PLANNING BOARD
MEETING MINUTES
JANUARY 9, 2020
The Planning Board held a meeting at 6:30 PM local time Thursday, January 9, 2020 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: Bob Kanauer  
Terry Tydings  
Bill Bastian

ALSO PRESENT: Zach Nersinger, Town Planner  
Doug Sangster, Junior Planner  
Pete Weishaar, Planning Board Attorney  
Lori Gray, Board Secretary

II. APPROVAL OF MINUTES:

The Board voted and APPROVED the draft meeting minutes for December 12, 2019.

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

Motion was carried.

III. PUBLIC HEARING APPLICATIONS:

1. Marathon Engineers, 39 Cascade Drive, Rochester, NY 14614, on behalf of Bernmar LLC, requests under Chapter 250 Articles XII-12.2 of the Code of the Town of Penfield for Final Site Plan approval for the construction of a new storage building on the ±7.18 acre property, located at 80 Sovran Drive, known as Nolan’s Rentals Inc. The property is now or formerly owned by Bernmar LLC, and zoned General Business (GB). Application #20P-0001, SBL #093.15-1-2.114.

Cole Papasergi of Marathon Engineering presented the application.  
Bernie Puglisi, Owner/Applicant and Eric Schaaf of Marathon Engineering were also in attendance.

- Mr. Puglisi explained the history of the business and that in early 2019 he obtained a special (conditional) use permit for the existing storage trailers on the property. The proposed site plan was for a new warehouse storage building to replace the storage trailers.
• Mr. Papasergi stated that the storage trailers would be removed and replaced with a new warehouse storage building. This would have the benefit of cleaning up the site as well as optimizing operations.
• Mr. Papasergi explained that the new building would mirror the designs of the original building, previously approved in 2008 and since constructed. The new building would also have a canopy overhang on two sides of the building and additional parking on the north side of the building.
• Mr. Papasergi described the new landscape berms to be installed on the south and east sides of the building which would tie into the existing berm. The berm would serve as a buffer improvement along with new evergreen trees plantings.
• Mr. Papasergi explained that care was taken to remove as few trees as possible while still providing the best buffer possible. The berms would provide the best noise, sight and light buffer to neighboring properties.
• Mr. Papasergi described the required buffer setbacks to the south (100 ft.) and to the east (200 ft.) as “no-build” buffer areas in regards to buildings and parking areas. Both buffer setbacks were a requirement of the former property owners request to re-zone the lands from residential to General Business in the 1990s.
• Mr. Papasergi stated the new building will have a sprinkler system and the existing private water main and hydrant will be extended to provide necessary fire flows.
• Mr. Papasergi explained that the domestic water service would be extended to the new building, primarily for tubs/sinks to be used in cleanup. There would also be a sanitary lateral extension. Stormwater runoff would be handled by the existing regional stormwater maintenance facility at the west end of the site.
• Mr. Papasergi stated that they had received and responded in writing only to staff PRC comments.

Board Questions:
• Board member Bastian asked for more information on the layout for emergency vehicle access and the turn-around on the east side of the proposed building. Mr. Papasergi replied he was in the process of arranging a meeting with the Fire Marshal to discuss his concerns mentioned in the PRC comments.
• Board member Bastian asked for the height of the berm and the proposed building. Mr. Papasergi replied the berm to the east is ±20 feet tall, and ±10 feet tall to the south. The building would be ±24 feet to the ridgeline.
• Board member Bastian asked about the daily activity due to the four loading docks on the west side shown on the plans. Mr. Puglisi explained that typically there are two runs a day with about 50% of their vehicles, with the other 50% staying out all day. He also indicated that their typical hours are 8:00 AM to 5:00 PM, with May through October being their busy time. He also stated that they do not anticipate any new employees as this building will be used to warehouse and improve efficiency of the overflow supplies.
• Board member Kanauer asked if there were rooftop HVAC units. Mr. Puglisi replied that no rooftop units were proposed and the 6-8 heating units inside the building would be vented to the sides. He added the new building would match the existing building in architecture (exterior colors and materials) and design.
• Board member Kanauer asked if there would be any exterior lighting. Mr. Puglisi replied exterior lighting would be the same as the existing building with only emergency lighting over the access doors and loading docks.
• Board member Bastian asked if there was an emergency generator. Mr. Puglisi responded that he had no plans for one.
• Board member Bastian inquired about the current 1,000 gallon propane tank. Mr. Puglisi replied it would be located 10 feet from the proposed building as required by code. He explained they don’t sell propane from the tank as they only use it to refill smaller tanks used for heaters and grills.

Public Comments:
1. Barry Ayash, 26 Pen-Web Park, stated he was concerned that much of the wooded area will be knocked down and the berm will not block his sight. He was also concerned with exterior lights shining into the nearby homes.

2. John Decker, 28 Pen-Web Park, stated he is concerned with the infringement on the 100 foot buffer zone and the trees that are proposed to come down near the property line. He is concerned with the height of the berm and that it won’t sufficiently protect the visibility from his house which is closest to the buffer. He requested the board consider a 50 foot buffer area to be preserved for the existing trees between the southern property line and the proposed berm.

Applicant Response:
• Mr. Puglisi explained the intention for exterior lighting is to only have the required emergency lighting over access doors on the south and east sides. These would be mounted low and above the doorways to minimize and impact to neighbors. He also explained that the plantings he intends to plant on the berm would start at 6 feet tall so they will provide year round barrier unlike the Oaks that shed their leaves in the fall.

Board Deliberation:
Following the presentation of this application in the public hearing, the Planning Board continued its review during the subsequent work session that evening.

• Mr. Nersinger reviewed the proposed project and discussed the considerations for changes to the landscaped berm to accommodate the requested 50 foot buffer area of existing trees along the southern property line.
• Board member Tydings asked if input from the town landscape consultant would be warranted to review the buffer plan and the condition of the existing trees. The board agreed to refer the landscaping and berm designs to the town landscape consultant.
• Eric Schaaf of Marathon Engineering commented that if the landscaping berm was to decrease in size, a portion of the soil would have to be removed off site.
• Mr. Puglisi added the lighting cut sheets given to the town were incorrect. They were the same as the original building which has been converted to LED. New cut sheets will be forthcoming with the LED fixtures.
The Board voted and TABLED the application for pending the review and/or submission of the following:

- Revised site plans per the comments issued in the Project Review Committee’s (PRC) memo, dated November 22, 2019, and the applicant’s written responses submitted on January 7, 2020.
- The revised plans shall demonstrate compliance with the requirements of the Fire Marshal for fire apparatus accessibility on the site plan.
- The Board was supportive of preserving a 50 foot span of trees from the southern and eastern property lines to compliment the proposed landscaped berm. The Board directed staff to submit the proposed landscape plan and demolition plan to its Landscape Consultant to evaluate the conditions of the existing wooded areas. The applicant shall prepare revised site plans based on the comments from the Landscape Consultant. This would involve regrading of the earthen berm, relocated plantings on the berm, and including details for tree protection measures during construction.
- Provide lighting cut sheets of all dark sky compliant LED light fixtures with cut-offs and shields, if necessary, for all exterior doors and loading areas of the proposed storage building.

**Vote:**

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

Motion was carried.

IV. **TABLED APPLICATIONS:**

1. Warren R. McGrail, Land Surveyor, 1945 East Ridge Road, Suite 8A, Rochester, NY 14622, on behalf of George Karrat, Karrat Homes, requests under Chapter 250 Articles XI-11.2 and XII-12.2 of the Code of the Town of Penfield for Preliminary/Final Subdivision and Site Plan approval for a four (4) lot residential subdivision of a ±3.29 acre parcel located at 1751 Baird Road. The property is now or formerly owned by Robert Salmon and Catherine Fuller, and zoned R-1-20. Application #19P-0028, SBL #124.01-2-17.21.

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

1. Provide revised site plans and additional responses to comments from the PRC and the Planning Board regarding the necessary deep hole tests to determine the depth to bedrock as it relates to basement foundations and the final grading and drainage designs for the proposed residential subdivision.

**Vote:**

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

Motion was carried.
2. LaBella Associates DPC, 300 State St. Suite 201, Rochester, NY 14614, on behalf of Thomas Gangemi, requests under Chapter 250 Article XII-12.2 of the Code of the Town of Penfield for Preliminary/Final Site Plan approval for a parking expansion with associated site improvements on ±0.79 acres located at 1549 Empire Boulevard. The property is now or formerly owned by Thomas Gangemi and zoned LB. Application #19P-0026, SBL #093.19-01-004.

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

V. NEW BUSINESS:

1. 1303 & 1315 Sweets Corners Rd., Wickham Farms Building Modification

   • Mr. Nersinger reviewed the request to modify the building footprint of an accessory structure as represented on the previously approved site plan.
   • The original plan called for a ±2800ft structure and this modification includes a ±2600ft expansion, for a total of ±5400square feet.
   • Mr. Nersinger explained that the structure is intended as a seasonal corn pit and equipment storage in the off season.
   • The board had no concerns with the applicant’s request.

   The Board voted and APPROVED the proposed building footprint modification.

   Vote: Moved by: Tydings Seconded by: Kanauer

   Chairperson: Hetzke - Absent Bastian - Aye Burton - Absent

   Kanauer - Aye Tydings - Aye

   Motion was carried.

2. Resubdivision Plat Map for 9 Legacy Circle and 1771 Baird Road

   • Mr. Nersinger presented the proposed plat map to the board which depicted a lot line shift to transfer a portion of land from 1771 Baird Road to 9 Legacy Circle based on the existing topography and useable backyard space.
   • The board had no concerns with this request.

   The Board voted and APPROVED the proposed resubdivision plat map.

   Vote: Moved by: Tydings Seconded by: Bastian

   Chairperson: Hetzke - Absent Bastian - Aye Burton - Absent

   Kanauer - Aye Tydings - Aye

   Motion was carried.
There being no further business to come before the Board, this meeting was adjourned at 7:42 PM.

These minutes were adopted by the Planning Board on February 13, 2020.