

**TOWN OF HENRIETTA
CONSERVATION BOARD
AGENDA
MAY 7, 2013**

William Santos, Chairman
Fabian Grabski
Robbin Ciavaglia
R. Bud Snyder
John Migliorini
Gary Holley
Carol M. Pennington

ROLL CALL: 7:00 P.M.

APPROVAL OF MINUTES: February 5, 2013

ORDER OF BUSINESS:

7:10 P.M. - Board Member Reports

7:15 P.M. - Application Review

Application No. 13-003 **The Grove at Rochester** - For review of final site plan approval of a student housing complex on an existing 73.3 acres of land located at 3860 East River Road in an Industrial Zoned District. Tax Account No. 174.02-1-20.

Application No. 13-005 **Silvarole Material Recovery Facility** – For review of final site plan approval of a new materials recycling facility on an existing 12.43 acres of land located on Silvarole Drive in an Industrial Zoned District. Tax Account Nos. 161.06-1-5.111 & 161.06-1-6.1.

Application No. 13-006 **Royal Car Wash** – For review of final site plan approval of a proposed car wash on a portion of 12.1 acres of land located at 300 Hylan Drive in a Planned Commercial Development District. Tax Account No. 161.12-1-7.

8:15 P.M. - Committee Reports

8:25 P.M. - Old Business

8:55 P.M. - New Business

9:30 P.M. – Adjournment

FOLDERS WILL BE HELD IN THE DPW OFFICE FOR PICK-UP

**TOWN OF HENRIETTA
CONSERVATION BOARD MINUTES
May 7, 2013**

The regular meeting of the Henrietta Conservation Board was held on Tuesday, May 7, 2013.

1. Roll Call

The meeting was called to order by William Santos at 7:00 P.M.

MEMBERS PRESENT: William Santos, Chairman, Fabian Grabski, R. Bud Snyder, John Migliorini, Gary Holley and Carol M. Pennington

MEMBERS ABSENT: Robbin Ciavaglia

STAFF PRESENT: Christopher Martin, Director of Engineering & Planning

2. Approval of Minutes

On a motion of R. Bud Snyder, seconded by Carol M. Pennington, the Minutes of the February 5, 2013 meeting were approved, as presented.

AYES: 5 (Gary Holley not present)

NAYS: 0

MOTION APPROVED

3. Board Member Reports –

- William Santos reported that he received a letter from Chris Matevish of 72 Goodburlet Road opposing the Winding Creek Woods project at Goodburlet Road and East Henrietta Road. Letter is attached.
- William Santos reported that he received a letter from Alan Knauf, an attorney representing the Chesapeake Ponds/Preserve Neighborhood, opposing The Grove at Rochester project. Letter is attached.
- Gary Holley reported that he was attending seminars this week on trees and sustainable designs.

4. Application Reviews

Application No. 13-003 The Grove at Rochester - For review of final site plan approval of a student housing complex on an existing 73.3 acres of land located at 3860 East River Road in an Industrial Zoned District. Tax Account No. 174.02-1-20.

Representing Applicant: David Cox, Passero Associates

*Gary Holley arrived at 7:50 p.m. due to a NYSATE Engineering Conference.

A. The Applicant stated the following:

1. The property is not yet rezoned. The applicant requires only twenty-one and a half (21-1/2) acres, and will lease the remaining fifty plus (50+) acres to a farmer. An annual agreement is expected, rather than a long term agreement.
2. The developer targets student housing. There are fourteen (14) buildings, six hundred (600) beds, and recreation areas.
3. There is fifty-six percent (56%) green space on the twenty-one and a half (21-1/2) acres of the project.
4. Sheet drainage to non-planted green infrastructure to three (3) storm water ponds. Storm water flow: ten percent (10%) to the west towards East River Road; fifty percent (50%) to the south east towards forest; and forty percent (40%) to the north east towards federal wetlands.
5. LED lighting is proposed for the exterior site lighting.
6. The design will be a gated community with decorative wrought iron fence.
7. Easement is designed to access the remaining fifty plus (50+) acres to the east.
8. There is a bus loop and bike racks included in the design.
9. Cut and fill less than ten percent (10%); top soil will be stored and used on site.
10. There will be six hundred (600) parking spots (one per bed).
11. The developer will own the property and provide security and maintenance.
12. There will be a single exit/entrance to East River Road.
13. No work is proposed in the federal wetlands.
14. They will provide drainage swales to improve storm flow to northwest corner near the Wallman property.
15. A traffic study was completed and submitted to the Monroe County Department of Transportation and the Town of Henrietta.

B. Henrietta Conservation Board recommends to the Planning Board:

1. The Application appears to significantly impact the environment, very possibly in a negative fashion.
2. The Application does not address the future of the remaining fifty-two (52) acres. Consider requiring this area to be undeveloped.
3. There is a significant amount of concern regarding public safety and the environment for this application. The Town Board and Planning Board will want to address these issues during their decision-making processes.
4. The Application appears incomplete regarding determination of zoning. Application states Industrial, whereas the actual zoning is currently residential. The public comment period is still open. The Application also states that this is for a final site plan approval.

5. Other preliminary review notes: If the Application moves forward, trees and screening should be added for the cemetery, as well as at the island near Building Six (6). The densities shall be as requested on other recent applications regarding trees per acre and buffer-screening zones. Review with Conservation Board for specifics.

On the Motion
Carol Pennington

Seconded by
R. Bud Snyder

MOTION TO DENY:

AYES: 5

NAYS: 0

ABSTENTIONS: Gary Holley - due to missing the applicant's presentation.

MOTION CARRIED TO DENY

Application No. 13-005 Silvarole Material Recovery Facility – For review of final site plan approval of a new materials recycling facility on an existing 12.43 acres of land located on Silvarole Drive in an Industrial Zoned District. Tax Account Nos. 161.06-1-5.111 & 161.06-1-6.1.

Representing Applicant: John Battaglia, EnSol, Inc.

A. The Applicant stated the following:

1. The proposed facility will handle recovery materials and separation, as well as a transfer facility for materials that are already separated. The majority of the materials will be Construction, MSW, and source separated recycling. (The compost operation was removed per Town request.)
2. Proposed Hours of Operation: 7:00 a.m. to 6:00 p.m.
3. The Application affects two (2) parcels, seven (7) acres, where a one (1) story, thirty-six feet (36') high, fourteen thousand (14,000) SF building is proposed.
4. Floor drains inside the building are proposed to be piped to a holding tank. An Oil/water separator is proposed for a future sewer connection.
5. Wood chipping will be done outside.
6. Traffic study was completed and submitted.
7. All containment requirements will be followed.
8. All storm water requirements will be followed. The exterior surfaces across the entire property will be permeable, so storm water drainage flow will be lowered significantly.
9. Litter control will be followed and policed on site.
10. Odors and dust control will be utilized.

- 11. A noise study has been performed; a maximum of sixty-seven decibels (67 dB) is expected at the perimeter of the site.
- 12. Rodent control will be provided.
- 13. The Federal wetlands will not be affected.
- 14. The 100-year floodplain is being avoided.
- 15. New York State DEC submittal will be sent soon after final Town Comments are received.

B. Henrietta Conservation Board recommends to the Planning Board:

- 1. Consider adding deer tolerant arborvitae along east side of storm pond and along tracks.
- 2. Consider adding screening along swale and track to block view to west apartments.
- 3. Consider raising (or providing watertight covers) for sanitary manholes that are below one hundred (100) year flood plain.
 - *Post Meeting Note: The Director of Engineering & Planning confirmed the 100-year floodplain will be encroached.*

On the Motion
John Migliorini

Seconded by
R. Bud Snyder

AYES: 6
NAYS: 0

MOTION APPROVED

Application No. 13-006 Royal Car Wash – For review of final site plan approval of a proposed car wash on a portion of 12.1 acres of land located at 300 Hylan Drive in a Planned Commercial Development District. Tax Account No. 161.12-1-7.

Representing Applicant: David Cox, Passero Associates

A. The Applicant stated the following:

- 1. The existing lot is under one (1) acre, so no storm water protection plan is required.
- 2. Snow will be trucked off site.
- 3. Oil/water separator will be provided.
- 4. No recycled water will be used.
- 5. Green space is seventeen percent (17%).

B. Henrietta Conservation Board recommends to the Planning Board:

- 1. The lot is extremely small and does not meet the twenty-five percent

- (25%) minimum for green space.
2. In addition, trucking snow off site has not always happened as described in previous applications.

On the Motion
Gary Holley

Seconded by
R. Bud Snyder

MOTION TO DENY

AYES: 6

NAYS: 0

MOTION CARRIED TO DENY

5. **Committee Reports** – None
6. **Old Business** – None
7. **New Business** – None
8. **Next Meeting** – June 4, 2013
 - 7:00 P.M. - Roll Call
 - 7:05 P.M. - Minutes
 - 7:10 P.M. - Board Member Reports
 - 7:15 P.M. - Application Reviews
 - 8:15 P.M. - Committee Reports
 - 8:30 P.M. - Old Business
 - 8:45 P.M. - New Business
 - 9:00 P.M. – Adjournment
9. **Adjournment**

Motion to adjourn was made by John Migliorini, and passed unanimously at 9:55 P.M.

Respectfully submitted,

Rebecca B. Wiesner
Deputy Town Clerk



KNAUF

SHAW

LLP

May 7, 2013

WPS
Received
5/7/2013 MINUTES

Conservation Board
Town of Henrietta
475 Calkins Road
Henrietta, NY 14467

Re: The Grove at Rochester

Ladies and Gentlemen:

We are representing the Chesapeake Ponds/Preserve Neighborhood, who oppose the application of Campus Crest for development of "The Grove at Rochester" project, due to the significant environmental impacts that the project presents, including:

- Traffic safety issues posed by young drivers on a narrow road which are complicated by cumulative traffic impacts posed by the Jane's Riverview proposal, posing a danger to neighbors turning in and out of their subdivision.
- Failure to consider an alternate exit to Lucius Gordon Drive, which could be accomplished by negotiating an easement with one of several property owners.
- Danger to bicyclists and pedestrians due to the lack of sidewalks or a bike path.
- Incompatibility with the current zoning and Comprehensive Plan.
- Incompatibility with the neighborhood, particularly due to out-of-place large structures near the road, and apparent failure to meet the required 125-foot front setback for even industrial zones.
- Loss of agricultural lands.
- Impacts on federal wetlands.
- Impacts on nearby historic sites including the adjacent Riverview Cemetery, as well as areas of potential archeological significance.
- Segmentation due to the failure to consider environmental impacts of rezoning the balance of the property to industrial development, including resulting traffic, pollution and access issues.

This proposal, placing this project so far from campus in a farm field, is the antithesis of "smart growth." At the very least, this Board should recommend that the lead agency make a positive declaration, and that a full Environmental Impact Statement be prepared on this project.

In addition, the site plan application is premature, and should not even be considered at this time. By even the applicant's account, the present residential zoning for the site does not allow the proposed project, and a rezoning to industrial is required to even entertain a special permit application to allow the project. Until the project is rezoned, this application is definitely premature. Note, however, that we believe that even the proposed rezoning to industrial would not allow the planned off-campus dormitory use, which is independent from RIT.



KNAUF

SHAW

LLP

Town of Henrietta Conservation Board

May 7, 2013

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Thank you for your consideration.

Respectfully submitted,

KNAUF SHAW LLP

ALAN J. KNAUF

AJK/cmc

pc: Ms. Carol Malach
Pete Giovenco, P.E.
Supervisor Michael Yudleson

4/24/2013
72 Goodburlet Road
Henrietta, NY 14467
585-334-3679

475 Calkins Road
Henrietta, NY 14467

Notes 5/7/2013 Minutes

Dear Mr. Santos,

I am writing this letter to share my thoughts and express my concerns about the possible rezoning and development of an apartment complex at Goodburlet Road and East Henrietta Road (property 176.18-1-1) by Morgan Associates LLC.

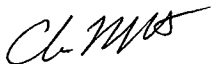
The property consists of thirty four acres which are currently wooded and provide a beautiful green space for the Town and many residents of Goodburlet Road. This was the selling point for my wife and I when we purchased our home in 2008. We understand that the property under proposed development is private property and it's future is uncertain. We feel that rezoning and development of the property would have a very negative impact on the natural habitat that a diverse range of wildlife, my neighbors, and I enjoy.

The proposed development of apartments and town homes would create approximately 230 rental units and 600 parking spaces in a very condensed and difficult to access area. The construction and installation of utilities would mean the removal of more than twenty acres of established woods. I estimate the age of some of the mature trees to be at least seventy-five years old. These woods are a habitat for many animals that you would expect to see (deer, rabbits, raccoons, and foxes), but the most fascinating and diverse feature of these woods are the birds. I have personally witnessed Red Tailed Hawks, Northern Flickers, Pheasants, Turkey Vultures, many Blue Jays and Cardinals, Mourning Doves, a variety of Woodpeckers, and occasionally Owls. It would be very disheartening to lose this natural space.

There are other properties in the area, one classified as Abandoned Agricultural (189.02-1-5), one Residential Vacant Land (176.17-1-22.2) which could be developed without the removal of established mature woods.

I hope this letter will promote discussion about the beauty and benefits of this parcel, and it's future.

Sincerely,



Chris Matevish