

TOWN OF HENRIETTA PLANNING BOARD

June 13, 2017

AGENDA

****REVISED****

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

MAIN MEETING ROOM

ROLL CALL: 7:00 PM

MINUTES: May 9, 2017

APPLICATIONS:

Application No. 17-001 **Tru by Hilton** – For final site plan approval of the development of a four story, eighty-one (81) room hotel on a 2.051 acre property located at 355 Kenneth Drive in an Industrial Zoned District. Tax Account No. 175.11-1-14.2. **SEQR**

Application No. 17-007 **OFD Foods** – For final site plan approval of the development of a 43,000 S.F. industrial building on a 12.12 acre property located at 1000 Rush-Henrietta Town Line Road in an Industrial Zoned District. Part of Tax Account No. 202.01-2-47.1. **SEQR**

Application No. 17-008 **John Street East – Phase II** – For final site plan approval a 100,000 S.F. industrial facility on Lot R-1B consisting of 11.4 acres and a new 30,000 S.F. industrial facility consisting of 9.8 acres on Lot R-1C located on John Street in an Industrial Zoned District. Part of Tax Account Nos. 174.02-1-33 & 175.01-1-2.113.

TOWN BOARD ITEM **Rezoning of 74 Middle Road from Residential R-1-15 to Commercial B-2** – For the rezoning of 3.727 acres of land from Residential R-1-15 to Commercial B-2 District. Tax Account No. 175.08-01-14. **(INTENT TO BE LEAD AGENCY)**

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 **June 20, 2017 at 7:00 p.m. in Main Meeting Room**

**TOWN OF HENRIETTA
PLANNING BOARD MINUTES
June 13, 2017**

A regularly scheduled meeting of the Henrietta Planning Board was held on Tuesday, June 13, 2017 at the Henrietta Town Hall, 475 Calkins Road, Henrietta, New York 14467. The meeting was called to order at 7:00 p.m. by the Planning Board Chairman, Peter Minotti.

MEMBERS PRESENT: Peter Minotti, Chairman
Devon Van Vechten, Vice Chairman
Lawrence Neill
Stephen R. MacIntyre
James Grunert
Patricia Brill
William Walker, Esquire

MEMBERS ABSENT: Matthew Borkowski

ALSO PRESENT: Christopher Martin, P.E., Director of Engineering & Planning

The first item on the agenda is the approval of the Regular Meeting Minutes of May 9, 2017 as presented.

On motion of
James Grunert

Seconded by
Patricia Brill

Duly put to a vote:

Matthew Borkowski	voting	Absent
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. 17-001 **Tru by Hilton** – For final site plan approval of the development of a four story, eighty-one (81) room hotel on a 2.051 acre property located at 355 Kenneth Drive in an Industrial Zoned District. Tax Account No. 175.11-1-14.2. **SEQR**

Representing Applicant: Alex Amering, Costich Engineering
Jeff Hazel, Silvestri Architects

In regards to the above referenced application, the applicant stated that all staff comments can be addressed. The project consists of the development of an eighty-one (81) room hotel. A Special Use Permit was granted by the Henrietta Town Board on April 19, 2017 for the height variance. The project does include an indoor pool that will have to adhere to requirements by the Monroe County Department

of Public Health. Details of the building mounted lighting will need to be provided on future drawings and reviewed by the Town, as well as samples of the building colors and materials. Christopher Martin, Director of Engineering & Planning, will contact the New York State Department of Transportation to discuss the pavement striping at the intersection of Lehigh Station Road and Kenneth Drive. It was also noted that some of the handicap parking spaces will be relocated to the back of the hotel and all roof-top utilities will be screened by the building parapet.

With regard to Application No. 17-001, SEQR 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 Rudra Management. 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 the development of a four story, eighty-one (81) room hotel on a 2.051 acre property located at 355 Kenneth Drive in an Industrial Zoned District. Tax Account No. 175.11-1-14.2.

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. Patricia Brill seconded the motion.

Duly put to a vote:

Matthew Borkowski	voting	Absent
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

A motion for final site plan approval was made and is 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:

PLANNING BOARD CONDITIONS:

1. The applicant must return to the Henrietta Planning Board to present building colors, materials and lighting details.

On the Motion of
Patricia Brill

Seconded by
Stephen MacIntyre

Duly put to a vote:

Matthew Borkowski	voting	Absent
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. 17-007 OFD Foods – For final site plan approval of the development of a 43,000 S.F. industrial building on a 12.12 acre property located at 1000 Rush-Henrietta Town Line Road in an Industrial Zoned District. Part of Tax Account No. 202.01-2-47.1. **SEQR**

Representing Applicant: John Clarke, DDS Companies
 John Nichols, Nichols Team
 Kelly Goforth, OFD Foods
 Michael Bennett, Ware Malcomb Architects

In regards to the above referenced application, the applicant stated that all staff comments can be addressed. The project consists of the development of a forty-three thousand square foot (43,000 S.F.) industrial building on about twelve (12) acres of land. The applicant stated that there would be approximately twenty to thirty (20 – 30) employees working three (3) shifts at the facility. The electrical transformers will be located on the southwest corner of the building and all roof top utilities will be mounted on the roof and screened by the building parapet. Since the Town of Henrietta is in the midst of updating pump station standards, the pump station design for this project will be completed at a later date. Any water removed by the freeze drying process will be discharged into the sanitary sewer. A Phase 1A study has been performed by the applicant and submitted to New York State for review. It was also noted that any wetlands have been delineated and will not be disturbed. Two (2) access drives will be provided onto Rush-Henrietta Town Line Road and those two (2) access drives must be curbed to the front of the parking area. Lighting will be LED for the site and building mounted lights and those details will be added to the lighting plan. It was also noted that any reference to “future building expansion” will be removed from any drawings.

With regard to Application No. 17-007, SEQR 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 OFD Foods, LLC. 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 the development of a 43,000 S.F. industrial building on a 12.12 acre property located at 1000 Rush-Henrietta Town Line Road in an Industrial Zoned District. Part of Tax Account No. 202.01-2-47.1.

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. Devon Van Vechten seconded the motion.

Duly put to a vote:

Matthew Borkowski	voting	Absent
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

A motion for final site plan approval was made and is 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:

PLANNING BOARD CONDITIONS:

1. The two (2) access drives will be curbed from Rush-Henrietta Town Line Road to the front parking lot.
2. Any reference to the "future building expansion" will be removed from the drawings.

On the Motion of

Lawrence Neill

Seconded by

Patricia Brill

Duly put to a vote:

Matthew Borkowski	voting	Absent
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. 17-008 John Street East – Phase II – For final site plan approval a 100,000 S.F. industrial facility on Lot R-1B consisting of 11.4 acres and a new 30,000 S.F. industrial facility consisting of 9.8 acres on Lot R-1C located on John Street in an Industrial Zoned District. Part of Tax Account Nos. 174.02-1-33 & 175.01-1-2.113.

Representing Applicant: Rich LeFrois, LeFrois Builders
John Clarke, DDS Companies

In regards to the above referenced application, the applicant stated that all staff comments can be addressed. The project consists of developing a one hundred thousand square foot (100,000 S.F.)

industrial facility on Lot R-1B and a thirty thousand square foot (30,000 S.F.) industrial facility on Lot R-1C. There will be approximately two hundred (200) employees at these facilities during different shifts but both sites will have limited truck traffic. The existing hydrants located along John Street will be indicated on future drawings and the roof top utilities will be properly screened. High Pressure Sodium lighting will be used for the site to match the existing lighting within the industrial park. It was also noted that an administrative subdivision will be required for this phase of the project and the SEQR was approved on February 24, 2015 when the Henrietta Planning Board approved the final site plan for the project as a whole.

A motion for final site plan approval was made and is 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:

PLANNING BOARD CONDITIONS:

1. There are no conditions from the Henrietta Planning Board at this time.

On the Motion of
Stephen MacIntyre

Seconded by
James Grunert

Duly put to a vote:

Matthew Borkowski	voting	Absent
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

TOWN BOARD ITEM

Rezoning of 74 Middle Road from Residential R-1-15 to Commercial B-2 – For the rezoning of 3.727 acres of land from Residential R-1-15 to Commercial B-2 District. Tax Account No. 175.08-01-14. **(INTENT TO BE LEAD AGENCY)**

The Chairman of the Henrietta Planning Board, Peter Minotti, made a motion that the Town of Henrietta Planning Board declare its intent to be lead agency for the purpose of a coordinated SEQR review, seconded by Lawrence Neill.

Duly put to a vote:

Matthew Borkowski	voting	Absent
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

A motion to adjourn was made by Patricia Brill and passed unanimously at 8:25 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Heather Voss", with a long horizontal flourish extending to the right.

Heather Voss
Deputy Town Clerk



Department of Planning & Development

Monroe County, New York

Cheryl Dinolfo
County Executive

Jeffrey R. Adair
Director

To: Town of Henrietta Planning Board

From: Christina Hoffman, Planner II

Date: June 13, 2017

Subject: Site Plan for a 43000 sf industrial building, public utilities, asphalt parking area, truck loading area, two access driveways onto Rush Henrietta Townline Road and stormwater management facilities. ** Future 30000 sf building addition.
1000 Rush Henrietta Townline Road
MCDP&D Response to Development Review Referral (HR17-9Z)

Review Authority and Response:

- General Municipal Law: Section 239-m (Zoning)
 Approval Modification Disapproval Comment No Comment
- Section 239-n (Subdivision)
 Approval Modification Disapproval Comment No Comment
- County Charter: Section C5-4.A (Airport)
 Approval Approval with Conditions Disapproval
- Section C5-4.C (Advisory Review)
 Approval Modification Disapproval Comment No Comment

Referred to the Development Review Committee (DRC) (If yes, DRC Project Review Report attached):

- Yes No

MCDP&D Comments:

1. According to the New York State Department of Environmental Conservation (NYS DEC) Freshwater Wetland Map this site may contain a portion of Wetland HR-13 or its adjacent area. The official wetland boundary must be determined by the NYS DEC due to the fact that the Freshwater Wetland Map indicates the approximate location of the freshwater wetland boundary. The applicant may need to obtain an Article 24 Permit from the NYS DEC. For further information regarding the need for a permit, the applicant should contact:

Permit Administrator
NYS DEC
6274 East Avon-Lima Road
Avon, NY 14414

Telephone: (585) 226-5400

Website: <http://www.dec.ny.gov/about/617.html>

2. According to the National Wetland Inventory (NWI) maps prepared by the United States Department of Interior, this site appears to contain a portion of a federal wetland that is classified as PUBHh,PFO1E. Although a buffer area is not required, it is beneficial to the wetland if a natural buffer of 100 feet is left around it. In addition, please note that, while the NWI maps are based upon aerial photography and not field data, they are a strong indicator that wetlands regulated by the U.S. Army Corps of Engineers (Corps) may exist on your project site. Final verification of the location of federal wetlands can only be determined through an on-site delineation. The applicant may need to obtain a permit from the Corps. For further information regarding the need for a permit, the applicant should contact:

Steven V Metivier

Army Corps of Engineers

1776 Niagara Street

Buffalo, NY 14207

Telephone: (716) 879-4314

Website: <http://www.lrb.usace.army.mil>

3. Article 25AA of the New York State Agriculture and Markets Law, titled Agricultural Districts, provides counties with the opportunity to create agricultural districts for the purpose of protecting and promoting the agriculture industry.

According to our review of recent aerial photographs and the agricultural district maps, this project occurs on or within 500 feet of land in agricultural production in Monroe County's Eastern Agricultural District; therefore, an Agricultural Data Statement may need to be submitted for this project as required in Section 283-a of Town Law and Article 25AA of the New York State Agriculture and Markets Law. A Monroe County Agricultural Data Statement form can be found at www2.monroecounty.gov/files/planning/farm-AgriculturalDataStatement.pdf. If an agricultural data Statement form is necessary, the clerk of the board should mail a written notice of the application to the owners listed on the Agricultural Data Statement.

Development of this property should be designed so that it does not alter existing drainage facilities used by adjacent parcels. If the land is being farmed, the applicant is encouraged to contact the adjacent farmer and the Monroe County Farmland and Agriculture Protection Board to discuss the proposed development. For further information regarding the Monroe County Farmland and Agriculture Protection Board and the Monroe County Agricultural and Farmland Protection Plan, the applicant should contact:

Dr. Robert King

Senior Agriculture Specialist

Agriculture and Life Sciences Institute

Monroe Community College

1000 E. Henrietta Road

Rochester, NY 14623

Telephone: (585) 292-2065

Fax: (585) 292-3866

4. According to the New York State Department of Environmental Conservation (NYS DEC) it appears a portion of a stream is located on the subject property. Streamsides, sometimes called riparian zones or stream corridors, are the link between land and water, and the health of streams depends in large part on the condition of the streamside. Over the past two decades, research has shown that naturally vegetated corridors along streams perform numerous services essential for human health and welfare. Healthy

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stream corridors can reduce floods; trap sediment; remove dissolved contaminants; provide shade; contribute leaf matter (important for insect food and fish habitat); provide wildlife habitat; offer recreational opportunities; and increase aesthetic value and desirability of a property.

In order to protect the stream corridor consider the following:

Maintain a healthy, vegetated streamside buffer by preserving trees and shrubs along the stream edge and limiting logging to removing large branches that fall into the stream and divert streamflow and cause erosion.

Control water flow through the streamside buffer to filter contaminants and reduce erosion by managing stormwater runoff from dwellings to prevent channelized flow; minimizing impervious areas near the streamside by using stone or brick instead of pavement for driveways and walkways; and excluding vehicles, livestock, or excessive pedestrian traffic.

Prevent contaminants from entering the stream corridor by minimizing or eliminating buffer area exposure to fertilizer, herbicides, pesticide, animal waste, household and automotive chemicals, trash, debris, and piles of leaf litter and by maintaining septic systems.

If you have any questions regarding this review, please contact me at (585) 753-2026 or christinahoffman@monroecounty.gov.

Attachment

xc: Development Review Committee
 Steven V Metivier, Army Corps of Engineers
 Scott Sheeley, NYS DEC
 Dr. Robert King, Agriculture & Life Sciences Institute, MCC
 Town of Rush
 Cade Krueger, DDS Engineers, LLP
 Gray Johnson, OFD Foods, LLC

PROJECT REVIEW REPORT
Monroe County Development Review Committee

June 13, 2017

Subject: Attachment to File HR17-9Z

The Monroe County Development Review Committee (DRC) has reviewed the subject application and has identified the following points that require appropriate action PRIOR TO SUBMISSION OF FINAL PLANS FOR APPROVAL.

(NOTE: The letter in parentheses following each comment identifies the DRC member listed at the bottom of the page making the comment. Questions should be addressed to the appropriate DRC agency.)

1. Plans for any extension or relocation of a water main or sanitary sewer must be submitted to and approved by the Monroe County Department of Public Health. (A)
2. Plans for proposed backflow preventer(s) must be submitted to and approved by the supplier of water and the Monroe County Department of Public Health prior to installation. (A)
3. Monumentation must be checked by the County Surveyor. Please email site plans to the County Surveyor at gregorybly@monroecounty.gov. A security deposit of \$2500.00 and a survey report may be required to protect any monumentation located in or near the work area. (B)
4. Pipe the entire drainage ditch (property frontage) along Rush Henrietta TL Rd including drainage inlets on the upstream side of each driveway (10' from edge of driveway) and end sections at each end. (B)
5. Show MCDOT Figure(s) ROADSIDE DITCH ENCLOSURE and DRIVEWAY TAPER LAYOUT on the plans. Electronic versions (PDF and DWG formats) are available on MCDOT's web site: <http://www.monroecounty.gov/dot-standarddetails.php>. (B)
6. MCDOT note #4: Remove "John Street" from note. (B)
7. Add to MCDOT notes: "All vegetation including trees/bushes in the highway right-of-way and on the owner's property is to be removed/trimmed/maintained by the owner to provide adequate sight distance from the proposed driveway". (B)
8. A review fee of \$375.00 is due to continue our review/approval of this project. Please make checks payable to "Director of Finance, County of Monroe". (B)
9. The following agencies reviewed this project and have no comments. (D)
10. This project was sent to the following agencies; however, their response has not been received by our office in time for inclusion in this report. When our office receives these agencies' comments they will be sent out as an addendum. (C)

(A) - Monroe County Department of Health, John Frazer, 753-5476

(B) - Monroe County Department of Transportation, John Raymond, 753-7711

(C) - New York State Department of Environmental Conservation, Division of Environmental Permits, 226-5400

(D) - New York State Department of Transportation, Robert Duennebacke, 272-3475