PLANNING BOARD
MEETING MINUTES
MAY 23, 2019
The Planning Board held a meeting at 6:30 PM local time Thursday, May 9, 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

ABSENT: 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 May 9, 2019.

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

Motion was carried.

III. **TABLED APPLICATIONS:**

1. Marathon Engineering, 39 Cascade Drive, Rochester, NY 14614, on behalf of Heritage Christian Services, requests an informal discussion before the board with plans for a new child-care facility with associated site improvements on a 2.7 ± acre property located at 2730 Atlantic Avenue. The property is now or formerly owned by Heritage Christian Services Inc. and zoned R-1-20. Application #19P-0012, SBL #124.01-1-2.

   • Mr. Nersinger reviewed with the board the concerns that were raised at the public hearing that was held May 9, 2019.
   • The board invited Amy Dake, SRF Associates, to explain and answer questions about the Traffic Impact Study that was submitted with the application.
   • Ms. Dake gave a summary of how the data was collected for the report.
     - The existing conditions study was conducted on May 19, 2018 during the hours of 7:00 AM to 9:00 AM and 2:30 PM to 6:00 PM. Based on the data collected the...
peak hours were determined to be 7:15 AM to 8:15 AM and 4:30 PM to 5:30 PM, which were typical commuter peak times.

- The determined peak times did not coincide with the school peak traffic times, which was less than the commuter peak traffic counts. Ms. Dake explained the peak times for child daycare facilities typically coincided with commuter traffic activity.

- The data presented took into account present and future development in the area that may affect traffic activity.

- The activity data for the applicant’s other facilities with similar occupancies was used as the model for the proposed traffic activity at this project site.

- The proposed driveway locations were used to determine distribution of traffic for the site.

- The AM peak hour was determined to have 43 vehicles entering the site and 36 exiting. The PM peak was projected to have 50 vehicles entering and 56 exiting the site. Ms. Dake clarified these projected numbers were for the one-hour peak times, not over the course of the whole day.

- The capacity of the intersection based on the collected data indicated the longest delays occurred for drivers travelling north-bound, on Whalen Road, and turning left onto Atlantic Avenue, which was one (1) minute. This lane was projected to be the most impacted area with a projected delay more than ten (10) seconds as a result of the project. The delays for the rest of the intersection were significantly less under the existing conditions with impacts of less than ten (10) seconds after the build-out of the project.

- The gap analysis indicated there was sufficient gaps in traffic flow to allow parents visiting the daycare facility to exit the site with minimal delays.

- The southbound queuing on Scribner Road at the intersection was projected to obstruct access to these lanes for a period of twenty (20) minutes in the AM peak time for drivers who may want to exit the project site onto Scribner Road going south. However, the drivers would likely opt to use the exit westbound onto Atlantic Avenue during this time.

- The gap analysis included the school buses in the data.

- The data collected did not account for pass-by rate, which was the number of existing commuters who would utilize the daycare services if made available.

- Chairman Hetzke asked what the accuracy rate was for studies conducted by SRF. Ms. Dake answered the studies erred on the high side, therefore the post build-out studies typically revealed traffic was less impacting to the sites.

- Board member Bastian asked if the project would increase the chances of vehicular accidents at the intersection. Ms. Dake explained anytime there was an increase of traffic activity the chances of accidents also increased, the impacts for this project were less than one percent (1%) increase in the rate of accidents.

- Board member Burton reviewed that the memo received from the Town’s traffic engineering consultant concurred with the Traffic Impact Study conducted by SRF.

- The Board thanked Ms. Dake for her presentation of the traffic impact study prepared for the proposed project.
The Board voted and approved the APPROVED staff to issue a sketch plan review letter with the following concerns noted.

Based on the information presented, the Board would be supportive of reviewing a formal site plan application for preliminary/final approvals for the proposed project. Please include the following items with a future formal site application.

- Provide a complete set of stamped engineered site plans that meet the requirements of the Town for a preliminary and final site plan application. The site plans must address the comments issued in the PRC’s memo dated May 3, 2019. An emphasis will be placed on the required stormwater management facility and new landscaping.
- Provide any additional correspondence from the NYS DOT regarding the proposed relocation of the curbcut on Atlantic Avenue (NY 286) or signal timing of the intersection.
- Please work with the project traffic consultant to prepare a thorough presentation of the traffic impact study for the Planning Board’s public hearing meeting.
- Provide a full drainage report documenting compliance with the Phase 2 Stormwater Regulations for water quality and quantity will be required for a preliminary and final application submission.
- Provide a lighting and photometric plan with cut sheets of the proposed fixtures. Lighting fixtures shall be dark sky compliant and unobtrusive to the adjacent residential properties.
- Provide a landscape plan with planting schedule and details.
- Show an overall layout for the playground area. If a splash pad is proposed for the outdoor play area it shall be shown on the site plans. Documentation from the Department of Health shall be provided if it is available.
- Provide a copy of the owner’s license application to New York State Office of Children and Family Services regarding the proposal for the new child-care facility.
- Four-sided colored building elevations will be required. Show all building materials and color selections on the drawings. Physical samples will be required at the public hearing.
- A future submission for a preliminary and final site plan application shall comply with the recommendations found in the PRC’s memo dated May 3, 2019. Written responses to the PRC’s memo will be required.
- Submission of an application to the Penfield Zoning Board of Appeals for the necessary area variances or special permits.
- Provide written responses to the all comments from the Town. In addition, written responses to the Factors for Consideration for Site Plan and Conditional Use Permit found in Chapter 250, Articles XII-12.3 and XIII-13.4 of the Code of the Town of Penfield shall be submitted. A template will be provided for reference.

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

Motion was carried.
2. 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.

This Board took NO ACTION on this application as it lacked a quorum.

3. 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 informed the board the applicant had submitted revised site plans that included a pedestrian access easement to connect the neighboring property to the west. The existing large trees were shown to be protected in response to board comments.
- A memo was received from the Penfield Trails Committee recommending pedestrian accessibility to the project site.
- Comments from the Town traffic engineering consultant were received on May 17, 2019 in support of the proposed access points to the project site. The County Department of Transportation (DOT) was in support of the proposed plans for accessibility to the site.
- Mr. Nersinger informed the board staff had prepared a Negative Declaration, as directed by the board at their April 25, 2019 meeting.

The Board voted and ADOPTED the parts 2 and 3 of the Full Environmental Assessment Form (EAF).

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

Motion was carried.
The Board voted and ADOPTED the Negative Declaration with a determination of environmental non-significance. Accordingly, the submission of a Draft Environmental Impact Statement will not be required.

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

Motion was carried.

The Board voted and CONTINUED TABLED the application pending the preparation of a draft approval resolution for the proposed project.

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

Motion was carried.

4. **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 updated plans were received earlier that day, May 23, 2019, and staff would be reviewing the plans.
- The Town Department of Public Works (DPW) sent a memo to the board regarding their concerns with impacts to the infrastructure associated with Panorama Trail due to the proposed construction activity and the needs for utilizing heavy equipment vehicles and impacts to existing traffic.

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. The Board reserves the right to determine the classification type of the proposed project pursuant to SEQRA.
- Submission of SWPPP Report for the proposed project for the review of the Town Engineer.
• 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. A Maintenance and Protection of Traffic Plan shall be provided for the review of the Town Engineer and the Director of Public Works. The plan shall provide all the necessary detailed information as to how the proposed project will maintain a safe construction site for the operation of heavy equipment in the right of way of Panorama Trail and for the delivery of over 400 truckloads of fill material to construct the proposed private driveway.

• Per the applicant’s written responses dated May 2, 2019, the submission of lighting plan and cut sheets for the proposed KIM Pavilion Bollards with type III distribution, 22 W, 3000K, or a similar fixture, intended to provided adequate lighting along the private drive for safety and visibility.

• Staff was directed to obtain comments from the Penfield Fire Chief regarding accessibility to the project site.

Vote: Moved by: Bastian Seconded by: Kanauer

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

Motion was carried.

IV. ACTION ITEMS:

1. 1956 Empire Boulevard, Valvoline Instant Oil Change, request for building renovations and site improvements.

• Mr. Nersinger informed the board the owner proposed to update the building façade by renovating the southwest corner of the building by squaring off the corners and increase the overall height of that portion of the building. This modification resulted in a minor increase to the building footprint by squaring off the rounded corners. The exterior colors would match the existing building. This element of the building would also feature the new business signage.

• Mr. Nersinger explained a dumpster enclosure was proposed as a site improvement. Currently, an enclosure around the dumpster was not present.

• Chairman Hetzke asked if the proposed new building sign would be lit. The board invited Chris Corfield, Whelan & Curry Construction, to answer the question. Mr. Corfield explained the proposed sign would be backlit, no other lighting was proposed for the façade updates.

• The board had no concerns with the request.

The board voted and APPROVED the proposed building renovations and site improvements as represented on the plans.
Chairperson: Hetzke - Aye  Bastian - Aye  Burton - Aye  Tydings - Absent

Motion was carried.

Staff informed the board of the upcoming public hearing item for their public hearing scheduled for June 13, 2019.

There being no further business to come before the Board, this meeting was adjourned at 7:18 PM.

These minutes were adopted by the Planning Board on June 13, 2019.