

1900 Bausch & Lomb Place
Rochester, New York 14604

P 585.987.2800 F 585.454.3968



ATTORNEYS
woodsoviatt.com

1900 Main Place
Buffalo, New York 14202

P 716.248.3200 F 716.854.5100



Writer's Direct Dial Number: 585.987.2905
Writer's Direct Fax Number: 585.362.4623
Email: bbrugg@woodsoviatt.com

August 5, 2022

Town of Penfield Zoning Board of Appeals
3100 Atlantic Avenue
Penfield, NY 14526-9798

Re: Application of Durst Image Technology US LLC
Special Use Permit – 667 Panorama Trail
LETTER OF INTENT

Dear Board Members:

This office has been retained by Durst Image Technology US LLC and its affiliate, DGNA Real Estate Holdings, LLC ("Durst"), the contract vendee of the property at 667 Panorama Trail, currently the home of Penfield Sport and Fitness/Apex Health Club, to assist in obtaining Special Use Permit approval to allow the relocation of its Rochester area business facilities from Henrietta to this site. The property is zoned Business Non-Retail (BN-R).

Durst's business involves advanced digital printing and production technology. The relocation from Henrietta is to accomplish a better working environment for its employees by creating a larger, more comfortable, and enjoyable working space with proximity to the shopping, restaurants and commercial space that the Panorama Valley has to offer. Standard hours of operation are 8:00 am to 6:30 pm Monday- Friday.

The proposal is for use of the existing building at 667 Panorama Trail, currently a health club, as Durst offices with ancillary training and storage. Of the 40,000 square feet of the existing building, approximately 16,000 square feet are slated for traditional offices, 4,000 +/- square feet are designed for the training area, 10,000 +/- square feet are planned for an area for maintaining and shipping of parts, and 10,000 +/- square feet will remain vacant for the time being, but available to accommodate future growth. The only change proposed to the building is to add a loading dock to accommodate a small number of truck deliveries. Town staff (Andy Suveges, Kerry Ivers and Doug Sangster) has visited the Henrietta facility to better understand the use and confirm the applicable approval process.

SCANNED

The use is akin to the office building uses permitted in the BN-R District under Code § 250-5.5(B)(1)(g), but since this is a conversion from the current athletic club use, a special use permit is required from the Zoning Board of Appeals pursuant to Code § 250-5.5(B)(2).

We presented the project to and it was well received by the PRC in July. Any comments were incorporated into the submission. Staff intends to forward the submission to the Planning Board for an informal review. We anticipate appearing at the Planning Board in September for their review and comments in advance of appearing at the Zoning Board of Appeals.

SPECIAL USE PERMIT

Code §250-14.5(C)(1) provides a general standard allowing the grant of a special permit where "the public convenience and welfare will be served and the appropriate use of the neighboring property will not be substantially injured thereby". This proposed use clearly meets that standard in that the proposed use is much more in line with the traditional BN-R office than the existing athletic club. Traffic will be less intense than the in-and-out nature of the athletic club, with more restricted hours. The site, while located on Panorama Trail north of Penfield Road is relatively isolated from residential uses in the area, with its orientation southerly toward Penfield Road.

While this is not a conditional use defined by Code, the Code standards for Conditional Uses, Town Code §250-13.4(A) are illustrative of how our use fits within the neighborhood and Code structure:

- (1) **The use is in harmony with the general purposes and intent of the Zoning Chapter of the Code and the zoning district in which it is proposed.** The subject use is more akin to a traditional BN-R office use, which is a good adaptation of a more intense regional athletic club use.
- (2) **The use is not detrimental to adjacent properties because of its :**
 - (a) **Means of ingress and egress.** Ingress and egress will be through existing curb cuts to the site. The site has its own driveway access. To accommodate the small amount of trucks, minor restriping is proposed to create a left turn pocket for northbound traffic on Panorama Trail.
 - (b) **Adequacy of parking facilities.** There is more than ample parking for the anticipated initial full-time employees of the business (and sufficient to accommodate future expansion) in the existing parking field. As an office use, the operation requires employee parking. There is no need for customer parking (and a lesser parking need compared to the current health club use). Two landscape islands and 22 parking spaces

will be removed to accommodate tractor trailer movements. Additional green space will be added to offset this change.

- (c) **Potential impact to both present or future uses.** There is no perceived impact of this use on any present or future uses. The intensity of the proposed use is a low intensity operation consistent with the surrounding uses. The office use involves less hours and doesn't have the in-and-out customer activity of the current health club use. The use involves relatively minor alternations to the site and fits the site. The additional storage and truck activity is low volume and benign in nature. The operation will have no impact on the potential present or future use of the property or any neighboring use.
- (d) **Compatibility with the general area in which it is located.** This use is compatible due to its low intensity. The use is less intense than the current health club use in that Durst is weekday office hours use that generates no customer traffic. The only alternation proposed to the building is to add a loading dock to accommodate the small amount of trucks that deliver and pick up from the site. There will be a limited number of delivery vehicles– 1-4 (and sometimes 0) tractor-trailer trucks per day (or an estimated 10-15 per week) and approximately 3 box truck deliveries twice daily-- the same UPS and FedX trucks that are commonplace at any other business or residential neighborhood. Most parts are small and shipped via a FedX or UPS (similar to deliveries in any residential neighborhood). Larger items or a pallet would normally be delivered by tractor-trailers which are briefly on site to drop off or pick up. The use is compatible and will not impact any neighbor because of the location, site access, and low-intensity nature of the operation. The site also includes significant trees and buffering.
- (e) **Type and amount of signage.** It is anticipated that signage will comply with Code. Existing signage is available for reuse. If the tenant seeks any sign relief, that would come through an application to this Board.
- (f) **Potential noise level.** This is an office use with no significant noise. Being a weekday office hours operation with no customer traffic, Durst will generate less noise than the current health club use (which has customers coming and going from early morning to evening seven days/week). The FedX and UPS trucks are consistent with any other business or residential neighborhood, and would typically deliver or pick up at the main door, while the few tractor trailers would use the new loading dock. The small number of trucks coming on site, short duration on site, and occurrence during regular office hours minimize any potential for noise, with the ambient background noise and vegetative buffering further eliminating any noise impact.
- (g) **Existing or proposed buffering.** The existing site provides ample vegetative buffering and distance separation from other businesses and residential neighbors. The site has its own driveway access. There are no neighbors impacted. The use of the property will be less intense than the current use.
- (h) **Proposed generation of noxious odors.** There are no noxious odors from this use.

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Letter of Intent
Re: Durst Image Technology US LLC
August 5, 2022
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- (i) **Exterior lighting.** No additional lighting is contemplated. Lighting is consistent with the day time office operation.
 - (j) **Proposed hours of operation.** The anticipated hours of operations are traditional Monday-Friday office hours of 8:00 am to 6:30 pm. (representing a reduction in intensity from the current health club use which is open from 5 am-9:30 Monday-Friday and 7 am-5 pm weekends).
- (3) **The use is not detrimental to the health, safety or general welfare of persons residing or working in the neighborhood of such proposed use or detrimental or injurious to the property and improvements in the neighborhood, or to the general welfare of the Town.** This use will not have any such impacts. The office use will add customers that support area businesses and the neighborhood.

Based on the foregoing, we respectfully request that the Board grant the required special use permit approval to allow Durst to operate its business at 667 Panorama Trail. The Durst team is excited about the opportunity to relocate their operation to Penfield.

We look forward to presenting this application to the Zoning Board of Appeals at your September 15 meeting. If any Board member has any questions in the interim, please do not hesitate to contact me at any time.

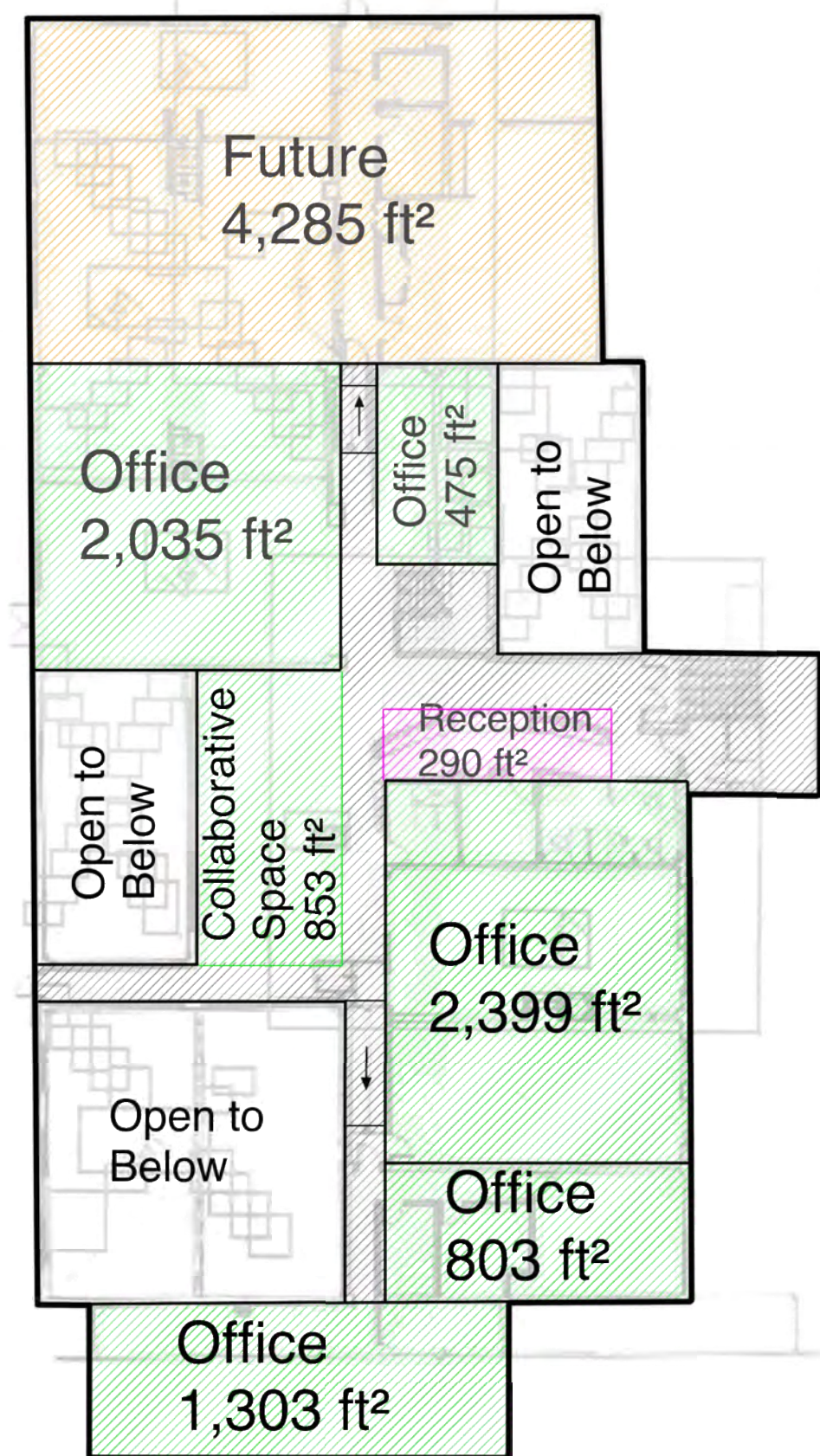
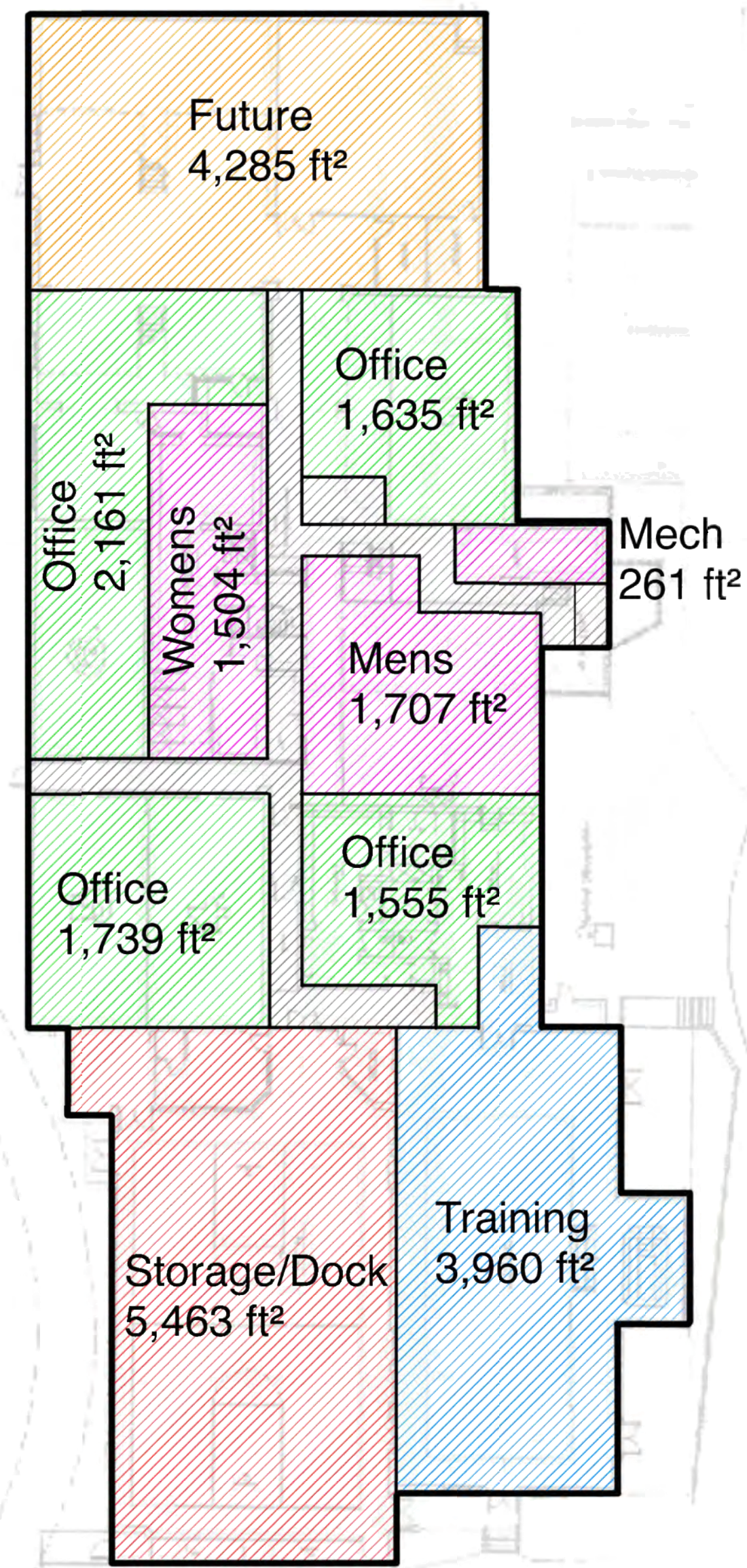
Very truly yours,

WOODS OVIATT GILMAN LLP

A handwritten signature in black ink that reads "Betsy D. Brugg".

Betsy D. Brugg

cc: Durst Image Technology US LLC
Bergmann



Utilization Square Footages:

Office:	14,958 ft ²
Training:	3,960 ft ²
Storage/Dock:	5,463 ft ²
Future:	8,570 ft ²
Circulation, Restroom & Utility Space (18%):	7,049 ft ²
Total:	40,000 ft²



**DURST IMAGE
TECHNOLOGY US, LLC**

**DURST IMAGE
RENOVATION**

667 PANORAMA TRAIL W.
PENFIELD, NY 14625

Date Revised	Description

**NOT FOR
CONSTRUCTION**

Copyright © Bergmann Associates, Architects, Engineers,
Landscape Architects & Surveyors, D.P.C.

Project Manager	Discipline Lead
G. FLISNIK	A. HART
Designer	Reviewer
M. GROTH	M. GROTH
Date Issued	Project Number
08/12/2022	016309.00

Sheet Name

**PROPOSED FLOOR
PLANS & ELEVATIONS**

Drawing Number

A100

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Amarr

Amarr Energy Efficient Polyurethane Insulated Sectional Doors



SCANNED

High R-Value Doors to Meet All Your Needs

Amarr polyurethane insulated products are our top-of-the-line energy efficient doors; constructed using HCFC-free polyurethane insulation to create a strong monolithic panel. Heavy-duty 14-gauge minimum galvanized steel hinges standard.



Amarr 2743
3" SUPER-DUTY
 Superior Energy Efficiency
 Exceptional performance for long-term value



Amarr 2042
2" EXTRA HEAVY-DUTY
 High Energy Efficiency
 Flush modern look



Amarr 2742
2" HEAVY-DUTY
 High Energy Efficiency
 Pencil groove design for added strength



Amarr 2741
1-3/8" MEDIUM-DUTY
 Energy efficient
 Competitively priced



Amarr 3040
1" MEDIUM-DUTY
 Energy efficient and economical
 Ideally suited for vertical dock struts



Amarr 2747
1-5/8" HEAVY-DUTY
 Versatile replacement section
 Compatible with other manufacturer's shiplap doors



PANEL DESIGNS



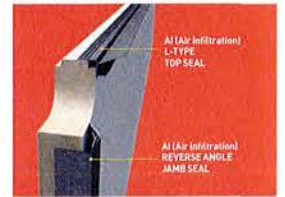
STEEL COLORS



WINDOW OPTIONS



Air Infiltration Performance



- Meets Building Energy Efficiency Standards: ASHRAE 90.1, IECC®, CA Title 24
- 3rd party certification tested
- Certification available for Amarr 2743, 2042, 2742, 2741 and 3040

Both seals plus 1" of jamb overlap required to meet the above standards; Amarr 3040 additionally requires a 3" strut in top section. Other conditions may apply.

Repair Any 1-5/8" Shiplap Door

- Compatible section profile
- Similar exterior and interior groove designs
- Comparable section weights requires no spring change



Amarr 2042 and 2742 Options

ALUMINUM SECTION



GLAZED ALUMINUM



PERFORATED ALUMINUM[†]
0.312" square perforations on 1/2" centers

LOUVERED ALUMINUM
6 columns of 121 3" x 3/4" vents on a 4' x 24" panel



CLEAR ANODIZE



DARK BRONZE ANODIZE



BLACK ANODIZE



WHITE POWDER COAT

Actual color may vary from samples.

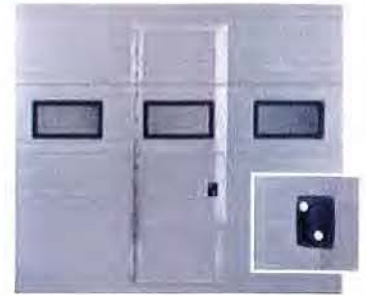
[†] Also available in Mill finish.

SUPERFLEX IMPACT SECTION



SuperFlex sections flex in & out 8"-10". High-performance TPO skins on a flexible fiberglass tube frame helps minimize lower door section damage commonly found in today's busy warehouses.

PASS DOOR with stainless steel frame



Available in door sizes up to 16'2" wide x 16' tall. Wind load option not available.

Polyurethane Insulated Steel Doors Specifications

SPECIFICATIONS

	Super-Duty	Extra Heavy-Duty	Heavy-Duty	Heavy-Duty	Medium-Duty	Medium-Duty
	Amarr 2743	Amarr 2042	Amarr 2742	Amarr 2747	Amarr 2741	Amarr 3040
DOOR THICKNESS	3" (7.6 cm)	2" (5.1cm)	2" (5.1cm)	1-5/8" (4.1cm)	1-3/8" (3.5cm)	1" (2.5cm)
PROFILE DESIGN	Tongue and Groove	Tongue and Groove	Tongue and Groove	Shiplap	Tongue and Groove	Tongue and Groove
EXTERIOR STEEL THICKNESS	27 ga	20 ga	27 ga	27 ga	27 ga	.012"
PANEL DESIGN	Pencil Groove	Flush	Pencil Groove	Wide Groove	Pencil Groove	Pencil Groove
STEEL EMBOSSEMENT	Stucco	Stucco	Stucco	Stucco	Stucco	Stucco
CONSTRUCTION LAYERS	Triple	Triple	Triple	Triple	Triple	Triple
INSULATION ¹	Polyurethane	Polyurethane	Polyurethane	Polyurethane	Polyurethane	Polyurethane
R-VALUE ²	28.0	19.4	19.4	15.1	14.5	10.1
HINGE REINFORCEMENT	Continuous Strip	Continuous Strip	Continuous Strip	Continuous Strip	Continuous Strip	Continuous Strip
BOTTOM WEATHER SEAL (Co-Extruded PVC)	Triple Contact	Dual Contact	Dual Contact	Triple Contact	Dual Contact	Dual Contact
DOOR WIDTH MIN	5'	5'	5'	5'	5'	5'
DOOR WIDTH MAX	32' 2"	32' 2"	32' 2"	24' 2"	20' 2"	20' 2"
DOOR HEIGHT MIN	7'	7'	7'	7'	7'	7'
DOOR HEIGHT MAX	26' 1"	26' 1"	26' 1"	26' 1"	14' 1"	16' 1"
PASS DOOR		*	*			
ALUMINUM SECTIONS		*	*			
WIND LOAD ³ AVAILABLE	*	*	*		*	
PAINT FINISH WARRANTY ⁴	10 Years	10 Years	10 Years	10 Years	10 Years	10 Years
WORKMANSHIP/HARDWARE WARRANTY ⁴	1 Year	1 Year	1 Year	1 Year	1 Year	1 Year

Track: All Amarr doors are available with both 2" or 3" track in Standard Lift, High Lift, Vertical Lift, Rapid Install Vertical Lift, Low Headroom, and Follow the Roof Pitch. Custom track configurations are also available. For drawings and more information, please visit www.amarr.com.

RAPID INSTALL Rapid Install Vertical Lift: Designed specifically for commercial warehouse and dock doors and saves approximately 20 minutes of installation time per door due to fewer jamb attachments and a pre-assembled, one-piece track. Available for door sizes up to 9'4" x 10'. For more information, please visit www.amarr.com.

Springs: Torsion springs are oil tempered, helical wound and custom computed for each door for a minimum 10,000 cycle life. Optional springs are available up to 100,000 cycle life.

Standard Hardware: Galvanized steel hinges and track brackets. All rollers have minimum 10-ball bearings.

¹ Insulation has passed self-ignition, flamespread and smoke developed index fire testing.

² Calculated door section R-value is in accordance with DASMA TDS-163.

³ It is your responsibility to make sure your garage door meets local building codes.

⁴ For complete warranty details, visit amarr.com or contact your local Amarr dealer.

* Available door width and height depends on total door weight. Total door weight cannot exceed 635 lbs for 2" track or 2200 lbs for 3" track.

Our Philosophy. Since 1951, we have successfully raised the standards of quality, value, and dependability in the garage door industry. Today, with the same promise of individual attention and great value for all our customers, we remain committed to offering Amarr products and services that raise those standards even higher.

Your Local Amarr Dealer:

Amarr Company
165 Carriage Court
Winston-Salem, NC 27105
800.503.DOOR
www.amarr.com



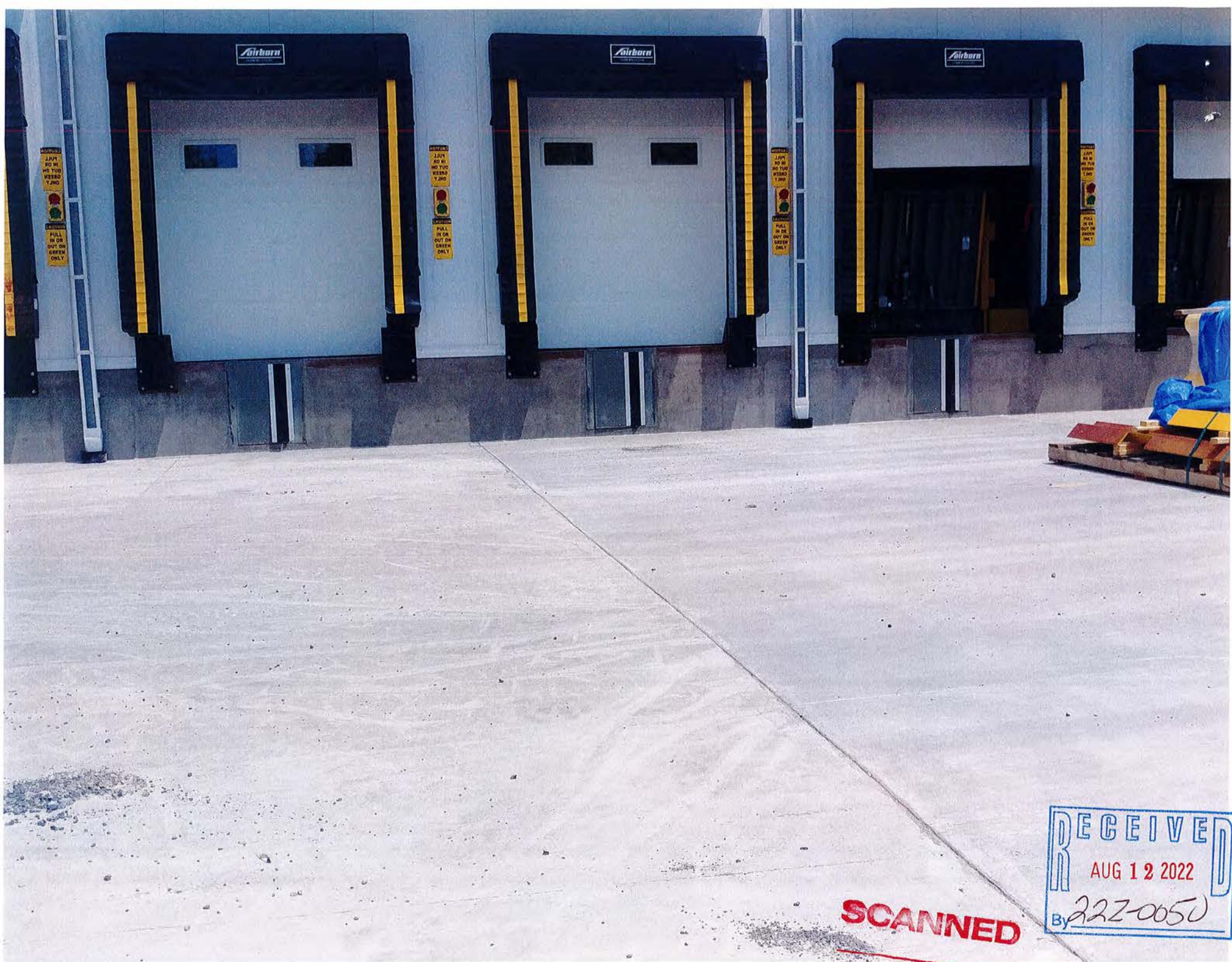
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Door specifications and technical data subject to change without notice.

Amarr Company products may be the subject of one or more U.S. and/or foreign, issued and/or pending, design and/or utility patents.

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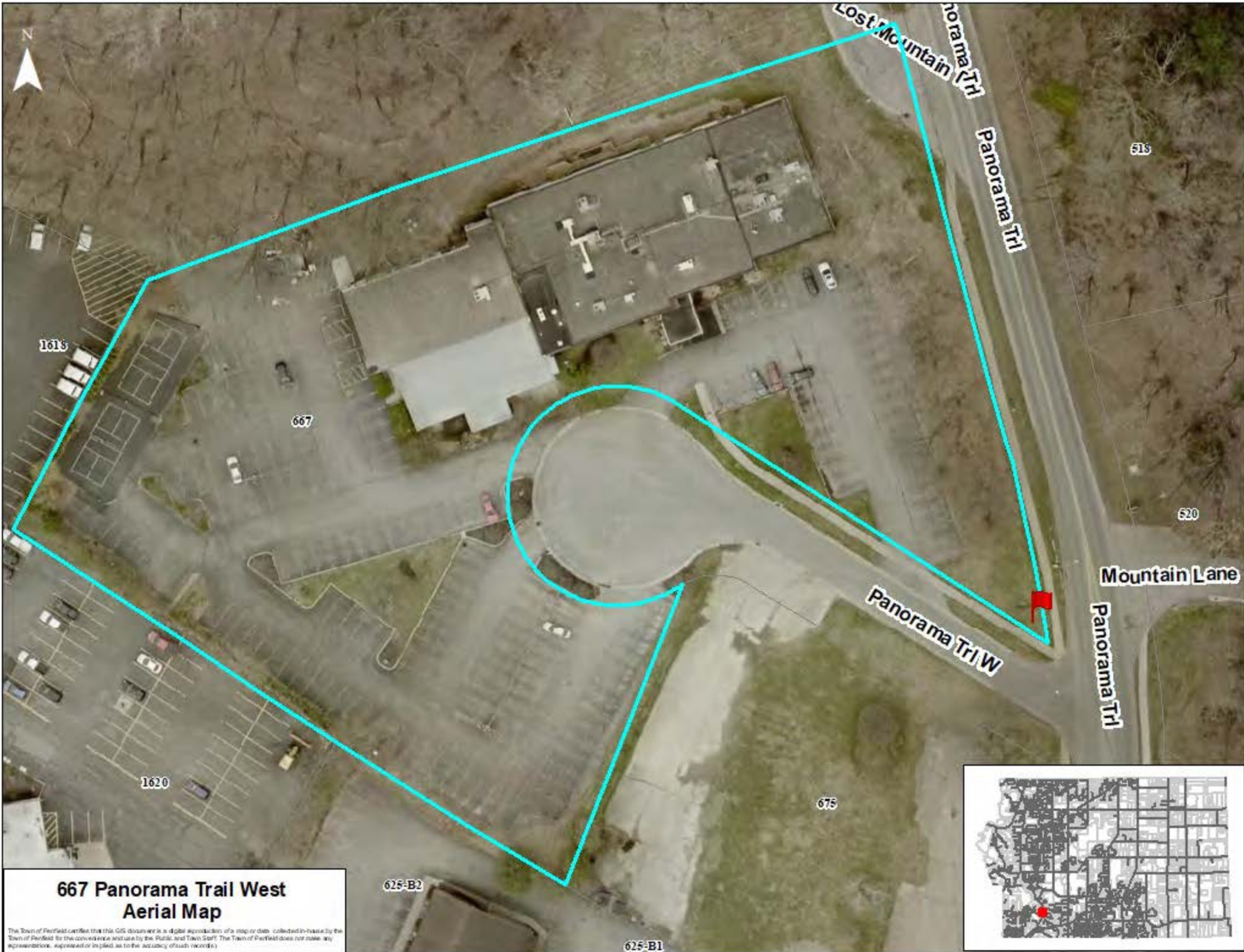
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SCANNED



667 Panorama Trail West Aerial Map

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