

**Minutes of the Town of Perinton
Planning Board Meeting of February 19, 2014**

Planning Board Members Present

Mark Anderson, Chairman
T.C. Lewis
James P. Brasley
Kenneth O'Brien
Craig Antonelli
Sandra Neu

Absent

Norm Gardner

Conservation Board Members Present

Ken Rainis
Barbara Wagner

Town Officials Present

Robert Place, Town Attorney
Thomas Beck, Commissioner, DPW
Robert Kozarits, Town Engineer
Michael Doser, Director Code Enforcement & Development (CED)
Lori Stid, Planning Board Clerk

Mr. Anderson called the meeting to order at 7:30 pm, introduced the Board and staff present, and explained the procedures.

Sign(s):

Firestone – 7374 Pittsford-Palmyra Road

(discussion item to amend motion to allow logo to sign)
(carry over from 2/5/14 as meeting was cancelled due to inclement weather)

Mr. Anderson called for the applicant and no one was present.

Mr. Anderson states that at the 1/15/14 meeting the following occurred:

The Planning Board approved a sign application submitted to the Town on 12/6/2013 with revisions submitted to the Town on 1/14/14, subject to the following conditions:

- 1. Applicant to omit the white lettering which states “since 1926”.**
- 2. Applicant must obtain Certificate of Appropriateness from Historic Architecture Commission.**
- 3. The new revised plans propose signage is for two signs, one on the front of the building and one on the side facing Rt.31. (13.6” x 2’1/2”) 27.6 sq. ft. each sign.**
- 4. The building liner frontage is 65 feet (65 x 1.5) total signage allowed is 97.5 sq. ft. the total new proposed for both signs is 55.2 sq. ft.**
- 5. A variance was granted on 12/18/89 to allow a second sign (1.5 feet x 24 feet) on the south side of the building; therefore the new proposed second sign facing Rt.31 shall not exceed 36 sq. ft., the new proposed sign meets this condition.**
- 6. A sign permit must be issued within six months.**

The applicant has since asked the Board to reconsider the application as originally submitted. Their argument is that the words that the Board excluded are a part of their national logo. They wish to have the words “since 1926” on the sign.

The Board discussed and a majority felt that the logo is complimentary and the Board has been approving signs with national logos that are complimentary. Mr. O'Brien felt it would be really hard to read as it is so small. Mr. Lewis is opposed to the logo as he feels it will encourage other businesses to do the same.

Mr. Brasley made a motion to modify previous approval of January 15, 2014 to remove condition #1 of that approval and to approve a sign application submitted to the Town on 12/6/2013 with revisions submitted to the Town on 1/14/14, subject to the following conditions:

1. The new revised plans propose signage is for two signs, one on the front of the building and one on the side facing Rt.31. (13.6” x 2’1/2”) 27.6 sq. ft. each sign.
2. The building liner frontage is 65 feet (65 x 1.5) total signage allowed is 97.5 sq. ft. the total new proposed for both signs is 55.2 sq. ft.
3. A variance was granted on 12/18/89 to allow a second sign (1.5 feet x 24 feet) on the south side of the building; therefore the new proposed second sign facing Rt.31 shall not exceed 36 sq. ft., the new proposed sign meets this condition.
4. A sign permit must be issued within six months.

Mr. O'Brien seconds the motion.

Motion carries 5 – 1, with Mr. Lewis opposed.

Pended Application(s):

Creekstone Development (Pride Mark Homes, Inc.) Costich Engineering, as agent for PM Development of Rochester, LP, owner of property located at NYS Route 31 & Mason Road (tax id# 180.08-1-3.111), requesting a SEQR recommendation to the Perinton Town Board and preliminary and final subdivision approval for a two lot subdivision and preliminary and final site plan approval for a Planned Development District to develop a 39.9 acre parcel at the northeast corner of the intersections of Pittsford-Palmyra Road and Mason Road for a 160 unit residential development consisting of single family detached single story homes for rent, single story townhomes for rent, three apartment buildings with one and two bedroom units for rent, four Green House style assisted living homes, open space park amenity, two garage buildings for resident storage, a storage/maintenance garage for property management, and a community center, pool, cabana building and leasing office.

Presenter: Costich Engineering, Mike Montalto
Zoned: Currently zoned Residential B; pending rezoning to PDD

Mr. Anderson states that on 8/21/13, the Planning Board deferred decision on this request as below:

1. **The applicant addresses the concerns that have been identified tonight, specifically the concerns of the DPW with a focus on drainage.**
2. **Applicant to provide enhanced view sheds for the apartments from all directions and different seasons of the year.**
3. **Applicant to provide view sheds for the patio homes and townhomes from all directions and different seasons of the year, with sensitivity to the view of the roofs.**
4. **Applicant to complete an archeological study of the site.**
5. **Applicant is to provide to the Planning Board the results of the traffic study and a comparison of the traffic impact if it were to be developed under existing zoning and what is being proposed today.**
6. **The applicant has “stopped the clock”.**

Mr. Anderson explained to the audience members how a Planned Development District application process works in the Town. He states that they will not be making any decisions tonight; rather they will be making a written recommendation to the Town Board as to SEQR. They will review the request, however, as though they were going to make a decision on site and subdivision.

Jim Barbato, Jr. – Pride Mark, and Mike Montalto - Costich Engineering presented the application to the Board and gave an overview of the project since 1998. He reviewed the revised site development drawings and the enhanced view shed illustrations. He states that they have received Certificate of Appropriateness from Historic Architecture Commission. He acknowledges receipt of DPW/CED comments dated 2/14/14 and will work with the DPW/CED regarding sidewalk along Mason Road. He acknowledges the concern of CED as to parking spaces for the bungalow/townhouses. They are able to get 2 spots in the garage and spots in the driveway. They are able to add supplemental parking, and he pointed on the plans where that can go. They have been working with the DPW, the Town Engineer, and Conservation Board regarding the drainage study. The archeological study has been completed and there is no adverse impact. A traffic study has been completed on this project and there will be a slight increase in traffic.

Mr. Anderson asked for questions or comments from the Conservation Board.

Mr. Rainis states that the Conservation Board issued comments as follows:

Background

The Perinton Conservation Board (PCB) in coordination with Perinton Department of Public Works (DPW) has reviewed several documents provided by Costich Engineering for the Creekstone Development Project.

Costich Engineering appeared before the PCB on August 6, 2013 to present the proposed Creekstone project. Costich Engineering also appeared before the Perinton Planning Board on August 21, 2013. During these meetings several issues were raised by the PB, DPW and PCB concerning the project layout, soil conditions and site drainage.

Based on comments received from the Town, Costich Engineering prepared additional information concerning the project related to the design of the stormwater management facilities, grading adjacent to the stream corridor and to review general revisions to the project to facilitate banking of parking spaces associated with the apartment buildings. Of particular concern was potential of increased flooding due to site development as well as suitability of onsite soils for fill. Costich was asked to run a drainage analysis using the US Army Corps of Engineers, Hydraulic Engineer Center’s River Analysis System (HEC-RAS) computer model. HEC-RAS is a hydraulic model designed to aid in channel flow analysis and floodplain determination. In addition, Costich was to provide a geotechnical report to address issues concerning workability of the on-site soils.

Costich Engineering meet with the PCB at our February 04, 2014 meeting to summarize the results of the additional work performed for the Creekstone Development project. Personnel from the DPW were present during the meeting to ask questions and provide their understanding of the additional information provided from the HEC-RAS and the geotechnical report.

As the result of the Costich presentation at the PCB meeting and after discussions with DPW, it is the opinion of the PCB that there will be no adverse impact from the Creekstone Development Project.

SEQR Recommendation

As the result of meeting with Costich Engineering and the DPW to discuss the results of the HEC-RAS model and the geotechnical report on soils workability, the PCB makes the following findings:

The Mass Earthwork and Erosion Control plan, sheet CA100 for the project has been revised to identify borrow areas and buildings with basements to facilitate a "balancing" of the site with on-site soils,

The geotechnical report provides techniques to ensure the workability of the soil by utilizing standard construction practices discussed with Town staff and applicable notes and call-outs for drainage fingers and provisions for the review of conditions with the Geotechnical Consultant during earthwork operations that have been added to the plan,

A HEC-RAS model analysis has been developed by Costich in coordination with the DPW to assist the DPW in their evaluation of the stream and the impacts associated with the project on the stream corridor,

The data obtained through the preparation of the HEC-RAS analysis has led to revisions in the project development plan to ensure that the effects on the stream corridor are limited to project owned lands and that no adverse effects occur on adjoining property owners lands,

The size and type of the culvert crossing for the project has been revised based on data obtained from the HEC-RAS model and the layout of "Greenhouse" units and the storage building were revised to facilitate the development of a defined stream.

Based on above findings, the PCB believes that the proposed Creekstone Development Project will have no significant impact and therefore we recommend a negative SEQR determination.

Mr. Anderson asked for questions or comments from CED. Mr. Doser states that CED issued comments as follows:

CED comments:

1. **The Planned Development District is designed to provide overall site plan flexibility, including in requirements for off-street parking. The PDD's parking layout should be guided by the code; however, it can be altered when there is good reason to do so.**
 - a. **The "greenhouse" assisted living area (buildings #27 to #30) exceeds the required number of parking spaces by 34 spaces.**
 - b. **The 66-unit apartment buildings (buildings #31 to #33) typically require 3 spaces per unit or a total of 198 spaces. There are 133 spaces proposed, 65 fewer than typically required. However, because the apartments are one- and two-bedroom units primarily intended for seniors, a better applicable standard would be the Town's senior housing parking code, which states there should be one parking spot per two residents. The interpretive assumption is that a one-bedroom apartment would be for one resident and a two-bedroom apartment would be for two residents.**
 - c. **The applicant indicated intent to land-bank 28 apartment parking spaces, which should be clearly identified on the plan.**
 - d. **Land-banking parking would reduce the number of spots typically required to 161 spots, 37 spots short of the standard.**
 - e. **The dimensional area of the 26 detached one-family homes is similar to the townhouses, so the Town is using the townhouse parking standard to better determine the adequacy of parking for these units. By that rationale, there are 86 townhouse units, which typically require 3 parking spots per unit: one in the garage, one in the driveway; and one in close proximity to the unit. Consequently, the code would typically require 86 separate guest parking spots, though that may be excessive. The applicant needs to consider expanding the turnarounds at the end of each driveway and converting them into guest parking spots. Again, the PDD provides the flexibility to alter the parking requirements with good reason.**
 - f. **The driveway for buildings #25 and #26 appear to be too small to accommodate the town standard of 3 spaces per one-family dwelling unit.**
 - g. **The pool / clubhouse building shows 46 spaces provided, which appears to be adequate.**
2. **The plan needs to show parking lot striping detail (double-hairpin striping).**
3. **The dwellings north of Creekview Drive feature sidewalks that connect to the crosswalks, but the dwellings east of Ranney Drive do not have sidewalks that connect to any crosswalk. Pedestrian access amenities should be consistent.**
4. **The plan should show streets as private drives.**
5. **Please identify whether the greenhouse units will feature fire sprinklers. If not, an apparatus turnaround is required on the south driveway / parking area.**
6. **The parking chart should reflect correct parking calculations / numbers.**
7. **Full size building elevations should be submitted with the final maps for signatures.**

This development is consistent with the goals of the 2011 Comprehensive Plan; land use policy to provide a diversity of housing choices and to encourage redevelopment. HAC has issued a C of A. He would like to see more detail as to proposed additional guest parking.

Mr. Anderson asks for questions or comments from the DPW.

Mr. Kozarits states that the DPW issued comments as follows:

DPW Comments:

General

1. A subdivision map must be recorded in the Monroe County Clerk's Office prior to Town Officials signing the project site plan.
2. The DPW is currently considering alternatives for providing sidewalks along this project's frontage on Mason Road. We will communicate with the applicant and his engineer as we go through the decision process.
3. The applicant's engineer must submit a Letter of Credit estimate for all site work proposed for this project to be reviewed by the D.P.W. The approved amount must be secured by the applicant, in the form of a L.O.C., prior to Town Officials signing the site plan.
4. A pre-construction meeting is required to be held prior to the commencement of any work on this project. The site dewatering plan shall be discussed in detail at this meeting.
5. It is our understanding that the mass earthwork for the entire site will be done all at once, with the utility installation and remaining construction in two phases. The plans must include a sequence of construction that describes key steps in the proposed site development process in addition to the proposed graphical phasing plan. The sequence should reference how the initial site dewatering plan is to be implemented, and state that subsequent dewatering (e.g. well pointing for deep sewers in wet areas) will likely be required based on the geotechnical report information.
6. The mass grading plan should include a note that the existing tank/culvert is to remain in place during mass earthwork operations, with the crossing area built up using temporary steel plates, geotextile fabric and gravel as needed.
7. Provide a typical roadway section for Creekview and Ranney Drives, and specify on the plans that these are private drives.
8. Property lines must be field surveyed and staked where the grading limits abut residential property on the north and east sides of the project. Orange construction fence needs to be installed at these locations.
9. The applicant shall install monuments at all property corners.

Utilities

10. The current plans show sanitary and storm sewer profiles in areas where they are parallel to Ranney Dr or Creekview Dr. However, several sewer sections are proposed off the main roadway alignment. Profiles must be provided for each sewer section to confirm conflicts, ensure proper cover and identify possible compaction test areas. Provide a profile of the sanitary sewer creek crossing between SA1.0 and SA0.0.
11. Revise the sanitary manhole detail to provide a minimum of 6" between the pipe invert and the bottom of the manhole.
12. The proposed sanitary sewer connection to the existing manhole should be accomplished by using a Kor-N-Seal boot. Place a note on the plans that a site meeting with the DPW is required prior to doing this work.
13. Show impervious barriers to be installed every 250' along the proposed sanitary sewer, and provide a detail in the plans.
14. A compaction schedule specifying testing locations by roadway station must be provided for areas where the sanitary and storm sewers are being constructed in fill. Compaction tests must be performed at manhole locations within fill areas.
15. Eliminate the easement over DD4.1 to DD4.2 and DD6.0 to DD7.0. These catch basins and connecting pipes will remain privately owned and maintained.
16. Provide an easement over the sanitary sewer serving Buildings 1-4 and 5-12 and additional easement between SA1.0 and SA0.0.
17. Show cleanouts to be installed at a maximum distance of 90' along sanitary laterals.
18. Drops across sanitary manholes containing an invert with a 90° bend are required to be 0.3' between inverts.
19. Outfall pipe for structure DO-1A is shown as 15" on plans and detail, but end section is labeled as 24".

Grading/Erosion Control

20. Provide a detail for the proposed dewatering trenches which show an approximate width, depth and minimum slope towards the siltation basins. Show silt fence and straw bales to be installed around the proposed siltation basins.
21. Provide a silt fence detail which includes the woven wire fabric for support.
22. Provide a compaction schedule for fill areas to be tested within the road alignment.
23. Revise the proposed construction entrance to be 100' long instead of 50'.
24. Label DC2.0 on the profile drawings.
25. The board on board fence is noted to be 6' on the plans, but is 8' on the detail. Both the fences and guide rail should refer their respective details on the detail plans.

Miscellaneous Details

26. Regarding the culvert on drawing CA 520, we recommend a 6" min stone leveling pad beneath footings. Detail should clarify whether all structures are intended to be cast in place or pre-cast. Waterproofing membrane is recommended prior to placing backfill on new culvert. The wing wall face should line up with culvert opening to reduce turbulence and scour issues.

SWPPP Comments

27. This project drains into White Brook tributary which is in the Irondequoit Creek drainage basin. As such, the runoff depth value "P" in the Water Quality Volume calculations shall be 1" (not 0.85") in accordance with the Irondequoit Creek Watershed Collaborative and Town of Perinton criteria.
28. The water quality calculations (page 7) should be updated to reflect current design shown on plans.
29. Discrepancies between plans and SWPPP for Pond 1A
 - a. 6" orifice invert is 492.00 in SWPPP, but 491.25 on utility plan and detail
 - b. Overflow grate is at 495' in SWPPP, but 494.5' on utility plan and detail
 - c. Max. storm elevations in SWPPP do not match those shown on detail
 - d. 100 yr peak water elevation in SWPPP is 495.36, but emergency spillway is 495. Pond must be designed to contain 100 yr storm event.
30. Discrepancies between plans and SWPPP for Pond 1B
 - a. 15" outlet invert is 493.20 in SWPPP, but 493.25' on utility plan and detail
 - b. 10" orifice invert is 493.20 in SWPPP, but 492.55 on utility plan and detail
 - c. Max. storm elevations in SWPPP do not match those shown on detail
 - d. SWPPP calls for 35" x 35" grate, which is different than the other two ponds.
31. Discrepancies between plans and SWPPP for Pond 2
 - a. 4" orifice invert is 493.50 in SWPPP, but 492.75 on utility plan and detail
 - b. Max. storm elevations in SWPPP do not match those shown on detail

A lot of time has been spent on hydrology. The ponds meet NYS Phase 2 DEC reg's. The runoff is anywhere between 16% and 90% reduction from existing volumes. The stormwater being routed through the site, into the ponds and ultimately into the wetlands will be less than what it is today under its current condition. The Town asked them to test the site with an extreme flood event.

Mr. Anderson asked for questions or comments from Mr. Beck. Mr. Beck states that he met on site with Jim Barbato last week to look at some of the issues with placement of a sidewalk on the east side of Mason Road. They will be meeting with the applicant again to review details and to have this be shown on plans. The drainage study that they asked the applicant to do, took a lot of time as the Town continually asked for new models to be run through the program. The scope of the study was determined by the Town. The traffic analysis was similar. The Town hired its own traffic engineer to assist the staff with development of scope for traffic analysis.

Mr. Anderson asked for questions or comments from Attorney Place. Mr. Place states that tonight the Planning Board should be making a written recommendation to the Town Board regarding SEQR and the height of the building. There will not be any vote tonight on site plan or subdivision until such time as the Town Board has made a SEQR determination, which will likely be March 26, 2014. If that goes favorable, the applicant will then come back to the Planning Board for the Planning Board to make a decision on site plan and subdivision. If that goes favorably, then ultimately it will go back to the Town Board for the rezoning to the PDD.

Mr. Anderson asked for questions or comments from the audience.

Bill Guche, 39 Broadmoor Trail, had questions regarding the pond behind the senior facility. Mr. Montalto reviewed the formalized stream channel. Mr. Anderson states that there are retention ponds on site which help to control flow. Mr. Guche inquired if the Town is comfortable with the testing that has occurred if it the Town feels that the stormwater management will work properly. Mr. Anderson states that is the conclusion. Mr. Guche asked if there is a concern about the earth because of the soft nature of the soil. Mr. Montalto states that a geo technical report was submitted to the Town for evaluation. The plans have been updated to add some channels during the grading procedures to make sure that the soils are de-watered and that the site can be constructed even during a rainy season. Mr. Kozarits states that he is satisfied from a de-watering standpoint. Mr. Montalto states that there will be some select fill underneath the structures at this location.

Steven Smith submitted a copy of an e-mail dated 2/19/14 and photos into the record from Michael Colton who cannot be here tonight. He read aloud the e-mail and described the photos. The concern is that developing this land will create stormwater issues.

Judith McNulty, 647 Thayer Road, states that she is disappointed in this proposal. She feels that what he is proposing is attractive but the layout does not look like a hamlet at all. The grid is very rigid. There are too many buildings. Mr. Barbato states that they worked with the Town's consultant to create this grid. They are well within the guidelines of development of this Hamlet that have been laid out. Mrs. McNulty would like the roads to have a historical name.

Dave Schaeffer, 29 Chablis Drive, states that he is representing Parks and Recreation Advisory Board and Crescent Trail Association. He thanks Pride Mark for allowing the Crescent Trail to have a walking trail through the property during the past 15 years. He would like to have some further discussion between the developer and the DPW regarding the surfacing of those trails. He would like to look at non-motorized circulation throughout the Town (bicycles). He asks if snow storage will interfere with the trails and the applicant states no; there are places shown and designated on the plans for snow storage and they do not interfere with the trails.

Mike Wisniewski, 41 Broadmoor Trail, had concerns if parking spaces will go into the buffer. He does not feel that is an appropriate location. The applicant states it is maybe 5' and is about two spaces at the end of each. It is not a parking lot. Mr. Wisniewski wants to make sure that additional parking is not in the buffer. He states that a building of this height does not fit into the Egypt sub-area plan and is not in line with this neighborhood. He expresses concern about clear cutting. Mr. Anderson states that a grading plan has already been submitted.

John DeSeyn, 340 Wilkinson Road, would like to see permeable pavement in this location. Mr. Montalto states it is not suitable for this site because of the soil. Mr. DeSeyn states that this proposal does not look like a Hamlet.

Paul Barton, 15 Waycross, states that there is a continuing theme of ever density in this location. A 3 story structure will not fit into Egypt. Just because they are proposing a low spot for the 3 story building does not mean it is appropriate for the Hamlet of Egypt. He is opposed to street lighting on this project; at least no street lighting for anything other than the senior facility as he doesn't want to have to look at the glow of the lights.

Joel Jacobs, 45 Broadmoor Trail, states that he wants to review the design of the ponds and stormwater to make sure that they will work. Mr. Anderson states that this has been reviewed by Town staff and it meets the Town standards. There was a lengthy discussion on stormwater management. Mr. Beck states that he can come to DPW and they will review with him what is proposed and how it will work.

Darlene Wisniewski had questions regarding the safety of the pond and how they will be maintained. She expresses concern as to how other ponds in Town currently look; they are a mess. She is opposed to a 3story building in Egypt.

Mr. Barbato states that the ponds will be maintained by an agreement between the applicant and the Town as part of DEC requirement. They have submitted a landscape plan and safety plan to the Town.

Jack Male, 87 Loud Road, states that a 25 year rain event will flood this out and he does not believe that they will be able to control the stormwater. He does not feel that the Town has adequately addressed this concern.

Bill Guche asks how deep the ponds are below the outlet. Mr. Montalto states 3 – 4'. It is dictated by NYS DEC guidelines. These are not landscaped, manicured ponds; these are stormwater management facilities. The ones to the north and west will be more naturalized and in their finished condition will be an extension of the wetland system. The two facilities at the north end of the lands south of there will be a more traditional pond with more manicured lawn leading up to it. They are using a wildflower mix around the perimeters of the stormwater management facilities and stream corridor to allow for there to be a more natural stream corridor and for there to be an extension of the DEC wetland area. They are not going to look like a pond in front of a mall.

Mr. Lewis asks how far above the low spot in the pond is the bottom of the outlet. Mr. Montalto states 3 – 4'. Mr. Guche states that there will always be water in it and they will have mosquitoes. Mr. Montalto states that today there is a 10 acre wetland, so the stormwater management facilities are not going to change the eco systems and will not create more flies or mosquitoes than the wetland already has. Mr. Guche expresses concern with additional traffic increase because of this development.

Mr. Barbato states that the Planning Board asked them to look at the difference in traffic if this were to be developed at its' current zoning and what they are proposing it to be zoned for. Mr. Beck states that the Town and the Town's consultant provided the scope and had a traffic consultant review the traffic analysis. Yes; traffic will increase, but it will not create a change in the level of service at the intersections. Mr. Beck states that there have been numerous traffic studies done. The Town attempted to convince NYS DOT not to make this a five lane highway. They also attempted to convince NYS DOT that a signal light was needed at the intersection of Mason and Loud Roads (with RT 31) and to convince them to re-align those streets so they were closer to a 90 degree angle. The only way that signal light got approved was taking into consideration the traffic that was proposed for this development at that time, as this development was in front of the Town at that time at a higher density. If the traffic from Longwell and this proposal had not been included in the traffic analysis that was done at that time, there would not be a signal light there today. He understands that at peak hours people have to wait.

Mr. Guche disagrees and feels that this development will add too much additional traffic for this area. Mr. Beck states that if you look at 160 units in conjunction with the population of that entire area, it is a very small percentage and a drop in the bucket for the amount of traffic that goes through this area.

Amy Hunter, 22 Folkside Lane inquires if the Town has looked at solar panels, wind turbines and community gardens for this development.

Ms. Neu would like to see some additional landscaping at the base of each building. Mr. Montalto states that there is a detailed landscaping plan. Mr. Barbato states that there is also a fence. Ms. Neu asks if that is board fence. Mr. Barbato states yes and it staggers. Ms. Neu states that there is a lot of roof on the single story homes.

Mr. Antonelli supports the project. It is a great layout for what Chris Lopez helped design. It is linear. That is what Chris Lopez and the Subarea Egypt Report, along with the Hamlet of Egypt are dictating. He likes the architecture. Historic Architecture Commission has reviewed and they also like the architecture. It looks like it will be a walkable community. Drainage has been addressed by the Town Engineer and there should not be an appreciable difference. He thinks it is a good idea to add some parking spaces for the individual units for overflow. The viewsheds that were provided were very helpful. The location that has been picked out is the best location for the 3 story apartments. He feels it is like a two story colonial that has a walkout basement. The old village houses have two stories with an attic. He feels that architecturally they will fit in the area and other than the roof lines they can't be seen. He asks if there will be enough room for a patio or a deck if they want them in the future. Mr. Barbato states that all of the single family homes, the townhomes and the apartments already have an integrated covered porch. There won't be any additional decks in the back.

Mr. O'Brien supports the project and compliments the applicant for all the hard work that has gone into this. The view shed information was very helpful to try to understand what this would look like from various points surrounding this development. Mr. O'Brien supports the 3 story apartment building. A lot of the older homes in the hamlet are two stories with an attic. The apartments are situated in a low spot in this proposal, so they are less obtrusive.

Mr. Brasley supports the proposal. He is comfortable with a three story building for the apartment. He attended the HAC last week and HAC supports the proposal for the appropriateness for the layout and the appropriateness for the building size. He asks if parking will be allowed on the main private drive. Mr. Barbato states that he hasn't really thought that through yet. He has a similar community and they don't have parking along the roadway. They haven't posted, but it hasn't become a problem. The driveways should be able to accommodate guest parking. Mr. Brasley asks the applicant to post the lighting detail. He understands that the neighbors will be able to see lights from this development just like these new neighbors will be able to see the lights on their houses. Mr. Barbato states that they are 12' high. They are more of an accent lighting rather than lighting up the roadway. It has more of a village feel. Mr. Montalto states it is a period specific acorn light and is night sky friendly. It is covered at the top at emits down. The apartment complex parking lot and the community center will have traditional lighting level. Mr. Barbato states that there will be simple porch lighting on the homes.

Mr. Lewis states that Historic Architecture Commission wanted the grid look. He prefers curved streets to the grid. He doesn't feel that street lights are needed in this tract. He likes the ones that they are proposing, but doesn't feel that they are needed. Mr. Lewis asks Mr. Doser what the code says about three stories. Mr. Doser states that there is a 40' height restriction. Mr. Place states that the Town Board can change that at their discretion. This is a PDD and this would be a part of the rezoning. Mr. Lewis states that every time a development is proposed the neighbors are concerned about traffic. There will be additional traffic, but it will not be changing the level of service. Route 31 is a state road. We were lucky to get a traffic light here. He remembers when Selborne Chase went in. It is exactly one mile long and has 175 houses on it. It pumps a lot of traffic out onto Route 31. It is not bad enough for the State to do anything about it. Mr. Lewis asked what the term "greenhouse" meant in relation to this project. Mr. Barbato states that it is a home like setting where people can be involved in daily activities and can prepare meals, decide on a menu, helping fold laundry. It helps to keep people active instead of living in an institutional model, where it is more like a small hospital. Mr. Lewis feels that the proposal is too big for the Hamlet. Mr. Lewis reviewed the comments that were submitted by the Historic Architecture Commission (see below).

February 14, 2014

**TO: THE PLANNING BOARD
FROM: HISTORIC ARCHITECTURE COMMISSION**

On February 11th, 2014, the Historic Architecture Commission reviewed the plans for the Creekstone development, per documents submitted by Pride Mark Development Perinton Townhouse LLC on August 27th, 2013. We find the proposed development to be in keeping with the 2003 Egypt Sub-Area Plan and Guidelines.

The proposal follows the general design guidelines, including higher density near the hamlet core, adequate landscape buffers between new and existing development, and attractive streetscapes, which include appropriate landscaping, lighting, sidewalks, and other pedestrian friendly assets.

The proposal also follows the recommended architectural guidelines for residential buildings in the hamlet, including appropriate garage orientation, appropriate massing and proportion of the buildings, inclusion of such architectural features as trim boards around doors, windows, and along fascia; porches; combination of clapboards and shingles on all buildings; and the attractive use of five color combinations for clapboards and shingles.

The Commission appreciates the sensitivity shown with regard to the historic cemetery on Mason Road, including the utilization of appropriate landscaping and the establishment of the adjacent pocket park.

We believe the Creekstone development will be a welcome addition to the Egypt community.

**Ann Parks
Chairperson, Historic Architecture Commission**

Mr. Lewis states that over the years the applicant has made a lot of changes to this proposal at the request of the Town and the neighbors. The Town Engineer has reviewed drainage for this project, and they feel this proposal will work. The Town has a big interest in seeing that it is done correctly.

Mr. Anderson states that this project has been through a number of design iterations over the years. He supports this proposal. It is consistent with the Egypt sub-area report which called for increased density in Egypt. HAC supports this proposal and have issued a Certificate of Appropriateness. He would like to see the sidewalk connection from this project to the existing sidewalk adjacent to the fire hall. Mr. Anderson would like to see some different building elevations for the single family homes; not just different colors. Mr. Barbato states that they can look at doing different porch treatments. Mr. Anderson states that the applicant is asking for the three story building to be 45' in height. He states that these units will fit to the land, and while people will see it, they won't be overwhelmed by it. The viewsheds that were submitted by the applicant were very helpful.

Mr. Anderson states that Mr. Gardner is unable to attend tonight's meeting, but did put his comments in writing (see below)

- 1. The layout, while "efficient", still lacks any creativity, with straight roads, perpendicular / parallel buildings with no attempt to conform to any topographic elements or landforms. I used the term "mobile home park" at Concept and do not see anything to change my opinion of the site layout.**
- 2. There is really no "Hamlet of Egypt" feeling to this plan. Some sort of central gathering place should be incorporated into site, with a "Village Green" setting. Perhaps a stormwater feature could be incorporated into a central park feature. Curved roads, angled buildings like most other developments in the Town should be used and maybe the hamlet feel will come out.**
- 3. A two story only building should be the maximum height, not because of any visual impact, but because a three-story building is rarely thought of when I think of a "hamlet".**
- 4. One good thing accomplished by this plan is the attention paid to visual and physical separation to Mason Valley single family homes.**
- 5. While I support the density and use of the land I cannot support this Site Plan / Layout for the above reasons.**

Mr. Anderson made a motion to defer preliminary and final subdivision approval for a two lot subdivision and preliminary and final site plan approval for a Planned Development District to develop a 39.9 acre parcel at the northeast corner of the intersections of Pittsford-Palmyra Road and Mason Road for a 160 unit residential development consisting of single family detached single story homes for rent, single story townhomes for rent, three apartment buildings with one and two bedroom units for rent, four Green House style assisted living homes, open space park amenity, two garage buildings for resident storage, a storage/maintenance garage for property management, and a community center, pool, cabana building and leasing office for plans received by the Town on 1/31/14, subject to the following conditions:

1. The Town Board is to make a SEQR determination on the project.
2. Satisfaction of any remaining concerns of the DPW/CED.
3. The sidewalk plan is worked out between the applicant and the Town staff for both the area in front of the cemetery and plans to connect the sidewalk to the existing sidewalk of the fire hall.
4. Guest parking for the single family homes are to be identified on the plans.
5. The building elevations, light and colors are to be included on plans and the applicant is to consider alternative elevations and treatments for the single family homes to provide a variety of look, in addition to color.
6. The applicant to continue to work with Town staff and Crescent Trail to resolve any outstanding trail conditions.
7. In conjunction with this deferral, the Planning Board recommends a Negative Declaration of SEQR to the Town Board, with the following findings:
 - o Stormwater management plans have been developed which effectively control drainage and water flows resulting in essentially the same conditions as currently exist. The applicant conducted, in conjunction with Town staff, a HEC-RAS study using very conservative assumptions which have validated the stormwater management plans effectively control drainage in a wide range of potential conditions.
 - o The Board supports the building heights of the proposed apartments. The buildings are located in the lowest portion of the site with view sheds which will not adversely affect the existing neighbors. The applicant provided renderings of both summer and winter conditions from six locations which enabled the Board to assess the visual impact. The buildings have a peak of 45 feet with an average height of approximately 38 feet which is lower than the Town standard of 40 feet. Further, it was not uncommon for hamlets and villages to have large two story homes with an attic of similar height.
 - o The applicant conducted a traffic study by an independent consultant which identified no change in level of service compared with current conditions. Town staff has reviewed and concurs with these findings.
 - o Housing density is consistent with the goals of the Egypt Sub-area Plan.
 - o The existing Crescent Trail is maintained with proposed enhancements ensuring continued enjoyment of the trail by the community at large and the residents of the development.

The applicant has been very responsive to requests from Town staff, Planning Board, Conservation Board, and Historic Architecture Commission to develop a plan which will be sensitive to the environment, achieves the goals of the Egypt Subarea Plan, and provides additional housing options for the community.

Mr. Lewis seconds the motion.

Motion carries 6 - 0

New Application(s):

CVS – 1304 Fairport Road. Larson Design Group, et al., as agent for Anthony DiPrima, owner of property located at 1304 Fairport Road (tax id # 152.11-1-33) and Tony DiPrima Properties, LLC, owner of a portion of property located at 1314 Fairport Road (tax id #152.11-1-32), requesting preliminary site plan approval to construct a new 13,225 sf retail pharmacy (CVS) and associated parking and site improvements.

Presenter: John Wojtila, Zaremba Group
Zoned: Commercial
(carry over from 2/5/14 as meeting was cancelled due to inclement weather)

John Wojtila, Zaremba Group, presented the application to the Board as per letter of intent, as shown below:



Original

January 2, 2013

Mr. Mark Anderson
Chairman
Town of Perinton Planning Board
Perinton Town Hall
1350 Turk Hill Road
Fairport, NY 14450



*Re: Letter of Intent
Initial Site Plan Application
CVS Pharmacy – Store #10284
1304 Fairport Road
Fairport, NY*

Dear Mr. Anderson:

On behalf of the Zaremba Group we are requesting that the above-referenced project be placed on the agenda of the **February 5th, 2013** meeting of the Town of Perinton Planning Board. The purpose of this project is the construction of a new 13,225 sf retail pharmacy and associated parking and site improvements.

The property is located at the northwest corner of the intersection of Fairport Road and the new O'Connor Road extension (part of tax map parcels 152-11-1-33 and 32). The project proposes the demolition of the former Friendly's and 7-Eleven stores to construct the new facility. The project is located in the Commercial (CO) zone and existing water and sewer districts.

All necessary site utilities are available at the site. Extensions or modifications will be required for the gas, electric, and water and sewer. The proposed renovations will not significantly increase the demands on the current systems.

The site will utilize two proposed access drives, one onto Fairport Road and one onto O'Connor Road replacing the drives and access points currently utilized by the previous properties. The proposed drive on Fairport Road will require a Work Permit from the New York State Department of Transportation. Application to NYSDOT will be submitted separately.

Due to an increase in the impervious surfaces, an increase in stormwater runoff is expected through the development of this project. Stormwater management, including treatment of water quality and the required peak attenuations, will be handled through the installation of an infiltration basin and sub-surface stormwater detention system. The runoff will eventually be discharged to the existing wetland area located to the north (rear) of the property. Total project disturbance is greater than 1 acre so a NYSDEC SPDES General Permit for Construction Activity is required.

With Mr. Wojtila is Mike O'Connell, Larson Design Group, project engineer. Zaremba Group is the developer for CVS Pharmacies. They are requesting a drive-up window for the pharmacy. This project appeared before the Town Board for a

Special Use Permit which was granted by the Town Board on 9/25/13. There were some conditions attached to the approval by the Town Board. (see below)

1. **The Special Permit is being granted for the construction of a 13,225 square foot CVS building subject to the following modifications to the architectural renderings submitted to the Town entitled "CVS Pharmacy, CVS #10284 Perinton, NY 09-03-2013;**
 - a. **Creation of a three-level parapet with the area over the store entrance being the highest level, resulting in a tower element that focuses the eye on entry to the store**
 - b. **Differentiating the tower element from the rest of the structure using a lighter colored ground-face block or cast stone**
 - c. **Featuring clear/transparent glazing on at least the first two sections of windows nearest the entrance on the south and east elevations, thereby providing a look inside building that indicates a lively retail space**
 - d. **Making a number of upper floor windows serve as light wells to provide natural light into the structure**
 - e. **Using a building base that is set apart from the red brick with ground face concrete that matches the proposed pre-cast concrete string-coursing and window sills**
2. **The sketch site plan "SK-1" prepared by Zaremba Group LLC dated 7/24/13, which results in two rows of parking fronting Fairport Road, and two rows of parking fronting O'Connor Road; seven land-banked parking spots in the northeast corner of the parking lot; a decorative walkway from the corner of Fairport and O'Connor, leading to the store entrance enhancement; and building setbacks as shown.**
3. **This approval is conditioned upon receipt of site plan approval including elevations from the Town Planning Board.**
4. **This approval is subject to the applicant obtaining a building permit within one year from the date of this decision.**

He described the elevations.

Mike O'Connell, Larson Design Group described the project layout. The project is currently zoned commercial. They are appearing before the ZBA on 2/24/14 for the following:

requesting the following variances of the Town of Perinton Zoning Ordinance to allow a proposed CVS Pharmacy:

- (1) Section 208-42 (B) (2), to allow the lot width (Fairport Road) to be 161.27 feet instead of 300 feet.
- (2) Section 208-42 H, to allow the front landscape buffer along Fairport Road and O'Connor Road to be 20 feet instead of 50 feet.
- (3) Section 208-41 A (4) (a), to allow the drive-thru stacking to be 5 spaces instead of 10 spaces.
- (4) requesting a Special Permit under Section 208- 41 A(4) (a), to allow a drive-thru pick up window for a proposed CVS pharmacy.

He acknowledges receipt of DPW comments. They will be bringing fill onto the site. He described the stormwater and infiltration system. The wetlands have been flagged and are undisturbed.

Mr. Anderson asked for questions or comments from the Conservation Board. Ms. Wagner thanks the applicant for meeting with them and they are prepared to make a SEQOR recommendation.

Mr. Anderson asked for questions or comments from CED. Mr. Doser states that CED issued comments as follows:

CED Comments:

1. **This application received a Special Use Permit from the Town Board on Sept. 25, 2013, subject to the following:**
 - a. **Creation of a three-level parapet with the area over the store entrance being the highest level, resulting in a tower element that focuses the eye on entry to the store**
 - b. **Differentiating the tower element from the rest of the structure using a lighter colored ground-face block or cast stone**
 - c. **Featuring clear/transparent glazing on at least the first two sections of windows nearest the entrance on the south and east elevations, thereby providing a look inside building that indicates a lively retail space**
 - d. **Making a number of upper floor windows serve as light wells to provide natural light into the structure Using a building base that is set apart from the red brick with ground face concrete that matches the proposed pre-cast concrete string-coursing and window sills**
 - e. **The sketch site plan "SK-1" prepared by Zaremba Group LLC dated 7/24/13, which results in two rows of parking fronting Fairport Road, and two rows of parking fronting O'Connor Road; seven land-banked parking spots in the northeast corner of the parking lot; a decorative walkway from the corner of Fairport and O'Connor, leading to the store entrance enhancement; and building setbacks as shown.**
2. **This property is part of an area that the Town anticipates rezoning to Mixed Use District this spring. The Town Board's conditions of the Special Use Permit accounted for this. However, because the property is still currently zoned Commercial, the applicant must still pursue relief from those zoning standards. Consequently, the applicant needs variances. It is noted whether the variances would be required under anticipated Mixed Use District zoning.**

The variances required are the following:

- a. Lot width (meets Mixed Use District standards)
- b. Front landscaping area (meets Mixed Use District standards)
- c. Drive-through vehicle stacking (required under Mixed Use District standards)
- d. Drive-through window (required under Mixed Use District standards; Special Use Permit from Zoning Board)

Mr. Anderson asked if the rezoning had already occurred then the applicant would not be requesting the variances; correct? Mr. Doser states that is correct.

Mr. Anderson asked for questions or comments from DPW. Mr. Kozarits states that the DPW issued comments as follows:

General

1. A letter of credit (L.O.C.) must be provided for all site work to be completed for this project. The engineer should submit an L.O.C. estimate to be reviewed by the DPW before securing the final letter of credit.
2. The Town requests that a cross access easement be provided to the Town of Perinton, which connects the proposed O'Connor Road ingress/egress to an existing cross access easement on property at 1276 Fairport Road. Both the existing and proposed easements should be shown on the site plan.
3. Relocate the transformer pad and dumpster enclosure to be outside of a future cross access traffic lane.
4. Provide the property line bearings and dimensions on the site plan.
5. Provide a light fixture detail on the plans. The lighting photometric diagram must be a part of the plan set as well.
6. It appears that the location for the "unloading area" may impact the drive through traffic.
7. Specify the type of material proposed for the compactor enclosure. Indicate what the proposed height of the structure is intended to be. Provide a dumpster enclosure detail on the detail drawings.
8. Some of the landscape plantings indicated on the landscape plan are not listed on the plant species schedule.
9. Install orange construction fence, a minimum of 4' high, along the property lines of the entire site prior to commencing construction.
10. Eliminate striped crosswalks and detectable warning fields at driveways and instead extend the concrete sidewalk across driveway openings. If any detectable warning fields are to be installed, they should be specified as surface applied replaceable mats.
11. A NYS DOT permit is required for work within Route 31F right of way. A copy of the signed permit must be provided to the DPW prior to the site plan receiving final approval signatures.
12. All required variances must be granted prior to receiving final approval signatures on the site plans. Dates of approval are to be noted on the plans.
13. Add signature blocks to all plan drawings.
14. Indicate the areas proposed for snow storage on the plan.
15. Add a note to the plans that the contractor will be required to coordinate this project and site work with the schedule for the O'Connor Road Project.
16. Update Note 9 on GO.01 to refer to MUTCD "Latest Edition".
17. Update Note 25 on GO.01 to state sediment filter practice used during construction shall be in compliance with NYSDEC standards.
18. Update Note 7 on C1.08 to say "Town of Perinton", not "Albany County".
19. Is an irrigation system proposed for the landscape beds? If so, it will require a permit from the Code Enforcement Department.
20. Label the bollards at the SE corner of the site near the O'Connor Road intersection.
21. Confirm that the truck that is expected to be used for deliveries will adequately be able to access the site with the proposed 20' radii and driveway openings as shown.

22. Based on the traffic study conducted for O'Connor Road, it is anticipated that the queue lengths for the new left turn from 31F to O' Connor Road will block the proposed CVS access onto Route 31F. Conflicts with left turning CVS patrons are anticipated, especially during the morning peak hour. The applicant may want to consider a right in and right out traffic pattern at the Route 31F driveway.
23. Add a note that approval and coordination with Monroe County Water Authority for the tapping sleeve and valve connection to existing 12" watermain will be required.
24. The proposed trees within the Route 31F and O' Connor Road tree lawns should be staked and guyed for a period of one year. Maintenance of these trees, as well as all other plantings within the right-of-way, will be the owner/applicant's responsibility. The applicant will have to sign a maintenance agreement stating this.
25. The pavement mix design for the parking lot detail is labeled "Superpave", however "Marshall" mix type is shown for the asphalt item.
26. The plans should show new sidewalk to be installed for the entire length of the project along Route 31F and O'Connor Road. New sidewalk is proposed to be installed by the O'Connor Road Realignment Project along the northwesterly part of the intersection with Jefferson Avenue. The plans should define this limit of work "by others" and refer to Roadway Plan PL-1 of the O'Connor Road Realignment Project. The private sidewalk to be constructed from the intersection to the building should be specified to be exposed aggregate to match the O'Connor Road Project.
27. Revise the sidewalk detail to be 5" thick concrete (7" across driveways) with fibermesh and no welded wire fabric. Also, joints shall be sawcut 1/8" wide and extend 1/3 the thickness of slab thickness.
28. The concrete mix should be specified as Class City K with a compressive strength of 4000 PSI.
29. Revise the sign post detail to show the breakaway hardware to be exposed (above grade).
30. The ends of hairpin striping pavement markings for parking spaces should be closed off.
31. The applicant needs to file a re-subdivision plan combining all parcels of this project into a single parcel prior to receiving final approval signatures.

Grading/Erosion Control

1. The erosion control blanket is to be installed on all slopes 1:3 or steeper. Specify this on the Grading Plan.
2. Provide a legend for erosion and sediment control features on the Erosion and Sediment Control Plan.
3. It appears that fill is required to balance this site. State the amount of fill that is required on the Grading Plan.
4. Show silt fence to be installed along the toe of slope at the north side of the site and revise the silt fence in the northwest quadrant to be at the toe of the slope.
5. Eliminate the first sentence of Note 1 on the grading plan.
6. Fix contour labels on the north edge of site near the water quality feature.

Sanitary

1. The maximum distance between sanitary lateral cleanouts is 90' per the Town's Design Criteria. At least one additional cleanout with cover is needed between the building and Route 31F sewer connection.
2. Fernco connections are not allowed when a PVC fitting will work. Sanitary sewer lateral fittings are required to be gasketed or a gasketed hub installed within 1' of a glued fitting per the Town's Design Criteria. Add a note stating that the DPW is to be notified prior to making the sanitary lateral connection to the existing lateral.
3. The proposed curb cannot be installed over/across the existing sanitary manhole by the Route 31F entrance.

Storm Drainage

1. What is the purpose of the 4'+/- sump in CB 13? This will fill with debris and require maintenance.
2. Provide a catch basin detail on the detail drawings. Make a reference to the MH#1 detail (drawing C-1.10) next to MH#1 on the utility plan. Add a note by DD-1 that refers to note 8 on plans for more info.
3. The subsurface Stormwater Detention System needs to be provided with more detailed information that is specific to this project. A cross section through the length of the system showing pipe, subgrade, and finish grade elevations needs to be added to the plans. The system should have a water quality unit immediately upstream of the connection point, and cleaning and/or inspection ports located on the system itself. The pipe shall be specified as non-perforated with water tight bell and spigot joints. Revise the cross section to show that filter fabric will be required for this project. The developer's engineer should meet with the DPW to discuss the proposed design.
4. Clarify how the weir plate is being connected to inside of manhole.
5. Add a note to the plans that the storm drainage system (i.e. hydrodynamic water quality units, infiltration basin, drainage pipes and underground chambers) is private and will be maintained by the owner/applicant. The

owner/applicant must sign a Stormwater Maintenance Agreement with the Town. This agreement shall also apply to the plantings proposed for areas of this project that are within the right of way. The name and contact information of the individual responsible for the long term maintenance and operation of the storm drainage system shall be provided to the Town.

- 6. No sediment is to be allowed to enter into the proposed infiltration basin during construction. Add a note to the drawings stating that the infiltration basin will be performance tested upon completion of construction to ensure the actual infiltration rate is consistent with design assumptions.**

In general, from a stormwater compliance issue, they are meeting the DEC regulations for redevelopment. This proposal will help to improve water quality and quantity that is currently leaving the site.

Mr. Beck states that there have been numerous planning studies for this area over a number of years. The Town has been acquiring cross access easements. It is important that a cross access easement be provided to the Town of Perinton, which connects the proposed O'Connor Road ingress/egress to an existing cross access easement on property at 1276 Fairport Road.

Mr. Place states that the applicant received a special use permit from the Town Board on September 25, 2013, permitting the construction of a 13,225 sf. building. Please note the conditions imposed by the Town Board. You will need to make a SEQR determination. Any approvals should be made subject to the applicant obtaining the necessary area variances and a special permit for the drive-thru from the ZBA. The applicant is on the ZBA's February 24th agenda. The applicant has requested a reduction to the front setback for parking. You can grant this reduction as part of your site plan approval. The DPW is asking for a cross-access easement for the parcel located at 1276 Fairport Road. You should require the requested easement as a condition of approval.

Mr. Anderson asks if CVS is prepared to provide a cross access easement to the Town that they are requesting. Mr. Wojtila states that CVS is prepared to provide that. Mr. Anderson asks if CVS is prepared to meet the concerns of the DPW. Mr. O'Connell states that they can meet the concerns of the DPW from a technical standpoint. Mr. Anderson states that he supports this project. It does deviate from the Fairport Road Corridor Study. Signage is a separate application. He states that they are showing signage on the site plan, but signage is a separate application and is not being considered at this time as part of site plan. He cautions the applicant that they will likely not get all that they are showing on the site plan.

Mr. Lewis is pleased that this section of Town will be improved and feels it is a good location for a pharmacy. He expresses concern that the parking comes so close to the sidewalk and there is little to no landscaping. He questions if the entire building and roadway be moved north another 20 or 30' to allow a strip of landscaping in the front. The applicant states that the Town Board already addressed this through the Special Use Permit process. Mr. Lewis inquired where the wetlands are located. The applicant shows on the plans. Mr. Lewis asks if they are doing this to stay out of the wetlands and the applicant states yes. Mr. Doser states that it is the intent of the Town to have the building be close to the road. For the mixed use district, the front setback is 30'. They don't want to see parking in the front. Mr. Lewis states that there is parking in the front. Mr. Doser states that this is the compromise. Mr. Place states that the rezoning calls for the buildings to be closer to the road. Mr. Lewis asks if the applicant really needs 60 parking spaces. The Code only calls for 45 spots. Mr. Wojtila states that CVS has a requirement of a minimum of 60 parking spots. Mr. Lewis wonders who has to conform to whom, the Town or CVS. Mr. Wojtila states that CVS requires this. There has been give and take from CVS and the Town on this project. Mr. Lewis inquires if it is typical for a CVS to have a drive-thru. The applicant states yes. Mr. Lewis cautions the applicant to read the Town Code Sign requirements before they submit a sign application so that they can meet the Code.

Mr. Brasley supports this request. The Fairport Road corridor has needed an update for decades. Hopefully this project will spur re-development of Fairport Road. The Town Board has already determined the building location on the site and architectural elevations. Mr. Brasley inquired about lighting. The applicant states it will be decorative style lighting. Mr. Brasley states that the overall height of the light poles be no higher than 16' from grade to the highest point of the fixture.. The applicant states that they will submit a photometrics plan and will have to amend it as they had 16 to the fixture. The applicant states that they are currently showing 9 light poles and they may need more because of that. Mr. Brasley inquired if there is building lighting. The applicant states it is a decorative fixture. It is a small housing scale. Mr. Brasley inquires if there are two dumpster enclosures. The applicant states that there are two. One is right behind the building and the other is further to the rear. They are 8' high masonry units and will match the buildings. The unit behind the building is for cardboard waste and is a compactor unit and the other is a dumpster. Mr. Brasley would like to see details submitted on the dumpsters. Mr. Brasley inquired where snow storage will be. The applicant states that they will show on the final plans; it is not labeled yet. Mr. Brasley states that the cross access easement to the parcel to the west is essential. He is prepared to go to preliminary tonight.

Mr. O'Brien feels this will be an improvement to the Fairport Road corridor. He thinks that 60 parking spots are going to be too much. Walgreens is a similar size building and they don't use all of their parking. He questioned if they feel they will be able to get a truck in and out of the loading dock area. The applicant states that CVS can schedule this delivery at an opportune time to not conflict with any of the operations; the turning radius will work and they can show that.

Mr. Antonelli feels this will be a good asset to the Fairport Road corridor. The Town Board has already taken care of the architecture. He would prefer the not have the parking in the front. He understands that this was a give and take between the Town and the applicant. Obtaining the cross access easement is important. He would like to see snow storage shown on plans.

Ms. Neu states that she would like to see a 3D rendering of the building for the future presentation.

Mr. Anderson states that Mr. Gardner is unable to attend tonight's meeting, but did put his comments in writing (see below)

1. I am aware of the Town Board's work up to this point with a Special Use Permit and certainly the applicant has the right to develop the lands with whatever use is approved. However, it's my opinion that a "pharmacy" is the not right development for this location, nor what I think of when I think of a "cornerstone" building / use for an area in desperate

need of an identity. Additionally, the Town Board / staff reviewed other CVS facilities to find one with acceptable layout / design. However, I cannot support this site plan for the reasons stated below.

2. Much of the design guidance in the Fairport Road Master Plan is ignored with the site plan. The building is pulled away from the street with almost all parking in front of the building. The site should have the building more along O'Connor / 31F, with the parking on the west side, as is shown in the Master Plan examples.
3. This site offers the first opportunity to develop a central "node" at this intersection. Kiosks, street furnishings, stone walls, significant landscaping, something "plaza-like", are all opportunities available here with adequate room to do something to give this area an identity. Right now we have a sidewalk directly into the front door of the building with a few low bushes and a couple trees. There is a significant setback to parking, and we should expect something more creative.
4. The 31F drive is separate from the parcel to the west, only after exhausting all attempts to consolidate them should we consider a separate driveway access. Again, this is a Master Plan concept somewhat ignored.
5. Architecturally, the 3-story false parapet is a tired design done in a poor attempt to hide a big box store. This is an opportunity for a more timeless building design to be built that will outlast the "drive-thru" pharmacy use.
6. I cannot support the signage of "photo", "beauty", "drive-thru", or the lit "CVS" over the front door. It's somewhat ironic that the signage actually improves the building design, rather than detracts from it. I think that supports my opinion that the building design needs a lot of work.
7. The main entrance off Fairport Road is poorly thought through. Upon entering the site, you need to make a right turn into a parking aisle, with a "do not enter" sign from the drive thru lane staring at you. The site plan puts a significant emphasis on a single drive-thru lane. I am curious as to the volume of traffic that actually uses the drive-thru.
8. The applicant is proposing 60 parking spaces with only 45 required. I do not support a 25% increase, even with the proposed 7 banked spaces. Perhaps the area freed up by reducing parking could be utilized to develop the "central node" this area needs.

Mr. Anderson asked for questions or comments from the audience. A man states that he is opposed to drive-thru's for environmental reasons. He feels it is a bad idea to have a drive-thru for medication pick up, as if someone has questions on their prescription they will be in the lane a long time.

Ms. Wagner states that the Perinton Conservation Board has met with the applicant and has reviewed the initial drawings, drawing revisions and supporting documentation. Based on our review, the Board is issuing the following findings:

Stormwater controls on the site are detailed in the Stormwater Pollution Prevention Plan (SWPPP) that meets both DEC and Irondequoit Creek Watershed Collaborative requirements. Storm water for the new facility, parking lot and building will be directed to a subsurface stormwater facility and infiltration pond.

1. Proposed handling of the storm water is an improvement over the existing unmanaged conditions.
 2. The project will not negatively impact the adjacent wetland.
 3. Landscaping has been added to enhance the site.
 4. Traffic impact for the project will be minimal with the addition of the O'Connor Road extension in place.
 5. The proposed use is a beneficial and appropriate re-development of an existing now unused and abandoned property;
- Based upon these findings, the Perinton Conservation Board recommends a negative SEQR determination for this application.

Mr. Anderson made a motion to grant a Negative Declaration of SEQR for the reasons as stated by the Conservation Board.

Mr. Lewis seconds the motion.

Motion carries 6 – 0.

Mr. Brasley made a motion to grant preliminary site plan approval to construct a new 13,225 sf retail pharmacy (CVS) and associated parking and site improvements, for plans received by the Town on 1/2/14, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. Applicant to obtain all necessary variances and Special Use Permit(s) required from the Zoning Board of Appeals, and applicant to list the approvals and dates granted on the final plans.
3. This application includes no signage; signage is a separate application to the Planning Board.
4. Applicant shall provide a cross access easement to the parcel to the west to the satisfaction of the Commissioner of Public Works and the Town Attorney.
5. All pole lights on this property shall be no higher than 16' from grade to the highest point on the fixture.
6. Applicant shall show details for both proposed dumpster enclosures, indicating that they are masonry enclosures with a maximum height of 8' above grade.
7. The applicant shall provide a 3 D image of the architectural renderings of the final elevations.
8. This approval includes a waiver of the front parking setback from 50' down to 20'; this is consistent with the approval granted for the Special Use Permit by the Town Board.

Mr. O'Brien seconds the motion.

Motion carries 6 – 0.

740 Ayrault Road - Duplex. Bowering Homes, Inc., as agent for Jeanine M. Bowering, owner of property located at 740 Ayrault Road (tax id #166.09-126), requesting preliminary and final site plan approval for construction of a duplex unit.

Presenter: Bowering Homes, Inc. – Gregg Bowering
Zoned: Residential B

Mr. Bowering presents his plan to the Board, as per letter of intent as shown below:

January 10, 2014

RE: Letter of Intent – 740 Ayrault Road, Fairport NY

Dear Planning Board members,

My name is Gregg Bowering of Bowering Homes, Inc. My family owns a vacant parcel of property at 740 Ayrault Road. This property was part of the Country Corner subdivision my family homebuilding business developed back in the early 1960's. I am the co-owner and will be the contractor on this project.

I am looking for preliminary and final site plan (re) approval for a duplex unit on this B-residential parcel.

In July 2001 I received a special use permit variance for a duplex here. In October 2001, I received preliminary and final site plan approvals from the Planning board. A copy of these decision letters is attached to the application. Due to the economic conditions subsequent to these approvals, we decided to delay moving forward with the construction of the project.

Now, however, due in large part to my family's change in life circumstance, I want to move forward with this project. My father and business partner Richard Bowering suddenly passed away in 2012 and my mother is now looking for a newer, more appropriate residence for herself. She will be one of the two residents of the proposed duplex.

On 1/7/14 I met with the PRC to review this re-submission and understand what is needed to get this project back underway and they confirmed I do not need to go back through the special use variance process. A comment from the Conservation Board representative about drainage has been addressed with my engineer's note accompanying this application. All Monroe County DRC comments from the original application are included in this site plan submission. There is no expiration date associated with these comments. Monroe County DOT 239-K and Section 136 Highway permits were issued to me back in May 2001. Copy of these permits is included with the application.

As you may recall, in 2001 the county widening and repaved Ayrault road in front of my property. These permits enabled the proper installation of an expanded granite curb cut and paved ROW area for the shared driveway access. This is shown on the site plan and a photograph of this is included with the application.

The only difference in this submission relative to what was approved in 2001 is the floor plan and elevation of the proposed building. A colored rendering of the proposed elevation as well as a revised site plan with grading reflecting the new footprint are attached with the application. As you can see, this reflects a one story building vs. a 2 story as previously approved and is more in keeping with current interest in single story living. Close attention has been given to the architectural elements, specifically how the garages are to be placed and how cars can be parked and turned around as I know this was a concern to the Board during the previous approval.

Thank you,

Economic conditions changed after the approval and they did not proceed with the construction. Things have changed again and now they are prepared to go forward with this project. His mother will be one of the occupants in the duplex. It is very similar to what was approved in 2001. The building will now be single story and approximately 1700 sq ft homes. When Ayrault Road was resurfaced in 2001, they were able to work with the County to allow an oversized curb cut that was installed at the time to allow for a shared use driveway with the neighbor next door. He acknowledges receipt of comments from the DPW and Monroe County.

Mr. Anderson asked for questions or comments from the Conservation Board. Mr. Rainis states that they have met with the applicant. The Conservation Board is ok with the design and drainage. They are aware of a neighbor's concerns regarding landscaping details.

Mr. Anderson asked for questions or comments from CED, and there were none.

Mr. Anderson asked for questions or comments from DPW. Mr. Kozarits states that the DPW issued comments as follows:

DPW Comments:

General

- 1. This project is in a Town of Perinton PED Zone. The applicant will be required to make a contribution in the amount of \$2,396.25 to the Town's sidewalk fund determined by the length of the projects frontage on Ayrault Road (159.75 LF x \$15/LF).**

2. **Add a note to the final site, grading and utility plan that the northerly and easterly boundaries are to be field surveyed by a licensed land surveyor and staked prior to commencing clearing and grubbing work. The clearing limits should also be delineated with orange construction fence.**
3. **The project proposes rear and side yard swales to receive stormwater runoff from 4700 sq ft of roof top area via splash blocks, which the applicant states will infiltrate in the Hydrologic soil type "B" present on site. The DPW is concerned that the proposed 8' cut, along with compaction caused by construction vehicles and the overall large impervious area being created by this project will alter the ability of the on-site soils to infiltrate this much stormwater, which will result in ponding in the rear and side yards. The DPW would normally require use of an underground chamber system to address roof drainage in this situation, especially if the duplex units were going to be separate sale lots. However, since the owner is the developer and wishes to proceed with splash blocks as designed, the DPW recommends soil restoration to a minimum depth of 24" deep on side and rear yards after building construction and prior to topsoil and seeding.**
4. **If any soil percolation data is available for the finish grade elevation, it should be provided on the plans.**
5. **The proposed 1:3 slopes at the back of the property are required to have jute mesh applied. Please add this note to the plans.**
6. **The existing sanitary lateral stub at Ayrault Rd is 4" PVC. The applicant's engineer must provide justification for needing a 6" PVC sanitary lateral for the proposed duplex, since this would require recoring the manhole to accommodate a larger pipe. Otherwise, change the proposed sanitary sewer lateral to 4" PVC.**
7. **Eliminate the 4" PVC pipe from unit A. If the structures are on basements with sump pumps, they will be required to discharge to drywells at the rear of the units.**
8. **In the water service line notes, indicate that the polyethylene portion of the water service shall be bedded in sand and installed with a tracer wire.**
9. **Silt fence should follow contour lines and be extended to the work limits.**
10. **Confirm that the sight distances shown were calculated using 3.5' driver eye height located 14.5' from edge of pavement and object height 3.5' tall.**
11. **Show the location for stockpiling topsoil on the plans.**
12. **Specify the proposed driveway surface material on the plans.**

Mr. Kozarits asked if the applicant anticipated putting any type of patio or deck on the backside of the structures. Mr. Bowering states no. They have enclosed covered porches that are not protruding back behind the line of the building. They are not proposing anything impervious behind the structure. Mr. Kozarits inquired if they plan to loosen up the top 2' of soil before topsoil and seeding. Mr. Bowering states he is fine with that. He doesn't want to have any issues with storm water here; his mother will be living here. Mr. Kozarits states that this applicant has already put a contribution to the sidewalk fund in 2001.

Mr. Beck had nothing further.

Mr. Place states that the applicant is seeking re-approval for a duplex which was approved in 2001. The applicant received the appropriate special permit in 2001. Please make the appropriate SEQR and park fund contribution motions.

Mr. Anderson asked for questions or comments from the audience. Nick Johnson, 750 Ayrault Road, inquired what the sidewalk fund is. Mr. Anderson explained. Mr. Johnson asked if there were any hydraulic studies as there are springs back there and he is concerned that water will flow onto his property when the basement is dug. Mr. Bowering states that there will be a swale to control runoff. Mr. Bowering states that there is runoff that runs through his property from houses above and onto their property. He can control the runoff that is created from this project and hopefully will help a little with the runoff from above.

Mr. Anderson supports the project. It will be attractive. He likes the side load garage.

Mr. Anderson states that the Town received comments from Mr. Fischer, as shown below.

February 14, 2014

Town of Perinton
1350 Turk Hill Road
Fairport, N.Y. 14450-8796

Attn: Lori Stid, Clerk
Zoning and Planning Boards

Re: 740 Ayrault Road - Duplex

HEINRICH W. FISCHER
Registered Landscape Architect
722 Ayrault Road
Fairport, NY 14450-3006



To whom it may concern:

Thank you for your assistance regarding the above application. While I would like to attend the 2-19-2014 meeting, am out of town on a business commitment from the 17th to the 22nd. I am submitting this letter and drawings to depict my concerns as the adjacent property owner.

I have owned and resided at 722 Ayrault Road since 1986 and have several observations and concerns after reviewing the submitted site, grading and planting plans. The following is based on my experience as a Licensed Landscape Architect- NYS #533 since 1970, design/build contractor for 36 years and experience of living next to this property for 27 years. I would like to express that I do not oppose this projects overall concept as I am confident that Bowering Homes, Inc will do an excellent job of construction. However, I am requesting that this site/grading plan be thoroughly reviewed and addressed as there are some interesting situations, which need attention in my estimation.

The way the proposal ties the driveways together leaves an extremely large asphalt entrance to both properties- given site distances East and West on Ayrault Road, I do not see an alternative. The fact that the driveway on 722 extends across the property line is a situation that has existed long before my purchase of the property. The issue lies in is there anything that should be done regarding ingress and egress from the respective driveways. The steepness of existing and proposed grades is simply going to be a fact of life.

A major concern is in the area of site drainage west of the proposed duplex unit. The backyards of the properties to the north facing onto Lookout View Road all drain across this property from North to South and now will be captured and funneled by the proposed drainage swale and directed to flow to the west of the new driveway. The 8"CPP culvert under the driveway will redirect some of the storm drainage, but the balance will flow down the existing steep slope area and dump out onto Ayrault Road. Over the years, almost every time there is a major rainfall and especially in the spring season, the soil deposits and erosion of soil becomes a muddy mess each and every time. The volume and speed of water actually is undercutting my driveways base. A major problem is the extreme flatness of the way Ayrault Road was reconstructed. I had contacted the Town

and County regarding this situation, was told the County's onsite Inspector/ Engineer would look into it—nothing was ever done about it as the project was essentially completed as I was told. Another realistic concern is in the winter season. With a flat grade that barely drains in the non-freezing season, ice and black ice build up at the apex of driveways and Ayrault Road intersection combined with the steepness of both the proposed driveway and my driveway creates a potentially serious problem. Both my wife and I have hit the ice and ended up with an uncontrolled slide into the middle of the driving lane of Ayrault Road. I am requesting that the Town Engineer and BME please review this area of the site plan, develop a response and possible solution to what could be a difficult and dangerous situation. Is a drainage structure to capture the majority of run off on the up hillside of the 8" CPP a possible consideration? Can roof water on the North side of the duplex be piped to the east and run down the east property line rather than daylighted onto splash blocks to alleviate the volume of water running down the driveway side of this proposal? I have attempted to explain this above.

Lawn restoration on the existing steep slope and 10 percent plus pavement grade needs to be well thought out and executed. As part of the re-vegetation of this site, what exactly are the limits and/or extent of the grading and seeding in relationship to removal of the existing trees along the west property line? With the grading as shown other than the Walnut stand shown, the majority if not all trees will have to be removed. Since the tree species in this area are primarily Ash, Black Walnut and Norway maple, given the Ash Bore problem, Walnut-Juglone toxicity and invasive species re planting is a concern. What is the developer's intention and extent of vegetative restoration and soil stabilization? Is the seeding going up to the property line as now it is simply weed growth in a semi shaded wood lot? The property line follows the split rail fence along the upper portion of the site.

The third area of concern is in some of the plant material selection and location. While I know consideration to both the white tailed deer and Walnut toxicity situation have been thought of, 27 years of co-existence has taught me what can work and what will struggle. Even if walnuts are removed, the Juglone toxicity will remain in the soils for decades. This backed by extensive research by Cornell and other horticulturally based facilities. Picea abies- Norway spruce will grow in this situation. I would like to request that the 4 Serbian spruce on the west property line be replaced with Norway spruce as space allows, as the Norway does grow considerably wider than Serbian spruce. I do not know as to Serbian spruce and grow in a Walnut contaminated soil zone. Would also like to have the distance in relationship to property line reviewed. As per plan 5', 3', 6.5' and 4' is simply too close to a property line when the plants considered- PO can grow to be 20' in spread and PA can attain 30' + spread. A greater distance should be considered from the property line to allow the natural growth of the plants. The Clethra I have attempted to grow have become deer food. A possible substitution is Viburnum lantana 'Mohican'. The deer have not browsed the several plants at the NE corner of my property and it is compatible with Juglone toxicity. Hydrangea and daylily varieties have been chewed on consistently at 722 for what it is worth. Landscape Notes #10- who will review and approve the landscape contractors rough stakeout?

As stated in paragraph #2, I am not opposed to this application. I only ask that the above be considered, reviewed by the Town and BME and formally answered. It is not my intent to hold up the processing of this application, but feel strongly about the expressed concerns. If requested, I would be available to meet with Town staff and/or site design personal to discuss this project upon my return to Fairport after February 22nd.

Respectfully submitted,

Heinrich W. Fischer, RLA

Mr. Fischer also submitted portions of the proposed site plan with notes on them.

Mr. Bowering states that he met with Mr. Fischer the day after he submitted the letter. He states that he will work with Mr. Fischer as to landscaping. They discussed the concerns Mr. Fischer has with drainage concerns he has with his driveway. There isn't really anyway to change that. The height and location of Ayrault Road is set. There is a shared access of a driveway at the

high point of the road. Mr. Kozarits states that Mr. Fischer spoke with him also, and Mr. Fischer is less concerned since he spoke with the applicant.

Mr. Lewis inquires if the sidewalk contribution is all set and has already been met. Mr. Kozarits states yes. Mr. Lewis inquired if 4" PVC would work for sanitary. Mr. Bowering states that they have worked that out with DPW. Mr. Lewis inquires what the stone check dam is for. The applicant states that will help with runoff.

Mr. Brasley states that this project meets on of the goals of the Town Comprehensive Plan to provide a variety of housing types in the Town. He supported this project in 2001 and supports it today.

Mr. O'Brien supports this project and feels it will be very attractive.

Mr. Antonelli supports the project.

Ms. Neu supports the project.

Mr. Anderson states that Mr. Gardner is unable to attend tonight's meeting, but did put his comments in writing (see below)

- 1. This site involves a significant cut / export of soil, likely several hundred trucks. The erosion / sediment control will be difficult and keeping Ayrault clean will be challenging at best.**
- 2. We are creating significantly more steep slope LDD along the back property line, with up to 10 feet of cut. Seepage, stormwater flow and long-term erosion are common problems when done historically in the Town.**
- 3. The current grading at the driveway intersection with Ayrault appears to preclude any future sidewalk to be installed with a four-foot cut. It may be best to cut the slope now to allow for an appropriate sidewalk grade in the future.**
- 4. These comments aside, I am in favor of this use and overall plan and support this application going forward.**

Mr. Rainis states that the Perinton Conservation Board (PCB) has reviewed the application for this project. Based on our review of the application and on our meeting with the applicant and input from the adjacent neighbor, we have prepared the recommendation below.

Recommendation

We recommend a determination of non-significance (a Negative Declaration for purposes of SEQRA) for this project, and approval of the Bowering Homes duplex at 740 Ayrault Road site application, based on:

- Stormwater management has been addressed, including concerns of adjacent neighbor regarding drainage to the road and potential icing conditions
- Overall drainage on the site will be addressed on site
- Infiltration will be provided for by working the soils around the building.

Mr. Anderson made a motion to grant a Negative Declaration of SEQR for reasons as stated by the Conservation Board.

Mr. Lewis seconds the motion.

Motion carries 6 – 0.

Mr. Anderson made a motion to require the applicant to make a contribution to the Town Park fund for each unit (2), in an amount to be determined by the DPW, given that this application provides no active or passive recreation facilities.

Mr. Lewis seconds the motion.

Motion carries 6- 0.

Mr. Lewis made a motion to grant preliminary site plan approval for construction of a duplex unit, for plans received by the Town on 1/9/14, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.

Mr. O'Brien seconds the motion.

Motion carries 6- 0.

Mr. Lewis made a motion to grant final site plan approval for construction of a duplex unit, for plans received by the Town on 1/9/14, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.

Mr. O'Brien seconds the motion.

Motion carries 6- 0.

Discussion(s):

Recommendation to Town Board – SUP – 31,300 s.f. expansion to Wegmans Food Market - 6604 Pittsford-Palmyra Road (carry over from 2/5/14 as meeting was cancelled due to inclement weather)

Arthur Pires, of Wegmans Food Market Real Estate Site Development introduced Garth Winterkorn of Costich Engineering. Mr. Pires explained that they are seeking a Special Use Permit to allow for a 31,300 sq. ft. expansion to the Wegmans Food Market located at 6604 Pittsford-Palmyra Road. They have met with the Town Board, Conservation Board, Town staff, and representatives of Georgetown Commons HOA. Mr. Pires reviewed renderings of the site, parking plan, elevation and expansion diagrams. Mr. Pires explained that the proposed 31,300 sq. ft. expansion would be to the east side of the existing store, single story and would be part of the food market building when complete. This expansion would remove approximately 70 parking spaces on the east side of the building. To compensate for that they would reconfigure the parking lot by narrowing the distance between the major drive aisle division lines in the parking field. They are proposing a realignment of existing road to be more perpendicular to the service road in the front of the free standing retail. As far as green space, Code requires 35%, and currently they are at 23.6%. With the new design, they are at 22.6%. They are already pre-existing less than what Code requires, and it is his understanding that no variance will be required.

They will be doing a video study at the intersection at the request of the DPW. A landscape study has been completed for what exists today.

Mr. Pires reviewed conceptual plans for the rear of the building where deliveries are made on the rear service road, reviewing the site lines from the Georgetown properties. Mr. Pires stated that they are willing to work with Georgetown residents, Valley Creek and Town staff to devise plans for landscaping, paths, etc.

Mr. Pires showed the elevations for the expansion and upgrade to the existing building, stating that the store would look much like the new East Avenue store with brick, decorative block at the lower level, sheet metal awnings and clock tower. He further stated that the illumination for the clock tower would be low level light bulbs, architectural washing and located below the clock and wash up to the clock which itself would be illuminated with low wattage LED lighting. The height of the clock tower would be 80 foot (as approved in 2001) with the tower located at the east end of the building.

The rooftop of the store would be between 21 and 28 feet high. The lower parapet would be 33 feet tall and the higher parapet would be 38 feet tall. The entire store would be upgraded to a 2013 look.

Compressors and condensers will also be upgraded with insulation where possible. Mr. Pires stated that during peak seasons, the refrigeration trucks are parked behind the building with the refrigeration units running. He stated that they have switched from diesel engines on these trucks to electronic engines to reduce the noise in the area.

The interior of the new addition will either be a restaurant or Market Café. Mr. Pires stated that the parking lot lighting will be approximately 27 feet high, metal halide LED lighting which can be better directed and more uniform for safety concerns in the parking area.

Mr. Place inquires if any of the parking lot lights are turned off at night. Mr. Pires states no, but they could consider that.

Mr. Anderson asked for questions or comments from the Conservation Board. Mr. Rainis states that the Conservation Board has reviewed this project and will be issuing comments to the Town Board. Their concerns are watershed impact, remediation and noise. They have asked the applicant to provide factual information for number of trucks during the day/night and some sound readings from those vehicles. Perhaps a more permanent barrier can be installed, and if not could more vegetation be incorporated and what effects those may have on sound.

Mr. Anderson asked for questions or comments from CED and there were none.

Mr. Anderson asked for questions or comments from DPW. Mr. Kozarits states that they have met with the applicant and have discussed drainage and traffic patterns and access points from Route 250 where it intersects with Georgetown Liquor into the site. He inquires if they plan to repave the entire parking lot and the applicant states yes.

Mr. Beck states that they have met with the applicant to review this project.

Mr. Anderson asked for questions or comments from Attorney Place and there were none.

Mr. Anderson asked for questions or comments from the audience. Linda Davis, 51 Georgetown Lane states that she has been trying to correct this problem for over 8 years. She is the neighbor right near the loading dock and there are freezer trucks parked there that run 24/7. She is unable to sleep at all. There are diesel trucks that come around midnight and it is very disturbing. She hears loud music from the employees outside. She has not been able to get Wegmans to correct any of these issues. Mr. Pires states that he recently met with Georgetown HOA and he has initiated comments within the Wegmans organization to see what can be done. The engines on the trailer cab should not be on. He has discussed this with Wegmans. The refrigeration units do need to be run. They are attempting to have electric and not diesel.

Maureen Dell, 55 Georgetown Lane invites the Board members to drive in to her home area and look at and listen to what she has to live with. The garages do not block any sound. The trucks come between 2 AM and 5 AM and they back up with their loud beepers on. There are always two refrigeration trucks on all day/night. She cannot utilize her outdoor patio because of this. She would like to have deliveries eliminated during the middle of the night. She feels that all deliveries should be done before 10 PM and not start before 6 or 7 AM. Wegmans directly abuts a residential community and she would like this Board to help her. The trees that were planted on the hill; most of them died and they do not act as any buffer. She would like the refrigeration units put into the building.

Mary Wagner, President of Georgetown HOA states that it is so loud back in this area where the loading dock is that property values are affected.

Judith McNulty, 647 Thayer Road does not like the clock on the grocery store and feels that the artistic design of the clock is a poor reflection.

A man in the audience states that the clock has replaced the Wegmans's "W" and should be considered a sign. He does not feel that the height of the clock tower should still exist; that approval was 13 years ago.

Mr. Place states that the ZBA has already approved the clock tower for height. This runs with the land; it is a legal issue. This Board tonight is making a recommendation to the Town Board regarding a Special Use Permit for the expansion; not anything else. If the Town Board approves the use, then the applicant will have to come back to the Planning Board for site plan approval.

Ms. Neu inquired why they would remove the 4 way stop. The applicant states that they will pick up parking spots by doing this. Ms. Neu expresses concern with traffic safety if they do that. She feels that if they reduce the width of the drive aisles, there will be a lot of fender benders in the parking lot. She supports the expansion, but has some site plan concerns.

Mr. Antonelli asked how big the store is now. The applicant states it is 90,700 sf. Mr. Antonelli supports the expansion but has some engineering concerns and sound concerns.

Mr. O'Brien expressed concern with the refrigeration trucks running 24/7. Mr. Pires states that they are looking into electric and not diesel to have less sound. The refrigeration units cannot go away. They may move the produce loading dock to lessen the impact. Mr. O'Brien inquired if they could erect a sound proof structure around the loading docks to lessen sound impact. The applicant states that would be cost prohibitive. Mr. O'Brien expressed concern with internal traffic circulation. In general, he supports the expansion.

Mr. Brasley supports the expansion. They do not meet green space requirements today, and they are asking to lose an additional 1% more green space. He inquires what the justification is for losing even more green space. The applicant states that with the road alignment they will lose an additional 1%. Mr. Brasley is not sure he supports the new proposed intersection.

Mr. Lewis supports the expansion. He does not like the new driveway coming in so close to Applebee's; it is dangerous. He does not support the drive aisle width being reduced, as it is a safety concern. Mr. Lewis inquired who was here first; Wegmans or Georgetown. The applicant states that Georgetown was here 2 years before Wegmans. Mr. Lewis feels that perhaps a soundproofing wall should be considered. He feels that the sound is a real problem for the neighbors.

Mr. Anderson supports the expansion. He expresses concern about the 4 way being a pinch point and with a potential for backup. He is not sure if all of the parking is needed. It would be better to have a safer intersection that additional parking. He feels that the east elevation is a lot of massing. He supports the clock tower.

Mr. Anderson states that Mr. Gardner is unable to attend tonight's meeting, but did put his comments in writing (see below)

1. I support the Town Board's approval of the Special Use Permit for this site. I do not see any significant impacts to a high volume grocery store to continue and expand at this site.

ZBA – 2/24/14

The Board reviewed the CVS and Be Walters application that is scheduled to be heard and will put their comments in writing to the ZBA.

John Wojtila - Zaremba Group, as agent for Anthony DiPrima, owner of property located at 1304 Fairport Road (tax id # 152.11-1-33) and Tony DiPrima Properties, LLC, owner of a portion of property located at 1314 Fairport Road (tax id #152.11-1-32), requesting the following variances of the Town of Perinton Zoning Ordinance to allow a proposed CVS Pharmacy:

- (1) Section 208-42 (B) (2), to allow the lot width (Fairport Road) to be 161.27 feet instead of 300 feet.
 - (2) Section 208-42 H, to allow the front landscape buffer along Fairport Road and O'Connor Road to be 20 feet instead of 50 feet.
 - (3) Section 208-41 A (4) (a), to allow the drive-thru stacking to be 5 spaces instead of 10 spaces.
- Said property being located in a Commercial District.

The Planning Board has granted preliminary site plan approval for CVS on 2/19/14. One condition of approval was for the Applicant to obtain any necessary zoning variances from the Zoning Board of Appeals. The Board recommends approval of all the requested variances. The Board feels the approved plan is a well engineered plan and works well with what was proposed.

- (1) The Board recommends approval of the aforementioned requested variance because it is a pre-existing non-conforming "housekeeping" variance.**
- (2) The Board recommends approval of the aforementioned requested variance because if the site was zoned "mixed use" (which it is working that way) this request would not need a variance. In addition, the current parking design in the front is a result of a compromise with the Town and the Applicant and the outcome leaves a 20 LF landscape buffer.**
- (3) The Planning Board recommends approval of the aforementioned variance because the request is adequate for the application. This use will not be an intense use and we feel 5 spaces will be adequate. The applicant will provide data to the planning board at their next approval hearing to support the 5 space request. In addition, a similar variance request was granted for Walgreen's**

John Wojtila - Zaremba Group, as agent for Anthony DiPrima, owner of property located at 1304 Fairport Road (tax id # 152.11-1-33) and Tony DiPrima Properties, LLC, owner of a portion of property located at 1314 Fairport Road (tax id #152.11-1-

32), requesting a Special Permit under Section 208- 41 A(4) (a), to allow a drive-thru pick up window for a proposed CVS pharmacy. Said property being located in a Commercial District.

The Planning Board recommends approval of the aforementioned permit request because the request is adequate for the application. This use will not be an intense use and we feel a drive thru design works well on the site. In addition, a similar permit request was granted for Walgreen's.

Mamasan's Perinton LLC, owner of property located at 721,725, 735,741,747, and 751 Pittsford Victor Road and 6 Laird Lane, requesting the following variances of the Town of Perinton Zoning Ordinance:

1. Section 208-42 D:
 - a. To allow the front setback for existing building #721 to be 13.33 feet instead of 85 feet, and to allow the side setback to be 15.67 feet instead of 30 feet.
 - b. To allow the front setback for existing building #725 to be 5.91 feet instead of 85 feet.
 - c. To allow the front setback for existing building #735 to be 16.79 feet instead of 85 feet.
 - d. To allow the front setback for proposed building #1 to be 11.08 feet instead of 85 feet.
 - e. To allow the front setback for proposed building #2 to be 17.05 feet instead of 85 feet.
2. Section 208-42 G: to allow the access points to be 180 feet apart instead of 350 feet.
3. Section 208-25 – to allow the buffer area to be 15 feet (west side), instead of 50 feet.
4. Section 208-16 C (2) to allow the front parking setback to be 8 feet instead of 85 feet, and to allow the parking side setback to be 15 feet instead of 30 feet.
5. Section 208-14 C (3), to allow a proposed fence to be 8 feet in height instead of 6 feet.

The Planning Board has granted Final site plan approval for Be Walters on 1/15/14. One condition of final approval was for the Applicant to obtain any necessary zoning variances from the appropriate Board(s). The Board recommends approval of all the requested variances and similar variances were granted in 2006. The Board feels the Approved plan is a well engineered plan and works well with what was proposed.

- 1) a), b) and c)

The Board recommends approval of all the aforementioned requested variances because they are pre-existing non-conforming "housekeeping" variances. This is a good site plan because it maintains the architectural integrity of the church building, which is one of the most historically important buildings in the Basin. A similar variance was granted in 2006.

- d) and e)

The Board recommends approval of both aforementioned requested variances because they are in line with the pre-existing non-conforming "housekeeping" variances. Many other properties in the Basin already have these types of variances to accommodate their redevelopment. This is a good site plan because it allows the drainage to work properly the way the DPW prefers, and it maintains the architectural integrity of the other existing buildings on site.

- 2) The Plan minimizes the number of curb cuts along busy Rt. 96 compared to existing zoning. A similar variance was granted in 2006.
- 3) The Planning Board also believes this plan does the best possible job of buffering the neighbors to the rear. Additional Landscaping has been placed to enhance the buffering. A similar variance was granted in 2006.
- 4) The Board recommends approval of both aforementioned requested variances because they are also pre-existing non-conforming "housekeeping" variances. Many other properties in the Basin already have similar variances. This is a good site plan because it allows the drainage to work properly the way the DPW prefers, and it keeps the majority of the parking in the rear of the development. A similar variance was granted in 2006.
- 5) The Board recommends approval because there is an elevation drop at the proposed fence location. An 8 foot high fence will perform more like a 6 foot high fence at the proposed location and will better buffer the neighbors to the rear.

Minutes – 1/15/14

Mr. Brasley made a motion to approve the minutes of 1/15/14 as submitted.

Mr. Lewis seconds the motion.

Motion carries 6 - 0

There being no further business before the Board, the meeting adjourned at 11:27 PM.

Respectfully Submitted,

Lori L. Stid, Clerk