

# TOWN OF HENRIETTA PLANNING BOARD

Tuesday, February 28, 2012

## AGENDA

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

### MAIN MEETING ROOM

**ROLL CALL:** 7:00 PM

**MINUTES:** February 14, 2012

**Application No. 12-002**      **Dairy Queen Grill & Chill Restaurant** – For final site plan approval of a 2,612 S.F. restaurant with drive-thru on existing 1.00 acres of land located at 1100 Jefferson Road in a Commercial B-1 Zoned District. Tax Account No. 162.06-01-005.11. **(SEQRA)**

**DISCUSSION:**                      **CarMax** – Planning Board to consider granting an extension of time for Application No. 11-002 – CarMax. Planning Board site plan approval was granted on March 22, 2011.

**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 **March 6, 2012 at 7:00 p.m. in Main Meeting Room**

**TOWN OF HENRIETTA  
PLANNING BOARD MINUTES  
FEBRUARY 28, 2012**

The regularly scheduled Meeting of the Henrietta Planning Board for Tuesday, February 28, 2012 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  
Matthew Borkowski

**STAFF PRESENT**

Christopher Martin, Director of Engineering and Planning  
William Walker, Esquire  
Terry Ekwel, Fire Marshal

The first item on the agenda is the approval of the Regular Meeting Minutes of February 14, 2012, as presented.

On motion of  
Patricia Brill

Seconded by  
James Grunert

Duly put to a vote:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Aye
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Aye
Devon Van Vechten	voting	Aye
Peter Minotti, Chairman	voting	Aye

Motion Carried

**Application No. 12-002 Dairy Queen Grill & Chill Restaurant** – For final site plan approval of a 2,612 square foot restaurant with drive-thru on existing 1.00 acres of land, located at 1100 Jefferson Road in a Commercial B-1 Zoned District. Tax Account No. 162.06-1-5.11. **(SEQRA)**

With regard to Application No. 12-002, 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 Operation Brain Freeze, LLC. 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 new 2,612 square foot Dairy Queen Chill & Grill with drive-thru on a proposed 1.0 acre parcel of land, located at 1100 Jefferson Road in a Commercial B-1 Zoned District. Tax Account No. 162.06-1-5.11.

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:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Aye
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Aye
Devon Van Vechten	voting	Aye
Peter Minotti, Chairman	voting	Aye

Motion Carried

On the motion of  
Patricia Brill

Seconded by  
James Grunert

The Henrietta Planning Board moved/made a motion 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 dumpster is to be moved to the eastern part of the Project, east of the drive-thru exit driveway.

Duly put to a vote:

Patricia Brill	voting	Aye
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Aye
Matthew Borkowski	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. 11-002 – CarMax. Planning Board Approval expires March 22, 2012.

- A motion by Peter Minotti, and seconded by James Grunert, was made to extend site plan approval for six (6) months to September 22, 2012.

A motion to adjourn was made by Lawrence Neill and passed unanimously at 7:40 p.m.

Respectfully submitted,

Leann C. Case  
Interim Town Clerk