Final Generic Environmental Impact Statement

2010 Comprehensive Plan

Town of Penfield
County of Monroe

Lead Agency:

Town Board
Town of Penfield
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Introduction

This Final Generic Environmental Impact Statement (DGEIS) has been prepared pursuant to 6 NYCRR Part 617 et. seq. for the adoption of the 2010 Comprehensive Plan Update for the Town of Penfield, situate in the County of Monroe and State of New York.

The proposed action is more fully described in the Draft Generic Environmental Impact Statement (DGEIS), incorporated herein by reference. The action is defined as a Type I action under the provisions of the New York State Environmental Quality Review Act (SEQRA). The SEQRA implementing regulations allow a generic or generalized analysis of impacts for actions that involve a program or plan having wide application or restricting the range of future alternative policies or projects. As specifically referenced, agencies may prepare a Generic Environmental Impact Statement (GEIS) for wholly new or significant modifications to existing land use and/or development plans.

The Town Board assumed Lead Agency status and filed a Positive Declaration on May 5, 2010, acknowledging that the adoption of the Plan may have some potentially adverse environmental impacts. The Board had a DGEIS prepared to provide an analysis of the proposed action, as well as reasonable alternatives to the action. The DGEIS was determined to be complete for public review on August 5, 2010 and a public hearing was held on August 30, 2010. In order to provide the public with ample opportunity to review the proposed Plan and the DGEIS, the public comment period was open from August 5, 2010 until September 17, 2010.

The Town Board received a number of comments on the Plan and the DGEIS, both at the public hearing and in writing. The substantive comments have been reviewed and the Board's responses to those comments are contained in the FGEIS. Based upon further review and also upon public comment, the Board has determined that some changes to the draft Plan are warranted and those changes are explained in the following sections of this FGEIS.

This has been an open and public process, involving 20 members of the community who volunteered their time over almost 2 years to compile the draft Plan. It involved the public in a number of public workshops and sessions, as well as the public hearing and comment period. The Board is appreciative of those citizens with a sincere interest in their community who have stepped forward to provide input on this very important Plan that will guide Penfield for the next 10+ years.

Summary of Changes to the 2010 Comprehensive Plan

1. Minor typographical and aesthetic errors have been corrected, including removing incorrect names and dates and removing redundant content. Notations of these errors were collected from a wide variety of community members, board and committee members, and staff.
2. In response to a comment made by John Odenbach, all references to Redman Lake and the Dolomite Quarry on old Penfield Road have been changed to Manitou Lake.
3. All references to the Sweets Corners Mixed Use District were amended to the Route 250 Mixed Use District near Atlantic Avenue to reflect the Future Land Use Map revision.
4. The preface on page four was revised to include emphasis on "Mixed Use Development" instead of "Town Center". This revision was also reflected throughout the document wherever Town Center was discussed. Additionally instead of solely focusing on the Route 250 Mixed Use District, references to mixed use development were amended to discuss all four mixed use districts.
5. The sidebar on page 4 was revised to reflect the topic of community character.
6. The following was amended on page 8 and 133:
    a. Descriptions of land use categories to emphasize the intent of the residential districts versus lot sizes.
    b. The qualifier statements for the consideration of future land use were amended to add emphasis on character, transitions, and relationship between taxes and land use.
    c. The land use policy statement was amended to replicate the content of the Land Use section of the plan.
7. Minor adjustments have been made to the Future Land Use Map on pages 9 and 132. Specifically, the Empire Boulevard commercial area, the NYS Route 250 Mixed Use District, and the high density residential area bounded by Jackson, Plank and NYS Route 250 have been adjusted.
8. The content on page 11 (Introduction) was removed due to redundancy and the content on page 10 was moved over. The content of page 143 (Future Land Use) was copied and added into the Executive Summary, becoming page 10.
9. The introductory paragraph on page 12 (Previous Plans & Studies) has been changed to read,

"The 2010 Comprehensive Plan was created with all previous plans in mind. The Town intends to continue utilizing its previous plans & studies as resources and sources of recommendations. Although the Plan 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 be supported only after careful consideration of the overall benefit to the community."

10. Changes were made in response to comments from Sewer Superintendent Mark DiFrancesco:
    a. Suggested wording to correct inaccuracies on page 34 (Community Resources) regarding sewer service areas and providers of service.
    b. Suggested wording on page 70, Residential Living Strategy D, "Direct higher density residential development towards areas that can be serviced by public water and sewer service." Regarding basin-wide sewer capacity studies.
    c. Clarification of wording of potential implementation items C1 and C2 on page 83, regarding sewer system capacities.
11. Changes were made in response to comments from MC Department of Transportation:
    a. Corrections to page 42 and the corresponding map on page 43 denoting NYS Route 250 and NYS Route 441 from its western limits to its intersection with NYS Route 250 as Principal Arterial roads.
    b. Additional text was added to page 44 (Highway Capacity), "Monroe County Department of Transportation traffic data was also consulted." Also, text was removed within the paragraph that stated, "It should be noted that Five Mile Line Road carries a relatively high traffic volume for a two-lane facility." This sentence is misleading because there are other two-lane facilities within Penfield with higher traffic volumes.
    c. Page 46 referenced that the Bicycle Facilities Master Plan was in development and in reality it was recently completed. A portion of the paragraph was changed to read, "The Town has completed a Bicycle Facilities Master Plan which evaluates the quality of on-street bicycle facilities, maps the bicycle hot spots and recommends the most important on-road and off-road improvements. This plan also contains a

Bicycle Suitability Map and a Bicycle Facilities Improvement Plan. The Plan recommends a multi-use path from Scribner Elementary and Bay Trail Middle School through Rothfuss Park and connecting to Veteran's Memorial Park.

d. Inaccuracies were addressed regarding page 91, Economic Opportunities Strategy C. A portion of the paragraph now reads, "For example, Monroe County and the Genesee Transportation Council identify upcoming projects to be completed over a five year time period. The Monroe County Capital Improvement Program (CIP) and the New York State Transportation Improvement Program (STIP) are the primary funding sources. The current Monroe County CIP for 2011 to 2016 has a total program amount of $374,754,000. Within the Rochester Transportation Management Area, the Genesee Transportation Council administers the STIP and federal funding through its Transportation Improvement Program (TIP). The Genesee Transportation Council is currently operating under its 2011 to 2014 TIP with a total budget of approximately $675,000,000."

12. Changes were made in response to comments from NYS Department of Environmental Conservation:
    a. Suggested wording to correct inaccuracies on page 54 (Wetlands Summary) regarding wetland regulatory jurisdiction.
    b. Additional paragraph added on page 99 (Natural Resources), "It is also important to note that the encouragement of low density housing in agricultural areas can lead to the enhancement of the functions and services of wetlands. Much of the Town's farmland is operated on muck soils which were once natural wetlands. Upon cessation of farming, if these areas are allowed to revert back to wetlands they will provide valuable habitat and water quality benefits."
13. The last bullet point on page 97 (Natural Resources) was revised to now read, "Considering programs that encourage developers to implement sustainable site planning and building practices such as:…" Also, the sidebar showing an example of a small scaled wind energy system was removed.
14. Additional text relating pedestrian oriented design that can be accommodated through compact development were added to page 111.
15. Page 118 was amended to include an explanation for Penfield's fragmented identity in the

discussion relating to defining and promoting Penfield's identity to its residents and visitors.

16. Pages 134-6, 138 were edited to reflect the amended land use descriptions. The purpose was to concentrate on the intentions of each land use instead of a particular lot dimension.
17. The first recommendation on page 142 (Future Land Use) was edited, substituting "Business Non-Retail" for the original "limited commercial uses."
18. A recommendation was added on page 142 (Future Land Use), reading, "Consider allowing Business Non-Retail along the east side of NYS Route 250, north of Cherrymede Crescent."

FGEIS 2010 Comprehensive Plan Public Comment Matrix - Page 1

KEY- MUD (Rt 250 Mixed Use District), Env (Environment)

From	Source-Written (W) or Public Hearing (PH)	Dates	Address	Substantive Comment	Total # Comments By Source		MUD- Proper Execution / Difficulty / Importance / Potential Impacts	MUD- Env Sensitivity	MUD- Conflict w/ Open Space and Agri	MUD- Cumulative Effects	MUD- More Citizen Input / Follow Input	MUD- Supportive	MUD- Town Center		Specific Rezoning Request / Support	Bay Towne Plaza Redevelopment	Future Land Use Map Accuracy	EDAP only if consistent with Plan	Land Use Classification Schemes	Transition Zoning / Buffering Adj	East Penfield / Preserve Rural	Cumulative Impacts of Dev.	Manitou Lake Public Use	Comm or Agri to Lower Taxes
Topic Addressed in These Sections of Summary and Responses:							**1, 2**	**3**	**4**	**5, 7**	**6**	*****	**8**		**9**	**10**	**11**	**12**	**13**	**14**	**15**	**15**	**16**	**17**
Anderson, Jim & Eileen	W	09.13.10	50 Edenfield Road	Y	**0**		1	1	1				1											
Baric, Jean	W	09.15.10	ACCGPG President	Y	**2**										1		1							
Barry, Bernard & Donna	W	08.31.10	1364 Jackson Road	Y	**1**										1									
Dal Santo, Tony	W	09.13.10	63 Aspen Dr.	Y	**1**																			
DEC Haley, Thomas	W	08.11.10	N/A	Y	**0**			1																
DiFrancesco, Mark	W	08.25.10	Sewer Sup.	Y	**0**																			
Dunn, Tom and Sue	W	09.10.10	Edenfield Road	N[1]	**0**		1						1											
Ebmeyer, James	W	09.18.10	2020 Baird Road	Y	**2**		1														1			
Enfonde, Carol	W	09.12.10		N[2]	**1**											1								
Foor, Susan	W	09.12.10, 09.12.10	East Penfield	Y	**1**		1	1	1	1	1		1											
Freitas, Dick	W	05.24.10, 09.15.10		N[3]	**0**																			
Gallagher, Jane	W	09.17.10	1973 Dublin Road	Y	**2**		1	1			1		1								1		1	
Gallagher, Kevin	W, PH	08.30.10, 09.17.10	1973 Dublin Road	Y	**7**												1		1		1			1
Green, Sam	PH	08.30.10	58 Seabury Blvd	Y	**1**											1								
Hanscom, Rose	W, PH	04.25.10, 05.31.10, 08.30.10	145 Anytrell Drive	Y	**7**		1						1				1	1	1	1	1			
Harkins, Larry	PH	08.30.10	599 Embury Road	N[2]	**0**		1		1			1												
Hartley, Jon	W	09.15.10	Evangelical Church	N[2]	**0**							1												
Johnson, Rosemary	PH	08.30.10	2200 Nine Mile Point	N[3]	**1**										1									
Kasunich, Marsha	W	08.30.10	1394 Jackson Road	Y	**1**										1									
Kellman, Matt	W	09.10.10	56 Edenfield Road	N[1]	**0**								1											
Kellman, Matt & Karin	W	09.08.10, 09.10.10	56 Edenfield Road	N[1]	**0**								1											
LeFevre, Jason & Eileen	W	09.17.10		Y	**1**		1						1								1			
Lupo, Paul	W	08.05.10, 08.15.10, 08.30.10 (2)	1394 Jackson Road	Y	**1**										1									
Marks, Brian	W	09.08.10	65 Edenfield Road	N[1]	**0**								1											
MCDOT Rice, Terrence	W	09.16.10	N/A	Y	**0**																			
Milch, Kathi & Jim	W	09.11.10	19 Rockbridge Lane	Y	**0**		1					1												
Mudge, Judy	PH	08.30.10	2120 Penfield Road	Y	**2**										1					1				
Murature, Deb	PH	08.30.10	3 Penview Drive	Y	**3**																		1	
Nichols, Will	W	09.12.10		Y	**0**				1		1		1											
NYSDOT Traver, Robert	W	09.15.10	N/A	Y	**1**																	1		
Odenbach, John	W	09.09.10	N/A	Y	**0**																			
Parrone, Edward	W	09.07.10		N[2]	**0**																			
Penfield Green Initiative	W, PH	08.30.10, 09.17.10	N/A	Y	**9**		1	1	1	1			1								1		1	1
Planning Board	W	08.12.10	N/A	Y	**5**		1													1	1		1	1
Pridonoff, Carl	W	08.30.10	1394 Jackson Road	Y	**1**										1									
Reichert, John	W	08.20.10	1205 Shoecraft Road	Y	**1**										1									
Reynolds, Mary	W	09.08.10	52 Edenfield Road	N[1]	**0**								1											
Rinere, Joe & Aimee	W	09.11.10	58 Edenfield Road	N[1]	**0**								1											
Rink, Randy & Sara	W	09.01.10	139 Guy Grace Lane	Y	**1**											1								
Rogalski, Gene	W	09.16.10	1781 Harris Road	Y	**1**		1			1			1								1			
Teske, Dan	W	09.14.10	Nothnagle Realtor	Y	**1**																			1
Wood, Mark	W, PH	08.30.10, 09.16.10	1671 Harris Road	Y	**3**		1			1			1								1			
Woodward, Dave	PH	08.30.10	1530 Harris Road	Y	**0**		1					1												
Zulawski, Jim & Sue	W	09.14.10		N[1]	**0**								1											
Total Comments By Topic							**14**	**5**	**5**	**4**	**3**	**4**	**16**		**8**	**3**	**3**	**1**	**2**	**3**	**9**	**1**	**4**	**4**

***** - General Statement of Support - no response required

[1] - Not Substantive Comment - Lack of supporting data or observations. Addressed in Topic #8

[2] - Not Substantive Comment - General Statement of Support

[3] - Not Substantive Comment - Assertions unsupported by data or observations.

FGEIS 2010 Comprehensive Plan Public Comment Matrix - Page 2

From	Env- Tree Planting Program	Env- Wind Energy Policy Needed	Env- Habitat/Env Protection	Env- Stricter EPOD Needed	Env- Habitat Connectivity	Env- Publish Waste Sites Timeline	Traffic- Alt. Traffic Calming	Traffic- Connectivity of Res.	Traffic- Commercial Development	Traffic- Multi-modal Trans Needed	Traffic- LUAMP in All Commercial	Process/ Pub Participation	More Communication Tech	Specific Text Additions	Total Comments By Source	Number of Comment Sources
Addressed in Section	**18**	**19**	**20**	**21**	**22**	**23**	**24**	**25**	**26**	**27**	**28**	**29**	**30**	**31**		
Anderson, Jim & Eileen															**0**	1
Baric, Jean															**2**	1
Barry, Bernard & Donna															**1**	1
Dal Santo, Tony													1		**1**	1
DEC Haley, Thomas														1	**0**	1
DiFrancesco, Mark														1	**0**	1
Dunn, Tom and Sue															**0**	1
Ebmeyer, James								1							**2**	1
Enfonde, Carol															**1**	1
Foor, Susan												1			**1**	1
Freitas, Dick															**0**	1
Gallagher, Jane															**2**	1
Gallagher, Kevin	1				1					1					**7**	1
Green, Sam															**1**	1
Hanscom, Rose									1			1			**7**	1
Harkins, Larry															**0**	1
Hartley, Jon															**0**	1
Johnson, Rosemary															**1**	1
Kasunich, Marsha															**1**	1
Kellman, Matt															**0**	1
Kellman, Matt & Karin															**0**	1
LeFevre, Jason & Eileen															**1**	1
Lupo, Paul															**1**	1
Marks, Brian															**0**	1
MCDOT Rice, Terrence														1	**0**	1
Milch, Kathi & Jim															**0**	1
Mudge, Judy															**2**	1
Murature, Deb		1	1												**3**	1
Nichols, Will															**0**	1
NYSDOT Traver, Robert															**1**	1
Odenbach, John														1	**0**	1
Parrone, Edward															**0**	1
Penfield Green Initiative		1	1	1		1				1		1			**9**	1
Planning Board											1				**5**	1
Pridonoff, Carl															**1**	1
Reichert, John															**1**	1
Reynolds, Mary															**0**	1
Rinere, Joe & Aimee															**0**	1
Rink, Randy & Sara															**1**	1
Rogalski, Gene															**1**	1
Teske, Dan															**1**	1
Wood, Mark					1			1							**3**	1
Woodward, Dave															**0**	1
Zulawski, Jim & Sue															**0**	1
Total Comments	**1**	**2**	**2**	**1**	**2**	**1**	**1**	**1**	**1**	**2**	**1**	**3**	**1**	**4**		**44**

Summary of Substantive Public Comments and Lead Agency Responses

The comments received by the Town of Penfield verbally, via e-mail and in writing from the public pertaining to the Comprehensive Plan 2010 fall into five categories (Mixed Use District, Other Future Land Use, Environmental, Traffic, and Miscellaneous). Along with a discussion of their relevance and applicability to the proposed Plan adoption, they are as follows:

Mixed Use District along Route 250, near Sweets Corners Road.

1. Concern regarding the use of this proposed Mixed Use Area as a Town Center.

   Response: 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. 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. Many public comments received regarding this recommendation voiced concerns over the feasibility and appropriateness of the "Town Center" concept. After considering this additional public input it is clear that classifying this proposed area as a "Town Center" is confusing and does not communicate the true intent of a mixed use district. Town Center references were removed from the Plan and the term Mixed Use District will be used instead.

   However, this does not minimize the intent to provide for an appropriate location for mixed-use development. The committee's analysis of areas that have adequate infrastructure, a potential land for development, appropriate transportation network and a foundation of existing, compatible uses was extensive. The location centered at Sweets Corners Road and Rte. 250 was initially suggested in the Route 250 Corridor Land Use Analysis, adopted July 1, 2009, which indicated that proper conditions existed for this type of development. It is recommended that additional study with more specific detail be developed as a result of the Comprehensive Plan, to explore the many advantages that can be brought forth with this type of development. The Comprehensive Plan also identifies other areas of Penfield that may be suitable for this type of mixed-use development, including the Manitou Lake area, north of Old Penfield Road. Mixed use development is already permitted in the Four Corners District and the LaSalle's Landing District.

2. Concern regarding the difficulty of proper development and the possible private development of the mixed use area in a form different than intended by the Town.

   Response: Currently, the potential implementation item within the Plan reads, "Develop a plan for a Mixed Use Area along Route 250." As stated within Chapter III D of the DGEIS, development of this potential mixed-use area will proceed under the guidance of a detailed design plan. The Town frequently uses area plans to ensure the proper planning of a special district, such as the Routes 250/441 Overlay District. Also, 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. Finally, public input will be an important part of the planning process.

3. Concern regarding the environmental sensitivities within the possible boundaries of the Mixed Use District.

   Response: The Environmental Protection Overlay Districts and other regulations, such as the Stormwater Pollution Prevention local laws will be used to guide development in a responsible manner. The Mixed Use District will properly incorporate and make positive uses of environmental features, including using them as buffers. In addition, all uses will undergo review under the State Environmental Quality Review process, which will analyze potential impacts and identify appropriate mitigation.

4. Concern regarding possible conflict between the goals of the Mixed Use District and the Open Space Plan.

   Response: There are areas where lands identified in the Town's two Open Space Plans are also identified on the Future Land Use Map as appropriate for some type of development. The goals of the Open Space plans should not be dismissed, when full acquisition of a parcel or parcels is not practical. There are other techniques identified in the Open Space plans to preserve the integrity of the important features of a given area, while allowing some form of development to occur. These include incentive zoning, conservation easements and cluster development, among others. The Town has shown a substantial investment in pursuing its open space goals and will continue to do so as stated in Community Character & Design strategy A (page 117).

5. Concern regarding the Mixed Use District's possible effects on traffic and the character of the area.

   Response: Substantial planning efforts have established the potential viability of a mixed use district in this area, including the Route 250 Corridor Land Use Analysis, adopted by the Town Board in 2009. Additional traffic analysis has been conducted through the Route 250 Corridor Transportation Study, conducted with funding from the Genesee Transportation Council. This study analyzed this important State corridor from Lake Ontario in Webster, south to Rte. 96, near the Perinton/Victor border. The analysis projected traffic volumes and capacity 25 years out. The study stated that Penfield's section of the corridor appears capable of accommodating additional development and made specific recommendations for immediate and long-term improvements to the corridor. As a direct result of the study the speed limit was reduced along this section of Route 250. Also, the Route 250 Corridor Land Use Analysis and Corridor Study both emphasize access management techniques. Development of this area will be consistent with the recommendations and recommended mitigation of these studies, or provide additional review if it is not consistent.

6. Request for additional citizen input prior to the inclusion of the Mixed Use District recommendations within the Plan.

Response: The Town Board created a Committee consisting of a broad cross-section of stakeholders representing a wide variety of interests within Penfield, vocationally and geographically. Public participation occurred in the form of written comments and active participation in the four public participation opportunities: the Youth Workshop (October 20, 2008), the Community Forum (October 20, 2008), and two Land Use Workshops (January 24 and 26, 2009). The committee worked diligently to consider, balance, and incorporate all of the public input. The diversity of the committee members also led to many discussions weighing the varied interests of stakeholders in Penfield. In addition, the public comment period (August 5, 2010 to September 17, 2010) and the August 30, 2010 public hearing provided further opportunity for the public to submit their input, which is being considered and responded to within this document. Town staff worked diligently to provide ample public notification throughout this process, through the use of e-mail distribution lists, a frequently updated webpage, and multiple newspaper articles in the Democrat & Chronicle and the Penfield Post. In addition, any future development applications will be subject to the application review process, which requires a public review process and a public hearing.

7. Concern regarding the Mixed Use District and a possible long-term "domino effect" or cascading effect on other parts of East Penfield.

   Response: Concerns regarding the spread of mixed-use or higher density development beyond the boundaries of the district may be based upon insufficient information about the area. A number of factors will severely limit the expansion of development. Substantial Environmental features are present in the area, including but not limited to floodplains, wetlands surrounding the area and limitations associated with Commission Ditch. The available sanitary sewer capacity for this area is currently being studied and will likely limit new development expansion. The lands just east of Route 250 on both the north and south sides of Sweets Corners Road have had the development rights purchased by the Town through the Open Space program, thereby limiting expansion to the east. There is a substantial State wetland approximately 1000' west of Rte. 250, providing a natural boundary to expansion of development. Current development pressure of this area is substantial as evidenced by the number of recently submitted Incentive Zoning concept plans. Without an area plan, haphazard development would occur, without an opportunity to mitigate cumulative impacts.

Other Future Land Use Concerns

8. Concern over the potential implementation items found within the Future Land Use section of the Plan.

   Response: The concerns and opinions expressed regarding this section of the Plan center around a false impression that the Plan in and of itself rezones the lands identified. Rather, the Plan establishes a foundation upon which future land use decisions can be made that may change the uses or allowable density of the specifically mapped areas. The Plan takes into account existing and potential infrastructure and the nature and character of surrounding development in the Town

of Penfield and the surrounding municipalities. Any subsequent development plan or rezoning petition that corresponded with the areas identified in the Plan would have to be reviewed for consistency with the plan's goals and environmental assumptions. In short, these concerns relate to a specific action that is neither proposed nor undertaken by the adoption of the Plan, so specific responses are not able to be made at this time.

9. Proposed addition of recommendations for change in land use of specific properties.

Response: The Steering Committee reviewed and discussed all requests for specific land use recommendations submitted before April 21, 2010. All but two were incorporated into the Draft Plan. The remaining requests were deemed either inappropriate or too small to be addressed by the Plan.

Nine additional comments requesting land use recommendations for specific properties were submitted during the public comment period. These relate to four properties, which are addressed here:

i. 1205 Shoecraft Road- The Steering Committee did not recommend a change in land use for this property, and the Town Board does not find compelling evidence to change that decision.

ii. 1364 Jackson Road- The Plan already recommends that this property be considered for higher density residential development.

iii. 1394 Jackson Road- The Steering Committee did not recommend a change in land use for this property, and the Town Board does not find compelling evidence to change that decision.

iv. 2120 Penfield Road- The Plan already recommends that this property and nearby properties be considered for limited commercial uses. Additional detail will be added to the Plan that this property and nearby properties be considered for Business Non-Retail uses.

10. Concern regarding the recommended land use in the vicinity of the Bay Towne Plaza.

Response: As stated elsewhere, the Future Land Use Map is not intended to recommend land use changes that are not described in the text of the Plan. The Town Board has decided to adjust the northernmost portion of the commercial future land use bubble to better represent the current zoning district boundaries.

Recommendations for increased intensity were discussed in the North Penfield Crossroads plan, prepared by the Town and adopted by the Town Board on June 1, 2007. The Comprehensive Plan acknowledges that this area has a substantial commercial presence and some additional development and redevelopment is likely in this commercial corridor along NY Route 404. The Plan does not provide specific property designation for future land uses, but a more general approach. Site-specific environmental review is now being undertaken for lands in this area. The goals for the Comprehensive Plan are strongly supportive of appropriate buffers and setbacks between uses. Once adopted, the Comprehensive Plan goals will be a significant focus of future land use decisions.

11. Concern regarding apparent recommended changes in land use based solely on the Future Land Use Map.

    Response: The Future Land Use Map is displayed using color bubbles and with white area between the bubbles because it is intended to show the approximate boundaries of land uses. It is not intended to indicate specific parcels. There may be instances where the map shows land uses that are clearly contrary to a fully built area (such as an existing neighborhood or commercial plaza), and the location is not mentioned within the text of the document, then it should be counted as unintentional. In areas lacking recommendation to change land use, the Future Land Use Map is intended to reflect current uses or currently permitted uses.

12. Concern regarding potential conflicts between parts of the Economic Development Action Plan and the Comprehensive Plan

    Response: The 2010 Comprehensive Plan was created with all previous plans in mind. The Town intends to continue utilizing its previous plans & studies as resources and sources of recommendations.

    Although the Plan 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 be supported only after careful consideration of the overall benefit to the community.

    The focus for developing the Economic Development Action Plan was to analyze the full potential of Penfield's business opportunities. This focus, while important as a planning tool, may not be able to be fully implemented as goals, policies and regulations are evolving through the Comprehensive Plan process. Again, the narrow focus of this study did not and could not take all factors of development into consideration, but was intended to be an assessment of business development opportunities.

13. Concern regarding the land use categories or classification system used within the Plan.

    Response: The present-day land use categories are the result of existing data. Changing the classifications is not feasible. The future land use classification system was established by the steering committee early in the review process and was the result of significant discussion and the application of the consultants' expertise. The 21st Century Land Development Code (Freilich and White, 2008) defines high density as, "those residential zoning districts in which density is equal to or greater than 10,000 square feet" and low density as, "those residential zoning districts in which the density is equal to or less than one dwelling unit per 40,000 square feet." After some consideration the Town Board decided to place emphasis on the land use classification intention instead of a specific lot dimension. The plan now states a "typical" lot size for residential land use. The future land use categories used within the Plan therefore still fit within these definitions but further explain the purpose of each district.

14. Concern regarding negative impacts from different adjacent land uses and the need for transition zoning and appropriate buffers.

    Response: The Draft Generic Environmental Impact Statement contains substantial explanation of the mitigation within the Zoning Ordinance and recommended by the Plan. Sections B and C of Chapter III (pages 20 to 21) provide discussion on this issue. The Comprehensive Plan discusses several areas where these potential impacts can be minimized, including proper location of uses, transitional planning, use of adequate buffers and minimizing the potential for nuisance issues.

    With that being said, after careful consideration the Town Board amended the Plan to include "future development should have a strong emphasis on how the use is designed and density is applied to create the desired character" and "reviewing Boards should be sensitive to and encourage compatibility with the developed densities and character of the surrounding areas". As stated previously, the potential impacts of changes in land use will be fully evaluated, assessed for consistency with the Comprehensive Plan strategies and implementation techniques.

15. Concern regarding the cumulative impacts of development over time.

    Response: 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. Since permanent moratoriums on growth and development are not permitted under State Law, these impacts will likely continue to occur with or without the Plan. However, with the Plan they are likely to be coordinated, minimized, and controlled.

16. Concern regarding the future public access to Manitou Lake (formally known as Redman Lake).

    Response: The Steering Committee identified that investigating public access to this water feature will be important for planning the development of this area. This property was identified as important in both the 2001 Open Space Plan and its 2006 update. Public access to this water resource is key to this property's importance to the community, whether through acquisition or other techniques which are outlined in the Open Space plans. Text to this effect has been added to the Plan. It should be noted that the property is privately owned and outright acquisition may not be possible, but this should not diminish the importance of public access to this resource.

17. Recommendations to encourage or prioritize commercial and agricultural land uses based on their positive effect on the tax base.

    Response: The need for land use decisions which support the tax base was thoroughly discussed by the Steering Committee, endorsed by the Town Board, and is an integral part of this Plan. Its importance is clearly demonstrated by its place on page four of the document. Consequently, the Steering Committee scrutinized the recommendations within the Plan for their potential impact to the tax base. The proposed Future Land Use Map is a compilation of many months of discussion, public input and committee analysis that provides a blend of residential and non-

residential uses to provide a proper balance between uses that may have varied impacts on the tax base.

Environmental Concerns

18. One individual identified a need for a tree planting program to be added to the Plan's recommendations.

    Response: The Board agrees with the identified benefits of trees within the Town, especially street trees. For this reason, the Town has established many policies and systems to encourage tree cover. Examples of which include a Street Tree Policy, which requires two trees be planted in the front yard of every new home constructed, the Woodlot Environmental Protection Overlay District and the Conservation Board' regular Tree Give-Away for residents. Also, a detailed landscaping plan is required for any commercial development.

19. Proposed addition of a recommendation to develop progressive Wind Energy legislation.

    Response: The Energy and Environmental Advisory Committee has pro-actively identified the immediate need for revisions to the existing wind energy code and has directed select staff members to draft regulations for their review. This has not been included as a recommendation within the Plan because it is already underway.

20. Proposed addition of a definition of wildlife habitat and wildlife habitat preservation recommendations to the Plan.

    Response: By nature, the term wildlife habitat is imprecise and its use requires more descriptive details. All areas of the Town provide some degree of wildlife habitat, even if it is only for birds or rodents within some commercial areas. Some may argue that those areas are not valuable habitats, but they still meet the definition of habitat. Also, some may argue that many forested areas within the Town should not count as valuable habitat due to their small size, historic disturbance, or relative immaturity. Rather than attempt to set an arbitrary or debatable threshold for determining the value of a wildlife habitat, the Town has chosen to give special consideration to specific natural features, namely wetlands, watercourses, steep slopes, woodlands, and floodplains. Protection of these environmental features has been and will continue to be an effective means to preserving wildlife habitat. The Town recognizes that other habitats exist that are not covered by Environmental Protection Overlay Districts, and these habitats are too varied and extensive to map or regulate by codes. The required environmental reviews of development actions provide opportunities for site-specific habitats to be identified and impacts to those habitats analyzed. This typically falls under the jurisdiction of the Planning Board, with direct input from the Penfield Conservation Board.

21. Proposed addition of recommendations for stricter Environmental Protection Overlay District (EPOD) regulations.

    Response: The purpose of EPODs as stated in the Zoning Ordinance, Chapter 29-3-6, is to provide the Town with an additional level of review and regulation that controls how land development permitted by the Town's primary zoning districts should occur

in sensitive or unique environmental areas. The Plan currently recommends that watercourses, steep slopes, and woodlands should be re-inventoried and mapped as a short term priority. At that time, ordinance revisions will be implemented as appropriate. The Wetland and Floodplain EPODs are not included within this recommendation because the data these layers are based upon is under the jurisdiction of the DEC and FEMA, respectively. Consequently, it has been the Town's policy to update these EPODs as these agencies release updates.

Revisions will also seek to improve the effectiveness of these regulations. These EPOD maps will continue to be published on the Town website and on the Penfield GIS Web Application.

22. Concern regarding preservation and encouragement of habitat connectivity.

    Response: There are environmental benefits to maintaining habitat corridors or discouraging the fragmentation of existing natural areas. The required environmental reviews of development actions provide opportunities for site-specific habitats and connections to be identified and impacts to those habitats analyzed. This typically falls under the jurisdiction of the Planning Board, with direct input from the Penfield Conservation Board.

23. Concern regarding the timeline for identification and remediation of contaminated waste sites.

    Response: Due to the heavy reliance on partnering agencies and the extensive costs involved, it is not feasible for the Town to establish a timeline for this recommendation. The Town works actively with property owners to identify and remediate properties.

    The identification of waste sites began with the Monroe County Environmental Management Council, which first developed a list of site and corresponding development guidelines within 2000 feet of a known or suspected suite. The Town has suspected and confirmed waste sites and is working with the DEC to remediate those sites. The Brownfield Opportunities Program is heavily used by the Town. In addition, the Town has a strong history of responsible remediation of any contaminated sites that are owned by the Town.

Traffic Concerns

24. Recommendation regarding expanding the recommendations for alternative traffic calming methods within the Plan.

    Response: On Page 112 the Plan contains Transportation strategy A and associated potential implementation items which relate to traffic management. The Town currently uses a number of traffic calming methods. The Street Tree Policy leads to treed roads which have been shown to reduce car speeds. Also, all new neighborhoods are designed to minimize straight stretches of road. In many existing neighborhoods the Town maintains cautionary signs. As concerns are raised by residents, staff use traffic counters to provide speed analyses to the Transportation

Committee, which determines when thresholds are reached and the appropriate mitigation to be implemented. In addition, the Town will continue to incorporate pedestrian access into development where feasible.

25. Concern regarding the lack of connectivity between residential developments.

    Response: There are many barriers to implementing connectivity between residential developments, the greatest of which can be the objections of the residents. Some neighborhoods have little to no desire for cross access to adjacent developments and are frequently very concerned about possible cut-through traffic. Residential demand-driven design has consistently favored cul-de-sacs, which present additional safety, maintenance, and congestion issues. In cases where cut-through traffic is not a concern, the Town encourages connectivity for safety and community reasons.

26. Concern regarding the traffic impacts of additional commercial development.

    Response: Commercial development is intended to serve the needs of Penfield residents. To a large extent, the commercial districts in Penfield occur along state highways. The Town and the NYS Department of Transportation monitor traffic conditions and NYSDOT is responsible for maintenance. The Town actively encourages improvements and facilitates cooperation between the NYSDOT and private partners. All commercial developments are examined for traffic impacts and required to mitigate where necessary. Also, many transportation studies are included in the Plan by reference, which provide detailed recommendations for traffic in our commercial districts. The Plan also recommends planning for neighborhood convenience retail using farm markets to reduce traffic generation on the main corridors.

27. Recommendation to include multi-modal transportation recommendations with the Plan.

    Response: The Plan currently contains many strategies and potential implementation items within the Transportation section which highlight the movement towards more multi-modal transportation opportunities. These include continued aggressive sidewalk installation programs, implementation of recommendations within the Bicycle Facilities Master Plan and collaboration with RGRTA for adequate bus service and Park & Ride locations.

28. Recommendation to develop land use and access management plans for all commercial districts.

    Response: The Land Use and Access Management Plan, which led to the 250/441 Overlay District (TF), has been effective within that area in incentivizing access management techniques and the cost-sharing of road improvements amongst the benefitting properties. The Plan also references the many area studies that have been completed for the major commercial areas of Penfield, all of which have access management recommendations such as shared access on major road systems, interconnection of commercial parking areas and adequate signage recommendations.

Miscellaneous Concerns

29. Concern regarding the process used to develop the Plan, especially regarding public participation.

    Response: The Town Board created a Committee consisting of a broad cross-section of stakeholders representing a wide variety of interests within Penfield, vocationally and geographically. Public participation occurred in the form of written comments and active participation in the four public participation opportunities: the Youth Workshop (October 20, 2008), the Community Forum (October 20, 2008), and two Land Use Workshops (January 24 and 26, 2009). The committee worked diligently to consider, balance, and incorporate all of the public input. The diversity of the committee members also led to many discussions weighing the varied interests of stakeholders in Penfield. In addition, the public comment period (August 5, 2010 to September 17, 2010) and the August 30, 2010 public hearing provided further opportunity for the public to submit their input, which is being considered and responded to within this document. Town staff worked diligently to provide ample public notification throughout this process, through the use of e-mail distribution lists, a frequently updated webpage, and multiple newspaper articles in the Democrat & Chronicle and the Penfield Post.

30. Recommendation regarding the installation of conduit throughout the Town for future communication technology, such as fiber optics.

    Response: The installation of communication conduit throughout the Town would certainly be beneficial in the future. Economic Opportunities Strategy C contains an implementation item addressing this potential opportunity, which is: "Study telecommunications and information technology infrastructure to identify gaps in service, such as fiber optics or wireless hot spots." The Town's Cable Television Advisory Board has been working to develop a town wide fiber optic communication plan outlining strategies that will provide an advancement of services to businesses and residents.

31. Comments largely containing suggested specific text revisions to the Plan. These comments have largely been incorporated into the Plan. Details can be seen above, under the List of Changes to the Draft 2010 Comprehensive Plan, items 2 through 5. Any recommendations or comments that were not incorporated are addressed below.

    a. Monroe County Department of Transportation, Terrence Rice, recommended including a v/c ratio map to complement the Highway Capacity discussion on page 44. Also, Rice recommended including requests or recommendations regarding the four road segments that are projected to be at or near their capacity by 2031.

       Response: A v/c ratio map would numerically display how close a given road segment is to its full capacity. The term v/c is short for volume/capacity. While a v/c ratio map would be beneficial, it is not critical and its development could delay the adoption of the Plan. Also, v/c ratios may not be easily understood by the Plan's average reader. Town staff will continue to use v/c ratios in transportation system planning. Also, the Plan currently contains many strategies and potential implementation items within the Transportation section beginning on page 106 which address future capacity issues. Additional details regarding capacity issues are beyond the intent of the Plan.

b. Monroe County Department of Environmental Conservation, Thomas Haley, commented that NYS Freshwater Wetlands and their corresponding 100 foot buffer area are present within the potential Mixed Use District along NYS Route 250. He notes that this could limit the development potential of the area and wetland delineation would be needed to determine the actual wetland boundaries.

   Response: The preservation of wetland areas will be incorporated into all future phases of planning the proposed Mixed Use District. The limitations these wetland areas may present is acknowledged and is valuable to note. However, this level of detail is beyond the intent of the Plan. A discussion of potential limitations would be premature and out of context at this point. Instead, the Plan recommends the development of a plan for this area.