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September 14, 2011

Town of Penfield
3100 Atlantic Avenue
Penfield, NY 14526-9798

Attn: Planning Board

**Re: Ellison Heights, Section 2
Letter of Intent**

9610RSM

Dear Planning Board Members:

On behalf of Ellison Heights, LLC – Joint Venture of Steve Mancini (RSM Development) and Bob Morgan (Morgan Property Management) we are pleased to submit the following materials for Ellison Heights, Section 2 Sketch Plan review.

- Ten (10) copies of this Letter of Intent
- Attachment to Letter of Intent comparing proposed plan with SEQR Findings Statement
- A CD containing digital copies of all submitted items
- Application Form
- Rendered Sketch Plan
- Conceptual Building Elevation
- 3-D Concept Sketch
- Cross Section Exhibit
- Two (2) Copies of Site Photos
- \$100 Application Fee

Ellison Heights LLC intends to construct a 183-unit apartment project in 5 (five) 4-story buildings and a +/- 3,000 square foot clubhouse with pool on the Ellison Heights, Section 2 property.

The Ellison Heights project, located on 18.92 acres between Old Penfield Road and New Penfield Road, was reviewed and approved for construction of 199 apartment units, 24 townhouse units, 1 single family home and a clubhouse in late 1999. The proposed plan includes a total of 197 +/- units as compared with 224 units approved. The new plan reduces the number of single family units by 1, townhouse units by 10 and apartment units by 16.

Beginning in 2005, RSM Development constructed 14 upscale townhome units on the Phase I western portion of the site along with the access drive from Old Penfield Road. Utilities were

extended to the townhomes and the stormwater management facilities for the entire project were constructed. Phase II construction will include extension of a drive from New Penfield Road to the townhome road. Four of the five apartment buildings will be accessed from the new road and one will be accessed from the presently constructed townhome road. A clubhouse with pool will be located near Old Penfield Road.

Similar to the previously approved plans, covered parking will be provided in the basement of the buildings. The development will consist of approximately five residential buildings, two of which will contain approximately 51 units and three which will contain approximately 27 units each for a total of 183 units. Each building will have associated below grade garage parking for the residents of the building. Some of the garages will be specific to each building while other garages are proposed to be linked below grade. The buildings will be comprised of manufactured stone veneer at grade level and vinyl or composite lap siding and panels on upper floors. There are embellishments such as tower projections at various corners of each of the buildings, Juliet balconies at each unit and the typical top floor of the elevation will incorporate a mansard roof which will allow us to minimize the overall building height. There will be a ground floor common entrance/lobby for each building which will provide access to elevators, stairs, mail, etc. In addition to the residential buildings, there will be a shared community building which will have proposed amenities such as a fitness center, community room and community pool.

Attached is a SEQR overview document that compares the new sketch plan to plans and Findings previously approved. As described environmental impacts of the new plan are less than the approved plans. Visual impacts were a concern with regard to the approved plans because of the 7/8 story buildings. Attached are cross-sections through the site that compare the new proposed plan with the approved plan. The reduced building height to four stories now proposed will lessen visibility as shown.

There are 2 (two) variations from the previously approved plans that are requested from the Planning Board under Section 278 of Town Law. A consequence of lowering the building height is that more land area is needed to house the same number of units. The plan shows a 30 foot setback to the north property for the clubhouse and north apartment building where 80 feet was shown before. The variance will allow the buildings to be located in areas having less environmental impacts to vegetation and slopes. The proposed variations, if approved by the Planning Board, would not adversely affect the character of the neighborhood as other structures along Old Penfield Road are closer than proposed and, as shown on the attached SEQR report, the environmental impacts for impervious cars and tree removal will be less than those of the approved plan.

The second variation of the Code requested is to have slightly less than 1 parking space per unit uncovered. The amount of parking available in the garage provides slightly less than 1 unit per apartment. There are about 149 covered spaces shown on the sketch plan where 183 would be needed to meet the Code requirement of 1 per unit. The total number of surface and subsurface parking spaces will meet the requirement of 2 spaces per unit. The developer does not believe

that a covered space will be needed for every apartment and to provide separate covered garage space for the additional 34 spaces would detract from site aesthetics and add maintenance and vandalism concerns.

Please place this on the October 11, 2011 Planning Board Agenda. In the mean time, please feel free to contact us if you have any questions or need additional information.

Very Truly Yours,
BME Associates



Douglas B. Eldred, P.E.

Encl.

cc: Steve Mancini (w/enclosures)
Bob Morgan (w/enclosures)

Ellison Heights - Old Penfield Road SEQR Overview

In October of 1999, the Planning Board adopted an approval resolution and a SEQR Findings Statement for the above-referenced project. Since that time, a portion of the project has been developed consisting of fourteen (14) townhouse units. The current applicant is proposing a revised site plan which will contain fewer units than originally approved. A more residential, village-like character inspired by classic mid-rise apartments is communicated by the new building style and architecture. The architecture of the approved plans was somewhat more contemporary and institutional in appearance.

At the time of the original approval, a thorough review of the project was performed by the Planning Board and Town staff, and ultimately a DEIS and FEIS were prepared and a Findings Statement adopted. We have reviewed the above-referenced approval resolution and Findings Statement in order to compare the original project with the one that is currently proposed. The previous plan design provided full mitigation for any potential impacts associated with the project. As demonstrated in the table below, we feel that the current project will have a less significant impact on the environment than did the previous.

We trust that the Board and Town staff will review the above noted documents from the approved submittal and agree with our conclusion relative to potential significant impacts. We are prepared to complete a SEQR Full Environmental Assessment Form once the Town and applicant have conceptually agreed on the new site design and layout.

Comparison Chart of Original Approved Plan and New Proposed Plan

<u>ITEM</u>	<u>ORIGINAL APPROVED PLAN</u>	<u>NEW PROPOSED PLAN</u>
Single Family Lot	1	0
# of Townhouse Units	24	14
# of Condo/Apartment Units	<u>199</u>	<u>+/-183</u>
Total # of Units	224	197
 <u>Parking Tabulations</u>		
# of Spaces for Apartment Units		
- Underground	255	+/-183
- Surface	<u>122</u>	<u>+/-183</u>
Total # of Spaces	377	366
 Building Height	 82'	 56'+/-
Site Area	19.23 acres	18.92
Building Area	1.96 acres	1.91
Pavement Area	3.36 acres	3.21
Total Impervious Area	5.32 acres	5.12
Wooded Area to Remain	4.65 acres	5.81
Greenspace Provided	13.60 acres	13.8
(excluding 1529 Old Penfield Road)		

The proposed plan continues to maintain the advantages of clustering upward on the site. Only previously disturbed areas are primarily affected and mature vegetation is preserved as much as possible. Utilization of underground parking in lieu of surface carports and garages will convey a more pleasing visual appearance, as with the previously approved plan. Natural vegetation preserved along the perimeter of the property will continue to naturally screen the proposed buildings.

The reduced density will generate less traffic than the approved plan. Therefore, levels of service will be slightly improved.

Stormwater management and erosion control measures will be used to protect the water quality of Irondequoit Creek. Current unvegetated eroding areas will be landscaped and vegetated. The former use of the site for sand and gravel mining operations will continue to be ceased with construction of the proposed plan. The site will also be generously landscaped with plant materials complimentary to the building and natural environment.

Summary

The proposed plan substantially limits any environmental impacts to those identified for the approved plans. It is felt that improvements to architecture, landscaping, slope treatments, erosion control, and the increase in project value mitigate any potential impacts. The developer also believes that the improved appearance offered by using the architecturally detailed roof top tower extension mitigates any increased visibility of the building.