



# TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

## PLANNING BOARD AGENDA

Thursday, October 27, 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** – October 13, 2022, DRAFT Minutes
- III. 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. 2070 Empire Blvd., RG&E Substation 55 Rebuild  
Preliminary / Final Subdivision, Site Plan Approval & Conditional Use Permit  
Application #22P-0019
  5. Fairport Nine Mile Point Road, The Arbors at Penfield (MUD)- Phase 2  
Final Site Plan Approval  
Application #22P-0023
  6. 1280 Creek Street, Webster, Blessed Hope Community Church  
Preliminary / Final Site Plan & Conditional Use Permit Approval  
Application #22P-0025
  7. 5 Skimore Lane, DiBella Subdivision  
Preliminary / Final Subdivision Approval  
Application # 22P-0026
- IV. Action Items (Administrative)**
  1. 1820 Empire Blvd., Taco Bell – drive-thru modifications
- V. Held Items**
- VI. New Business**
- VII. Next Meeting: November 10, 2022 – Public Hearing**
- VIII. 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 work session meeting was held at Penfield Town Hall on **Thursday, October 27, 2022**, at 6:30 PM local time by the Penfield Planning Board to discuss applications that were tabled at previous meetings.

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### **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, ±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.

### **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.

### **APPROVED WITH CONDITIONS**

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 ±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**

4. 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**



**PLANNING BOARD AGENDA**

5. Costich Engineers, 217 Lake Ave., Rochester, NY 14608, on behalf of Atlantic 250 LLC, requests under Chapter 250 Article XII-12.2 of the Code of the Town of Penfield for Final Site Plan approval for the remaining phases of a mixed-use development project including townhomes, apartments, a community center, commercial retail, and office spaces with associated site improvements on ±98.67 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 # 22P-0023, 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**

6. Marathon Engineering, 39 Cascade Drive, Rochester, NY 14614, on behalf of Blessed Hope Community Church, 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 and Conditional Use Permit approval for the construction of a 4,050 sq. ft. building with associated site improvements on ±2.54 acres located at 1280 Creek Street, Webster, NY. The properties are now or formerly owned by Blessed Hope Community Church and zoned Limited Business (LB). Application #22P-0025, SBL #093.15-1-2.115.

**CONTINUED TABLED**

7. BME Associates, 10 Lift Bridge Lane East, Fairport, NY 14450, on behalf of James DiBella, requests under Chapter 250 Article XI-11.2 of the Code of the Town of Penfield for Preliminary and Final Subdivision approval for the two-lot subdivision on ±43.22 acres located at 5 Skimore Lane. The property is now or was formerly owned by James DiBella and zoned Rural Residential (RR-1). Application #22P-0026, SBL #140.02-1-2.1.

**APPROVED WITH CONDITIONS**

The Planning Board will next meet at 6:30 PM local time on **November 10, 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

FILED  
PENFIELD, N.Y.  
2022 OCT 28 AM 9:48  
AMY M. STEKLOF  
TOWN CLERK