

TOWN OF HENRIETTA PLANNING BOARD

Tuesday, December 14, 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 HEARINGS:

Application No. PB-288 **Locust/Edgewood Townhomes** – For preliminary subdivision approval of proposed 41 unit townhomes-for-sale project to be developed under Town Law Section 278 (Cluster) on a 19.939 acre parcel of land located between Edgewood Avenue and Locust Hill Drive on the north side of Jefferson Road to be known as 1850 Jefferson Road in Residential R-1-20 Zoned District. Tax Account Nos. 163.050-01-18.111.

Application No. PB-281 **Rivers Run Resubdivision – Lot No. 69** – For preliminary subdivision approval of proposed 3 lot resubdivision on existing 14.25 acre parcel of land located on Fairwood Drive in a Residential R-2-15 Zoned District. Tax Account No. 174.10-1-69.

ROLL CALL:

MINUTES: November 23, 2010

APPLICATIONS:

Application No. PB-281 **Rivers Run Resubdivision – Lot No. 69** – For preliminary subdivision approval of proposed 3 lot resubdivision on existing 14.25 acre parcel of land located on Fairwood Drive in a Residential R-2-15 Zoned District. Tax Account No. 174.10-1-69. **(SEQRA)**

Application No. PB-288 **Locust/Edgewood Townhomes** – For preliminary subdivision approval of proposed 41 unit townhomes-for-sale project to be developed under Town Law Section 278 (Cluster) on a 19.939 acre parcel of land located between Edgewood Avenue and Locust Hill Drive on the north side of Jefferson Road to be known as 1850 Jefferson Road in Residential R-1-20 Zoned District. Tax Account Nos. 163.050-01-18.111. **(SEQRA)**

Application No. 10-109 **Joe's Crab Shack Restaurant** – For final site plan approval to construct a

6,411 S.F. 287-seat restaurant with outdoor seating area on 1.37 acre lease parcel of land located at 100 Marketplace Drive in Commercial B-1 Zoned District. Tax Account No. 162.09-1-1.3. **(SEQRA)**

Application No. 10-114

West Herr Mercedes Benz – For final site plan approval to construct a new 30,355 S.F. auto dealership on 5.459 acre parcel of land to be located at 4296 West Henrietta Road in Commercial B-1 Zoned District. Tax Account No. 175.07-1-40.3. **(SEQRA)**

Application No. 10-115

Middle Road Business Park – For site plan approval of a 24,858 S.F. office building on future Lot No. 1 on 2.90 acre parcel of land to be located at the southeast corner of Calkins Rd. and Middle Rd. intersection to be known as 50 Middle Road in Commercial B-2 Zoned District. Tax Account No. 175.08-1-25. **(SEQRA)**

Discussion Items:

Planning Board to consider granting an additional 6 month extension of time for Application No. 09-127 – Rockwood Center Senior Housing Development. Planning Board site plan approval was granted on January 12, 2010.

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, December 21, 2010 at 7:00 p.m. in Main Meeting Room**

**TOWN OF HENRIETTA
PLANNING BOARD MINUTES
DECEMBER 14, 2010**

The regularly scheduled Meeting of the Henrietta Planning Board for Tuesday, December 14, 2010 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 Regular Meeting Minutes of November 23, 2010, as presented.

On motion of
Lawrence Neill

Seconded by
Stephen R. MacIntyre

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-281

Rivers Run Re-subdivision – Lot No. 69 –
For preliminary approval of proposed 3 lot re-subdivision on an existing 14.25 acre parcel of land located on Fairwood Drive, in a Residential R-2-15 Zoned District. Tax Account No. 174.10-1-69.
(SEQRA)

With regard to Application No. PB-281, 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 Re-Subdivision Plan Application by Rivers Run, LLC. It is an Unlisted Action and will not require a conditioned negative declaration. The purpose of this Application is for preliminary approval of proposed 3 lot re-subdivision on an existing 14.25 acre parcel of land located on Fairwood Drive, in a Residential R-2-15 Zoned District. Tax Account No. 174.10-1-69.

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. James Grunert 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
James Grunert

Seconded by
Patricia Brill

A motion for preliminary subdivision 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.

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
Lawrence Neill

Seconded by
Stephen R. MacIntyre

A motion for final subdivision 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 REQUIREMENT:

- 1.) There are no comments, at this time, from any of the Planning Board members.

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-288

Locust/Edgewood Townhomes – For preliminary subdivision approval of proposed 41 unit townhomes-for-sale Project, to be developed under Town Law § 278 (Cluster) on a 19.939 acre parcel of land, located between Edgewood Avenue and Locust Hill Drive on the north side of Jefferson Road, to be known as 1850 Jefferson Road, in a Residential R-1-20 Zoned District. Tax Account No. 163.05-1-18.111. **(SEQRA)**

With regard to Application No. PB-288, SEQRA review indicates the Action under consideration is an Unlisted Action as per Section 617.6 (b)(4)(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 Concal, LLC. It is an Unlisted Action and will not require a conditioned negative declaration. The purpose of this Application is for preliminary subdivision approval of proposed 41 unit townhomes-for-sale Project, to be developed under Town Law § 278 (Cluster) on a 19.939 acre parcel of land, located between Edgewood Avenue and Locust Hill Drive on the north side of Jefferson Road, to be known as 1850 Jefferson Road, in a Residential R-1-20 Zoned District. Tax Account No. 163.05-1-18.111.

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
Devon Van Vechten

Seconded by
Patricia Brill

To Table Preliminary Subdivision.

MOTION TO TABLE:

Duly put to a vote:

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

Motion Failed

On the motion of
Lawrence Neill

Seconded by
M. Rick Page

A motion for preliminary subdivision 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 Henrietta Planning Board will be very interested in the overall landscaping plan, especially with the addition of more trees on the northern side. The Applicant agrees to provide a new revised landscaping plan.
- 2.) The Henrietta Planning Board is also concerned that over clearing and grubbing does not occur. The Applicant will still need to address this issue.
- 3.) Some of the Planning Board members feel that a traffic study may be appropriate; they are concerned about the left hand turn for the traffic going east bound on Jefferson Road. The Applicant is working to improve the shoulder of Jefferson Road to assist traffic in going around cars attempting to turn left. The Applicant will bring documentation that they discussed this issue with the New York State Department of Transportation.
- 4.) The Henrietta Planning Board would like to see a nice, well landscaped entrance to this Project.
- 5.) The Applicant will need to go to the Town Board for the Town Law § 278 (Cluster) approval.

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	No
Peter Minotti, Chairman	voting	Aye

Motion Carried

Application No. 10-109

Joe's Crab Shack Restaurant – For final site plan approval to construct a 6,411 square foot 287-seat restaurant with an outdoor seating area on a 1.37 acre lease parcel of land, located at 100 Marketplace Drive, in a Commercial B-1 Zoned District. Tax Account No. 162.09-1-1.3. **(SEQRA)**

On the motion of
Devon Van Vechten

Seconded by
Lawrence Neill

A motion to Table final site plan 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 Henrietta Planning Board is concerned with the outward appearance of this restaurant, and asked the representatives from Benderson Development to see if there is another corporate design that would fit the site aesthetics better.
- 2.) The Applicant agrees to address all comments presented by the Director of Engineering/Planning, consultants, and staff.
- 3.) The Applicant will need to return to the Town Board for a Special Use Permit for the outdoor seating.

MOTION TO TABLE:

Duly put to a vote:

Patricia Brill	voting	Aye
James Grunert	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

Application No. 10-114

West Herr Mercedes Benz – For final site plan approval to construct a new 30,355 square foot auto dealership on a 5.459 acre parcel of land, to be located at 4296 West Henrietta Road, in a Commercial B-1 Zoned District. Tax Account No. 175.07-1-40.3.

(SEQRA)

With regard to Application No. 10-114, 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 Final Site Plan Application by Mercedes Benz of Rochester. 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 new 30,355 square foot auto dealership on a 5.459 acre parcel of land, to be located at 4296 West Henrietta Road, in a Commercial B-1 Zoned District. Tax Account No. 175.07-1-40.3. 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. Lawrence Neill 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

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.) This Application is contingent upon receiving a drainage easement from the adjacent property owner, Mr. LeFrois.

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. 10-115 **Middle Road Business Park** – For site plan approval of a 24,858 square foot office building on future Lot No. 1 on a 2.90 acre parcel of land, to be located at the southwest corner of Calkins Road and Middle Road intersection, to be known as 50 Middle Road, in a Commercial B-2 Zoned District. Tax Account No. 175.08-1-25. **(SEQRA)**

With regard to Application No. 10-115, 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 Calkins Corporate Park, LLC. It is an Unlisted Action and will not require a conditioned negative declaration. The purpose of this Application is for site plan approval of a 24,858 square foot office building on future Lot No. 1 on a 2.90 acre parcel of land, to be located at the southwest corner of Calkins Road and Middle Road intersection, to be known as 50 Middle Road, in a Commercial B-2 Zoned District. Tax Account No. 175.08-1-25.

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 the motion of
James Grunert

Seconded by
Patricia Brill

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 REQUIREMENT:

- 1.) The Applicant agrees to address all comments presented by the Director of Engineering/Planning, consultants, 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

Discussion Item:

Planning Board to consider granting an additional 6 month extension of time for Application No. 09-127 – Rockwood Center Senior Housing Development. Planning Board site plan approval was granted on January 12, 2010.

On the motion of
Stephen R. MacIntyre

Seconded by
Devon Van Vechten

- Motion to extend Approval to July 12, 2011.

Duly put to a vote:

Patricia Brill	voting	Aye
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Abstain
M. Rick Page	voting	Aye
Devon Van Vechten	voting	Aye
Peter Minotti, Chairman	voting	Aye

Motion Carried

PB December 14, 2010

A motion to adjourn was made by Lawrence Neill and passed unanimously at 11:00 p.m.

Respectfully submitted,

Leann C. Case
Deputy Town Clerk