



TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

PLANNING BOARD AGENDA

Thursday, July 14, 2022, 6:30 PM

Allyn "AJ" Hetzke, Chairman presiding

Marie Cinti, Town Board Liaison

- I. Call to Order**
- II. Approval of Minutes – June 23, 2022 DRAFT Minutes**
- III. Public Hearing Applications**
 1. 2305 Penfield Road, Nilefar Subdivision
Sketch Plan
Application #22P-0017
 2. 1911 – 1977 Salt Road, Fairport, Peyton-Sidney Subdivision
Preliminary / Final Subdivision
Application #22P-0018
 3. 2070 Empire Blvd., RG&E Substation 55 Rebuild
Preliminary / Final Subdivision, Site Plan Approval & Conditional Use Permit
Application #22P-0019
- IV. Tabled Applications**
 1. 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. 1838 Penfield Road, Verizon Wireless
Preliminary / Final Site Plan Approval & Conditional Use Permit
Application #22P-0012
 5. 2130 Fairport Nine Mile Point Road, Chick-fil-A
Preliminary / Final Subdivision, Site Plan Approval & Conditional Use Permit
Application #22P-0015
- V. Action Items (Administrative)**
- VI. Held Items**
- VII. New Business**
- VIII. Next Meeting: August 11, 2022 – Public Hearing / Work Session**
- IX. Adjournment**

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

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PLEASE TAKE NOTICE that a Public Hearing was held at Penfield Town Hall on **Thursday, July 14, 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.

PUBLIC HEARING APPLICATIONS:

1. Lakeside Engineering PC, 11 Centre Park, Suite 305, Rochester, NY 14614, on behalf of Rabia and Nilefar Zouaghi, requests an informal discussion before the Board with plans for a 3-lot subdivision on ± 2.48 acres at 2305 Penfield Road. The property is now or formerly owned by Rabia and Nilefar Zouaghi and zoned Residential 1-20 (R-1-20). Application #22P-0017, SBL #140.01-1-75.2.

CONCERNS NOTED

2. McMahon LaRue Associate P.C., 822 Holt Road, Webster, NY 14580, on behalf of Brent Rothfuss, requests under Chapter 250, Article XII-11.2 of the Code of the Town of Penfield for Preliminary and Final Subdivision Approval for the proposed 3-lot subdivision with no new construction on ± 60.67 acres located at 1911 and 1977 Salt Road, Fairport. The properties are now or formerly owned by Brent, Terry, Floyd, Floyd P. Rothfuss and Charles & Constance Horst, and zoned Rural Agricultural (RA-2). Application #22P-0018, SBL #125.04-1-8.11, 125.04-1-8.2.

TABLED

3. LaBella Associates, 300 State Street, Suite 201, Rochester, NY 14614, on behalf of Rochester Gas and Electric Corporation, requests under Chapter 250, Article XII-11.2, Article XII-12.2, and Article XII-13.2 of the Code of the Town of Penfield for Preliminary and Final Subdivision, Site Plan, and Conditional Use Permit Approval for the proposed relocation and modernization of an electrical substation with associated site improvements on ± 2.43 acres located at 2070 Empire Blvd. The property is now or formerly owned by JJ&A Development, LLC, and zoned Limited Business (LB). Application #22P-0019, SBL #93.02-1-1.121.

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 ± 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

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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 ± 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.

APPROVED WITH CONDITIONS

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 ± 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.

APPROVED WITH CONDITIONS

4. 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

5. Bohler Engineering MA, LLC, 70 Linden Oaks, Rochester, NY 14625, on behalf of Kerry Ventures Fairport Nine Mile Point Road LLC, requests under Chapter 250, Article XII-11.2, Article XII-12.2, and Article XII-13.2 of the Code of the Town of Penfield for Preliminary and Final Subdivision, Site Plan, and Conditional Use Permit Approval for the proposed construction of a $\pm 5,600$ sf Chick-fil-A restaurant building with drive through and associated site improvements on ± 5.1 acres located at 2130 Fairport Nine Mile Point Road and 2195 Penfield Road. The properties are now or formerly owned by Kerry Ventures Fairport Nine Mile Point Road LLC, and zoned General Business (GB). Application #22P-0015, SBL #140.01-2-4.1 and 140.01-2-6.998.

CONTINUED TABLED

The Planning Board will next meet at 6:30 PM local time on **August 11, 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