



April 17, 2020

Supervisor LaFountain
c/o Mr. Jim Costello, Director of Developmental Services
Town of Penfield
3100 Atlantic Avenue
Penfield, NY 14526

**Re: Bayview Landing – New multifamily dwelling
Letter of Intent – Request for Site Plan Approval and Conditional Use Permit with
consideration of an Incentive Zoning Proposal
1211 Empire Boulevard, 1185 Empire Boulevard and a portion of 41 Woodhaven Drive
LaSalle’s Landing District (LLD) and Residential 1-20 (R-1-20)**

Dear Supervisor LaFountain:

On behalf of our client, Howitt-Bayview LLC, we respectfully request to be added to the next Town Board agenda. We are seeking site plan approval and a conditional use permit for the construction of a 4-story, 85,200 square foot, 60-unit multifamily dwelling with related parking in the LaSalle’s Landing District. In addition, several community benefits and amenities are being provided in exchange for relief of lot occupancy (unit density), building height, and the location of a parking area and stormwater management pond on an adjacent property.

Existing Conditions

The project is located on a 4.0 +/- acre parcel of land located on Wilbur Tract Way (private) with frontage on Empire Blvd. (State Route 404). The parcel is vacant land and consists of steep slopes and mature vegetation along the western edge with the flattest portion of the site along Wilbur Tract Way. There are existing utilities at the site on Wilbur Tract Way.

Proposal

The proposal is to construct a 60-unit multifamily dwelling with 125 on-site parking spaces at 1211 Empire Boulevard. Approximately 38 of these spaces and a stormwater management area will be located on adjacent lands at 41 Woodhaven Drive, owned by Howitt-Bayview LLC. The project also includes site preparation for 18+/- parking spaces along the north property line to serve K2 Brothers Brewing at 1221 Empire Boulevard.

The flattest portion of the subject site is covered with scrub brush and volunteer trees that will be removed to construct the building and parking areas. Every effort is being made to minimize impacts to the steep slopes and mature tree cover along the western portion of the site.

Site improvements include the removal of an asphalt pavement area (15,000 sq. ft. +/-) at the rear of the site adjacent to a State freshwater wetland for construction of a stormwater management area (20,000 sq. ft. +/-); improvements to the entrance of Wilbur Tract Way to improve sight distance and drainage; and restriping Empire Boulevard to provide new turn lanes.

Incentive Zoning

In accordance with Chapter 255, Incentive Zoning Law of the Town of Penfield, certain incentives or bonuses may be granted to advance the Town's specific physical, cultural and social policies in accordance with the Town of Penfield's Comprehensive Plan and in coordination with other community planning mechanisms or land use techniques.

The site design and building layout have been created with knowledge of the Goals and Objectives of the Town of Penfield Comprehensive Plan, 2010; The Local Waterfront Revitalization Program (LWRP), 2015; LaSalle Landing Development Plan, 1997; Irondequoit Bay Harbor Management Plan 2003; and the Town of Penfield Open Space Inventory Report, 1999.

More specifically, this project will:

1. Provide for moderate-density residential housing, a needed housing choice in the community, (Comp Plan, LLD);
 - a. This is a market-rate multifamily development.
2. Locate the building and parking on the flattest portion of the site to minimize impacts on steep slopes, mature trees and nearby wetlands, (Comp Plan, LLD, LWRP, Harbor Management Plan);
 - a. The western one-quarter of this parcel is located in the Steep Slopes Protection Overlay District (EPOD 2) and Woodlot Protection Overlay District (EPOD 3). Every effort is being made to protect these areas to avoid erosion and degradation of these natural features as well as the natural habitats.
 - b. A State wetland exists on the property at 41 Woodhaven Drive, for which there is a wetland delineation. An existing asphalt area located immediately adjacent to the wetland will be removed to accommodate a stormwater management pond that will improve stormwater quality, assist with recharge of the wetland, and offer long-term benefits to the eco-system.
3. Offer a building design and site layout that protects the character of the area, conserves approximately one quarter of the subject property as a no-build area, and enhances the tax base of the Town of Penfield, (Comp Plan, LLD-shared parking, LWPR, Harbor Management Plan);
 - a. The multifamily, market-rate structure will be located along Wilbur Tract Way with minimal visibility from Empire Boulevard. The 4-story, 55 foot high structure boasts a stone first floor pallet with siding above, large windows and covered porches and balconies, and a mansard roof to add architectural interest.

- b. The parking requirement has been met, including the construction of a 38-space parking area on lands to the south at 41 Woodhaven Drive to benefit this multifamily development.
 - c. An additional 18-space parking area will be constructed along the north property line of the subject property to benefit the adjacent K2 Brother Brewing.
4. Take advantage of the existing, available utilities and will not put an undue burden on existing public services, thereby providing for the orderly growth of the Town, (Comp Plan, LLD, LWPR);
 - a. All utilities are available on Wilbur Tract Way. There is no need for extensive utility work in Empire Boulevard.
5. Improve sight distance at the intersection of Wilbur Tract Way and Empire Boulevard as a result of pavement realignment, (LLD, LWRP);
 - a. The realignment of Wilbur Tract Way is necessary to improve the geometry of the intersection with Empire Boulevard thereby improving sight distance and alignment with the proposed turn lanes.
 - b. Drainage improvements will also be made in conjunction with the street realignment and improvements.
6. Meet all setback, landscaping and buffering, density (lot occupancy), and off-street parking requirements, (LLD);
7. Not impair viewsheds.
 - a. A visual impact analysis was conducted using drone technology at the site. The analysis revealed there are no impacts on scenic views associated with the proposed development. This information has previously been shared with the Town Board. (LLD)
8. Improve on-site drainage with the construction of a stormwater management pond on the southern portion of the property, (LWRP);
 - a. A State wetland exists on the property at 41 Woodhaven Drive, for which there is a wetland delineation. An existing asphalt area (15,000 sq. ft.) will be removed to accommodate a stormwater management pond (20,000 sq. ft.) immediately adjacent to the wetland, which will improve stormwater quality, assist with recharge of the wetland, and offer long-term benefits to the eco-system.

9. Not have a negative impact on the surrounding character of the area or adjacent land uses; flora or fauna, fish or other wildlife habitats; natural, scenic, archaeologic, historic or cultural resources; steep slopes; mature vegetation; transportation characteristics; surface and groundwater resources or quality; recreational areas; wetlands; public services; or the existing infrastructure, and the project is not located in a flood zone, (Comp Plan, LLD, LWPR, Harbor Management Plan, Open-space Inventory Plan, SEQR); and
10. Enhance community resources by providing additional parkland (Comp Plan, LLD, LWRP, Harbor Management Plan, Open-space Inventory Plan);
 - a. The property to the north at 1185 Empire Boulevard, also owned by Howitt-Bayview LLC, is a 5.0 acre parcel that will be donated to the County of Monroe to be dedicated as parkland to expand the existing Lucien Morin Park.

We respectfully request that the above community benefits and amenities be considered, and deemed acceptable, in meeting the purpose and intent of Incentive Zoning in conjunction with the following requests:

1. Increase in the unit density (lot occupancy). The 60-unit multifamily dwelling requires 180,000 sq. ft. of lot area (3,000 sq. ft. per unit), where 174,989 sq. ft. is available (1.67 units over the allowable density), Section 250-5.9C(1)(a);
2. Height. The proposed height of the structure is 55 feet from finished floor to peak, where 40 feet is permitted, Section 250-5.9C(3)(a)[1];
3. Parking. The parking area to serve this multifamily dwelling extends to the south onto lands at 41 Woodhaven Drive, approximately 38 spaces (12,000 sq. ft. +/-), necessary to meet the parking requirement, Section 250-5.9D(1)(b)[7].
4. Stormwater pond. A stormwater management pond will be located on the property at 41 Woodhaven Drive manage runoff from the development site.
5. Parking. The adjacent landowner, K2 Brother Brewing at 1221 Empire Boulevard requires additional parking for the success of the business. The area along the north property line on the subject property will be fit out to accommodate an 18-space parking area to serve the brewery, Section 250-5.9D(1)(a).

Approval Process

In accordance with Town of Penfield Zoning and Land Use Code, the construction of a 4-story, 55 foot high structure in the LaSalle's Landing District requires LWRP consistency review, site plan approval, conditional use permit approval, and acceptance of incentive zoning by the Town Board.

Town of Penfield
Site Plan Approval, Conditional Use Permit and Incentive Zoning
April 17, 2020

In support of our application, please find the following:

- (3) Letters of Intent
- (3) Application Forms
- (3) Site Plans
- (3) Architectural Elevations
- (3) Long EAF
- (3) Waterfront Assessment Form
- (2) SWPPP Reports
- (2) Engineering Reports

We look forward to presenting this application to the Town Board at their next meeting. If you have any questions or require additional information regarding this matter, please do not hesitate to contact me at any time at (585) 325-1000. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Matthew D. Newcomb". The signature is written in a cursive style with a large, stylized initial 'M'.

Matthew D. Newcomb
Project Manager

SITE DATA

- TAX ACCOUNT NUMBER: 106.05-2-B-33 AND A PORTION OF 106.10-1-1.111
- PARCEL ADDRESS: 1211 EMPRE BLVD AND A PORTION OF 41 WOODHAVEN DRIVE
- TOTAL PARCEL AREA: 4.877 ACRES OR 194,974 S.F. (1211 EMPRE BLVD) 21.867 ACRES OR 952,974 S.F. (41 WOODHAVEN DRIVE)
- EXISTING ZONING: LANSALLE'S LANDING DEVELOPMENT DISTRICT (1211 EMPRE BLVD) RESIDENTIAL 1-30 DISTRICT (41 WOODHAVEN DRIVE)
- EXISTING USE: VACANT
- PROPOSED USE: MULTIFAMILY
- BASE AREA REQUIREMENTS:

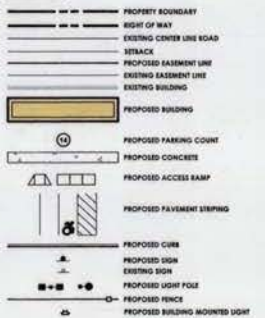
REQUIRED	PROPOSED
LOT COVERAGE (IMPERVIOUS) \geq 70%	91.237 S.F. (38.3%)
BLDG 21,750 + SW 2,474 + PVMT 74,843	
GREEN SPACE \geq 30%	81.7%
- setbacks:

FRONT	40'	227'
REAR	30'	178'
SIDE	30'	34'
- heights:

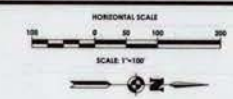
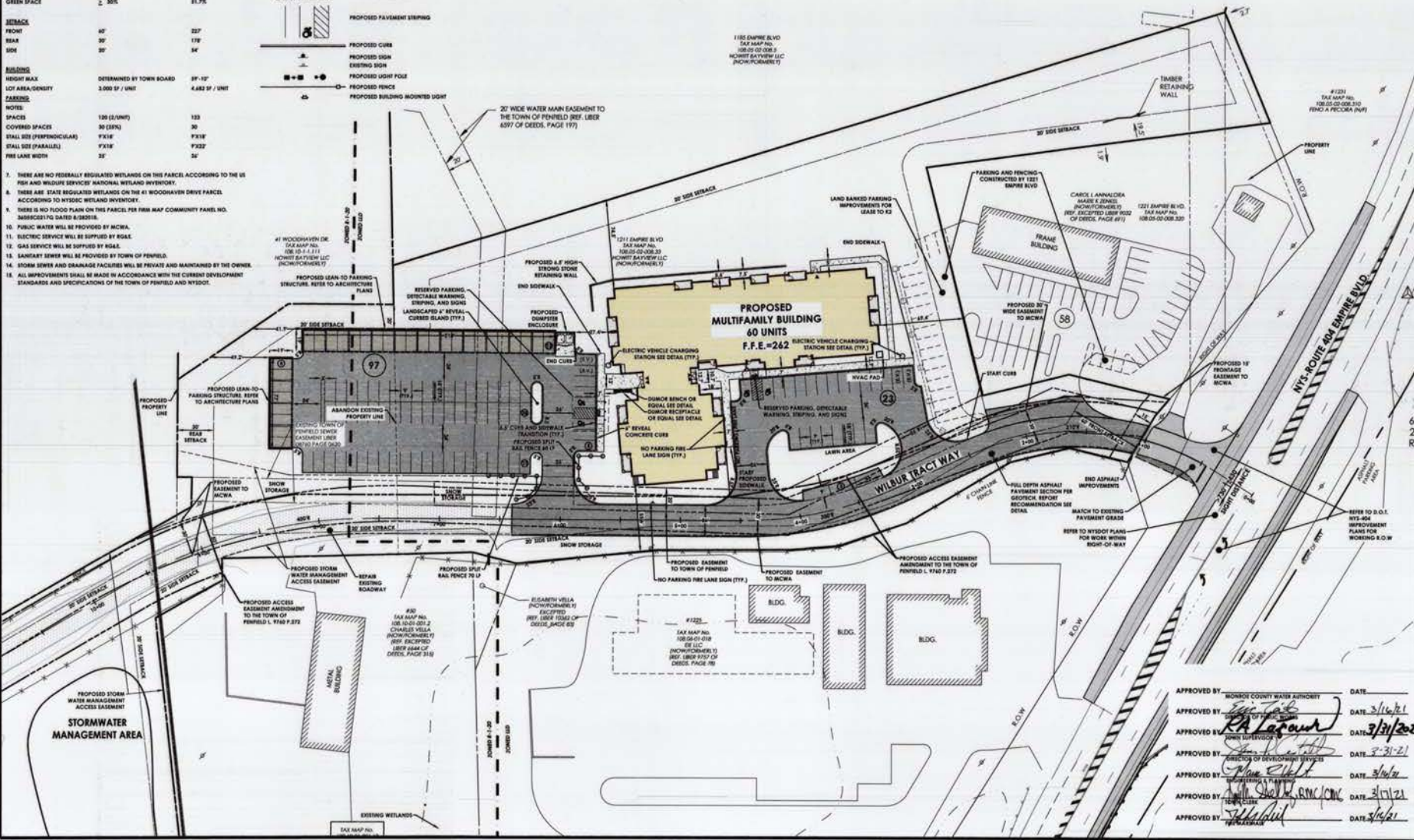
HEIGHT MAX	DETERMINED BY TOWN BOARD	39'-10"
LOT AREA DENSITY	3,000 SF / UNIT	4,482 SF / UNIT
- parking:

NOTES:	100 (2/UNIT)	133
SPACES	30 (50%)	30
STALL SIZE (PERPENDICULAR)	FX18	FX18
STALL SIZE (PARALLEL)	FX18	FX22
FILE LANE WIDTH	30'	30'

LEGEND:

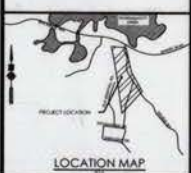


- THERE ARE NO FEDERALLY REGULATED WETLANDS ON THIS PARCEL ACCORDING TO THE US FISH AND WILDLIFE SERVICE' NATIONAL WETLAND INVENTORY.
- THERE ARE STATE REGULATED WETLANDS ON THE 41 WOODHAVEN DRIVE PARCEL ACCORDING TO NYSDOC WETLAND INVENTORY.
- THERE IS NO FLOOD PLAIN ON THIS PARCEL PER FIRM MAP COMMUNITY PANEL NO. 308503C17G DATED 8-2007E.
- PUBLIC WATER WILL BE PROVIDED BY MCWA.
- ELECTRIC SERVICE WILL BE SUPPLIED BY SOGE.
- GAS SERVICE WILL BE SUPPLIED BY SOGE.
- SEWERAGE SERVICE WILL BE PROVIDED BY TOWN OF PENFIELD.
- WORM BERRY AND ORANGE PACKING WILL BE PRIVATELY AND MAINTAINED BY THE OWNER.
- ALL IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE CURRENT DEVELOPMENT STANDARDS AND SPECIFICATIONS OF THE TOWN OF PENFIELD AND NYSDOT.



PA
PASSERO ASSOCIATES
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- DRAWING INDEX**
- C 101 COVER
 - C 102 DEMOLITION PLAN
 - C 103 SITE PLAN
 - C 104 UTILITY PLAN
 - C 105 GRADING & EROSION CONTROL PLAN
 - C 106 OFF-SITE GRADING & UTILITY PLAN
 - C 200 NOTES
 - C 201 DETAILS
 - C 202 DETAILS
 - C 203 DETAILS
 - C 204 DETAILS



Client:
HOWITT - BAYVIEW LLC
758 SOUTH AVENUE
ROCHESTER, NY 14620

Passero Associates
212 West Main Street, Suite 400
Rochester, New York 14614
Phone: (585) 521-0200
Fax: (585) 521-0201

Principal-in-Charge: **John D. Stokel, P.E.**
Project Manager: **Highline Associates**
Designed by: **Trevor Hault, E.I.T.**

Revisions

No.	Date	Description
1	4/20/21	TOWN PLANNING BOARD APPLICATION
2	4/22/21	MCWA COMMENTS
3	5/19/21	TOWN & COUNTY COMMENTS
4	12/16/21	TOWN ENGINEER COMMENTS
5	1/26/22	SEWERAGE AND CONSTRUCTION
6	3/17/22	TOWN ENGINEER COMMENTS
7	3/21/22	TOWN ENGINEER COMMENTS

SITE PLAN

BAYVIEW LANDING
1211 EMPRE BOULEVARD

TOWN OF PENFIELD, HORMOSE COUNTY, NY

Project No.
20141839.0006

Drawing No. **C 103** Sheet No. **3**

Scale:
1" = 40'

Date:
APRIL 2020

APPROVED BY: *[Signature]* DATE: **3/16/21**

APPROVED BY: *[Signature]* DATE: **3/17/21**

APPROVED BY: *[Signature]* DATE: **3-31-21**

APPROVED BY: *[Signature]* DATE: **3/16/21**

APPROVED BY: *[Signature]* DATE: **3/17/21**

APPROVED BY: *[Signature]* DATE: **3/16/21**

NOT FOR CONSTRUCTION