



TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

PLANNING BOARD AGENDA

Thursday, August 11, 2022, 6:30 PM

Allyn "AJ" Hetzke, Chairman presiding

Marie Cinti, Town Board Liaison

- I. Call to Order**
- II. Approval of Minutes – July 14, 2022 DRAFT Minutes**
- III. Public Hearing Applications**
 - 1. 2755, 2763, and 2771 Penfield Road, O’Leary Re-subdivision Preliminary / Final Subdivision Application #22P-0020
- IV. Tabled Applications**
 - 1. 1801 & 1787 Fairport Nine Mile Point Road, PathStone (MUD) Preliminary / Final Site Plan & Subdivision Approval Application #21P-0020
 - 2. 1838 Penfield Road, Verizon Wireless Preliminary / Final Site Plan Approval & Conditional Use Permit Application #22P-0012
 - 3. 2130 Fairport Nine Mile Point Road, Chick-fil-A Preliminary / Final Subdivision, Site Plan Approval & Conditional Use Permit Application #22P-0015
 - 4. 1911 – 1977 Salt Road, Fairport, Peyton-Sidney Subdivision Preliminary / Final Subdivision Application #22P-0018
 - 5. 2070 Empire Blvd., RG&E Substation 55 Rebuild Preliminary / Final Subdivision, Site Plan Approval & Conditional Use Permit Application #22P-0019
- V. Action Items (Administrative)**
 - 1. 2305 Penfield Road
 - 2. Penfield Heights
- VI. Held Items**
- VII. New Business**
- VIII. Next Meeting: September 8, 2022 – Public Hearing**
- 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, August 11, 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. BME Associates, 10 Lift Bridge Lane East, Fairport, NY 14450, on behalf of Broccolo Property Management, LLC, 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 resubdivision with no new construction on ± 48.1 acres located at 2755, 2763, and 2771 Penfield Road, Fairport, NY. The properties are now or formerly owned by Broccolo Property Management, LLC, and zoned Rural Agricultural (RA-2). Application #22P-0020, SBL #141.01-1-17.1, 141.01-1-17.2, 141.01-1-16.

APPROVED WITH CONDITIONS

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

2. 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

3. 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

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4. 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.

APPROVED WITH CONDITIONS

5. 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.

CONTINUED TABLED

The Planning Board will next meet at 6:30 PM local time on **September 8, 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