

Minutes of the Town of Perinton  
Conservation Board Minutes of

February 4, 2014

**Present:**

Ken Rainis, Chairman  
Dave Belaskas  
Chris Fredette  
Barb Wagner  
Dave Salmon  
Jerry Leone  
Andy Rodman  
Joan Cannon, Secretary

**Absent:**

John Minichiello

**Others Present:**

Eric Williams  
Rob Kozarits  
  
Art Pires, Wegmans  
Mike Montalto, Creekstone  
Garth Winterkorn  
Jim Barbato, Jr. & Sr.  
Maureen Dell, Resident  
Mary Wagner, Resident

**Wegmans Food Markets, Inc.** - Discussion regarding recommendation to the Town Board for an SUP for a 31,399 sq.ft. expansion of Wegmans at 6604 Pittsford Palmyra Road.

Mr. Pires stated they have given a presentation to the Georgetown Commons residents regarding the expansion. There are no plans for any improvements to any of the highways. However, there might be a point, based on prior comments, that we might address the entrance off 250 regarding traffic issues. At this time, they are planning a Market Café and expansion of Wegmans if they receive an SUP from the Town Board. In general, they will be expanding and enhancing the general departments and the addition of the Market Café. They would like to narrow the parking aisles but the spaces would be the same size. Everything in the parking lot will have a slight shift to allow for the narrower aisles and moving the islands. There is a steep slope along the rear parking line and we are looking at the possibility of enhancing and density of the landscaping after speaking with the residents and the Town. We are proposing LED's and eliminating the metal haloid lights. There will probably be the same number of 27' poles.

The code is 35% green space and we are currently at 23.6% green space and we are proposing 22.6% or a 1% loss of green space for the entire site. As to landscaping, we are open to any recommendations from the Conservation Board. In 2001 we received a variance for the height of the clock tower with conditions. One of the conditions is that the clock faces only the south side but we would like a variance for three faces on the clock. We would like to start late spring/early summer. The clock tower is on the northeast corner of the building. Everything will be reworked beginning with the parking lot in 2014. Construction to start in late 2014/early 2015. Finishing up by working through the store with a complete renovation and upgrading. We are working on upgrading the refrigeration units to reduce the noise. The Board wondered about what the residents could see on the roof and Art felt they would probably be able to see the mechanicals.

Ken noted that the residents of Georgetown are concerned about trucks and sound. Art is aware of the concerns and he knows that at times there have been calls to the store from the residents. We try to control truck deliveries and they should be turning off their engines. Refrigeration units (reefers) need to run especially in the summer. We are looking into electric reefers that function at a very low decibel. We can't eliminate everything but we do try to mitigate the sound. When trucks back up (when necessary) there is a beeping sound which is required by law and there is nothing we can do about it. The neighbors have requested that we restrict the hours of deliveries. We are looking into it but we are on a tight schedule for getting fresh products in each day. A produce dock will be added and its location will reduce the number of trucks to the other dock. The garages will help buffer the noise. Maureen Dell stated her unit does not have a garage and has no buffer. Even the ones that have a garage, there is noise between 2:00 and 4:00 in the morning as they unload the products. Ken asked if there were any plans to screen Georgetown with any type of acoustic barrier. Art said they are trying to do denser landscaping. Mary stated there is a 45-50 degree angle on the berm and it is a concern. We don't know, except for a major electrical feed buried in the berm, what else is in there servicing Wegmans, Valley Creek, Georgetown, etc. It runs east/west on the north/south property line. Ken felt that whatever the decibels are on the beepers, they will need to mitigate the sound and indicated to Art that the Board would like to see a plan on what they intend to do. Andy reiterated there is a noise issue and noise needs to be minimized and mitigated by not parking an idle truck waiting for an open dock. Mary asked how much additional storage space within the building is being added. Art did not know the exact number but would find out. Ken asked that they provide a summary regarding the trucks. We would like to know how many there are now and how many are to be expected. We need to understand the sound issue. We need to know the mitigation that could be realized by proposed plantings etc. Garth stated that would be a challenge. Ken felt that the residents understand what they have now which is deliveries between 2:00 to 4:00 in the morning and we highly doubt that will be altered. The higher expectation is that there will be some mitigation of the noise and we need some numbers.

Ken indicated that the watershed (water quality and impacts) are a big issue with the Board. There are impacts with the regional water retention area by the school and the impervious surface. We are looking to how the watershed conditions can be made better. The two main issues are the proximity of the loading docks to the neighbors (noise) and the runoff in the watershed.

Mary asked if the expansion and the number of full load trucks reduce the number of trips to the store. Art did not have an answer as there are too many variables. Ken reiterated the people want to know is what they can expect to see and this is what the effect should be based on what is being proposed. This should be part of the Planning Board process and where this Board will focus on the issues. Art acknowledged and understood the concern.

Garth stated that with the new SPDES regulations (even though it's a redevelopment) there is a slight increase in impervious surface so we have to provide a green infrastructure technique to treat the water quality for 100% of any increased impervious area. Also, depending on the soils, we have to treat a percentage of the existing impervious area to meet the new regulations. The Town will have to sign off on our SWPPP and drainage report before we can submit to the DEC for a permit and that will require we satisfy the Town.

Rob stated there are about 14 acres of building surface, parking lot etc and it was built before the Phase 2 regulations. Currently there are erosion problems downstream and the Town felt this would be a good opportunity to correct the problem. Valley Creek, Wegmans, Perinton Hills, Route 31 drainage from 250 are all components that are conveyed out to Martha Brown School. Eric indicated there is a known problem between the Wegmans property and Valley Creek. Erosion is significant to the point where there is a need to move some telephone cable transformers. Art asked to what standard we are being held to with this proposal. Eric and Rob stated what the Town is asking for is beyond the regulations. Eric stated they need to look for percentage reduction. These are topics that need to be discussed.

Art stated they would look into all the concerns covered tonight: Capacity; hours of operation; number of trailers; density and sound and what possibilities there are to mitigate them whether it's landscaping, electric reefers vs. diesel; truck traffic as it is now vs. what is predicted; watershed.

Ken reiterated that the Town is looking at a situation that has been exacerbated over time and this site has had a contributing factor. What we would like to see is a commitment to take a strategic approach to mitigation based on the fact that previously there wasn't any and now there can be some meaningful reduction on the downstream impacts.

Jerry asked if they have received any feedback from Wendy's and Applebee's or any of the tenants on the proposed road modification. Art said they have started discussions but haven't heard the end results. We have not talked to Wendy's as we don't see the need because it would help their cause. Jerry agreed but thought they should seek their input. Art said he would have to check with the real estate department.

Eric suggested that they not only look at the traffic internally off Route 250, but at all the entrances to see what the capacity is at those ingress/egress points. This way the Town will have a good understanding that if we start moving away from that intersection, it will not impact anything else. Art stated they do not anticipate any impact internally. Eric said the Town has a concern as you are going from a four to a three way and will probably deter some people from that ingress.

Regarding the HVAC units, Dave felt because they will be new, they should be part of the noise sound study. Art said they could get the cut sheets on the existing units and compare them to the new. Dave also asked about the height of the parapets and Art said he would have to get that information. Dave also suggested they show what they anticipate in additional customers because of the new building and renovations.

Barb asked about the number of trucks coming in per day. Art said "in general" that during the day there are about 40 vans delivering products during the week. As to tractor trailers "in general" there are 1-3 a day (overnight) or about 21 per week. Maureen stated there usually are 2-3 a night delivering between 1:00-4:30 in the morning. It's the beeping because they have to back up so far that wakes you out of a sound sleep. It's also the running of the trucks before they shut down and then the release of the air brakes. It happens quite frequently during the week. During the summer, when refrigeration units park side by side and their automatic cycle kicks in they are constantly running on and off. That happens throughout the day and night. She would like to see a limit on the times of the deliveries. Their warehouse is in Gates and not out of town. If they can deliver it at 2:00 in the morning, why can't they deliver it at 10:00 p.m. at night? Chris asked about the parking spaces and Garth replied there is a net loss of five spaces with the expansion.

Bob asked if they have ever received any feedback from Valley Creek regarding the loading dock in back. The headlights go right into the buildings. Art has never heard anything – the land drops off right there. The tractor trailers at night are all Wegmans trucks. The rest deliver during the day.

Ken stated this Board will be making a recommendation to the Town Board regarding the SUP. He felt that after tonight's discussion, you are aware of what the Town's concerns are. We believe that working together the issues can be resolved. There isn't a large change in the

impervious surface. Mitigation needs to be looked at but overall this is a good use of the site. We will prepare a recommendation that basically supports the SUP. We will be very clear to the Board that there are issues; namely, noise mitigation for the neighbors in Georgetown, internal rearrangement of traffic needs to be reviewed; water quality and quantity need to be mitigated to alleviate downstream issues in the watershed. A copy will be sent to you of the recommendation. During the planning process you are welcome to meet with us as necessary and to allow the residents to attend. When you go before the Planning Board, you will have met with us before hand to address ours and DPW's concerns. At that time we will make a SEQR recommendation. That will be based on all of the information provided to us.

**Creekstone PDD** - This application was deferred by the Planning Board on 8-21-13 until the applicant addresses the concerns stated at that meeting.

Ken informed the Board that he was at a meeting with DPW last week and the applicant has done a HEC-RAS study and the DPW has reviewed it and are satisfied with what they intend to do. Also, they no longer intend to move 70,000 yards of soil.

The soil report stated the moisture content of the soil needs to be monitored to make sure the soil stays workable and that we don't incur other issues. All of the borrow areas will be 4' below grade. The mass grading will be the same as before. We will only need about 5,000 yards of structural fill into the site. The updated HEC-RAS analysis shows the effect on adjoining properties. Primarily what changed is we now have more topographical information on the properties to the south. The new grading plan has improved which enlarges the stream channel. The owner met with the property owners to the south and even though they were in agreement, they weren't willing to sign off. Their feeling was "if the Town approves it, we might go along with it". We have sent the HEC-RAS out again for analysis to make sure our new design will work. We have moved the greenhouse complex and the maintenance building about 30' to the north and about 10' to the east. This allowed us to take the embankment area and shift it to the north creating a more defined stream channel. This is not an avoidance of the stream corridor as we are improving the upstream stream corridor. We looked at grading for a more consistent slope as there are high and low areas. Now, we are not having an adverse impact on the properties to the south. It's an overall improvement as we needed to make the project work within our own property. We are not channelizing the stream as it will stay within its own bank. We are tying into the existing contours and then it will flow into the adjacent area. The intent is to define more of a stream corridor where there isn't one. They are proposing to put an agrarian seed mix up against the stream corridor (wildflower/meadow grasses). At the embankment itself we will provide landscape plantings. There will be no grading in the channel. A one year event stays within the stream corridor. Eric stated that from an erosion standpoint, it is better if it spreads out as it reduces the velocity. Mike stated they will not break the bank; therefore, we don't need a permit.

Regarding the Crescent Trail, Mike said they were trying to let the trail hug the edge of the embankment but not down to the stream. Eric said the Town needs to understand how the Crescent Trail is on that property as far as whether there is an easement or a license agreement. Any other improvements such as a pedestrian bridge etc. will require an easement from that southern property.

Ken requested that Mike provide the Board with a summarization of what was stated tonight regarding the HEC-RAS and the new studies and what their intent is as we need to make a recommendation to the Town Board.

Mike stated they need to go before the Town Board for their SUP and then to the HAC, Planning Board for preliminary, Town Board for rezoning and then Planning Board for Final.

### **Discussions:**

The Conservation Board Minutes of 1-14-14 were approved as corrected.

**Planning Board Meeting** – 2-5-14 – Jerry Leone and Dave Belaskas to attend.

**CVS** – 1304 Fairport Road – requesting preliminary and final site approval to construct a new 13,225 square foot retail pharmacy and associated parking and site improvements. Rob stated that they now have an underground attenuation system proposed. We would like them to collect more of the flow and clean it before it goes into the chamber for a water quality standpoint. Otherwise, we feel that the drainage issues to the wetland have been resolved.

**Planning Board Meeting** – 2-19-14 – Barb Wagner and Ken Rainis to attend.

**790 Ayrault Road** – requesting preliminary and final site plan approval for a duplex unit. The CB has no environmental concerns.

**Creekstone Development** – NYS Route 31 and Mason Road – (See above minutes)

### **High Acres 2011/2012 Annual Progress Update –**

Ken Rainis submitted the Annual Progress Update to the Town Board, Planning Board, Zoning Board of Appeals and Town Staff on December 3, 2012. The PCB recommended that the High acres 2011/2012 annual progress update be accepted by the Town as meeting the following conditions of the Town Board:

1. WMNY to provide annual reports to the CB showing that noise levels emanating from the landfill do not exceed Part 360 standards; and

2. WMNY to prepare and submit annual reports to the Town summarizing the progress made in implementing the landscaping plan, and the wetland mitigation plans, and
3. WMNY continue evaluating a comprehensive assessment that will allow the creation of a hedgerow type ecotone.

There being no further business before the Board, the meeting adjourned at 10:15 p.m.

Respectfully Submitted,

Joan Cannon, Secretary