersinger explained the properties were flag lots with limited frontage on Penfield Road.
- Previously Lot AR-1 (2453 Penfield Road) was a land-locked parcel with a shared access agreement with 2451 Penfield Road (Lot AR-2). Lot AR-1 went into foreclosure during a deed transfer from Lot AR-2 for property at the rear of the lot, however no plat map was approved and filed.
- This action proposed to return Lot AR-1 to its original configuration to allow the sale of the property. Once the sale was completed, the owners proposed to transfer lands to increase the size of Lot AR-1 for flag access to Penfield Road as well as more property to the rear of the existing residence.

The board voted and APPROVED the Chairman signing the plat map.

Vote: Moved by: Bastian Seconded by: Kanauer
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 6:51 PM.

These minutes were adopted by the Planning Board on May 9, 2019.