



TOWN OF PENFIELD
PLANNING DEPARTMENT APPLICATION FORM



APPLICATION TYPE

- Sketch Plan Administrative Site Plan
 Preliminary/Final Site Plan Conditional Use Permit
 Preliminary/Final Subdivision

Reviewed by:

- Planning Board
 Town Board
 Planning Dept. (Admin. Only)

PROJECT INFORMATION

Project Name: Rochester Gas and Electric Station 55 Rebuild
 Project Address: 2070 Empire Boulevard (currently)
 City, State, ZIP: Webster, NY 14580

Project Description: Station 55 to be rebuilt on Seabury Blvd. Subdivide property. Modernization includes: gas-insulated-switchgear (GIS) building, two new power transformers, new perimeter fencing, gates, curb cuts & driveways, perimeter & work lighting.

Parcel Tax ID#: 93.02-1-1.121
 Zoning District: Limited Business Project Size (acres): 0.532

Owner(s) Name: JJ&A Development, LLC (Paul Colucci)
 Mailing Address: 1950 Brighton-Henrietta Townline Road, Rochester, NY 14623
 Email: pcolucci@dimarcogroup.com
 Phone: (585) 272-7760

Applicant Name: Rochester Gas and Electric Corporation (Christopher C. Keipper)
 Address: 3 City Center, 180 S Clinton Ave, Rochester, NY 14604
 Email: Christopher_Keipper@RGE.Com
 Phone: (585) 363-3204

Applicant Signature: Christopher C. Keipper Digitally signed by Christopher C. Keipper
 DN: cn=Christopher C. Keipper, c=US,
 ou=Projects,
 email=christopher_keipper@rge.com
 Date: 2022.06.02 20:44:17 -04'00' Date: _____

Agent/Engineer: Mary Steblein, PE, CPESC
 Company: LaBella Associates
 Address: 300 State Street, Suite 201, Rochester, NY 14614
 Email: mstblein@labellapc.com
 Phone: (585) 295-6652

APPLICATION FEES

Planning Review Fee	\$
Engineering Review Fee	\$
Check #	Total \$ 0.00

- See **Required Fees Table** for \$\$ Amounts

FOR OFFICE USE ONLY

Application # _____ Date Received: _____

Existing Conditions & Proposed Development

The proposed development is currently part of the 2.43-acre parcel known as 2070 Empire Boulevard, Tax Map 093.02-1-1.121. This application proposes to subdivide a portion of that parcel into Lot R-7B (0.532 acres). The parcel is non-residential, vacant commercial property which is currently grass lawn with trees/brush at the western and northern property lines.

The proposed construction would consist of developing an electrical substation meeting the standards of Rochester Gas and Electric Corporation (RG&E) and the required industry codes such as the National Electrical Safety Code (NESC). The substation would replace the existing Station 55 located on the west side of Empire Boulevard. It will support upgrades to transmission and distribution lines in the region, providing back-up circuits to support the electrical load in the Penfield & Webster areas. The new substation will contain gas-insulated switchgear (GIS) equipment, which will be housed inside of a GIS building.

The substation would include a pre-engineered metal-sided GIS building with a gabled standing-seamed metal roof and concrete foundation, two transformers with oil-containment foundations, electrical vaults and handholes, duct banks, conduit trenches, new stone substation yard, security fencing with vehicle gates, and lighting.

Lighting will consist of building-mounted wall-packs and perimeter, security lighting that will be on from dusk to dawn. Additional task lighting will be installed; however, it will only be in use if night work is required. Fixtures are full cut-off and are not anticipated to spill light beyond the property boundary.

The substation will be unmanned and does not require parking (occasional vehicles will be able to park within the substation yard), sanitary lateral, water service, or trash storage.

We understand that screening will be an important consideration for this development. RG&E prefers no vegetation for safety/security purposes. At this time, we are suggesting arborvitae be planted along the property frontage, within the Town's right-of-way, that would require future maintenance by the Town.

Zoning District & Property Owner

The parcel is currently owned by J J & A Development LLC and located within the Limited Business district. See the enclosed letter of permission from the Owner.

Seabury Boulevard and the nearby parcel at 150 Wexford Place are zoned Multiple Residential.

Schedule & Phasing

Construction is anticipated to start at the end of 2023, although the schedule is subject to change. The construction sequence and phasing are still in development and will be shared with the Town when available, closer to construction.

Permits & Approvals

The project will require a variety of Town approvals, including Site Plan, Subdivision, an Environmental Protection Overlay District (EPOD) permit, area variances, and a building permit. Due

to the proximity of the Town of Penfield/Town of Webster municipal border, Monroe County will review the project under General Municipal Law §239.

There are no State or Federal approvals anticipated. The project site is 0.532 acres and therefore will not trigger the need for coverage under the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-20-001.

Anticipated area variances to the Penfield Town Code include:

250-5.6(D)(2) Lot coverage

Variance of 23.8% from maximum lot coverage (proposed lot coverage is 88.8%, exceeding the 65% maximum lot coverage requirement)

250-5.6(D)(3) Setbacks

Variance of 65.3 feet from the 80-foot minimum front setback (proposed setback of 14.7 feet)

Variance of 3.8 feet from the 20-foot side setback (proposed setback of 16.2 feet)

Variance of 14.9 feet from the 30-foot rear setback (proposed setback of 15.1 feet)

250-7.1 (D) Fencing

Variance of 6 feet for the fence height within 20 feet of any front property line (proposed 8-foot plus one foot outrigger)

Variance of 3 feet in fence height from the maximum of six feet in height

250-7.2(A)

Variance of 50 feet for a buffer along a boundary line between LB and a residential zoning district.

Zoning Area Variance Criteria

(1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;

The variances being requested would not likely create an undesirable change in the character of the neighborhood or create a detriment to nearby properties. The location of the project sits within a transition area between commercial and multi-residential zoned neighborhoods. The proposed utility substation use of the property does not increase the intensity of land use within the neighborhood even though several area variances are being requested. Although several traditional dimensional requirements within the Town's Zoning regulations cannot be met, the site is being designed to fit neatly within a narrow envelope that would be screened from adjoining land uses within the Limited Business and Multiple Residence neighborhood. We note that the southeast side of Seabury Boulevard is lined with evergreen trees that serves as an existing buffer between residences and the roadway. Our proposal includes planting additional evergreens on the northwest side of Seabury Boulevard that would serve as additional screening to the residences to the southeast. The Zoning and Variance Plan on Drawing C201 depicts how the site would be developed within parameters of the requested variances.

The action under consideration will improve the reliability of the electrical transmission and distribution system in the area. The substation is essentially being relocated across the street, as the existing substation parcel is not large enough to accommodate an upgrade while remaining

energized. Building the substation on a new parcel will minimize outages to the customers. Instead of building all of the electrical equipment outdoors, the proposed substation will include minimal infrastructure in order to minimize visual impacts. The majority of the electrical equipment will be enclosed within a control house building, and two transformers will be outdoors. This public utility development provides a necessary upgrade for RG&E's customers.

(2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

It is desired to build a new substation in the same general vicinity as the existing Station 55 in order to reconnect the existing transmission lines and minimize the relocation of the transmission lines. Relocation of the substation outside of this area results in significant costs due to relocating transmission and distribution lines. It is much more cost effective to build within the vicinity of the existing substation, which keeps rate payers in mind.

While RG&E did examine other parcels within the neighborhood, the proposed site lends itself to maintaining existing transmission and distribution networks, thereby creating a financially feasible outcome for utility rate payers. Consideration was also given to expanding the current Station 55 located adjacent to the real estate office on the west side of NYS Route 404; however, the existing site will not accommodate required improvements due to inadequate square-footage and immediately adjoining commercial land uses and single-family zoned neighborhood on Kirkland Drive.

(3) Whether the requested area variance is substantial;

There are several proposed variances, some of which could be considered substantial such as the inability of the development to meet the 50-foot buffer between the LB and MR zoning districts. However, an electrical substation is not a typical use for any zoning district and the space is maximized for this use. As the project location is in a transition area, and there does not appear to be any overly sensitive land uses immediately adjacent to our proposed project, we contend that the requested variances are not substantial.

(4) Whether the proposed area variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

The citing of an electrical substation in this area will have a positive impact on the availability of reliable electrical power in the area. The substation will be screened per the Town's requirements, which should minimize and avoid adverse visual impacts. No adverse environmental effect would occur in association with providing the requested variances.

(5) Whether the alleged difficulty was self-created. (In contrast to the context of a use variance, in the context of an area variance application, whether or not the alleged difficulty was self-created shall be relevant to the decision of the Board of Zoning Appeals but a finding that the difficulty was self-created shall not in and of itself preclude the granting of the area variance.)

While the difficulties we have encountered with our proposal are self-created in comparison to some of the dimensional requirements imposed by the Town of Penfield's zoning regulations, we contend that the site can be designed and developed to minimize and avoid adverse effects to the neighborhood.

Letter of Intent - RG&E Station 55 - 2070 Empire Boulevard

Relocating an electrical substation involves the reconnection of electrical transmission and distribution lines. If a substation cannot be rebuilt on the same parcel as the existing substation (which needs to remain energized to provide continuous service to customers) RG&E looks at available, undeveloped property near the current substation. The land around the existing Station 55 is developed. However, this proposed subdivided parcel (Lot R-7B) could accommodate the footprint of the proposed substation, though without complying fully with the Zoning Code.

Environmental Protection Overlay Districts

According to the Town's GIS viewer, a portion of the north end of the proposed parcel is within the floodplain EPOD as a result of nearby Tributary of Shipbuilders Creek (NYSDEC 847-575.6), which is approximately 400 feet to the east of the property. No other EPODs exist on the proposed parcel.

Photos of Existing Property



Looking northeast from the southwest corner of the parcel to be subdivided

Letter of Intent - RG&E Station 55 - 2070 Empire Boulevard



Looking north across the parcel to be subdivided from Seabury Blvd



Looking west across the parcel to be subdivided from Seabury Blvd



Looking east across the parcel, toward Daniel's Creek Apartments/Wexford Place



APPROXIMATE SITE LOCATION

SURVEY NOTES

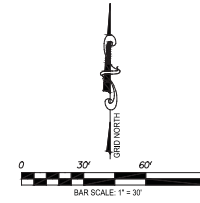
- CONTROL FOR THIS PROJECT IS BASED ON CONTROL POINTS ESTABLISHED UTILIZING THE NYSNET GPS SYSTEM.
 - THE HORIZONTAL DATUM IS REFERENCED TO THE N.Y.S. PLANE COORDINATE SYSTEM, WESTERN ZONE, TRANSVERSE MERCATOR PROJECTION, NAD83 (2011).
 - THE VERTICAL DATUM IS NAVD83.
- FIELD WORK WAS COMPLETED WITH AN ACCURACY OF 1:20,000 OR BETTER.
- BEARINGS SHOWN ARE REFERENCED TO GRID BEARINGS. DISTANCES SHOWN ARE GROUND DISTANCES.
- PROJECT AVERAGES:
 - SCALE FACTOR = 1.00003312
 - ELEV. FACTOR = 0.99996689
 - COMBINED FACTOR = 1.00001848
 - GROUND DISTANCE x COMBINED FACTOR = GRID DISTANCE

SPECIAL SURVEY NOTES

- RG&E TO INSTALL UNDERGROUND CONDUIT IN THIS AREA WITHIN THE EXISTING POLE LINE EASEMENT

MONROE COUNTY MONUMENT REFERENCE
MONUMENTS WERE LOCATED USING PROJECT CONTROL. (NAD83 - 2011)

- STATION: C&CS WILLOW
 - MONROE COUNTY DATA SHEET PUBLISHED NAD27 COORDINATES
 - N: 1,198,670.31 E: 786,178.41
 - FIELD LOCATED NAD83 (2011) COORDINATES
 - N: 1,198,710.08 E: 1,434,537.40
 - FIELD LOCATED NAD83 (2011) CONVERTED TO NAD27 COORDINATES
 - N: 1,198,670.10 E: 786,178.20
- STATION: 152.2 (NYS)
 - MONROE COUNTY DATA SHEET PUBLISHED NAD27 COORDINATES
 - N: 1,169,813.09 E: 789,334.03
 - FIELD LOCATED NAD83 (2011) COORDINATES
 - N: 1,169,852.81 E: 1,437,692.07
 - FIELD LOCATED NAD83 (2011) CONVERTED TO NAD27 COORDINATES
 - N: 1,169,812.80 E: 789,333.90
- STATION: 152-4 (NYS)
 - MONROE COUNTY DATA SHEET PUBLISHED NAD27 COORDINATES
 - N: 1,169,368.05 E: 793,525.48
 - FIELD LOCATED NAD83 (2011) COORDINATES
 - N: 1,169,408.14 E: 1,441,983.95
 - FIELD LOCATED NAD83 (2011) CONVERTED TO NAD27 COORDINATES
 - N: 1,169,368.10 E: 793,525.57



LEGEND

THESE STANDARD SymbOLS WILL BE FOUND IN THE DRAWING:

—	OVERHEAD ELECTRIC
—	PROPERTY LINE
—	RIGHT-OF-WAY LINE
—	ROAD CENTERLINE
—	ROAD CENTERLINE
—	FENCE LINE
—	GRAVEL EDGE
—	WOOD LINE
⊙	IRON PIPE
⊙	IRON PIN
⊙	DECIDUOUS TREE
⊙	UTILITY POLE
⊙	GUY WIRE ANCHOR

SURVEY REFERENCES

- MONROE COUNTY, TOWN OF PENFIELD TAX MAP 93.02.
- DEED BETWEEN ANNE C. DEMARCO, ANNE D. DIMARCO, JOEL R. DIMARCO AND JOHN L. DIMARCO AND J&A DEVELOPMENT LLC DATED JANUARY 29, 2020 AND FILED IN THE MONROE COUNTY CLERK'S OFFICE JUNE 6, 2020 AS LIBER 12347 OF DEEDS, PAGE 88.
- DEED BETWEEN MILDRED N. PETRILLO AND TRACI PETRILLO DATED DECEMBER 19, 2006 AND FILED IN THE MONROE COUNTY CLERK'S OFFICE JANUARY 4, 2007 AS LIBER 10404 OF DEEDS, PAGE 484.
- DEED BETWEEN SALVATORE P. SIMONETTI AND CHARLENE M. SILVERI DATED SEPTEMBER 22, 1988 AND FILED IN THE MONROE COUNTY CLERK'S OFFICE SEPTEMBER 22, 1988 AS LIBER 9063 OF DEEDS, PAGE 456.
- MAP TITLED, "RODNEY FARMS, RESUBDIVISION OF LOTS 4, 5, 6 & 7" DATED MARCH 18, 1984 AND FILED IN THE MONROE COUNTY CLERK'S OFFICE AS LIBER 279 OF MAPS, PAGE 64.
- MAP TITLED, "RICHARD J. DIMARCO SUBDIVISION" DATED JUNE 29, 1989 AND FILED IN THE MONROE COUNTY CLERK'S OFFICE AS LIBER 260 OF MAPS, PAGE 91.
- NO ABSTRACT OF TITLE PROVIDED

SIDE NOTES

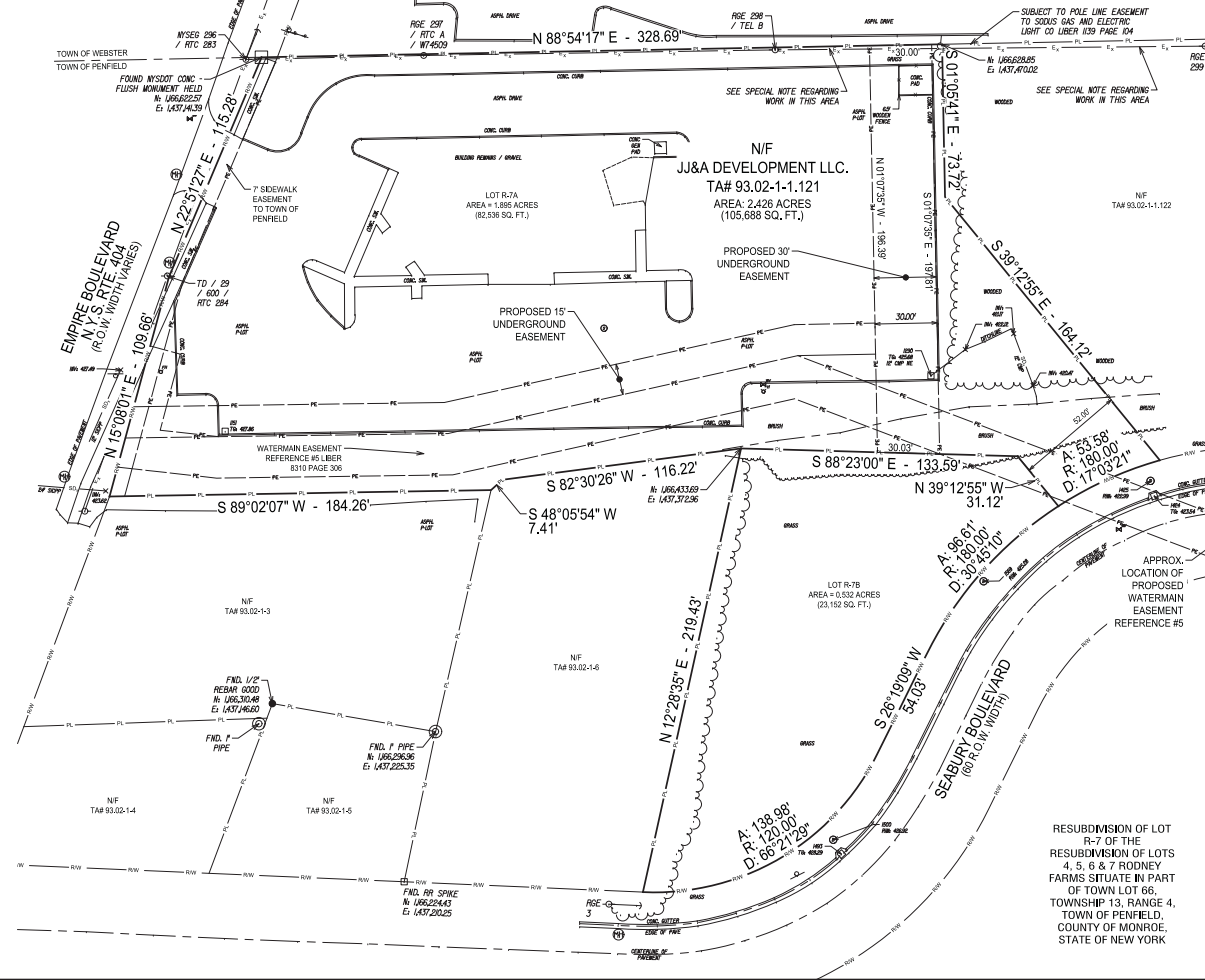
- THE CONTRACTOR SHALL LOCATE, MARK, SAFEGUARD AND PRESERVE ALL SURVEY CONTROL MONUMENTS. FOR DESCRIPTIVE AND SURVEY DATA ON THE CONTROL MONUMENTS, CALL THE MONROE COUNTY SURVEY OFFICE.
- THE DEVELOPER'S AND CONTRACTOR'S ATTENTION IS DIRECTED TO LOCAL LAW NO. 6 OF 1971 REGARDING LIABILITY INCURRED THROUGH DISTURBANCES OR DESTRUCTION OF GEODETIC SURVEY MONUMENTS.

CERTIFICATION

WE, LABELLA ASSOCIATES, DPC, CERTIFY THAT THIS MAP WAS PREPARED USING REFERENCE MATERIAL AS LISTED HEREON AND FROM FIELD NOTES OF AN INSTRUMENT SURVEY COMPLETED APRIL 26, 2021 AND THIS PARCEL IS SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES OF RECORD.

MICHAEL W. HALEY PLS
NYS PLS NO. 049788

APRIL 12, 2021



300 State Street, Suite 201
Rochester, NY 14614
585-454-6110
labellapc.com

NOT FOR CONSTRUCTION

It is a violation of New York Education Law Article 145 Sec. 7206, for any person, unless acting under the direction of a licensed architect, professional engineer, or land surveyor, to alter in any way, if an item bearing the seal of an architect, engineer, or land surveyor is altered, the altering architect, engineer, or land surveyor shall affix to the item their seal and notation "altered by" followed by their signature and date of such alteration, and a specific description of the alteration.

© 2019 LaBella Associates

AVANGRID
89 EAST AVE.
ROCHESTER, NY 14614

PROPOSED STATION 55
2070 EMPIRE BLVD.
WEBSTER, NY 14580

NO.	DATE	DESCRIPTION
1	9/15/2021	ADJUSTED PROPOSED LOTS

PROJECT NUMBER: 2211708

DRAWN BY: KDS
REVIEWED BY: MWH
ISSUED FOR: DRAFT

DATE: MARCH 4, 2022

DRAWING NAME:

RESUBDIVISION MAP

DRAWING NUMBER:

V-1