

TOWN OF HENRIETTA PLANNING BOARD

May 1, 2018

AGENDA

Peter Minotti, Chairman
James Grunert, Vice-Chairman
Lawrence Neill
Stephen R. MacIntyre
Patricia Brill
Matthew Borkowski
Douglas Rivers
Daniel Mastrella, Esquire

MAIN MEETING ROOM

ROLL CALL: 7:00 PM

MINUTES: March 27, 2018 & April 10, 2018

APPLICATIONS:

Application No. 18-003 Racquet Club Student Housing – For final site plan approval of a new apartment building for student housing on 12.4 acres located at 4000 East River Road in a Residential R-2-15 Zoned District. Tax Account No. 174.01-2-58.1.

Application No. PB-312.2 Howlett Farm Subdivision – Section 2 - For final subdivision approval of a proposed subdivision consisting of 37 residential lots located at the southeast corner of East River Road & Erie Station Road in a Residential R-1-15 Zoned District. Tax Account Nos. 188.03-1-7.1, 188.03-1-16.2, 188.02-1-45.1, 188.03-1-16.12 and 188.04-1-40.

Application No. PB-316 East River Professional Park – For final subdivision approval of a 6 lot re-subdivision of an office park on 8 acres of land located at 250 Lucius Gordon Drive in an Industrial Zoned District. Tax Account No. 174.02-1-37.12.

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| <p>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 May 8, 2018 at 7:00 p.m. in Main Meeting Room</p> |
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**TOWN OF HENRIETTA
PLANNING BOARD MINUTES
May 1, 2018**

A regularly scheduled meeting of the Henrietta Planning Board was held on Tuesday, May 1, 2018 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
James Grunert, Vice-Chairman
Lawrence Neill
Patricia Brill
Matthew Borkowski
Douglas Rivers
Daniel Mastrella, Esquire

MEMBERS ABSENT: Stephen R. MacIntyre

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 March 27, 2018 as presented.

On motion of
Matthew Borkowski

Seconded by
James Grunert

Duly put to a vote:

| | | |
|-------------------------|--------|--------|
| Douglas Rivers | voting | Aye |
| Matthew Borkowski | voting | Aye |
| Patricia Brill | voting | Aye |
| James Grunert | voting | Aye |
| Stephen R. MacIntyre | voting | Absent |
| Lawrence Neill | voting | Aye |
| Peter Minotti, Chairman | voting | Aye |

Motion Carried

The second item on the agenda is the approval of the Regular Meeting Minutes of April 10, 2018 as presented.

On motion of
Matthew Borkowski

Seconded by
James Grunert

Duly put to a vote:

| | | |
|-------------------------|--------|--------|
| Douglas Rivers | voting | Aye |
| Matthew Borkowski | voting | Aye |
| Patricia Brill | voting | Aye |
| James Grunert | voting | Aye |
| Stephen R. MacIntyre | voting | Absent |
| Lawrence Neill | voting | Aye |
| Peter Minotti, Chairman | voting | Aye |

Motion Carried

Application No. 18-003 Racquet Club Student Housing – For final site plan approval of a new apartment building for student housing on 12.4 acres located at 4000 East River Road in a Residential R-2-15 Zoned District. Tax Account No. 174.01-2-58.1. **(SEQR – Uncoordinated Review: Consider Determination of no Significant Adverse Environmental Impacts)**

Representing Applicant: Jess Sudol, P.E., Passero Associates
 Jerry Goldman, Woods Oviatt Gilman
 Tom George, 4000 River Road, LLC

In regards to the above referenced application, the applicant stated that all staff comments can be addressed. The project consists of constructing a new apartment building for student housing that will include 81 units located directly adjacent to two existing four story apartment units. A shuttle bus service will be provided from the apartments to the R.I.T. campus. Each bedroom unit will have it own key fob so there will not be any double occupancy allowed. A concrete sidewalk will be provided along Fairwood Drive. The applicant will provide either approximately \$91,000.00 towards any necessary improvements along the East River Road corridor or they will provide a second means of egress to Linhome Drive. The applicant has incorporated the Town's new "Design Guidelines for Multiple Dwelling Facilities" into this project. The applicant has submitted for review and approval three variances from the Henrietta Zoning Board of Appeals for two side setback variances and as well as a variance for a reduction in parking; these applications will be heard on May 2, 2018 by the Zoning Board of Appeals. The applicant must also secure a Negative Declaration for the purpose of an Uncoordinated Review by the Zoning Board of Appeals and the Town Board, as well as approval for a Special Use Permit from the Henrietta Town Board which will be heard on May 9, 2018.

On the Motion of
Chairman Peter Minotti

Seconded by
Matthew Borkowski

WHEREAS, applications have been filed with the Town of Henrietta by 4000 River Road, LLC (the "Applicant") with respect to its property at 4000 East River Road, which currently includes two buildings with a total of 102 units of off-campus student housing, commonly known as the Racquet Club, in connection with the Applicant's request to rehabilitate two existing 51 unit buildings including improving their interior finishes to more modern standards, and construction of a new three story building to include 81 new residential units, to serve primarily students of RIT (the "Project"), and

WHEREAS, the Project is subject to the State Environmental Quality Review Act ("SEQR"), constitutes an Unlisted Action, and SEQR will be completed via an Uncoordinated Review, and

WHEREAS, the Project requires a Special Use Permit from the Henrietta Town Board, Site Plan approval from the Henrietta Planning Board, and variances from the Henrietta Zoning Board of Appeals, and

WHEREAS, the Henrietta Planning Board has carefully considered all relevant documentary, testimonial, and other evidence submitted and collected, and makes the findings of fact set forth at Schedule A hereto, which Schedule A is made a part hereof, and

WHEREAS, the Planning Board has duly considered and examined all relevant environmental issues and has completed Parts 2 and 3 of the EAF, and carefully considered the information contained therein.

THEREFORE, BE IT RESOLVED, the Planning Board hereby approves the attached Part 2 of said EAF.

BE IT FURTHER RESOLVED, that the Planning Board hereby finds that the Project will not have any significant adverse environmental impacts, as more fully set forth in Part 3 of the EAF, including in the

attachment thereto.

BE IT FURTHER RESOLVED, that the Planning Board hereby approves Part 3 of the EAF, confirming its findings in Part 2 of the EAF, and setting forth its basis and reasoning for finding that there are no potential significant adverse environmental impacts.

BE IT FURTHER RESOLVED, that the Planning Board hereby authorizes the Chairperson to execute Part 3 of the EAF.

BE IT FURTHER RESOLVED, that in accordance with its adoption of Part 3 of the EAF, the Planning Board hereby issues a Negative Declaration with regard to the Action, finding that the Project will not have any significant adverse environmental impacts.

BE IT FURTHER RESOLVED, that the Planning Board hereby directs that the Negative Declaration be filed in accordance with SEQR Regulations.

BE IT FURTHER RESOLVED, that the Chairperson is authorized to execute such necessary documents and to take such other actions as will facilitate an orderly and proper SEQR process.

Duly put to a vote:

| | | |
|-------------------------|--------|--------|
| Douglas Rivers | voting | Aye |
| Matthew Borkowski | voting | Aye |
| Patricia Brill | voting | Aye |
| James Grunert | voting | Aye |
| Stephen R. MacIntyre | voting | Absent |
| Lawrence Neill | 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. This approval is conditioned upon the applicant receiving approval for Special Use Permit from the Henrietta Town Board as well as approval from the Henrietta Zoning Board of Appeals for three variances. The applicant must also receive a Negative Declaration for the purpose of an Uncoordinated SEQR Review from both the Town Board and the Zoning Board of Appeals.

On the Motion of
Peter Minotti

Seconded by
Patricia Brill

Duly put to a vote:

| | | |
|-------------------------|--------|--------|
| Douglas Rivers | voting | Aye |
| Matthew Borkowski | voting | Aye |
| Patricia Brill | voting | Aye |
| James Grunert | voting | Aye |
| Stephen R. MacIntyre | voting | Absent |
| Lawrence Neill | voting | Aye |
| Peter Minotti, Chairman | voting | Aye |

Motion Carried

Application No. PB-312.2 Howlett Farm Subdivision – Section 2 - For final subdivision approval of a proposed subdivision consisting of 37 residential lots located at the southeast corner of East River Road & Erie Station Road in a Residential R-1-15 Zoned District. Tax Account Nos. 188.03-1-7.1, 188.03-1-16.2, 188.02-1-45.1, 188.03-1-16.12 and 188.04-1-40.

Representing Applicant: Lucas Bushen, Marathon Engineering
Richard Tiede, Marathon Engineering

In regards to the above referenced application, the applicant stated that all staff comments can be addressed. The project consists of constructing 37 residential single family home lots under the cluster subdivision Town Law §278. Street trees will be provided for each lot. It was noted that the archeological study has been completed and provided to the Town for review.

A motion for final subdivision 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
James Grunert

Seconded by
Matthew Borkowski

Duly put to a vote:

| | | |
|-------------------------|--------|--------|
| Douglas Rivers | voting | Aye |
| Matthew Borkowski | voting | Aye |
| Patricia Brill | voting | Aye |
| James Grunert | voting | Aye |
| Stephen R. MacIntyre | voting | Absent |
| Lawrence Neill | voting | Aye |
| Peter Minotti, Chairman | voting | Aye |

Motion Carried

Application No. PB-316 East River Professional Park – For final subdivision approval of a 6 lot re-subdivision of an office park on 8 acres of land located at 250 Lucius Gordon Drive in an Industrial Zoned District. Tax Account No. 174.02-1-37.12.

Representing Applicant: Randy Mauger, North Forest Office Park, General Manager

In regards to the above referenced application, the applicant stated that all staff comments can be addressed. The setback issues of the future buildings were discussed with the Board and it was noted that several variances will need to be obtained from the Zoning Board of Appeals. The building elevations for the other five remaining vacant lots will have to come back to the Planning Board as a discussion item so that they can review colors and building materials. If it is found that there is a significant change from this overall approved site plan, then the project will need to return for Planning Board review and approval as well.

A motion for final subdivision 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

Patricia Brill

Seconded by

Lawrence Neill

Duly put to a vote:

| | | |
|-------------------------|--------|--------|
| Douglas Rivers | voting | Aye |
| Matthew Borkowski | voting | Aye |
| Patricia Brill | voting | Aye |
| James Grunert | voting | Aye |
| Stephen R. MacIntyre | voting | Absent |
| Lawrence Neill | voting | Aye |
| Peter Minotti, Chairman | voting | Aye |

Motion Carried

(Town Clerk's Note: The Planning Board also reviewed the western building elevations for Application No. 18-002 for the McDonald's project. The Planning Board discussed the revised western elevations that the applicant submitted, however the Board still has some concerns. After much discussion, the Board would like to see one or more of the following revisions to the western building elevations:

- *Fake windows*
- *Higher parapet at the drive-thru windows*
- *Roof line modification at the drive-thru windows*
- *Either two smaller or one larger McDonald's arch similar to the one provided on the eastern or southern building elevations.*

The Board moved to table the discussion and to continue the condition that there should be revisions made to the western building elevations subject to the review and approval by the Town Engineer and the Planning Board Chairman.)

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

Respectfully submitted,



Heather Voss
Deputy Town Clerk

Project :

Date :

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>