



a town for a lifetime
IRONDEQUOIT *New York*

SPECIAL TOWN BOARD MEETING
FEBRUARY 28, 2024
11:00 AM

AGENDA

2/26/2024 12:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

ITEM(S) FOR BOARD ACTION:

02A2024-7 Resolution Authorizing the Appointment of an Assessor

02A2024-12 Resolution Regarding State Environmental Quality Review Act Compliance in the Matter of

Rezoning Application for a Portion of 1700 Hudson Avenue, Tax ID No. 091.07-1-96.2 From R-4 Residential to C-Business District

02A2024-13 Resolution Approving an Application on the Matter of Rezoning a Portion of 1700 Hudson Avenue, Tax ID No. 091.07.1.96.2 From R-4 Residential to C-Business District

****Next Workshop Meeting: Monday, March 11, 2024 @ 4:00 pm****
Next Regular Town Board Meeting: Tuesday, March 19, 2024 @ 7 pm

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD ADOPTING A
RESOLUTION APPOINTING AN ASSESSOR**

At a special meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 28th day of February, 2024, at 11:00 a.m. local time, there were

<u>PRESENT:</u>	
Andraé Evans	Town Supervisor
Ann Cunningham	Town Board Member
Grant Malone	Town Board Member
John Perticone	Town Board Member
Peter Wehner	Town Board Member

Harter Secrest & Emery LLP	Attorney for the Town
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Town Board Member _____ offered the following resolution and moved its adoption:

WHEREAS, due to a resignation, there is a vacancy for the position of Assessor; and

WHEREAS, this opening was posted, applications were received, and the interview committee conducted interviews;

WHEREAS, after careful consideration of the application materials and the interview results, the interview committee recommends that the Town Board appoint Anthony Costanza to the position of Assessor; and

WHEREAS, the New York State Department of Taxation and Finance has determined that Mr. Costanza meets the qualifications for the Assessor position; and

WHEREAS, because Mr. Costanza meets the necessary minimum qualifications, he shall serve the remainder of the term of Office for Sole Appointed Assessor ending September 30, 2025, as prescribed by Real Property Tax Law §310 and Town Law § 64(5).

NOW THEREFORE BE IT RESOLVED, that the Town Board appoints Anthony Costanza to serve the remainder of the prior Assessor’s term, which is set to expire September 30, 2025, to be paid an annual salary of \$80,381, which shall be paid from budget code 001.1355.0100.1100.

This resolution shall take effect immediately upon hire.

Seconded by the Town Board Member _____ and duly put to vote, which resulted as follows:

Town Board Member	Perticone	voting	_____
Town Board Member	Wehner	voting	_____
Town Board Member	Malone	voting	_____
Town Board Member	Cunningham	voting	_____
Town Supervisor	Evans	voting	_____

**EXTRACT OF THE MINUTES OF A MEETING OF THE TOWN BOARD
REGARDING STATE ENVIRONMENTAL QUALITY REVIEW ACT COMPLIANCE
IN THE MATTER OF REZONING APPLICATION FOR A PORTION OF 1700
HUDSON AVENUE – TAX ID NO: 091.07-1-96.2 FROM R-4 RESIDENTIAL TO C-
BUSINESS DISTRICT**

At a special meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 28th day of February, 2024, at 11:00 a.m. local time, there were

PRESENT:

Andraé Evans
Ann Cunningham
Grant Malone
John Perticone
Peter Wehner

Town Supervisor
Town Board Member
Town Board Member
Town Board Member
Town Board Member

Harter Secrest & Emery LLP

Attorney for the Town

Town Board Member _____ offered the following resolution and moved its adoption:

WHEREAS, McMahon LaRue Associates, acting as agent for Gregory Carver (the "Applicant"), submitted an application for to rezone a portion of 1700 Hudson Avenue, known as Tax ID No. 091.07-1-96.2 (the "Property") (the "Application"); and

WHEREAS, the Property is currently "split zoned," as the portion of the Property fronting Hudson Avenue is zoned M-Manufacturing and the landlocked portion of the Property is zoned as R-4 Residential; and

WHEREAS, concurrent with the Application, the Applicant will be applying for site plan approval from the Planning Board for certain changes to the Property; and

WHEREAS, given the two distinct applications and their different timing, it is most practical to segment the SEQRA review into two parts, one by the Town Board for the Application, and one by the Planning Board in connection with the site plan review; and

WHEREAS, rezoning the Property is an Unlisted Action under SEQRA; and

WHEREAS, the Town Board has received and reviewed the short Environmental Assessment Form ("EAF") with respect to the rezoning and has considered the potential environmental impacts of rezoning the Property pursuant to the requirements of SEQRA and found that the proposed action will not result in any significant adverse environmental impacts.

NOW THEREFORE BE IT RESOLVED, that the Town Board adopts a Negative Declaration for the Application in the form attached hereto and made a part hereof and determines that no Environmental Impact Statement is required.

AND BE IT FURTHER RESOLVED, that the Town Supervisor shall file the Negative Declaration along with this Resolution with the Town Clerk and forward these documents to any person who requests a copy, maintain the EAF and Negative Declaration in a file regularly accessible to the public.

AND BE IT FURTHER RESOLVED, that the requirements of 6 NYCRR 617 have been met.

This resolution shall take effect immediately upon its adoption.

Seconded by the Town Board Member _____ and duly put to vote, which resulted as follows:

Town Board Member	Perticone	voting	_____
Town Board Member	Wehner	voting	_____
Town Board Member	Malone	voting	_____
Town Board Member	Cunningham	voting	_____
Town Supervisor	Evans	voting	_____

Short Environmental Assessment Form

Part 1 - Project Information

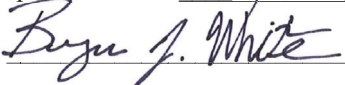
Instructions for Completing

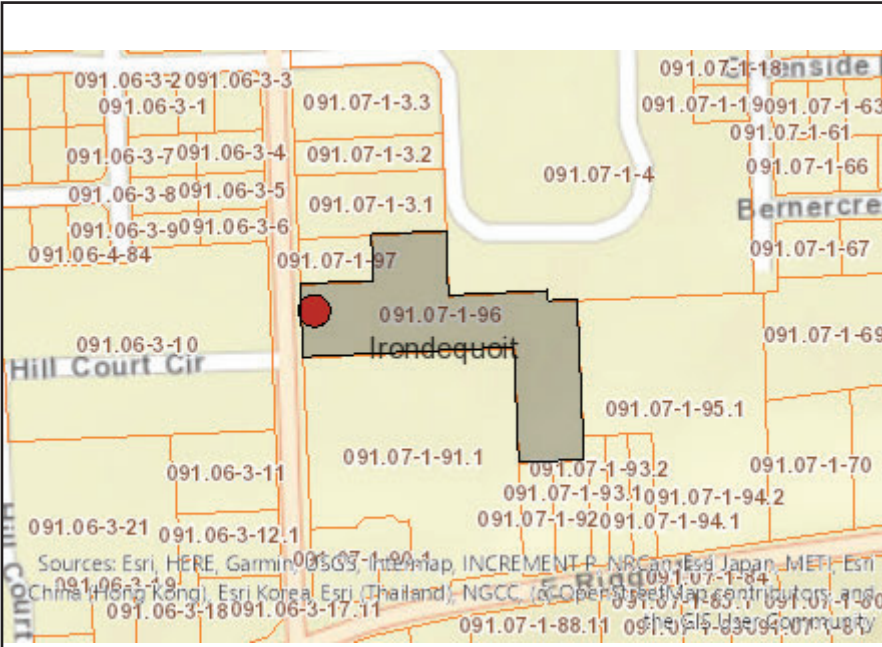
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: EAGLE RIDGE HUDSON RE-SUBDIVISION			
Project Location (describe, and attach a location map): NORTHEASTERLY CORNER OF HUDSON AVENUE AND EAST RIDGE ROAD			
Brief Description of Proposed Action: TO SUBDIVIDE OFF THE SOUTHEASTERLY PORION OF A PARCEL KNOWN AS 1700 HUDSON AVENUE AND COMBINE IT TO AN EXISTING PARCEL KNOWN AS 720 RIDGE ROAD. IN ADDITION TO RE-ZONE THE CONVEYED PARCEL FROM R-4 RESIDENTIAL TO C-BUSINESS			
Name of Applicant or Sponsor: Gregory Carver		Telephone: E-Mail: gcarver@eagleridgeroc.com	
Address: 1700 HUDSON AVENUE			
City/PO: ROCHESTER		State: NEW YORK	Zip Code: 14617
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: TOWN OF IRONDEQUOIT		NO ☐	YES ☒
3. a. Total acreage of the site of the proposed action?		2.297 acres	
b. Total acreage to be physically disturbed?		0.820 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.297 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:			
N/A	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	☒	☐	
N/A			
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	☒	☐	
N/A			
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☒	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☒	☐
	☒	☐
	☒	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☐	☒
PER THE NYSDEC Environmental Site Remediation Database the nearest sites are located at 1233 and 3000 East Ridge Road		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>BRYAN J. WHITE</u> Date: <u>10-20-2023</u> Signature: <u></u> Title: <u>LAND SURVEYOR</u>		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

Project: A portion of 1700 Hudson Avenue

Date: December 19, 2023

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:	☒	☐
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Irondequoit Town Board

12.19.2023

Name of Lead Agency

Date

Rory Fitzpatrick

Supervisor

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Town of Irondequoit Town Board

Dated: February 22, 2024

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Irondequoit Town Board has reviewed the application to rezone a portion of 1700 Hudson Avenue, known as Tax ID No. 091.07-1-96.2, submitted by McMahon LaRue Associates, acting as agent for Gregory Carver (the “Applicant”). The Town Board, in an uncoordinated review, has determined that the proposed action will not have a significant adverse environmental impact and that a draft environmental impact statement will not be prepared.

Name of Action: Application to Rezone a Portion of Hudson Avenue known as Tax ID No. 091.07-1-96.2.

Location of Action: 1700 Hudson Avenue, Tax ID No. 091.07-1-96.2 (the “Property”).

SEQRA Status: Unlisted.

Lead Agency: Not applicable; uncoordinated review.

Description of Action: The Property is currently “split zoned,” as the portion of the Property fronting Hudson Avenue is zoned M-Manufacturing and the landlocked portion of the Property is zoned as R-4 Residential. The Applicant would like to rezone the landlocked portion of the parcel currently zoned R-4 Residential. to C-Business District, which will allow for the Applicant to sell this portion to the plaza to the west for additional proposed parking on the Property. Concurrent with the Application, the Applicant will be applying for site plan approval from the Planning Board for certain changes to the Property. Given the two distinct applications and their different timing, it is most practical to segment the SEQRA review into two parts, one by the Town Board for the Application, and one by the Planning Board in connection with the site plan review.

Reasons Supporting this Determination: No large significant adverse environmental impacts associated with the Action were identified in the full Short Environmental Assessment Form and the Town Board has considered the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1), in accordance with 6 NYCRR § 617.7(c)(2) and (3).

The requirements of SEQRA and 6 NYCRR Part 617 have been met.

For Further Information:

Contact Person: Michelle Nichols, Department of Community Development

Address: 1280 Titus Avenue, Rochester, NY 14617

Telephone Number: (585) 467-8840

**EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD ADOPTING A
RESOLUTION APPROVING AN APPLICATION ON THE MATTER OF REZONING A
PORTION OF 1700 HUDSON AVENUE - TAX ID NO: 091.07.1.96.2 FROM R-4
RESIDENTIAL TO C-BUSINESS DISTRICT**

At a special meeting of the Town Board of the Town of Irondequoit, Monroe County, New York held at the Town Hall, 1280 Titus Avenue, in said Town of Irondequoit, on the 28th day of February, 2024, at 11:00 a.m. local time, there were

PRESENT:

Andraé Evans
Ann Cunningham
Grant Malone
John Perticone
Peter Wehner

Town Supervisor
Town Board Member
Town Board Member
Town Board Member
Town Board Member

Harter Secrest & Emery LLP

Attorney for the Town

Town Board Member _____ offered the following resolution and moved its adoption:

WHEREAS, McMahon LaRue Associates, acting as agent for Gregory Carver, has submitted an application for the rezoning of a portion of 1700 Hudson Avenue in the R-4 Residential District to C-Business District (the “Application”); and

WHEREAS, 1700 Hudson Avenue is currently “Split Zoned” under Tax ID No: 091.07-1-96.2 as the portion fronting Hudson Avenue is zoned M-Manufacturing and the landlocked portion in the rear is zoned R-4 Residential District; and

WHEREAS, the Application has been referred to the Town Planning Board and the Monroe County Planning and Development Department for review and comment pursuant to the requirements of the Town of Irondequoit Code, New York Town Law and New York Municipal Law; and

WHEREAS, the Application was reviewed and discussed at the Town Planning Board meeting held on December 11, 2023 and the Town Planning Board issued a report on the rezoning to the Town Board recommending a Positive Referral as per the attached resolution dated 12/11/2023; and

WHEREAS, the Monroe County Planning and Development Department have comments pending on the Application, under referral #IR23017; and

WHEREAS, a public hearing was held by the Town board, pursuant to Section 235-99 of the Town of Irondequoit Code and Section 20 of the New York State Municipal Home Rule Law on December 19, 2023 @ 7:35 p.m. during which the facts in support of the requested rezoning were presented and where public input was received and thereafter the public hearing was

closed; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act and its implementing regulation, the rezoning is classified as an Unlisted action, the Town board conducted an uncoordinated review, and, by separate Town Board resolution of even date herewith, has issued a negative declaration; and

WHEREAS; the Town Board has determined that the rezoning is consistent with and in furtherance of the goals and intent of the Town of Irondequoit Comprehensive Master Plan Update adopted by the Town Board in October 2014.

NOW, THEREFORE, BE IT RESOLVED, that the requested rezoning is hereby_____.

AND, BE IT RESOLVED, that the Town Board hereby adopts said Local Law ____ of 2021, amending the Official Zoning Map of the Town of Irondequoit to rezone a portion of Tax ID: 091.07-1-96.2, and a copy of which is attached hereto as "Attachment A" and made a part hereof, and the Town Clerk is hereby directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Irondequoit, and to give due notice of the adoptions of said Local Law to the New York Secretary of State.

This resolution shall take effect immediately upon its adoption.

Seconded by the Town Board Member _____ and duly put to vote, which resulted as follows:

Town Board Member	Perticone	voting	_____
Town Board Member	Wehner	voting	_____
Town Board Member	Malone	voting	_____
Town Board Member	Cunningham	voting	_____
Town Supervisor	Evans	voting	_____

McMahon LaRue Associates
Engineers & Surveyors

February 2, 2024

Irondequoit Town Board
1280 Titus Avenue
Rochester, NY 14617

Re: Re-Zoning of 1700 Hudson Avenue
Project Update for Parking Lot

Dear Members of the Board,

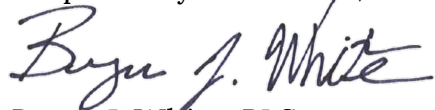
Our team has been put under contract to provide engineering services in relation to the proposed parking lot expansion for the Ridge-Hudson Plaza located at 720 E. Ridge Road.

Since our last appearance at the Town Board, we have been working to address the Board's concerns related to site drainage and schematic layout for the proposed parking area. Although our site design is still underway, we wanted to present our schematic layout in sight of pursuing rezoning for the parking area from Residential (R-4) to Business (C).

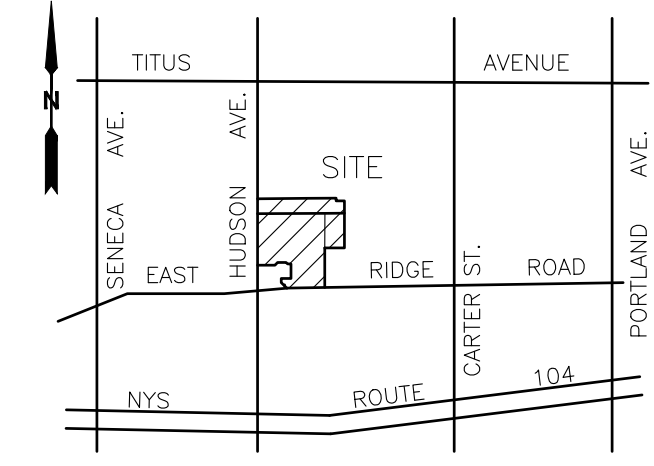
We anticipate presenting this to the Board at the regularly scheduled meeting on February 22nd but will also be available for an informal discussion during your Workshop meeting on February 12th, if you find it beneficial for this application.

Thank you for your continued efforts and time working with our team to address this project. We look forward to any additional feedback you may have.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Bryan J. White". The signature is fluid and cursive, with the first name "Bryan" and last name "White" clearly distinguishable.

Bryan J. White, PLS
McMahon LaRue Associates
822 Holt Road
Webster, NY 14580



LOCATION SKETCH
N.T.S.

[illegible]

DATE	REVISIONS	BY:
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THE FOLLOWING IS AN EXCERPT FROM THE NEW YORK STATE EDUCATION LAW, ARTICLE 145, SECTION 7209 AND APPLIES TO THIS DRAWING

THE FOLLOWING IS AN EXCERPT FROM THE NEW YORK STATE EDUCATION LAW, ARTICLE 145, SECTION 7209 AND APPLIES TO THIS DRAWING

* IT IS A VIOLATION OF THIS LAW FOR ANY PERSON UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED ENGINEER OR LAND SURVEYOR TO ALTER AN ITEM IN ANY WAY. IF AN ITEM BEARING THE SEAL OF A LICENSED ENGINEER OR LAND SURVEYOR IS ALTERED, THE ALTERING ENGINEER OR LAND SURVEYOR SHALL AFFIX TO THE ALTERED SEAL AND NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE, AND THE DATE OF SUCH ALTERATION AND A SPECIFIC DESCRIPTION OF THE ALTERATION."

ENGINEERS AND SURVEYORS

822 HOLT ROAD
WEBSTER, NY 14580
(585)-436-1080
WWW.MCMAHON-LARUE.COM

CLIENT:
HASSEN RIDGE REALTY, LLC
MIKE HASSEN
114-11 LEFFERTS BLVD.
SOUTH OZONE PARK, NY 11414

PROJECT:

EAGLE RIDGE HUDSON RESUBDIVISION

TOWN OF IRONDEQUOIT

DRAWING:

SCHEMATIC PARKING LOT PLAN

PART OF TOWN LOT 37
TOWNSHIP 14, RANGE 7
PHELPS AND GORHAM PURCHASE
TOWN OF IRONDEQUOTT, MONROE COUNTY
STATE OF NEW YORK

DESIGNED BY: BJV

DRAWN BY: BJW

CHECKED BY: _____

[illegible]

DATE: FEBRUARY 2, 2024

SCALE: 1 INCH = 30 FEET

SHEET . CADD FILE

CADD FILE



Department of Planning & Development

Monroe County, New York

Adam J. Bello
County Executive

Ana J. Liss
Director

To: Town of Irondequoit Municipal Board

From: Yixuan Lin, Senior Planner *yl*

Date: January 2, 2024

Subject: 1700 Hudson Ave - Rezone
1700 Hudson Ave, Rochester 14617
MCDP&D Response to Development Review Referral (IR23017)

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) ☐ Comment ☐ No Comment

Previously Reviewed by MCD&P (if yes, previous referral response applies to this referral):

☒ Yes ☐ No

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

☒ Yes ☐ No

MCDP&D Comments:

1. Please send all final decisions related to rezonings, site specific or municipal wide, to Monroe County's Department of Planning and Development. Monroe County attempts to keep a current record of zoning in Monroe County Communities and cannot keep this record up-to-date without your help.
2. The rezoning of parcels needs to be consistent with the Town of Irondequoit's Comprehensive Plan. In the case of a rezoning the Town Board should develop a clear written record describing how the rezoning will promote the goals and objectives of the comprehensive plan.

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

xc: Development Review Committee
Gregory Carver, 1700 Hudson Ave LLC
Bryan White, McMahon Larue Associates
Monroe County Planning & Development

Subject: Attachment to File IR23017
1700 Hudson Ave - Rezone
1700 Hudson Ave, Rochester 14617

The Monroe County Development Review Committee (DRC) has reviewed the subject application and have the following comments that need to be addressed prior to submission of final plans for approval.

Monroe County Department of Health (MCDOH), Contact Brett Gobe (585-753-5459) with questions.

1. The proposed project is a subdivision of land that does NOT require Realty Subdivision approval by the Monroe County Department of Public Health. However if the plan is to be filed in the Monroe County Clerk's Office, Health Department sign off will be required. Existing and proposed utilities will need to be shown on the plans to ensure all lots have their own access to sanitary facilities and drinking water.

Monroe County Department of Transportation (MCDOT), Contact John Raymond (753-7711) with questions.

1. No Comment

Monroe County Department of Environmental Services (MCDES), Division of Pure Waters, Contact Richard Bianchi (753-7614) with questions.

1. No Comment

New York State Department of Transportation (NYSDOT), Contact Zachary Starke (272-3472) with questions.

1. This project was not sent to New York State Department of Transportation for review. Applicants should verify with this agency that they do not have jurisdictional requirements for this project.



December 8, 2023

Ms. Michelle Nichols, Planning & Zoning Coordinator
Town of Irondequoit
1280 Titus Avenue
Rochester, NY 14616

RE: Planning Board – Rezoning Application Referral to Planning Board, 1700 Hudson Avenue

Dear Ms. Nichols:

LaBella Associates has compiled relevant documents to aid the Planning Board in developing their recommendation to the Town Board related to the application to rezone the property located at 1700 Hudson Avenue from R-4 to C-Business District. A list of the attached documents can be found below.

Documents:

- **Zoning Map** including subject property and surrounding properties.
- **List of permitted and specially permitted uses in the C-Business District** which outlines the possible uses of the subject property should it be rezoned.
- **Future Land Use Map** from the Town's adopted Comprehensive Plan.
- **Neighborhood Commercial-Mixed Use Design Description** from the Town's adopted Comprehensive Plan. The subject property resides in the Neighborhood Commercial-Mixed Use area per the Comprehensive Plans' Future Land Use Map.
- **Titus-Cooper-Hudson Commercial District Description** from the Town's adopted Comprehensive Plan. The subject property is located near the corner of Hudson Avenue and East Ridge Road.
- **East Ridge Road Land Use Description** from the Town's adopted Comprehensive Plan. The subject property is located near the corner of Hudson Avenue and East Ridge Road.

A draft resolution has also been provided for your convenience.

Thank you for the opportunity to review this site plan on your behalf. Please feel free to call us if you have any questions.

Respectfully submitted,
LABELLA ASSOCIATES, D.P.C.

Kate Powers

Kate Powers
Senior Planner

cc (via e-mail): Steve Fantuzzo, Associate, Nixon Peabody, LLP, Town Planning Board Attorney
Wes Pettee, AICP, LaBella Associates

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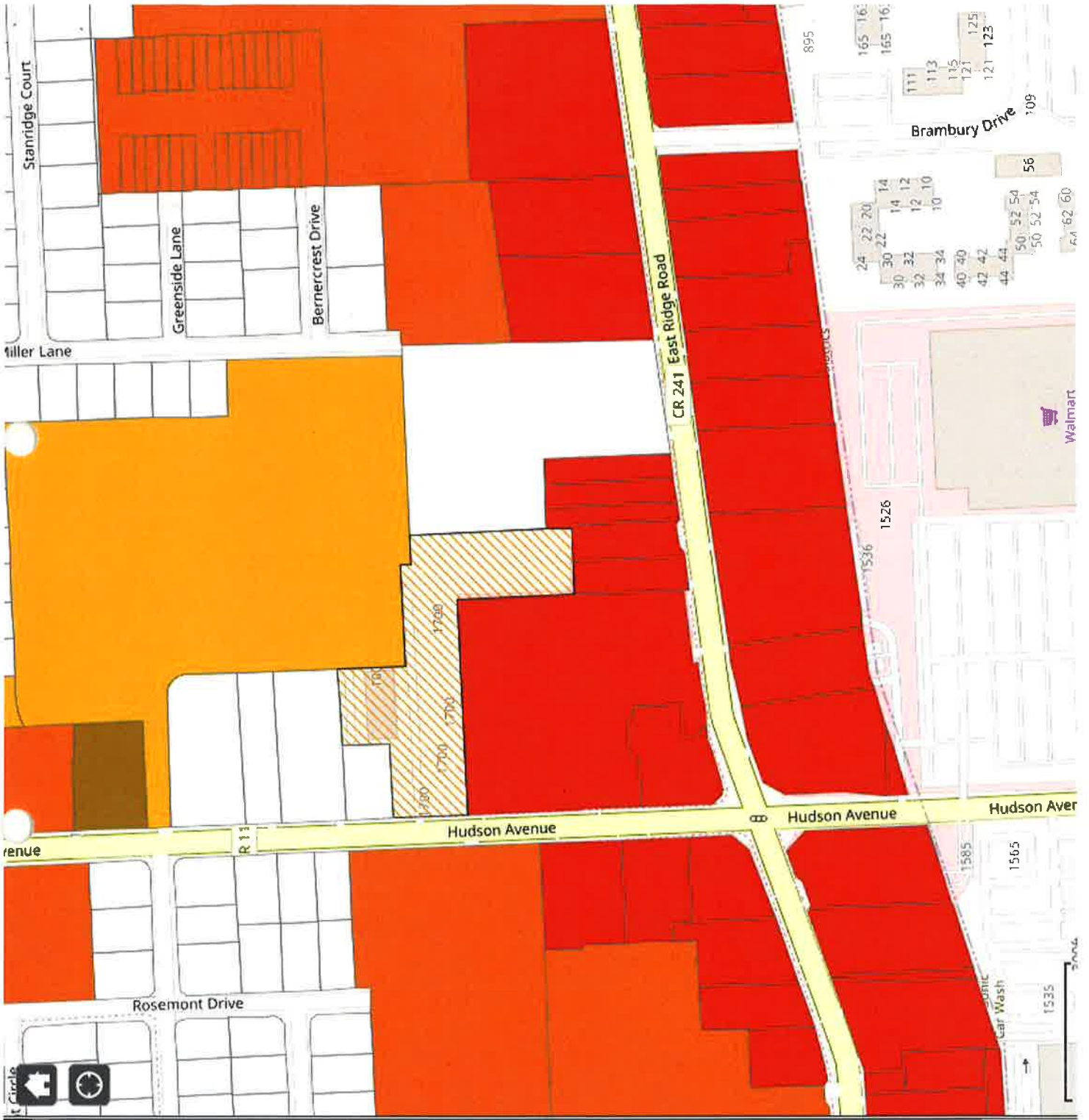
www.labellapc.com

- Districts
- Business (C)
- Balle's Landing Development District (LLDD)
- Manufacturing (M)
- ved Use Commercial (MUC)
- Ice Road Planned Development District (PDD)
- er Harbor (R-H)
- ral Residential (R-R)
- lit Classification
- interfront Development (W-D)
- ll other values>

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 chester General Hospital
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§ 235-27. Permitted uses; site plan.

A. In C Business Districts, the following uses are permitted: **[Amended 2-4-1997 by L.L. No. 1-1997]**

- (1) Churches or similar places of worship, parish houses, convents, rectories or parsonages.
- (2) Private, nonprofit, elementary or secondary schools accredited by the New York State Department of Education, public hospitals, public libraries and municipal and special district buildings, provided that no such buildings shall be located within 50 feet of any adjoining lot line.
- (3) Fire stations without club facilities.
- (4) Professional offices for attorneys, physicians, physical therapy, physician's associates and specialists' assistants, chiropractic, dentistry and dental hygiene, veterinary medicine, nursing, podiatry, optometry, ophthalmic dispensing, engineering and land surveying architecture, landscape architecture, licensed accountants, shorthand reporting, psychology, speech pathologists and audiologists and occupational therapy.
- (5) Real estate and/or insurance offices.
- (6) Barbershops and beauty parlors.
- (7) Funeral homes.
- (8) Employment and travel agencies.
- (9) The following uses, provided that they are not used primarily for treatment of contagious diseases, mental patients, epileptics, drug or alcohol addicts or for penal or correctional purposes:
 - (a) Nursing or convalescent homes.
 - (b) Nonprofit institutions for charitable, religious, cultural or community social purposes.
- (10) Public parks, playgrounds and similar recreational areas and structures not operated for gain.
- (11) The following uses when conducted entirely within an enclosed building:
 - (a) Retail stores and shops.
 - (b) Personal service shops (dry-cleaning or laundry stores for pick up purposes only).
 - (c) Banks, business and professional offices not otherwise permitted in R-6 Residential Districts. Drive-in banks shall be permitted, provided that at least five car-length spaces are provided in the approach drive within the

property line of the lot for each drive-in teller's window. Such spaces shall be exclusive of required parking spaces.

- (d) Baking, confectionery, dressmaking, tailoring shops, provided that all goods or products manufactured or processed shall be sold at retail on the premises and not more than 10 persons shall be employed at one time. **[Amended 6-17-1997 by L.L. No. 4-1997]**
 - (e) Appliance and electrical stores or printing shops.
 - (f) Mini-storage/self-storage facilities. **[Added 2-4-1997 by L.L. No. 1-1997]**
- (12) Restaurants or eating establishments, take-out food businesses and drive-in hamburger, ice cream, food or beverage stands with seating for 30 patrons or less. **[Added 10-6-1998 by L.L. No. 3-1998]**
- B. No permits shall be issued for the foregoing uses until and unless a site plan of all proposals for the uses permitted shall be presented to and approved by the Planning Board in accordance with the considerations and determinations as set forth in § 235-16 and Article XV.
- C. Any of the uses permitted in Subsection A of this section that require the use of an area other than within an enclosed building for their best utilization may be conducted in whole or in part outside of such building, provided that the consent of the Board of Appeals is first obtained. The Board of Appeals may grant such consent after a public hearing is held thereon if it appears, in the judgment of the Board of Appeals, that the public convenience and welfare will be substantially served and the appropriate use of neighboring property will not be injured thereby. In granting such consent, the Board of Appeals may impose such conditions and safeguards as shall be necessary to attain the standards expressed in the preceding sentence. **[Amended 10-6-1998 by L.L. No. 3-1998]**
- (1) Outdoor seating for restaurants and eating establishments shall be permitted without Board of Appeals consent for up to 20 seats, provided that:
- (a) Approval of the outdoor seating is obtained from the Director of Development Services upon review of setback requirements, life and fire safety requirements and clearances for ingress and egress.
 - (b) It is determined by the Director of Development Services that public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be injured thereby.
 - (c) No additional structures are needed to accommodate the outdoor seating.
 - (d) There is no outdoor entertainment (live or reproduced).

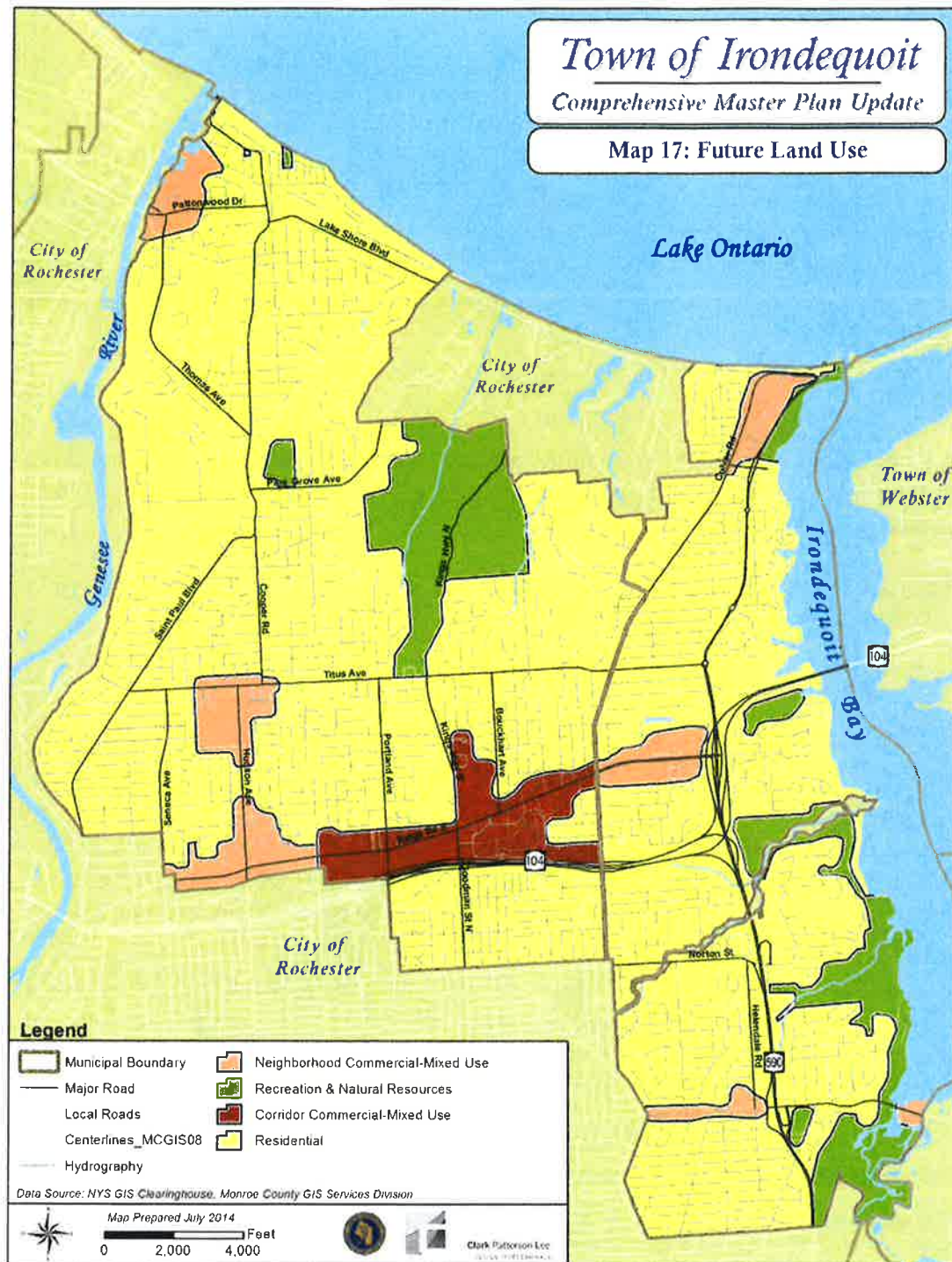
§ 235-28. Special use permits.

- A. The following uses shall be subject to the approval of the Town Board before a

building permit may be issued:

- (1) Public garages, including car washes.
 - (2) Gasoline service stations.
 - (3) Pool or billiard rooms.
 - (4) Bowling alleys, theaters and places of public assemblage.
 - (5) Dry-cleaning establishments, laundries or laundromats.
 - (6) Outdoor advertising display signs.
 - (7) Cemeteries.
 - (8) Restaurants or eating establishments, drinking establishments (grills, bars, etc.) with seating provided for more than 30 patrons, and outdoor entertainment provided in relation to such uses. **[Amended 10-6-1998 by L.L. No. 3-1998]**
 - (9) Hotels, motels, motor courts, dairies, ice cream manufacturers and commercial parking areas.
 - (10) A combination of two or more of the uses permitted in this section on the same of contiguous lots, including but not limited to the development and use commonly known as a "shopping center or plaza," with an area threshold of 10,000 square feet of gross leasable area. **[Added 2-4-1997 by L.L. No. 1-1997; amended 6-17-1997 by L.L. No. 4-1997]**
 - (11) Parking lots for monetary gain.
 - (12) Amusement centers where machines are used for monetary gain.
 - (13) Animal hospitals.
 - (14) Used car sales lots. **[Added 2-4-1997 by L.L. No. 1-1997]**
 - (15) Car washes. **[Added 2-4-1997 by L.L. No. 1-1997]**
 - (16) Miniature golf courses. **[Added 2-4-1997 by L.L. No. 1-1997]**
 - (17) Batting cages. **[Added 2-4-1997 by L.L. No. 1-1997]**
 - (18) Simulated golf facilities and other such uses. **[Added 2-4-1997 by L.L. No. 1-1997]**
 - (19) Multifamily dwellings, apartment buildings or other similar uses, subject to the lot and bulk requirements of § 235-19A(1)(c) of the Zoning Code of the Town of Irondequoit. **[Added 5-20-2008 by L.L. No. 1-2008]**
- B. The procedure for obtaining a special use permit from the Town Board shall be the same as for a special use permit from the Board of Appeals as provided in

§ 235-101D.



Extensive woodlots are one of the components that the Town protects under their current Zoning regulations as sensitive environmental features. These woodlots are primarily located in the Durand-Eastman Park and along the Bay shoreline, although larger pockets of trees and vegetation are also found in the northwestern portion of the Town. A mixture of older, mature native species (Red Oak, pignut hickory, hawthorn and black cherry) as well as non-native, invasive species (Norway Maple predominantly) make up the primary vegetation in these areas. Not only do these areas provide recreational areas for residents and scenic vistas, they are also crucial habitats for native wildlife and help to maintain slope stability, especially along the Bay. Continued protection and conservation of these areas are important for the Town.

Neighborhood Commercial-Mixed Use Design

Neighborhood commercial-mixed use areas generally provide localized retail and services to nearby residents. Some neighborhood commercial areas may attract visitors from all parts of the town and surrounding communities because of the special attractions or amenities they offer. Redevelopment in these areas must carefully balance high quality commercial-mixed use development with preserving quality of life for surrounding residents.

Context

- Many of Irondequoit's neighborhood commercial-mixed use areas boast rich historic and cultural resources that should be reflected in the design of future development.
- These areas are characterized by smaller lots that are not conducive to large-scale, high-intensity uses.
- Smaller commercial and mixed use developments should be located in these areas.

Site Planning

- Commercial buildings should maintain zero setbacks. Residential buildings should be setback not more than 10 feet from property line. In cases where maximum setback occurs, adequate landscaping treatments must be installed.
- Encourage shared parking to reduce the amount of surface parking required to service the site, particularly where adjacent uses have different peak hours.
- Require shared entrance drives and cross access on adjacent lots where it can be physically accommodated.
- Locate parking to the rear of buildings.
- Loading docks, service areas and trash facilities should be located at the rear of the building and not visible from the road. Fences, walls or landscaping can be used to shield them from view.
- All building entrances should link to sidewalks associated with private or public streets.
- Lighting fixtures should complement the site design and building structure.

Titus-Cooper-Hudson

- The Town adopted detailed guidelines for the Titus Cooper commercial district (Irondequoit's Titus/Cooper/Hudson Town Center Design Guidelines). The existing guidelines address the area's unique conditions and were intended to: promote higher density residential and mixed use development; improve pedestrian connectivity, streetscape appearance, and public spaces; encourage human scaled development and zero setback site designs; enhance the appearance of new and existing buildings; and encourage the adaptive reuse of older buildings possessing architectural or historic importance. The guidelines were utilized in the design and development of I-Square.
- The neighborhood commercial design standards contained in Section 5 (Community Design) outline simple, easy-to-understand community design principles that are largely embodied in the existing Town Center Design Guidelines. The general design standards proposed in this plan simplify this information's presentation, making it usable by a wider audience including non-professionals. The Town may consider revising the existing Town Center Design Guidelines to incorporate content and/or formatting from the neighborhood design standards.
- Although the Titus/Cooper/Hudson Town Center Design Guidelines calls for eliminating drive-through facilities for all streets within the identified boundaries, a continuing debate over the pros and cons of permitting drive-through facilities is still occurring within the community. This topic deserves more consideration and is further discussed in Section 9.
- Limit or reduce curb cuts by requiring cross access and shared parking.
- Provide on-site pedestrian facilities through and between parcels to improve walkability throughout the area.
- Establish well-designed, highly visible crosswalks at non-signalized intersections and consider mid-block crosswalks in areas where they can be safely accommodated.
- Install decorative street lights through commercial district.

East Ridge Road Land Use

Intensity and Density

Accommodating an increase in building area along the corridor means that the intensity of land use must be increased.

The shallow depth and/or steep topography of parcels fronting much of East Ridge Road limits opportunities to significantly increase total building area, even if the parcels could be combined. Although the smaller lots are critically important to the corridor's health, most of the potential for increasing building area lies in the larger parcels, or "superblocks."

One measure of land use intensity is floor area ratio or FAR (total building area divided by total site area). Because of current zoning's setback and height requirements and maximum permitted lot coverage of 33%, FARs on East Ridge Road's largest properties rarely exceed .30. For example, the FAR of former Top's Plaza is .27 and that of the Depot Plaza is .28.

Doubling the permitted FAR to .60 and increasing lot coverage to 50%, would allow an additional 400,000 square feet to be redeveloped on the larger parcels. With relatively minor modifications to existing parking requirements. Most, if not all, new parking demand could be accommodated by surface parking.

Existing setbacks will need to be changed as well. Buildings may be placed closer to the street, with a setback between zero and 20 feet from building line to property line in some areas along East Ridge Road. This gives the buildings more prominence to the street rather than parking lots and can provide a greater aesthetic appeal to the corridor.

East Ridge Goals

Through community input, public dialogue and data analysis, the following goals for the East Ridge Road corridor have been identified:

1. Prioritize redevelopment and reinvestment that strengthens the Town's tax base.
2. Redevelop key commercial locations at a higher density and with a mix of uses.
3. Ensure that market realities inform the Town's land use preferences.
4. Enhance physical character and visual appearance on public and private property to create a more appealing investment climate and to make the area a safe, comfortable and pleasant place to spend time.
5. Monitor and improve traffic flow and highway infrastructure conditions to maintain safe conditions and convenient movement through the corridor.
6. Accommodate transportation alternatives to car.

Mix of Uses

Although most redevelopment on East Ridge Road is likely to be retail, zoning should allow, and encourage, a mix of uses on the same site.

Although the market for new office space appears limited, it can be a major contributor to East Ridge Road revitalization, and should be a priority of the Town. Office space provides the most net fiscal benefits of all uses, providing tax revenues, jobs, and patrons for local businesses, while requiring fewer public services.

East Ridge Road also becomes an important option for the Town to diversify its housing stock, particularly the provision of senior housing. St. Ann's Community, Legacy at Cranberry Ridge, and St. Salome's all report few openings. Modern senior housing developments, in close proximity to retail, would be a very marketable product in Irondequoit. Roadway and streetscape improvements would allay security concerns. The potential also exists to attract professionals with live-work housing.

Parking

Increasing the amount and intensity of land use within the East Ridge Road corridor will impact parking demand. In essence, more development will likely mean that more cars will need to be accommodated within the same general space.

In 2007, Monroe County produced a Statistical Analysis of Parking by Land Use. County employees conducted on-site surveys to obtain accurate parking data for various types of development. While the Town's parking requirements generally follow the findings of the county survey, there are important differences. For example, the County study finds that 200 spaces are sufficient for a typical big-box store of 50,000 to 130,000 square feet to meet peak demand; current Town zoning requires 225 to 585 parking spaces. By adjusting Town parking requirements to correspond more closely to the County's survey data, most new parking demand could be accommodated by on-site, surface parking spaces.

The Town should also study other suburban mixed-use developments throughout the country as it considers revising its parking requirements. Experience shows that three parking spaces per 1,000 feet of gross building area are adequate for office and retail uses. This ratio is less than the one typically used for suburban single-use development but is appropriate for mixed-use development. Residential uses require 1.5 spaces per unit.

RECORD OF MOTIONS
IRONDEQUOIT SPECIAL PLANNING BOARD MEETING

December 11, 2023

see pg. 2

TOWN BOARD RE-REFERRAL:

Request by McMahon LaRue Associates, acting as agent for Gregory Carvery, for Re-Zoning Approval, to rezone a portion of 1700 Hudson Avenue from R-4 Residential to C-Business District.

Town Board Referral: Positive Referral: X Negative Referral:

On Motion by Board Member B. Blochi

Seconded by Board Member K. E. C. D.

Vote: (please circle vote)

BLOCCHI----- AYE - NAY - ABSTAIN - ABSENT

BURDICK----- AYE - NAY - ABSTAIN - ABSENT

CATTERINO----- AYE - NAY - ABSTAIN - ABSENT

EVANS----- AYE - NAY - ABSTAIN - ABSENT

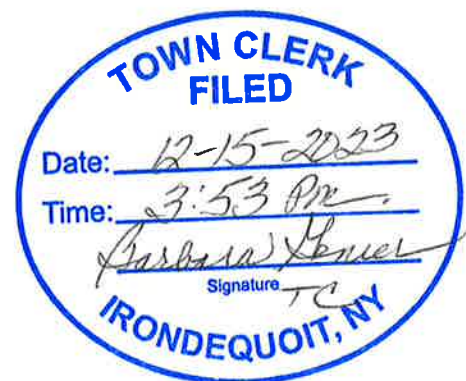
READ----- AYE - NAY - ABSTAIN - ABSENT

RICHARDS----- AYE - NAY - ABSTAIN - ABSENT

TOTAL CARRIED: 6 AYE; 0 NAY; 0 ABSTAIN; 0 ABSENT; 1 VACANT

RECEIVED
DATE 12-15-2023
TOWN OF IRONDEQUOIT
TOWN CLERK
by

Signed by: Bernard T. Blochi 12/11/2023
Chairman, Bernard Blocchi, Irondequoit Planning Board Date



pg. 1

DATE: 12/11/2023

RESOLUTION – Recommendation to the Town Board
Application to Rezone, 1700 Hudson Avenue

WHEREAS, the Irondequoit Town Board has received an application to rezone the property located at 1700 Hudson Avenue from R-4 Residential to C-Business District (the “Application”), which was submitted by McMahon LaRue Associates, acting as agent for Gregory Carver (the “Applicant”); and,

WHEREAS, in Resolution No: 2023-294 adopted by the Town Board on November 21, 2023, the Town Board resolved that the application for rezoning be referred to the Planning Board for its recommendation; and,

WHEREAS, the Planning Board has reviewed the proposed action as well as the supporting information submitted by the Applicant; and,

WHEREAS, the Planning Board has heard testimony from the Applicant’s legal representative regarding their proposal; and,

WHEREAS, the Planning Board has deliberated regarding this proposed rezoning application, its benefits and related concerns; and,

WHEREAS, the Planning Board makes the following findings with regard to the proposed rezoning application:

1. *Compatibility with Comprehensive Master Plan and Zoning Code:*
 - *Proposal is in alignment with the future land use map.*
 - *The area to be rezoned to C-Business is contiguous to an existing C-Business Zoning District.*
2. *Impacts on surrounding area; items to be addressed at site plan review:*
 - *Existing impervious surface coverage is a major concern.*
 - *Stormwater concerns.*
 - *Lighting concerns.*
 - *Greenspace and/or landscape buffering to residential area.*

NOW THEREFORE BE IT RESOLVED: ON MOTION by Board Member Blocchi, seconded by Board Member Read, carried: 6 Aye, 0 Nay, 0 Absent. the Town of Irondequoit Planning Board recommends a ***Positive Referral*** of the rezoning of 1700 Hudson Avenue from R-4 Residential to C-Business District based on the findings outlined above.