



**HENRIETTA PLANNING BOARD  
PUBLIC HEARING  
APRIL 8, 2008**

**MEMBERS PRESENT**

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

**STAFF PRESENT**

Mark Byrne, Director of Engineering & Planning  
Christopher Martin, Corneles Engineering  
William Walker, Esquire  
Jeffrie Wilkinson, Fire Marshal/Building Inspector  
Patricia Shaffer, Town Clerk

(John W. Moore, Town Board Liaison, arrived at 7:20 p.m.)

**PETER MINOTTI, CHAIRMAN**

A Public Hearing is being held before the Henrietta Planning Board today, Tuesday, April 8, 2008 at 7:00 p.m. in the main meeting room, 475 Calkins Road, Henrietta, New York 14467 to hear all persons with regard to the following Application: Application No. PB-282, Graywood Meadows Subdivision - For preliminary subdivision approval of a proposed 120 lot subdivision under Town Law 278 on approximately 59.5 acres of land and providing 11.9 acres of open space located to the west of East River Road and on the north side of Farrell Road Extension in a Residential R-1-15 Zoned District. This Public Hearing is being held so that you, the general public, can present your opinions to the Henrietta Planning Board regarding subdivision concerns, specifically limited to trees, the lots themselves, open space, the infrastructure, utilities, sidewalks, and flood prone areas. Members of the Board may or may not ask questions at this meeting as we will review this Project during our regular work session on April 22, 2008. Now, who is present representing Application No. PB-282?

**PETER VARS, BME ASSOCIATES**

Good evening. My name is Peter Vars from BME Associates, appearing on behalf of Jaynes Riverview, the Applicant. With me is Mr. Ken Marvald, from Jaynes Riverview. We are here this evening for the Public Hearing, for the overall preliminary subdivision Under Section 278 of Town Law for the Graywood Meadows Subdivision. It is a proposed cluster subdivision of one hundred and twenty (120) single-family lots, on 59.5 acres and will include 11.9 acres of open space.

**DEVON VAN VECTHEN**

Peter, could I interrupt you just for a second. Since this is a Public Hearing, could you put that so the audience could all take a look at it.

**PETER VARS, BME ASSOCIATES**

Sure, how's that? Is that fine?

**DEVON VAN VECTHEN**

Rotate it a little bit more.

**PETER VARS, BME ASSOCIATES**

That way? Okay. Is that better? Okay, great. The property is located on the north side of Farrell Road Extension, west of East River Road and the property currently is zoned Residential R-1-15. As we mentioned, we are proposing to subdivide this property under clustering provisions of Town Law 278, and back in January of this year, we appeared before the Board with both a cluster concept plan, and a conventional concept plan. As a result of that meeting on January 22, I believe, two (2) things came out of it. I believe the Planning Board themselves supported the clustering of the subdivision, and also as part of that process, they did approve the one hundred and twenty (120) lot density, based on the plan we had prepared at that time. As part of the cluster concept plan there are lot standards that we are requesting for the lots. We are requesting a minimal lot area of eleven thousand five hundred square feet (11,500 sq. ft.), a minimal lot width measured at the setback of seventy feet (70'), forty foot (40') front setbacks, eight foot (8') side setbacks, and ten foot (10') rear setbacks. The proposed layout itself will consist of two (2) points of access to Farrell Road Extension. All streets proposed within the subdivision would be dedicated streets. We are leaving a stub up to the adjoining property to the north, which is controlled by Jaynes Riverview. At the time of concept plan review there was concern about this dead end street, and what would occur, for the Board's information, at the time of final plan development, which this is designated as section four (4), given that they do control this property is that a temporary turn around cul-de-sac, or whatever, could be constructed on their property to the north. So, it truly wouldn't be a dead end stub street in that area. All lots within the subdivision would be served by public water, public sanitary sewer. watermains are located on the north side of Farrell Road, the development would tie into those mains and extend into the subdivision. Sanitary sewer would be connected here at the southwest end of the property as an existing manhole at the Cave Hollow Road intersection, and be brought up to serve the lots. One of the issues in this area has historically been storm water run off, as it related to Farrell Road Extension. The drainage pattern is a north to south drainage pattern. There's an existing thirty (30) inch culvert here under Farrell Road Extension. My understanding is there's been some history, as run up comes across this agricultural field, the Farrell Road ditch on the north side over time has really just lost its definition, and there is opportunities where this road can flood. So, we took that into account also as part of our design of the storm water management plan to address the post development run off for this subdivision. The plan that was prepared basically has two (2) primary concepts. The first is all run off from the developed lots, the streets, the houses, would be collected within a storm sewer system, and piped to a proposed storm water management area that would be located in the southwest corner of the property. Now that's going to do two things for us, it does address the post development

run off from the subdivision itself, but it also, it helps address that existing situation that occurs along Farrell Road Extension because now that run off that currently goes north to south and hits Farrell Road, is actually going to be collected within the development storm sewer system and piped to this management facility. This management facility has been designed per the D.E.C. regulations for construction activity associated with residential development. What that means is it not only attenuates storm water run off volumes, but it also provides water quality treatment within this pond, and really the nuts and bolts of it is, is what happens here is this pond has been sized such that the storm water run off that reaches this area currently the rate of run off, the rate of discharge to that existing culvert at Farrell Road Extension is going to be reduced in the realm of about seventy-seven percent (77%) from current rates today. So, really what the point of the storm water management plan is to intercept this north to south run off pattern, collect the water, put it in a management facility where it can be detained, receive water quality treatment before it is hydraulically controlled discharge to the thirty inch (30") culvert under Farrell Road Extension, which is where the water goes today. The Project site, the plans that were provided to you does include proposed grading plans, we've designed that grading plan so that the site would have an earth work balance, in other words, the cuts and fills within the development plan should be even. In other words, do not anticipate the need to haul material onto the site, nor haul material off of the site. As it related to Farrell Road Extension, again, coming out of the concept plan review there were two (2) issues that were identified. One (1) was again, that drainage situation, which I've discussed, but one thing we want to point out, the Applicant has also agreed, because as I had mentioned that north side ditch had lost its definition over time, is that it is their intent that with the development of Phase One (1) of the subdivision and the installation of this facility, that they would go through and redefine the ditch because you still need to collect the run off from Farrell Road Extension itself that drains to the north and enters that ditch. So, we will redefine that ditch. The other aspect that came up was pedestrian access, or pedestrian mobility circulation along Farrell Road Extension. What the Applicant is proposing and what is shown on your plans is that from Cave Hollow to Cave Hollow, Cave Hollow west to Cave Hollow east, on the south side of Farrell Road Extension, is proposing a five foot (5') wide extension or addition to the existing road, in other words an additional five foot (5') width and shoulder there, to provide that area for pedestrian circulation and mobility. The reason we proposed it on the south side is with a little bit of history here, is with this revised plan, as you can see, there are no longer frontage lots proposed along Farrell Road Extension, as part of this development. As part of that we don't anticipate the need for the residents within this subdivision to have much of a demand to be walking along the north side of Farrell Road Extension. Again, because there are no homes proposed there, it's not neighbor walking to a neighbor's house. However, there is the frontage lot development on the south side where there is likely the need to occur, and that is why we've proposed the improved shoulder, the wider shoulder on the south side. It's also the reason we're proposing it to be a shoulder is so that the work can be done within the existing road right-of-way with minimal, if hardly any disturbance to existing properties on the south side. So, from a pedestrian stand point that comment was raised about still wanting to be able to facilitate people walking along Farrell Road Extension that is what's now proposed within the overall preliminary plan. As We mentioned, it is a proposed cluster subdivision, so as a result there does need to be benefits. As a result of this plan, what we've identified for your consideration as benefits are a couple of things. First of all, this plan as it's compared to the conventional plan that was submitted and was actually approved a year ago, this plan, first of all, actually results in less infrastructure. There are less utilities

necessary to serve the same number of lots. Also, as part of that infrastructure reduction, we are not only proposing one (1) storm water management facility where originally there was two (2) necessary. Again, this results in less maintenance cost for the infrastructure, and it also results in the fact that we were able to eliminate a lot of rear yard storm sewers that were originally going to be placed along here, under the original layout, and that was raising concerns with the Highway Department, and Public Works Department as it related to access and maintenance. But we've been able to eliminate the need for that with this revised layout. We've also eliminated, obviously, the proposed frontage lots onto Farrell Road Extension, and as part of that, eliminated all the additional curb cuts that were going to be part of that development. The big component of this, and benefit that we see is providing the open space buffer, it's about 11.9 acres, that represents twenty percent (20%) of the total property acreage. That buffer ranges anywhere from one hundred fifty feet (150') at its thinnest point along East River Road, to two hundred feet (200') along Farrell Road Extension. In this area here, and if you're familiar with this site, this existed wooded area, that is a Federal wetland area, it's about 3/4 acre in size, that will be completely encompassed within the open space, there is no proposed disturbance to it or encroachment to it. We basically plan on hands-off leaving it as is. That's actually, again, one of the benefits that we were able to achieve with the cluster plan because the conventional plan actually looked at utilizing portions of that Federal wetland area as part of that second storm water management area. But we pulled that out and located the complete facility within the open space area. As it relates to this buffer, a question that came up during the concept plan review that we provided you additional information on, is that first of all, there is proposed berming along the frontage, and landscaping, but most importantly we have identified how that area will be left. It will be a, the intent is to leave it in a natural setting, which is a mix of, a seed mix containing a mix of natural grasses and wildflowers. It's explained in detail in the cover letter, and on the plans that were provided. But we can answer any additional questions you have on that, if you still do. Just the last two (2) items, as part of our Application, we did prepare a part one (1) EAF, with a supplemental engineer's report. The engineer's report containing information on the utilities themselves, the complete storm water management plan, and also the traffic assessment that was completed for this development. It is a Type One (1) Action under SEQRA, and we are aware that the Town Planning Board has initiated the process of designating themselves Lead Agency. We still are awaiting staff comments on the Project, and it's our understanding that those will be available prior to the Workshop session on the twenty-second (22nd), and obviously once we receive those, we will provide responses to them. So, that is a summation of the Project and our presentation, and we can answer any questions that the Board or the public may have at this time.

**PETER MINOTTI, CHAIRMAN**

Very good, thank you. I would ask at this time if there are any residents present this evening that would like to speak to or ask questions of the Applicant that you would do it now. Mr. Bixby? Would you take the microphone, state your name and your address, please.

**CHARLES BIXBY, 5489 WEST HENRIETTA ROAD**

(Away from mic, inaudible)

**PETER MINOTTI, CHAIRMAN**

Would you answer that, please?

**PETER VARS, BME ASSOCIATES**

As we said, what we are proposing is that, currently, there is no designated pedestrian access ways, people use the streets, whether they're in this subdivision here or utilize Farrell Road Extension. What we are proposing is from Cave Hollow west to Cave Hollow east, as we've called it, is to take the existing Farrell Road Extension, pavement section, widen it on the south side by five feet (5') to provide the area, an area for pedestrians to utilize. So, they would be within the public right-of-way on a hard surface, which is the shoulder, the wider shoulder of the road.

**KENNETH MARVALD**

Just to augment Peter's response, we also thought that by putting the shoulder there, we're creating a safer environment because we've noted a lot of people who are guests of these residents are parking across the street, and traversing the street, as opposed to what we're talking about, is ultimately going to provide a safer area for people to park and not be crossing that street.

**CHARLES BIXBY, 5489 WEST HENRIETTA ROAD**

(Away from mic, inaudible)

**PETER VARS, BME ASSOCIATES**

None proposed because there's really no place for anyone to go out here.

**DEVON VAN VECHTEN**

No, it's like pulling teeth trying to get this sidewalk straightened out. The Public Hearing was very clear last time. In discussion, we had endless discussions, we wanted the sidewalk all the way up to East River Road, and every time you come back, you're not going to do it.

**KENNETH MARVALD**

Well, is this on? As we re-evaluated this, we thought a lot of that was driven by the houses that were going along Farrell Road . . .

**DEVON VAN VECHTEN**

Driven because there's a need for a sidewalk.

**KENNETH MARVALD**

As we looked at it, we thought that the Board and the public might very much enjoy something that would give, we sort of saw it as one (1) plus one (1) equals three (3), that we were providing a place for people to walk, a place for people to park, because there was really a parking issue along here, and we really thought we had come up with something that would serve multiple functions and create a safer environment. So, I'm sorry, I don't mean to cause acrimony over it, we really thought we were coming up with something better.

**DEVON VAN VECHTEN**

We'll pick it up later.

**PETER MINOTTI, CHAIRMAN**

Mr. Bixby, any other questions, are you all set?

**CHARLES BIXBY, 5489 WEST HENRIETTA ROAD**

That was the only question I had . . . (Away from mic, inaudible)

**PETER MINOTTI, CHAIRMAN**

Thank you, Mr. Bixby. Any other resident of the Town that would like to speak? Alright, the Chair would recognize Mr. Neill.

**LAWRENCE NEILL**

Mr. Chairman, I'm all set for right now.

**PETER MINOTTI, CHAIRMAN**

All set? Mr. Grunert?

**JAMES GRUNERT**

Nothing this evening, thank you.

**PETER MINOTTI, CHAIRMAN**

Thank you. Mrs. Brill?

**PATRICIA BRILL**

I have a question about the wildflowers, I want to make sure that they are a blend wildflower, that they would stay in bloom all summer.

**PETER VARS, BME ASSOCIATES**

Let me just quote from the cover letter because it actually describes it better than I remember, "There are two (2) seed mixes proposed. One (1) for the berms, and one (1) for the non-berm areas." As it states here, I'm just, okay, "The mix that's going to be utilized in the berm is going to contain a mix of wild meadow annuals and perennials. It's a mix that we get out of Cornell Cooperative Extension, that's based on the fact of the climate of the area, which is cold winters, shorter growing seasons, so to speak. And more importantly they're seed mixes that are really for hardy soil types that we run into in the area. " But it's, the information that we have from Cornell Cooperative Extension is that the seed mixes are hardy for many soil types, and result in a natural looking wildflower meadow, showing varied flower colors throughout the growing season. So, obviously when it goes dormant in the Fall, and if we don't get snow cover, it's going to look non-colorful.

**PATRICIA BRILL**

And you had mentioned the hydraulically controlled discharge for the water collection area.

**PETER VARS, BME ASSOCIATES**

Yes.

(Let the Record state that Planning Board Liaison, John W. Moore arrived at 7:20 p.m.)

**PATRICIA BRILL**

And where does that drain out to?

**PETER VARS, BME ASSOCIATES**

What will happen, there will be a structure here, that's the hydraulic controlled structure, and then that will connect to the existing thirty inch (30") culvert that goes under Farrell Road Extension and through the subdivision towards the Thruway, okay?

**PETER MINOTTI, CHAIRMAN**

All set, Mrs. Brill?

**PATRICIA BRILL**

Yes.

**PETER MINOTTI, CHAIRMAN**

I noticed we just had some other individuals come in, are you residents that would like to speak at this Public Hearing?

(From audience, inaudible)

**PETER MINOTTI, CHAIRMAN**

Oh, no, that's fine. If you'd like to speak, you may come up now. This is for the residents that want to speak to or ask questions of this Applicant, with regard, this is Graywood Meadows Subdivision.

(From audience, inaudible)

**PETER MINOTTI, CHAIRMAN**

Oh, okay. Mrs. Brill you're all set? Mr. MacIntyre?

**STEPHEN R. MACINTYRE**

Thank you. I have no questions until our Workshop in two (2) weeks, but I have a series of questions . . . (inaudible)

**PETER MINOTTI, CHAIRMAN**

All set? Mr. Page?

**RICK PAGE**

I'll mirror that. I'm not enamored with an additional five feet (5') on the side of the road that you state would be comfortable for cars to park in, which would force the kids right back out in the road. So, as a public servant that sits on a Board, it was very clear to me in the first Public Hearing, the one thing that we promised those residents is that with the increased traffic with one hundred and twenty (120) homes, and 1.5 cars per home, both access points on that one (1)

street, and adding five feet (5') feet to that side of the road isn't going to help. It isn't going to make me sleep well at all, knowing that cars can park there now, and you're still going to force them right back out in the road. So, that's my only concern. The rest of the plan I think is beautiful. I love the open space. I didn't like the way that hill was in the drainage, that's a perfect footprint for that piece of property. But I'm really concerned about the traffic and the sidewalk.

**KENNETH MARVALD**

We really thought we were being innovated to try to help solve an issue that we saw along there with parking. We talked about which side to do it on, and there's nothing magical about the five feet (5'), I'd consider six feet (6') if you wanted to.

**RICK PAGE**

I don't think we should make a beautiful development, and then base it on allowing people to park in the road, along the side of the road. It's not going to enhance anything.

**KENNETH MARVALD**

Again, we thought it was driven mostly from these houses. We don't see a lot of people coming out from here, in here, we thought we were being innovative to help solve it, help solve a problem that was here. And I would even be open to widening it, and having it on either side of the street but we put it on the south side to really help all these residents try to alleviate a bigger problem that we saw.

**PETER MINOTTI, CHAIRMAN**

Mr. Page you're all set? Mr. Van Vechten?

**DEVON VAN VECHTEN**

I already made myself quite clear on how I feel about the sidewalks, and I hope that's going to be a non-issue next time for a Public Hearing. Also, who's going to maintain the flower.

**PETER VARS, BME ASSOCIATES**

The open space? The Applicant is weighing his options. First of all, we understand that it is not going to be Town owned, we understand that. What I mean by weighing his options, the two (2) options that are available is either forming a homeowner's association, or it's the other methodology is, the lots lines are extended but the area completely put within a conservation easement, and we will have that answer for you on the twenty-second (22nd).

**DEVON VAN VECHTEN**

Again, my concern is the natural wildflowers sound wonderful, you get those weeds that just wrap around . . . (inaudible)

**PETER MINOTTI, CHAIRMAN**

All set, Mr. Van Vechten?

**DEVON VAN VECHTEN**

Just to reiterate on the sidewalk, not only between where we were talking all the way to in case someone wants to walk up and get on the bus, kids may or may not have, with the way things are, buses may be streamlined, and they might be thinking about not going through the prior development, so meanwhile the kids walking up there, and to make mention to, that's kind of a long way up.

**PETER MINOTTI, CHAIRMAN**

Thank you. For these two (2) individuals that came in, if there is no objection from this Board, I would be willing to hold this open for a few moments, if you wanted to look at the map, or ask some questions. I don't know, Mr. Walker, if I could ask the Applicant to go back through that lengthy initial presentation.

**WILLIAM WALKER, ATTORNEY**

Well it wasn't necessary to begin with, so, now's the time for the Public to speak if they wish to, if not, if they don't, that's fine.

**KATHY McGOVERN, 195 BEDFORDSHIRE DRIVE**

(Away from mic, inaudible)

**PETER VARS, BME ASSOCIATES**

We did complete a traffic analysis for the proposed development as it relates to the intersection of Farrell Road Extension with East River Road, East River Road is a County Highway that was reviewed by the County Department of Transportation. The findings of the assessment, which are provided to the Board, and the County reviewed and concurred with, first of all it identified there is not a need for a signal light at the intersection, the warrants are not met. But what is required is that on the south bound approach of East River Road, to the intersection is that the shoulder is to be widened there, it's basically to create a right turn pocket for right turn pocket for vehicles south bound turning right onto Farrell Road Extension, and that is the limit of the improvements that the County D.O.T. is requiring at that intersection, as a result of the anticipated traffic from here.

**DEVON VAN VECHTEN**

Refresh my memory, was that study done on R-15 or 278?

**PETER VARS, BME ASSOCIATES**

It was done for both because the density was the same, the one hundred twenty (120) lots.

**PETER MINOTTI, CHAIRMAN**

Mr. Page?

**RICK PAGE**

Going back to Mrs. McGovern's information, even if we said that they had to put a traffic light there, we have no control over that, the County has to make that call.

**KATHY McGOVERN, 195 BEDFORDSHIRE DRIVE**

(From audience, "Okay.")

**PETER MINOTTI, CHAIRMAN**

Anything additional, Mrs. McGovern? (Pause, no response) If there are no more comments regarding this Application, I would therefore close this Public Hearing.

The Public Hearing adjourned at 7:30 P.M.

Respectfully submitted,

Leann C. Case  
Deputy Town Clerk

**TOWN OF HENRIETTA  
PLANNING BOARD MINUTES  
APRIL 8, 2008**

The regularly scheduled Meeting of the Henrietta Planning Board for Tuesday, April 8, 2008 was called to order at 7:00 P.M.

**MEMBERS PRESENT**

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

**STAFF PRESENT**

Mark Byrne, Director of Engineering and Planning  
Christopher Martin, Corneles Engineering, Consultant to the Town  
William Walker, Esquire  
Jeffrie Wilkinson, Fire Marshal/Building Inspector

**TOWN BOARD LIAISON**

John W. Moore, Councilman

The first item on the agenda is the approval of the Regular Meeting Minutes of March 25, 2008, as presented.

On motion of  
Patricia Brill

Seconded by  
Stephen R. MacIntyre

Duly put to a vote:

Patricia Brill	voting	Aye
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. PB-240**

**Barberry Cove Subdivision** - For final subdivision approval of proposed 50 lot subdivision on approximately 75.3 acres of land with approximately 40.5 acres of remaining lands for preservation located on the west side of East Henrietta Road and connecting into Red Bridge Road in a Residential R-1-20 Zoned District. Tax Account No. 189.04-1-7.111 and 189.04-1-7.112.

On Motion of  
Devon Van Vechten

Seconded by  
Stephen R. MacIntyre

The Henrietta Planning Board motioned to Table final subdivision 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 Applicant agrees to address all comments presented by the Director of Engineering/Planning, consultants, and staff.
- 2.) There is a missing engineer’s report that is not on record with respect to soil conditions, water supply, and sanitary sewer service, etc.
- 3.) The Applicant agrees to extend the proposed sidewalk to connect to the existing sidewalk, approximately two hundred feet (200') to the north in the Sutters Crossing Subdivision.
- 4.) The Applicant has agreed to provide additional screening trees against the existing residential properties.

Duly put to a vote:

Patricia Brill	voting	Aye
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

A motion to adjourn was made by Lawrence Neill and passed unanimously at 8:22 p.m.

Respectfully submitted,

Leann C. Case  
Deputy Town Clerk