

TOWN OF HENRIETTA PLANNING BOARD

Tuesday, April 10, 2007

AGENDA

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

MAIN MEETING ROOM

ROLL CALL:

MINUTES: March 13, 2007

APPLICATIONS:

Application No. 07-026 **Bruster's Ice Cream** – For final site plan approval to an approximate 1,065 square foot ice cream shop on an approximate 0.297 acre parcel of land located at 2761 East Henrietta Road in an Commercial B-1 Zoned District. Part of Tax Account Nos. 176.06-1-71 and 176.01-1-72. **(SEQRA)**

Application No. 07-027 **Kost Tire** – For final site plan approval to an approximate 7,350 square foot tire store on an approximate 1.55 acre parcel of land located at 3535 West Henrietta Road in an Commercial B-1 Zoned District. Tax Account No. 161.11-1-12.2. **(SEQRA)**

<p>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, April 17, 2007 at 7:30 p.m. in Main Meeting Room</p>

TOWN OF HENRIETTA PLANNING BOARD MINUTES

4/10/2007

The regularly scheduled Meeting of the Henrietta Planning Board for Tuesday, April 10, 2007 was called to order at 7:30 P.M.

MEMBERS PRESENT

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

STAFF PRESENT

- Mark Byrne, Director of Engineering and Planning
- Christopher Roth, Fire Marshal/Building Inspector
- Christopher Martin, Corneles Engineering, Consultant to the Town

STAFF ABSENT

- William Walker, Esquire

The first item on the agenda is the approval of the Regular Meeting Minutes of March 13, 2007, as presented.

On motion of

James Grunert

Seconded by

Lawrence Neill

Duly put to a vote:

James Grunert		voting	Aye
Sandra Lehmann		voting	Abstain
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. 07-026

Bruster's Ice Cream - For final site plan approval to construct an approximate 1,065 square foot ice cream shop on an approximate 0.297 acre parcel of land located at 2761 East Henrietta Road in a Commercial B-1 Zoned District. Part of Tax Account

Nos. 176.06-1-71 and 176.01-1-72. **(SEQRA)**

With regard to Application No. 07-026, 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 William Johnson. It is an Unlisted Action and will not require a conditioned negative declaration. The purpose of this Application is for final site plan approval for an approximate 1,065 square foot ice cream shop on an approximate 0.297 acre parcel of land located at 2761 East Henrietta Road in a Commercial B-1 Zoned District, Part of Tax Account Numbers 176.06-1-71 and 176.01-1-72.

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 MacIntyre seconded the motion.

Duly put to a vote:

James Grunert		voting	Aye
Sandra Lehmann		voting	No
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

Seconded by

Devon Van Vechten

The Henrietta Planning Board motioned to Table final approval, subject to a signed Letter of Credit, agreement to punch list items, a revised dumpster enclosure, and the large red colored awning in the front being addressed by the Applicant.

The Motion failed as there was no Second made.

On Motion of

Seconded by

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Devon Van Vechten

Sandra Lehmann

The Henrietta Planning Board motioned to Table final 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.

MOTION TO TABLE

Duly put to a vote:

James Grunert		voting	No
Sandra Lehmann		voting	Aye
Stephen R. MacIntyre	voting	No	
Lawrence Neill		voting	No
M. Rick Page		voting	Aye
Devon Van Vechten		voting	Aye
Peter Minotti, Chairman		voting	No

Motion Failed

On Motion of

Peter Minotti

Seconded by

Lawrence

Neill

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 Applicant states that they will address the outstanding punch list and sign the appropriate Letter of Credit from Evergreen Plaza.
- 2.) The Applicant agrees to address all comments listed from the Director of Engineering/Planning. Comment General Note No. 8 does not apply since there is no parking adjacent to the drive-thru.
- 3.) The Applicant states that they will comply with the Consultant's and the landscape architect's comments.
- 4.) The Planning Board will request that the existing dumpster and rear of plaza be updated and cleaned up. Landscaping should be provided to visually shield the rear area of the dumpster enclosure and plaza. A new dumpster area shall be constructed.
- 5.) The Applicant will review with Town staff the possibility of making the entrance/exit from the access road by Gro-Moore Farms an exit only (one-way). Two-way may still be appropriate.
- 6.) The Planning Board is concerned with the bright red color of the front side awning

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and asks the Applicant and the Town staff to mute the color, cut down the size of the awning, or possibly match the tone of red existing at Gro-Moore Farms.

- 7.) The Applicant agrees to add a pigment coloration to the large concrete pad in front.
- 8.) The Applicant should consider putting some lighting in the rear picnic table area to make sure people do not trip or fall.
- 9.) The Applicant agrees to provide a striped pedestrian crosswalk lane from the southeast corner of the plaza to the concrete pad in front of the store.

Duly put to a vote:

James Grunert		voting	Aye
Sandra Lehmann		voting	No
Stephen R. MacIntyre	voting	Aye	
Lawrence Neill		voting	Aye
M. Rick Page		voting	Aye
Devon Van Vechten		voting	No
Peter Minotti, Chairman		voting	Aye

Motion Carried

Application No. 07-027

Kost Tire - For final site plan approval to construct an approximate 7,350 square foot tire store on an approximate 1.55 acre parcel of land located at 3535 West Henrietta Road in a Commercial B-1 Zoned District. Tax Account No. 161.11-1-12.2. **(SEQRA)**

On Motion of

Devon Van Vechten

Seconded by
Lawrence Neill

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/Planning, and more specifically:

ADDITIONAL PLANNING BOARD REQUIREMENTS:

- 1.) The Applicant agrees to address all comments submitted.
- 2.) The Applicant agrees to put a dumpster enclosure in the rear of the building, and it may be large enough to install two (2) dumpster containers.
- 3.) The Applicant agrees to have all lighting in soffits and they shall be recessed or shielded.
- 4.) The Planning Board requests that the Planning Board Attorney review the parking easement document on record to determine if any improvements or screening

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landscaping can be added along the West Henrietta Road frontage.

- 5.) Site lighting will be high pressure sodium for this project.
- 6.) The Planning Board requests that Kost Tire work with Morton Buildings' representative to upgrade the look of the metal building. The Morton representative will assist in providing an enhanced front of the building and around the sides to include the front office space.

Duly put to a vote:

James Grunert		voting	Aye
Sandra Lehmann		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 Devon Van Vechten, and passed unanimously at 10:15 p.m.

Respectfully submitted,

Amber N. Hutchinson
Deputy Town Clerk