

TOWN OF HENRIETTA PLANNING BOARD

October 22, 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

PUBLIC HEARING:

Application No. PB-293 **Queens Park Subdivision** – For preliminary subdivision approval of a 125 lot subdivision on an existing 59.15 acres of land located on the corner of Martin Road and Moore Road in a Residential R-1-15 Zoned District. Tax Account No. 188.03-1-52.121. (SEQRA)

ROLL CALL: 7:00 PM

MINUTES: October 8, 2013

APPLICATIONS:

Application No. PB-293 **Queens Park Subdivision** – For preliminary subdivision approval of a 125 lot subdivision on an existing 59.15 acres of land located on the corner of Martin Road and Moore Road in a Residential R-1-15 Zoned District. Tax Account No. 188.03-1-52.121. (SEQRA)

Application No. 13-012 **Empire United Soccer Academy** – For final site plan approval of five (5) soccer fields on an existing 61.62 acres of land located on John Street in an Industrial Zoned District and a Residential R-1-15 Zoned District. Tax Account No. 174.02-1-9.1 & 174.02-1-9.2. (SEQRA)

Application No. 13-016 **Sandulae Korean Cuisine Restaurant** – For final site plan approval of a one-story Korean cuisine restaurant on an existing 0.278 acres of land located at 2489 Brighton-Henrietta Town Line Road in an Industrial Zoned District. Tax Account Nos. 149.18-1-6 & 149.18-1-7. (SEQRA)

Application No. 13-017

West Herr Mercedes Benz – Vehicle Storage Lot – For final site plan approval of an overflow parking lot consisting of 232 parking spaces to service the existing Mercedes Benz dealership on an existing 2.604 acres of land located at 4295 West Henrietta Road in a Commercial B-1 Zoned District. Tax Account No. 175.06-2-87. **(SEQRA)**

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. **(BUILDING ELEVATIONS AND FENCING FOR OUTDOOR SEATING ONLY)**

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 29, 2013 at 7:00 p.m. in the Main Meeting Room**

**TOWN OF HENRIETTA
PLANNING BOARD MINUTES
OCTOBER 22, 2013**

The regularly scheduled Meeting of the Henrietta Planning Board for Tuesday, October 22, 2013 was called to order at 7:00 P.M.

MEMBERS PRESENT

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

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 October 8, 2013, as presented.

On motion of
James Grunert

Seconded by
Matthew Borkowski

Duly put to a vote:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Aye
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. PB-293 Queens Park Subdivision – For preliminary subdivision approval of a 125 lot subdivision on an existing 59.15 acres of land located on the corner of Martin Road and Moore Road in a Residential R-1-15 Zoned District. Tax Account No. 188.03-1-52.121. **(SEQRA)**

With regard to Application No. PB-293, SEQRA review indicates the Action under consideration is a Type I Action as per Section 617.6 (b)(3)(ii). 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 Forest Creek Equity Corporation. It is a Type I Action and will not require a conditioned negative declaration. The purpose of this Application is for preliminary subdivision approval of a proposed 125 lot subdivision on an existing 59.15 acre parcel of land located on the corner of Martin Road and Moore Road in a Residential R-1-15 Zoned District. Tax Account No. 188.03-1-52.121.

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:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Aye
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

Devon Van Vechten made a motion to Table the preliminary subdivision plan, but without a second, the motion failed.

On the motion of
Peter Minotti, Chairman

Seconded by
Matthew Borkowski

The Henrietta Planning Board moved/made a motion to approve the preliminary subdivision 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. There are no comments, at this time, from any of the Planning Board members.

Duly put to a vote:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Aye

James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Aye
Devon Van Vechten	voting	No
Peter Minotti, Chairman	voting	Aye

Motion Carried

Application No. 13-012 Empire United Soccer Academy – For final site plan approval of five (5) soccer fields on an existing 61.62 acres of land located on John Street in an Industrial Zoned District and a Residential R-1-15 Zoned District. Tax Account No. 174.02-1-9.1 & 174.02-1-9.2. **(SEQRA)**

With regard to Application No. 13-012, SEQRA review indicates the Action under consideration is a Type I Action as per Section 617.6 (b)(3)(ii). 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 Empire United Soccer Academy, Inc. It is a Type I Action and will not require a conditioned negative declaration. The purpose of this Application is to obtain final site plan approval of five (5) soccer fields on a 61.62 acre parcel located on John Street in an Industrial Zoned District and a Residential R-1-15 Zoned District. Tax Account Nos. 174.02-1-9.1 and 174.02-1-9.2.

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. James Grunert seconded the motion.

Duly put to a vote:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Aye
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
Matthew Borkowski

Seconded by
Devon Van Vechten

The Henrietta Planning Board moved/made a motion to 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. There are no comments, at this time, from any of the Planning Board members.

Duly put to a vote:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Aye
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. 13-016 Sandulae Korean Cuisine Restaurant – For final site plan approval of a one-story Korean cuisine restaurant on an existing 0.278 acres of land located at 2489 Brighton-Henrietta Town Line Road in an Industrial Zoned District. Tax Account Nos. 149.18-1-6 & 149.18-1-7. **(SEQRA)**

With regard to Application No. 13-016, 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 Sandulae – Korean Cuisine Restaurant. It is an Unlisted Action and will not require a conditioned negative declaration. The purpose of this Application is to obtain final site plan approval of a one-story Korean cuisine restaurant on a 0.278 acre parcel located at 2489 Brighton-Henrietta Town Line Road in an Industrial Zoned District. Tax Account Nos. 149.18-1-6 and 149.18-1-7.

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. Matthew Borkowski seconded the motion.

Duly put to a vote:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Aye
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
Devon Van Vechten

Seconded by
Stephen R. MacIntyre

The Henrietta Planning Board moved/made a motion to 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. There are no comments, at this time, from any of the Planning Board members.

Duly put to a vote:

Matthew Borkowski	voting	Aye
Patricia Brill	voting	Aye
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. 13-017 West Herr Mercedes Benz – Vehicle Storage Lot –
 For final site plan approval of an overflow parking lot consisting of 232 parking spaces to service the existing Mercedes Benz dealership on an existing 2.604 acres of land located at 4295 West Henrietta Road in a Commercial B-1 Zoned District. Tax Account No. 175.06-2-87.
(SEQRA)

With regard to Application No. 13-017, 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 West Herr New York. It is an Unlisted Action and will not require a conditioned negative declaration. The purpose of this Application is to obtain final site plan approval of an overflow parking lot consisting of 232 parking spaces to service the existing Mercedes Benz dealership on a 2.604 acre parcel located at 4295 West Henrietta Road in a Commercial B-1 Zoned District. Tax Account No. 175.06-2-87.

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	Aye
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
Patricia Brill

Seconded by
Lawrence Neill

The Henrietta Planning Board moved/made a motion to 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. There are no comments, at this time, from any of the Planning Board members.

Duly put to a vote:

Matthew Borkowski	voting	No
Patricia Brill	voting	Aye
James Grunert	voting	Aye
Stephen R. MacIntyre	voting	Aye
Lawrence Neill	voting	Aye

Devon Van Vechten	voting	No
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. **(BUILDING ELEVATIONS AND FENCING FOR OUTDOOR SEATING ONLY)**

Continuance of the contingent approval granted at the October 8, 2013 Planning Board Meeting. The Applicant fulfilled all requirements in regards to building elevations, fencing, and building materials.

A motion to adjourn was made by Lawrence Neill and passed unanimously at 10:11 p.m.

Respectfully submitted,

Rebecca B. Wiesner
Deputy Town Clerk