

TOWN OF HENRIETTA PLANNING BOARD

Tuesday, June 23, 2009

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: 7:00 PM

MINUTES: May 26, 2009

APPLICATIONS:

Application No. 09-032 **Apple Transportation Building Addition**– For final site plan approval of proposed 2,000 square foot addition to existing building on approximately 0.88 acre parcel of land located at 375 Clay Road in an Industrial Zoned District. Tax Account No. 162.09-1-17 (**Building Elevations & Landscaping**) (**SEQRA**)

Application No. 09-046 **Chili's Restaurant** - For final site plan approval to construct a 5,467 square foot restaurant at the southeast corner of Jefferson Road and Marketplace Drive on approximately 12.16 acres of land to be known as 100 Marketplace Drive in a Commercial B-1 Zoned District. Part of Tax Account Nos. 162.09-1-1.1 and 162.09-1-1.2. (**SEQRA**)

Discussion Items: Planning Board to consider granting an extension of time for Application No. 06-062 – Winton Place Photoshop – 3520 Winton Place. Planning Board approved the project on May 31, 2006 and the Vice Chairman signed off on the Plans on October 6, 2006.

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, June 30, 2009 at 7:00 p.m. in Main Meeting Room**

**TOWN OF HENRIETTA
PLANNING BOARD MINUTES
JUNE 23, 2009**

The regularly scheduled Meeting of the Henrietta Planning Board for Tuesday, June 23, 2009 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
Terry Ekwel, Fire Marshal

The first item on the agenda is the approval of the Regular Meeting Minutes of May 26, 2009, as presented.

On motion of
Devon Van Vechten

Seconded by
James Grunert

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. 09-032

Apple Transportation Building Addition – For final site plan approval of a proposed 2,000 square foot addition to existing building on approximately 0.88 acre parcel of land located at 375 Clay Road, in an Industrial Zoned District. Tax Account No. 162.09-1-17.
(Building Elevations & Landscaping) (SEQRA)

With regard to Application No. 09-032, 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 Apple Transportation. It is an Unlisted Action and will not require a conditioned negative declaration. The purpose of this Application is for final site plan approval of a proposed 2,000 square foot addition to an existing building on approximately 0.88 acre parcel of land located at 375 Clay Road in an Industrial Zoned District. Tax Account No. 162.09-1-17.

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. Stephen R. MacIntyre seconded the motion.

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

On the motion of
Devon Van Vechten

Seconded by
Patricia Brill

The Henrietta Planning Board motioned to approve 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 issues at this time. The Applicant will submit a letter describing the color and building materials to be used and to be

approved by the Director of Engineering/Planning and staff.

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. 09-046

Chili's Restaurant – For final site plan approval to construct a 5,467 square foot restaurant at the southeast corner of Jefferson Road and Marketplace Drive on approximately 12.16 acres of land to be known as 100 Marketplace Drive, in a Commercial Zoned District. Part of Tax Account Nos. 162.09-1-1.1 and 162.09-1-1.2. **(SEQRA)**

With regard to Application No. 09-046, 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 Benderson Development Company, Inc. 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 a 5,467 square foot restaurant at the southeast corner of Jefferson Road and Marketplace Drive on approximately 12.16 acres of land to be known as 100 Marketplace Drive, in a Commercial Zoned District. Part of Tax Account Nos. 162.09-1-1.1 and 162.09-1-1.2.

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 | 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

On the motion of
Patricia Brill

Seconded by
Stephen R. MacIntyre

The Henrietta Planning Board motioned to approve 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 Applicant agrees to address all comments presented by the Director of Engineering/Planning, consultants, and staff.
- 2.) The Applicant has submitted a very detailed response to all comments and issues raised by the Henrietta Planning Board and the Director of Engineering.

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

Discussion Item:

Planning Board to consider granting an extension of time for Application No. 06-062 – Winton Place Photoshop – 3520 Winton Place. Planning Board approved the Project on May 31, 2006 and the Vice Chairman signed off on the Plans on October 6, 2006.

- The request for an extension was denied.

PB June 23, 2009

A motion to adjourn was made by James Grunert and passed unanimously at 7:30 p.m.

Respectfully submitted,

Leann C. Case
Deputy Town Clerk