

**Minutes of the Town of Perinton  
Planning Board Meeting of March 4, 2015**

**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  
Chris Fredette

**Town Officials Present**

Robert Kozarits, Town Engineer  
Michael Doser, Director Code Enforcement & Development (CED)

**Absent**

Lori Stid, Planning Board Clerk  
Thomas Beck, Commissioner, DPW  
Robert Place, Town Attorney

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

Mr. Anderson states that he received a note from the Planning Board Clerk, who is not here tonight, stating that proof of publication was given in the Fairport East Rochester Post on February 26, 2015 and NOA signage was posted on 2/18/15.

**New Applications:**

**The Summit at Woodcliff.** BME Associates, as agent for Aristo Properties, for property owned by Woodcliff Hill Company, LLC and located at Woodcliff Drive, (tax id #'s 193.02-3-6 & 193.02-3-7) requesting preliminary and final subdivision approval under Section 278 of Town Law for 27 single family residential homes on approximately 8.59 acres.

**Presenter:** BME Associates, Peter Vars  
**Zoned:** Townhomes  
**(concept granted 12/3/14 –f/k/a The Cottages at Woodcliff)**

Mr. Anderson states that on 12/3/14, the Planning Board granted concept (see below)

**The Planning Board granted concept subdivision re-approval under Section 278 of Town Law for 27 single family residential homes on 8.48 acres, for plans received by the Town on 10/31/14, subject to the following conditions:**

1. The concept is consistent with the general approvals of the original concept and overall preliminary granted for the site.
2. The maximum number of lots is 27.
3. Lot size is 6,679 sq ft.
4. Front setback from Woodcliff will be 50'
5. Front setback off the private drive will be 30' measured from the edge of pavement of the private drive.
6. Rear setbacks will be 10'.
7. Side setbacks will be a minimum of 5' and the total separation between houses will be 15'.
8. The applicant to consider addressing the road layout as proposed by the DPW.
9. Applicant to conduct further study of the perforated storm sewer pipeline that is being proposed in terms of its' hydrology and function and to identify who will maintain that.
10. Applicant to consider restrictive covenants to maintain the tree line of adjoining properties (Cathedral Oaks).
11. Applicant to re-verify the stormwater management calculations and the discharge capability to the existing stormwater management system.
12. Applicant to consider the discussion this evening regarding street names and numbering.

Peter Vars presented the application to the Board as per letter of intent as shown below. With him is Stacey Haralambides (Aristo Properties).

# BME | ASSOCIATES

ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS



January 30, 2015

Planning Board  
Town of Perinton  
1350 Turk Hill Road  
Fairport, NY 14450

**Re: The Summit at Woodcliff**

**2429**

Dear Board Members:

On behalf of Aristo Properties, Inc., we are pleased to submit an application for Preliminary and Final Subdivision review for the above-referenced project. We request to appear at your March 4, 2015 meeting and have enclosed fifteen (15) copies of the following application materials:

- Letter of Intent
- Subdivision Plans
- Preliminary/Final Subdivision Review Checklist
- Planning Board Application
- One (1) Authorization to Make Application Form
- Short Form Environmental Assessment Form
- (1) Copy of Property Deed
- Aerial Photograph Exhibit
- Setback Exhibit
- 60-Unit Townhome Concept Plan
- Five (5) Copies of the Engineer's Report
- Planning Board Application Fee Check in the Amount of \$500
- (1) Copy of Preliminary SWPPP for DPW

The proposal is for twenty seven (27) single-family residential lots. The subdivision will occupy 8.59 acres, including Homeowners Association (HOA) lands. The subdivision is located within the TH-Townhome Zoning District. The overall Woodcliff Development received concept approval under then Section 281 of Town Law for single-family dwellings and townhouses on October 2, 1985, and overall preliminary approval on April 23, 1986. The preliminary approval was for a maximum of 426 units for the overall Woodcliff project. The revised concept plan Planning Board approval was obtained on December 3, 2014.

The preliminary/final subdivision plan has been prepared per the concept plan review by the Planning Board. The Planning Board approved a maximum number of 27 lots, a front setback from Woodcliff Drive of 50', a front setback of 30' measured from the edge of pavement of the private drive, rear setbacks to be 10', and side setbacks to be a minimum of 5' and the total separation between houses to be 15'.

The 8.59 acres proposed for the development represents the final residential development parcel within the overall Woodcliff community. The subject parcel received originally concept and preliminary subdivision approval for 60 townhouse units. In lieu of the 60 approved units, the applicant is proposing 27 detached units. The proposed 27 unit density is allowed per the previously established approvals for the property. Under the provisions of now Section 278 of Town Law, the applicant is requesting that the residential units are detached individual units in lieu of the previously approved townhomes. Town Law Section 278.3(d) reads:

“In the case of a residential plat or plats, the dwelling units permitted may be, at the discretion of the Planning Board, in detached, semi-detached, attached, or multi-story structures.”

The access to the subdivision will be via a private drive from Woodcliff Drive. The private drive loops back onto itself for continuous traffic flow throughout the subdivision for pedestrian, commercial, and emergency vehicles. The private drive layout has been modified since concept approval, according to DPW comments, to provide a main drive with side streets intersecting at right angles. The two branches will terminate in proposed turnarounds. A strip of land was reserved along the east property line for conveyance to the existing lots along Cathedral Oaks. This strip of land will be also deed restricted to prevent removal of trees. The developer will form an HOA for the neighborhood and the HOA will be responsible for ownership and maintenance of the private drive and other common lands.

Utilities to serve the subdivision will be provided by extending public storm sewer, sanitary sewer, and watermain from Woodcliff Drive. The existing storm sewer system along Woodcliff Drive and stormwater management pond were designed for the overall Woodcliff Development to convey, treat and store the stormwater runoff from the proposed subdivision under post-development conditions. The proposed development represents a reduction in impervious area from what was preliminarily approved, allowing the stormwater management system to serve the proposed development as originally designed.

The applicant is requesting to construct detached units to create a patio home community similar to other successful neighborhoods in Woodcliff, like Bristol View and Horizon Point. The proposal results in an over 50% reduction in the approved density for this parcel, and maintains the vegetated buffer to Cathedral Oaks to the east. The Woodcliff Golf Course asphalt cart path is located on the applicant's property, and the applicant plans to swap lands with Widewaters ERA Hotel Property LLC as shown on the Subdivision Plan. No portion of Widewaters' land being swapped is currently being used for the golf course.

The Subdivision Plans show the approximate location of a proposed sign at the entrance of Summit Hill. The entrance sign will be similar to the existing stone signs along Woodcliff Drive. We acknowledge that a separate sign application is required and will be submitted for Planning Board approval.

The project does not contain any mapped or observed L.D.D. As part of the previous approvals, the Town of Perinton also completed their SEQRA review for the overall Woodcliff

development. The proposal at 50% reduction in density for the subject parcel, does not result in a potential adverse effect concerning the property or the previous SEQRA determination.

We would like to present this application at the March 4, 2015 Planning Board meeting.

Thank you for your consideration of this request. Please contact our office with any questions.

They are looking to serve the empty nester population that has been successful in Bristol View and in Horizon Point neighborhoods within Woodcliff. This proposal is consistent with the concept approval that was granted on 12/3/14 and addresses the conditions of that approval. The minimum lot size is 6400 sf. They are looking for a 30' front setback measured off of the edge of the pavement (private road). They request a rear setback of 10' and a 15' building separation with a 10' side setback on one side and a 5' setback on the other side. The unit Lot 27 would have a 50' setback off of Woodcliff Drive. They have met with Town staff this past Monday and Town staff requested that this project be developed consistent with Bristol View and Horizon Point such that the units would be a 0 lot line type unit, where the lot lines are re-subdivided around the constructed

home. The lands on the property would then be owned, maintained and controlled by a HOA. This is a deviation from what was reviewed at the time of concept approval. The subdivision will include a land swap along the west property line measuring about 5400 – 5600 sf. Lands at the sw corner that is part of the 8.59 acre parcel will be conveyed to Widewaters ERA Hotel Properties, LLC (the owners of the golf course) and in return a parcel the same area will be conveyed to the applicant up in the nw corner. This will be completed as part of this subdivision process. The applicant proposes a 20' reservation along the east property line. The purpose of that reservation is to contain the portion of the trees that are on the applicants' property (a deed restriction) so that the trees will remain. The applicant is working with the adjoining property owners in Cathedral Oaks about the possibility of conveying individual parcels to those adjoining owners. If that does not occur, the lands would be retained and controlled by the HOA. All 27 lots would be served by a private drive. The private drive would have its' own street name that has been approved by the County 911 office which will be Horizon Hill Terrace and will be labeled on updated subdivision maps for the records. The layout of the street has been modified through consultation with the DPW. The applicant is now proposing traditional T intersections. They continue to work with the DPW on the turn-arounds in the nw and ne corner. They have discussed the planned stormwater design and how it fits in with the overall Woodcliff management system and there is capacity within the Woodcliff Drive storm sewers to receive the runoff from this project site. The HOA will be responsible for ownership and maintenance of the private drive and all of the common lands. There is no mapped or physical LDD lands. They met with the Conservation Board a few weeks ago and reviewed that with them at that time. An overall SEQRA review was conducted by the Planning Board in 1986. They provided the Town with a short form EAF as it relates to this action which shows that the intensity and density of this proposed development is less than what was already approved for the 60 townhouses. He acknowledges receipt of Town comments and has met with Town staff this past Monday to review those comments.

Mr. Anderson asked for questions or comments from the Conservation Board. Mr. Rainis states that the Conservation Board is prepared to offer a SEQR recommendation.

Mr. Anderson asked for questions or comments from CED. Mr. Doser states that the original subdivision plan called for 60 townhomes and this is for 27 single family dwellings under clustering provisions of Town Law which seems to conserve green space. This plan is consistent with future land use plan of the Town Comprehensive Plan of 2011 which calls for medium density residential development in this area. The Town supports the creation of property lines that encompass the single family units individually with the remaining lands to be HOA owned. The Town requests that a note be added to the plans stating that there is to be a minimum separation of 10' from one structure to another to meet the NYS building code requirements.

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

**DPW Comments:**

1. **DPW is concerned with access to rear properties with proposed side setbacks. Is the intent of private homeownership to be similar to the other communities within Woodcliff? If so, the homeowner would only own the land the building footprint is on, while the remaining land would be owned and maintained by a Home Owners Association (HOA).**
2. **Several driveways on the east side of Summit Hill Drive appear to be 8% or more with no level area between the gutter and garage pad. DPW recommends an area of one car length with 4% or less slope adjacent to all garages.**
3. **DPW is working with applicant's engineer to modify sanitary, storm and watermain alignment and sewer depths to reduce lateral conflicts and improve ease of future maintenance.**
4. **Buildings on lots 8 and 17 appear to be within the turnaround area.**
5. **DPW concurs with the calculations provided that shows the existing pipes that convey flow from the development to the existing pond have adequate capacity.**
6. **DPW concurs that the existing pond capacity should theoretically be adequate since the proposed 27 single family homes are conveying less impervious area runoff to the pond than the 60 townhomes originally approved. However, the developer needs to confirm that the pond capacity has not been reduced from the original design by verifying the actual pond depth with field measurement. This will also help justify the water quality volume calculations provided in the SWPPP.**
7. **Provide a typical lot section to clarify the intent of the Grading Notes 4 thru 8.**
8. **Specify that proposed gutter inlets near Sta 1+85± are to be Perinton Flair Special Inlets since the road slope is steeper than 6%.**
9. **Subdivision plat should provide an Access & Utility Easement to the Town of a width that covers only the access road and outermost utility trench. It should not have the same limits as the overall HOA lands.**
10. **Utility easement UE-4 should be conveyed to the Town prior to proposed land transfer to Wide Water Group.**
11. **On the road profile, the private drive approach to Woodcliff Dr should have an area approximately 100' long with a 3% slope before transitioning to the 10% slope.**
12. **All down spout conductors shall connect to storm sewer main and not to rear yard drainage pipes.**
13. **Drainage inlets and storm sewers located in the rear of lots 1-3, 9-10 and 21-27 shall be privately owned and maintained by the HOA.**
14. **DPW recommends that rear lot catch basins be constructed with poured inverts to help keep debris from accumulating.**
15. **Under the Site Preparation Construction Sequence Notes, add "Prior to start of clearing and grubbing operations, clearing limits behind Lots 17 thru 27 are to be field delineated and reviewed by the engineer, DPW and contractor. Once the limits are verified, the contractor shall install orange construction fence along the entire clearing limit."**
16. **Install handicap sidewalk detectable warning delineators on the new sidewalk ramps from Summit Hill Drive to Woodcliff Drive. Sidewalk replacement limits should be extended to ensure sidewalk on the approach to Summit Hill Drive does not exceed 5% or the slope of Woodcliff Drive (whichever is steeper).**
17. **Installation of storm manhole "D" is proposed over the existing storm sewer along Woodcliff Drive. The proposed installation method shall consist of only one splice in the existing sewer pipe.**

18. **Although catch basin laterals will be maintained by the HOA, DPW does not recommend 8" perforated HDPE pipe for road crossings. Catch basins within the ROW at Woodcliff Dr shall be connected to manhole with SDR-35 pipe.**
19. **Drainage structure D-1 and D-3 should be 5' manholes.**
20. **DPW will televise existing 24" CMP along Woodcliff Dr to confirm that no structural problems exist and the new connection can be made as proposed.**
21. **Revise Mass Grading note #2 to reflect that topsoil stockpiles shall not be created in rear lots, and that topsoil should be stripped in all areas to eliminate future sink holes.**
22. **On the impervious barrier detail, clay barrier should be labeled as 1' over pipe. Pipe bedding should be labeled as 6" over pipe.**
23. **On the typical sewer trench detail, label geotextile fabric wrap around pipe bedding consistent with the impervious barrier detail.**
24. **Water supply calculations should be provided for the proposed watermain connection at Northwest corner of site (instead of the connection at Woodcliff Dr.)**
25. **Ensure no obstacles are in the sight triangle formed by a 3.5' eye height and 4.25' top of vehicle height for a car stopped at the edge of Woodcliff Dr.**
26. **In the engineering report, the stopping sight distance and intersection sight distance calculations show the same available length. Confirm calculation for each, since they can't be the same value.**
27. **DPW will coordinate with applicants engineer to address several minor comments on the Notice of Intent and overall SWPPP prior to requesting MS4 certification signature.**

They met with the applicant earlier this week to review these comments. A majority of them are technical in nature; there are a few that require at least one more submittal of plans. There is a concern with profile adjustment at the intersection with Woodcliff Drive that would have an impact on driveway grades for the first two or three lots coming in off of Woodcliff Drive, and the turn-around areas still need to be revised. This is a challenging site and the applicant has done a nice job addressing DPW concerns and we look forward to working with them on the final product.

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

Mr. Anderson supports the project. He reviewed meeting minutes that go back to 1984. Woodcliff has been an excellent development for the Town. It is an excellent use of mixed use. There are some concerns with the intersection. Traffic is pretty fast on Woodcliff Drive and they don't want safety issues. There is one proposed section that is pretty steep and needs to be addressed. He has concern for the driveways on the lots where there is no landing zone. It can be dangerous to have guests get out in the driveway on a steep slope. There are some steep driveways onto a steep road and is a safety issue and difficult to navigate. He is concerned with the two turn-arounds using the entire driveway. This may require eliminating a lot at each one. The entire driveway is used as part of the turn-around and while the Fire Chief is ok with it, he is not sure how that will work with delivery and maintenance trucks backing up to peoples garage doors. People don't always park in their garages and they may have more than two cars. There is a high potential for this to be a big nuisance even though this is a private drive. He supports the project, however is not prepared to go to preliminary with all of these issues. Mr. Anderson agrees with the proposed changes that have been discussed tonight as far as changing to a 0' lot line.

Mr. Lewis agrees with the comments made by Mr. Anderson. Mr. Lewis inquired how close the house is on lot 18 to the lot line. Mr. Vars states that it is 5' to the north and 10' off the south line. Mr. Vars states that one of the things that came out of the meeting on Monday with Town staff was to perhaps change the lot lines to be the house pad and they are looking for comments and consensus from the Planning Board on that. Mr. Vars states that the documentation that they have before them currently is not what was discussed on Monday. Mr. Lewis feels that a 0' lot line will work better. Mr. Lewis inquired if the house pads would be 15' apart and Mr. Vars states that NYS Building Code requires a 10' separation which is what Mr. Doser stated earlier. Mr. Lewis feels that the Planning Board should be specific. Mr. Vars states that they will be submitting revised plans anyway and can identify that. Mr. Lewis agrees that the turn-arounds need to be addressed without having to ask a homeowner to move their car out of their driveway. Mr. Lewis inquires what the triangular piece is for. (pointing). Mr. Haralambides states it will be bermed so you can't see through when you drive in and it adds beauty to the development. Mr. Vars states it will help break up the massing.

Mr. Brasley supports the project, however is not prepared to go forward until the engineering is worked out. He thinks that they may need to drop one or two lots. He understands that the density is much less than what was originally approved a number of years ago; however, the Town has much more experience with HOA's and the potential issues that may arise from that. He is hesitant to have just 10' between houses. He understands that might happen in a couple of spots, but not for every lot. He asks what the reason is to change to a 0' lot line. Mr. Doser states that in order for a resident to do some work in their backyard or on the side, they wouldn't have to go on their neighbor's property. Mr. Brasley states that 10' is very close for a high end luxury homes and although it may meet Building Code, it doesn't seem like Perinton with no room between houses. Mr. Brasley states that he is ok with 15'. He understands that it may need to be 10' here and there, but not in general. He is not prepared to go to preliminary at this time.

Mr. O'Brien supports the project. He asks Mr. Haralambides is he is comfortable with a 0' lot line and the HOA. Mr. Haralambides states that it has worked at Bristol View and Horizon Point. It doesn't make any difference to him. He is not a big fan of making it HOA land, but if the Board isn't going to approve it any other way then he will do it. He would prefer to have the lots, but either way, the HOA controls everything. Mr. Vars states that a 10' side setback is a very common setback in Residential A & B subdivisions throughout the Town. Mr. Haralambides states it is really 15' as it is all available to the HOA. The benefit of the HOA is to use the full 15', which is a greater use than what a property owner would have in a Residential A or

B District. Mr. Haralambides states that if the HOA owns the land, the property owner owns the footprint only. Functionally, it doesn't make any difference; it is really just the way people perceive what they are buying. It is not his first choice, however. Mr. O'Brien feels that trucks will just backup down the street. He isn't sure that losing a couple of lots will help the tightness. Mr. Vars states that is accurate and this will really only effect very restricted local traffic.

Mr. Antonelli supports the project overall. There are some engineering issues to be worked out first. He is indifferent about the 0' lot line. He isn't sure they will be able to get a swale in between the lots at 10'. He supports 15' for a majority of the building separations down to a 10' minimum if they need flexibility.

Ms. Neu inquired about the road renaming. Mr. Vars states that Summit Hill was not able to be approved by Monroe County 911 office. The street name that was approved is for Verizon Hill Terrace. Ms. Neu inquired if it is the name of the entire street and Mr. Vars states yes. Ms. Neu agrees with the comments from the other Board members. Mr. Lewis inquired how the houses got numbered and Mr. Vars states that CED office (John Beck) numbers the homes. Mr. Lewis added that it is important that the number system for the street needs to be done well to avoid confusion.

Mr. Anderson asked for questions or comments again from the audience, and there were none.

Mr. Anderson states that the Conservation Board was prepared to make a recommendation for a Negative Declaration of SEQRA; however, due to planning & engineering issues the Board will defer decision at this time.

Mr. Vars asks what lead time they will need to be placed on an agenda. Mr. Doser states at least two weeks. Mr. Brasley states that if they submit by March 18<sup>th</sup>, they could be on the April 1<sup>st</sup> agenda.

Mr. Anderson made a motion to defer decision for preliminary and final subdivision approval under Section 278 of Town Law for 27 single family residential homes on approximately 8.59 acres for plans received by the Town on 1/30/15 until such time as:

1. The concerns that have been identified by the DPW have been addressed
2. Applicant to address concerns regarding the road grade at the intersection of Woodcliff Drive,
3. Applicant to address concerns regarding the driveway grades of Lots 23 through 27 to meet the Town Code of about 4%.
4. Applicant to address the concerns regarding the turn-around plans in such a way that they are more functional. This may be addressed at the discretion of the applicant by removing lots or not.
5. Applicant to address the concerns regarding setbacks; with the understanding that the goal is to be 15' separation between buildings, and if there are sections less than that they are to be identified on the plans and the Planning Board will review at that time.

Mr. Lewis seconds the motion.

Mr. Vars inquires if the Board is directing to go to the 0' lot line. Mr. Anderson states that he was silent on that purposefully; it is up to the applicant's discretion. If the applicant can provide 15' between structures, then that would satisfy the Planning Boards' separation concerns. Mr. Brasley states that the Board realizes that there may be a valid reason for an occasional exception to that. Mr. Haralambides inquires how he is supposed to deal with exceptions. Mr. Haralambides would prefer that they set a minimum and allow flexibility. He is not going to put structures only 10' apart. Mr. Haralambides asks if they can accept a minimum separation of 13'. Mr. Doser states that the Town minimum for most residential districts on sewer is 12' side setback. Mr. Brasley states that would then be 24' between buildings. Mr. Anderson states that the Board wants a goal of 15' and any exception to that should be shown on plans submitted and the Board will review and discuss at that time.

Motion carries 6 – 0.

#### **Discussion:**

#### **Minutes – 2-18-15**

Mr. Brasley made a motion to approve the minutes of 2-18-15 as submitted.

Mr. O'Brien seconds the motion.

Motion carries 6 - 0

There being no further business before the Board, the meeting adjourned at 8:17 PM.

Respectfully Submitted,

Lori L. Stid, Clerk  
(as transcribed from audio recording)