

**Minutes of the Town of Perinton
Planning Board Meeting of February 18, 2015**

Planning Board Members Present

Mark Anderson, Chairman
T.C. Lewis
James P. Brasley
Kenneth O'Brien
Craig Antonelli
Norm Gardner
Sandra Neu

Conservation Board Members Present

Barb Wagner

Town Officials Present

Robert Place, Town Attorney
Robert Kozarits, Town Engineer
Lori Stid, Planning Board Clerk

Absent

Thomas Beck, Commissioner, DPW
Michael Doser, Director Code Enforcement & Development (CED)

Mr. Anderson called the meeting to order at 7:30 pm, introduced the Board and staff present, and explained the procedures.

Mr. Anderson asked the Clerk for proof of publication and proof of Notice of Application Received Sign posting (NOA). Proof of publication was given in the Fairport East Rochester Post on February 12, 2015 and NOA signage was posted on 2/4/15.

Mr. Anderson states that the Planning Board did hear this application on 1/7/15, 2015; unfortunately the NOA signage was not posted and as a result the Planning Board is hearing this request again.

Mr. Anderson states that the Board will hear the site plan request and then the sign and discuss both afterward.

New Application(s):

Lyons National Bank – Perinton branch – northeast corner of O'Connor Road & Fairport Road intersection. BME Associates, as agent for Lyons National Bank, contract vendee of property owned by DiPrima Properties II, LLC and located at northeast corner of O'Connor Road and Fairport Road intersection (tax id#152.11-1-36) from the re-subdivision of Lots 2 and 3 of CVS Subdivision), requesting preliminary and final site plan approval for proposed development of 1.16 acre site for a new 5,176 s.f. branch for Lyons National Bank.

Presenter: BME Associates, Linc Swedrock, P.E.
Zoned: Commercial

Linc Swedrock, BME Associates presented the plan to the Board per letter of intent as shown below. With him is Tom Kime, Chief Operating Officer of Lyons National Bank, and Jeff Ashline, Mossien Associates (architect for the project).

BME | ASSOCIATES

ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS

February 4, 2015

Planning Board
Town of Perinton
1350 Turk Hill Road
Fairport, NY 14450



Attn: Lori Stid

Re: Lyons National Bank – Perinton Branch

2438

Dear Board Members:

On behalf of Lyons National Bank, we are pleased to submit Site Plans for Preliminary/Final Site Plan re-approval, as well as the Signage Application for the above-referenced project. The following application materials are enclosed for your review:

- Fifteen (15) copies of the Preliminary/Final Site Plans
- Fifteen (15) copies of the Architectural Building Elevations
- Fifteen (15) copies of the previous Letter of Intent, dated December 5, 2014
- Ten (10) copies of the Signage Application

This project was previously presented to the Planning Board at their January 7, 2015 meeting, where Preliminary/Final Site Plan approval was granted. However, subsequent to that meeting, we were notified by the Town of Perinton, Director of Code Enforcement & Development, that the “Application Received” sign was not posted on the parcel prior to the January 7, 2015 meeting; as required per Town Law. In response to this, we were requested to re-appear before for the Planning Board at their February 18, 2015 meeting for Preliminary/Final Site Plan re-approval.

The Signage Application for the proposed Lyons National Bank is also now enclosed for review, as it was not previously submitted for Planning Board review at the January 7, 2015 meeting.

All required variances for this project (as mentioned at the January 7, 2015 Planning Board meeting) were granted by the Zoning Board of Appeals at their January 26, 2015 meeting.

Finally, we are also requesting a parking side setback waiver from the Planning Board, as part of the Site Plan approval process, to allow a reduction in the required Parking setbacks per §208-16C(2) of the Town Code. The Planning Board granted the requested parking front setback waivers at the January 7, 2015 meeting; however, a waiver for the parking side setback is still required.

We look forward to appearing before the Planning Board on February 18, 2015 to present this project for Preliminary/Final Site Plan approval and Signage approval.

Thank you for your consideration, and please contact our office if you require any additional information prior to the meeting.

This request is consistent with the approval that was given to the project by this Board on 1/7/15 and previous letter of intent dated 12/5/14 as shown below.



December 5, 2014

Planning Board
Town of Perinton
1350 Turk Hill Road
Fairport, NY 14450

Attn: Lori Stid

Re: Lyons National Bank – Perinton Branch

2438

Dear Board Members:

On behalf of Lyons National Bank, we are pleased to submit Preliminary / Final Site Plans for the above-referenced project, and have enclosed the following application materials for your review:

- Fifteen (15) copies of the Preliminary / Final Site Plans
- Fifteen (15) copies of the Planning Board Application
- Fifteen (15) copies of the Owner Authorization to Make Application
- Fifteen (15) copies of the Short Form EAF
- Fifteen (15) copies of Property Deeds
- Fifteen (15) copies of the Preliminary Review Checklist
- Fifteen (15) copies of the Final Review Checklist
- Five (5) copies of Engineer's Report
- MCDPD Referral Form
- \$250.00 Site Plan Application Fee for Preliminary Approval
- \$250.00 Site Plan Application Fee for Final Approval
- Memo from BME Associates dated December 4, 2014 for a project comparison between the Commercial Zoning District and the proposed future Mixed Overlay Zoning District.
- Architectural Elevations
- Lighting Cut Sheets

The proposal is for the development of the 1.16 acre site for a new 5,176 gross s.f. branch for Lyons National Bank. The property is located at the northeast corner of the NYS Route 31F and O'Connor Road intersection. The property is zoned CO- Commercial District.

Access to the property will be from existing curb cuts on NYS Route 31F and O'Connor Road. The proposal provides parking for 28 vehicles, and the proposed building will be served by public water and sewer. Other features of the proposal include a sidewalk connection from the site to the sidewalk along NYS Route 31F to allow for pedestrian access. The plans also include a landscaping and lighting plan.

Drainage will be collected and conveyed to an existing 12" storm sewer stub left for the site with the construction of O'Connor Road. The proposal represents a reduction of 25% impervious from the existing impervious area of the site.

We will be requesting area variances from the Zoning Board of Appeals from Articles V and Article VII as follows:

- 208-14E(2): Front setback reduction from 100' to 14'
- 208-42H: Reduction in front landscaping area from 50' to +/-4'
- 208-16C(1)(c): Parking screening in front setback
- 208-16A(11): Reduction of required ATM stacking spaces from the required 30 (10 per lane) to the proposed 9 (3 per lane)

We would look for the Planning Board to discuss this request at your January 7, 2015 meeting to provide the recommendation to the Zoning Board for their January 26, 2015 meeting.

We would also be requesting waivers from the Planning Board as part of the Site Plan approval process to allow reduction in the required Parking setbacks per 208-16C(2).

We have attached a memo dated December 4, 2014 providing a comparison with the Commercial (CO) and the Mixed Use (MU) zoning district as discussed with Town staff at a Site Plan Review Committee meeting on December 4, 2014.

We would like to appear before you on January 7, 2015. We would present the project and request you hold a public hearing for the proposal.

Thank you for your consideration and please contact our office if you require any additional information prior to the meeting.

BME ASSOCIATES

ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS

MEMORANDUM

To: Town of Perinton Planning Board; c/o Mike Doser

From: Andrew Spencer; BME Associates *AS*

Date: December 5, 2014

Re: Lyons National Bank Zoning Requirement Comparison 2438
(C) Commercial and (MU) Mixed Use Districts

The following information is being provided to assist in the evaluation of the project between the current regulations required in the C (Commercial) District to the possible future requirements within the currently proposed MU (Mixed Use) District. The variances and waivers listed are based upon the current C zoning classification.

Typical Lot Standards

	<u>Required (C)</u>	<u>Required (MU)</u>	<u>Proposed</u>
Minimum Lot Area	40,000 SF	10,000 SF 1 Acre maximum*	1.16 Acres *
Minimum Lot Width	200 FT	80'	233' (Fairport Road) 346' (O'Connor Road)
Minimum Lot Depth	N/A	N/A	N/A
Setbacks (Building)			
Front	100'	Min 10'-Max 30'	14'***
Side	30'	15'	79'
Rear	30'	15'	N/A (corner lot)
Max Building Height	3 stories (40')	2 stories (35')	33' (32'-11")
Min Building Height	1 story	22'	33' (32'-11")
Lot Coverage (Max Impervious)	N/A	75%	+/- 48%
Minimum Greenspace	35%	25%	+/- 52%
Maximum Building Coverage	30%	N/A	+/- 10%
Landscape Buffer	50'	N/A	4'***

Drive thru stacking spaces	10 per lane (30)	10 per lane (30)	3 per lane (9)**
Parking Setbacks			
Front	100'	Not allowed	4'***
Side	15'	Allowed (10' behind front of Bldg.)	8'***
Rear	15'	Allowed (not enumerated)	N/A (corner lot)
Parking Screening	Front to be screened with 40' wide berm	N/A	N/A**

*Would require Special Permit to be issued by the Town Board under the possible future MU Zoning District.

** Variances will be requested from the Town of Perinton Zoning Board of Appeals from Article V and Article VII as follows:

- 208-14E(2): Front setback reduction from 100' to 14'
- 208-42H: Reduction in front landscaping area from 50' to +/-4'
- 208-16C(1)(c): Parking screening in front setback
- 208-16A(11): Reduction of required stacking spaces from 30 (10 per lane) to 9 (3 per lane)

*** Waiver from the Planning Board will be requested as part of the Site Plan approval process to allow reduction in the required Parking setbacks per 208-16C(2)

On 1/26/15, the Zoning Board of Appeals granted the following variances of the Town of Perinton Zoning Ordinance:

1. Section 208-14 E (2) to allow the front setback (Fairport Road) to be 30 feet from the pavement edge instead of 100 feet.
2. Section 208- 42D to allow the front setback (O'Connor Road) to be 48 feet instead of 85 feet.
3. Section 208-42 H to allow the front landscaping buffer to be 4 feet instead of 50 feet.
4. Section 208-16 C (1) (c) to not have front setback screening landscaped berm for parking instead of the required screened landscaped berm.

Section 208-16 A (11) to allow the drive up teller stacking space to be 9 reservoir spaces (3 per lane) instead of 30 reservoir spaces (10 per lane)

They have met with the DPW and the Conservation Board. They provided the Planning Board with a sketch of the proposed pocket park on 2/16/15. This plan has been developed in consultation with the Fairport Partnership design committee.

They ask the Board for a parking setback waiver from 85' to 10' off of the ROW on O'Connor Road and from 100' from the pavement edge to 25' from pavement edge along Fairport Road and from 15' to 8' along the east property line.

There is a sidewalk connection to Route 31F. The parking is behind the building and not in front of the building.

Sign(s):

Lyons National Bank - northeast corner of O'Connor Road and Fairport Road intersection (tax id#152.11-1-36)

Jeff Ashline, Mossien Associates Architects presented the sign application to the Board.

Signage is proposed on all four sides of the building. The west and the north are approximately 35 sf each and the east and the south are 10 sf each with a total of about 90 sf. This is about half of what is allowed under zoning. Each of the small entrances on the east and south will have the smaller sign and the O'Connor Road (facing drive thru) as well as the intersection will have the larger signs. The signs will be lit by a slim arm that comes back and shines back on the signs on the building. They are acrylic and will be flush mounted to the building. They are not internally illuminated. The fixture will likely be an LED.

Mr. Anderson inquires if the fixtures are identified on the plans that the Board has. Mr. Ashline states that they are on the large set of plans.

Mr. Anderson asked for questions or comments from the Conservation Board. Ms. Wagner states that the Conservation Board is prepared to make a SEQR recommendation.

Mr. Anderson asked for questions or comments from DPW. Mr. Kozarits states that DPW issued comments as follows:

- 1. This project received preliminary and final site plan approval at the January 7, 2015 Planning Board meeting. We have no additional comments on this application.**

All of the comments that the DPW had at the time of the January meeting have been addressed.

Mr. Anderson asked for questions or comments from CED. Mr. Beck states that CED issued comments on the proposed signage as follows:

CED Comments:

- 1. Reference Code Section 174-9 D (2): Building-mounted signs shall not exceed 1 1/2 square feet of area for each linear foot of the first 100 linear feet of building frontage, plus one square foot of sign area for each linear foot over 100 linear feet of building frontage. No such sign shall exceed 200 square feet in area.**
- 2. The applicant is proposing four signs to be located on the building: sign #1 west elevation (35 sq. ft.), sign # 2 south elevation (10 sq. ft.), sign #3 north elevation (35 sq. ft.), sign # 4 east elevation (10 sq. ft). The total sign square footage is to be 90 sq. ft.**
- 3. The total building linear frontage is 136 feet. (The west elevation is 74 feet and the south elevation is 62 feet). The total allowable sign dimension is 186 sq. ft.; the total proposed dimension is 90 sq. ft. The proposed sign application meets Town code.**
- 4. A sign permit is to be issued within six months.**

Mr. Beck states that CED issued comments on the proposed site plan as follows:

- 1. Pursuant to Section 208-16 C (2), the Planning Board will need to grant a waiver for the parking lot setbacks - front setbacks (Fairport Road and O'Connor Road), and a side setback waiver (bordering the Muffler Shop).**

Mr. Anderson asked for questions or comments from Attorney Place, and there were none.

Mr. Anderson asked for questions or comments from the audience, and there were none.

Mr. Kime states that they have changed the lighting to correspond with the lighting that the Board wanted.

Ms. Neu states that she doesn't have a submission of the lighting fixture. Mr. Swedrock states that only the DPW received that in the site plan they sent them. They went back to the original fixture that the Board wanted. Ms. Neu likes the elevations and feels that this conforms to the Master Plan. She would like to see the street number shown on the signs for the west and south elevations.

Mr. Gardner is in support of the application overall. It will be a beautiful building. He likes the parking in the back. He feels this is consistent with the Fairport Road Corridor Master Plan. He feels the signage is appropriate. He inquires if there will be directional signage in the parking lot. Mr. Swedrock states that there will be directional signage. This is a very small pocket park. He likes what they have conceptually. He feels it is up to the Board to make sure that this corner gets developed in a consistent manner. This doesn't match what is at CVS. Mr. Gardner would like to see some more mature landscaping and provide some elevation breakup in the small area.

Mr. Antonelli supports the application. It is a great plan. He likes the architecture and feels the signage is attractive. He inquires if the light fixture is a gooseneck. Mr. Ashline states it is a single slim arm that goes straight out with a small head on the end that telescopes down and flares out at the bottom. Mr. Antonelli inquires what will be lit. Mr. Ashline states it will be the sign. Mr. Antonelli would like to the light only on the sign. He supports the pocket park, although the landscaping is vague. He supports the site plan, the signage and the parking setbacks.

Mr. O'Brien supports the site plan. He inquires if they are proposing signage for the drive-thru/ATM as none are shown and they should be. Mr. Ashline states that it takes the place of directional signage and was not included. Mr. O'Brien feels it should have been part of the sign application. Mr. Anderson inquires if they are less than 2 square feet. Mr. Ashline states that they are 2' X 6". Mr. Anderson states that anything less than 2 sq feet is not considered a sign. Mr. Anderson states that most banks that have applied for signage have shown this on the sign application that was presented to the Board. Mr. O'Brien supports the pocket park and the parking setbacks.

Mr. Brasley reviewed the conditions of preliminary and final approval from the 1/7/15 meeting and verified with the applicant that they were all met, as follows:

- 1. Satisfaction of any remaining concerns of the DPW.**
- 2. Applicant shall obtain any necessary variances from the Zoning Board of Appeals and list the variances and the date granted on the final plans submitted for signature.**
- 3. Applicant shall add the drainage infiltration feature at the north end of the parking lot as recommended by the Town Engineer tonight.**
- 4. The applicant shall complete the pocket park design at the corner of Fairport Road and O'Connor Road to the satisfaction of the Planning Board site plan committee and detail shall be shown on final plans submitted for signature.**
- 5. Applicant shall change the curb cuts tapers at Fairport Road and O'Connor Road as recommended by the Town Engineer tonight.**
- 6. Applicant shall change the lighting back to an acorn type fixture to the satisfaction of DPW.**
- 7. Final drawings submitted for signature shall show a bike rack on the bike rack pad.**
- 8. This approval includes no signage; any signage is a separate application which shall be reviewed by the Planning Board.**

9. Applicant shall add a note to the final plans submitted for signature to show any waivers granted by the Planning Board and the date granted by the Planning Board.

Mr. Swedrock acknowledges that the conditions of approval have been met. Mr. Kozarits acknowledges the conditions related to DPW/Town Engineer concerns have been met. Mr. Brasley states that he supported it in January and he supports it now. He feels the pocket park will be a nice feature and this is a good improvement to the Fairport Road corridor. He supports the proposed signage and the waivers. He inquires who will maintain the landscaping /litter of the pocket park. Mr. Kime states that the Bank will.

Mr. Lewis supports the site plan and the signs and feels this will be an attractive building. He doesn't feel that the sign to the east is needed. He likes the pocket park and feels it will be a good amenity to the area. He feels bad that the applicant had to come back in again for approval.

Mr. Anderson supports the request for site plan and signage. He likes the pocket park and wishes that it could have been mimicked on the other side. He inquires about the Fairport Partnership design committee as he is not familiar with it. Mr. Swedrock states that they have been involved in this area. Mr. Kime states that there will be some type of map showing trails, etc. Mr. Anderson would like to use this as a standard for development for this corner. This is a big step to improving the Fairport Road corridor. He apologizes that the applicant had to come back again.

Mr. Anderson suggests that they start with the sign for a motion.

Ms. Neu made a motion to grant sign approval for sign application submitted to the Town on 2/4/15, subject to the following conditions:

1. Applicant to add the street number to the south and west elevations.
2. Four signs to be located on the building: sign #1 west elevation (35 sq. ft.), sign # 2 south elevation (10 sq. ft.), sign #3 north elevation (35 sq. ft.), sign # 4 east elevation (10 sq. ft). The total sign square footage is to be 90 sq. ft.
3. Applicant to obtain sign permit within 6 months.
4. Any directional signage to be less than 2 square feet.

Mr. Lewis seconds the motion.

Motion carries 7 – 0.

Mr. Anderson states that now they will address the site plan.

Mr. Anderson asked the Conservation Board for a SEQR recommendation.

Ms. Wagner states that the Town of Perinton Conservation Board (PCB) has reviewed the application by Lyons National Bank requesting preliminary and final site approval for development of a 1.16 acre site for a new 5,176 square feet branch office of Lyons National Bank. The site is located at the northeastern corner of the O'Connor Road/Fairport Road intersection. The PCB recommends that this application receive a determination of no significant impacts under the State Environmental Quality Review Act (SEQRA) based on the following findings:

1. The proposed development will result in a 26% decrease in impervious surface.
2. The decrease in impervious surface by itself meets the state and Town requirements for stormwater management (quantity and quality). However, in light of the proximity of the site to a wetland area, the applicant proposes to provide additional treatment and control by means of a bioretention area.
3. Development of the site represents a beneficial re-use of a formerly petroleum-impacted site as well as redevelopment of a previously developed site.
4. The bioretention area has been designed to isolate infiltrating stormwater from potential residual contamination that may be present in the soil or groundwater at the site.
5. The site plan preserves existing trees to the extent practicable.
6. Setbacks and building placement generally follow the zoning overlay standards that the Town intends to implement for the 31F corridor.
7. The applicant is providing aesthetic amenities including a pocket park and a fence to provide visual screening at the rear of the property.
8. Overall, the design demonstrates sensitivity to the site through:
 - scale of structures and parking
 - location of structures and parking
 - design of stormwater management practices that takes into account the site history and proximity to a wetland
 - harmonization with the surrounding neighborhood plan

Mr. Lewis made a motion to grant a Negative Declaration of SEQRA for the reasons as cited by the Conservation Board.

Mr. O'Brien seconds the motion.

Motion carries 7 – 0.

Mr. Anderson made a motion to require the applicant to make a contribution to the Town sidewalk fund in an amount to be determined by the Commissioner of Public Works. (sidewalks have already been built in this location)

Mr. Lewis seconds the motion.

Motion carries 7 – 0.

Mr. Brasley made a motion to grant the following parking setback waivers:

1. From 85' to 10' off of the ROW on O'Connor Road
2. From 100' from the pavement edge to 25' from pavement edge along Fairport Road
3. From 15' to 8' along the east property line

This project conforms to the mixed use zoning that the Town is likely going to rezone this parcel to. It also conforms to recommendations of Fairport Road studies and the Comprehensive Plan.

Mr. O'Brien seconds the motion.

Motion carries 7 – 0.

Mr. Brasley made a motion to grant preliminary plan approval for proposed development of 1.16 acre site for a new 5,176 s.f. branch for Lyons National Bank for plans received by the Town on 2/4/15 and for the pocket park layout received by the Town on 2/17/15, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. Applicant shall list the variances and the date granted by the ZBA on the final plans submitted for signature.
3. Applicant shall list the waivers and the date granted by the Planning Board on the final plans submitted for signature.
4. The pocket park shall identify the individual landscape plantings being proposed and detail shall be shown on final plans submitted for signature.
5. Maintenance of the landscaping of the pocket park shall be by the Lyons National Bank.

Mr. Lewis seconds the motion.

Motion carries 7 – 0.

Mr. Brasley made a motion to grant final site plan approval for proposed development of 1.16 acre site for a new 5,176 s.f. branch for Lyons National Bank for plans received by the Town on 2/4/15 and for the pocket park layout received by the Town on 2/17/15, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. Applicant shall list the variances and the date granted by the ZBA on the final plans submitted for signature.
3. Applicant shall list the waivers and the date granted by the Planning Board on the final plans submitted for signature.
4. The pocket park shall identify the individual landscape plantings being proposed and detail shall be shown on final plans submitted for signature.
5. Maintenance of the landscaping of the pocket park shall be by the Lyons National Bank.

Mr. Lewis seconds the motion.

Motion carries 7 – 0.

Mr. Antonelli excused himself and left the meeting.

Discussion:

**Recommendation to Town Board – proposed Whitney Town Center
Proposal to rezone a portion of parcel (tax id #152.07-1-20)-approximately 5.5 acres from Industrial to Residential B**

Mr. Place states that at the time the Special Use Permit was granted, the Town Board made it a condition of approval that this portion be rezoned. (see below)

By resolution of the Perinton Town Board, at a meeting on July 9, 2014, the Special Use Permit for Whitney Town Center LLC was approved subject to the following conditions:

1. **The site plan is to resemble the general layout of the concept plan that was submitted to the Town on Oct. 29, 2013.**
2. **The senior citizen apartments are to be limited to ages 55 and older, by a filed deed restriction.**
3. **The senior citizen apartments are to be limited to three buildings and are not to exceed 151 total units.**
4. **Building A is not to exceed three stories.**
5. **Building B is not to exceed three stories.**
6. **Building C is not to exceed two stories.**
7. **The senior citizen apartment buildings are to implement the architectural standards of the anticipated Mixed Use District zoning.**
8. **Existing Building 1 is to implement the uses and architectural standards of the anticipated Mixed Use District zoning.**
9. **The northern portion of the property should be rezoned to Residential B, with the zoning line extending from the rear property line of 644 Whitney Road West across parcel ID 152.07-1-20 in a straight line.**

Mr. Stapleton presents the proposal to the Board. With him is Jim Taylor of Whitney Town Center, LLC, the sponsor for the project. The request is for a rezoning of approximately 5.5 acres of land from Industrial Zoning to Residential B zoning. The location of the land is located on the north side of Whitney Road and about 450' east of O'Connor Road. The building in front is

the vacant former Rochester Telephone building (666 Whitney Road). Mr. Stapleton stated that the two properties that make up the project are 666 Whitney Road (tax id # 157.07-1-21 – approximately 3.6 acres) and vacant land (northern portion - tax id# 157.07-1-20 – approximately 14.73 acres). Whitney Town Center is a proposed development being designed to consist of one building of about 28,500 sq. ft. of retail (old Rochester Telephone building) and 151 apartments primarily for seniors. Whitney Town Center, LLC received a Special Use Permit from the Town Board on July 9, 2014 to allow the use of Public Buildings and Grounds as an overlay district. They also received a negative SEQRA determination at that time. At that time the Town Board made it a condition of approval that they apply back to the Town Board to rezone a portion of land that is 5.6 acres. Currently, the entire parcel is zoned Industrial. The southern portion of the property will remain industrial and the northern portion rezoning request is to provide a level of comfort for the neighbors to the north that this area is intended for residential uses. There is no change to the layout of the plan or the public buildings and grounds overlay, and is in response to one of the conditions outlined in the granting of the Special Use Permit.

He states that they made submission last week to the Planning Board for 3/18/15 pending approval from Town Board for the proposed rezoning, for Whitney Town Center, LLC which is requesting preliminary and final site plan approval for rehabilitation of existing 28,500 square foot building into a retail/office building with associated parking, three residential buildings consisting of 151 apartment units with associated parking, gazebo and outdoor pavilion.

Mr. Anderson asked for questions or comments from the Conservation Board. Ms. Wagner states that the Conservation Board will be writing a recommendation to the Town Board and feel that it will be a benefit to the residents. They do have some site plan questions that will be reviewed at time of site plan.

Mr. Anderson asked for questions or comments from DPW. Mr. Kozarits states that DPW has no concerns with the rezoning.

Mr. Anderson asked for questions or comments from CED. Mr. Beck states that CED has no concerns with the rezoning.

Mr. Anderson asked for questions or comments from Attorney Place and there were none.

Mr. Anderson states that the Planning Board reviewed the proposal for the SUP last year and supported the SUP at that time. He is pleased that this is being developed. This will be a project that will help to revitalize Whitney Road. Ideally, he would like to see this rezoned to Mixed Use, but acknowledges that they are not to that point yet. They are looking at a number of parcels on Whitney Road, but have not finalized the approach to Mixed Use. He states that the zoning line is proposed to go through the apartment building and wonders if that will be an issue with lenders. Mr. Taylor states that it has not been an issue yet. Mr. Anderson supports the rezoning. This is currently zoned industrial and this is a better use.

Mr. Lewis is in favor of the use and the rezoning and is a good change.

Mr. Brasley supports the rezoning as it will provide a residential buffer to the residential lands to the north.

Mr. O'Brien supports the rezoning.

Mr. Gardner supports the rezoning and feels that it provides a good buffer.

Ms. Neu is in favor of the rezoning.

Mr. Anderson states that he will write a memo to the Town Board regarding the proposed rezoning of 5.655 acres of the total 18.33 acres of the project site at Whitney Town Center from Industrial to Residential B.

The Planning Board has previously commented in support of the project's Special Use permit and noted buffering to the residential zoning to the north was appropriate. This proposal properly aligns with existing zoning to the north and will ensure inappropriate uses are not developed adjacent to existing residential. In the future, it might be appropriate to consider the remaining industrial parcel as a candidate for Mixed Use zoning in conjunction with plans for the Whitney Road corridor.

ZBA – 2/23/15

The Planning Board has no comments on the items on this agenda.

Minutes – 1/21/15

Mr. Lewis made a motion to approve the minutes of 1/21/15 as submitted.

Mr. O'Brien seconds the motion.

Motion carries 5 – 0 with one abstention of Mr. Gardner due to absence.

Mr. Anderson noted that Mr. Antonelli is absent for this vote.

There being no further business before the Board, the meeting adjourned at 8:12 PM.

Respectfully Submitted,

Lori L. Stid, Clerk