



# TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

## PLANNING BOARD AGENDA

Thursday, May 12, 2022, 6:30 PM

Allyn "AJ" Hetzke, Chairman presiding

Marie Cinti, Town Board Liaison

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- I. Call to Order**
- II. Approval of Minutes** – April 14, 2022 DRAFT Minutes
- III. Public Hearing Application**
  1. 1850 Empire Blvd., McDonald's  
Preliminary / Final Site Plan  
Application #22P-0014
- IV. Tabled Applications**
  2. 1801 & 1787 Fairport Nine Mile Point Road, PathStone (MUD)  
Preliminary / Final Site Plan & Subdivision Approval  
Application #21P-0020
  2. Fairport Nine Mile Point Road, The Arbors at Penfield (MUD)  
Preliminary / Final Site Plan & Subdivision Approval  
Application #21P-0029
  3. 1820 & 1810 Fairport Nine Mile Point Rd, Penfield Heights (MUD)  
Preliminary / Final Site Plan & Subdivision Approval  
Application #22P-0003
  4. 2140 Fairport Nine Mile Point Road, Splash Car Wash  
Preliminary / Final Site Plan Approval & Conditional Use Permit  
Application #22P-0006
  5. 1800 Empire Blvd., Taco Bell  
Preliminary / Final Site Plan & Subdivision & Conditional Use Permit  
Application #22P-0009
  6. 1800 Empire Blvd., Home Outlet  
Preliminary / Final Site Plan Approval  
Application #22P-0010
  7. 2730 Atlantic Avenue, Heritage Christian Services  
Preliminary / Final Site Plan & Subdivision Approval  
Application #22P-0011
  8. 1838 Penfield Road, Verizon Wireless  
Preliminary / Final Site Plan Approval & Conditional Use Permit  
Application #22P-0012
- V. Action Items (Administrative)**
  1. 600 Linden Avenue, Penfield Farms  
Administrative Site Plan Modifications
  2. 41 Woodhaven Dr., K-2 Brothers Brewery  
Town Board Incentive Zoning Application 22T-017

**PLANNING BOARD AGENDA**

3. 1788-1794 Penfield Road  
Town Board Rezoning Referral

- VI. Held Items**
- VII. New Business**
- VIII. Next Meeting: May 26, 2022 – Work Session**
- IX. Adjournment**

*This meeting will be video recorded and broadcast LIVE via the town's website [www.penfield.org](http://www.penfield.org) and on the Town's Government Access Cable Channel 1303. Questions regarding video coverage contact Penfield TV at (585) 340-8661.*

## PLANNING BOARD AGENDA

PLEASE TAKE NOTICE that a Public Hearing was held at Penfield Town Hall on **Thursday, May 12, 2022**, immediately following a work session meeting commencing at 6:30 PM local time. The Board discussed tabled matters and other business that came before it during the work session, followed by a Public Hearing to consider each of the following applications.

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### **PUBLIC HEARING APPLICATION:**

1. T.Y. Lin International Engineering & Architecture, P.C., 255 East Avenue, Rochester, NY 14604, on behalf of McDonald's USA, LLC, requests under Chapter 250, Article XII-12.2 of the Code of the Town of Penfield for Preliminary and Final Site Plan for the proposed construction of an additional drive-thru menu board adjacent to the existing drive-thru location, a small building addition, and associated site improvements on  $\pm 1.12$  acres located at 1850 Empire Blvd. The property is now or formerly owned by McDonald's USA, LLC, and zoned General Business (GB). Application #22P-0014, SBL #93.02-1-23.2.

### **TABLED**

### **TABLED APPLICATIONS:**

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,  $\pm 38,470$  sf of non-residential space including a daycare facility and a  $\pm 4,800$  sf commercial building, all with associated site improvements on the existing  $\pm 10.653$  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.

### **CONTINUED TABLED**

2. Costich Engineers, 217 Lake Ave., Rochester, NY 14608, on behalf of Atlantic 250 LLC, 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 phase 1 of a mixed-use development project including townhomes, apartments, a community center, commercial retail, and office spaces with associated site improvements on  $\pm 73$  acres located at 1600, 1611, 1615, 1643, 1657 Fairport Nine Mile Point Road, 1255 Penfield Center Road, and 3278 Atlantic Ave. The properties are now or formerly owned by Atlantic 250 LLC and zoned Mixed-Use District (MUD). Application # 21P-0029, SBL #110.03-01-04.215, #110.03-1-4.212, #110.03-1-4.205, #110.03-1-25.2, #110.03-01-25.1, #110.03-1-4.206, #110.03-1-24.

### **CONTINUED TABLED**

## PLANNING BOARD AGENDA

3. SWBR, 387 East Main Street, Suite 500, Rochester, NY 14604, on behalf of Penfield Heights, LLC, 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 development project including townhouses, apartments, a common house, commercial, retail and office spaces with associated site improvements on  $\pm 6.6$  acres located at 1820 & 1810 Fairport Nine Mile Point Road. The properties are now or formerly owned by Penfield Heights, LLC and Sebastian & Concetta Curatolo and zoned Mixed-Use District (MUD). Application #22P-0003, SBL #s 125.01-1-25.1, 125.01-1-25.2.

### CONTINUED TABLED

4. DDS Engineering and Survey, LLP, 45 Hendrix Road, West Henrietta, NY 14586, on behalf of Splash Car Wash Fairport, LLC, requests under Chapter 250 Article XII-12.2 and Article XIII-13.2 of the Code of the Town of Penfield for Preliminary and Final Site Plan approval and a Conditional Use Permit on building renovations and site improvements of an existing car wash facility under new ownership on  $\pm 0.96$  acres located at 2140 Fairport Nine Mile Point Road. The property is now or formerly owned by Splash Car Wash Fairport, LLC, and zoned General Business (GB). Application #22P-0006, SBL #140.01-2-5.1.

### APPROVED WITH CONDITIONS

5. APD Engineering & Architecture, 615 Fishers Run, Victor, NY 14564, on behalf of Fairlane Dr, LLC, requests under Chapter 250, Article XI-11.2, Article XII-12.2, and Article XIII-13.2 of the Code of the Town of Penfield for Preliminary and Final Site Plan and Subdivision approval and a Conditional Use Permit for the proposed construction of a  $\pm 2,700$  sf Taco Bell restaurant with drive-thru and associated site improvements on  $\pm 1.9$  acres located at 1800 Empire Blvd. The property is now or formerly owned by E.C. Barton & Company, and zoned General Business (GB). Application #22P-0009, SBL #93.15-1-57.

### APPROVED WITH CONDITIONS

6. APD Engineering & Architecture, 615 Fishers Run, Victor, NY 14564, on behalf of Fairlane Dr, LLC, requests under Chapter 250, Article XII-12.2 of the Code of the Town of Penfield for Preliminary and Final Site Plan approval for the proposed site improvements on  $\pm 1.9$  acres located at 1800 Empire Blvd. The property is now or formerly owned by E.C. Barton & Company, and zoned General Business (GB). Application #22P-0010, SBL #93.15-1-57.

### APPROVED WITH CONDITIONS

7. Marathon Engineering, 39 Cascade Drive, Rochester, NY 14614, on behalf of Heritage Christian Services, requests under Chapter 250, Article XI-11.2 and Article XII-12.2 of the Code of the Town of Penfield for Preliminary and Final Site Plan and Subdivision approval on the proposed construction and operation of a  $\pm 3,700$  sf one story, 6-bed home on a  $\pm 1.3$ -acre parcel to be subdivided from the existing  $\pm 2.7$  acres located at 2730 Atlantic Avenue. The property is now or formerly owned by Heritage Christian Services and zoned Residential 1-20 (R-1-20). Application #22P-0011, SBL #124.01-1-2.

### CONTINUED TABLED

**PLANNING BOARD AGENDA**

8. Nixon Peabody LLP, 1300 Clinton Square, Rochester, NY 14604, on behalf of Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless, requests under Chapter 250, Article XII-12.2, and Article XIII-13.2 of the Code of the Town of Penfield for Preliminary and Final Site Plan approval and a Conditional Use Permit for the proposed construction and operation of a 124' wireless telecommunications facility (plus 4' lightning rod) and associated site improvements on the 880 sf leased parcel of the ±2.88 acres at 1838 Penfield Road. The property is now or formerly owned by Penfield Fire District and zoned Four Corners (FC). Application #22P-0012, SBL #139.06-2-49.1.

**CONTINUED TABLED**

The Planning Board will next meet at 6:30 PM local time on **May 26, 2022**, in the Town Hall Auditorium to discuss tabled matters and other business that may be before it. Please contact the Planning Department with any questions or concerns.

Amy Steklof, RMC/CMC  
Town Clerk