

# TOWN OF HENRIETTA PLANNING BOARD

October 8, 2013

## AGENDA

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

### MAIN MEETING ROOM

**ROLL CALL:** 7:00 PM

**MINUTES:** September 24, 2013

### APPLICATIONS:

**Application No. 13-014** **Dunkin Donuts** – For final site plan approval of a building consisting of 2 restaurants (one being a Dunkin Donuts) and 2 retail spaces on an existing 1.419 acres of land located at the corner of Brighton-Henrietta Town Line Road and Clay Road in an Industrial Zoned District. Tax Account No. 149.17-1-13.111. (SEQRA)

**Application No. 13-015** **Restaurant Depot** – For final site plan approval of a 60,057 square foot one-story pre-cast concrete warehouse on an existing 8.773 acres of land located on the north side of Ridgeland Road, north of Jefferson Road, in an Industrial/Limited Commercial Zoned District. Tax Account No. 162.07-1-15. (SEQRA)

**DISCUSSION ITEM:** **Marketplace Mall Retail Redevelopment** – Planning Board to consider redevelopment of a portion of the Marketplace Mall property located at 1200 Miracle Mile Drive in a Commercial B-1 District. Tax Account No. 161.12-1-1.11.

**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 **October 15, 2013 at 7:00 p.m. in the Main Meeting Room**

**TOWN OF HENRIETTA  
PLANNING BOARD MINUTES  
OCTOBER 8, 2013**

The regularly scheduled Meeting of the Henrietta Planning Board for Tuesday, October 8, 2013 was called to order at 7:00 P.M.

**MEMBERS PRESENT**

Peter Minotti, Chairman  
Devon Van Vechten, Vice Chairman  
Matthew Borkowski  
James Grunert  
Stephen R. MacIntyre  
Lawrence Neill

**MEMBERS ABSENT**

Patricia Brill

**STAFF PRESENT**

Christopher Martin, P.E., Director of Engineering & Planning  
Terry Ekwel, Fire Marshal/Building Inspector  
William Walker, Esquire

The first item on the agenda is the approval of the Regular Meeting Minutes of September 24, 2013, as presented.

On motion of  
James Grunert

Seconded by  
Stephen R. MacIntyre

Duly put to a vote:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Absent
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Aye
Devon Van Vechten	voting	Aye
Peter Minotti, Chairman	voting	Aye

Motion Carried

**Application No. 13-014**

**Dunkin Donuts** – For final site plan approval of a building consisting of 2 restaurants (one being a Dunkin Donuts) and 2 retail spaces on an existing 1.419 acres of land located at the corner of Brighton-Henrietta Town Line Road and Clay Road in an Industrial Zoned District. Tax Account No. 149.17-1-13.111. **(SEQRA)**

With regard to Application No. 13-014, 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 B&R Realty. It is an Unlisted Action and will not require a conditioned negative declaration. The purpose of this Application is to obtain site plan approval of a building consisting of 2 restaurants (one being a Dunkin Donuts) and 2 retail spaces on a 1.419 acre parcel located at the corner of Brighton-Henrietta Town Line Road and Clay Road in an Industrial Zoned District. Tax Account No. 149.17-1-13.111.

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. Stephen R. MacIntyre seconded the motion.

Duly put to a vote:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Absent
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Aye
Devon Van Vechten	voting	Aye
Peter Minotti, Chairman	voting	Aye

Motion Carried

On the motion of  
Stephen R. MacIntyre

Seconded by  
Matthew Borkowski

The Henrietta Planning Board moved/made a motion to conditionally approve the final site plan, 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. Approval is conditional upon the Applicant coming back to the Planning Board's next meeting to present the following:
  - a. Samples of the proposed building materials, and
  - b. Drawings that include a gate or fencing on both sides of the building for the outdoor seating area.

Duly put to a vote:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Absent
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Aye
Devon Van Vechten	voting	Aye
Peter Minotti, Chairman	voting	Aye

Motion Carried

**Application No. 13-015 Restaurant Depot** – For final site plan approval of a 60,057 square foot one-story pre-cast concrete warehouse on an existing 8.773 acres of land located on the north side of Ridgeland Road, north of Jefferson Road, in an Industrial/Limited Commercial Zoned District. Tax Account No. 162.07-1-15. **(SEQRA)**

With regard to Application No. 13-015, 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 JMDH Real Estate of Rochester, Inc. It is an Unlisted Action and will not require a conditioned negative declaration. The purpose of this Application is to obtain site plan approval of a 60,057 square foot one-story pre-cast concrete warehouse on an 8.773 acre parcel located on the north side of Ridgeland Road, north of Jefferson Road in an Industrial/Limited Commercial Zoned District. Tax Account No. 162.07-1-15.

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:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Absent
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Aye

Devon Van Vechten	voting	Aye
Peter Minotti, Chairman	voting	Aye

Motion Carried

On the motion of  
Lawrence Neill

Seconded by  
Devon Van Vechten

The Henrietta Planning Board moved/made a motion to conditionally approve the final site plan, 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. Approval is conditional with the removal of the canopy from the drawings.
2. If the canopy is provided on future drawings, then it will have to be reviewed administratively by the Planning Board Chairman and the Director of Engineering & Planning.

Duly put to a vote:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Absent
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Aye
Devon Van Vechten	voting	Aye
Peter Minotti, Chairman	voting	Aye

Motion Carried

**DISCUSSION ITEM: Marketplace Mall Retail Redevelopment** – Planning Board to consider redevelopment of a portion of the Marketplace Mall property located at 1200 Miracle Mile Drive in a Commercial B-1 District. Tax Account No. 161.12-1-1.11.

- The Planning Board had a general discussion, but no resolutions were made.

A motion to adjourn was made by Matthew Borkowski and passed unanimously at 8:35 p.m.

Respectfully submitted,

Rebecca B. Wiesner  
Deputy Town Clerk