

The Planning Board held a meeting at 6:30 PM local time **Thursday, July 8, 2021** in the Town Hall Auditorium to discuss, in a meeting available to the public, tabled matters and other business that was before it.

I. CALL TO ORDER:

PRESENT: Allyn Hetzke, Jr.
Jim Burton
Bill Bastian

ABSENT: Terry Tydings
Bob Kanauer

ALSO PRESENT: Doug Sangster, Town Planner
Lori Gray, Board Secretary
Peter Weishaar, Planning Board Attorney

II. APPROVAL OF MINUTES:

The Board voted and **APPROVED** the draft meeting minutes for June 24, 2021.

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

Motion was carried.

III. PUBLIC HEARING APPLICATION:

1. BME Associates, 10 Lift Bridge Lane East, Fairport, NY 14450, on behalf of Pathstone Development Corporation, requests under Chapter 250 Article XII-12.2 and Article XI-11.2 of the code of the Town of Penfield for Preliminary and Final Subdivision & Site Plan approval for a Mixed Use Facility including 136 residential apartments in two proposed buildings, ±38,470 sf of non-residential space including a daycare facility and a ±4,800 sf commercial building, all with associated site improvements on the existing ±10.653 acre property located at 1801 and 1787 Fairport Nine Mile Point Road. The property is now or formerly owned by WRM Holdings III, LLC and William Wickham, and zoned Mixed Use District (MUD). Application #21P-0020, SBL #125.01-1-3.111, 125.01-1-33.11.

Present: Peter Vars, BME Associates
Mike Bogojevski, BME Associates
Mira Mejibovsky, Passero Associates
Jason Sackett, Pathstone
Amy Casciani, Pathstone

- Jason Sackett, PathStone Development, introduced the project to the Board. He began by stating that this development will be the new construction of 136 units of work force housing in two low rise buildings. The current unit mix contains 27 one bedroom units, 67 two bedroom units, and 42 three bedroom units. Rents will range from \$677 to \$1251 depending upon bedroom size. The project will also feature commercial spaces including a daycare and a retail building.
- Mr. Sackett stated that in regards to funding, the total project costs are currently approximately \$52 million. Proposed permanent sources include NYS HFA tax exempt bonds, private investor equity, HFA loans, NYSERDA energy incentives, deferred developer fees.
- Mr. Sackett stated that they are looking to put together a credible finance plan that would include local approvals sometime this fall and then look to start construction in 2022.

- Peter Vars, from BME Associates, continued the presentation by walking through the site plan and how the proposed project complies with the MUD, The Design Manual and the MUD Principles.
- Mr. Vars explained that the proposed property is located on the west side of NYS Route 250 on the site of the former Grossman's Nursery Garden Store. The Penfield Square Mixed Used Development is located directly to the south. To the west of the property are the lands of the YMCA and to the north are the remaining lands of Bill & Debbie Wickham, an agricultural field and a frontage lot development, single family homes along Route 250. The east boundary of the property is NYS Route 250.
- The proposed project occupies ± 660 feet of frontage along Route 250. The property being proposed for development will total ± 10.65 acres, and it is zoned MUD. It is also designated Zone A, core mixed use area.
- Pathstone Development Corporation is proposing a mixed use development that would consist of residential, commercial, office, daycare, and public and civic open space.
 - The project will consist of 136 units of one, two, and three bedroom apartments targeted as workforce housing.
 - There will be over 38,000 square feet of non-residential space use which will consist of a myriad of uses including a stand-alone ± 4800 sf commercial building; 3rd party office space on the first floor in the "first building" which is the building closest to Route 250.
 - The first floor in the "second building" will have an ± 8200 sf public daycare operated by a third party.
 - Included within the buildings will be a rooftop terrace, and there will be over two acres of public civic space, both active and passive space available for resident and public use.
- Mr. Vars continued describing the three proposed buildings from a site plan perspective.
 - The "first building" will be located along Route 250 and will contain 79 residential units and it will be four stories in height, approximately 49 feet. The building is located ± 110 feet off the Route 250 ROW.
 - The "second building", located to the west of the first building will contain 57 residential units and will be three stories in height (approx. ± 42 feet). The daycare facility will be located on the first floor of the west wing of this building. There

will also be a ±5000sf outdoor playground area to be fenced in that will be associated with the daycare facility.

- The “third building” will be located up in the northeast corner of the property, close to Route 250. At this time it is proposed to be ±4800sf stand alone, single story commercial building. The building is located ±40 feet off the ROW of Route 250. PathStone is gaining traction on attracting a tenant for that building and it looks like it could be a food establishment.
- Mr. Vars described the site plan that was prepared and submitted as being cognizant of the 10 MUD Principles in The Design Manual. A couple key components include:
 - Pedestrian mobility, multi-modal transportation – we have come to know it as the *pedestrian spine* located through the center of the proposed property. This has actually become the MUD pedestrian spine because it was established with Penfield Square to the south. There was a lot of conversation and discussion about how that pedestrian spine is a key travel corridor ultimately getting up to Atlantic Avenue. This plan also proposes an extensive *sidewalk network* – north/south corridors along Route 250 and along the Complete Street on the west property line, complimented by an east/west network of sidewalks that will connect the north/south corridors to each other.
 - Public Civic Space – space that is considered “greenspace” but also “civic space,” that it will encourage activity, public use, neighbor use, and resident use. This is centered on the pedestrian spine and is over one acre in size. In comparison, the civic space in Penfield Square is just under ½ an acre, so we are doubling that number here. It will be complimented with active recreation areas, pocket parks and seating areas along the pedestrian spine. There will also be pedestrian scale lighting and landscaping along that pedestrian spine.
- Mr. Vars continued with the project parameters.
 - Density - at 136 units on ±10.65 acres, the density is proposed at 12.8 units per acre. The Zone A core allows up to 20 units per acre.
 - Building Coverage – proposed at 14.7 %, only 1.75 acres will be building coverage.
 - Non-Residential Space/Use – ±38,000sf that represents almost 19% of the total proposed use.
 - Common Public Civic Space – ±2.2 acres of space designated for public use represents 21.3% of the total project area. The Zone A core requires a minimum of 20%.
 - Total Greenspace - ±4.3acres represents 41% of the total project area.
 - Uses – the Zone A core requires a minimum of four uses. This project includes five: residential use, office use, commercial use, daycare use and public civic space.
- Mr. Vars stated that the site plan was designed with the principles that were established in the MUD Design Manual and also some of the principles that the Planning Board worked hard to establish with the Penfield Square Development. The Board set a standard with the Penfield Square approval of what their standard was and this current plan was built on that and what was discussed, with the extension to the north, ultimately to Atlantic Avenue.
 - The pedestrian spine through the center – this is the lynch pin of this southwest quadrant of the MUD.
 - The sidewalk will continue along Route 250 to provide another pedestrian corridor along the state highway.

- The extension of the complete street along the west side of the property, now known as Penfield Square Road. This extension meets the MUD requirements including a ±20ft wide driving surface, on-street parallel parking on both sides, an ±8ft wide multi-modal path or walk, a minimum ±10ft wide tree lawn area between the path and the parallel parking, all contained within a 66ft ROW.
- Access to this property will be achieved by using two existing driveways or curb cuts onto Route 250. No new points of access are being proposed.
 - o One point of access will be the existing *signalized driveway of the YMCA* drive with Route 250. The proposed access to that intersection is gained through the extension of Penfield Square Road up into the property along the west property line.
 - o The second point of access is the *existing driveway that currently serves the Grossman property and the Wickham property* to the rear. That driveway will be improved to meet the DOT driveway access standards. This will be a private road that is extended into the property but it does include some complete street elements which came as a response to the Sketch Plan review. That street currently has on-street parallel parking and street trees on the tree lawn area. The design of this road was done in consultation with the PRC and Engineering Dept. in the fact that this property could be readily connected to any mixed use development that occurs to the north.
- A Traffic Study has been prepared for this project and submitted to the Town this week as well as NYS DOT. The scope of the study went all the way to Atlantic Ave. to the north and Whalen Road to the south which were parameters approved by the NYS DOT. It also acknowledges the Penfield Heights application. The projected traffic generation from that project was included as part of the background traffic. The study finds that the YMCA signalized access, including the Penfield Heights background traffic will operate at a satisfactory level of service with this development. It recommends some signal timing adjustments at the Atlantic Avenue and Whalen Road intersections. There is also discussion in the study about possible lane improvements as it relates to Route 250 between the two driveways.
- Parking on this property is proposed for up to 255 vehicles which includes 18 landbanked spaces. The parking was achieved based on a demand of 1.5 spaces per residential unit which comes directly from the team at PathStone. Parking was provided at a ratio of 4.5 spaces per 1000sf for the commercial building plus 11 spaces for the office building. We also designated 20 spaces for the daycare use. The daycare use also includes a drop off loop which is a common practice for daycare uses.
- Parking areas to the north of the buildings had comments that “it looked too much like a shopping center” so we introduced larger scale green islands going east to west. The average number of spaces within those areas is now 35-42 spaces. We have done oversized islands along the drive aisle so that we can be sure we can plant those with trees that will survive. We took some parking out of the fields and introduced it as on-street parking along the roadway to the north as well as along the fire lane to the south side of the building.

- Mr. Vars stated that they believe they have satisfies the requirement of multi-modal traffic circulation for vehicle, cyclists and pedestrians. There are three strong north/south pedestrian corridors. The east/west network of sidewalks achieves several goals – it connects the north/south corridors to each other, it connects the buildings within the property to the public and civic spaces, and it connects the mixed uses with each other.
- The project provides the necessary fire lanes as required by the Fire Marshal, primarily the lane around the south side of the property.
- There is also a drop off to the front of each residential building.
- Mr. Vars stated that there is a robust and active open space, greenspace, and civic space plan for this project. The civic space in the center of the site is the lynch pin of the public space. It is over an acre in size and is focused around the pedestrian spine. There is a curve linear design with bump outs or “pocket parks” – spaces the residents or public can gather, outdoors, in a safe environment in a post-Covid world. There is a designated dog park area and to the south there is a hard court flex space area. There will be pedestrian landscape and lighting.
- Mr. Vars stated that each residential building will have its own distinct courtyard area. The courtyard at Building 1 is being established as a family area with a playground as the focal point. The courtyard area at Building 2 is intended for larger family gatherings complete with an outdoor kitchen, a game area and along the left side is a landscape plan that buffers the daycare area. Up in the northwest corner of the property is proposed to be a community garden area. There is a small maintenance building there that will contain their tools, etc. He also pointed out the outside playground area associated with the daycare.
- Mr. Vars concluded that the key goal in this MUD project was to propose outdoor spaces that provide a variety of passive and active uses.
- Mr. Vars stated that the plans include landscape and lighting plans. The landscape plan includes the street trees and the landscaping of the parking islands and the green spaces. Lighting on the property will be all LED. The street and parking lot lighting will be 18ft poles while the pedestrian lighting along the spine will be 14ft poles (for security) complimented with 42” bollards (to provide accent lighting). The goal was to be sensitive with the lighting through the area because there are first floor residents in there.
- Mr. Vars continued, the project will be served by public water and public sanitary sewer which will be extended up from Penfield Square. The submission includes a comprehensive stormwater management plan, with the facility proposed on the west side of the public street which will act as a buffer to the DEC wetlands that are located on the YMCA lands but slightly encroach into our property. Those wetlands have been delineated with the DEC and the delineation has been accepted. There is no proposed encroachment or disturbance to the wetlands or the buffer area. The Stormwater management facility has been sized to provide the necessary water quality treatment. The discharge will be to an existing storm sewer pipe that drains the Wickham property. A complete engineer’s report was also provided with the application.
- The project includes a subdivision of lands. One parcel is ± 5 acres and is located along Route 250, the former Grossman’s lot. The other ± 5.65 acres is being subdivided off a 15 acre parcel owned by Bill and Debbie Wickham.
- The project is a SEQR Type 1 Action. The request was made that the Planning Board designate themselves as the lead agency for the coordinated review.
- Also included with the application were various memos:

- A memo outlining the 10 MUD Principles
 - The Factors for Consideration
 - Written Responses to the Planning Board's Sketch Plan Review
 - Written Responses to the PRC Sketch Plan Review
- The July 1, 2021 PRC Memo was received and written responses will be submitted.
 - Board member Burton made a comment, stating that it is obvious the applicant listened to the comments made at the Sketch Plan Review, incorporating items like parking, buffering, and greenspace.
 - Board member Burton reminded the applicant that each one of the "parking areas" must have ADA compliant spaces. He also commented that adding the 18 landbanked parking spaces to the front of the project was very clever.
 - Mira Mejibovsky, from Passero Associates continued the presentation with the architectural aspects of the project. Ms. Mejibovsky stated that a lot of time was put into the design of the project, starting with the building footprint. The features of the site plan are all tied together by the building footprint. The buildings are "U-shaped" because of the desire to provide courtyards for the residents and they are oriented toward the south to provide the courtyards with as much sun as possible. The entrances to both buildings are in the middle with a transparent view of the courtyard across the way with the intent of connecting interior with exterior spaces creating a more spacious and friendly environment.
 - Ms. Mejibovsky began describing the apartments. There are a total of 136 units in both buildings, ranging from one to three bedroom with sizes ranging from 700-1000 square feet. Each apartment is fully equipped with full size kitchen, bathroom, bulk storage, and laundry. Each building has a number of common spaces like a community room, an exercise room, a computer room, and various lounges in addition to the first floor commercial and office spaces.
 - Ms. Mejibovsky went on to describe the exterior of the buildings which were designed with both the code and the design guideline in mind. The buildings compliment the surrounding area, providing visual interest and continuity. The project has the benefit of being in a suburban/ residential area with farmland right across the street. It's a combination of nature as well as conveniences. The colors were chosen to tastefully combine the best features of the surrounding areas. For example, in order to compliment Penfield Square we will be using similar base colors. A deep red will also be used, complementing the farm area. Durable materials were also specifically chosen.
 - The footprints of the buildings were designed to provide a visual diversity even though they are essentially mirror images of each other. The first building is four stories high and has more contemporary features while the second building is three stories high with a more traditional style.

Board Questions:

- Board member Bastian asked about the possibility of the 3-story building being changed to a 4-story. Mr. Vars responded that they understand that if the decision is made to go to four stories on that building, the applicant would have to come back to the Planning Board for another public hearing. Mr. Vars stated that PathStone is updating their market study and that decision will be made sooner than later.
- Board member Bastian stated that his concern is that the current percentage of non-

residential use is 19% but if they go to a 4 story building, compensation will need to be made somewhere. Mr. Vars responded that he was fully aware of that.

- Board member Bastian asked about dumpster locations. Mr. Vars responded that it will be interior trash collection with totes to be brought out on trash collection day. There are no dumpsters proposed. Ms. Mejibovsky stated that there are two trash rooms on every floor. Board member Bastian asked if there are provisions for odor control, etc. Chairman Hetzke pointed out that there is a big difference between a family of five and an 85 year old couple in the amount of trash produced. Mr. Vars stated that they will provide an outline of how trash will be handled for the August work session.
- Board member Bastian asked if this will be a phased project. Mr. Sackett responded that the construction period is typically between 15 and 18 months. The development will all be constructed at the same time.
- Board member Bastian asked if there was any consideration given to raising the non-residential percentage from 19% to 20% or more as the mixed use development recommends. Mr. Vars responded that they understood that requirement and they continue to look at it, balancing the quantity with the quality.
- Board member Bastian asked about the height of building 2 should they go to the 4 stories – will they remain under 55 feet. Ms. Mejibovsky responded that when you add another floor it is an additional 11 feet therefore it will be at 53 feet if they add that extra floor.
- Chairman Hetzke asked about the pond on the southwest corner of the property, is it retention or detention. Mr. Vars stated that it was both in the fact that it will hold or retain water at all times in a pool area with an average depth of 6 feet; but then as the storm events occur it will pond higher and then that water will recede but there will be a maintained pool elevation.
- Chairman Hetzke asked about the rectangle in the middle of the parking lot on the east side of Building One (on the Site Plan). He stated that he appreciates the “break up” of the pavement but will it be just lawn or is there a plan. Mr. Vars stated that they don’t fully know yet. Mr. Vars stated that after discussions with the PRC, they thought it was important to shrink this parking area and increase the width of the pedestrian spine green space thus making it the “launching area” going forward. The area in question will likely be something in a “passive” sense, maybe a garden. They know they need to come up with a detailed landscape plan for that area. The primary goal was to break up the parking lot but it also provides an opportunity to provide an accent to the property.
- Chairman Hetzke asked if the applicant could give the Board a list of other comparable properties that Pathstone manages that the members could visit.
Amy Casciani, from Pathstone came forward and gave the names of a number of PathStone properties that may be fitting:
 - Hobie Creek Apt, Irondequoit – a seniors development on Brower Road
 - Ada Ridge Apt, Greece - Long Pond Road – Senior Apts
 - Andrews Terrace, Rochester – Andrews St. – Senior Apts
 - Crerand Commons 1 & 2, Rochester / Gates – Coccia Crescent – Workforce
 - Seldon Square, Brockport – Workforce
 - Skyview Park Apt – Irondequoit – Senior Apts
- Chairman Hetzke asked if there is a difference in the terms “affordable” housing and “workforce” housing. Ms. Casciani responded, saying that workforce is also affordable housing, but with a focus on families.

- Board member Burton complimented the project architect, stating that the design is very refreshing and the color scheme is terrific.
- Chairman Hetzke asked if landscape lighting will be installed to up-light the trees to enhance the visual perspective at night. Mr. Vars responded that they are still discussing that option internally, but they want to be sensitive to the residential uses. Chairman Hetzke continued, stating that it might be a nice feature for the trees along the pedestrian spine, the trees to the east along Route 250, and even in the courtyards to create a nice ambiance at night.
- Board member Burton asked Mr. Sangster if the application has been sent to Chris Lopez, the Town Architectural Consultant. Mr. Sangster responded that Staff will get it packaged up with the new renderings and send it to Chris Lopez as well as Bruce Zaretsky the Town Landscape Consultant for review.
- Chairman Hetzke asked if the buildings could be moved to the south so that the fire department can utilize the roadway and pavement from Penfield Square. Mr. Vars responded that the prohibitive component of that is the 36” Monroe County Water transmission main that runs along the proposed south property line on a 50’ easement. The buildings couldn’t get close enough to the existing pavement to serve as a fire lane. Board member Burton asked if the Fire Marshal is ok with this and Mr. Vars responded yes, he is comfortable with the layout shown.

Public Comments:

***Additional public comments will be accepted electronically through July 15, 2021.*

1. Heather Roth, 87 Aspen Dr, Rochester 14625

- Expressed concerns for the project because her mother lives in the Garden Senior Housing at Penfield Square where her apartment faces the proposed project. There are currently trees she sees from her balcony – will they remain between the proposed project and the Garden Apartments? Mr. Vars responded that the 50’ easement prevents the removal of the trees. The current vegetation will remain. On the other hand, the trees around the Wickham property will be removed along with the existing house.
- Ms. Roth then reference the “square” in the middle of the site plan between the buildings, asking what that was. Mr. Vars responded that it is a “flex” recreation space – though it is a hard surface area, it doesn’t have an identified, specific use. Mr. Vars stated that they are considering the families and neighbors when determining the purpose of this space.
- Ms. Roth asked where the playground for the daycare is located. Mr. Vars indicated it was in the western corner off building two.

2. Brian Growney, 19 Finch Wood Lane, Penfield

- Asked which school district (specifically the elementary school) this proposed development would be in, and expressed concerns for how it might impact that district. Mr. Sangster responded that the proposed development is in the Webster School District. Chairman Hetzke stated that both the Webster and Penfield School Districts were parties involved in the MUD code when it was created so they are aware of what the district is proposed to contain and should be planning accordingly. Mr. Sangster

V. NEW BUSINESS:

1. Rezoning Requests

- Mr. Sangster explained that the Town Board has forwarded a request to the Planning Board by way of the Comprehensive Planning Committee. The Committee has been meeting for the last couple of years drafting the 2020 Comprehensive Plan and as part of that process, through public information meetings, and requests of residents and business owners the Town Board has chosen to entertain some requests for re-zoning.
- The Town Board has set a Public Hearing for these requests on August 4, 2021.
- The Town Board is interested in getting the Planning Board’s feedback and possibly support on the rezoning of the following properties:
 - 125 Panorama Trail: Limited Industrial to General Business
 - 1423 Empire Blvd: LaSalle’s Landing & R-1-20 to either LL or R-1-20
 - 1177-1179 Bay Road: R-1-20 to Multiple Residence
 - 1271 Fairport Nine Mile Point Rd: RA-2 to R-1-20
 - Allens Creek Valley Townhouses: MR to Townhouse Dwelling (TH)
 - Sable Oaks Townhouses – MR to TH
 - 2328 Browncroft Blvd: R-1-20 to TH
 - 2406 Old Browncroft Blvd: R-1-20 to MR
 - 2013-2039 Fairport Nine Mile Point Rd: MR, TH or BN-R (Business Non-retail)
- There are two other areas that the Comprehensive Plan Committee is still reviewing are the following:
 - 1468 & 1506 Empire Blvd
 - 1265-1271 Plank Road and 1220-1258 Northrup Road
- Board member Burton stated that he went through the list and felt the changes were appropriate.
- Mr. Sangster stated that the Town Board is looking to see if the Planning Board would be supportive of these revisions as the Planning Board would be responsible for future site plan review in the new zoning.
- Note: The draft memo detailing these requests is attached to these minutes.
- The Board had no further concerns.

The Board voted and **INSTRUCTED Staff** to draft a memo to the Town Board indicating their support of the re-zoning as presented by the Comprehensive Plan Committee.

Vote:	Moved by:	Bastian	Seconded by:	Burton
Chairperson:	Hetzke - Aye	Bastian - Aye	Burton - Aye	
		Kanauer - Absent	Tydings - Absent	
Motion was carried.				

FILED
 PENFIELD, N.Y.
 2021 AUG 13 AM 9:36
 ANNY M. STEKLOFF
 TOWN CLERK

There being no further business before the Board, the meeting was adjourned at 8:30 PM.

These minutes were adopted by the Planning Board on Thursday, August 12, 2021.