

Minutes of the Town of Perinton  
Conservation Board Minutes of

January 15, 2013

Present:

Dave Belaskas, Vice Chairman  
Chris Fredette  
Barb Wagner  
Bob Salmon  
Jerry Leone  
Andy Rodman  
Norm Gardner  
Joan Cannon, Secretary

Absent:

Ken Rainis  
John Minichiello

Others Present:

Ed Summerhays  
Joanne Drexler,  
Mark Drexler, Lot 6  
Scott Erickson, Lot 3  
Mark Burmeister  
Joshua Burmeister,  
Visitors

**10 Thayer Woods – Lot 2** - Requesting preliminary and final site plan approval to construct a 1,677 square foot single family home in a residential sensitive district. Mr. Summerhays stated the purpose of this application is to renew the approval granted in 1982 on Lot 2 of Thayer Woods for a 5.52 acre parcel. Most of it's in an LDD area but we have identified the top of bank which represents the limit of the steep slopes. In 1982, leach field testing was done and sized for the standards at that particular time. Further development of other lots started in about 2006. Having done prior work on this subdivision, I am very familiar with this area. In 2005, the Town requested that the road be upgraded to Town standards. Water service was also provided at that time so lot 2, 3, 4, 5 and 6 now have that service. He presented a copy of the 1982 approved site plan under Residential AA which showed Lots 2, 3 and 4 and indicating the perc tests with all them being partially in LDD. His clients had a plan drawn which has since been revised by flipping the house. This way they can come right into the driveway, the house will face towards the natural area, and the leach field has been shifted north to allow for the driveway. However, we are still able to encompass the perc tests that were done in 1982. Because of current Town standards (residential sensitive) we will need to handle roof runoff.

There are concerns from the Town and the current residents regarding the location of the dry well and its position down over the bank. This will have a "walk-out" basement at 866 and there is an 855 contour coming down. Because of the comments, the dry well is back up the slope putting it on a flat area of land. Currently, the watershed for this lot is from the top of the bank draining to the yard and the roadside swale.

We will need a variance from the 70' front setback to 55'. We can't push it back any further because of the leach field. The Health Department in 1982 said it was sized properly for a four bedroom house. But, there really is only room for a three bedroom house which allowed him to resize the leach field. Approximately 25% of the house is in the LDD. The side setback is 20' and that meets the "AA" requirement. It has been indicated to me by Code Enforcement that this is acceptable.

Scott Erikson (Lot 3) had the following comments. In 2004, we were held to residential sensitive zoning which requires a 30' side setback. He felt the house should be staked out to see exactly where it is located. On the south side of the proposed house, it shows that it's not in the LDD – that LDD is going to be completely torn down and excavated much deeper than what's shown on the plan. When Scott applied for his permit, he was told that under "no circumstances" would he be allowed in LDD. He wasn't in the LDD nor did he propose to go into it. In addition, he was told that no trees are to be disturbed that are in LDD. He commented that he did not think drywells in the steep slope area are a good idea. Essentially, there will be a 20' of drop from the roof to the drywell and that water will be diverted to the steep slope area. If there is a lot of rain, the ground will be destabilized. As an example, the Berlinger's had a septic system in back of the house on a grade that was nowhere near as steep as these steep slopes. The entire septic tank wound up sliding down the hill. The soil has the consistency of pancake batter and is not clay. He wondered how many yards of fill they would be removing and feels there will be dump truck after dump truck being removed due to the excavation for the house and the back yard. There is no proposal for where the propane tank will be buried on the property. When you look at the north side of the house in the steep slope area he questioned how far down they will excavate for the footers into virgin soil. Getting heavy equipment in there is another concern. He feels there needs to be another dry well on the site for the runoff into the front yard.

Marc and Joanne Drexler – (Lot 6) Mr. Drexler stated they live across the road from the proposed development and noted that the work limits are not denoted on the site plan. He would like to know exactly how far the excavation is likely to go in order to determine the impact on the LDD. Mr. Summerhays stated the location of the silt fence is on the plan and didn't think there would be anything beyond that. It is shown at the 865 grade where they are essentially taking the entire hill and carving it out for the backyard and would be the limit of grading. Mr. Drexler asked that there be a narrative description of the methods the contractor is going to do. Mr. Summerhays stated that the final architectural plans will show those details. Mr. Drexler felt the applicant should have a geotechnical engineer to insure that the house, drywell and all improvements will be stable and not subject to damage due to the steep slope it is being built upon and how they will accomplish it. He also mentioned he private driveway agreement which specifies that the "setback must comply with the Town zoning ordinance in effect at the time that the building is done". We do recognize that this may or may not have an impact on what the Town decides but the neighbors are concerned. He wondered if it is feasible to build a house there without creating significant damage.

Jerry asked that a legend be added to the drawings. Chris informed the neighbors that in this particular application, it is a Type II action and we do not give a SEQR recommendation. Bob asked about a water main and Mr. Summerhays reiterated that water service was installed to

all of the lots around 2005-2006. Dave asked that the location of the propane tank be added to the plan and whether it is above or below ground. He also asked that an orange construction fence be added to the plans showing the limit of grading and also, the limit of excavation. In reviewing the prior 1982 approved subdivision map, it was noted that all three homes are partially in LDD, including Mr. Erickson's.

Dave outlined the following points: The applicant should respond to the concerns regarding the propane tank, work limits, a plan that ensures there isn't a future problem, geotechnical report, putting test pit at the top of the slope etc.

## **DISCUSSIONS:**

The Conservation Board Minutes of 12-4-12 were approved as corrected.

**Planning Board Meeting-12-5-2012** – Chris Fredette and Andy Rodman attended.

**Shagbark Way** – This application was for Concept approval, to determine the number of units that could be placed on the parcel. The Concept plan submitted has 39 units. About 25 neighbors were there, who apparently thought the Concept plan was what was being proposed. Applicant is actually asking for 19 units and 30+ acres dedicated to the Town as open space. The DPW is concerned with hydrology of the site and the PCB agrees with that concern. Neighbors cited wet basements, yards, and the presence of springs. Most of them were from the Shady Lane/Hillcrest neighborhood. Wildlife (deer) were also a concern. Someone mentioned that logging, for mature walnut trees was taking place. Regarding traffic, someone suggested a 3-way stop at the junction of Shagbark and Folkside to slow drivers down. Concept was granted with conditions including improvement of drainage, traffic and buffers. Dave Kates voted against because six units of townhomes back up to three single family homes.

**Planning Board Meeting – 1-16-13 -10 Thayer Woods** – Chris Fredette and Andy Rodman to attend. Requesting preliminary and final site plan approval to construct a 1677 sq ft single family home in a residential sensitive district.

**See above discussion.**

**Planning Board Meeting – 2-6-13 – Fitch Construction – 7278 Pittsford Palmyra Road** – Bob Salmon and Jerry Leone to attend. Requesting preliminary and final site plan approval to add 4 bump out additions (877 sq .ft.) for sunroom displays to the existing commercial building, additional parking (12 parking spaces) in the front, and loading dock and dumpster enclosure on the east side of the existing warehouse building. Bob stated he has reviewed the file and did not see any big issues or concerns. This will be a big improvement to the building.

**Subdivision Committee Meeting – 12-19-12** – Waterworks Lane – 4 lot subdivision – Jerry Leone attended. Jerry indicated that Martin Janda will probably be at our next meeting. This property used to be the old pool club and is landlocked. He did a site walk with Martin and the applicant and there is LDD in the back that is steep. The owner and developer, Richard Mitchell was going to build a 6,000 sq.ft. single family home but has since built elsewhere. He now

wants to sell the property. The Village has a swale with quite a bit of LDD in between. There are no structures on the property.

**Site Plan Committee Meeting – Southeast quadrant Ambulance Corp – Baird Road** – Storm water mitigation was discussed and that additional adjacent property boundaries to be added to the site plan. Norm stated there will be a cross access agreement with Midvale because the driveway to the existing house is sub-standard as to sight distance etc. We will be entering and exiting the site via Midvale’s maintenance garage driveway. They will be before the Town Board on 1-23-13 for an SUP. Norm stated they will be requesting numerous variances (setbacks, parking etc) because of the size of the lot. They will not be applying for site plan approval until they receive an SUP.

**Village Sports - Baird Road** - Chris stated that their SUP expired last April and is reapplying with modifications. She did not think there were any external modifications but wondered if he paved the parking areas. The only addition she noted was “adult leagues and games” but does not indicate how many, how often, hours etc.

There being no further business before the Board, the meeting adjourned at 9:30 p.m.

Respectfully Submitted,

Joan Cannon, Secretary