

# TOWN OF HENRIETTA PLANNING BOARD

December 12, 2017

## AGENDA

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:** November 28, 2017

### PUBLIC HEARINGS:

**Application No. 283.2** **Southern View Estates – Section 2** – For preliminary subdivision approval of an 8 lot residential re-subdivision on 25.829 acres located on Rush-Henrietta Town Line Road in a RR-2 Zoned District. Tax Account Nos. 202.01-2-28.001, 202.01-2-28.002, 202.01-2-28.003 and 202.01-2-28.004.

### APPLICATIONS:

**Application No. 283.2** **Southern View Estates – Section 2** – For preliminary subdivision approval of an 8 lot residential re-subdivision on 25.829 acres located on Rush-Henrietta Town Line Road in a RR-2 Zoned District. Tax Account Nos. 202.01-2-28.001, 202.01-2-28.002, 202.01-2-28.003 and 202.01-2-28.004.

**Application No. 17-018** **Hylan Crossing Business Park** – For review of the final site plan of a proposed office park on approximately 48 acres located at 350 Calkins Road in a Planned Commercial Development Zoned District. Tax Account Nos. 175.08-1-22, 161.20-1-17, 161.20-1-18 and 161.20-1-19. (DISCUSSION ONLY – FINAL SITE PLAN APPROVAL TBD)

### DISCUSSION ITEM:

**SPS Medical Rezoning** – Planning Board to discuss a zoning application from SPS Medical Supply Corp. on approximately 15.615 acres of land located at the northwest corner of West Henrietta Road and Rush-Henrietta Town Line Road, to rezone said lands from B-1 Commercial & Rural Residential RR-2 to Industrial in order to allow for a future expansion of the existing facility. Tax Account Nos. 201.02-2-13.111 & part of 201.02-2-13.12.

**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 **December 19, 2017 at 7:00 p.m. in Main Meeting Room**

**TOWN OF HENRIETTA  
PLANNING BOARD MINUTES  
December 12, 2017**

A regularly scheduled meeting of the Henrietta Planning Board was held on Tuesday, December 12, 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  
Patricia Brill  
Matthew Borkowski  
William Walker, Esquire

**MEMBERS ABSENT:** James Grunert

**ALSO PRESENT:** Christopher Martin, P.E., Director of Engineering & Planning  
Terry Ekwel, Fire Marshal/Building Inspector  
Stephen L. Schultz, Supervisor-Elect  
Michael Stafford, Councilman-Elect

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PETER MINOTTI, CHAIRMAN

A public hearing is being held before the Henrietta Planning Board today, Tuesday, December 12, 2017, at 7:00 p.m. in the Main Meeting Room, 475 Calkins Road, Henrietta, NY 14467 to hear all persons with regard to the following application:

**Application No. 283.2 Southern View Estates – Section 2** – For preliminary subdivision approval of an 8 lot residential re-subdivision on 25.829 acres located on Rush-Henrietta Town Line Road in a RR-2 Zoned District. Tax Account Nos. 202.01-2-28.001, 202.01-2-28.002, 202.01-2-28.003 and 202.01-2-28.004.

This Public hearing is being held so that you, the general public, can present your opinions to the Henrietta Planning Board regarding subdivision concerns, specifically limited to trees, the lots themselves, open space, the infrastructure, utilities, sidewalks and flood prone areas. And who do we have present this evening representing the application? (Pause)

*(From audience, David Matt, Schultz Associates, "Good evening, my name is David Matt from Schultz Associates.")*

PETER MINOTTI, CHAIRMAN

Very good. Ms. Becky, did you get the name?

REBECCA B. WIESNER, TOWN CLERK & RECEIVER OF TAXES

David, can you repeat your last name?

*(From audience, David Matt, Schultz Associates, "M-A-T-T.")*

REBECCA B. WIESNER, TOWN CLERK & RECEIVER OF TAXES  
Matt. Thank you.

DAVID MATT, SCHULTZ ASSOCIATES

Good Evening. My name is Dave Matt from Schultz Associates, here for Southern View Estates on Rush-Henrietta Town Line Road. It's an eight (8) lot subdivision, this actually came through originally back in 2007 or so, it received a preliminary approval for all eight (8) lots and came back a couple of years later and switched it into two (2) sections where the first three (3) lots were filed and approved, or approved and filed with the county to create the three (3) lots and now we're coming back with an eight (8) lot subdivision again and instead of having the dedicated roadway going all the way up the hill for all eight (8) lots, it is, the cul-de-sac is about half-way down with a private drive for the last three (3) lots. The lots will all have public water, we ran some water calcs, gave it to the Monroe County Water Authority, got some comments back from them, all the leach beds were originally approved back in '07, resent it to the health department and they looked at them and they're good to go with those also. They are all modified raised systems, currently a corn field I believe this year, and we have gutters on the roadway which will have a storm sewer connected to it, which will discharge into the pond, and the pond is done by the D.E.C. regulations. Other than that, it's pretty much the same thing that was approved back in, I believe, '07.

PETER MINOTTI, CHAIRMAN  
You're all set then, David?

DAVID MATT, SCHULTZ ASSOCIATES  
Yes.

PETER MINOTTI, CHAIRMAN

Is there anyone here this evening that would like to speak on this application? *(Pause, no response.)*  
Hearing none, seeing none. Chair would recognize Mr. MacIntyre for questions specific to the public hearing and this application.

STEPHEN MACINTYRE, PLANNING BOARD MEMBER

Alright, one of the questions that was on the general memo from Chris, did you have a chance to review that?

DAVID MATT, SCHULTZ ASSOCIATES  
Yes.

STEPHEN MACINTYRE, PLANNING BOARD MEMBER

He had a question regarding the cut and fills of the site, apparently you're going to have a surplus of soil, what's the intent, what do you plan on doing with that extra fill?

DAVID MATT, SCHULTZ ASSOCIATES

The surplus of soil, we would propose would be trucked off-site, not the top-soil, just the sub-soils. We know there is a subdivision across the street that needs soils, fill soils, and the owner is actually in the construction business and he knows people that are also looking for fill.

STEPHEN MACINTYRE, PLANNING BOARD MEMBER

So there wouldn't be any intent to try to, in some of these areas that are steep where you're going to build the lots and they're not going to have much of a backyard. So there's not going to be any attempt to try and extend that out with the additional fill is there?

DAVID MATT, SCHULTZ ASSOCIATES

No, if we tried to do that we'd end up with slopes that are way too steep.

STEPHEN MACINTYRE, PLANNING BOARD MEMBER

Okay. The other issue I had was regarding the storm management facility and they had mentioned, engineering mentioned they thought it might be necessary to have some sort of a guardrail along that, what was your take on that?

DAVID MATT, SCHULTZ ASSOCIATES

Well back in the 07'- '09 plans when we had the longer roadway we had the roadway up a lot higher and it created really steep slopes from the road down to the pond. One of the, again, one of the reasons we went this way, the slope from the roadway down to about where the trail goes through, is going to be a one on five slope and then there will be a, I believe a ten by thirty foot (10'- 30') wide area of, basically a flat area before the pond and I believe the pond is a one on five also.

STEPHEN MACINTYRE, PLANNING BOARD MEMBER

Okay.

DAVID MATT, SCHULTZ ASSOCIATES

We took away the steep slopes and made it nice and gentle so therefore we shouldn't have to have the guiderail.

STEPHEN MACINTYRE, PLANNING BOARD MEMBER

There won't be any issues of safety.

DAVID MATT, SCHULTZ ASSOCIATES

We don't believe so, not with one on five slopes.

STEPHEN MACINTYRE, PLANNING BOARD MEMBER

I'm all set for now, Mr. Chairman.

PETER MINOTTI, CHAIRMAN

Mr. MacIntyre, thank you. Mr. Neill.

LAWRENCE NEILL, PLANNING BOARD MEMBER

Thank you, Mr. Chairman. Just one quick question. On the West Henrietta Road, or Rush-Henrietta Road, there's about an acre of trees but I'm not sure that it's actually part of your site. Is it, or is it not?

DAVID MATT, SCHULTZ ASSOCIATES

That is part of our site and it's all a mapped wetland.

LAWRENCE NEILL, PLANNING BOARD MEMBER  
Okay.

DAVID MATT, SCHULTZ ASSOCIATES  
So we're not touching it at all.

LAWRENCE NEILL, PLANNING BOARD MEMBER  
It's going to stay?

DAVID MATT, SCHULTZ ASSOCIATES  
It is going to stay. It's a wetland, we show the wetland line as well as the hundred foot (100') buffer since it's a state wetland and that wetland was delineated by the D.E.C.

LAWRENCE NEILL, PLANNING BOARD MEMBER  
Okay, thank you. I'm all set.

PETER MINOTTI, CHAIRMAN  
Mr. Neill, Thank you. Mrs. Brill.

PATRICIA BRILL, PLANNING BOARD MEMBER  
One of my questions has been addressed, and other comments I have I will save for the workshop. Thank you.

DAVID MATT, SCHULTZ ASSOCIATES  
Okay.

PETER MINOTTI, CHAIRMAN  
Mrs. Brill, thank you. Mr. Borkowski.

MATTHEW BORKOWSKI, PLANNING BOARD MEMBER  
I am all set until the workshop, Mr. Chairman. Thank you.

PETER MINOTTI, CHAIRMAN  
Thank you Mr. Borkowski. Mr. Van Vecten.

DEVON VAN VECHTEN, PLANNING BOARD MEMBER  
I'm all set, thank you.

PETER MINOTTI, CHAIRMAN  
Mr. Van Vecten, thank you. One more time, anybody from the audience that would like to speak on the application? *(Pause, no response.)* If there are no more comments regarding this application I will therefore close the public hearing, we will move to the Town Planning Board workshop momentarily. Thank you.

*(The public hearing of the Planning Board adjourned at 7:06 p.m. and workshop commenced after a momentary break.)*

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The first item on the agenda is the approval of the Regular Meeting Minutes of November 28, 2017 as presented.

**On motion of**  
Lawrence Neill

**Seconded by**  
Patricia Brill

Duly put to a vote:

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

**Motion Carried**

**Application No. 283.2**      **Southern View Estates – Section 2** – For preliminary subdivision approval of an 8 lot residential re-subdivision on 25.829 acres located on Rush-Henrietta Town Line Road in a RR-2 Zoned District. Tax Account Nos. 202.01-2-28.001, 202.01-2-28.002, 202.01-2-28.003 and 202.01-2-28.004.

**Representing Applicant:** David Matt, Schultz Associates  
Michael Hedding, Developer

In regards to the above referenced application, the applicant presented a modified subdivision plan for a previously approved eight (8) lot subdivision. The application received final subdivision approval on November 13, 2007 with the condition that “the applicant agreed to address all engineering comments and consultant comments provided, including the placement of any conservation lands into a Home Owner Association (HOA)”. The Planning Board asked in 2007 and continues to maintain its stance that an HOA would be necessary for the maintenance of the open space and the stone dust trail. The applicant asked once again that they dedicate the trail to the Town and have the future homeowners maintain the open space; however the Town does not want to take ownership of that open space or trail. (*Town Clerk’s Note: The Planning Board Chairman, Peter Minotti, did not sign the plat map or Mylar in 2007 due to the issue of the HOA.*) There is also a private drive that will require a maintenance agreement between three (3) future lot homeowners that was previously discussed at the 2007 Planning Board meeting. The Planning Board voted to table the application while the applicant reviews their options to determine if they will move forward with the project.

**APPLICATION TABLED**

**Application No. 17-018**      **Hylan Crossing Business Park** – For review of the final site plan of a proposed office park on approximately 48 acres located at 350 Calkins Road in a Planned Commercial Development Zoned District. Tax Account Nos. 175.08-1-22, 161.20-1-17, 161.20-1-18 and

## 161.20-1-19. (DISCUSSION ONLY – FINAL SITE PLAN APPROVAL TBD)

**Representing Applicant:** Jess Sudol, P.E., Passero Associates  
Karl Schuler, Taylor the Builders  
Jim Taylor, Taylor the Builders

In regards to the above referenced application, the applicant stated that all staff comments can be addressed. The project consists of the review of a conceptual site plan for a three hundred and seventy-five square foot (375,000 S.F.) office park that would include a mixed use of a hotel, restaurant and a bank. The project is for the overall approval of the business park with the understanding that in the future, individual buildings will have to be submitted to the Planning Board for review and possibly approval. The office park would be constructed on Lot 300 of the Marketplace Center Subdivision and will not encumber Lot 601 that has been slated to remain as open space until the construction of a roadway connecting West Henrietta Road and Hylan Drive. (*Town Clerk's Note: On January 28, 1998, a letter from the Planning Board Attorney, William Walker, Jr. stated "A subsequent review of the Final Environmental Impact Statement (FEIS) which was adopted by the Henrietta Planning Board on December 27, 1988 provides that, 'For Sections 600 and 700 the need for connecting the roadway between Hylan Drive and West Henrietta Road must be assessed at the time of site plan review before development of either sections.'...As a result of the foregoing, the Planning Board is required to assess the need for connecting the roadway between Hylan Drive and West Henrietta Road before any additional approvals are given for Section 600 or 700."*) The proposed office park will not have any effect on the Sections 600 or 700, therefore it was noted that the roadway connecting Hylan Drive and West Henrietta will not be necessary as part of this project. Section 300 contains fifty (50) acres of which only thirty (30) acres will be developed. The overall greenspace for the parcel is fifty percent (50%) but the developed portion of the parcel would have a lot of impervious area. The Planning Board noted that they would like to see additional lawn and landscaping provided in that developed area. It was also noted that a traffic impact study has been prepared and is being reviewed by the Monroe County Department of Transportation and that a traffic signal will probably be warranted at the intersection of Hylan Drive and Lehmann Drive. In regards to protecting neighboring residences from the office park, the Planning Board requested adequate buffering along Hylan Drive, as well as a modification of the existing berm along Hylan Drive and Calkins Road. Four (4) different types of lighting will also be used within the complex in order to reduce the amount of light spillage to the neighboring residences.

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**DISCUSSION ITEM:** **SPS Medical Rezoning** – Planning Board to discuss a zoning application from SPS Medical Supply Corp. on approximately 15.615 acres of land located at the northwest corner of West Henrietta Road and Rush-Henrietta Town Line Road, to rezone said lands from B-1 Commercial & Rural Residential RR-2 to Industrial in order to allow for a future expansion of the existing facility. Tax Account Nos. 201.02-2-13.111 & part of 201.02-2-13.12.

**Representing Applicant:** Jerry Goldman, Esq., Woods Oviatt Gilman  
Peter Vars, P.E., BME Associates

In regards to the above referenced application, the Planning Board discussed a zoning application for SPS Medical. The project consists of rezoning six point six (6.6) acres of Commercial B-1 property

and a portion of nine (9) acres of Rural Residential (RR-2) to Industrial. The company needs the additional land rezoned in order for their facility to be expanded. There would not be any need to expand any of the existing utilities in order to service the future building expansion. The Town's 2011 Strategic Update to the Comprehensive Plan recommended rezoning the proposed site to Industrial. It was also noted that a formal site plan will have to be submitted to the Planning Board for review and approval and a resubdivision plan could be reviewed through the Town's administrative subdivision process as two (2) lots are being subdivided into two (2) new lots. (A portion from RR-2 will be combined with the current Commercial B-1 land to make a new lot that will be zoned at Industrial if passed; remaining land of the RR-2 parcel will remain as RR-2.) A public hearing for the rezoning project is schedule for December 20, 2017 via the Town Board meeting. (*Town Clerk's Note: The Town Board declared Lead Agency for the project on December 6, 2017.*) The Planning Board made a motion to positively recommend to the Town Board the rezoning from Commercial B-1 and Rural Residential RR-2 to Industrial.

**On motion of**  
Matthew Borkowski

**Seconded by**  
Lawrence Neill

Duly put to a vote:

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

**Motion Carried**

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A motion to adjourn was made by Patricia Brill and passed unanimously at 8:27 p.m.

Respectfully submitted,



Heather Voss  
Deputy Town Clerk