



TOWN OF HENRIETTA
County of Monroe
State of New York

475 Calkins Road, Rochester, NY 14623
(585) 334-7700 • www.henrietta.org

TOWN OF HENRIETTA
APPLICATION TO TOWN BOARD
SPECIAL USE PERMIT – RESTAURANT

Appeal No. SP-2022-026

Date June 22, 2022 Mtg Date
5/20/22

Applicant: Frank Imburgia [Redacted Email]

90 Goodway Drive, Rochester, NY 14623

Business Owner: FSI Construction [Redacted Email]

90 Goodway Drive, Rochester, NY 14623

Business Name: Panera

Business Address: Jefferson Road

Property Owner: 811 Jefferson Partners, LLC [Redacted Email]

90 Goodway Drive, Rochester, NY 14623

Architect/Engineer: Passero Associates/Josh Saxton [Redacted Email]

242 W. Main Street Suite 100 Rochester, NY 14614

Hereby request from the Town Board for a Special Use Permit for the property located at:

811 Jefferson Road Rochester, NY

162.09-1-3.111 Industrial "I"

If property is under a purchase option, indicate date option expires: _____

Under the Zoning Ordinance, a Special Permit is requested pursuant to:

Article: VIII Section: 295 Subsection: 25 Paragraph: A(1)(e) of the Zoning Ordinance.

Description of Proposal: Ref. VI 295-14 (B)(12) For allowing Restaurant uses in the Industrial Zoned District

IMPORTANT: Please check only those operational subtypes which you intend to operate now or in the very near future. The Town is required to assess each subtype for potential impacts, therefore if you select operational subtypes which are not truly intended to be utilized, you may unnecessarily subject your proposal to further mitigation which may not otherwise have been required.

- Sit Down Meal Service Take-Out Meal Service Drive-Through Service
- Outdoor Seating Bands, DJs, or Similar Loud Entertainment Alcohol to be Served

Printed Name: Frank Imburgia Signature: [Signature]

[Signature] Received By 6/22/22 Date of Meeting *(unless rescheduled) TBD Time

*A meeting date will be assigned when applications are turned in but if the application is deemed incomplete, it will not be scheduled and the Applicant will be notified.

**Statement of Applicant and Owner with Respect to Reimbursement
of Professional and Consulting Fees**

In conjunction with an application made to the Town of Henrietta, the undersigned states, represents and warrants the following:

- 1) I/We am/are the applicant and owner with respect to an application to the Town of Henrietta.
- 2) I/We have been advised of, are aware of and agree to comply with the obligation to reimburse the Town of Henrietta for any and all professional and consulting fees incurred by the Town in conjunction with this and any other applications by me/us, including but not limited to engineering and/or legal fees, all as more fully set forth in the Henrietta Town Code.
- 3) I/We have been provided with, or have otherwise reviewed the Henrietta Town Code provisions related to the obligation to reimburse the Town with respect to professional and consulting fees, and agree to comply with the same.
- 4) I/We understand that this obligation shall not be dependent upon the approval or success of the application.
- 5) I/We further agree that in the event the Town of Henrietta is required to refer for collection an outstanding debt for such professional and/or consulting fees due to the Town of Henrietta, I/we shall be obligated to pay the reasonable attorney's fees incurred as a result of the Town's efforts to collect such fees. Reasonable attorney's fees shall also include any and all disbursements that may result from the commencement of litigation.
- 6) Each party to the application, including the applicant and the owner, shall be jointly and severally liable for all consulting and professional fees and expenses incurred in conjunction with the application.

Applicant: FSI Construction

By: Frank Imburgia

Title: CEO

Dated: 5-18-2022

Signed:  _____

Owner: Same

By: _____

Title: _____

Dated: _____

Signed: _____



May 20, 2022

Town of Henrietta
Attn: Town Board
475 Calkins Road
Henrietta, NY 14467

RE: Minotti Crossings -Outparcel- Special Use Permit

Dear Town Board:

On behalf of our client, FSI Construction, we respectfully submit the attached materials for a Site Plan application for Special Use Permit approval for a restaurant use at Minotti Crossings (TA#162.09-1-3.111) at the June 22, 2022 Town Board meeting.

The project consists of the continued development of the commercial and retail space at Minotti Crossings, located at 811 Jefferson Road. This includes a Panera Bread located in the northwestern portion of the site. The site is currently zoned industrial and therefore will require a special use permit from the Town Board for the proposed restaurant. The project will utilize existing utility connections that were installed on site as a part of the Hobby Lobby construction conducted a couple of years ago. Additional proposed utility connections to Clay Road will also be needed for this development, which includes a water connection.

In support of our request, attached please find:

- (1) Check for \$150.00 Application Fee
- (1) Letter of Intent
- (1) TB Application Special Use Permit - Restaurant
- (4) Site Plans
- (1) Letter of Authorization
- (1) Statement of Applicant and Owner w/Respect of Professional & Consulting Fees

Sincerely,

Jess D. Sudol, PE
President

JDS:paf

CC: File
FSI Construction

May 18, 2022

Town Planning and Zoning Departments
Town of Henrietta

Re: Minotti Crossing

To whom it may concern:

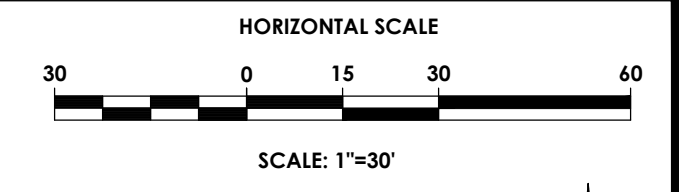
I, Frank Quibungo, owner/manager of subject properties at 811 Jefferson Road, give permission and consent to Passero Associates to make the necessary applications to all Town Boards (Planning & Zoning), Permits and Approvals on my behalf for the above project.

Thank you.



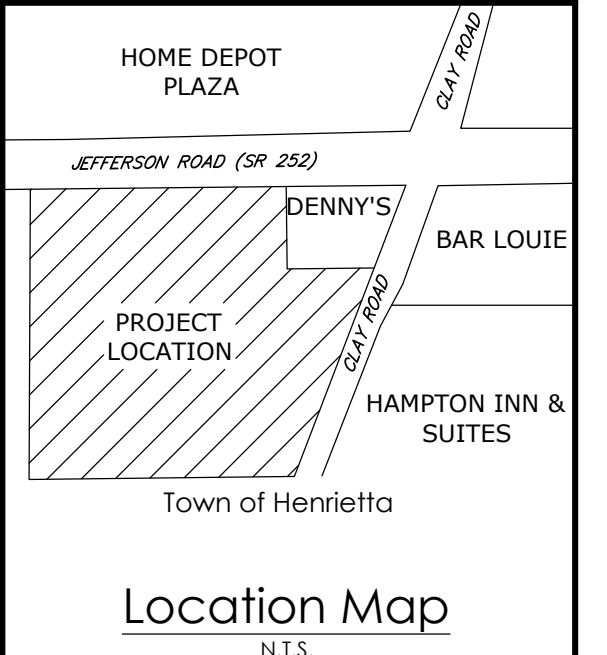
SITE DEVELOPMENT PLANS FOR MINOTTI CROSSINGS

TOWN OF HENRIETTA, MONROE COUNTY, NEW YORK P.N. 20192792.0001



DRAWING INDEX

C 101	COVER
C 102	SITE PLAN
C 103	EXISTING CONDITIONS/ DEMO PLAN
C 104	UTILITY PLAN
C 105	GRADING & EROSION CONTROL PLAN
C 106	LANDSCAPING/ LIGHTING PLAN
C 201-204	DETAILS



Client:
FSI
90 GOODWAY DRIVE
ROCHESTER, NY 14623

PASSERO ASSOCIATES
242 West Main Street, Suite 100
Rochester, New York 14624
Phone: (585) 323-1000
Fax: (585) 323-1015

Principal-in-Charge: **James D. Sucki, P.E.**
Project Manager: **Joseph Santoro, EIT**
Designed by: **James Rittenholzer, EIT**

Stamp:

Revisions

No.	Date	By	Description
10	5/17/20	AS	PER NYSDOT COMMENTS
12	5/28/20	ABG	REVISED UTILITIES PER SUBMISSION
13	6/15/20	ABG	PER NCM COMMENTS
14	7/22/20	BMH	PER OWNER COMMENTS
15	8/6/20	AS	NYSDOT SUBMISSION
6	1/21/20	BMH	PER OWNER COMMENTS
7	3/2/20	AS	PER NYSDOT COMMENTS
8	3/15/20	AS	REVISED STORMWATER STRUCTURES
9	5/26/20	ABG	PER SUBMITTER OF LAND BUILDING

UNAPPROVED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS IN VIOLATION OF STATE PROFESSIONAL LAW ARTICLE 263 SECTION 200 AND ARTICLE 247 SECTION 700. THESE PLANS ARE COPYRIGHT PROTECTED ©

COVER

MINOTTI CROSSINGS
PART OF TOWN LOT 16, TOWNSHIP 12, RANGE
74 OF THE PHILIP AND GORHAM'S PURCHASE,
TOWN OF HENRIETTA, MONROE COUNTY, NEW
YORK STATE

County: Monroe State: New York

Project No: **20192792.0001**

Drawing No: **C 101** Sheet No: **1**

Scale: **1" = 30'**

Date: **MAY 2022**

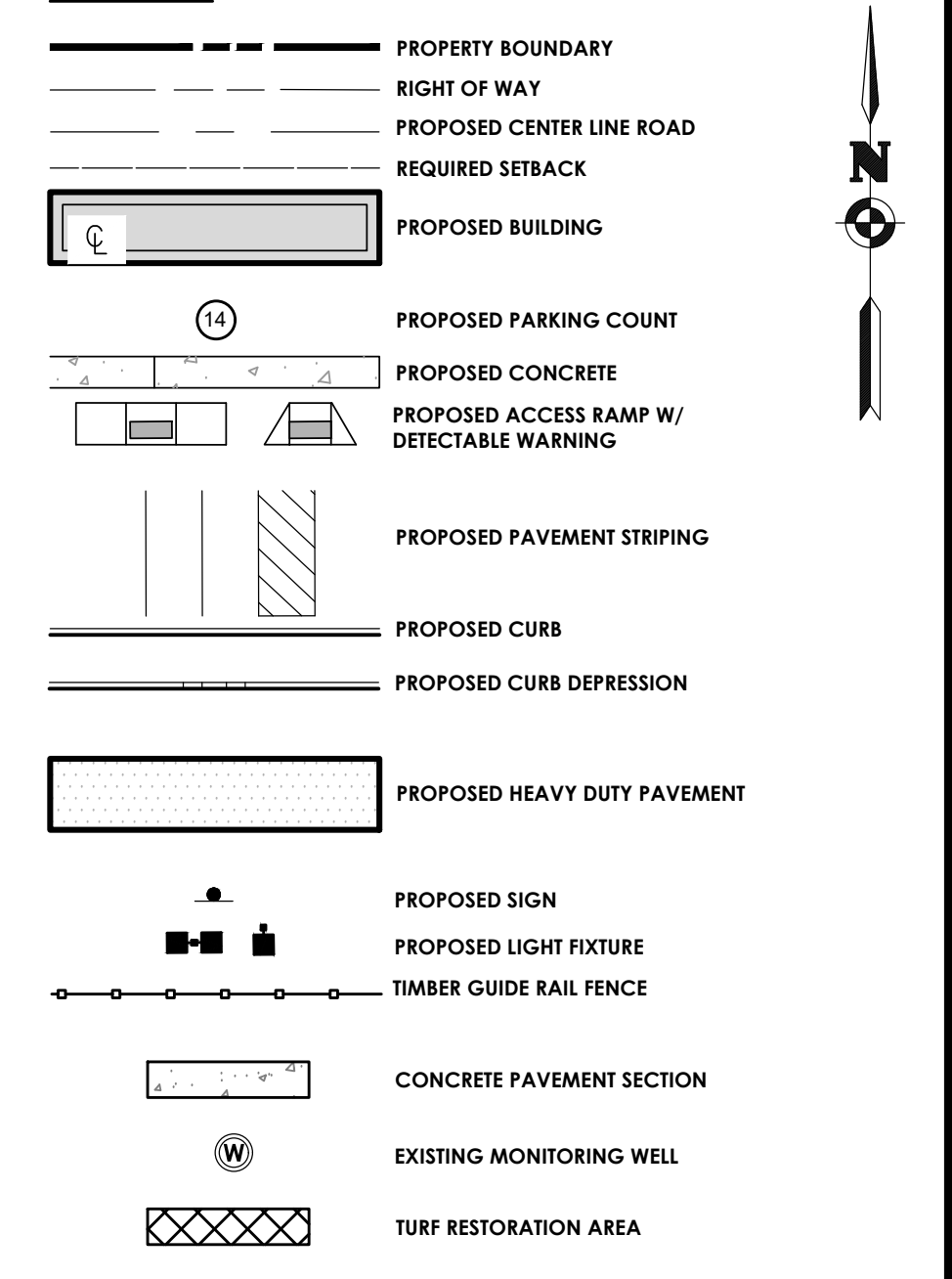
NOT FOR CONSTRUCTION

Y:\PROJECTS\NEW_2019\20192792\DRAWINGS\ENGINEERING\20192792.0001\COVER.DWG 5/17/2022 8:42 PM Joseph Santoro

CROSS ACCESS NOTE
A CROSS ACCESS EASEMENT FOR ALL DRIVES AND PARKING AREAS BETWEEN ALL PROPOSED LOTS IS REQUIRED WITH THE MONROE COUNTY CLERK'S OFFICE. LIBER ... PG ...

TOWN OF HENRIETTA HIGHWAY WORK PERMIT NOTE:
A HIGHWAY WORK PERMIT WILL BE REQUIRED FROM THE HENRIETTA DEPARTMENT OF PUBLIC WORKS FOR ANY WORK PERFORMED WITHIN THE TOWN RIGHT-OF-WAY.

SIGHT DISTANCE [CLAY ROAD NORTH] POSTED LIMIT = 35 MPH DISTANCE RIGHT = 520' (R.O.D. 335) DISTANCE LEFT = 410' (R.O.D. 310)
SIGHT DISTANCE [CLAY ROAD SOUTH] POSTED LIMIT = 35 MPH DISTANCE RIGHT = 475' (R.O.D. 335) DISTANCE LEFT = 475' (R.O.D. 330)



SITE DATA

- Tax Account Number: 14209-1-03111
- Parcel Address: 811 JEFFERSON ROAD, HENRIETTA, NY
- Total Parcel Area: 12.20 ACRES OR 518544 S.F.
- Total Project Area: 12.20 ACRES OR 518544 S.F.
- Total Impervious Area: 970 ACRES OR 409464 S.F.
- Total Greenspace Area: 250 ACRES OR 108900 S.F.
- Existing Zoning: INDUSTRIAL
- Proposed Zoning: INDUSTRIAL
- Existing Use: VACANT
- Proposed Use: 124,100 SF OF RETAIL STORES & 11,400 SF OF RESTAURANT/FAST FOOD
- Bulk Area Requirements

USE	ZONING ANALYSIS - INDUSTRIAL	
	REQUIRED	PROPOSED
FRONT SETBACK (JEFFERSON)	81.7'	82'
FRONT SETBACK (CLAY)	50'	74.6'
SIDE SETBACK	5' FOR NEIGHBORING PROPERTIES, 0' FOR INDUSTRIAL	24.4'
REAR SETBACK	40'	55.5'
BUILDING HEIGHT	40'	<40'
PARKING SPACE	9' X 18'	9' X 18'
GREENSPACE	N/A	20%

- THESE LANDS ARE SUBJECT TO THE TERMS AND RESERVATIONS OF AN ENVIRONMENTAL EASEMENT TO THE HYDRO RECORDER ON 10/18/2017 AND RECORDED IN L11958, PAGE 13 IN THE MONROE COUNTY CLERK'S OFFICE.
- THERE ARE NO FEDERALLY REGULATED WETLANDS ON THIS PARCEL ACCORDING TO THE US FISH AND WILDLIFE SERVICE'S NATIONAL WETLAND INVENTORY.
- THERE ARE NO STATE REGULATED WETLANDS ON THIS PARCEL ACCORDING TO HYDRO WETLAND INVENTORY.
- THERE IS NOT A FLOOD PLAIN ON THIS PARCEL PER FIRM MAP COMMUNITY PANEL NO. 0355G EFFECTIVE DATE 8-20-2008.
- PUBLIC WATER WILL BE PROVIDED BY MCWA.
- ELECTRIC SERVICE WILL BE SUPPLIED BY RG&E.
- GAS SERVICE WILL BE PROVIDED BY RG&E.
- SANITARY SEWER WILL BE PROVIDED BY TOWN OF HENRIETTA.
- STORM SEWERS AND DRAINAGE FACILITIES WILL BE PRIVATE AND MAINTAINED BY OWNER.
- ALL IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE CURRENT DEVELOPMENT STANDARDS AND SPECIFICATIONS OF TOWN OF HENRIETTA.
- THE SITE CONTAINS AN ENVIRONMENTAL EASEMENT OVER THE ENTIRE PARCEL.
- THE SITE IS LOCATED IN HENRIETTA WATER DISTRICTS 1 (NORTHERN HALF) & 6 (SOUTHERN HALF)

USE	REQUIRED	PROPOSED
RESTAURANT (4,625 S.F.)	1 PER 3 SEATS = 1 PER 2 EMPLOYEES = 40 SPACES	17 SPACES
RESTAURANT (14,100 S.F.)	1 PER 3 SEATS = 1 PER 2 EMPLOYEES = 80 SPACES	90 COMBINED SPACES
RETAIL (19,250 S.F.)	1 PER 200 S.F. @ 19,250 S.F. = 142 SPACES + 1 PER 2 EMPLOYEES = 4 SPACES TOTAL SPACES = 146 SPACES	579 COMBINED SPACES
RETAIL (32,500 S.F.)	1 PER 200 S.F. @ 32,500 S.F. = 162 SPACES + 1 PER 2 EMPLOYEES = 8 SPACES TOTAL SPACES = 170 SPACES	579 COMBINED SPACES
RETAIL (54,000 S.F.)	1 PER 200 S.F. @ 54,000 S.F. = 270 SPACES + 1 PER 2 EMPLOYEES = 8 SPACES TOTAL SPACES = 278 SPACES	579 COMBINED SPACES
TOTAL	648 SPACES	686 SPACES
ADA COMPLIANT PARKING SPACES	18 SPACES	18 SPACES

*CODE SECTION 235-28: THERE SHALL BE A FRONT YARD DEPTH OF 125 FEET, EXCEPT THAT IN THE EVENT THAT EXISTING BUILDINGS WITHIN 200 FEET ON EITHER SIDE THEREOF EXTEND NEARER THAN 125 FEET TO A STREET LINE, SUCH MINIMUM FRONT YARD DEPTH SHALL BE THE AVERAGE SETBACK OF SUCH EXISTING BUILDINGS, BUT IN NO CASE LESS THAN 80 FEET FROM A STREET LINE.

DISTRICT NOTES

- THESE LANDS ARE IN THE HENRIETTA CONSOLIDATED LIGHTING DISTRICT
- THESE LANDS ARE IN THE HENRIETTA CONSOLIDATED DRAINAGE DISTRICT
- THESE LANDS ARE IN EXTENSION 6 OF THE HENRIETTA SEWER DISTRICT
- THESE LANDS ARE PARTIALLY IN EXTENSIONS 1 & 6 OF THE HENRIETTA WATER DISTRICT

VARIANCE TABLE

TBA APPLICATION NUMBER	TOWN CODE	VARIANCE REQUIREMENT	DATE GRANTED
2019-140	295-28(C)	REAR SETBACK OF 40' REQUIRED (34.1' PROPOSED)	12/4/2019

AS-BUILT NOTE

A RECORD SITE PLAN MUST BE PROVIDED TO THE TOWN ENGINEERING DEPARTMENT UPON COMPLETION OF THE PROJECT. SWING THE DIAGRAMS WILL BE INDICATED FOR THE EXISTING AND PROPOSED WATER CURB BOXES, VALVES AND ALL LATERAL CLEANOUTS. THE RECORD SITE PLAN WILL ALSO INCLUDE ALL IMPROVEMENTS, SUCH AS GUTTERS, CURBS, ETC. ALL STRUCTURES WILL BE SHOWN WITH TIES TO THE PROPERTY LINES ON ALL SIDES. THE RECORD AS-BUILT WILL INCLUDE RECORD CONTOURS AND PROPERTY YARDS COMPARED TO DESIGN VOLUMES AND CONTOURS FOR ALL STORMWATER POUNDS. A SEPARATE MONUMENT RECORD MAP WILL BE PROVIDED TO THE TOWN OF HENRIETTA.

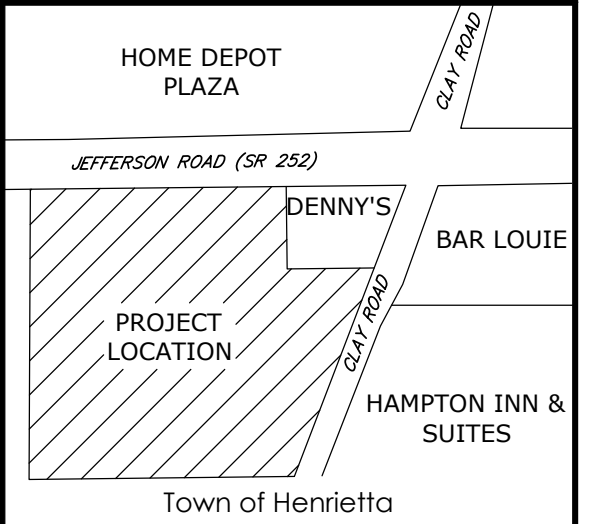
SPECIAL USE PERMIT

A SPECIAL USE PERMIT WILL BE REQUIRED FOR ANY FUTURE RESTAURANT USE. UTILITY CONNECTION NOTE: THE CONTRACTOR IS RESPONSIBLE TO COORDINATE ALL UTILITY CONNECTIONS WITH MECHANICAL/ARCHITECTURAL DRAWINGS FOR LOCATION, PENETRATION AND SIZES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL COORDINATE WITH ALL SUBCONTRACTORS FOR PROPER UTILITY CONNECTIONS. ANY DISCREPANCIES SHALL BE IMMEDIATELY DESCRIBED TO ENGINEER AND ARCHITECT.

ARCHITECTURAL NOTE

AS AN INTEGRAL PART OF THIS APPROVAL, THE PLANNING BOARD EXPRESSLY APPROVES THE COLOR, TEXTURES AND FINISH OF THE BUILDING AS DEPICTED ON THE ELEVATIONS OR OTHER DOCUMENTS SUBMITTED WITH THE APPLICATION. ANY PROPOSED CHANGES IN COLOR, TEXTURE OR FINISH OF THE BUILDING FROM THAT APPROVED BY THE PLANNING BOARD SHALL REQUIRE A RE-APPLICATION FOR REVIEW AND APPROVAL OF THE PLANNING BOARD. ALSO, ONCE TENANTS ARE RENTED FOR THE PROPOSED BUILDING, APPROPRIATE SIGNAGE, MATERIALS, AND ELEVATIONS ARE TO BE PROVIDED TO THE BOARD FOR THEIR REVIEW.

APPROVED BY:	PLANNING BOARD CHAIRMAN	DATE	
APPROVED BY:	DIRECTOR OF ENGINEERING AND PLANNING	DATE	
APPROVED BY:	FIRE MARSHAL	DATE	
APPROVED BY:	DIRECTOR OF BUILDING AND FIRE PREVENTION	DATE	
APPROVED BY:	COMMISSIONER OF PUBLIC WORKS	DATE	
APPROVED BY:	DRAINAGE, SEWERS AND SIDEWALK DEPARTMENT	DATE	



Location Map
N.T.S.

Client:
FSI
90 GOODWAY DRIVE
ROCHESTER, NY 14623

PASSERO ASSOCIATES
242 West Main Street, Suite 100
Rochester, New York 14604
Principal-in-Charge: James Rittenholzer, EIT
Project Manager: Joshua Scanlon, EIT
Designed by: James Rittenholzer, EIT

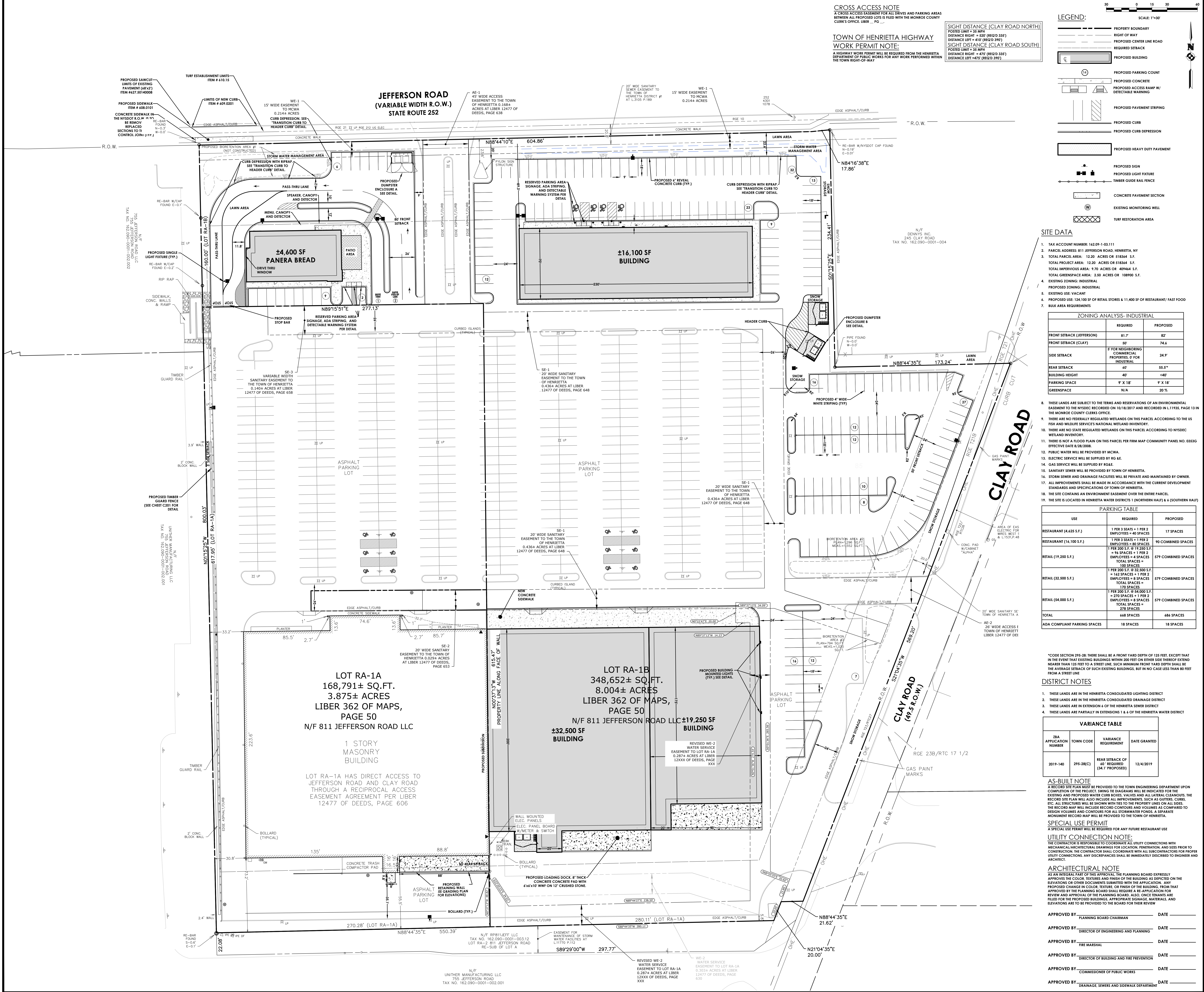


Date	By	Description
10/14/2019	JRS	PER NYSOAT COMMENTS
11/28/2019	ABG	REVISED UTILITIES PER SUBMISSION
12/15/2019	ABG	PER NCM COMMENTS
1/22/2020	BOH	PER OWNER COMMENTS
1/8/2020	ABG	NYSOAT SUBMISSION
1/17/2020	BOH	PER OWNER COMMENTS
1/15/2020	ABG	PER NYSOAT COMMENTS
1/15/2020	ABG	REVISED STORMWATER STRUCTURES
1/20/2020	ABG	PER SUBMITTER OF LARGE BUILDING

SITE PLAN

MINOTTI CROSSINGS
PART OF TOWN LOT 6, TOWNSHIP 12, RANGE 74 OF THE PRESSER & CORSMAN'S PURCHASE TOWN OF HENRIETTA, MONROE COUNTY, NEW YORK STATE

County: Monroe State: New York
Project No: 20192792.0001
Drawing No: C 102 Sheet No: 2
Scale: 1" = 30'
Date: MAY 2022
NOT FOR CONSTRUCTION



N/F UNITER MANUFACTURING LLC
755 JEFFERSON ROAD
TAX NO. 162,090-0001-032.001

N/F FPI11 JEFF LLC
TAX NO. 162,090-0001-033.12
LOT RA-2 811 JEFFERSON ROAD
RE-SUB OF LOT A

EXEMPT FOR MAINTENANCE OF STORM WATER FACILITIES AT L1770 P.112

REVISED WE-2 WATER SERVICE EASEMENT TO LOT RA-1A 0.2874 ACRES AT LIBER 12477 OF DEEDS, PAGE XXX

WE-2 WATER SERVICE EASEMENT TO LOT RA-1A 0.3126 ACRES AT LIBER 12477 OF DEEDS, PAGE 530