

TOWN OF HENRIETTA PLANNING BOARD

Tuesday, February 12, 2008

AGENDA

Peter Minotti, Chairman
Patricia Brill
James Grunert
Stephen R. MacIntyre
Lawrence Neill
Rick Page
Devon Van Vechten
William Walker, Esquire

MAIN MEETING ROOM

ROLL CALL: 7:30 PM

MINUTES: January 22, 2008

APPLICATIONS:

Application No. 07-142 **Marketview Commons** – For final site plan approval to construct an approximate 20,000 S.F. retail/office building with 10,000 S.F. of office space on the second story and future 3,500 S.F. bank pad on an approximate 4.3 acres of land located at 2087 East Henrietta Road in a Commercial B-1 Zoned District. Tax Account Nos. 162.14-1-009 and 162.14-1-10. **(SEQRA)**

Application No. 07-105 **Holy Sepulchre Cemetery** – For final site plan approval of proposed 109 acre cemetery located at the northeast corner of Pinnacle Road and Williams Road in a Rural Residential 2 (RR-2) Zoned District. Tax Account No. 203-01-2-21. **(SEQRA)**

Note: Applicants must have a representative available at the time the application is called. If the meeting should run past 12:00 a.m. (midnight), the Chairman may temporarily adjourn the meeting. The meeting will reconvene on **Tuesday, February 19, 2008 at 7:30 p.m. in Main Meeting Room**

**TOWN OF HENRIETTA
PLANNING BOARD MINUTES
FEBRUARY 12, 2008**

The regularly scheduled Meeting of the Henrietta Planning Board for Tuesday, February 12, 2008 was called to order at 7:30 P.M.

MEMBERS PRESENT

Peter Minotti, Chairman
Devon Van Vechten, Vice Chairman
James Grunert
Stephen R. MacIntyre
Lawrence Neill
M. Rick Page

MEMBERS ABSENT

Patricia Brill

STAFF PRESENT

Mark Byrne, Director of Engineering and Planning
Christopher Martin, Corneles Engineering, Consultant to the Town
Jeffrie Wilkinson, Fire Marshal/Building Inspector
John W. Moore, Planning Board Liaison

STAFF ABSENT

William Walker, Esquire

The first item on the agenda is the approval of the Regular Meeting Minutes of January 22, 2008, as presented.

On motion of
Lawrence Neill

Seconded by
Stephen R. MacIntyre

Duly put to a vote:

Patricia Brill	voting	Absent
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Aye
M. Rick Page	voting	Aye
Devon Van Vechten	voting	Aye
Peter Minotti, Chairman	voting	Aye

Motion Carried

Application No. 07-142

Marketview Commons - For final site plan approval to construct an approximate 20,000 S.F. retail/office

building with 10,000 S.F. of office space on the second story and future 3,000 S.F. bank pad on an approximate 4.3 acres of land located at 2087 East Henrietta Road in a Commercial B-1 Zoned District. Tax Account Nos. 162.14-1-9 and 162.14-1-10.

(SEQRA)

With regard to Application No. 07-142, SEQRA review indicates the Action under consideration is an Unlisted Action as per Section 617.7 (c)(1)(viii). The Henrietta Planning Board, as Lead Agency, has determined that the proposed Action described below will not have a significant effect on the environment and that a draft Environmental Impact Statement will not be required.

The Action under consideration is a Site Plan Application by Marketview Commons. It is an Unlisted Action and will not require a conditioned negative declaration. The purpose of this Application is for final site plan approval to construct an approximate 20,000 S.F. retail/office building with 10,000 S.F. of office space on the second story and a future 3,000 S.F. bank pad on an approximate 4.3 acres of land located at 2087 East Henrietta Road in a Commercial B-1 Zoned District. Tax Account Nos. 162.14-1-9 and 162.14-1-10.

All relevant areas of environmental concern were identified. Evaluation and examination were carefully made in relation of the existing conditions versus the proposed site improvements. It has been determined that there will be no adverse environmental effect as a result of the proposed Action.

Peter Minotti therefore made the motion that the Henrietta Planning Board make a Negative Declaration and authorize the Planning Board Chairman to sign the Statement of Environmental Significance. Devon Van Vechten seconded the motion.

Duly put to a vote:

Patricia Brill	voting	Absent
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Aye
M. Rick Page	voting	Aye
Devon Van Vechten	voting	Aye
Peter Minotti, Chairman	voting	Aye

Motion Carried

On Motion of
Devon Van Vechten

Seconded by
James Grunert

The Henrietta Planning Board motioned to grant final site plan approval, subject to the Applicant addressing all comments received from the Town of Henrietta and other

concerned agencies to the satisfaction of the Director of Engineering/Planning, and more specifically:

ADDITIONAL PLANNING BOARD REQUIREMENTS:

- 1.) The Henrietta Planning Board is very concerned about the Applicant’s desire to remove the existing trees and vegetation along the western boundary of the Project in close proximity to three (3) residential homes. The Applicant has agreed to provide orange construction fencing to further guarantee that existing trees and vegetation are not taken down. In addition, the Applicant will first designate which trees they wish to remove, and will receive the Director of Engineering/Planning’s approval before permitting removing.
- 2.) The Applicant agrees to post additional funds in the Letter of Credit to assure any additional landscaping along the western boundary, if required.
- 3.) It has been discovered that the proposed Retention Pond is located on an existing sewer line serving the Apollo Restaurant and Domino’s Pizza. The Applicant will address this with the Director of Engineering/Planning.
- 4.) The Applicant agrees to install protective measures (guard rail) to mitigate the possibility of a car entering the pond.

Duly put to a vote:

Patricia Brill	voting	Absent
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Aye
M. Rick Page	voting	Aye
Devon Van Vechten	voting	Aye
Peter Minotti, Chairman	voting	Aye

Motion Carried

Application No. 07-105

Holy Sepulchre Cemetery - For final site plan approval of proposed 109 acre cemetery located at the northeast corner of Pinnacle Road and Williams Road in a Rural Residential 2 (RR-2) Zoned District. Tax Account No . 203.01-2-21. **(SEQRA)**

With regard to Application No. 07-105, SEQRA review indicates the Action under consideration is a Type I Action as per Section 617.4 (b)(6)(i). The Henrietta Planning Board, as Lead Agency, has determined that the proposed Action described below will not have a significant effect on the environment and that a draft Environmental Impact Statement will not be required.

The Action under consideration is a Site Plan Application by Holy Sepulchre Cemetery. It is a Type I Action and will not require a conditioned negative declaration. The

purpose of this Application is for final site plan approval of proposed 109 acre cemetery located at the northeast corner of Pinnacle Road and Williams Road in a Rural Residential 2 (RR-2) Zoned District. Tax Account No. 203.01-2-21.

All relevant areas of environmental concern were identified. Evaluation and examination were carefully made in relation of the existing conditions versus the proposed site improvements. It has been determined that there will be no adverse environmental effect as a result of the proposed Action.

Peter Minotti therefore made the motion that the Henrietta Planning Board make a Negative Declaration and authorize the Planning Board Chairman to sign the Statement of Environmental Significance. M. Rick Page seconded the motion.

Duly put to a vote:

Patricia Brill	voting	Absent
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Aye
M. Rick Page	voting	Aye
Devon Van Vechten	voting	Aye
Peter Minotti, Chairman	voting	Aye

Motion Carried

On Motion of
Stephen R. MacIntyre

Seconded by
Devon Van Vechten

The Henrietta Planning Board motioned to grant final site plan approval, subject to the Applicant addressing all comments received from the Town of Henrietta and other concerned agencies to the satisfaction of the Director of Engineering/Planning, and more specifically:

ADDITIONAL PLANNING BOARD REQUIREMENT:

- 1.) The Henrietta Planning Board has no significant comments at this time with the exception of reviewing the future architectural buildings.

A motion to adjourn was made by James Grunert and passed unanimously at 8:30 p.m.

Respectfully submitted,

Leann C. Case
Deputy Town Clerk