

TOWN OF HENRIETTA PLANNING BOARD

Tuesday, November 23, 2010

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

PUBLIC HEARING:

Application No. 10-103 **Verizon Wireless Co-Location** – For approval to co-locate a wireless telecommunications facility on the existing tower owned by Crown Atlantic Company, LLC located at 10 Deuel Circle in Commercial B-1 Zoned District. Tax Account No. 161.11-1-22.118. **(SEQRA)**

Application No. 10-105 **Asia Food Market Expansion** - For final site plan approval to construct a 15,173 square foot building addition to the existing building on existing 2.24 acres of land located at 1885 Brighton-Henrietta Townline Road in an Industrial Zoned District. Tax Account No. 148.20-1-15.1. **(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, November 30, 2010 at 7:00 p.m. in Main Meeting Room**

**TOWN OF HENRIETTA
PLANNING BOARD MINUTES
NOVEMBER 23, 2010**

The regularly scheduled Meeting of the Henrietta Planning Board for Tuesday, November 23, 2010 was called to order at 7:00 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
William Walker, Esquire
Terry Ekwel, Fire Marshal

The first item on the agenda is the Regular Meeting Minutes of October 26, 2010, as presented.

On motion of
Lawrence Neill

Seconded by
James Grunert

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. 10-103

Verizon Wireless Co-Location – For approval to co-locate a wireless telecommunications facility on the existing tower owned by Crown Atlantic Company, LLC, located at 10 Deuel Circle, in a Commercial B-1 Zoned District. Tax Account No. 161.11-1-22.118.

(SEQRA)

With regard to Application No. 10-103, 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 Crown Atlantic Company, LLC. It is an Unlisted Action and will not require a conditioned negative declaration. The purpose of this Application is for approval to co-locate a wireless telecommunications facility on the existing tower owned by Crown Atlantic Company, LLC, located at 10 Deuel Circle, in a Commercial B-1 Zoned District. Tax Account No. 161.11-1-22.118.

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 the motion of
Stephen R. MacIntyre

Seconded by
M. Rick Page

A motion for final site approval was made and is 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 and Planning.

ADDITIONAL PLANNING BOARD REQUIREMENTS:

- 1.) The Applicant agrees to address all comments presented by the Director of Engineering/Planning, consultants, and staff.
- 2.) The outstanding punch list has been completed, with the exception of proving the newly constructed driveway apron pavement matches Town standards. The owner to provide proof to the satisfaction of the Director of Engineering and Planning. The approval of this Application is conditioned on this final approval.

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. 10-105

Asia Food Market Expansion – For final site plan approval to construct a 15,173 square foot building addition to the existing building on an existing 2.24 acres of land, located at 1885 Brighton-Henrietta Town Line Road, in an Industrial Zoned District. Tax Account No. 148.20-1-15.1. **(SEQRA)**

On the motion of
James Grunert

Seconded by
Devon Van Vechten

The Henrietta Planning Board motioned to Table 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 and Planning, obtaining a Certificate of Occupancy, and more specifically:

- 1.) Mr. William Walker, Planning Board Attorney, asked the Applicant why his client did not and has not secured a Certificate of Occupancy since 2007.
- 2.) On September 13, 2010 and in November, 2010, Code Enforcement once again visited the site and determined nothing had been done to address the multiple code violations and safety issues.

MOTION TO TABLE:

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

A motion to adjourn was made by James Grunert and passed unanimously at 7:20 p.m.

Respectfully submitted,

Leann C. Case
Deputy Town Clerk