

# TOWN OF HENRIETTA PLANNING BOARD

Tuesday, November 27, 2007

## AGENDA

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

### MAIN MEETING ROOM

**ROLL CALL:** 7:30 PM

**MINUTES:** November 13, 2006

### APPLICATIONS:

**Application No. 07-056** **Clearwire US, LLC** – For final site plan approval to construct a 70 foot stealth flag pole antenna to conceal three panel antennas (located at 65 feet) in a Commercial B-2 Zoned District. Tax Account No. 162.14-1-7. **(SEQRA)**

**Application No. PB-285** **Benedict Subdivision** – For preliminary approval for an 3 lot subdivision on approximately 89.56 acres of land located on the east side of Middle Road between Martin Road and Erie Station Road in a Rural Residential RR-2 Zoned District. Tax Account No. 189.04-1-28.11. **(SEQRA)**

**Application No. 07-142** **Marketview Commons** – For final site plan approval to construct an approximate 20,000 S.F. retail/office building with 10,000 S.F. of office space on the second story and future 3,500 S.F. bank pad on an approximate 4.3 acres of land located at 2087 East Henrietta Road in a Commercial B-1 Zoned District. Tax Account Nos. 162.14-1-009 and 162.14-1-10. **(SEQRA)**

**Application No. 07-144** **TGI Fridays** – For final site plan approval to construct a 6,654 S.F. restaurant on an approximate 0.3 acre parcel of land located at 680 Jefferson Road in a Commercial B-1 Zoned District. Portion of Tax Account No. 162.05-1-3.11. **(SEQRA)**

**Application No. 07-145**

**Goose Landing** – For final site plan approval to construct a two story senior apartment building totaling 14,950 S.F. on an approximate 2 acre parcel of land located at 4885 East River Road in a Residential R-1-15 Zoned District. Tax Account Nos. 188.01-1-9 and 188.01-1-121. **(SEQRA)**

**TOWN OF HENRIETTA PLANNING BOARD MINUTES**

**11/27/2007**

The regularly scheduled Meeting of the Henrietta Planning Board for Tuesday, November 27, 2007 was called to order at 7:30 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

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

On motion of

James Grunert

Seconded by

M. Rick Page

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. 07-056**

**Clearwire US, LLC** – For final site plan approval to construct a 70 foot stealth flag pole antenna to conceal three panel antennas (located at 65 feet) in a Commercial B-2 Zoned District. Tax Account No. 162.14-1-7. **(SEQRA)**

As no Representative was present, a motion was made to Table this Application.

MOTION TO TABLE:

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-285**

**Benedict Subdivision** – For preliminary approval for a 3 lot subdivision on approximately 89.56 acres of land located on the east side of Middle Road between Martin Road and Erie Station Road in a Rural Residential RR-2 Zoned District. Tax Account No. 189.04-1-28.11. **(SEQRA)**

With regard to Application No. PB-285, SEQRA review indicates the Action under consideration is a Type I Action as per Section 617.4 (b)(6)(i). 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 Subdivision Plan Application by Suzanne Benedict. It is a Type I Action and will not require a conditioned negative declaration. The purpose of this Application is for preliminary approval for a 3 lot subdivision on approximately 89.56 acres of land located on the east side of Middle Road between Martin Road and Erie Station Road in a Rural Residential RR-2 Zoned District. Tax Account No. 189.04-1-28.11.

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. Devon Van Vechten 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 Motion of	Seconded by
Stephen R. MacIntyre	M. Rick Page

The Henrietta Planning Board motioned to grant preliminary 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 Applicant agreed to address all comments presented by the Director of Engineering/Planning, and consultants.

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 Motion of	Seconded by
Stephen R. MacIntyre	M. Rick Page

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.

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. 07-142**

**Marketview Commons** – For final site plan approval to construct an approximate 20,000 S.F. retail/office building with 10,000 S.F. of office space on the second story and future 3,500 S.F. bank pad on an approximate 4.3 acres of land located at 2087 East Henrietta Road in a Commercial B-1 Zoned District. Tax Account Nos. 162.14-1-009 and 162.14-1-10.  
**(SEQRA)**

On Motion of  
Patricia Brill

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/Planning, and more specifically:

**ADDITIONAL PLANNING BOARD REQUIREMENTS:**

- 1.) The Applicant states that they can and will address all of the Director of Engineering/Planning and consultant's comments provided. The Applicant did request that the Henrietta Planning Board give them further clarification with respect to additional landscaping on the North side.
- 2.) The Henrietta Planning Board agrees that enhanced landscaping with greater width and depth than is shown is appropriate. The Applicant agrees to do this to the satisfaction of the Director of Engineering/Planning.
- 3.) The Applicant agrees to submit a revised traffic report to address traffic counts that were omitted. This will be completed in seven (7) to ten (10) days.
- 4.) The Henrietta Planning Board will require a D.O.T. approval and revised traffic study before approval can be granted.
- 5.) The Henrietta Planning Board also asks for an undulating landscape affect in the front rather than a full blown berm of two (2) to four (4) feet. The Applicant and staff agree that the Applicant's landscape architect will provide a revised plan and schematic.
- 6.) The Henrietta Planning Board will also require the Applicant to make a submission for a bank pad.
- 7.) The Applicant stated that a "mountable curbed island" is to replace the curbed island currently shown.

**MOTION TO TABLE:**

Duly put to a vote:

Patricia Brill	voting	Aye
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye

Planning Board Minutes - November 27, 2007

Lawrence Neill	voting	Aye	
M. Rick Page	voting	Aye	
Devon Van Vechten	voting		Aye
Peter Minotti, Chairman	voting	Aye	

Motion Carried

**Application No. 07-144**

**TGI Fridays** – For final site plan approval to construct a 6,654 S.F. restaurant on an approximate 0.3 acre parcel of land located at 680 Jefferson Road in a Commercial B-1 Zoned District. Tax Account No. 162.05-1-3.11. **(SEQRA)**

With regard to Application No. 07-144, 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 Carrell Poole and Yost. 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 6,654 S.F. restaurant on an approximate 0.3 acre parcel of land located at 680 Jefferson Road in a Commercial B-1 Zoned District. Tax Account No. 162.05-1-3.11.

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 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

Planning Board Minutes - November 27, 2007

On Motion of  
Devon Van Vechten

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 all of the Director of Engineering/Planning's and consultant's comments provided.
- 2.) The Applicant agrees to consult with the Town of Henrietta Fire Marshal with respect to providing appropriate panic hardware required on the outside patio gate.

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. 07-145**

**Goose Landing** – For final site plan approval to construct a two story senior building totaling 14,950 S.F. on an approximate 2 acre parcel of land located at 4885 East River Road in a Residential R-1-15 Zoned District. Tax Account Nos. 188.01-1-9 and 188.01-1-121. **(SEQRA)**

With regard to Application No. 07-145, 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 ADG Architecture. 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 two story senior building totaling 14,950 S.F. on an approximate 2 acre parcel of land located at 4885 East River

Planning Board Minutes - November 27, 2007

Road in a Residential R-1-15 Zoned District. Tax Account Nos. 188.01-1-9 and 188.01-1-121.

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. Patricia Brill 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 Motion of  
Devon Van Vechten

Seconded by  
James Grunert

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 Building Code requires a full turn around for fire trucks in a parking lot to be one hundred fifty (150) feet, or more. The Applicant agrees to reduce the parking spots by striping out two (2) parking spaces on the northwest corner to address the turn around issue.
- 2.) After polling the Board, relief will be granted to not extend the sidewalk to the length of the parking lot, but it will require an approved emergency walkway from the rear exit door.
- 3.) After polling the Board, metal halide lighting was approved for the Project.
- 4.) If Approval is granted, it is conditional upon the Applicant receiving all four (4) variances.
- 5.) The Applicant will add one (1) to two (2) trees at the entrance, and others along the south side.

Planning Board Minutes - November 27, 2007

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 James Grunert and passed unanimously at 9:40 p.m.

Respectfully submitted,

Leann C. Case  
Deputy Town Clerk