

Minutes of the Town of Perinton
Conservation Board Meeting of

March 5, 2013

Present:

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

Absent:

Ken Rainis
Barb Wagner
John Minichiello
Andy Rodman

Others Present:

Eric Williams
Mike Doser
Martin Janda
Stacey Harlambides

DISCUSSION ITEMS –

1669 Pittsford-Victor Road - Prospective Development - Eric Williams passed out an old concept plan from years ago in order to give the Board an idea of the development potential of the property outside the wetland buffer. It isn't necessarily what the current owner has in mind but will give the Board an idea of what could happen. Mike Doser indicated that this is the Dick Rowe property which was formerly a flower shop. In the past he had a land deal which fell through. Currently, he is attempting to sell the property and one of the prospective buyers would be for some type of medical facility such as an Urgent Care. We have had a conversation with the State about realigning the entrance to this property off Moseley Road and they may be open to that idea. This would be an allowable use. This is a different type of Urgent Care than the one across the street. This type of Urgent Care would serve Workman's Comp situations and not the general public. Mike would like some feedback from the Board as to the viability of this type of plan. The Town still owns the adjacent parcel (5 acres) and we would probably deed it over. Eric stated Route 96 in this area is a little tricky in terms of accessing the property. The Town suggested to the owner that he contact DOT to see what they would offer. The engineer for Monroe County wanted to see the culpability of allowing a driveway cut to

ingress/egress on Route 96 and do whatever intersection improvements needed to be done. Dave Gearing from DOT thought it would improve the project to allow that intersection improvement to take place. Obviously, there are impacts to coming off the Mall entrance as they will be crossing wetlands. It's jurisdictional wetland of State, Federal and Town property. From the road shoulder down to the wetland boundary there is a 4 ½-6' drop in elevation. We are not advocating for the project but need to know where the CB might stand on allowing it to happen. Mike stated that the prospective property owner does not need all that land to put in an office. There might be a possibility of 2/1 mitigation or perhaps the Town swapping the land in the back. Perhaps if the corner were offered to him maybe he would be willing to offset that and provide us with another piece of wetland. They have a long road ahead of them having to deal with all of the agencies. Eric asked the CB to think about it and let us know any thoughts on the subject. Dave asked if the Town has ever done this before and Mike and Eric were not aware of them doing it in the past.

Jerry asked about parking spaces and how many would be required. Mike estimated about five spots per 1,000 square feet. We have not got as far as site plan yet. Jerry asked about the stormwater pond shown and wondered if it drained and if so, where would it wind up. Eric stated everything would discharge into the wetland. Mike asked what CB thought about putting a Town road across our property to get to the private land. It's landlocked as it stands. The property has been zoned industrial since 1950. The wetland goes down into Ontario County. We mitigate any impact to the actual wetland boundary not the impact to the buffer.

Eric indicated that the Town would like to know CB's reaction to this proposal. The CB felt that this would take a piece of land and put it onto the tax roll and make something viable and usable. It won't change the character of the neighborhood as its neighbor is the largest Mall in the area. They will have to go through DOT to mitigate traffic along with the DEC and the Army Corps of Engineers. If they get through all of those entities, it will give everyone a better understanding of the viability of the land.

Hickory Woods Subdivision (f.k.a. Shagbark Way Subdivision) Open Space Discussion - Eric stated the remaining undeveloped property is 36.2 acres. It is before the Town Board and they are considering whether or not they want to accept the land as Town owned open space. Or, if it should be retained by the HOA in some sort of Restrictive Covenant or Conservation Deed so that no further development or land grant etc., could be done to the property. The Town would like to know what CB's thoughts are on the subject. Norm asked about the land to the south and Eric indicated it was a part of the Roundtree Subdivision HOA and is deed restricted. The Town does not own that piece of property. Mike reiterated that the applicant is asking for a Cluster development and part of that is it needs to be a benefit to the Town. The Town can

absorb this as open space or obtain the same benefit from having the HOA own it with restrictive covenants. Ultimately, it becomes an issue for the Town from the standpoint of maintenance, access etc. Mike stated there is no obvious connection to the trail system. The Town Board at this time is weighing their options and would like CB's input. Eric stated that the Town does not want to see a lot of cutting or clearing. It's understood if a tree falls from the HOA property onto a homeowner's property, then they would be responsible for taking care of it one way or the other. Cut it or leave it. Chris said that neighbors told her that there has been some logging. Bob asked who has the responsibility of cleaning the channel to Ayrault Road. Eric said it appears that the Town has an easement over that stream from Ayrault Road to the property line. From there south toward Hogan Road, we don't have an easement and it's unlikely that we will be asking for one. It would be the responsibility of the HOA.

Martin Janda and Stacy Haralambides joined the discussion at this point. Dave asked the CB about it staying in an HOA or would we consider an easement out to Ayrault Road for a future trail if at some point in time that could happen. Chris asked who would maintain it as Crescent Trail wouldn't be able to. Norm agreed but if they did, it would connect to a sidewalk already on Ayrault and all the way down to the RS & E. Chris again stated, she did not think they would but would present it at a meeting. Dave asked Stacy if they would be willing to provide an easement for a trail and he did not think so because of the liability. Mike felt it was not without precedence that Roundtree retain ownership as the HOA property is not open space and they own the land around the hill etc. Eric said that In order to get that trail to work we would have to take ownership of this property but we don't have ownership of the other HOA property. Stacy felt there was nothing to maintain if the HOA owns it, and from a tax standpoint, there is no value if you can't develop it. Eric again stated that if the HOA retains ownership, the Town will probably ask for a restrictive covenant that would not allow further development. Martin asked about donating it to the Genesee Land Trust and Eric wasn't sure. Again, as far as developing and maintaining trails, it would only work if the Trust has the Roundtree parcel. It wouldn't make sense to put in trails, if there wasn't a connection.

Dave asked the Board for their opinions and they unanimously agreed that they would recommend to the Town not to take ownership of the open space. Eric and Mike reiterated that the Town Board has not made a final decision.

HICKORY WOODS SUBDIVISION – Requesting modification of concept subdivision approval and preliminary and final subdivision approval and preliminary and final site plan approval for two (2) single family lots and seventeen (17) for sale townhouse lots under the clustering provision of Section 278-Town Law.

Martin stated he wanted to address the eight comments received from the CB after our last meeting.

- 1) Access to the storm water management area and an agreement. Martin stated they are providing a 12' wide access around the pond. In reviewing it with DPW, it appears we'll be giving them an easement over it (also the creek) for any potential cleaning. Chris asked about the area between the pond and the road and Martin replied it would come from the road, between the units to the pond and go around the pond and back. The DPW also requested access in the area of the turn-around.

Norm asked about a revised plan and Martin indicated it should be ready in about a week to ten days. We will be asking for revised concept tomorrow. We understand that the open space question has to be resolved prior to preliminary approval.

- 2) LDD monuments - We will provide them along the property line between the open space (if it is dedicated to the Town). If it remains HOA land, we will provide it just along the LDD line. We usually do them every 200'-250' or where the direction changes or angles. It will be 4 x 4 with a sign on it.
- 3) Orange Construction fencing. The clearing limits will be delineated with orange construction fence as requested.
- 4) Parking Spaces – We would like to ask the Planning Board to waive the need for common parking spaces as there is sufficient driveway parking. Chris noted the letter from Mr. Slattery and his concern about the buffer lots 16 and 19.
- 5) Landscaping – Additional landscaping will be provided around the townhouses and to supplement the 50' buffer between the townhouses and the existing residential lots to the east. Martin asked the CB to be more specific in what they would like to see. The CB asked them to show it on the plans taking into consideration where the trees are thick or sparse and what can be done.
- 6) Roof disconnection. This has been discussed with the DPW. Some of the rear roofs are proposed to discharge to the swales at the rear of the townhouse unit block.
- 7) Proposed 50' buffer between the townhomes and the neighboring residential parcel. It appears that there will be grading and clearing done within the buffer area. Consideration should be given to having the buffer line be the limits of disturbance, affording the residential lands the full benefit of the 50' buffer. Martin stated there is a 6' swale and the mature trees are about 2' in diameter and the canopy extends much further. Stacy said his intent is not to clear as he doesn't want to lose the buffer. Norm noted the swale is being cut into the 50' buffer and he agrees it is per Town Code but feels in this particular instance, there should be 50' of true buffer. The reality is that in this situation, you are in the back yards of three private homes. Martin stated the swale can't be too close to the basements because some of it will infiltrate. The swale is very

close to the surface and is almost at existing grade. Norm felt that in this instance, it may be better to pipe it and the CB agreed.

- 8) Cut/fill balance of the site - There will be 3,000 cy of fill material. There will short term truck traffic for about 200 trucks. Another option would be to generate the earth from the site which would require additional clearing and excavation.

The Conservation Board Minutes of 2-19-13 were approved as corrected.

Planning Board Meeting of 2-20-13 – Cancelled.

Site Plan Review Report – St. John’s of Rochester – 2-26-13 Norm Gardner attended. They are proposing a new front entrance canopy (about 100 sq.ft.) and a small addition for new mechanical space (about 1,500 sq.ft.). All areas where the additions are going are currently impervious surface or disturbed already with other mechanical units. They will have a temporary construction entrance on Wickford, but are restoring it back to grass. There really is no impact at all from a CB standpoint.

Planning Board Meeting 3-20-13 – Andy Rodman and Norm Gardner to attend.

Southeast Quadrant Mobile Critical Care Unit – 2527 Baird Road – requesting preliminary and final site plan approval to construct a 2300 sf addition to existing facility, consisting of 1300 sf garage to house three first response vehicles and 1,000 sf of addition for storage, office and training room. The Board had no further environmental concerns.

Key bank – 6716 Pittsford Palmyra Road – requesting preliminary and final site plan approval for 20 x 60 addition (1200 addition) to existing building, including additional drive-up lane to accommodate a video automated teller to provide customers with 1 ATM/AHD lane and 2 VAT lanes, façade modification, updated landscaping and lighting. The CB had no environmental concerns.

St John of Rochester Church Addition – 10 Wickford Way - requesting preliminary and final site plan approval for 1600 sf building addition(s) consisting of 1,475 sf for kitchen, choir practice room and storage and 125 sf for narthex addition. The Board had no environmental concerns. (See Above)

Town Board – 2-27-13 – Chris Fredette attended. Chris reported that Epsilon Auto Sales were given approval including Sunday hours. Everything else remains the same. Also, a Public Hearing will be scheduled on Stonebrook (Longwell property) between Thayer and Loud Roads.

The Town Board voted 3-2 to deny the Conservation Easements for 1 and 3 Oak Grove and accepted Dailey Road. The neighbors seem to think there are six approved lots adjacent to Oak Grove.

Zoning Board - 2-25-13 - Chris Fredette and Bob Salmon attended. Bob reported that Ed Summerhays representing **10 Thayer Woods Drive** (Talarico) gave his presentation but then withdrew his application as the Talarico's no longer have a buyer for the house. Bryan Pelkey, **23 Red Barn Circle and Meagher Engineering 7278 Pittsford Palmyra Road** were approved. Items 2, 3 and 4 on the Meagher application were deferred until the March ZBA meeting as Planning Board has not approved the signage.

Special Use Permit – Town Board – Stonebrook – They need to get approval for an amendment to the PDD located immediately south of Pittsford Palmyra Road. The Board noted that there are now three duplexes instead of three single family homes. It originally included 36 single family homes and now it is 32 homes. There originally were 52 townhomes and now there are 49 townhomes and six duplexes. It will be referred to us once a Public Hearing date is set.

Tops Fuel Facility - The public hearing is scheduled for the 3-27-13 Town Board Meeting. They received approval on 2-10-10 and they are now seeking reapproval.

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

Respectfully Submitted,

Joan Cannon, Secretary