

# **Draft Generic Environmental Impact Statement**

## **2010 Comprehensive Plan Amendment Adoption**

### **Town Of Penfield County of Monroe**

Lead Agency:  
Town Board  
Town of Penfield  
3100 Atlantic Avenue  
Penfield, New York 14526-9798

Lead Agency Contact:  
Katie Evans  
Town Planner  
585-340-8682  
planning@penfield.org

Prepared By:  
Evan Sheppard  
Planning Technician  
Town of Penfield

Date of Lead Agency Acceptance:  
August 4, 2010

Date by Which Comments Must Be Submitted:  
September 17, 2010

# Table of Contents

<b>Section</b>	<b>Page</b>
<b>I. Summary</b>	3
Description of the Proposed Action	3
Potential Impacts	3
Mitigation Measures	3
Regulatory Requirements	4
<b>II. Description of the Proposed Action</b>	8
Purpose & Need of the Plan Update	8
Summary of the Plan Update	8
Permits & Approvals	15
<b>III. Environmental Setting, Impacts &amp; Mitigation</b>	17
Potential increase of density of development	17
Growth-induced impacts to infrastructure	17
Increased density of residential development	20
Increased density of commercial development	21
Increased density of mixed-use development	22
Growth-induced consumption of natural resources	22
Growth-driven demand on community facilities and services	23
Pressure on agricultural uses and open space areas and potential conflicts with the 2001 and 2006 Open Space Plans	24
<b>IV. Alternatives</b>	26
<b>V. Irreversible &amp; Irretrievable Commitment of Resources</b>	27
<b>VI. Appendices</b>	28
Referenced Plans and Studies	28
Maps of Referenced Plans and Studies	33

# **I.**

## **Summary**

### **Description of the Proposed Action**

The 2010 Comprehensive Plan (the “Plan”) updates the recommendations of the 2000 Comprehensive Plan to reflect current conditions and Penfield's vision for its future. In addition to articulating the Town’s current vision, this plan establishes policies and strategies to achieve that vision. It will serve as the foundation upon which future planning and policy decisions are to be based.

The Plan first contains a community profile which presents critical data about the Town of Penfield intended to provide a common starting point and reveals some key assumptions about the Town’s past, present, and future. Next, the Plan sets community vision and policy for seven areas, including Residential Living, Community Resources, Economic Opportunities, Natural Resources, Transportation, Community Character & Design, and Government & Leadership. Finally, a section is devoted to Future Land Use, featuring a concept map of the current and proposed land uses.

### **Potential Impacts**

The following are potential environmental impacts associated with the adoption and implementation of this Plan:

1. Potential increase of density of residential, commercial, and mixed-use development
  - a. Growth-induced impacts to infrastructure
  - b. Potential impacts to sensitive environmental areas including wildlife habitat areas and Environmental Protection Overlay Districts (EPODs), which include wetlands, watercourses, floodplains, steep slopes, and woodlands.
2. Growth-driven demand on community facilities and services
3. Pressure on agricultural uses, open space areas, and potential conflicts with open space goals identified in the 2001 and 2006 Open Space Plans

### **Mitigation Measures**

The primary mitigation measure to limit or eliminate any significant negative environmental impacts caused by the Plan is the underlying zoning and development regulations of the Town. These development controls, by intent and by law, are designed, implemented and enforced to

reflect the community goals and objectives as defined in the Plan. The core limitations on any development are the natural and man made limitations placed thereon. Each individual development is also required to undergo its own review for compliance with the Town's development standards and controls. Included, but by no means an exhaustive list, are those reports, plans and studies included herein by reference, as well as those regulations promulgated by the County of Monroe; State of New York and/or; the Federal government.

In addition, the implementation of each policy within the Plan includes the proper design and sensitivity to possible negative environmental impacts. The Plan contains many policies targeted at improving environmental conditions. It is anticipated that implementation of the Plan will result in an overall positive environmental impact.

### **Regulatory Requirements**

The Town of Penfield operates under a wide variety of regulations established by state, county and local agencies. New York State Town Law creates the foundation of Penfield's authority and limitations. Monroe County agencies place further framing regulations upon the Town's operation. Within the bounds of these regulations the Town Board has created many tools to guide the development and operation of the Town. These tools are in the form of ordinances, local laws, and policies. This section will summarize those state, county and local regulations that have the greatest impact on the formation and implementation of the 2010 Comprehensive Plan.

#### State Regulations

- NYS Town Law Article 16 Section §278

This section of the New York State Town Law authorizes local towns to enact provisions authorizing the planning board to approve cluster developments, subject to the conditions set forth in this section and in the local law or ordinance. The purpose of a cluster development is to enable and encourage flexibility of design and development of land in such a manner as to preserve the natural and scenic qualities of open lands. The procedure may be followed if the planning board judges that it would benefit the town. A cluster development shall result in a permitted number of

building lots which shall not exceed the number which could be permitted if the land were subdivided into lots conforming to the zoning ordinance.

- 6 NYCRR Part 617: State Environmental Quality Review Act (SEQR)

The basic purpose of SEQR is to incorporate the consideration of environmental factors into the existing planning, review and decision-making processes of state, regional and local government agencies at the earliest possible time. To accomplish this goal, SEQR requires that all agencies determine whether the actions they directly undertake, fund or approve may have a significant impact on the environment, and, if it is determined that the action may have a significant adverse impact, prepare or request an environmental impact statement.

### Town Regulations

- Town Ordinance Chapter 29- The Zoning Ordinance

The Town Zoning Ordinance encourages appropriate and orderly development though designating and regulating the location and use of buildings, structures, and land for agricultural, residential, commercial, industrial or other uses in appropriate places. The Zoning Ordinance divides the Town of Penfield into districts whose number, shape, and area has been set with a well considered master plan and have been made with reasonable consideration as to the character of each district and its peculiar suitability for particular uses (*The Zoning Ordinance is available on the Town's website, [www.penfield.org](http://www.penfield.org), under the Online Documents section*).

- Local Law #3 of 1996- Penfield Environmental Quality Review Law

The purpose of this law is to implement the provisions of the State Environmental Quality Review Act, incorporating environmental factors into existing planning and decision-making processes and to provide additional protection for the environmental features of the Town of Penfield (*This and all Local Laws listed below are available at the Town Clerk's Office in the Penfield Town Hall*).

- Local Law #4 of 2000- Stormwater & Erosion Control Law

The purpose of this law is to (1) Prevent increases in the magnitude and frequency of stormwater runoff in order to prevent an increase in flood flows and the hazard and costs associated with flooding, (2) Prevent decreases in groundwater recharge and

stream base flow so as to maintain aquatic life, assimilative capacity, and potential water supplies, (3) Maintain the integrity of stream geometry so as to sustain the hydrologic function, (4) Control erosion and sedimentation so as to prevent its deposition in streams and other receiving water bodies, (5) Facilitate the removal of pollutants in stormwater runoff so as to perpetuate the natural biological functions of streams, (6) Secure multiple community benefits including, but not limited to, groundwater replenishment, open space protection, and increased recreational opportunities through integrated land use planning, (7) Protect property owners from actions by adjoining property owners that will have a detrimental impact on properties upstream or downstream.

- Local Law #2 of 2003- Incentive Zoning Law

The purpose of this law is to empower the Town Board to grant incentives or bonuses to advance the Town's specific physical, cultural and social policies in accordance with the Town of Penfield's comprehensive plan and in coordination with other community planning mechanisms or land use techniques.

- Local Law #3 of 2007- Construction Stormwater Pollution Prevention and Erosion and Sedimentation Control

The purpose of this local regulation is to safeguard public health, protect property, prevent damage to the environment and promote the public welfare by guiding, regulating, and controlling the design, construction, use, and maintenance of any development or other activity which disturbs or breaks the topsoil or results in the movement of earth on land in the Town of Penfield.

- Local Law #4 of 2007- Design and Management of Post Construction Stormwater Pollution Prevention Measures

The purpose of this law is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public residing in the watersheds within the Town of Penfield.

- Local Law #1 of 2008- Flood Damage Prevention Law

The purpose of this law is to (1) regulate uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities; (2) require that uses vulnerable

to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction; (3) control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters; (4) control filling, grading, dredging and other development which may increase erosion or flood damages; (5) regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands, and; (6) qualify and maintain for participation in the National Flood Insurance Program.

- Local Law #2 of 2008- Irondequoit Bay Harbor Management Law

The purpose of this local law is to establish standards, requirements and procedures for the environmental protection of the Irondequoit Bay sensitive natural areas and resources; improve and protect its water quality for desired uses which emphasize a healthy aquatic ecosystem; ensure that development around the Bay occurs without impacting significant resources (e.g. environmental, historical, archeological, aesthetic features); regulate the operation of vessels and matters relevant to navigation and safety; minimize and resolve water surface use conflicts and conflicts among all users and stakeholders of the Bay; improve public access to diverse recreational opportunities on Irondequoit Bay and make it an integral part of local and regional tourism development efforts.

- Penfield Development Regulations and Specifications (Revised March 2010)

This document is the official design specifications for the development of any property within the Town of Penfield. The primary goal of these specifications is to promote proper design and construction of publicly dedicated facilities that will serve the residents of the Town of Penfield. This is achieved through a thorough design review process and thorough construction inspection. A secondary goal is to provide facilities that will have a positive effect on the health and general welfare of the community. Finally, it promotes the highest quality of dedicated Town infrastructure and provides for ease of future maintenance (*This document is available on the Town website within the Public Works section and is listed under the Engineering Department*).

## **II. Description of the Proposed Action**

### **Purpose and Intent**

The purpose of this Comprehensive Plan is to provide an overall framework for future public and private investment in our community. This 2010 Comprehensive Plan updates the recommendations of the 2000 Comprehensive Plan to reflect current conditions and Penfield's vision for its future. In addition to articulating the Town's current vision, this plan establishes policies and strategies to achieve that vision. It will serve as the foundation upon which future planning and policy decisions are to be based.

Although this document is an instrument of Town Policy, it should not foreclose future decisions that may not align precisely with the stated vision and policies. However, for actions or decisions that deviate from the strategies expressed in the Plan, a sound argument and rationale must be presented that is as convincing as that presented in the Plan. Such deviations should not be a normal practice or easy to achieve and should be supported only after careful consideration of the overall benefit to the community.

### **Summary of the 2010 Comprehensive Plan**

#### Preface

This introduces the history of comprehensive planning in Penfield and the Steering Committee's process. The Plan notes three key considerations or recurring themes during the development of this Plan:

#### *1. Aging Population*

Penfield, like many communities across the country, is experiencing a shift in the age of its residents. The numbers of residents who are approaching retirement or are retired is continuing to grow and constitute a larger percentage of Penfield's overall population. The Committee believes that addressing the needs of its aging population will be a priority over the next decade. These needs include providing a variety of housing options and ensuring the transportation system is designed to meet the abilities and lifestyles of senior citizens.

## 2. *Town Center*

Throughout the public input process used to develop this plan, the lack of a Village or single Town Center in Penfield was raised repeatedly as a weakness and an opportunity by young people, residents, and Committee members. As a result, one of the major policy initiatives within this plan is to develop a new mixed-use area along NYS Route 250 near Sweets Corners Road. The Comprehensive Plan seeks to set a vision for future planning of this area. This area should be developed in such a way that it could eventually serve as one of the primary activity centers with Penfield by offering a unique blend of residential, commercial, governmental, and recreational opportunities. Design guidelines, or a similar tool such as form based codes, should be developed that provide flexibility and encourage creativity. Important factors include supporting agricultural operations, incorporating the Eastside YMCA as an anchor or core, and responsibly managing environmental features.

## 3. *Fiscal Responsibility*

The Town of Penfield currently enjoys relatively high property values, which contribute positively to the local tax base. However, the increasing cost of community and government services combined with a relatively stagnant regional economy has created a concern over the fiscal impact of local decision-making over the next ten years. The Committee feels strongly that the Town should continue to ensure that land use decisions do not result in a financial drain on the budgets of the Town government, school system, and other public service providers.

### Previous Plans & Studies

This section contains brief summaries of Penfield's previous plans and studies. This includes past comprehensive plans, transportation studies, area plans and townwide plans.

### Community Profile

The information contained in the Community Profile is intended to provide a snapshot of the Town's past, present, and future conditions. Although the exact changes that will occur in

Penfield over the next decade are impossible to predict precisely the following assumptions were developed to guide the Comprehensive Planning process:

- Population growth will continue but at a slower rate than previously experienced;
- The population growth of senior citizens will continue to outpace other age groups;
- Educational attainment levels will remain very high;
- Real estate values will continue to be among the highest in the County;
- Rochester will remain the primary employment center for town residents;
- Sanitary sewer capacity will be one of the primary limitations on new residential development;
- Road carrying capacities will remain adequate but intersection improvements will be required to provide congestion relief; and
- Residential development will occur where sanitary sewers are available, primarily in the central sections of the Town.

### Community Vision & Policy Areas

The Plan is intended to be implemented on multiple levels. The vision of Penfield established by the Plan is supported and developed by the following sections. Each section establishes a policy statement, sets high level strategies to be accomplished in pursuit of the policy, and proposes implementation items under each strategy. Implementation items are specific proposals that directly relate to accomplishing a strategy. These can take the form of a plan, project, or program.

#### *1. Residential Living*

The Policy Statement for this section focuses on preserving the safety and attractiveness of existing neighborhoods and locating future residential development in a manner that efficiently uses available infrastructure capacity, while minimizing the loss of high quality farmland and avoiding environmentally sensitive areas.

The specific strategies of this section are to (a) maintain the single family residence as the primary residential unit in the Town, (b) address neighborhood nuisances, (c) increase the variety of living options available (senior, mixed-use, etc), (d) direct higher density

residential development towards areas that can be serviced by public water and sewer service, and (e) enhance property values.

## 2. *Community Resources*

The Policy Statement for this section focuses on the Town having community resources that provide a high level of service to the local businesses and residents at a reasonable cost. The introduction contains a brief review of the types of community resources and their local providers.

The specific strategies of this section are to (a) provide quality delivery of services necessary to ensure the health, safety, and welfare of residents, (b) increase the recreational opportunities associated with local water bodies, (c) maintain adequate sewage disposal facilities that are available for residents and businesses, (d) ensure quality stormwater management practices, (e) provide social and recreational activities and programs to meet the needs of all age groups, and (f) cooperate with school districts to share resources and information and to develop strategies for the benefit of residents.

## 3. *Economic Opportunities*

The Town's primary economic base consists of six commercial districts: Browncroft/Creek intersection, Four Corners, LaSalle's Landing, Lloyd's Corners, Panorama Valley, and North Penfield Crossroads. The Town recently completed an Economic Development Action Plan that serves as the basis for this policy area. The Policy Statement prioritizes fostering commercial activity in a manner that provides convenient access to goods and services by local residents. The Plan also recognizes the contributions that agricultural and industrial activity makes to the local economy in the form of jobs, tax base, and charitable contributions.

The strategies of this section are to (a) promote and support the viability of agricultural operations in the Town, (b) increase the commercial and industrial tax base, (c) ensure that there is adequate infrastructure in place to accommodate new commercial and industrial operations, and (d) continue to work with local business groups to promote existing businesses and solicit new businesses that are consistent with our community objectives.

#### 4. *Natural Resources*

The Plan identifies natural features which, due to their natural value, sensitivity, and/or uniqueness, warrant special consideration. These features are governed by the Town's Zoning Ordinance as Environmental Protection Overlay Districts or EPODs and have been found to provide valuable services and functions that benefit the Town as a whole. These features are wetlands, watercourses, steep slopes, woodlands, and floodplains. The policy statement states that sound development practices, proper zoning guidelines, green initiatives, and community stewardship will be employed to reduce or eliminate the degradation of these resources.

The strategies of this section are to (a) pursue green technologies and energy conservation techniques to minimize the community's environmental footprint, (b) Reduce, reuse, and recycle appropriate materials, (c) protect areas characterized by steep slopes and woodlands, (d) enhance, preserve, and protect the functions and benefits of wetlands and watercourses, (e) safeguard residents and property from the hazards associated with flooding within flood prone areas, (f) ensure that future development activities protect and sustain our environment, and (g) identify and remediate contaminated sites.

#### 5. *Transportation*

During the development of the Plan traffic congestion on the state roads and at certain intersections was one of the most commonly stated weaknesses associated with living in Penfield. The Plan recognizes the wealth of plans, studies and projects that the Town has successfully completed in cooperation with the Monroe County Department of Transportation (MCDOT) and the New York State Department of Transportation (NYSDOT). Also, the Town has established the Penfield Transportation Committee, which will play a key role in the successful implementation of this policy area. The policy statement focuses on safety and the promotion of walking and biking.

The strategies of this section are to (a) strengthen partnerships with the Genesee Transportation Council (GTC), NYSDOT, MCDOT, and Rochester Genesee Regional Transportation Authority (RGRTA) to identify and mitigate system deficiencies and to

prolong the life of existing infrastructure, (b) expand multi-modal network (sidewalks, trails, etc) and connections, (c) ensure system improvements meet the needs of persons with disabilities and senior citizens, (d) develop a transportation system that promotes a sense-of-place by preserving and enhancing the aesthetic, historic, and environmental qualities of the Town, and (e) increase bicycling, walking and transit use to reduce the reliance on the automobile and promote a healthy lifestyle.

## 6. *Community Character & Design*

The Plan explores Penfield's existing character as defined by its man-made and natural landscape such as its neighborhoods, streets, business districts, parks and open spaces. The policy statement states the policy of the Town is to manage investment and development in a manner that enhances the character of the community for future generations to enjoy.

The strategies of this section are to (a) preserve open space and farmland, (b) preserve the historical and architectural value of sites and structures, (c) develop attractive, inviting, and pedestrian oriented activity centers, streets, and other spaces, and (d) define and promote Penfield's identity to residents and visitors.

## 7. *Government & Leadership*

The Plan explains the importance of strong leadership and an effective government. Challenges are explored, such as fiscal constraints, and much of the section focuses on partnerships with other organizations and stakeholders.

The strategies of this section are to (a) encourage and improve the ability of stakeholders to communicate with and participate in government, (b) foster governmental procedures and programs that are businesses friendly, (c) strengthen relationships with surrounding municipalities and government agencies in an effort to pursue common goals, (d) utilize elected officials, advisory board members, and staff as ambassadors and educators within the community, (e) capitalize on existing and emerging leadership within the community (i.e., faith community, business leaders, etc.), and (f) pursue outside funding opportunities to reduce the cost of governmental services.

## 8. *Future Land Use*

As stated in this section, it is the policy of Town to foster changes in land uses throughout the community that are consistent with the Future Land Use Map. The Future Land Use Map is intended to be a generalized vision for a community's land use over the next decade. The Plan explains the intended use and limitations of the Future Land Use Map and contains detailed discussions on each land use category. Photos are included to demonstrate the desirable and undesirable examples of each land use category. The Land Use Policy Statement summarizes the content of the Future Land Use Map:

*“The Town will seek to develop a new mixed-use area adjacent to the NYS Route 250/Sweets Corners intersection that may eventually function as a “Town Center” in the lives of many Penfield residents. Additional mixed-use areas include LaSalle’s Landing, the Four Corners, and the former Dolomite Quarry site. New opportunities for higher density living are to be accommodated south of the Village of Webster and in the vicinity of Lloyd’s Corners. The eastern portion of Penfield is to remain predominately rural in character. The Town also recognizes that there will be a continuing demand for a variety of new housing within the community and, along with existing neighborhood infill sites, has designated areas in central Penfield to fulfill this demand. Over the next decade, the Town will use planning tools, such as Town Law §278 and Incentive Zoning to provide flexibility to developers, while preserving rural character and helping to ensure that additional growth positively contributes to the fiscal health of the Town.”*

For reference, the locations of the mixed-use areas mentioned above are as follows. The former Dolomite Quarry is also known as the Redman Sand Plant and it is adjacent to Old Penfield Road. LaSalle’s Landing is located along Empire Boulevard, beginning at the Town of Irondequoit and proceeding east approximately until Empire Boulevard turns north. The area identified for higher density living south of the Village of Webster proceeds south along Fairport Nine Mile Point Road and terminates north of Plank Road and east of Jackson Road. Lloyd’s Corners is the intersection of Fairport Nine Mile Point Road and Penfield Road.

A final page in this section is devoted to the connection between property tax and land use. The Plan briefly discusses the tax contributions and burdens of various land

uses and the importance of balancing residential growth and open space preservation with commercial and industrial developments.

## **Permits & Approvals**

By law, the Town must have a comprehensive plan. The Town has a long history of adopting comprehensive plans. It is recommended that it also be ratified by the Planning Board.

There are also a number of agencies that may be affected by future decisions supported by or based upon the Comprehensive Plan. Those agencies have been requested to participate in the public review of the DGEIS, so that all potential concerns and issues can be properly addressed. For the purposes of this DGEIS, those agencies are considered Interested Agencies.

### Involved Agency

Penfield Town Board

### Interested Agencies

#### *State Agencies:*

Department of Env. Conservation

NYS Police

Department of State

Department of Transportation

#### *Monroe County Agencies:*

Department of Environmental Services

Health Department

Department of Planning & Development

Sheriff's Office

Soil & Water Conservation District

Department of Transportation

Water Authority

#### *Municipalities:*

City of Rochester

Town of Brighton

Town of Irondequoit

Town of Macedon

Town of Perinton

Town of Pittsford

Town of Walworth

Town of Webster

Village of East Rochester

Village of Webster

*Other Local Agencies:*

Pittsford Central School District

Penfield Central School District

Wayne Central School District

Webster Central School District

North East Joint Fire District

Penfield Fire District

West Webster Fire District

Penfield Volunteer Emergency Ambulance

Penfield Conservation Board

Penfield Historic Preservation Board

Penfield Planning Board

Penfield Zoning Board of Appeals

Homeowner's Associations (HOA's) or homeowner groups registered annually with the  
Town Clerk's Office

### **III. Environmental Setting, Impacts, & Mitigation**

The 2010 Comprehensive Plan update for the Town of Penfield is expected to result in an overall positive environmental impact. This determination was made in accordance with 6 NYCRR Part 617. Overall, the 2010 Plan Update more accurately reflects the current, predicted, and desired patterns of development in the Town. Furthermore, it advances the long standing goals of the Town to protect valuable environmental features and other community assets.

In its entirety, including those additional plans and studies, which are incorporated by reference, adoption of the Plan will not likely have a significant adverse environmental impact. Specific components of the Plan, and their inevitable evolution as a result of development pressures both internal and external to the Town, may have minor environmental impacts. Short of a permanent moratorium on growth and development in the Town (which is not permitted under State Law governing community development controls), these impacts will occur with or without the Plan. However, with the Plan they are likely to be minimized and controlled. Anticipated impacts, with associated environmental setting and mitigation discussions, are as follows:

#### **Potential increase of density of residential, commercial, and mixed-use development**

##### a. Growth-induced impacts to infrastructure

##### *i. Transportation Network*

Traffic volume increases due to growth inside and outside the Town are likely to occur with or without adoption and implementation of the Plan. The Genesee Transportation Council indicates good operating conditions within Penfield will continue over the next two decades with the following exceptions: Browncroft Boulevard beginning west of Blossom Road to Scribner Road, Five Mile Line Road from the southern town line to Whalen Road, NYS Route 441 east and west of Five Mile Line Road, and a segment of Panorama Trail just north of NYS Route 441.

The Plan advocates the recommendations found within the numerous transportation studies the Town has completed. These studies have been included by reference into the Plan and this DGEIS and are summarized in the Appendix.

The Plan seeks to strengthen partnerships with the GTC, NYSDOT, and MCDOT to continually mitigate system deficiencies as they develop and to utilize traffic control techniques such as medians or dedicated turning lanes where appropriate. Also, the Plan seeks to increase bicycling, walking, and transit use to reduce automobile use and prolong the life of existing infrastructure. Strengthening the partnership with the RGRTA may lead to greater transit service to the Town's commercial districts and the availability of Park & Ride. The Plan advocates implementation of the Bicycle Facilities Master Plan, which establishes the Town's goals for connecting key residential, commercial, and recreation areas with bicycle routes using both on-street bicycle facilities and off-road multi-use trails. The Town's practice of installing about one mile of sidewalks per year will continue to open more of the road network to bicycling and walking.

*ii. Sanitary Sewers*

Sanitary Sewer availability will continue to be an important factor for development in Penfield. The Plan recommends relieving development pressure in areas where inadequate capacity exists by directing higher density residential development in the areas designated for mixed-use and high density residential development in the Future Land Use Map. This reduces the use of on-site sewage disposal systems which have long-term risks and costs. A sewer capacity study will need to be conducted prior to implementing the proposed mixed use area along Route 250. The other strategic areas have reasonably adequate existing infrastructure support and fit within the character of the adjacent land uses in Penfield and adjacent municipalities. This long term planning approach will concentrate residential development in appropriate areas, leading to the preservation of farmland and open space, reduced impact to natural resources and infrastructure and increase in the variety of living options available to the community. It should also be noted that

modern home construction consumes less water per house due to water conservation fixtures.

*iii. Stormwater/Drainage*

Stormwater drainage will be impacted by future development and increased densities. Impervious surfaces generate a higher rates and volumes of stormwater runoff. The Town has prepared strategic drainage analyses for all of its watersheds based upon current zoning. The recommendations within these watershed studies should continue being implemented. Changes in development densities within specific watersheds will require updates to these watershed studies and adjustments to implementation plans. Factors mitigating these potential impacts include the required adherence to NYS Municipal Separate Storm Sewer System (MS-4) regulations. Also, the Town has adopted multiple stormwater local laws, which are summarized in the above Regulatory Requirements section.

*iv. Other Infrastructure*

Incorporated within the Plan's Future Land Use goals is the update or revision of the parking standards required within the Zoning Ordinance. Given the Town's continued commitment to obtaining cross-access and shared parking agreements and the results of recent parking studies it is evident that the standards may be more restrictive than necessary. Implementation of this goal will lead to future development with reduced impervious surfaces and stormwater impacts.

The telecommunications and information technology infrastructure within the Town will be evaluated as development occurs and the Town will continue to partner with local service providers to ensure the adequacy of service. Furthermore, the Plan recommends identifying any existing gaps in service and capitalizing on opportunities for improving services, such as through the installation of fiber-optics or wireless hot spots.

The Plan recommends allowing goods and services in close proximity to residential areas. This will occur through both the creation of neighborhood retail/service areas and the development of mixed-use areas. Both strategies will

further encourage trail and sidewalk use and reduce automobile use, particularly on the arterial roads which experience the highest traffic volumes. While the introduction of non-residential uses into residential areas may have some potential impacts, such as traffic generation, lighting impacts and noise, these impacts can be properly mitigated with careful planning, adherence to regulations, design guidelines, and creative design.

b. Increased density of residential development

The Zoning Ordinance provides substantial mitigation in its regulation of the form in which residential development may occur in conventionally zoned residential districts. Protective measures are in place such as required setbacks, minimum lot sizes, and buffers between different land uses. These regulations are intended to create development that minimizes impact to surrounding properties. Further, the Zoning Ordinance's property maintenance requirements require property owners to care for their land such that conditions do not significantly impact neighboring properties or the general public.

The Zoning Ordinance regulates disturbance of sensitive natural resources through EPODS. The Plan recommends the steep slopes, woodlands, wetlands, and watercourses within the Town should be inventoried with updated mapping and the ordinance should be reviewed and, if necessary, revised. Revisions should be focused on clarifying standards to ensure continued responsible protection of these resources. Finally, the Local Laws reviewed earlier in this document provide controls for residential development regarding stormwater management and flood damage prevention. Compliance with these regulations will continue to ensure responsible residential development and mitigate potential impacts of increases in density to these resources.

Specific current conditions indicate the strong need for the higher density residential development recommended in the Plan. The Town's existing Multiple Residential (MR) zoning districts have nearly been fully developed. It is important for the Town to address its residents' needs by offering a variety of housing types. . Also, the population growth of senior citizens will continue to outpace other age groups, indicating a growing demand for senior citizen targeted development such as townhouses and patio homes. High

density residential development, especially senior housing, is financially beneficial to the town and school district tax bases. Finally, the Plan seeks to concentrate development in strategic areas, which will relieve the development pressure of other areas less suited for development.

c. Increased density of commercial development

Some additional commercial development is likely to occur with or without adoption of the Plan. All commercial zoning districts are not fully developed at this time and re-development of existing commercial uses is also likely to occur during the life of this Plan. The Plan seeks to guide economic development to improve community character and design, such as by continuing to implement access management and buffering techniques. Protective mitigation measures already exist within the Zoning Ordinance that govern commercial density through parking ratios, lot coverage requirements, building heights, and minimum setbacks. The Planning Board Design Guidelines are also in effect to assist with aesthetic continuity and to minimize impacts to surrounding and adjacent land uses, including residential uses. These design guidelines provide direction for landscaping buffers, facade features, lighting, and pedestrian connections. The Town should also consider the need to revise parking standards in its Zoning Ordinance, as the recently completed Monroe County Parking Study has accurately surveyed a wide variety of land uses using Monroe County data. This should provide a more realistic view of parking needs in the next decade.

Commercial development provides significant positive support to the tax base. In 2001, the American Farmland Trust summarized 83 “cost of community services” studies that it has conducted across the country. The summary indicates that commercial and industrial uses positively contribute to a community’s budget by only requiring \$0.27 in services for every tax dollar they contribute. By comparison, the cost of providing community services to residential land uses can exceed the tax dollars brought in by as much as \$1.15 on the dollar. The Plan recommends the Town balances residential growth and open space preservation with commercial and industrial developments to help alleviate the tax burden for its residents.

d. Increased density of mixed-use development

Mixed-use development in areas proposed on the Future Land Use Map will likely proceed under the guidance of a detailed design plan for each area. For example, LaSalle's Landing on Empire Blvd. has such a plan, as does the Four Corners. Specific design standards should be developed to meet the goals of the Plan. These standards will guide development to minimize impacts to the surrounding areas and the existing infrastructure systems. Mixed-use areas are intended to be unique places that provide a variety of employment, commercial, and entertainment uses supported with high-density residential development. Mixed-use development offers many advantages over single-use buildings or districts, such as the larger revenue streams associated with the mixing of uses in multi-story structures. The cornerstone of successful mixed-use districts is walkability, so the Plan identifies several design characteristics that will be important starting points to guide future planning.

Some mitigation expected with mixed-use development includes:

- Support services and convenience shopping nearby to residential areas
- Shared access and access management techniques
- Concentration of residential and non-residential development in areas with adequate infrastructure to support them
- Close proximity to existing and potential recreational opportunities
- Establishment of new criteria, through the use of form-based code, use of a pattern book, modification of the Zoning Ordinance or other tools necessary to assure quality of life in this new land use category
- For the Sweets Corners mixed-use area, incorporation of the Eastside YMCA as an anchor or core
- Responsible management of environmental features
- Similar positive effect on the tax base as commercial development, explained above

e. Growth-induced consumption of natural resources

The Plan seeks to concentrate development in strategic areas where adequate infrastructure and resources appear most appropriate for development, which will relieve

the development pressure of other areas less suited for development, such as areas with sensitive environmental constraints. The Plan seeks to continue implementation of the Open Space Plan and the use of planning tools such as Incentive Zoning and cluster development under Town Law §278 (explanation of these tools can be found within the Regulatory Requirements section of this document). The Conservation Board Tree Preservation Guidelines is also an available tool to guide the preservation and replacement of trees during development.

Through updating Environmental Protection Overlay District (EPOD) regulations, and improving stormwater management practices, the Plan will cause future development to have less impact on natural resources than under current conditions. It is common for new development to actually assist with improving existing problem areas as part of the project.

### **Growth-driven demand on community facilities and services**

Demand increases are likely to occur with or without adoption and implementation of the Plan, especially due to the population growth of senior citizens continuing to outpace that of other age groups. Aging communities typically experience an increased demand for ambulance and fire service. Penfield may be forced to create a paid ambulance service if demand outpaces the capacity of a static pool of volunteers. The demographic shift is anticipated to reduce demand for school facilities. Due to the focus on “empty nesters” within the new development patterns recommended on the Future Land Use Map, development will contribute to the tax base while adding minimal demand on school facilities. The Plan recommends strengthening relationships with school districts, in addition to adjacent municipalities and other agencies, to consolidate or share services. This will allow the Town to capitalize on the excess capacity of other agencies and increase the efficiency of providing services to residents.

The Plan seeks to monitor and address the evolving needs of the community and to implement the recommendations of the 2007 Parks and Recreation Master Plan. Strategies such as increasing the recreational opportunities associated with local water bodies take advantage of existing resources to expand the community services available. The Plan identifies the potential need for additional park facilities or new services, such as a fee based

day care center for children of recreation program participants. The long-term planning of these strategies enables the Town to accurately assess the needs of its residents and evolve accordingly.

### **Pressure on agricultural uses and open space areas and potential conflicts with open space goals identified in the 2001 and 2006 Open Space Plans**

At one time agriculture was the predominant land use within the Town. Today active agricultural operations are concentrated east of NYS Route 250. This is evidenced by a large Certified Agricultural District in East Penfield which encompasses approximately three thousand (3,000) acres of land.

Current zoning regulations, land development controls, tax-reduction programs, and the restrictions that come with the NYS Agricultural District designation, will minimize the development driven impact on agriculture. In addition, areas recommended for increased density on the Future Land Use Map are intended to alleviate development pressure for agricultural uses elsewhere in Town. The Plan seeks to promote and support agriculture through continued implementation of the recommendations in the Open Space Plan and revising the Zoning Ordinance to expand the abilities of Farm Markets. The Plan also recommends expanding communications with farmers to understand their areas of concern and identify new strategies for increasing the profitability of farming in the Town. However, the Town is very limited in what it can feasibly do. In most cases the economics of agriculture will dictate the viability of an operation and must be considered outside of the scope of this Plan.

In some cases there may be conflict between the Plan's Future Land Use goals and the Open Space Plan. One such case is the Redman Lake area which the Plan recommends for mixed-use development, though the property was also identified as a potential open space property in the 2001 Open Space Plan. The Open Space Plan identified the property largely to capture the potentially significant public recreation value of Redman Lake. Adjacent to the property is an active gun club and shooting range. The Plan recommends public access to the lake should be a central component of any mixed-use development of the property, which will thereby accomplish much of the intent of the Open Space Plan's recommendation with the many added benefits associated with mixed-use development. Other potential conflicts

may exist, though it is important to consider that the Open Space Plan recognizes permanent protection of all identified properties is not feasible. In that case it advocates the use of planning tools such as Town Law §278 and Incentive Zoning to preserve strategic portions of properties. Also, existing federal and state regulations will limit development within certain sensitive environmental areas such as floodplains and designated wetlands.

## **IV.**

## **Alternatives**

### **No Action or Adoption of the Plan**

The previous plan update was adopted in 2000. Substantial ongoing growth pressure that is changing in character dictates the necessity of an updated Plan which accurately reflects the current goals and objectives of the community. No action, or not implementing the Plan could result in future development patterns that are appropriate for the conditions and resources available. Therefore, no action is not a viable alternative.

### **Adoption of a Portion of the Plan**

The Plan was developed and designed to be a holistic view of the community, its opportunities and its challenges. To adopt only a portion of the plan would omit other linked components of the Plan, and would therefore not encompass all of those issues deemed critical by the community. During the lifespan of the Plan, it is expected that individual and specific components will be reviewed and revised. Specific strategies will be implemented only as conditions allow.

### **Adoption of a Different Plan**

The Plan was developed by a Comprehensive Plan Steering Committee comprised of resident representatives, local businesspeople, Town Planning Board representatives and Town staff in order to best reflect the goals, objectives, and needs of the community. During the development, alternate plan components and directions were reviewed, analyzed, and ultimately discarded for various reasons. There was also a substantial outreach effort to include the citizens and stakeholders of Penfield. These included land use workshops, information meetings, updates and meeting minutes on the Town's web site, group presentations, and other means to involve the public. Therefore, this Plan best reflects the Community as a whole, and the adoption of a different Plan is not an appropriate alternative.

## **V. Irreversible & Irretrievable Commitment of Resources**

The adoption and implementation of the Plan will not irreversibly commit or expend community resources. The development and growth which is likely to continue with or without said adoption may induce such a commitment of resources. The Plan does, however, strive to protect and preserve such assets by shaping the patterns and character of growth.

## **VI.**

## **Appendices**

### **Referenced Plans and Studies**

The below plans and studies have been completed by or on behalf of the Town of Penfield and are incorporated into the Plan by reference. They have been incorporated into this document by reference due to their direct relevance to the potential impacts and mitigation associated with the adoption of the Plan and its Future Land Use recommendations. With the exception of the two DGEISs, all of the below documents are available on the Town of Penfield website within the Online Documents section. The DGEISs are available for viewing upon request to the Planning Department at the Penfield Town Hall, 3100 Atlantic Avenue, Penfield, NY.

#### **I. 1996 Route 441 & 250 Land Use and Access Management Plan**

The Town of Penfield, in response to growing concerns for development of the commercial and business areas along the Route 441 and Route 250 corridors, authorized a study of the land uses and access management needs for this area under a full build-out scenario. The study reviewed land uses and traffic generation impacts associated with the development of vacant and under utilized lands within the Route 441/250 corridor. A major result of the study was the creation of the Route 250 and 441 Overlay District. The Overlay District supports the access management recommendations and land use recommendations within the report that are over and above those permitted by the current Town ordinances. Other features of the Overlay District include consideration of landscaping, lighting, sign age, bicycle and pedestrian usage, transit opportunities, and zoning changes.

#### **II. 2000 Comprehensive Plan & DGEIS**

The 2000 Comprehensive Plan was the result of over four years of research, discussion, public meetings, and review. Key topics during the development of this Plan included (a) public interest and notification, (b) commercial interests, (c) emergency services, (d) school districts, (e) parks, open space and environmental issues, and (f) adjacent municipalities' land use. This Plan provided the basis for the following projects and programs that the Town has completed over the last ten years:

- Designation of the Daniel Penfield Home as a National Landmark;
- Approval of a \$10 million Bond passed by the Town for open space preservation that resulted in over 1,100 acres of open space permanently preserved;
- Initiation of updating the Town’s Environmental Protection Overlay Districts;
- Remediation of a brownfield on Empire Blvd with NYSDEC Grant funds;
- Development of a land use and regulatory framework for the Four Corners Area;
- Implementation of several transportation initiatives and projects such as traffic calming on Huntington Meadows, ongoing development of local trail system and sidewalk network, and the provision of pedestrian access within commercial developments from the street.

### III. 2001 Open Space Plan and 2006 Update

The Open Space Plan was driven by a series of goals laid out in the 2000 Comprehensive Plan. Three Town Board members assisted a small citizens committee in developing the 2001 Open Space Plan. In February 2002, the Penfield Town Board voted unanimously to let local residents decide whether or not the community should borrow up to \$10 million dollars to purchase properties and development rights targeted for preservation in the Open Space Plan. This referendum vote was widely publicized and the voter turn-out was the largest non-election turn-out in Penfield history with voters approving the referendum by a 2:1 margin. As of June 2010, the Town of Penfield has preserved many properties of active farmland or open space totaling over 1,100 acres. The majority of the acreage was farmland where the development rights were purchased.

### IV. 2003 Browncroft Blossom Creek Neighborhood Center Plan

This plan developed recommendations to implement the community’s vision to create a mixed-use activity center for residents and capitalize on the more than 18,000 motorists that travel through the area each day. Recommendations include; higher density residential development, combining of curb cuts and access points for commercial properties, and improving the aesthetic quality of the area by implementing various streetscape improvements and architectural design guidelines.

V. 2003 Irondequoit Bay Harbor Management Plan

This plan was prepared as part of New York State's Coastal Resources and Local Waterfront Revitalization Program to aid in the planning and regulation of water use activity in intensely-used waterfront areas of the Irondequoit Bay. The Plan was prepared to help assure greater consistency in reviewing plans among the local municipalities and various state and federal agencies. The plan helps New York State Department of Environmental Conservation (NYSDEC), Monroe County and the sponsoring Towns of Irondequoit, Webster and Penfield cooperate to make better use of the Bay, and to also provide justification for municipal regulation of structures in, and uses of, water and underwater lands.

VI. 2007 North Penfield Crossroads Area Plan and DGEIS

The intersection of Empire Boulevard, Bay Road, and Creek Street is a key commercial center. The plan for this area includes recommendations such as additional points of access for pedestrians to the existing Monroe County park trails network, development of a theme for area businesses that could promote the Bay Road/Empire Boulevard/Creek Street area, the rezoning of Daytona Avenue commercial lands to residential, and the installation of a curbed median and reduction in travel lane widths along Empire Boulevard.

VII. 2007 Parks & Recreation Master Plan

This plan was undertaken to ensure continuity and consistency with previous recreation planning efforts while expanding the current vision and scope of parks and recreation in Penfield to match the Town's present and future needs. The plan developed a strategy that consists of acquiring land adjacent to existing parks, acquiring land for new parks, developing outdoor recreational facilities, and expanding indoor facilities.

VIII. 2008 Bicycle Facilities Master Plan

The Bicycle Facilities Master Plan serves as a strategy for providing safe, convenient and well-designed bicycle routes and facilities within a community. Recommendations for Improvements were made in four categories: on-road improvements, off-road

improvements, bike facilities at destinations, and policies & programs. In addition, a phasing plan and cost estimates were included to facilitate implementation of the plan. It is noteworthy that the plan identifies the difficulties riders experience while traveling east/west due to higher traffic volumes and speed limits versus the greater number of opportunities to stay on lower volume roads for the north/south rider.

IX. 2008 Economic Development Action Plan

The main purpose of the plan was to study the characteristics of Penfield's six business districts and develop a plan and vision for their future. The six business districts are LaSalle's Landing, North Penfield, Browncroft Corners, Panorama, Four Corners and Lloyd's Corners. Recommendations include creating a Small Business Loan Fund with a member item grant, allowing for more office development (particularly in the North Penfield and Panorama areas), and enabling the creation of Business Improvement Districts within Penfield.

X. 2009 Route 250 Corridor Transportation Study

The purpose of this study was to develop a long range plan for the Route 250 corridor that addressed the transportation needs of each linked community. Current and future congestion problems, future growth, roadway improvement needs, access management strategies, and auto, truck, transit, bicycle, and pedestrian improvements were all addressed. An implementation strategy was developed for the recommended improvements including possible grants or alternative funding strategies.

The study area encompassed the portion of Route 250 from Lake Road in Webster to Route 96 in Victor and includes the Towns of Webster, Penfield, Perinton and Victor, along with the villages of Webster and Fairport. This study's key recommendations within Penfield include the installation of turning lanes at the Route 250/Atlantic Avenue intersection, the development of a coordinated land use and transportation plan, and the consideration for rezoning on the west side of Route 250 near the Atlantic Avenue intersection to allow for retail uses.

XI. 2009 Route 250 Corridor Land Use Analysis

As companion to the Route 250 Corridor Transportation Study, the Town of Penfield completed this study. The objectives of the study were to complete a detailed analysis of existing land use patterns along the corridor and to make recommendations for appropriate land use considerations. This study's key recommendations include the consideration of a reduced speed limit along the sections previously posted at 55 MPH and now posted at 50 MPH and the development of a mixed-use area near the intersection of Route 250 and Sweets Corners Road. The mixed-use concept emphasizes, "creating a node of development largely focused on agribusiness with some potential for niche retail and/or hamlet style housing mixed in."