

TOWN OF HENRIETTA PLANNING BOARD

Tuesday, May 24, 2011

AGENDA

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

MEETING ROOM A

ROLL CALL: 7:00 PM

MINUTES: April 26, 2011

Application No. 11-006 **Mighty Taco Restaurant** – For final site plan approval of a new 3,060 S.F. one-story Mighty Taco Restaurant with drive-thru and outdoor seating on proposed 0.57 acre parcel of land located at 420 Jefferson Road in a Commercial B-1 Zoned District. Tax Account No. 161.07-1-5.1. (**SEQRA**)

Application No. C11-002 **Riverwood Parcels** – For conceptual review of a proposed development under Town Law Section 278 mixed residential community, including single family, apartment units and townhouses on three tax parcels totaling 143.6 acres of land located on East River Road in a Residential R-1-15 and Industrial District. Tax Account Nos. 174.03-2-1.2, 174.03-2-2.0 and 188.01-1-8.121.

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 **May 31, 2011 at 7:00 p.m. in Main Meeting Room**

**TOWN OF HENRIETTA
PLANNING BOARD MINUTES
MAY 24, 2011**

The regularly scheduled Meeting of the Henrietta Planning Board for Tuesday, May 24, 2011 was called to order at 7:00 P.M.

MEMBERS PRESENT

Peter Minotti, Chairman
Devon Van Vechten, Vice Chairman
Patricia Brill
Stephen R. MacIntyre
Lawrence Neill
M. Rick Page

MEMBERS ABSENT

James Grunert

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 April 26, 2011, as presented.

On motion of
Lawrence Neill

Seconded by
M. Rick Page

Duly put to a vote:

Patricia Brill	voting	Aye
James Grunert	voting	Absent
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. 11-006 **Mighty Taco Restaurant** – For final site plan approval of a new 3,060 square foot one-story Mighty Taco Restaurant with a drive-thru and outdoor seating on a proposed 0.57 acre parcel of land located at 420 Jefferson Road, in a Commercial B-1 Zoned District. Tax Account No. 161.07-1-5.1. **(SEQRA)**

With regard to Application No. 11-006, 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 Zaxis Architectural, P.C. 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 3,060 square foot one-story Mighty Taco Restaurant with a drive-thru and outdoor seating on a proposed 0.57 acre parcel of land located at 420 Jefferson Road, in a Commercial B-1 Zoned District. Tax Account No. 161.07-1-5.1.

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	Absent
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
Stephen R. MacIntyre

Seconded by
Lawrence Neill

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 Henrietta Planning Board members were concerned that the outside eating

area on the south side is not contained/protected with a fence. The containment issue to prevent children from running out into traffic is a concern expressed by more than one (1) Board member. The Planning Board has asked the Applicant to install a short protective fence/barrier of a low nature to protect the outside eating area, now proposed on the east side.

- 2.) The Applicant has extended the landscaping area on the front entrance side of the building (east side), which reduces the proposed forty-nine feet (49') access isle down to twenty-four feet (24') and increases the percentage of green space up to twenty-five percent (25%).
- 3.) The Planning Board asks that another dumpster enclosure material be used to replace the proposed board on board model. The Applicant has agreed.
- 4.) The Property Owner of the plaza will provide a Letter of Commitment stating what they will do to address the main entrance issue of stripping/traffic flow.

Duly put to a vote:

Patricia Brill	voting	Aye
James Grunert	voting	Absent
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. C11-002 Riverwood Parcels – For conceptual review of a proposed development under Town Law § 278 mixed residential community, including single family, apartment units and townhouses on three tax parcels totaling 143.6 acres of land, located on East River Road in a Residential R-1-15 and Industrial District. Tax Account Nos. 174.03-2-1.2, 174.03-2-2.0 and 188.01-1-8.121.

This item was reviewed for conceptual purposes only.

A motion to adjourn was made by M. Rick Page and passed unanimously at 8:55 p.m.

Respectfully submitted,

Leann C. Case
Deputy Town Clerk