

**TOWN OF HENRIETTA  
CONSERVATION BOARD  
AGENDA  
DECEMBER 7, 2010**

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:**        October 5, 2010

**ORDER OF BUSINESS:**

**7:10 P.M. - Board Member Reports**

**7:15 P.M. - Application Review**

**Application No. PB-288    Locust/Edgewood Townhomes** – For review of preliminary subdivision approval of proposed 41 unit Townhouse-for-sale Project to be developed under Town Law Section 278 (Cluster) on a 19.939 acre parcel of land located at 1850 Jefferson Road, in a Residential R-1-20 Zoned District. Tax Account No. 163.05-1-18.111. **(SEQRA)**

**Application No. 10-109    Joe’s Crab Shack Restaurant** – For review of final site plan approval to construct a 6,411 square foot 287-seat restaurant on a 1.37 acre leased parcel of land located at 100 Marketplace Drive, in a Commercial B-1 Zoned District. Tax Account No. 162.09-1-1.3. **(SEQRA)**

**Application No. 10-114    West Herr Mercedes Benz** – For review of final site plan approval to construct a new 30,335 square foot auto dealership on a 5.459 acre parcel of land to be located at 4296 West Henrietta Road, in a Commercial B-1 Zoned District. Tax Account No. 175.07-1-40.3. **(SEQRA)**

**Application No. 10-115 Middle Road Business Park** – For review of site plan approval of a 24,858 square foot office building on future Lot No. 1 on a 3.86 parcel of land to be located at 50 Middle Road, in a Commercial B-2 Zoned District. Tax Account No. 175.08-1-25. **(SEQRA)**

**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  
DECEMBER 7, 2010**

The regular meeting of the Henrietta Conservation Board was held on Tuesday, December 7, 2010.

1. Roll Call

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

MEMBERS PRESENT: William Santos, Chairman, Fabian Grabski, Robbin Ciavaglia, John Migliorini, Gary Holley, and Carol Pennington

MEMBERS ABSENT: R. Bud Snyder

STAFF PRESENT: None

2. Approval of Minutes

On a motion of Gary Holley, seconded by Robbin Ciavaglia, the Minutes of the October 5, 2010 meeting was approved, as presented.

AYES: 6

NAYS: 0

MOTION APPROVED

3. Board Member Reports

William Santos reported that:

- Bud Snyder is out of Town, and will not be present at the meeting tonight.
- Letters requesting re-appointment are due.

4. Application Review

**Application No. PB-288 Locust/Edgewood Townhomes** – For review of preliminary subdivision approval of proposed 41 unit Townhouse-for-sale Project to be developed under Town Law Section 278 (Cluster) on a 19.939 acre parcel of land located at 1850 Jefferson Road, in a Residential R-1-20 Zoned District. Tax Account No. 163.05-1-18.111. **(SEQRA)**

Representing Applicant: Carlo Callea, Concal, LLC; Alex Amering, Costich Engineering; Leonard Preston, Costich Engineering

- A. The Applicant stated the following:
1. They are attempting to maintain a fifty to one hundred foot (50'-100') buffer around the site.
  2. The pond will handle storm water issues for the entire site. The plan improves drainage of neighboring properties.
  3. Town Law § 278 is being applied for forty-one (41) units.
  4. The townhomes will have basements.
  5. An Association will maintain roads, lighting, lawns, storm pond, etc. Various easements will be arranged with the Town.

Resident's Comments:

- A resident in attendance (Lynda Nuss, 32 New Tudor Road) has some concerns with regard to storm water issues across Jefferson Road at Jefferson Estates.
- The resident also has concerns with regard to the reduction of open space in the Town.
- The resident also has concerns with regard to the use of Town Law § 278, and has questions of whether the density is valid/feasible.

- B. The Henrietta Conservation Board recommends to the Planning Board:
1. Concerning manhole S-5: Review contour grades elevation issue at the north end of the pond.
  2. Recommending eight (8) trees per impervious acre (avoiding the swale area) to replace the effects of buildings. Roughly four (4) acres or thirty-two (32) trees total.
  3. Confirm Town Law § 278 calculations; verify base calculation quantity is feasible with buffers and non-disturbance requirements.
  4. Confirm drainage calculations, improve surrounding drainage, and have no ill effects on neighbors.
  5. Consider obstacles (bollards) at the end of the road.
  6. Consider adding twenty-five foot (25') buffer at the southeast corner.

On the Motion of  
Fabian Grabski

Seconded by  
John Migliorini

AYES: 6  
NAYS: 0

MOTION CARRIED

**Application No. 10-109 Joe's Crab Shack Restaurant** – For review of final site plan approval to construct a 6,411 square foot 287-seat restaurant on a 1.37 acre leased parcel of land located at 100 Marketplace Drive, in a Commercial B-1 Zoned District. Tax Account No. 162.09-1-1.3. **(SEQRA)**

Representing Applicant: Matthew Oates, Benderson Development

- A. The Applicant stated the following:
  - 1. Revising strip design from the initial Chili's submission.
  - 2. Snow storage is minimal; snow from large storms will be trucked offsite.
  - 3. Underground detention will be maintained by owner.
  - 4. Joe's Crab Shack storm water system is separate from Chili's, but will handle the future south lot.
  - 5. There will be a playground on site.
  - 6. The existing swale will be modified to divert water along the south perimeter.
  
- B. The Henrietta Conservation Board recommends the Planning Board reject the proposal due to the following:
  - 1. The design does not meet the minimum twenty-five percent (25%) green space. Please have Applicant re-design accordingly and re-submit.
  - 2. When Chili's was submitted, green space was deferred. There is no indication that this is being addressed. Please have Applicant revise and re-submit.
  - 3. Verify green space calculations do not include curbs and other impervious areas.
  - 4. Verify as built drainage pipe sizes on the east side of Chili's.
  - 5. We have concerns regarding snow plowing large amounts of snow into the new plantings.
  - 6. Recommending eight (8) trees per impervious acre. (1.4 acres = 12 trees total)

On the Motion of  
Robbin Ciavaglia

Seconded by  
Carol Pennington

AYES: 6  
NAYS: 0  
MOTION CARRIED

**Application No. 10-114 West Herr Mercedes Benz** – For review of final site plan approval to construct a new 30,335 square foot auto dealership on a 5.459 acre parcel of land to be located at 4296 West Henrietta Road, in a Commercial B-1 Zoned District. Tax Account No. 175.07-1-40.3. **(SEQRA)**

Representing Applicant: Jess Sudol, Passero Associates

- A. The Applicant stated the following:
1. The existing site is fairly bare. (Former test driving site) with some mature trees.
  2. Underground storm water management is proposed and will be maintained by owner.
  3. West Herr has arrangements for snow removal due to the lack of snow storage.
  4. Green space is twenty-five percent (25%), and does not include a one foot (1') wall thickness as part of that green space.
  5. The dark line is the correct deed property line.
  6. The floor drains have oil separators.
  7. The adjacent property storm flow will be reduced due to the proposed system.
- B. The Henrietta Conservation Board recommends to the Planning Board:
1. Consider multi-level exterior lighting so light levels can be reduced off hours and decrease environmental impacts.
  2. The landscaping plan does not meet the rendering. Please have Applicant increase landscaping and submit plan.
  3. Mature trees are being removed. Consider adding additional trees to offset increases in impervious surfaces. The Board is requesting seventeen (17) additional (8 trees per impervious acre at 4 acres = 32 total). The Applicant is proposing adding ten (10) additional = twenty-five (25) total)

*(Let the Record show that Robbin Ciavaglia was not in attendance for the remainder of the meeting.)*

On the Motion of  
Fabian Grabski

Seconded by  
John Migliorini

AYES: 5  
NAYS: 0

MOTION CARRIED

**Application No. 10-115 Middle Road Business Park** – For review of site plan approval of a 24,858 square foot office building on future Lot No. 1 on a 3.86 parcel of land to be located at 50 Middle Road, in a Commercial B-2 Zoned District. Tax Account No. 175.08-1-25. **(SEQRA)**

Representing Applicant: Jess Sudol, Passero Associates

- A. The Applicant stated the following:
  - 1. Forty-two percent (42%) green space is proposed. All future sites will have a minimum of twenty-five percent (25%) green space.
  - 2. The existing site was stripped and leveled during intersection improvements.
  - 3. Buildings will be at elevated grades to avoid flood plain issues.
  
- B. The Henrietta Conservation Board recommends to the Planning Board:
  - 1. Previously, this was a possible wetland that may have been filled. There may be issues with compaction for proper foundations.
  - 2. Landscaping meets recommended quantities and types.
  - 3. Consider adding plantings along the south border.
  - 4. Lot number two (2) will be reviewed when submitted as a future application.
  - 5. Provide trees in lot number two (2) west perimeter as part of this work.
  - 6. Seed lot number two (2) as part of this work.
  - 7. Project is located within one hundred (100) year flood plain. Follow State and Federal Requirements.
  - 8. The Project may be in or near State and Federal wetlands. Follow State and Federal regulations and indicate buffers and non-disturbance areas.

On the Motion of  
Gary Holley

Seconded by  
Carol Pennington

AYES: 5  
NAYS: 0

MOTION CARRIED

- 5. Committee Reports - None
- 6. Old Business
- 7. New Business
- 8. Next Meeting

January 4, 2011 - 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

A motion to adjourn was made by Fabian Grabski, and passed unanimously at 9:25 P.M.

Respectfully submitted,

Leann C. Case  
Deputy Town Clerk