

**Minutes of the Town of Perinton
Planning Board Meeting of March 5, 2014**

Planning Board Members Present

Mark Anderson, Chairman
T.C. Lewis
James P. Brasley
Norm Gardner
Sandra Neu

Absent

Kenneth O'Brien
Craig Antonelli

Conservation Board Members Present

Ken Rainis
Barbara Wagner

Town Officials Present

Robert Kozarits, Town Engineer
Michael Doser, Director Code Enforcement & Development (CED)
Lori Stid, Planning Board Clerk

Absent

Robert Place, Town Attorney
Thomas Beck, Commissioner, DPW

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

New Application(s):

Stonefield Reserve – 61 Fishers Road. McMahon LaRue Associates, as agent for Schoenberger Associates, LP, as agent for William J. Babcock Jr., owner of property located at 61 Fishers Road (tax id # 193.01-1-80) and located at the northwest corner of the intersection of Fishers Road and Old Stonefield Way, requesting concept subdivision approval to subdivide an existing parcel of 9.667 acres of land into 6 lots with one of the parcels to be a 4.711 acre parcel which includes the existing home and the remaining development to occur on 4.956 acres with construction proposed to occur in 2 phases.

Presenter: McMahon LaRue Associates
Zoned: Residential A

Mr. McMahon presented the application to the Board, as per letter of intent, as shown below:



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Engineers & Surveyors

January 30, 2014

Town of Perinton
1350 Turk Hill Road
Fairport, NY 14450



ATTN: Town Planning Board

RE: Stonefield Reserve
Old Stonefield Way

Dear Mr. Chairman and Members of the Board,

Enclosed, please find our application to appear before the Town Planning Board on March 4, 2014 to present our concept plan for the development of the Stonfield Reserve Subdivision. The site is located at the northwest corner of the intersection of Fishers Road and Old Stonefield Way. The owner of the parcel, Mr. William Babcock, resides in an existing residence adjacent to Fishers Road. The developer, Schoenberger Associates, L.P.; intends to subdivide the existing parcel into 6 lots. The developer proposes to construct a private drive, along with the necessary utilities, and 5 new single-family residences.

The area of the site is 9.667 acres. The proposed development will occupy approximately 4.956 acres and the existing home at 61 Fishers Road will remain on a 4.711 acre parcel. Construction is proposed to occur in two phases. Phase 1 will include the construction of the private drive and development of Lots 1 and 2. Phase 2 will include development of Lots 3, 4 & 5.

There is an area of steep slopes along the north line of the parcel, which will not be disturbed by this development.

The proposed entrance to the development is located directly off Old Stonefield Way.

Public water, gas, and electric services are available along Old Stonefield Way.

Public sanitary sewer is not available to the site and each of the parcels will be developed with septic systems.

The private drive is and will be accessible for emergency vehicles. They will provide an access easement to the Town over the private drive. They will explore with the water authority running a main back to the end of the cul-de-sac with a hydrant. He acknowledges receipt of DPW comments. As far as connecting into the sanitary sewer, they did look at that. There is sanitary sewer in the middle of Fishers Road. He ran calculations and has determined that the sewer would have to be 38' deep in order to access it by gravity. It is not feasible for them to install sanitary sewers. A pump station for 5 lots would be financially unfeasible. They are proposing swales and drywells to address stormwater requirements. They met with the Conservation Board last night. The Conservation Board asked if the applicant would be willing to put a conservation restriction over the LDD and the applicant is willing to do so.

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

Mr. Anderson asked for questions or comments from the Conservation Board. Mr. Rainis states that they met with the applicant last night and they feel that the design of the plan is good and they don't have any significant environmental concerns.

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

CED Comments:

1. **This property is located in a Residential A zoning district and is consistent with the objectives of the Comprehensive Plan for this area.**
2. **Label the driveway as private drive.**
3. **Label setback lines and dimensions.**
4. **Clearly define the lot lines.**
5. **Lot 4 is over 500 feet from the closest fire hydrant. House will need to be provided with sprinklers, or a hydrant will need to be provided along the private drive.**
6. **Provide a signature block on the plans.**

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

DPW Comments:

General

Future submittals need to include the following information:

1. Evaluate the feasibility of connecting to the existing sanitary sewer along Fishers Road.
2. Soil percolation data is required to justify septic system and dry well design.
3. Identify the LDD limits on the site plan.
4. Provide site distance information at the intersection of the proposed private drive and Old Stonefield Way.
5. The applicant's engineer needs to verify that large emergency equipment can negotiate the proposed round-about.
6. A 40' wide, emergency vehicle, access easement to the Town of Perinton is required over the private drive.
7. The proposed intersection of the private drive with Old Stonefield Way may require relocating the existing catch basin on Old Stonefield Way. Shifting the driveway alignment to the west would avoid this conflict.

Mr. McMahon states that they could look at some alternatives of driveway alignment. They tucked it to the east to avoid the catch basin and light pole. They would prefer not to have to relocate the catch basin or light pole.

Mr. Anderson feels that this is a good in fill project. He agrees with the applicant that a pump station with 5 lots is not economical. He asked if the applicant feels that emergency vehicles will be able to make a turn-around in the proposed round-about. Mr. McMahon states that it will be able to negotiate the cul-de-sac. It is a 20' wide pavement. Next they will do percs and deep holes for 5 lots. They will submit a sketch with next set of plans with the turning radius for staff to look at. Mr. Anderson likes the round-about. Mr. Anderson would like to see adjoining lots on the next set of plans submitted. Mr. Anderson inquired if there will be a HOA or a waiver for that obtained. Mr. McMahon states that they will be seeking a waiver from the Dept of State for the HOA.

Mr. Lewis feels it is a nice project, and he is ok with septic. Mr. Lewis inquires who owns the land. Mr. McMahon states that William Babcock owns the land and lives in the current house. He is selling the western half of his lot, and will be retaining 4.7 acres (the whole frontage on Fishers Road). Mr. Schoenberger will be purchasing the western portion of it and will develop it. Mr. Babcock will retain the easterly 4.7 acres. Mr. Schoenberger states that they received a letter today from Mr. Babcock's attorney that he is transferring his remaining acreage over to a trust.

Mr. Brasley inquired if there were any variances required and if all of the new lots meet code. Mr. McMahon states that is correct. Mr. Brasley asks if the existing house meets front setback of 70'. Mr. McMahon states that they can note it on the plans that they submit next. He doesn't think it meets code. Mr. Brasley states that he may need to get a housekeeping variance from the ZBA, even though it is pre-existing, non-conforming. Mr. Brasley asked if the existing house has been designated as historic. Mr. McMahon states it is an older home, but he doesn't believe it is historic. Mr. Brasley asks if the private drive will have a name. Mr. Schoenberger states that he will name it. Mr. Brasley supports this proposal. Usually he would prefer square lot lines, but understands that these are different as it allows it to fit in for septic.

Mr. Gardner likes the lot shapes as it adds to character of the property. He hopes that the applicant plans to have the fencing that they presented on the concept plan. He would like the limits of clearing to be shown on the final plans. Mr. McMahon states that a lot of what exists is scrub. They plan to try to preserve as many trees as they can within reason. They can identify the trees that they will try to preserve. They can supplement along the roadway, as necessary.

Ms. Neu states that she supports the concept plan. She inquires if there will be lighting. Mr. Schoenberger states that he would like street lights, but perhaps lighting on a mailbox post. Ms. Neu inquires if there will be swales. Mr. McMahon states that they will be low rounded swales.

Mr. Anderson states that no motion is required as concept is not required. He supports this project. He encourages the applicant to submit for preliminary and final.

604 Pittsford-Victor Road Canal House. Paul Zachman, owner of property located at 604 Pittsford-Victor Road (tax id #179.09-2-1), requesting preliminary and final site plan approval for change of use from residential use to commercial office use.

Presenter: Paul Zachman
Zoned: Commercial

Mr. Zachman presents the application to the Board as per letter of intent as shown below:

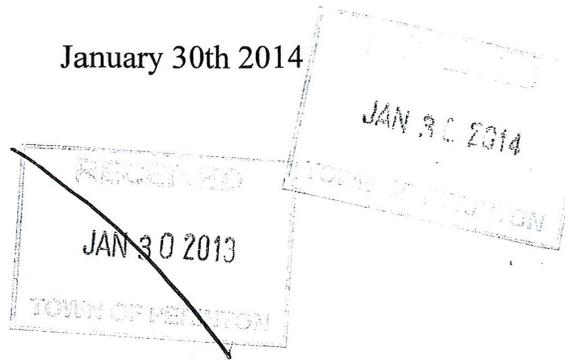
To: Town of Perinton Planning Board

January 30th 2014

Re: Letter of Intent

Property: 604 Pittsford Victor Road

Owner/Applicant: Paul Zachman



Dear Board Members,

My name is Paul Zachman and I have recently purchased (Oct. 2013) the property located at 604 Pittsford Victor Road. This property, as far as I know, has functioned as a single family residence for all of its existence, at least for the last 67 years as told to me by the former owner. It is located within a commercial zoned (Mixed Use) district and it is my intent and proposal to convert the property to commercial (Mixed use) use.

This property is directly adjacent to the Canal Walk development directly to the east, fronting along the canal. The property is bound by a 1988 easement with the property owners of Canal Walk. The easement spells out shared parking with the existing parking lot serving that development, property maintenance expense agreements, as well as non-compete restrictions for commercial occupancy. A copy of the easement has been included with the application.

I have three uses planned for the property. The anchor/primary use would be offices for my company, Boardwalk Design Inc. The office would be occupied by two or three employees, including myself, during normal business hours, with occasional client meetings held on site. I have leased office space for this purpose in the Village of Pittsford for the past 16 years.

The second use would be hosting a fine art photography gallery that would be open to the public during normal business hours and select evening hours. This gallery would occupy 1st floor space, integrated, but occupying its own space, within the Boardwalk Office space. The 1st floor space in the front half of the house would be apportioned off to the gallery, and would also function as a meeting space for Boardwalk. I would display my own work as well as that of other invited area photographers. The artwork would be offered for sale.

The third use would be for a future Kayak rental outfit that would function out of the walkout basement level space added on with the proposed 1st floor addition. I am asking for approval for the use, but am not planning to open an operation or lease to a vendor this season. I have applied to the Canal Corp to install stairs and a small dock for access, and am not applying for a Canalside Vendor permit at this time, pending the outcome of the site plan approval process and eventual business occupancy.

I am the owner of Boardwalk Design Inc, a residential design build firm. This is our 25th year in business, and my company would be managing the renovation/site plan project. I live in the Village of Pittsford, and for the past 7 years have chaired the Village of Pittsford Architectural and Preservation Review Board, which functions along the same lines as your HAC. In 2009 I co-produced, with Village Mayor Robert Corby, The Village of Pittsford Historic and Architectural Design District Building Design Standards, a 135 page publication adopted by the village in January of 2010, and is available for view on the village website. I am very sensitive to developing and preserving the character that defines a unique sense of place, and I am excited to be able to have an opportunity to contribute the same to the Bushnell's Basin district through the development of this property.

Paul Zachman
Owner/Applicant
604 Pittsford Victor Road

With Mr. Zachman is Doug McCord, landscape architect on the project. They went before the Historic Architecture Commission already and have received approval subject to Planning Board and Zoning Board approval. The gallery would be low key. The kayak rental would operate maybe four months out of the year. They propose to take the terrace grade down another 3' to serve the walkout of the basement and the stairs down to the canal would be off of that. They are proposing a small residential style dock to service the kayak rental outfit. They are proposing four spots for parking on the east side. They may be able to bank two additional spaces along that side. There is a tree in the center of the parking lot that they are trying to save, so there are two spots on either side of that. They are proposing to do the parking in the front with the same pavers as the walkways just to cut down on the pavement and make it look a little better to blend in with the front of the house. He stated that they will meet ADA requirements. They will need to remove some trees in the front. They are proposing a 20' wide driveway.

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

Judith McNulty, 647 Thayer Road inquired where this parcel is. The applicant described the location.

Mr. Anderson asked for questions or comments from the Conservation Board. Mr. Rainis states that the Conservation Board has met with the applicant and has reviewed the drawings and supporting documentation for this project. Based on the review, the Board issues the following findings:

1. The project will provide increased protection of groundwater by constructing a new sanitary sewer connection and removing the existing septic system;
2. Stormwater will be managed and treated by means of an onsite infiltration system;
3. The stormwater management system has been designed to direct runoff away from the down gradient neighbor; and
4. The proposed use is a beneficial and appropriate re-development of an existing property.

Based upon these findings, the Perinton Conservation Board recommends a Negative SEQR determination for this application.

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

CED Comments:

1. **Project meets the intent of the new Mixed Use District zoning code, anticipated to be in effect for that area this spring. The rezoning process is occurring now.**
2. **Project meets the following Comprehensive Plan objectives for the Bushnell's Basin Area**
3. **The access aisle for handicap parking needs to be identified and provided with standard "No Parking" / "Permit Required" sign.**
4. **Length of parking stalls need to be specified.**
5. **Obtain the necessary variances identified on site plan from the ZBA. The dates of approval need to be noted on the plan.**
6. **Site plan features enough parking to accommodate office parking requirement, which is the main year-round use of the building. Additional parking needs will be served by shared use of the Canal Walk parking lot, which is available by existing legal agreement. The Town parking code requires a total of 25 spots for the office, gallery and kayak rental. However, considering the available shared parking, plus the different peak parking demands for the gallery, and the seasonal use of kayak rental, there is reasonable justification for the approval of parking variances.**
7. **Parking setbacks may be modified by the Planning Board.**
8. **Provide a detail for the pole mounted lights; two light poles appear to be located in the ROW.**
9. **Show the building setback dimensions to property lines.**
10. **This application requires HAC approval. The date of approval needs to be noted on the plans**

HAC approval was granted on January 14, 2014.

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

DPW Comments:

General

1. **The required variances need to be obtained and the date(s) of approval noted on the site plan prior to approval signatures being affixed to the plans.**
2. **Provide property line dimensions on the site plan.**
3. **The plans show work being proposed outside of the property lines for this parcel. Separate approval for this work will need to be obtained from the property owner (NYS Canal Corporation) prior to the Town of Perinton approval signatures being affixed to the plans.**
4. **Specify the retaining wall height on detail #5 on drawing D-1.**
5. **The handicapped parking sign is needs to specify "Permit Required".**
6. **The plans should show connecting to the sanitary sewer by installing a PVC wye on the existing sewer main instead of the manhole connection shown on the plans.**
7. **The proposed work within the Pittsford Victor Road right-of-way will require NYS DOT permit approval. A copy of the approved permit needs to be provided to the DPW prior to final approval signatures being affixed to the plans.**
8. **Correct elevation of overflow spillway to be 478.30.**
9. **Provide soil type and percolation data for the existing soils in the area of the rain garden if available.**
10. **This project requires HAC approval. The date of approval shall be indicated on the site plan.**

11. **The Town of Perinton is undertaking a capital sidewalk construction project in Bushnell's Basin that will build sidewalks along this property's road frontage. The applicant is required to make a contribution to the Town's Sidewalk Fund for the length of this parcel's frontage along Route 96. (82.5' X \$15.00/ft =\$1237.50)**
12. **Label snow storage area on site plan.**
13. **Provide signature block on grading plan and landscape plan. Replace "Town Sewer District" signature with "Town Attorney" on all signature blocks.**
14. **Show detail for proposed brick walkway edge treatment from handicap parking stall up to front door.**
15. **Delineate the walkway adjacent to handicap parking stall to avoid appearance of additional parking space.**
16. **Label property owner immediately to the east on site plan.**
17. **Eliminate notes related to SWPPP inspection on Grading plan, since project does not require SPDES permit.**
18. **Provide orange construction fence around proposed rain garden.**
19. **Eliminate splash block on southeast corner of house and direct roof gutters to downspout and splash block at northeast corner. Direct splash block to rain garden.**
20. **Provide detail or catalog cut of proposed light fixtures.**
21. **Plantings on landscape plan appear to conflict with brick walk and parking access shown on site plan.**
22. **Eliminate Landscape Note 1.**
23. **Consider permeable brick pavers to encourage infiltration rather than run off. If permeable pavers are used, eliminate Paver note regarding use of polymeric sand, and specific permeable joint filler material.**
24. **Provide balusters on all new staircase handrails.**
25. **Line rain garden overflow channel with 6" of light stone fill on geotextile fabric.**
26. **Clarify what material is proposed for marking the handicap space.**

He inquired if there was a timeline for the Canal Corp approval of the dock. The applicant states that Doug McCord contacted the engineer and he e-mailed back last week and said it was in process and just needed to be signed. Mr. Kozarits inquired if the Canal Corp had any issues with it. Mr. McCord states that they want the dock moved a little bit to line up with the re-extension of the property line to the canal. Mr. Kozarits inquired about the State DOT. The applicant states that they have spoken with DOT and they are in verbal agreement with what they are showing, but have nothing in writing yet. Mr. Kozarits asked if there were any concerns with eliminating the splash block on the southeast corner. The applicant states that they think that is a good idea. Mr. Kozarits about the possibility of using permeable pavers or some type of infiltration practice for the walkway and the handicap parking stall. The applicant discussed the grade change.

Ms. Neu supports the project. She feels it will be a visual improvement. She inquires about the color scheme. The applicant states they are thinking about green tones with a burgundy trim to differentiate from Canal Walk. They aren't looking to expand the campus of Canal Walk. The lighting will tie in. The pavers differ slightly. The color scheme will be different.

Mr. Gardner feels that this is a good use of the variance process to infill this parcel with a nice development. He supports any variances required for this process. He would like to see permeable pavers available for at least the handicap space and any walkways and drive lanes and could help eliminate some of the stormwater infiltration needs they may have and help give this parcel a more historic character. The applicant states that pavers are very costly and may be cost prohibitive as there would be about 1900 sq ft of pavement area. They already have adequate runoff capability.

Mr. Brasley supports the request and the variances needed. This project is why they are trying to change the code to get these smaller parcels developed. He was at the HAC meeting and they support the request. This building is 164 years old. Colors will have to be determined and are required to be submitted with the final plans for signature. Mr. Brasley inquires what the applicant is asking for with parking. The applicant states that he is seeking approval for what is shown on the plans. Mr. Brasley feels that although the number of spots is low he feels it is adequate for the uses, even with the kayak business. Mr. Brasley inquired if there would be outside storage of garbage with dumpster or totes. The applicant states that they are not proposing any outside storage of garbage. Mr. Brasley states that signs are a separate application.

Mr. Lewis agrees with Mr. Brasley and is happy that someone is going to try to save this property that is currently in disrepair. The lot falls off very rapidly in the back. The proposed uses will fit this site. He is concerned with parking. If the office needs one or two spots, and if kayakers need 3 – 5, and then there was an art show going on, there wouldn't be enough parking. He states that the applicant points out that there is canal parking to the west where kayakers could park, and that there is also parking to the east through a common agreement with other businesses in the area. He likes the elevations that they are showing. This plan is right in line with what the Town is proposing to do in Bushnell's Basin both in keeping an historic look to it and improving some of the rundown buildings.

Mr. Anderson supports this project. It is nice to have an applicant willing to renovate an existing building. He is concerned about parking, especially for any type of event that the art gallery may have. The applicant states that there will not likely be any events and it will be a more static setting, other than opening night for a show. The applicant does not think that the kayak rental use will be a destination use. He thinks it will come from people who are already in the area having ice cream or coffee. Mr. Anderson hopes that the approval process goes smoothly with State DOT and Canal Corp.

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

Mr. Lewis seconds the motion.

Motion carries 5 – 0.

Mr. Anderson made a motion to require the applicant to make a contribution to the Town's Sidewalk Fund for the length of this parcel's frontage along Route 96 in an amount to be determined by the Commissioner of Public Works.

Mr. Lewis seconds the motion.

Motion carries 5 – 0.

Mr. Brasley made a motion to grant preliminary site plan approval for change of use from residential use to commercial office use for plans received by the Town on 1/30/14, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. Applicant to obtain any necessary variances from the ZBA and list the variances granted and the date approved on the final plans
3. Applicant to show the Certificate of Appropriateness from HAC on the final plans and the date that it was issued on the final plans.
4. This approval includes parking setback waivers as follows:

Front parking setback from 50' under current commercial zoning or 10' under mixed use zoning down to 2'.
Side parking setback from 15' down to 1'

These waivers and date granted are to be listed on the final plans.

5. The applicant is to consider permeable pavers for the bricks in the handicap parking stall area.
6. The final building elevations submitted for signature include heights, colors and materials.
7. This approval includes no signage, no dumpster, and no outside garbage storage. If the applicant wishes to store garbage outside, have a dumpster, or have any signage, they are required to return to both the Planning Board and the Historic Architecture Commission seeking approval.

Mr. Gardner seconds the motion.

Motion carries 5 – 0.

Mr. Brasley made a motion to grant final site plan approval for change of use from residential use to commercial office use for plans received by the Town on 1/30/14, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. Applicant to obtain any necessary variances from the ZBA and list the variances granted and the date approved on the final plans.
3. Applicant to show the Certificate of Appropriateness from HAC on the final plans and the date that it was issued on the final plans.
4. This approval includes parking setback waivers as follows:

Front parking setback from 50' under current commercial zoning or 10' under mixed use zoning down to 2'.
Side parking setback from 15' down to 1'

These waivers and date granted are to be listed on the final plans.

5. The applicant is to consider permeable pavers for the bricks in the handicap parking stall area.
6. The final building elevations submitted for signature include heights, colors and materials.
7. This approval includes no signage, no dumpster, and no outside garbage storage. If the applicant wishes to store garbage outside, have a dumpster, or have any signage, they are required to return to both the Planning Board and the Historic Architecture Commission seeking approval.

Mr. Gardner seconds the motion.

Motion carries 5 – 0.

There was a discussion as to signage. The applicant would like a monument sign like all the other businesses in the area. The applicant is encouraged to discuss proposed signage with Code Enforcement & Development staff.

Mr. Anderson encourages the applicant to apply to the Zoning Board of Appeals for necessary variances for the project that was approved tonight. The Planning Board supports the variances that will be necessary.

Basin View Subdivision. T.Y. Lin International, as agent for Longwell Builders, LLC, owner of property located on the south side of East Jefferson Road (NYS Route 96) (tax account #179.09-2-24.1) west of Thornell Road, requesting concept and preliminary subdivision approval for a 12 lot single family subdivision.

Presenter: T.Y. Lin International
Zoned: Residential B

Randy Bebout, T.Y. Lin International gave a brief review of the project history and presented the application to the Board as per letter of intent as shown below:

TYLIN INTERNATIONAL
engineers | planners | scientists

BBFD

orig



January 31, 2014

Town of Perinton
1350 Turk Hill Road
Fairport, New York 14450

ATTN: Planning Board

RE: Concept\Prelim.Subdivision Review
Basin View Subdivision
East Jefferson Road - NYS Route 96
Town of Perinton

Dear Planning Board Members:

On behalf of Longwell Builders, LLC, we are submitting the following information for Concept and Preliminary Subdivision Review for the proposed Basin View Subdivision:

- Check in the amount of \$350 for Concept and Preliminary Subdivision review
- Original and (14) copies of the Letter of Intent
- Original and (14) copies of the Planning Board Application
- Original and (14) copies of the Owner Authorization to Make Application
- Original and (14) copies of the Long Form EAF
- Original and (14) copies of the Concept and Preliminary Subdivision Review checklist
- (15) Copies of the property deed
- (15) Copies of the Traffic Summary Memo
- (5) Copies of the Water Distribution
- (5) Copies of the SWPPP and Engineers Report
- (15) Copies of the Subdivision Drawings

We respectfully request to be placed on the agenda for the March 4th Conservation Board meeting and the March 5th Planning Board meeting.

The project site is approximately 9.8 acres and is located on the south side of East Jefferson Road (NYS Route 96) west of Thornell Road in the Town of Perinton. The property is bordered by East Jefferson Road & the Erie Canal to the north, existing residential homes to the east and south and undeveloped land (former Russo gravel pit) to the west. The undeveloped land also owned by A.D. Longwell Builders is located in the Town of Pittsford as the west line of the subject property is the Town of Pittsford \ Perinton Town line. The property has approximately 1,035 ft. of frontage along NYS Route 96.

It is proposed to construct a twelve (12) lot single-family subdivision. An approximately 900 ft. long dedicated road would be constructed. Per Town requirements, it is proposed to construct a sidewalk along the property frontage.

This project was originally presented to the Planning Board in 2008 and received Concept Subdivision approval and then was put on hold. It was presented again in 2012, received Concept Subdivision approval and was put on hold again. As a result of the 2012 hearings with both the Planning and Conservation Boards, the plan was modified to reduce the overall disturbed area of the project by eliminating the private drive which was serving four lots. As part of that modification, it was agreed that a Conservation Easement would be provided along the southern portion of the property as a trade off for the Town allowing development within the prior determined LDD areas (see L.D.D. Overlay Plan included with this submission).

Zoning

The parcel is zoned B residential, which requires a minimum lot area of 14,400 sq. ft. and a minimum frontage of 90 ft. The minimum lot size proposed is 16,430 sq. ft. while the average lot size is 35,613 sq. ft. The minimum lot width (measured at the face of the house) is 92 ft. It is the intent of the applicant to seek a front building setback variance from the Zoning Board of Appeals. 50 ft. is required where a minimum of 25 ft. is proposed. The purpose of this request is to allow a larger setback to the rear of the homes from NYS Route 96 (Lots 1 - 5) and provide a larger undisturbed area behind lots 8-12. The Zoning Board of Appeals previously granted a front setback variance for 35 ft. in 2008, based on the original plan.

Site Access

Currently, there is an existing paved driveway located at the east end of the project site. It is proposed to locate the new subdivision road in approximately the same location. We have prepared a Traffic Summary Analysis addressing the volumes and safety of the access point. T.Y. Lin had previously submitted to NYSDOT for this project and received comments. We will resubmit to NYSDOT with the new plan which includes the sidewalk along the property frontage, which is partially within the R.O.W. We will address all prior comments pertaining to the proposed driveway modifications and will obtain the Highway Work Permit.

Storm Drainage

Based on the existing topography, the majority of the site currently sheet flows to the southwest while the remaining portions sheet flow to the north to the existing ditch along NYS Route 96. The existing soils are very sandy and as such run-off from the site is minimal. It is proposed to construct a dedicated storm sewer system per Town Standards to serve the subdivision. An infiltration basin is proposed to mitigate storm water runoff. It will meet the requirements of the NYS Storm Water Design Manual. A notice of Intent will be filed with the NYSDEC per the requirements of the General Permit GP-0-10-001.

Water\Sanitary Sewer

There is an existing 8-inch MCWA watermain located along the east side of Thornell Road. It is proposed to construct an 8-inch watermain along the proposed subdivision road and a 12-inch watermain along the south side of NYS Route 96 to connect to the Thornell Road watermain. T.Y. Lin will submit to NYSDOT and MCDOT to obtain the Utility Work Permit for the proposed work within the State and County R.O.W.'s.

There are no available sanitary sewer mains along NYS Route 96 and the sanitary sewer main located at the intersection of Thornell Road does not allow connection without the use of a force main and pump station. The next closet sanitary sewer is the 24-inch MCPW trunk line located on lands owned by Monroe County Pure Waters to the west of the adjacent Pittsford parcel owned by A.D. Longwell Builders. It is proposed to construct a dedicated 8-inch sanitary sewer main to serve the subdivision and extend the sewer main from the subdivision through the Pittsford parcel and connect to the existing MCPW trunk line. The length of the sewer main from the Pittsford\Perinton Town line to the existing main is approximately 3,130 LF. It is the intent that the sewer on the Pittsford parcel would be on easements and dedicated to the Town of Pittsford upon completion. T.Y. Lin will submit to the Town of Pittsford D.P.W. and to MCPW to obtain approval for construction of the sewer main.

Should you have any questions or require additional information, please do not hesitate to contact us

Sincerely,

T.Y. Lin International Engineering, Architecture and Land Surveying, P.C.

With Mr. Bebout is Todd Longwell. Mr. Bebout states that the Town of Pittsford has also received a copy of the plans that were submitted to Perinton. In the restricted area the sanitary sewer extension will run through it. Mr. Bebout acknowledges receipt of comments from the DPW. They submitted the SWPPP to the Town Engineer. A majority of the sidewalk is in the ROW. A section falls within Lot 5 and a section within Lot 13, which is the lot that will be owned by the Town for the pond. They need to add an easement to Lot 5 for the sidewalk. They will review the grading between some of the lots per the comments from the DPW. There is a slope to the road. They discussed with the Conservation Board that it is 5%, but the highest point is actually 7% which still falls within the Town requirements. He discussed the access drive with the DPW and will have to work out some details. They acknowledge having to shift driveways to get out of easement for lots 7 and 9. They met with the Conservation Board last night. The Board would like to see rooftop laterals connected to the storm sewer system given that there is an infiltration pond. Some of those were intended to be disconnected given the green practices. Barring any issue based on elevation, they can do that. They have made an application to the Town of Pittsford for sanitary sewer district extension. The Town of Pittsford also received the exact same plan that was submitted to the Town of Perinton. They are in review for the design of the sanitary sewer. Easements have to be put in place between the two Towns. The outside agencies that are dealing with this are DEC, DOT, Monroe County DOT, Monroe County Pure Waters, Town of Pittsford, Monroe County Water Authority, and Monroe County Health Dept.

Mr. Anderson asked for questions or comments from the audience. Greg Munier, 71 Thornell Road had questions regarding grading and drainage that may impact his property. The applicant states that Lot 11, 12, and 10 sit at the high point of the site as it exists today. Some of that current flow that flows toward his property will be reduced. Mr. Anderson states that the Town Engineer reviews this so that the existing neighbors will not be negatively impacted.

Mr. Anderson asked for questions or comments from the Conservation Board. Ms. Wagner states that this plan adequately addresses stormwater and will enhance the walkability of the area.

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

CED comments:

- 1. This project is consistent with the objectives of the Comprehensive Plan for this area.**
- 2. A front setback variance is required. The approval date needs to be noted on the plan**
- 3. Relocate driveways shown for Lots 7 and 9 out of the proposed sewer easement.**
- 4. The driveway for Lot 4 is shown close to a proposed hydrant location. The driveway needs to be at least 10 feet away from the hydrant.**

The Town is performing a coordinated SEQR review for this project, in part due to the proximity to the Town of Pittsford. The Planning Board declared itself Lead Agency when this project was here in 2012 and this declaration is still in force. The Town has had discussion with the Town of Pittsford regarding some of the engineering for this project. Mr. Doser states that what the applicant is calling a "conservation easement" is really a deed restricted area. This should be changed on the plans.

Mr. Bebout states that they will move the hydrant.

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

General

- 1. The plat map should be revised to include survey notes and references, land surveyor certification, Health Department, County Surveyor approval block, town clerk signature line, zoning and any other relevant subdivision info.**
- 2. The applicants engineer needs to submit a Letter of Credit estimate for all site work to the DPW.**
- 3. The proposed infiltration pond will need to be on property dedicated to the town.**
- 4. The required deed and easements need to be submitted for review by the DPW. The approved easements need to be signed by the applicant and returned to the DPW along with a check to the Monroe County Clerk for the filing fee.**
- 5. The limits of disturbance must be delineated with orange construction fence, as well as the conservation easement area. Add a note to the Construction Sequence stating that the grading limits will be walked and agreed upon by the DPW prior to any work taking place.**
- 6. Provide an offset cul-de-sac detail per town standards, including an enlarged grading detail.**
- 7. The applicant will be required to obtain NYS DOT approval for this project, as well as an access easement to the Town for the infiltration basin.**
- 8. The sandy soils for this site are very similar to other sites in the Town where we have experienced sink holes with road and sewer construction projects. As such, stone bedding for all pipes that are constructed within the Town right-of-ways shall be wrapped in a geotextile filter fabric designed to limit soil migration into the stone bedding. Soil conditions may require verification of bearing capacity before building permits are issued.**
- 9. Provide additional fire hydrants on the plan and verify that the actual house locations are no more than 500' from a hydrant.**
- 10. A variance is required for 35' front setback. The date of approval needs to be noted on this site plan.**
- 11. Provide survey monuments at all property corners.**
- 12. Move the driveway shown for Lot 4 to the east side of the lot to reduce the occurrence of snow blocking the driveway when the cul-de-sac is plowed.**
- 13. Show existing shrubs, stone pylon and lighting at entrance to be removed.**
- 14. Extend roadway profile between B14+00 and B10+00. Also, road profile and grading plan do not match. The catch basins at Sta B17+20 are not at the low point labeled on the profile.**
- 15. Show town sidewalk easement across Lot 5.**

16. Emergency spillway should be constructed with grouted rip rap.

Utilities

1. Provide catch basins at the entrance to the cul-de-sac near station B18+50.
2. Revise the sanitary manhole detail to show a minimum of 6" between the pipe invert and the bottom of the manhole.
3. A sanitary manhole needs to be provided at the town line between the Town of Pittsford and the Town of Perinton.
4. The sanitary sewer is only 1' deep at station P12+75. Deepen sanitary MH-4 to maintain a minimum of 4' of cover over the pipe.
5. Provide an access road from Route 96 to the offsite sanitary sewer near sanitary MH-9 and over the proposed offsite sewer in both directions.
6. Confirm maximum length of sewer between storm and sanitary manholes is 300'.
7. Provide a storm lateral connection to Lot 12 and a sanitary lateral connection by moving the manhole and extending sewer main 5' to the east.
8. If the water main along Route 96 is installed in the location proposed on the utility plan, the grading should be completed to allow for the construction of a 5' wide sidewalk.
9. The DPW would like to discuss with the applicants engineer how the drainage towards Rte 96 is being handled, as well as the sediment basin and associated temporary manholes and piping.
10. Prior to acceptance of the infiltration pond, the town will require a performance test of this facility. The performance test will confirm that the infiltration rate used during the design of facility can be achieved in the field.

Grading/Erosion Control

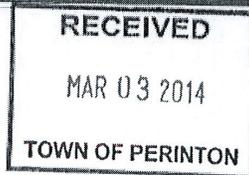
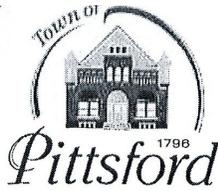
1. The steep grading between some of the lots needs to be lessened and the transitions from proposed to existing grades needs to be less abrupt.
2. Protect the proposed infiltration pond area with orange construction fence.
3. Due to the erosive nature of on-site soils, add a note to the plans requiring temporary seed and mulch be applied to all disturbed areas within 3-5 days. Provide more detail and specifications for how to stabilize all 1:3 slopes, in particular the long slope into the infiltration basin.
4. What is the intent for lawns on these 12 lots? Will all lots have topsoil placed on top of existing ground? If so, grading needs to reflect this at project limits.
5. Provide 12' wide access drive around infiltration basin. Access drive shall consist of 9" crushed stone placed over geotextile fabric.
6. Provide earthwork calculations to DPW to see how cuts and fills balance on the site.
7. Eliminate diversion swales on south side of site, and provide silt fence parallel to the contours along slope.
8. Show the topsoil storage locations on the Erosion Control Plan.
9. The tree and vegetation clearing and grading limits need to be more clearly defined on the plans.
10. Provide typical individual home lot erosion and sediment control detail.
11. Identify in construction sequence that the road will be constructed to binder course prior to infiltration basin being constructed and put on line.

SWPPP Comments

1. DPW would like to discuss the SWPPP with the applicant's engineer. In general, the infiltration basin appears to be adequate for Water Quality volume and runoff reduction, however additional documentation on Curve Number development and infiltration performance with higher storm events is needed.

Mr. Kozarits inquired if they plan to strip the lots. Mr. Longwell states that there is not a lot of topsoil on the site and they will have to bring some in. They will use silt fencing for the deed restricted area. Mr. Kozarits states that preliminary comments from State DOT discussed eliminating gravel drive. Mr. Bebout states that they would like it to be gravel with some type of gate across it. Last night they discussed with Eric that perhaps it could be kept as grass and putting a crushed stone base underneath it with a thin layer of topsoil.

Mr. Anderson states that they received comments from the Town of Pittsford, which are a part of the record as shown below.



February 28, 2014

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

**RE: Basin View Subdivision
T/A # 179.09-2-24.1**

Dear Mr. Anderson,

The Town of Pittsford would like to offer the following observations and comments regarding the Preliminary Subdivision application "Basin View Subdivision" before the Perinton Planning Board. Our comments are based on the plans, received by the Town of Pittsford on February 3, 2014.

1. The proposed 12-lot subdivision is shown entirely in Perinton; work in Pittsford appears to be limited to offsite sewer main.
2. Environmental impacts to the Town of Pittsford appear to be limited to the impacts related to the extension of the offsite sanitary sewer to serve the proposal. The Town of Pittsford will not object to the Town of Perinton Planning Board assuming Lead Agency in regards to SEQRA.
3. The conceptual development layout shown in Pittsford is not being reviewed for approval. The adjoining Russo site in Pittsford is currently zoned RRAA, which is single family residential zoning.
4. Pedestrian Linkage: The Town of Pittsford supports walkable connections and pedestrian linkage(s), future development of the Russo site should include a sidewalk connection to what is proposed with this plan.
5. Sanitary Sewer: The proposed offsite sanitary sewer crossing the former Russo Sand and Gravel Parcel will be subject to review and approval by the Town of Pittsford and the D.E.C. if applicable.
 - A sewer transmission agreement between Perinton and Pittsford will be necessary to address entrance fees and maintenance. This agreement may be a modification (or unit deduct) of the current sewer agreement between the two Towns referred to as the "Arlington Sewer District"
 - A Sewer District extension with associated application and review fees will also be necessary for the sewer located in Pittsford.
 - A sewer manhole on the Town line is likely to be required.
6. Stormwater Management: At this time it appears that stormwater will be contained in Perinton.

We look forward to working with Perinton through the completion of the project. Please keep us informed of decisions and correspondences regarding the application. Feel free to give us a call or email anytime. 248-6260. dderue@townofpittsford.org

Regards,



Doug DeRue
Planning Assistant

xc: Rob Fromberger Pittsford Town Engineer
Dave Willard, P.E., MRB, Pittsford Review Engineer
Randy Bebout, P.E., TY-LIN International

Mr. Kozarits states that he spoke with Doug DeRue. In general they are supportive of the project.

Mr. Anderson inquired what has changed in the last two years for both the project and the intent. Mr. Bebout states that two years ago they still had a private drive with 4 lots on it. They have moved the pond. They are in a position to move forward now and develop it. Mr. Anderson says that this is an infill project and is not an easy parcel. He expresses concern that perhaps the homes are too close together to work for grading. He supports the setback variances as it will keep the homes away from existing homes and Route 96.

Mr. Lewis feels that these are good plans and it keeps traffic away from Thornell Road. He asks why the garages are in front of the front of the house (snout house); perhaps they should be deeper and have the garage not be in front of the house. Mr. Longwell states that it would not be a good layout as the rooms would be very deep. He doesn't want the garage being the focal point. It is more of a function of the home. If the rooms are too deep they become linear and will not lay out very well for the interior. Mr. Lewis states that the Code calls for 6" of topsoil.

Mr. Brasley feels that this is essentially the same project with some minor improvements from two years ago. He supported the project then and he supports it now.

Mr. Gardner expresses concern with the deed restricted area. It will be an enforcement problem. Mr. Doser states that in general the deed restrictions work well for the first owner, and after a period of time it becomes forgotten as the property transfers ownership. Mr. Gardner feels that the Town should take ownership of the buffer area. This buffer is an important part of this

development and should be protected. Mr. Doser states that land that can't be created as a park is an issue for the Town. Mr. Longwell states that both neighbors want privacy; the new development owners and the existing neighbors. Mr. Gardner expressed concern about obtaining a variance to put a sidewalk on private property. Mr. Longwell states that there is no other way to get the sidewalk on Route 96; the topography is very steep. Mr. Gardner feels that the lot should become smaller so the public sidewalk doesn't have to run through it. Mr. Gardner states that a public sidewalk will run through lot 5 and that is a concern. Mr. Longwell said that to try to give it to the State is a big process. Mr. Gardner feels that it should be given to the Town. Mr. Longwell acknowledges that it could be problematic to have the sidewalk run through the lot; it could be difficult to sell.

Ms. Neu inquired what the setback is for the front. Mr. Bebout states 25'. Without it, it creates more disturbance on the site and more impacts to the topography. Ms. Neu inquires where the trees are on the landscaping plan. Mr. Bebout states that they will locate them on the next set of plans submitted to the Town.

Mr. Anderson states that on May 16, 2012, the Perinton Planning Board declared its intent to act as the lead agency for the SEQR review of proposed plans for a 12 lot single family residential subdivision located within the Town of Perinton. They do not have to re-affirm their role as lead agency according to Mr. Doser. The conditions that existed then still exist today.

Mr. Lewis made a motion to grant concept subdivision approval for a 12 lot single family subdivision with a 13th lot that will be turned over to the Town for a proposed pond for plans received by the Town on 1/31/14, subject to the following conditions:

1. The plan includes 12 single family lots, and a 13th lot that will be turned over to the Town for a proposed pond and a dedicated road with the understanding that the easement that the landowner has out to Thornell Road will not be used for ingress and egress.
2. The dedicated road is for these 12 lots only and there is no potential ingress/egress to adjacent property in the Town of Pittsford.
- 3 This concept approval accepts the comments of a letter from the Town of Pittsford (Doug DeRue) to the Town of Perinton dated 2/28/13, which is a part of the record.

Mr. Brasley seconds the motion.

Mr. Gardner is opposed to the "deed restricted" area as it will be hard to enforce. There was a lengthy discussion about potential incursion into this land no matter if the Town owns it or if the developer owns it. There was a lengthy discussion about if future owners will understand what the deed restrictions are or even that they exist. Mr. Longwell states that the potential future owners' attorney should tell them. Mr. Lewis inquired if the Town would send out letters to the homeowners from time to time informing them that there is a deed restricted area. Mr. Doser states no.

Motion carries 4 – 1, with Mr. Gardner opposed.

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

1. Stormwater will be managed and treated by an onsite infiltration system and other practices in conformance with NYS requirements;
2. The stormwater management system has been relocated and designed to direct runoff associated with this development away from the down gradient neighbors;
3. There will be minimal incursion into the sloped area to the south;
4. Deed restriction is being provided on the southern portion of the property; and
5. Pedestrian linkages to Bushnell's Basin and the canal will be addressed

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 cited by the Conservation Board.

Mr. Lewis seconds the motion.

Motion carries 5 – 0.

Mr. Anderson states that this application calls for construction of a sidewalk, so they do not need to make a motion to require the applicant to make a contribution to the Town sidewalk fund.

Mr. Anderson made a motion to require the applicant to make a contribution to the Town Park fund for lots 1 – 12 in an amount to be determined by the Town, due to the fact that there are no active or passive recreational facilities with this proposal. The 13th lot is not required to make a contribution to the Town Park fund as there is no home on it.

Mr. Brasley seconds the motion.

Motion carries 5 – 0.

Mr. Brasley made a motion to grant preliminary subdivision approval for a 12 lot single family subdivision with a 13th lot that will be turned over to the Town for a proposed pond, for plans received by the Town on 1/31/14, subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. The applicant is to obtain the necessary front setback variances for lots 1 – 12 from the ZBA and list the variances and date obtained on the final plans submitted for signature.
3. Applicant to consider leveling out and adjusting the grading lines between lots to make them more uniform.
3. The term "conservation easement" on lots 8 – 12 be re-named "deed restricted" or "restricted covenant" and not "conservation easement".

4. The driveway on Lot 4 is shown close to the fire hydrant and applicant is to either move the driveway or move the hydrant to the satisfaction of the DPW.

Mr. Lewis seconds the motion.

Motion carries 4 – 1, with Mr. Gardner opposed.

There being no further business before the Board, the meeting adjourned at 9:32 PM.

Respectfully Submitted,

Lori L. Stid, Clerk