

TOWN OF HENRIETTA PLANNING BOARD

Tuesday, March 22, 2011

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

MINUTES: March 8, 2011

- Application No. 11-001** **Charming Charlie** – For final site plan approval for approximately 8,448 S.F. retail clothing store proposing to construct exterior façade entrance with site modifications located on the north side of the Bon Ton wing in Marketplace Mall at 1 Miracle Mile Drive in a B-1 Commercial Zoned District. Tax Account No. 161.12-1-1.11. **(SEQRA)**
- Application No. 11-002** **CarMax**- For final site plan approval to construct a 33,779 S.F. CarMax Auto Superstore facility and separate 2,947 S.F. carwash building with site improvements on existing 13.986 acres of land located at 3600-3700 West Henrietta Road in a B-1 Commercial Zoned District. Tax Account Nos. 161.15-01-10.1, 161.15-01-10.2, 161.15-01-11, 161.15-01-14.2. **(SEQRA)**
- Application No. C11-001** **Fastrac Markets** – For conceptual review of a proposed 4,450 S.F. convenience store and gasoline filling station on existing 1.3 acres of land located at 291 Jefferson Road in a B-1 Commercial Zoned District. Tax Account No. 161.01-1-18. **(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 March 29, 2011 at 7:00 p.m. in Main Meeting Room</p>
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**TOWN OF HENRIETTA
PLANNING BOARD MINUTES
MARCH 22, 2011**

The regularly scheduled Meeting of the Henrietta Planning Board for Tuesday, March 22, 2011 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, Vanguard Engineering, Consultant to the Town
William Walker, Esquire
Terry Ekwel, Fire Marshal

The first item on the agenda is the Regular Meeting Minutes of March 8, 2011, as presented.

On motion of
James Grunert

Seconded by
Patricia Brill

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. 11-001

Charming Charlie – For final site plan approval for an approximate 8,448 square foot retail clothing store proposing to construct an exterior façade entrance with site modifications located on the north side of the Bon Ton wing in Marketplace Mall at One Miracle Mile Drive, in a B-1 Commercial Zoned District. Tax Account No. 161.12-1-1.11.
(SEQRA)

With regard to Application No. 11-001, 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 Howell Belanger Castelli Architects. 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 8,448 square foot retail clothing store proposing to construct an exterior façade entrance with site modifications located on the north side of the Bon Ton wing in Marketplace Mall at One Miracle Mile Drive, in a B-1 Commercial Zoned District. Tax Account No. 161.12-1-1.11.

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:

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
M. Rick Page

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 REQUIREMENTS:

- 1.) The Applicant agrees to address all comments presented by the Director of Engineering/Planning, consultants, and staff.
- 2.) The Applicant agrees to leave at least fifty percent (50%) of the existing landscaping area, and to further improve that area with additional trees and bushes, flowers, etc., which will be administratively reviewed.
- 3.) The Applicant will install two (2) handicap parking spots directly opposite of the store entrance with necessary curb cuts for easy access.
- 4.) The Applicant will submit a letter to the Town with building materials and colors.

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. 11-002 CarMax- For final site plan approval to construct a 33,779 square foot CarMax Auto Superstore facility and separate 2,947 square foot carwash building with site improvements on an existing 13.986 acres of land located at 3600-3700 West Henrietta Road, in a B-1 Commercial Zoned District. Tax Account Nos. 161.15-1-10.1, -10.2, -11, -14.2. **(SEQRA)**

With regard to Application No. 11-002, 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 CarMax Auto Superstores, Inc. 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 33,779 square foot CarMax Auto Superstore facility and separate 2,947 square foot carwash building with site improvements on an existing 13.986 acres of land located at 3600-3700 West Henrietta Road, in a B-1 Commercial Zoned District. Tax Account Nos. 161.15-1-10.1, -10.2, -11, -14.2.

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
M. Rick Page

Seconded by
Devon Van Vechten

The Henrietta Planning Board moved/made a motion for 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.) It was determined that the Town of Henrietta Planning Board has no jurisdictional authority to require removal of pavement referenced in comment B.4 or comment E.5. to be a condition or requirement for the approval process. This encroachment will not be considered as it is located on another owner's property.
- 2.) The Applicant agrees to address all comments provided by the Director of Engineering/Planning, consultants, and staff.
- 3.) The Planning Board discussed and decided that additional landscaping referenced in comment B.10 would not be required.
- 4.) The Applicant stated that the light fixtures would be award blue.
- 5.) The Applicant will submit a letter to the Town with building materials and colors.
- 6.) The Town Fire Marshal is very concerned about truck access to the back of the building. In addition, a second means of emergency access is required. Those issues will be a condition of approval for this Project.
- 7.) Vanguard's landscaping and lighting comment three (3) should be removed

regarding minor light spill.

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. C11-001

Fastrac Markets – For conceptual review of a proposed 4,450 square foot convenience store and gasoline filling station on an existing 1.3 acres of land located at 291 Jefferson Road, in a B-1 Commercial Zoned District. Tax Account No. 161.01-1-18.
(SEQRA)

This item was reviewed for conceptual purposes only.

A motion to adjourn was made by Devon Van Vechten and passed unanimously at 8:45 p.m.

Respectfully submitted,

Leann C. Case
Deputy Town Clerk