

Minutes of the Town of Perinton
Conservation Board Minutes of

April 16, 2013

Present:

Ken Rainis, Chairman
Chris Fredette
Dave Belaskas
John Minichiello
Barb Wagner
Bob Salmon
Jerry Leone
Andy Rodman
Sandra Neu
Joan Cannon, Secretary

Others Present:

Mike Doser, CED

Brian Bouchard, CHA
Louis Terragnoli, Tops

Tops Fuel Facility – 6720 Pittsford Palmyra Road – requesting preliminary and final site plan approval for the addition of a fuel facility at Tops Market in Perinton Square Plaza.

Mr. Terragnoli reminded the Board that this was before them a couple of years ago and felt that they had satisfied the Board's concerns at that time. At that time, we received all final approvals but then negotiations with the previous landlord came to a halt. Since then, the Plaza has been purchased by a developer/landlord and he is not requiring the extensive list of requirements of the former landlord. Nothing has changed on the approved plans and now we need re-approval.

Ken asked if there are any hazardous materials to be stored on the site. Mr. Terragnoli stated they were not and there is no kerosene or diesel fuel. They were not sure whether they will be collecting any used oil and will find out before the next Planning Board meeting. Ken did not think they would be because of the grocery store, but would like a letter confirming it.

Mr. Bouchard stated that Tops owns and operates multiple facilities (50) like this one and they have their own gas operations and maintenance manual that outlines precautions and procedures that need to be taken in the event of spills. This site plan provides a catch basin to collect normal drainage in the event people have a few spills and the residual residue gets tracked off the pad itself. The catch basin will collect all that storm water. There is a hydrocarbon filter within it that is changed on a regular basis. The filter floats on top together with the hydrocarbons. The actual invert of the pipe is pointed down so that there isn't an opportunity for the hydrocarbons to get up into the pipe. In the event of a significant spill, the kiosk will have an attendant and he will have the magnetic mats that will go on top of the grates for any areas that are tributary to the spill. Mike Doser reiterated that this is the same design from two years ago.

The Planning Board now has the opportunity to comment on the site as a whole. One of the concerns was the entrance and making it more typical of a large plaza today in terms of design. It has been changed so that the ingress traffic has the right of way and the egress traffic has to stop. The curbing has not been done as yet. They will be filling in some of the drive aisles with the curbed islands and additional landscaping. There will be fewer conflicts within the main entrance. John asked about the oil/water separator and Brian indicated it is on the plan along with cut sheets of the product. Ken asked that the responsibilities for changing the filter together with a specific schedule also be added to the letter and/or general maintenance. Lou stated they will also supply a copy of the manual as a back-up to the letter. The Board would like a declaration by Tops to the Town officials that this is the way the facility is going to be managed. John said that one of the concerns the Board had last time was making sure that the oil/water separator doesn't go dry. If that goes dry, the first flush that goes through there will have oil on it. We want to make sure the water level is maintained above the elevation of the elbow. Brian stated that the invert of the pipe is 6" below so there is 18" of freeboard which evaporation alone will probably take a year to fill it up. Hopefully, there will be enough rain and it won't be the case.

Chris mentioned complying with DEC standards, state, federal and local, together with fire protection, and Lou indicated they meet and in most cases exceed all requirements. They will send a copy of that also. We have to comply with all the latest regulations in terms of tanks, the materials used, dual wall and not single wall, pull away dispensers etc. Being the newest fuel facility, this one has the best technology available.

The hours of operation are 6:00 A.M to 11:00 P.M. At 11:00 the lights dim and just the security lights remain. Barb asked if the sump covers were designed to stay above the level of the concrete pad so they shed water. Brian said they are 1/2" above the elevation of the pad. In the winter, cones are placed above them so the snow plow driver knows that the concrete pads are there.

Ken asked if the DEC inspects this type of facility. Barb stated that they have the right to be there and they have to be notified 30 days prior to installing the tanks. Sometimes they are there and sometimes they don't. They will be there every three years for the life of the facility.

Jerry asked if there were any foam fire suppression tanks in the roof and Brian stated "yes". The runoff would end up tributary to that catch basin and there would be a magnetic mat that would be placed over the single catch basin and collects the entire area so they have a chance to clean it up. It just goes to that single catch basin. Bob asked about other sales in the kiosk and Lou indicated they will be selling light snacks (pop, candy etc.) but they won't be making anything (coffee, tea, sandwiches etc.).

To summarize, the Board would like two letters, one that discusses "no collection of used oil" and detailing of the hydro carbon filter with a spec sheet. A letter that details dry weather conditions and general maintenance protocols together with a copy of the Manual. The Board would like to see in the letter the maintenance commitment that Tops will provide. A copy of the letter should also be sent to Mike Doser. If there is a reading on the sensors, the protocol on

that should be included also. We need to be assured that there is monitoring and maintenance being done at all times.

Lou indicated that they would like the facility operational as soon as possible. The CB will submit a reaffirmation of their recommendation for a neg.dec for the purposes of SEQR to the Planning Board.

Discussions:

The Conservation Board Minutes of 4-2-13 were approved as corrected.

Planning Board Meeting – 4-3-13 – Jerry Leone and Chris Fredette attended.

Hickory Woods Subdivision – (Shagbark Way Subdivision) – requesting 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.

Most concerns had been addressed by the applicant prior to this meeting. SEQR neg dec was approved, as well as Preliminary and Final Subdivision and site approvals. There was some discussion of the type of evergreens to be planted to supplement the existing vegetation within the 50' buffer between the existing homes on Folkside and the proposed townhomes; shade tolerant and deer resistant types should be selected. Conditions of approval include: monumentation and better description of boundaries of the restrictive covenant area; a no parking sign at the turn-around; construction of the berm to protect the Rifkin property; and the above-described evergreens.

Planning Board Meeting – 4-17-13 - Jerry Leone and Barb Wagner 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 addition for storage, office and training room. Chris noted that they have not entered into an agreement with Midvale for the use of their driveway. They will have to widen the driveway on their own property. The Board had no further environmental concerns. The CB will recommend a negative declaration for the purposes of SEQR with the following findings:

Stormwater controls on the site will be enhanced through the addition of a new French drain and a new dry well.

Green space on the site is proposed to be 62% vs. the required 35%. This takes into account the increase in parking from four spaces to eight spaces.

Lighting impacts will be minimal, with only the addition of three new exterior wall packs.

Landscaping changes will incorporate use of some of the existing shrubs and trees and including the addition of a new (small) tree and shrub landscape bed along the frontage of the new addition.

The aesthetics of the new addition will match the existing structure and façade.

Stonebrook (f/k/a Tanbark Hills, f/k/a Stone Creek) located south of Route 31 between Thayer and Loud Roads requesting modification of preliminary and final overall site plan approval and

modification of preliminary and final subdivision approval to develop a 45.2 acre parcel for a Planned Development District consisting of 32 single family detached homes, 6 duplex units, 49 townhomes, a community clubhouse , 1.9 acre commercial/office parcel and approximately 20.5 acres of Town dedicated and other private common lands.

The Board felt that the changes are all fairly minimal. The CB's major concern is to make sure that all conditions of the 2007 approvals will be complied with including cleanup and proper disposal of the waste site and mitigation of the LDD intrusion. The CB would like to see it documented in writing that it has been done. The CB will make a recommendation for a neg dec for SEQR purposes based on the following findings.

The proposed project manages watershed impacts within the development area; no deleterious impacts are anticipated to the surrounding watersheds.

A plan is in place to manage potential wastes that may be present due to historical use of the site as a canning factory (documented by Monroe County as Waste Disposal Site #26).

Mitigation is provided for disturbance of LDD areas.

Crescent Trail connections have been provided across the proposed development. These connections provide safe pedestrian passage from Loud to Thayer Road.

The plan includes mixed commercial and residential development, which is in consonance with Town development goals.

Planning Board Meeting – 5-1-13 – Chris Fredette and Barb Wagner to attend.

Tops Fuel Facility in Perinton Square and Stonebrook Development – See prior discussions.

Messer Subdivision – 27 Waterworks Lane – requesting preliminary and final subdivision approval for a four-lot single family residential subdivision. Chris indicated the property has a great deal of LDD. After reviewing the plans, the CB had the following questions:

Do the lots meet zoning requirement in having enough land outside of the LDD. They need to provide a table on the plans showing it.

Who is responsible for maintaining the dry wells?

Provision of more information on the perc tests for the dry wells due to the soil types.

A letter to the applicant will be prepared and suggest that they attend the next meeting.

Planning Board Meeting – 5-15-13 - Bob Salmon and Chris Fredette to attend.

VanBuren Subdivision – 290 Howell Road - requesting preliminary and final subdivision approval to subdivide one lot into two lots to include existing home. The CB has no environmental concerns.

Zoning Board Meeting – 4-22-13 – Bob Salmon and Chris Fredette to attend.

Eric Hynes – 388 Loud Road – it appears that the proposed garage is exceptionally large (2,500 sq ft). The CB questions exactly what this garage is going to be used for.

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

Respectfully Submitted

Joan Cannon, Secretary