

PERINTON TOWN BOARD MEETING
 1350 Turk Hill Road, Fairport, NY 14450
 Wednesday, September 11, 2013

PRESENT:	James E. Smith	Supervisor
	Patricia S. Knapp	Councilperson
	Joseph H. LaFay	Councilperson
	Peg S. Havens	Councilperson
	Stephen C. Van Vreede	Councilperson

ALSO PRESENT: Bob Place, Town Attorney; Eric Williams, Assistant to the Commissioner of Public Works; Jennifer A. West, Town Clerk; Michael Doser, Director of Code Enforcement and Development; Jeffrey Myers, Commissioner of Recreation and Parks; Chris Fredette, Conservation Board; T.C. Lewis, Planning Board.

Supervisor Smith called the meeting to order at 8:00 pm and introduced the Board and staff present.

Councilperson LaFay made a motion, seconded by Councilperson Havens, that the minutes of the Town Board meeting of August 28, 2013 be approved as submitted by the Town Clerk.

Ayes: Smith, Knapp, LaFay, Havens
 Nays: None
 Abstain: Van Vreede

PUBLIC HEARING
 CVS PHARMACY
 1304 FAIRPORT ROAD

Supervisor Smith opened the Public Hearing and asked the Clerk for proof of publication and affidavit of posting. Proof of publication for the Public Hearing was given in the Fairport East Rochester Post on August 29, 2013; affidavit of posting was also August 29, 2013.

Sean McDermott, Senior Development Manager, Zaremba Group, made a presentation on behalf of the applicant, for a request for a Special Use Permit to allow retail operations in a stand-alone structure greater than 8,000 sq. ft. in size on the property owned by Anthony DiPrima located at 1304 Fairport Road. Mr. McDermott handed out elevations and a color site plan of the CVS Pharmacy proposed for this location.

Mr. McDermott explained that Zaremba Group is a developer out of Cleveland, Ohio that has been working with and for CVS since 1997 and is proposing a 13,225 sq. ft. CVS Pharmacy at the future intersection of O'Connor and Fairport Roads. Mr. McDermott stated that he believes that Zaremba has met the twelve standards set forth in the Town Code regarding Special Use Permits.

Mr. McDermott elaborated on the highlights of the project, which include a 13,225 sq. ft. building on a 2+-acre parcel on the northwest corner of Fairport Road and the future O'Connor Road intersection. The proposal includes a 60-car parking lot plus seven banked parking spaces at the back of the site. He further stated that the plan gives emphasis to the corner entrance to the building and emphasizes pedestrian access (with a diagonal entrance from the intersection to the building) as the store would be located close to Perinton Park. Mr. McDermott stated that there have been many conversations with Perinton staff regarding architecture, and that staff gravitated to the look of a CVS in East Aurora, NY where there is a two-story look to the structure, use of high quality materials, additional windows, etc.

Supervisor Smith requested that Mr. McDermott provide the Town with written details as to their compliance with the standards set forth in the Town Code.

Councilperson Knapp asked whether there would be a future landscaping plan and Mr. McDermott stated that there would be many details worked out during site plan approval if the Special Use Permit is granted by Town Board.

Councilperson LaFay asked about the large open space on the back of the site plan map and Mr. Zaremba stated that it is for a tractor-trailer turn-around.

Town Attorney Place asked about the height of the building and lot coverage of the store. Mr. Zaremba stated that the lot coverage is approximately 53% and that the height of the building is 24-26 foot.

Judy McNulty, 647 Thayer Road, asked exactly where the building would be on Fairport Road and Mr. McDermott stated that the former 7-11 and Friendly's would be razed and the CVS would be in that area.

Chris Fredette, Conservation Board, clarified that the lot coverage was actually 59%.

Krista Vardabash, 47 Jefferson Avenue, asked about the lighting and noise expected at the proposed CVS. Mr. McDermott stated that CVS is moving to a high efficiency LED fixture which consumes less energy and that the lighting can be shielded and directed. This is not proposed to be a 24-hour location and CVS typically turns off lighting a half hour after closing. Proposed hours would likely be 8AM to 10PM or 9AM to 10PM. Mr. McDermott stated that there would be a compactor located at the rear of the property by the railroad tracks which may be run one or two times daily during business hours.

Supervisor Smith stated that, should a Special Use Permit be granted, more detail would be revealed at the Planning Board meeting as the process continues.

There being no further questions, and all those wishing to be heard having been heard, the Public Hearing was closed.

Councilperson Van Vreede made a motion, seconded by Councilperson Havens to refer the request for a Special Use Permit to allow retail operations in a stand-alone structure greater than 8,000 sq. ft. in size on the property owned by Anthony DiPrima located at 1304 Fairport Road to the Town Planning and Conservation Boards for their input.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede
Nays: None
Unanimously Approved

**ORDER FOR HEARING
PROPERTY ACQUISITION AND
USE OF CAPITAL RESERVE FUNDS**

Supervisor Smith stated that there is a proposal before the Town Board to consider purchasing what is known as the Hewes property. The Town has been interested in purchasing this property for over a decade and has now reached an agreement with the property owner to purchase 39 acres of land. Supervisor Smith pointed out the land on a map. It is adjacent to and forms a buffer area around the Town Hall/Community Center complex, Center Park and Center Park East.

The first section of land is across Turk Hill Road from the Town Hall complex, is 22.5 acres, and includes a house, barn and garage. The second section of land is north of St. Mary's Cemetery and is 6.5 acres of land, which wraps around the cemetery and adjoins the Town-owned land. The third section is 10 acres and is east of the RS&E trolley bed and adjoins the back of Center Park East. Supervisor Smith stated that the proposal is to purchase the 39 acres for \$546,000. The Town has an appraisal on the property for \$560,000.

Supervisor Smith stated that the owner intends to reserve one acre of land at the end of Margo drive (cul-de-sac) and build one or two houses on the property. Supervisor Smith has worked out the agreed upon purchase offer with the Hewes family and there is a signed purchase offer. The purchase is contingent upon Town Board approval of the purchase of the land and the use of the Open Space Acquisition Capital Reserve Fund for funding the purchase.

Supervisor Smith further explained that the Capital Reserve Funds are like savings accounts, which are used for larger-than-normal expenditures and do not, therefore, impact the Town tax rate.

Chris Fredette, Conservation Board, asked about the anticipated use of this property. Supervisor Smith stated that the land north of the cemetery would remain open space as it is mostly LDD (limited development district). The future of the property east of the RS&E is uncertain and may remain open space. The land across the street has some developable land (where the current owner intends to build a home (s)) and another section right along Turk Hill. The rest of that 22.5 acres should remain open space as it is not developable.

Judy McNulty, 647 Thayer Road, asked about the buildings across the street and whether they would stay there. Supervisor Smith stated that there are long term tenants there and that they are happy there and he will recommend to the Town Board that they stay there for now.

Councilperson LaFay made a motion, seconded by Councilperson Knapp to set a Public Hearing to consider the acquisition of 39 acres of land across from and to the north of Town Hall for \$546,000 and to use funds in the Town's Open Space Acquisition Reserve Fund to pay for the purchase.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede
Nays: None
Unanimously Approved

AUTHORIZATION TO BID PARKS ATHLETIC FIELD GROOMER

Commissioner of Recreation and Parks Myers stated that the Parks Department has had increased maintenance issues with their athletic field grooming equipment due to increased use. This increased field use has increased revenues so pay-back on this machine is under three years. Through evaluation, they have determined that a grooming machine manufactured by Toro, along with accompanying attachments, will best meet their needs. Commissioner Myers stated that the new Toro brand machine is estimated to cost just over \$31,500 and the Parks department currently has \$33,000 remaining in the 2013 Equipment Budget line. This equipment is not available on State contract.

Councilperson Van Vreede made a motion, seconded by Councilperson Havens to authorize Commissioner Myers to go out for bid for a Toro athletic field groomer for the Parks Department.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede
Nays: None
Unanimously Approved

APPROVE CHANGES TO THE MEMBERSHIP
OF THE EGYPT FIRE ASSOCIATION

A motion was made by Councilperson LaFay seconded by Councilperson Knapp, that the following changes in the membership of the Egypt Fire Association be approved:

From In-District to Out of District Member	Mr. Joe Dinolfo 23 Mima Circle Fairport, NY 14450
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Removal from Rolls	Mr. Orrin Berg 305 Mason Road Fairport, NY 14450
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Ayes: Smith, Knapp, LaFay, Havens, Van Vreede
Nays: None
Unanimously Approved

A motion was made by Councilperson Van Vreede, seconded by Councilperson LaFay, that the reports from the Finance Director, Town Clerk and the Code Enforcement and Development Department for the month of August 2013 be approved.

Ayes: Smith, Knapp, LaFay, Havens, Van Vreede
Nays: None
Unanimously approved

Eric Williams, Assistant to the Commissioner of Public Works updated the Town Board on a very public project, which will be taking place in the Town. He stated that the NYS Canal Corporation has let and awarded the Canal Trail rehabilitation project to Ramsey Constructors out of Lakeville, NY. The project will rebuild the canal trail from Monroe Avenue in Pittsford through Perinton to the Main Street lift bridge in the Village of Fairport. Mr. Williams stated that the project is a safety improvement project, which upgrades and improves the wearing surface of the trail and will have a ten-foot minimum trail width and five foot shoulders on either side. He further stated that there will be clearing and grading involved. Ramsey Constructors intent was to start the project this week, but it has been delayed due to right-of-way acquisition hold-ups. Mr. Williams stated that the first phase of the construction will start at Marsh Road and work toward Ayrault Road and continue until winter shutdown. The second phase will be in Pittsford and the third and final phase in the Village of Fairport.

Councilperson VanVreede asked about the section of trail in Perinton Park which is very narrow and Mr. Williams stated that the Canal Corporation will build a bulk-head or retaining wall out into the canal to make that segment wider. Councilperson Knapp asked about the sections of trail under bridges and Mr. Williams stated that there will be some areas where it is impossible to have a 10-foot wide trail and there will be safety striping in those areas. Councilperson Knapp asked whether Town residents impacted had been notified and Mr. Williams stated that he has taken this up with the State and requested that they do so. Supervisor Smith stated that it is important to note that this is not a Town project.

Judy McNulty, 647 Thayer Road, stated that she is a great admirer of the Town Boards, staff and the way that the Town is run. She then discussed several zoning/code issues she would like to see addressed.

The meeting adjourned at 8:40 pm.

Respectfully submitted,

Jennifer A. West
Town Clerk