

The Planning Board held a meeting at 6:30 PM local time **Thursday, May 12, 2022**, 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.
Kelly Aken
Bob Kanauer
Terry Tydings

ABSENT: Jim Burton

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

ABSENT: Michael O'Connor, Assistant Town Engineer

II. APPROVAL OF MINUTES:

The Board voted and **APPROVED** the draft meeting minutes for April 14, 2022.

MEMBER	MOTION	SECOND	VOTE	COMMENTS
Hetzke (Chair)			Aye	
Aken			Aye	
Burton			Absent	
Kanauer		X	Aye	
Tydings	X		Aye	
				The motion was carried.

III. 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 ±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.

Nathan Buczek, T.Y. Lin

- Mr. Buczek made the application for modifications to the McDonald's restaurant located at the BayTowne Plaza, 1854 Empire Blvd.
- Mr. Buczek stated that the project consists of adding a side-by-side drive-thru on the south side of the site as well as a small building addition south of the existing drive-thru window to relocate the existing drive-thru window. The addition will be 3-feet wide by 10-feet long. The new façade and colors will match with what is currently there.
- Mr. Buczek stated that the project includes some concrete paving where the new side-by-side is proposed as well as a new separation island, a menu board, some additional signage, signing and striping of the parking lot, etc.
- Mr. Buczek stated that as part of the project they are losing eleven parking spaces. There are 67 existing parking spaces on the site. The existing 67 minus the 11 lost equals 56. Their understanding of the Code is that the requirement for this use is 53 parking spaces.
- Board member Tydings asked what the purpose is of the new side-by-side drive-thru lanes. Mr. Buczek responded that McDonald's has been doing this for quite some time now. The two lanes allow for two customers to order at the same time and once the orders are queued up, they can get the food out faster.
- Board member Tydings asked if there will be enough room on the outside of the new lane to accommodate people who want to leave. Mr. Buczek explained that they still have the 18-20 ft wide main drive aisle, so if they do end up queuing up on the inside lane, people can still get by and get through. There is the exit lane to the south and the circulation lane around the south side too. There is the potential to have 13-14 cars queued up and still not block the parking spaces.
- Board member Tydings asked if they received the PRC memo. Mr. Buczek responded that they still need to respond to it.
- Board member Tydings asked if they are proposing more landscaping. Mr. Buczek responded that there is a little more landscaping (± 8 ft.) in the existing southern curb island and a little bit within the new island.
- Chairman Hetzke asked about greenspace calculations. Mr. Buczek responded that they are bumping out the southern curb line, adding in the island and portions of those will become landscaped areas.
- Chairman Hetzke stated that according to the Landscape Plan, it looks like there is pavement to the southern border whereas the Site Plan proposes striped pavement in the same area. Mr. Buczek responded that that is correct, it is actually paved and striped today, currently they are parking spots. The pavement is delineated between properties by the striping.
- Chairman Hetzke asked if they would consider turning that area into curbed planting beds and putting some shrubs in there to dress it up a little bit. Mr. Buczek responded that they could do that, if they can make sure that they can get their (delivery) trucks in there. He stated he would double check the turning movements in that area.
- Chairman Hetzke asked if there are any proposed changes to the lighting. Mr. Buczek responded that there are no site lighting changes proposed.
- Chairman Hetzke asked if there were any changes to where they are going to store

snow. Mr. Buczek responded that that should not change. He stated he would confirm where it is currently stored.

- Chairman Hetzke asked if the Applicant has any idea of the current queue number – how many vehicles could be in the drive-thru queue versus what is proposed. Mr. Buczek responded that there is the possibility of 12-13 cars in the queue before you get to the parking spaces. Based on their operations, this will be more than sufficient. This configuration will help reduce the congestion near the handicap spaces, near the front of the building.
- Chairman Hetzke asked if they evaluate these types of improvements based on average time per transaction through the drive-thru lane. Mr. Buczek responded, yes.
- Chairman Hetzke asked what their anticipated reduction in time is. Mr. Buczek responded didn't know the exact numbers, but he can get them and provide them to the Board. He continued, either way it will cut down on the queuing time and the order time.
- Chairman Hetzke asked how they know which car orders which items. Mr. Buczek responded that they have video cameras that show the cars, as well as asking what the customer ordered.
- Board member Aken asked if there is just one or will there be two typical drive-thru lanes where the customer pays at the first window and picks up the order at the second window. Mr. Buczek responded that there will be a new window toward the front of the building and then the current window will be two car lengths back from that first window. The two windows will be for pay and pickup.
- Board member Kanauer asked if the deliveries are done when the store is closed or during business hours. Mr. Buczek responded that it can occur during business hours, but it is generally during "off-peak" times. Typically, they pull off to the side, block only a couple of spaces, unload their truck and then move on.
- Board member Tydings stated that with the extra lane it doesn't change the delivery flow. Mr. Buczek responded that it is designed so the truck can circle around given the extra 18-20 feet drive lane.
- Mr. Buczek stated that they will address the PRC comments and any other comments that come from this meeting.

Public Comments:

There were no public comments for this application.

Board Deliberation:

- Chairman Hetzke stated that he'd like to see them do some landscaping where the striping is given a truck would fit around there.
- Mr. Sangster responded that one of the PRC comments was either doing this or flipping the orientation to have the north/south access lane be on the east side, the drive-thru side, instead of the west side where it is currently proposed. Staff has some concerns that people coming in from the east from Creek Street will try to jump into the drive-thru lane. Staff thinks it would be cleaner if the access was on the east so that drivers would have to wrap around the site. This gives more queuing and cleans up that corner.

- Mr. Sangster explained that Staff has some concerns about the greenspace. According to his rough calculations, the site does not meet the greenspace requirements. When the site was originally approved in 1988 it was done under one property as BayTowne Plaza. Then at some point it was subdivided out, resulting in it being its own parcel. Therefore, Staff is thinking the site should have to stand on its own merits and not base itself off calculations for a plaza that it is technically no longer a part of. Right now, the rough numbers have them at 80-85% of lot coverage which is based off approximate property lines. Mr. Sangster noted that if the Applicant needs to go to the Zoning Board for a greenspace variance, that is something that can be done post-approval.

The Board voted and **TABLED** the application for site plan approval pending review of the recent submissions and their responses to the PRC Memo.

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>VOTE</u>	<u>COMMENTS</u>
Hetzke (Chair)			Aye	
Aken		X	Aye	
Burton			Absent	
Kanauer			Aye	
Tydings	X		Aye	
				The motion was carried.

IV. 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.

- Mr. Sangster explained that Staff is still working on a final Legal Determination which is expected to be completed soon and submitted for the Board's review.

The Board voted and **CONTINUED TABLED** the application for subdivision & site plan approval pending further review of the recent submissions and the determination of the percentage of non-residential space.

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>VOTE</u>	<u>COMMENTS</u>
Hetzke (Chair)			Aye	
Aken	X		Aye	
Burton			Absent	
Kanauer		X	Aye	
Tydings			Aye	
				The motion was carried.

- 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.

Ralph DiTucci, Atlantic 250, LLC
 Betsy Brugg, Woods Oviatt, Gilman

- Chairman Hetzke explained that the Applicant has recently submitted a re-design of the plans. He then invited Mr. DiTucci up to explain the revisions.
- Mr. DiTucci explained that based on past work sessions with the PRC and meetings with the Board, they took a step back to look more closely at the concerns that Staff and the Board has raised. They have come to some conclusions that they hope will move the project in a positive direction.
- Mr. DiTucci started with the Board’s concern for lighting on the multi-use trail, especially in front of the townhomes that front onto Route 250 and Atlantic Avenue. The second issue was to take a new sharper focus on the “downtown” portion of the property – the stretch along the dedicated road where the vertical mixed-use buildings are located. They feel they may have missed the boat a little bit in terms of their previous configuration given they didn’t route the trail down into that area. They feel they missed the opportunity to create a synergistic environment and business for those non-residential uses on the ground floor of those buildings. They felt that was an important refinement to make to the trail system. They have taken from Route 250 and Atlantic Avenue and routed the trail through that system so there is multi-modal capability bringing both residents and visitors from off-site to the non-residential uses in the vertical mixed-use buildings. They feel it will create a more dynamic environment for those non-residential uses and for the neighbors as well.

- Mr. DiTucci explained that the other thing they looked at was the safety factor. They realized after taking a closer look at the grading near the stormwater management facility, that predominantly those trail locations are at the top of the pond slope. Although they know they are meeting DEC regulations in terms of design, it doesn't preclude the fact that someone who is wheelchair bound using the trail or very young children could find themselves in that water. They wanted to eliminate that possibility. For this reason, along the west property line, they have removed the trail and repositioned it through the dedicated road section and the portion that begins at the tennis/pickleball courts and goes by the Community Building. That still gives a direct route for people from the stubs of the trail at Route 250 and Atlantic Avenue to all of the recreational open space and the amenities on the site.
- The other thing they looked at was the portion of the site that is designated Zone C at the north end of the property, against Penfield Center Road. Those eight single-family, detached units are a pretty private portion of the site. They have pretty much left the remainder of that portion of the site in its current state – the trees, the orchards, that are there now will remain. The five-foot concrete sidewalk will also remain there, in lieu of the ten-foot asphalt trail that was previously proposed. They feel this will make those eight homes more desirable for people who are looking for a more private setting than the remainder of the development.
- Mr. DiTucci explained that they heard back from NYS DOT and that they are going to restrict the Applicant at all of the entrances along Route 250 and Atlantic Avenue to a maximum width of 15 feet for the entry lanes. That pretty much knocks out the capability for them to have a bike path and the pavement which is what they were previously looking at. To compensate for that, it made sense to have the sidewalk converted from a five-foot concrete sidewalk to a twelve-foot width going north/south and ten-foot in the east/west direction. This is consistent with the requirements of the MUD Manual.
- Mr. DiTucci explained that at the north entrance at Route 250 the trail stub was previously on the north side of that drive. They have shifted it to the south side of that drive where it will better align with the trail location proposed for the 25 acres that are not part of this current application, because the north property limit of the 25 acres falls short of where the north stub would have been on the 72-acre site.
- Mr. DiTucci explained that they also took a more focused look at the grading along the south end of Route 250, south of the storm detention pond. They weren't able to make the grades work due to the existing topography on the exception parcel to the south. They couldn't do it and still have an accessible slope for universal design on the trail at that location. Therefore, they went back to the original location for that as well.
- Mr. DiTucci explained that they also made a direct connection from the trail along Route 250 heading south, back to the dedicated road system – the first intersection on your right when you come in from Atlantic Avenue – they have increased that sidewalk from a five-foot concrete sidewalk to a ten-foot concrete trail. So, from both ends of Route 250 as well as Penfield Center Road and Atlantic Avenue there is connectivity for the trail at a minimum of seven locations.
- Mr. DiTucci explained that another objective they had was the economics of the construction of the trail. There is still ±7,465 linear feet of trail in the alternate plan presented which is about 1.5 miles. With that in mind, they were able to balance the

economics though there is still a significant cost increase from what they were originally looking to do but they will be able to light the entire trail with 16-foot poles. They feel they were able to accomplish the objective that the Board and Staff asked them to look at in terms of being able to have the trail lit throughout. That is in addition to the street lighting.

- Mr. DiTucci concluded, saying that he thinks it improves the viability of the non-residential space in the vertical mixed-use buildings that are a key component of a true mixed-use development. It also maintains the access to all of the site amenities for both the residents and the general public.
- Chairman Hetzke stated that he loves the idea that they are routing the trail through the commercial district. He also stated that he understands the safety factor at the “pinch point” between the property line and the stormwater management facility. There are plenty of routes that can take a nice circuitous walk, ride, etc.
- Mr. DiTucci explained that the net reduction in the length of the trail is 18%. It goes from ±9,043 linear feet to ±7,465 linear feet.
- Board member Aken asked if there will be any source of lighting around the stormwater management facility. Mr. DiTucci responded that there will be security lighting there. He added that they just didn’t want the trail to be too inviting. He added that with the western property line being in common with the Gun Club as well as a portion of a private residence, the more they looked at it, the more they thought it wouldn’t be prudent to invite people into that stretch.
- Board member Kanauer asked about the 16-foot light poles – are those the same fixtures as previously proposed. Mr. DiTucci responded that it is very similar and that there is a cut of it on the photometric plan.
- Board member Kanauer stated that this was a really positive change and makes a lot of sense. He asked if Staff is comfortable with the landscaping plan. Mr. Sangster responded that Staff is comfortable with it and has been working on finalizing the SEQRA documents and drafting an approval resolution.
- Chairman Hetzke asked if Mr. DiTucci could comment on the landscaping. Mr. DiTucci responded that it will be a combination. He added that when you look at the dedicated road as it goes through the vertical mixed-use area the width of the sidewalk was increased by increasing the concrete where pavers were originally proposed. However, they are maintaining the emergency vehicle access.
- Board member Kanauer reviewed a few topics, asking if they are all covered – snow storage, trash receptacles, etc. Mr. Sangster responded yes.
- Board member Kanauer asked about vehicle charging stations for common areas and possibly for garages. Mr. DiTucci responded that they will likely have a charging station or two at the Community Building so it is accessible to everyone. At this time, they are not making provisions for individual charging stations at every unit in Phase 1. That doesn’t mean as they go forward they won’t modify that policy depending on demand and affordability. Board member Kanauer asked if there would be a method for a resident to get a Level 2 car charger in their garage if it was desired. Mr. DiTucci responded that he didn’t know but would be happy to look into it.
- The Board was appreciative of the changes and wanted to take some time to really look at it. They will also look at the SEQRA Documentation and the Draft Approval Resolution as they are provided.

The Board voted and **CONTINUED TABLED** the application for subdivision and site plan approval pending review of the recent submissions.

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>VOTE</u>	<u>COMMENTS</u>
Hetzke (Chair)			Aye	
Aken		X	Aye	
Burton			Absent	
Kanauer	X		Aye	
Tydings			Aye	
				The motion was carried.

- 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.

Betsy Brugg, Woods Oviatt, Gilman
 William Price, SWBR

- Mr. Sangster explained that since the last meeting the Applicant has submitted a revised site plan that indicates the site data as discussed with the Board in their determination for non-residential calculations.
- Mr. Sangster explained that the Applicant also submitted an elevation of the revised Common House as part of “Scenario 1” which was discussed at prior meetings. The Common House was to become a two-story structure with additional space on the second floor for commercial use.
- Chairman Hetzke referred to the elevation submitted and asked about the materials. Mr. Sangster stated that we could ask for clarification on the proposed materials.
- Chairman Hetzke asked if it was a metal roof. Mr. Price responded he thinks it is a standing seam roof.
- Mr. Sangster stated that we are waiting on the building height outcome of the Zoning Board of Appeals on May 19, 2022. Staff is also finalizing the SEQRA Documentation as well as a Draft Approval Resolution which will be submitted for the Board’s consideration.

The Board voted and **CONTINUED TABLED** the application for subdivision and site plan approval pending review of the recent submissions.

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>VOTE</u>	<u>COMMENTS</u>
Hetzke (Chair)			Aye	
Aken		X	Aye	
Burton			Absent	
Kanauer	X		Aye	
Tydings			Aye	
				The motion was carried.

- Chairman Hetzke stated that the Board is waiting on the Zoning Board’s decision regarding building height, and he suggested sending a memo to the ZBA showing support for the height variance.

The Board voted to send a letter of support to the Zoning Board of Appeals regarding the building height variance.

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>VOTE</u>	<u>COMMENTS</u>
Hetzke (Chair)			Aye	
Aken		X	Aye	
Burton			Absent	
Kanauer	X		Aye	
Tydings			Aye	
				The motion was carried.

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 ±0.96 acres located at 2140 Fairport Nine Mile Point Road. The property is now or formerly owned by Splash Car Wash Fairport, LLC, zoned General Business (GB). Application #22P-0006, SBL #140.01-2-5.1.

Cade Kreuger, DDS, Engineering
 Jeffrey LaDue, Labella Associates

- Mr. Sangster stated that at the last meeting the Board moved to have Staff draft and Approval Resolution and Part 2 EAF.
- Chairman Hetzke stated that they are ready to go.
- Mr. Sangster stated that he has talked with the engineers and all that remains are minor technical comments – things that can be worked out post-approval.

- Chairman Hetzke stated that he’s noticed that the road behind the site which had been a concern is already repaved.
- The Board had no further concerns.

The Board voted and **APPROVED** the adoption of a completed Short EAF pursuant to SEQRA.

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>VOTE</u>	<u>COMMENTS</u>
Hetzke (Chair)			Aye	
Aken		X	Aye	
Burton			Absent	
Kanauer	X		Aye	
Tydings			Aye	
				The motion was carried.

The Board voted and **APPROVED** the application for Preliminary and Final Site Plan and Conditional Use Permit with conditions.

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>VOTE</u>	<u>COMMENTS</u>
Hetzke (Chair)	X		Aye	
Aken			Aye	
Burton			Absent	
Kanauer		X	Aye	
Tydings			Aye	
				The motion was carried.

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 ±2,700 sf Taco Bell restaurant with drive-thru and associated site improvements on ±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.

Betsy Brugg, Woods Oviatt, Gilman
 Stephanie Albright, APD Engineering & Architecture

- Mr. Sangster stated that at the last meeting they submitted revised plans. The biggest changes were some parking lot striping and site circulation updates.
- Mr. Sangster stated that at the Board’s request, Staff has prepared a Part 2 EAF and a Draft Approval Resolution. A note will be included in the resolution that they will be going before the Zoning Board on May 19, 2022, for a special permit for signage.

- Board member Tydings asked if the Applicant had responded to the DOT remarks. Mr. Sangster responded that the Monroe County DOT provided approval via their Traffic Impact Study. The Applicant is still working with NYS DOT. Staff is confident that any traffic concerns with NYS DOT can be handled post-approval.
- Board member Tydings asked about the contribution to the traffic signal. Mr. Sangster explained that based on comments from the DOT, since they have made the Creek Street entrance come out directly opposite Sovran Drive, that in the future if the County determines it appropriate that a traffic signal be installed, the Applicant will be responsible for their share of the cost.
- Board member Tydings asked if responses to the PRC Memo were received. Mr. Sangster responded, yes, and any additional comments will be worked through post-approval as part of the pre-mylar process.
- Board member Tydings asked about landscaping on both parcels. Mr. Sangster responded that the Applicant has a Landscape Plan that shows plantings along the southeast and southwest sides of the property as part of their planting plan. He added that there is not much more greenspace on that property to plant in.
- Board member Tydings confirmed that all of the variances were taken care of. Mr. Sangster responded yes, with the signage being addressed at the May 19, 2022 ZBA meeting.
- The Board had no further concerns.

The Board voted and **APPROVED** the adoption of a completed Short EAF pursuant to SEQRA for Taco Bell.

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>VOTE</u>	<u>COMMENTS</u>
Hetzke (Chair)			Aye	
Aken			Aye	
Burton			Absent	
Kanauer		X	Aye	
Tydings	X		Aye	
				The motion was carried.

The Board voted and **APPROVED** the application for Preliminary and Final Site Plan and Conditional Use Permit with conditions for Taco Bell.

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>VOTE</u>	<u>COMMENTS</u>
Hetzke (Chair)			Aye	
Aken			Aye	
Burton			Absent	
Kanauer		X	Aye	
Tydings	X		Aye	
				The motion was carried.

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 ±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.

Betsy Brugg, Woods Oviatt, Gilman
 Stephanie Albright, APD Engineering & Architecture

***See the discussion above.*

The Board voted and **APPROVED** the adoption of completed Short EAF pursuant to SEQRA for Home Outlet.

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>VOTE</u>	<u>COMMENTS</u>
Hetzke (Chair)			Aye	
Aken			Aye	
Burton			Absent	
Kanauer		X	Aye	
Tydings	X		Aye	
				The motion was carried.

The Board voted and **APPROVED** the application for Preliminary and Final Site Plan and Conditional Use Permit with conditions for Home Outlet.

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>VOTE</u>	<u>COMMENTS</u>
Hetzke (Chair)			Aye	
Aken			Aye	
Burton			Absent	
Kanauer		X	Aye	
Tydings	X		Aye	
				The motion was carried.

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 ±3,700 sf one story, 6-bed home on a ±1.3 acre parcel to be subdivided from the existing ±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.

- Mr. Sangster explained that Staff has spoken with the Applicant recently and they have requested to be Tabled until the next meeting on May 26, 2022.

- Chairman Hetzke asked if the Applicant was going to provide the stacking diagram that the Board requested at the previous meeting. Mr. Sangster responded that the Applicant has not provided that diagram. He added that he could discuss that with the Applicant.
- Chairman Hetzke stated that that diagram would be helpful to have. He clarified that it should show a scenario where buses might be stacked up before they are in the middle of the intersection. Mr. Sangster responded that we could ask them to indicate distances on their site plan but asking for a stacking diagram may be getting a little outside the scope of review for this type of development.
- Chairman Hetzke stated that there are concerns from the Board and the public about the south driveway. He stressed that a diagram like this would answer some questions that people have. Mr. Sangster responded that it is something we can ask for. Chairman Hetzke responded that if the Applicant say no, they say no, but he doesn't think it is a big ask.
- Board member Kanauer asked if there were any revisions submitted to move that away from the intersection. Mr. Sangster responded that the Applicant stated at the Public Hearing that they could potentially move that secondary access further north about 5-10 feet. At this time Staff has not received any revised plans.

The Board voted and **CONTINUED TABLED** the application for Site Plan and Subdivision approval pending the review of submitted materials including a stacking diagram for the vehicles.

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>VOTE</u>	<u>COMMENTS</u>
Hetzke (Chair)			Aye	
Aken	X		Aye	
Burton			Absent	
Kanauer			Aye	
Tydings		X	Aye	
				The motion was carried.

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.

- Mr. Sangster explained that this Board is working in tandem with the Zoning Board on hiring a consultant to provide additional review of this project. The Zoning Board is looking at siting and Rf calculations while the Planning Board has requested a visual impact study be included as well.
- Staff has reached out to four separate consultants, two have recused themselves due to

conflict of interest. A draft scope is expected from the others in the coming days. Hopefully, there will be more information regarding this at the May 26, 2022 work session.

The Board voted and **CONTINUED TABLED** the application for Site Plan approval and Conditional Use Permit pending the results of the third part review.

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>VOTE</u>	<u>COMMENTS</u>
Hetzke (Chair)			Aye	
Aken		X	Aye	
Burton			Absent	
Kanauer	X		Aye	
Tydings			Aye	
				The motion was carried.

V. Action Items (Administrative)

**1. 600 Linden Avenue, Penfield Farms
 Administrative Site Plan Modifications**

Ryan Destro, BME Associates

- Mr. Sangster explained that since the last meeting, comments were received from Monroe County DRC which were mostly technical comments, no real concerns. Staff also reached out to the Town of Pittsford, as the parcel is adjacent to that town line. No comments have been received back from the Town of Pittsford at this point.
- Mr. Sangster stated that based on the conversation at the last meeting, Staff has prepared a Part 2 EAF as well as a Draft Approval Resolution for the Board's consideration.
- Chairman Hetzke stated that he saw that they submitted a landscaping plan with shrub plantings. Mr. Sangster added that they included both the existing landscaping as well as the proposed. They included a call-out box showing typical foundation plantings that will be provided for each unit as well as the overall planting plan that includes some minor changes. They are providing some additional visitor parking at the end of the road adjacent to the next mobile home park. They have provided some additional buffering landscaping there as well.
- Chairman Hetzke stated that the Applicant has provided what was asked of them.
- The Board had no further concerns.

The Board voted and **APPROVED** the adoption of a completed Short EAF pursuant to SEQRA.

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>VOTE</u>	<u>COMMENTS</u>
Hetzke (Chair)			Aye	
Aken			Aye	
Burton			Absent	
Kanauer		X	Aye	
Tydings	X		Aye	
				The motion was carried.

The Board voted and **APPROVED** the application for site plan modifications with conditions.

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>VOTE</u>	<u>COMMENTS</u>
Hetzke (Chair)			Aye	
Aken		X	Aye	
Burton			Absent	
Kanauer			Aye	
Tydings	X		Aye	
				The motion was carried.

**2. 41 Woodhaven Drive, K-2 Brothers Brewery
 Town Board Incentive Zoning Application 22T-017**

- Chairman Hetzke mentioned that everyone should have gotten out to do a site visit.
- Chairman Hetzke stated that the Town Board is seeking input from the Planning Board on this application, the Planning Board is not approving anything. There are a few comments that this Board would like to include in a memo to the Town Board.
- Board member Aken stated that after visiting the site she understands the need for the extra parking because of their growing business. Her comment is whether or not it is realistic to think that people will drive up the road only to sit and wait for a shuttle to come and pick them up and bring them back. With the addition of the additional spots, the shuttle would have to be driving back and forth constantly. Her other concern was whether people will stand and wait for a shuttle or simply start walking down the road.
- Board member Tydings stated he thinks it is a good project. He just wants to be sure the road gets repaired. He also wants to be sure the incentive zoning is covered by all parties involved.
- Board member Kanauer stated that the proposed lighting needs to be at the appropriate levels for safety. He also stated that if the parking is only for the K-2 customers, will the entrance/exit be closed, gated, or chained, during off hours.
- Chairman Hetzke stated that he doesn't have an issue with this. He thinks that the K-2 owners have created a vibe and rather than risk that by moving elsewhere, it is more

beneficial for them to do this parking lot and with it being stone, he doesn't see any harm in it.

- Chairman Hetzke concluded that aside from the bullet points above, the planning Board doesn't have any issues with the application.

The Board voted to send a memo to the Town Board.

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>VOTE</u>	<u>COMMENTS</u>
Hetzke (Chair)			Aye	
Aken		X	Aye	
Burton			Absent	
Kanauer			Aye	
Tydings	X		Aye	
				The motion was carried.

**3. 1788-1794 Penfield Road
 Town Board Rezoning Referral**

- Mr. Sangster explained that these properties are located in the Four Corners District. These zonings were done from the center line back in the 1960s, when the zoning didn't follow property lines, it followed the road.
- Chairman Hetzke stated that essentially, they have two different zoning districts on the same parcel, and they want to make them consistent.
- Mr. Sangster responded, yes, they are Four Corners in the front and R-1-15 in the back. They are requesting that it all be Four Corners.
- The Board had no concerns with this rezoning referral.

The Board voted to send a memo to the Town Board showing support for the rezoning.

<u>MEMBER</u>	<u>MOTION</u>	<u>SECOND</u>	<u>VOTE</u>	<u>COMMENTS</u>
Hetzke (Chair)	X		Aye	
Aken		X	Aye	
Burton			Absent	
Kanauer			Aye	
Tydings			Aye	
				The motion was carried.

FILED
 PENFIELD, N.Y.
 2022 MAY 27 AM 9:44
 AMY M. STEKLOF
 TOWN CLERK

VI. HELD ITEM:

VII. NEW BUSINESS:

There being no further business before the Board, the meeting was adjourned at **8:00 PM**.

These minutes were adopted by the Planning Board on Thursday, May 26, 2022.