

Minutes of the Town of Perinton
Conservation Board Minutes of

September 17, 2013

Present: Ken Rainis, Chairman
Chris Fredette
Dave Belaskas
Bob Salmon
Andy Rodman
Jerry Leone
Joan Cannon, Secretary

Absent: John Minichiello
Barb Wagner

Others Present: Mike Doser

Ed Parrone, Randy Peacock, Architect, Jonatha Meade, Project Engineer and Be Walters.
Sean McDermott for CVS

BE WALTERS RETAIL DEVELOPMENT – for property on Pittsford Victor Road and Laird Lane requesting preliminary and final site plan approval for the conversion of the single family residence at 721 Pittsford Victor Road to office space, the existing Subway building to remain unchanged, the church building to be lowered with a rear addition to facilitate handicap access to the building, construction of a 2,577 s.f. restaurant facility, with a pick up window and seasonal outdoor seating area for 9 patrons, construction of a 2,740 s.f. restaurant facility with seasonal outdoor seating area for 14 patrons. Ed Parrone stated this is a 20 year old project and tonight we are requesting reapproval of plans from about two years ago. There have been modifications of the storm drainage system but the essence of the project remains the same.

Jonatha Meade indicated the major change in regards to the storm water is from underground infiltration to above ground infiltration. Also the church building is being lowered and a new addition on the back.

Randy Peacock stated that building #2 is not really intended to be a restaurant at this time. Building #1 will remain a restaurant. Mike Doser said that would change the parking numbers. Randy said that in 2007 when this was approved, the economy tanked and no one was interested in lending money. One of the problems with the marketing is that the church is not at a great elevation to use both floors. It's a little too low to have a full basement level underneath it and too high to work well in accessing the site. It was suggested that we lower it down to a grade closer to the ground. There are still some complications with ingress and egress as the site still slopes from the front to the back. But, we plan on putting a full basement under it. We will also use the material for fill. The whole building will be moved while we are digging underneath the house. It will still maintain the character of a church. It will look just as it does except it will closer to the street elevation.

Chris asked about the rationale of having two restaurants side by side – won't they compete with one another. Randy said that currently the intent is not to have two restaurants. They are still marketing the other building and would like to have some type of an office building. But, oddly enough one of the best things for restaurants to have is another restaurant near it.

Ed indicated that they really don't have any problem with the DPW comments. The parking is our only concern. We still have to deal with permits from the DEC for minor grading within the wetland buffer. Ken asked about the capacity of the pond and Jonatha was not sure. Ken asked that they respond back in writing when the capacity is known and how it was accomplished and the effect it will have. Ed indicated they would respond in writing. We will be retaining more than is necessary to retain.

Bob asked what would happen in the event the project doesn't move forward. If it does not, could you hydro seed the area and maintain it on a two week basis versus what's there now? Ed said they would consider the request. Ed stated that we know we have to get this built and to do that we need to secure tenants and build the parking. Be wants to build this within a year. Randy said it's a catch 22 in that nobody is willing to sign yet because we're not ready to build and we are not ready to build because nobody has signed. Banks will not loan money unless there are actual signed leases. Ken suggested that they indicate in the letter that they will maintain the area if they do not go forward.

Chris noted that we are going into winter and wondered how they can start construction. Randy said there is 6 months worth of work before we can start digging. We have to get all our approvals and obtain a letter of credit and then we can obtain proposals from different contractors. Hopefully, by March we will be able to start construction.

After the letter is received, the Board will prepare a SEQR recommendation to the Planning Board.

CVS Pharmacy - 1305 Fairport Road – Special Use Permit – Town Board Referral –

Mr. McDermott stated this is a proposal for the corner of Fairport Road and the relocated O'Connor Road. We were before Town Board last week for an SUP for a 13,225 sq.ft. CVS Pharmacy. We are a permitted use by right in terms of use since we are retail in a commercial zone. But, we need an SUP because we are a 13,225 sq.ft. structure and only 8,000 sq.ft. is permitted by right. We have submitted a basic site plan, building elevations and a simple color rendering until such time as we obtain an SUP.

This is a 2.05 acre site. We will be razing the old 7-11 store and the Friendly's Restaurant that are currently on the site. Lot coverage will be around 59% and the rear of the site will be primarily vegetated. Our Phase I and Phase II environmental and our wetland delineation are done and we are comfortable with the reports. There is a wetland in back of the property but we do not intend to impact it. It will be left in its natural state. Since the site slopes towards the railroad tracks, we are proposing a surface feature on the northern edge of the parking lot. We will have 60 parking spaces and will be land banking several parking spaces in order to reduce the amount of asphalt. We will be meeting the 20% water quality volume threshold by using a bio swale and bio infiltration to meet the storm water regulations. An attempt will be made to sheet flow as much as possible but it is likely that we will have to pick up the front of the parcel with some basins and pipe them to the back. There will be an open pond with plantings to hold the water to serve both quality and quantity purposes. We have only done very preliminary calculations for sizing.

In regard to landscaping, we have talked with Town staff about how we would treat the frontage along Fairport and O'Connor Roads. There has been some debate as to whether we are going to hardscape it with a raised brick planter to match the building or maybe softscape it with street trees, mulch beds and bushes. There is a concern to shield headlights especially along Fairport Road. CVS is open to any suggestions that the Town might have.

Mike Doser stated that they have been working very closely with CVS in general about this whole corridor. This is a referral and the CB needs to determine whether a 13,225 sq.ft. pharmacy is appropriate in this area. The site planning will happen if they receive a SUP from the Town Board. The Fairport Road guidelines done a few years ago included as part of the 2011 comprehensive plan does provide guidance. The mixed use District Code which is in the works will provide information where people will know what the Town is looking for. The building and parking meets the overall concept of the integrated plans.

Ken asked if the CB requested crushed stone perimeters around the asphalt would they be amenable to it. Sean replied that they have done that in other sites and will do it in places it makes sense to do it. Ken suggested that it be done with some flair and imagination and be combined with the total water quality plan.

Mike also pointed out that during the O'Connor Road reconstruction there was also a landscaping plan associated with that. There is a landscaping plan and this section of Fairport Road will be the focal point. This will be a good addition to the corridor. The Hess Station will be demolished fairly soon. Sidewalks will be constructed as part of the road project.

In regard to lighting, Sean indicated CVS likes to have a 2' candle minimum. There will be some gooseneck lights on the building and about 5-6 light poles. Their standard building colors are red brick color. CVS will not be open 24-7 unless the market dictates it. There may be Federal Wetlands but no State wetlands are involved. However, there is LDD.

Discussions:

Conservation Board Minutes of 8-6-13 and 8-20-13 were approved as corrected.

Planning Board Meeting Report of 8-21-13 Barb Wagner and Chris Fredette attended.

(Note: The Conservation Board Meeting of 9-3-13 was cancelled.)

Fairport Baptist Home – 4646 Nine Mile Point Road – entrance modifications/canopy additions:

The Planning Board discussed two-way vs. one-way traffic. Applicant prefers one-way, but has alternative for consideration. The SEQR recommendation was accepted. Conditions of approval.

Final colors/materials included on final documents

DPW concerns.

Review one-way design submitted tonight with DPW.

Front setback variance from ZBA.

Signature block on all final documents.

No new lights except for flush mounted canopy lights.

Final and preliminary granted.

Alliger Subdivision – 200 Thayer Road – Our SEQR recommendation was accepted and preliminary and final site plan approval was granted subject to the following conditions:

Understood that conservation easement remains in place on both lots at the present time.

Site 2 will require site plan approval prior to development.

Note: applicant will put notes on plan re: formal PB approval requirement for development, conservation easement existence to 2022, zoning information already provided.

Creekstone Development – Presentation by Pridemark focused on conformance of project with Egypt Subarea plan requirements re: zoning – use and density. CB reiterated concerns with stormwater management, supported DPW comments. In addition, requested that the applicant:

Evaluate possible stream restoration measures

Develop detailed phasing plan, given mass grading required at beginning of project

Look at possible separation of pedestrian and bike paths

Evaluate left turn from Route 31

Provide photosims from Mason and Route 31 and with leaves off

Develop a plan for unanticipated discoveries – potter's field (bodies buried outside the cemetery).

Tom Beck explained watershed study. Extensive soil/test pit program information being evaluated by Town, increased riparian corridor. Explained ped zone/sidewalk contribution program – in this case applicant is being requested to build sidewalks along one side of Mason – plus in front of cemetery in lieu of work on Route 31 (since sidewalks already exist there).

Dave Schaeffer thanks applicant for past 10-12 years of trail access and for commitment for continued access. Concerned about drainage. Asks whether any units will have basements (answer-possibly a few). Concerned about clearing north of stream and impact on stream habitat. Assumes easement would be conveyed to Town for permanent public access for designated trail – currently prefer to keep CT as close as possible to stream. Residents voiced concerns, majority of which were increased traffic, height of 3-story apartments, stormwater management. Motion to defer – 7-0. Applicant agreed to **Stop the Clock**.

Waste Management - Ken indicated that the annual review of Waste Management is scheduled for October 15, 2013. Ken said that he has driven around the landfill and is convinced that the Poplar and Black Locust trees using natural succession is doing more than spending additional monies on planting on that hill. They are letting whatever

is coming in and starting to grow. They are thriving and vigorous compared to the same specie bought from a nursery. I am moving away from plantings and encouraging natural succession.

Planning Board Workshop – Dave Belaskas attended. Dave reported that the Planning Board had no concerns with 575 Thayer Road, Be Walters Retail Development and CVS. There was some discussion about the color renderings for Tom Wahls.

Planning Board Meeting – 9-18-13 – Barb Wagner and Dave Belaskas to attend.

575 Thayer Road – garage addition - requesting preliminary and final site plan approval for garage addition, removal of existing deck on the north side of the existing garage and deck addition along the west wall of new construction. The Conservation Board has no environmental concerns.

Be Walters - requesting preliminary and final site plan approval for property on Pittsford Victor Road and Laird Lane. See previous discussion. The CB has no additional concerns and will recommend the following negative SEQR declaration based on the following:

The project plans include the necessary erosion control and storm water management measures.

Stormwater is being managed with a pond located outside the wetland buffer area.

Grading in the wetland buffer that will be managed in accordance with DEC permit regulations.

The project is redevelopment and includes the reuse and rehabilitation of an existing church; and

The improvements are consistent with the development in the neighborhood.

Tom Wahls – 1333 Fairport Road – requesting preliminary and final site plan approval for cosmetic renovation, signage, addition of center entrance and vestibule and an exterior patio for seasonal outdoor dining. The CB has no environmental concerns and will recommend a negative SEQR declaration based on the following:

The project is consistent with the Fairport Road sub area plan;

The outside dining will be an amenity to the area; and

This project does not impact the watershed area.

Zoning Board – 8-26-13 - Chris reported that all of the applications were granted except for James Holzwarth requesting a variance for a second garage to be 1400 sq.ft. instead of 600 sq.ft. He is also using the neighbors land as a second driveway. The Zoning Board denied his application.

Conservation Easements: Chris indicated there are about 16 easements that are up for renewal. Ken is meeting with Nick Moribito and will get back to the Board.

Chris also stated that the Canal Trail between the Fairport Village Liftbridge and the Village of Pittsford is being redone. It will remain crushed stone where it is now and asphalt where it is now but it will be made 10' wider and clear 5' on either side.

There being no further business before the Board, the meeting adjourned.

Respectfully Submitted,

Joan Cannon, Secretary