

**Minutes of the Town of Perinton
Planning Board Meeting of March 18, 2015**

Planning Board Members Present

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

Conservation Board Members Present

Andrew Rodman
Jerry Leone

Town Officials Present

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

Absent

Michael Doser, Director Code Enforcement & Development (CED)

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

Mr. Anderson asked Ms. Stid for proof of publication and proof of Notice of Application Received Sign posting (NOA). Ms. Stid states that proof of publication was given in the Fairport East Rochester Post on 3/12/15 for Whitney Town Center and NOA signage was posted on 3/4/15 for Whitney Town Center.

Sign(s):

ROC Martial Arts – 584 Whitney Road West

Mr. Antonelli recuses himself and steps down from the dais.

Dan Carini presents the sign application to the Board.

Mr. Anderson states that CED issued comments as follows on this sign request:

Reference Code: Mixed Use Section 174- 9E (2) - building mounted signs shall not exceed 1 1/2 square feet of area for each linear foot of the first 100 linear feet of building frontage, plus one square foot of sign area for each linear foot over 100 linear feet of building frontage. No such sign shall exceed 200 square feet in area.

- 1. The applicant is proposing one 25 sq. ft. building mounted sign. The linear frontage of the building is 44 feet, which would allow the total building signage to be 66 sq. ft.**
- 2. The applicant needs to clarify the lighting proposed, and the shape of the sign proposed for the building as the elevation shows two oval style signs and the proposed sign appears to be rectangular.**
- 3. Any future tenant signs will need to be reviewed by the Planning Board.**
- 4. Applicant to obtain a sign permit within six months.**

Mr. Anderson inquires what the size of the frame is for the sign. Mr. Carini states it is 2 ½' X 10'. Mr. Anderson inquires if it is square or if there is an odd shape to it. Mr. Carini states it is rectangular. It is what is shown on the architect's drawings. The white spots for the signs are already put up on the building. Mr. Carini states that he understands that there were some questions on the lighting. Mr. Anderson states that when site plan was approved for this building the Board approved goose neck lighting for the proposed signage and that has already been approved. The lighting will be externally lit.

Ms. Neu states that she likes the contrast of colors and the design of the sign. She thinks the signage will pop with the red color against the subdued elevation. When the other sign comes in for review the colors of that sign should compliment this one.

Mr. Anderson agrees with Ms. Neu. The sign is attractive and the red is a good selection against the beige. It is a tasteful sign with creativity.

Mr. Lewis supports the sign. He inquires how many signs will the building have ultimately. Mr. Carini states that the architect drawing shows two. Mr. Lewis inquires if an approval with a maximum of two signs is acceptable. Mr. Lewis inquires if there is a possibility of a third tenant in this building. Mr. Carini states that he does not know that. Mr. Lewis states that the proposal before them shows a blank sign on the building for a second sign; is there a sign there now? Mr. Carini states that when they did the siding, they put the blank white up there for a future sign. Mr. Lewis inquires if someone assumed there would be two signs on this building? Mr. Carini states that is correct.

Mr. Brasley likes the sign as presented and is less than half as big as what code allows.

Mr. O'Brien supports the sign and likes signage to have colors. He feels the sign is attractive.

Mr. Gardner states that it is his understanding that the signage meets code and he has no issue with it.

Ms. Neu made a motion to grant sign approval for sign application received by the Town on 3/2/15 for ROC Martial Arts subject to the following conditions:

1. Sign approval is for one 25 sq. ft. building mounted sign.
2. Lighting for signage shall be as approved by Planning Board at time of site plan approval (goose neck lighting).
3. Any future tenant signs will need to be reviewed by the Planning Board with the understanding that the Board is looking for signage with similarly related colors and balance with the subdued background.
4. Applicant to obtain a sign permit within six months.

Mr. O'Brien seconds the motion.

Motion carries 6 – 0 with Mr. Antonelli abstaining.

New Application(s):

Whitney Town Center. Marathon Engineering as agent for Whitney Town Center, LLC, owner of properties located at 666 Whitney Road (tax id # 157.07-1-21 – approximately 3.6 acres) and vacant land (northern portion - tax id# 157.07-1-20 – approximately 14.73 acres), requesting preliminary and final site plan approval for rehabilitation of existing 28,500 square foot building into a retail/office building with associated parking, three residential buildings consisting of 151 apartment units with associated parking, gazebo and outdoor pavilion.

Presenter: Marathon Engineering, John Stapleton

Zoned: Industrial & Residential B

Mr. Anderson states that the Town Board has already granted a SUP for this project. This Board will not be discussing use as that has already been determined by the Town Board. This Board will be reviewing site plan issues. A portion of this property was recently rezoned from Industrial to Residential B to help to ensure that there was a buffer to adjoining residents to the north of the project. Currently the remaining portion is Industrial but is currently under consideration by the Town to potentially be rezoned to mixed use. The Town Board has made a determination that they would act as Lead Agency for environmental review and have already made a Negative Declaration of SEQR for this project; so this Board will not be considering SEQR as part of this approval process for site plan.

John Stapleton, Marathon Engineering, presented the project to the Board as per letter of intent as shown below. With him is Jim Taylor of Whitney Town Center, LLC. The architect for this project is unable to attend tonight's meeting and Mr. Taylor will answer any questions the Board may have as to materials and colors for the building.



orig

39 Cascade Drive / Rochester, NY 14614 / Phone (585) 458-7770

February 9, 2015

Michael Doser
Town of Perinton
1350 Turk Hill Road
Fairport NY 14450



Re: Whitney Town Center – Preliminary/Final Submission
0 & 666 Whitney Road
Town of Perinton, County of Monroe, State of New York

Dear Mike,

On behalf of our client, Whitney Town Center, LLC, we are pleased to submit the above referenced project for your review. We request that this application be heard by the Town of Perinton Planning Board at their meeting of March 18, 2015. This project is located on the north side of Whitney Road approximately 425 feet east of O'Connor Road.

The project site consists of 2 parcels:

- #666 Whitney Road (former RTC building) 3.60 acres
 - #0 Whitney Road (northern portion) 14.73 acres
- Total 18.33 acres

These 2 parcels are presently zoned Industrial. On July 9, 2014, the Town Board of Perinton granted a Special Use Permit to apply "Public Buildings & Grounds" as an overlay zoning district for the residential portion of the project. It should be noted that the Town of Perinton is presently in the process of rezoning the northern 5.6 acres from Industrial zoning to Residential B. The Town is also considering the creation of a Mixed Use overlay district for this property.

The Town Board, during the Special Use Permit consideration, declared itself as lead agent and made a SEQR Determination of no significant impacts. Therefore, since the plan is reasonably similar to the concept plan discussed, that SEQR determination is valid for the Site Plan review.

The existing 28,500 sf building in the front (southern portion) of the site will be rehabilitated into a retail/office building with parking for 179 cars. The three residential buildings will consist of:

A	65 units	64 surface spaces	15 garage spaces
B	58 units	59 surface spaces	34 garage spaces
C	<u>28 units</u>	<u>28 surface spaces</u>	<u>30 garage spaces</u>
TOTAL	151 units	151 surface spaces	79 garage spaces

Buildings A & B are 3-story buildings as defined by the NYS Building Code with partial basement walk out units facing the natural wetlands. This design allows the units to follow the natural topography and creates less fill to be hauled on site. This change provides the same number of units with more spacious living areas, without enlarging the building envelope. Building C is a 2-story building consisting of 2 bedroom units. Buildings A & B are a mixture of 1 & 2 bedroom units. These buildings have been designed with traditional design features on the exterior elevations to complement the adjacent residential homes.

During the SEQR process, a traffic study was performed and reviewed by the Monroe County Department of Transportation. As recommended, an expanded shoulder will be added along the south side of Whitney Road to allow eastbound vehicles to bypass vehicles queued to turn left into the site.

Our vision for this project is to create a vibrant community for healthy seniors (55 years of age & older) that includes amenities in the retail/office building. The site will be attractively landscaped and sidewalks/meandering trails will provide passive recreation opportunities. A gazebo, as well as an outdoor pavilion, will provide gathering and social areas. Garage options are a welcome amenity in this region.

The project site will have exterior lighting along the roadways, parking areas and some of the walkways. The proposed lights are attractive poles/fixtures and have been arranged so that there is no light spillage off the subject property. The building mounted lights for security and safety are not included in the photometric plan. The lighting plan was previously reviewed by town staff; the only change is there are now LED fixtures for efficiency.

Enclosed is the following information to assist the Town in their review:

- 1 original and 14 copies of this Letter of Intent
- 1 original and 14 copies of the Signed Application
- 1 original signed "Owner Authorization to Make Application" form
- 1 original and 14 copies of the signed Preliminary & Final checklist
- 15 copies of the parcel deeds (2)
- 15 copies of the Preliminary/Final Site Plans
- 15 copies of Building Elevations
- 5 copies of the Engineers Report
- 1 check for the Preliminary & Final Application fee of \$500

Note: No EAF is being submitted as SEQR was previously determined

We look forward to presenting this information to the Planning Board at the requested meeting. In the meantime, if you have any questions, or require additional information, please do not hesitate to contact our office.

They hope to petition to change the address from 666 Whitney to a different address. The project is bounded by Whitney Road on the south and to the east is the Lonesome Road development, which is a single family development that is zoned Residential B. To the west is a single family residence that is zoned Industrial. To the northwest is Braeloch Crossing and Fairvale Drive and they are single and multi family residential existing development that is zoned Residential B. The remaining piece of land is a single family residential parcel that is also zoned Industrial. On 7/9/14, the Town Board granted a SUP to apply a public buildings and grounds overlay district for this development. Mr. Stapleton inquires if the rezoning has occurred or if it is still in process and Mr. Place states that it has occurred. Mr. Stapleton states that it is his understanding that the Town is looking at a mixed use overlay district for this area. There are some variances that are required for this project and they are scheduled to appear before the ZBA on 3/27/15. They propose three main new buildings; buildings A, B & C for active seniors, age 55 and over. It is a market rate development and is not affordable housing and they are not looking for any government assistance on these units. There are parking garages associated with each of these buildings. Building A is to be 65 units of one and two bedroom apartments. They propose 64 surface spaces for parking on asphalt along with 15 garage spaces. This is a three story building with some lower level units that would look out to the north over the wetland. Building B is a three story building

consisting of one and two bedroom apartments with lower level with units only facing to the north and has 58 units with 59 surface spaces and 34 garage spaces. Building C is on the north side and is a two story building consisting of two bedroom units and there will be 28 units in the building. They are proposing 28 surface parking spaces and 30 garage spaces. The front building, which is the current vacant Rochester Telephone building, is approximately 28,500 sf and they are proposing that to be re-purposed as retail and medical office building. They are providing 179 surface parking spaces for that building. This building is intended to be support for the senior community and the rest of the Town of Perinton. They hope to attract both retail and medical office uses that will be of need for the residents living within the community. Access for the site is off of Whitney Road, which is a county road. They have been in discussion with the County DOT and have done a traffic study. They made a suggestion that a bypass lane be put along the south side of Whitney Road for vehicles traveling eastbound that are queued to come into the access that vehicles have a way to get around them and not be held up. They are looking at a secondary access on the left side of the retail office building that is intended for deliveries and that will be signed and downplayed. The intent is to bring up the main access and make that attractive so that people will know to use that main access. This is a private drive and will be maintained by the project sponsors. An extensive landscaping plan was submitted as part of this proposal. They are proposing LED lighting for the site; traditional luminaries on 15' poles. There is no light spillage to occur off of their property. They designed the main spine road to follow the existing contours to minimize impact to grading and to wetland. They are looking for a gazebo to be placed in the front green space as a pocket park and will be lit and will have benches and walkways with intensive landscaping. They are proposing individual patios or decks for each of the units as well as each of the apartment buildings will have patios for congregations with fire pits in them. There are federal wetlands on the site. They have had a jurisdictional determination completed by the US Army Corps of Engineers and have strived to minimize the impacts to the wetlands and have been able to keep it under 1/10th of an acre which under the regulations classifies as a nationwide permit and they will not be requesting any mitigation for the disturbance. They are proposing a network of walkways and sidewalks throughout the project; either concrete if adjacent to roadways or where it is appropriate and for a wood mulch trail that the residents can use to traverse the rear of the site; this is not meant to be a formal walkway, but will meander through the trees. They don't anticipate taking trees down to accomplish that.

Mr. Taylor states that they are proposing 151 units of active senior apartments spread out over three different buildings. There are some garden level apartments on buildings A & B. The final topo for design shows that they can create a lower level and create some living space. This will afford a great view of the wetland and allowed them to redistribute some of the units and have reduced the size and scale and number of units in building C and moved them up towards the front towards Whitney Road. The mixed use property is in keeping with where the Town is going with their Master Plan. The front building is the current vacant Rochester Tel building. He reviewed the illustrations for this part of the project that are a part of the submittal to the Town. The canopies that are shown are fabric awnings. This idea will be carried out on three sides of the building on the south, east and north elevations. The west end is screened and is a natural service entrance. The retail and office tenants will be served by the central spine. They envision 6 or 7 retail units across the front, around 1800 sf each. They have had some initial interest from a bakery, coffee shop, specialty wine store, insurance agency and other things like that. They have had some preliminary conversations with a regional retailer who wants to open a local market of about 3- 4 thousand sf with a butcher shop, prepared foods and some groceries. Across the back because there is no exposure on Whitney Road, they are marketing that to small individual practitioners; some interest from an audiologist, chiropractor, physical therapist and other medical specialists. This is similar to a project recently completed in Webster that has had some positive reviews from the community. He showed the Boards some samples of siding, shutters, etc. He described the elevations that were submitted as part of the application. Mr. Anderson states that the Board needs the plans to show the colors and materials and the height of the buildings.

Mr. Stapleton states that there is an existing sanitary main on site that will service the project by providing laterals into the sewer. There is an existing water main which runs along Whitney Road and the east property line. They will propose hydrants. The water system would be private and would have backflow prevention provided. They have discussed using the end bay of one of the garages to put the backflow prevention device within the structure. Stormwater will primarily flow to a proposed stormwater management facility adjacent to Building C. This is being developed in accordance with NYS DEC requirements and the Town DPW requirements. He acknowledges receipt of comments from DPW/CED and met with them yesterday.

Mr. Anderson asked for questions or comments from the Conservation Board. Mr. Leone states that they have met with the applicant and have had a number of technical discussions and questions that were discussed. In previous months they have gone on a site visit and walked through the facility. They are aware of the DPW comments. They are waiting for some additional information and are looking at hydrology and water quality and the wetlands.

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

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

Whitney Town Center
Requesting Preliminary and Final Design
DPW Comments:

General

- 1. Provide the Town with a Letter of Credit estimate for review using the DPW's estimate template. The approved amount shall be secured prior to obtaining final signatures.**
- 2. DPW recommends at a minimum eliminating the 21 parking spaces along the Whitney Road ROW, 5 spaces on the radius curve near the commercial building ADA ramp, and another 5 spaces near the dumpsters to help reduce the projects impervious area.**
- 3. The west access drive has the potential for high traffic volumes from the commercial building, and will be located approximately 30' away from an existing residential structure. The developer should meet with the property owner to discuss possible screening solutions to incorporate into the project as needed.**
- 4. According to Town Code Section 208-49, the proposed encroachment of Building B into the wetland/LDD is not a permitted use.**
- 5. Plans should reference or include provisions for dewatering groundwater (expected between el. 415 to 420) during footing construction.**

6. Property lines around the project perimeter should be staked out and lined with orange construction fence prior to start of construction.
7. Label snow storage areas on the site plans.
8. Sidewalk being replaced along the Whitney Road frontage shall be Portland Cement Concrete and constructed in accordance with Town criteria.
9. Parking side setback should be 40' not 80' as currently shown on layout plans.
10. The required building side setback variances will need to be obtained prior to the plans receiving final approval signatures.
11. Confirm sidewalk material on east side of access drive between Sta. 3+00 and 4+00.
12. Provide sidewalk ramp on east side of access drive near Sta. 5+75. Review placement of all crosswalks on site to ensure they are properly aligned with sidewalk ramps.
13. The road section through the wetland area (Sta. 6+ 50± to 8 + 50±) should maintain the 24' pavement width and curbs consistent with the remainder of roadway. A pedestrian walk also needs to be provided along one side, adjacent to the curb.
14. On the roadway between Sta. 7+00 and 7+81, the plans call for 1 on 1 side slopes to be stabilized with 12 inches of light or medium stone fill. The maximum recommended slope for stone fill is 1 on 1.5. As such, a retaining wall or geosynthetic reinforced soil system with oversteepened slopes is recommended to reduce the fill within the wetland.
15. Pavement marking detail should show double hairpin style parking lot striping.
16. Reference to main drive aisle pavement section (shown as "4/C9.3") is incorrect.
17. Buildings A, B and C have portions of sidewalk that are between 2' to 4' above adjacent drive aisles. How will pedestrians be protected?
18. Provide additional grading info adjacent to east and west property lines to confirm hydrology into and out of the site. Highlight stream corridor alignment through wetlands on site plans.
19. Provide sidewalk connection from commercial building to Whitney Rd sidewalk near the proposed gazebo. Eliminate handicap ramp at the northwest corner of the building and install ramp at the southwest corner to allow access from the Whitney Rd sidewalk.
20. Provide a detail for how the woodchip footpath will cross the stream.
21. Confirm any architectural lighting or security lighting on the backs of units will not cause light trespass at the property lines. Consider using LED fixtures instead of Metal Halide.
22. A copy of MCDOT approval for the proposed Whitney Road improvements will be required prior to final plan signatures.
23. Provide a compaction testing schedule for the portion of road constructed in fill between Sta. 4+00 and 8+00.
24. The commercial lot at 666 Whitney Road and the parcel being developed for the senior living apartments need to be combined, or Private Utility and Access Easements need to be established and in place prior to the plans receiving final approval signatures.
25. An Access Easement to the Town needs to be provided for emergency vehicle access.
26. Clarify the meaning of the property line overlap shaded on west side of parcel.

Storm and Sanitary Sewer

1. Building B is proposed to be constructed within 9' of an existing 15' deep sanitary sewer. Additional separation is required in the event the pipe ever needs to be exposed.
2. Water level fluctuation of the wetland area adjacent to buildings is a concern. The lowest architectural openings should be located at least one (1) foot above the highest expected wetland elevation. Provide justification for floor elevations selected and hydrology illustrating maximum expected ponding of the wetland.
3. The proposed stepped weir design has a high clog potential with only a 1.8" wide x 1.5' tall low flow orifice. DPW recommends a conventional outlet structure with a 3" diameter orifice and submerged reverse-slope pipe that extends downward from the outlet structure to a point one foot below the normal pool elevation.
4. Pipe between structure ST 1.0 and ST 2.0 is labeled as 24" HDPE, but is shown in the calculations to be 30". Confirm 24" pipe has adequate capacity to handle anticipated flows, and correct any plan inconsistencies.
5. Lawn area along west driveway is nearly level and creates a standing water concern. The 12" pipe draining through this area should be perforated.
6. Add a note to the plans that all storm sewer installed with this project will remain privately owned and maintained.
7. The developer will be required to execute a stormwater maintenance agreement for all proposed bioremediation practices, stormwater management facilities and wetland equalization pipes installed for this project.
8. All sanitary connections to the existing relief sewer shall be accomplished using 6" PVC SDR 21 laterals with Inserta Tee connections. Provide cleanouts at the easement line.
9. Relocate emergency spillway from overtop the outlet control structure. Stone fill shall be grouted in place.
10. Revise the Bio-Retention area detail on C9.3 to show a 2'x2' concrete catch basin structure consistent with the utility plans.
11. Provide a cross section of the overall stormwater management area with water surface elevations of the various storm events.
12. Remove drainage structure ST-1.1 to avoid draining wetland into pond.
13. Label the size and material for sanitary laterals for Building A.
14. Label the size and material for all storm drainage laterals, and show locations for downspout conductor connections to the storm sewer.
15. What is the reason for using perforated pipe in the paved areas on south face of Building B and west side of Building C?
16. All storm sewer connections to HDPE pipe should have Inserta Tee connections.
17. What is the purpose of the underdrain pipe in the stone edge treatment? If underdrain is necessary, where will it drain to?

Erosion and Sediment Control

1. On drawing C5.0 and C5.1, “silt socks” are proposed for drop inlet protection in paved areas. Since this is not a NYSDEC approved inlet protection practice, confirm that they will be used only after the site has been temporarily stabilized.
2. On drawing C5.1, extend the double row of silt fence around the entire perimeter of the stormwater management facility. Install additional silt fence along the property line west of Wetland B.
3. On drawing C5.1, relocate concrete washout area (e.g. to near the proposed truck wash location) to avoid discharging directly into wetland.
4. Change all plan references to SPDES “general permit GP-10-01” to “general permit GP-0-15-002”.
5. Revise Erosion Control Note #9 to be consistent with GP-0-15-002.
6. Revise the sequence of construction to state “After installation of a stabilized construction entrance and staging area, the applicant shall install silt fence and orange construction fence around the verified wetland boundaries. DPW shall review and approve installation prior to the start of earth moving operations.”
7. Provide stone check dams in the swales along the east property boundary.
8. Provide labels on plans where soil restoration will be performed in accordance with the table on sheet C5.0.
9. Dewatering of utility trenches will not be permitted to discharge directly into the wetlands without prior entering a practice that allows sediment to settle out and discharge only clean water. The sediment removal practice should be located as far as practical upland of the wetland.
10. Remove “Green Infrastructure Practice” labels from the erosion and sediment control plans and add them to the utility plan.
11. Show location of all proposed topsoil stockpiles.

SWPPP

1. Provide a sub-catchment area map that is consistent with Hydrocad data input.
2. Revise temporary stabilization narrative on page 9 of SWPPP to be consistent with GP-0-15-002.
3. Confirm that assumed Hydrologic Soil Groups for soil types CIB, CIC and CW are consistent with USDA guidelines.
4. Justify use of “woods/grass combination” for determining Curve Numbers.
5. Bio-retention Area #3 at the northeast side of Building C appears to be undersized per the bio-filter area worksheets. Increase filter area as needed to meet the design criteria.
6. Per Irondequoit Creek Watershed Collaborative requirements, rainfall amount (P) should be 1” rather than 0.85” in all runoff reduction and water quality volume calculations.
7. Coordinate with DPW to address several minor comments in the NOI. Applicant shall submit to DPW the most current version of the NYSDEC Notice of Intent and MS4 SWPPP acceptance form for approval.

CED Comments:

1. The Town Board granted a special use permit on July 9, 2014 for 151 senior apartments in three buildings, with the most-northern building featuring two stories and the remaining two buildings featuring three stories.
2. The Town Board made a negative SEQR determination on the project on July 9, 2014.
3. Applicant is on Zoning Board of Appeals agenda for March 23, 2015 for front and side setback and landscaping buffer variances.
4. The commercial building requires six accessible parking spaces, plus passenger loading aisles.
5. The required front parking setback is 85 feet, but the Planning Board may waive setback requirement. The Town anticipates rezoning this corridor to Mixed Use District, which calls for parking to be in the side or rear of buildings. Because this is an existing building with an 80-foot front setback, there is room for parking along the front, but two rows appear to be excessive. Planning Board should consider eliminating parking row closest to Whitney Road, while maintaining 24-foot drive aisle for two-way traffic.
6. The northern elevations for Buildings A and B feature subterranean ground units with walk-out patios, which create the impression of a four-story building from the rear. Applicant should use an architectural treatment to create more of a foundation-look for the basement to physically differentiate it from the three stories of the building.
7. Accessible parking signs require the additional phrase, “Permit Required.”
8. The entire site appears to feature significantly more parking than required by Town Code. Unless applicant has adequate justification, parking spaces should be reduced. In addition, the parking chart and parking spaces on the site plan do not appear to be in agreement.

a. Senior apartments

The Town parking code formula requires 126 total parking spaces according to the following:

- i. Building A: 61 spaces
- ii. Building B: 37 spaces
- iii. Building C: 28 spaces

The parking chart on C1.1 indicates there are 187 parking spaces for the senior apartments (61 spaces over requirement).

b. Commercial area

The Town parking code formula requires 143 parking spaces. The parking chart on C1.1 indicates there are 179 parking spaces for the commercial area (36 spaces over requirement).

9. Sprinklers will be required in Buildings A, B and C.
10. Materials, heights and colors should be identified on building elevations.

This is a complex project with a lot of components. There are a number of technical comments that they will have to work through with the applicant. They need some additional information as to the hydrology of the wetland relative to Buildings A & B; particularly water levels anticipated and the lower level garden units. Another concern is the screening of the residential drive to the west; while it is zoned industrial it is a residence. The parking around the commercial building and the southwest corner shows quite a bit of parking and with the goal of there being a little more of a separation between the ROW on Whitney and the building in terms of green space; perhaps there is an opportunity to reduce parking or to landbank some parking. Perhaps there can be some parking in the back and allow people access to those front buildings; other commercial properties have that design.

There is some question about Building B and a 15" sanitary sewer that runs within 9' of that foundation. They want to make sure that there aren't any future maintenance issues that can be a risk to the foundation of the building.

Mr. Anderson asked for questions or comments from Mr. Beck. Mr. Beck states that they met with the developer yesterday after they received DPW comments. They worked through a lot of the comments at that time. He feels that they can work through the rest of the ones that Mr. Kozarits highlighted.

Mr. Anderson asked for questions or comments from Attorney Place. Mr. Place states that the Board should require the applicant to file a covenant for age restricted residents for their apartments. He asks the applicant who represents him and Mr. Taylor states it is Steve Tierney. The Board will need to make a park fund contribution determination. Any approval should be made subject to the applicant obtaining the necessary area variances from the ZBA.

Mr. Anderson states that a SEQR determination has already been made by the Town Board; however, the Conservation Board states that they need additional information to ensure that the conditions they made their SEQR recommendation on still exist.

Mr. Place states that the Planning Board needs to look to see if the plan is substantially the same as what was presented to the Town Board the Planning Board does not need to revisit SEQR.

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

John Castellano, 638 West Whitney Road, states that his home is zoned Industrial but is a residence that he has lived in for 40 years. There are two residences between the cell towers and this existing building. This project location has been an eyesore for a number of years and has become a parking lot for machinery and dozers. He would prefer to see residential in this area and is opposed to any businesses that will be open all weekend. Seven days a week is too much for the existing residents in these two homes to have to deal with. There will be deliveries and dumpsters at all hours and these homes are very close to the site. He supports offices that are open during the week; like a dr. office. Mr. Anderson states that the use has already been determined by the Town Board when they granted the Special Use Permit. The Planning Board can't deny the right to develop that use. The Planning Board can ensure that there are adequate buffers and screening from this use to a residential use to try to minimize nuisances to neighbors. This is a large parcel and the Planning Board is hoping to improve Whitney Road. Mr. Castellano is concerned that there will be a grocery store or something like that open 24/7 that will negative impact them being able to enjoy their homes.

Susan (inaudible), 644 West Whitney Road, states that she has a lot of small children at her home all the time; grandchildren and nieces and nephews, and is concerned for their safety with this proposed service driveway being right next to her property. Mr. Anderson states that he would like to see some sort of buffer there. She expresses concern about lighting for this building lighting up her property at all hours. Mr. Anderson states that the Town reviews lighting and the lighting is not to shine out and not spill out over their property line. The Town wants it to be safe, but understands that the neighbors do not want it to be lit up 24 hours a day if it is not needed. She states that when the sewer lines were put in all of the water settled in their back property and is concerned that this will make it worse. Mr. Kozarits states that no additional runoff is proposed to drain towards her property. Some of the existing wetlands will be directed to the new proposed pond and there should be less drainage going towards her property than what exists today. Mr. Beck states that the Town will look at that and there may be an opportunity to do some grading.

Donna Cozine-Mills, 95 Lonesome Road, expresses concern about the proposed walking path as it comes so close to the property lines of neighbors. This is very close to the BOCES school and there is concern about teenagers walking around. She inquires if berms could be added between the existing homes and the new proposed units. Mr. Anderson inquired of Mr. Stapleton what the landscaping plans are. Mr. Stapleton states that it would be a challenge to put in a berm. This area is a utility corridor and there is a Town sanitary trunk line and a MCWA transmission main. He does not believe that they would allow a berm to be put in there that would be of sufficient height. As they go towards the north portion of the property, there would be a challenge with getting across the wetland. A berm of a height high enough for screening would impact the wetland. Mr. Taylor states that they did look at this and there are utility easements here. There is significant vegetation here already with many trees at the vast majority of this boundary. The landscaping plan shows that they will supplement trees and plantings where needed. Ms. Cozine-Mills states that she has not seen a landscaping plan. Mr. Anderson states that a landscaping plan has been submitted as part of this application. Ms. Cozine-Mills inquires if there could be a fence placed between the existing residential properties and this proposed project of mixed use. Mr. Anderson states that the Board can consider that.

Pascal Sureau, 83 Braeloch Crossing, states that there has already been a significant amount of disturbance to this area and has been very thinned out. The proposed trails are very close to existing homes which is a concern. The area where they are proposing to put trails in is very wet in the spring and the fall. He inquires how wide of a trail they are proposing. Mr. Taylor states 5' - 6'. Mr. Sureau states that in order to put a trail in like that it will further disturb the wetland. Mr. Anderson states that the trail is planned to be outside of the wetland. Mr. Anderson states that he has walked the site. He inquires if there has been a change in the wetlands. Mr. Sureau states that there has been a change because of equipment and thinning out of existing vegetation over time. He would like the Town to not have the trail in this location; perhaps an inside loop would be better. Mr. Sureau inquired as to Building C decreasing in number of units and if it decreased in size. Mr. Anderson states that in that building each apartment unit is larger than the size in the other buildings. Mr. Taylor states that there is still about a 10,000 sf decrease. Mr. Sureau would like to see the exact location of where the lights will be and when they will be turned on and off. Mr. Anderson inquired of the applicant if the apartment buildings just have architectural lightings and security lighting; more residential in style. Mr. Taylor states that is correct. Mr. Sureau states that 15' poles are tall and he wants to see where they are placing them. Mr. Anderson states that they are already shown on the plans. Mr. Stapleton states that roadways and parking areas and the park area will have the poles. The back of the units will have little porch lights like any other residence. There is security lighting for exit lights for emergency egress. Mr. Sureau inquired where snow storage will go. Mr. Anderson states that the applicant is working with the DPW on that. Mr. Sureau inquired if the salt on the parking will leech to the wetlands. Mr. Kozarits states that the applicant is working with the DPW. Mr. Anderson states that the salt will not be dumped into the wetland. Mr. Sureau inquired where dumpsters are located. Mr. Stapleton pointed out on the plans where they are located. Mr. Sureau

inquired what the pickup schedule will be for those dumpsters. Mr. Taylor states it will likely be collected a couple of times a week.

Elizabeth Wheeler, 31 Fairvale, expresses concern about salt going into the wetland from snow/ice removal and potential flooding of the stormwater management pond. Mr. Kozarits states that the developer/owner will have to provide an annual report to the Town on the maintenance of the pond. Ms. Wheeler expresses concern about water flowing into the wetland because of this project. Mr. Kozarits states that this project isn't proposing to send additional flow that way. Mr. Taylor states that the water is running uncontrolled now and the design is such that it will capture the water and the new impervious surface and control it by the pond. They are not permitted to discharge more water than is leaving the property today. Water quality and quantity will be improved from existing conditions today. Ms. Wheeler inquires who is responsible if the proposed stormwater management doesn't work properly. Mr. Beck states that Mr. Taylor is responsible and prior to the Town signing off on the plans he has to execute an agreement that says that he will maintain it. Ms. Wheeler feels that they are proposing too much development in this space.

A man inquired what the height of the buildings will be. Mr. Anderson states that the average height of the building cannot exceed 40'.

Dennis Canniot, 97 Braeloch Crossing, inquired what the results of the traffic study were. Mr. Stapleton states that the two points of access for the project were analyzed by SRF, a dedicated traffic consultant and was also reviewed by Monroe County DOT. Mr. Kozarits states that there were 3 driveways that currently access 666 Whitney Road and they are eliminating one of them. One is the primary entrance that has one inbound lane and two outbound lanes to the north side of Whitney Road. The far west entrance will be used for deliveries. If this configuration is maintained as proposed, there will be no need to make substantial improvements to Whitney Road. The amount of traffic into and out of the site is relatively minimal compared to the peak hour. Monroe County recommendation is to provide 2' additional to widen the shoulder on the south side to provide a bypass lane. Mr. Anderson states that the proposed plans and the traffic study are a part of the record and are at Town Hall and may be reviewed by the public. Mr. Canniot inquired how the study was performed and how the cars were counted. Mr. Stapleton states that at the intersections they actually have people out there counting the turning movements and how many people go straight between certain hours. This study was done in 2014. Mr. Beck states that the Town requires the developer to obtain a traffic analysis for the Town's review and Monroe County's review. The Town hired their own traffic engineer to review the traffic report and this traffic engineer agreed with the conclusion of the report. Mr. Beck states that there is a lot of traffic already on Whitney Road and the amount of traffic increase will likely not be noticeable.

William Webb, 39 Lonesome Road, expresses concern about oil that runs across his property from the road. He had to put a ditch in across his yard so he can mow his grass. Oil sits in puddles in his yard. Water runoff will be a big issue. It is already a swamp. Drainage from the Pines goes into his yard. He expresses concern about lighting shining onto his property.

Bryant Griffin, 51 Braeloch Crossing, expresses concern about the proposed walking path. Because of the topography of the land, there is frequently 1' - 2' of water running through here. If the path is at grade and is made of wood chips it will get flushed out. He feels the path that crosses the wetlands should be eliminated.

Ms. Neu states that the back building is a 2 story building and the one to the south is a 4 story building. She likes the colors and proportion of the elevations as shown tonight. She likes the materials and the architectural style. The heights of each building need to be shown on the plans submitted. She would like to see all of this information on elevations submitted in a larger scale and in color. She likes the effort of the elevations on the three sides of the front building. She would like to see detail on the lighting. Mr. Stapleton states it is in the engineering report that the DPW reviewed. She would like to see detailed cut sheets on the proposed lighting in the project.

Mr. Gardner states that the residential use of this project is a quiet use for the site. There are similar residences of this nature off of Jefferson Avenue that have been successful. The way the residential units are laid out is respectful to the neighborhood. Building A is a little close to the homes on Lonesome, but for the most part Braeloch and Deer Run have been respected because of the wetlands. The noise from vehicles will be contained within their units. He would like to see snow storage shown on the plans. He does not support parking in the front of the retail portion of the project, and does not feel that it is an appropriate use for what is being proposed for the Whitney Road corridor in the future. He would like some justification on the quantity of parking being proposed. If they need as much parking as they are asking for, he doesn't think it should be in the front of the building. The pocket park would work with a double loaded bay on the east side of the building with more green space up front. He supports the residential portion of the application. He states that the applicant made a comment that they wish to have connectivity from residential to commercial and there is no connectivity to the retail building that is right next door. He inquires if there is a potential for a little bridge to allow connectivity between the buildings. He feels that the site can be better connected with walkways.

Mr. Antonelli feels the site is well connected, except for over the wetland. He feels the residential portion of the parcel is laid out well. He expresses concern over a four story building, encroaching into the wetland and going out the back yard. It won't really be a back yard; it will be wet. He is concerned about potential flooding of buildings A & B; especially B without a basement. He assumes that the applicant has designed this project with the potential zoning of mixed use; however they are asking for a variance for front landscaping buffer and inquires how that is justified. Mr. Stapleton states that they are looking at office to the rear and more retail in the front. One of the things that retail wants is to have parking adjacent to where there units are. If this were a brand new building, they would likely have to move the building up and have the parking be situated in the rear. They are repurposing a building that has been vacant and trying to make it part of the project. In order to do this, the retail use is a favorable component. They need to have that parking there for retail use in order to get retail use. They will want to be in the front with parking that is quick and easy to get in and out of and close to the unit where the business is. Mr. Antonelli feels the re-use of the building is good as it is an eyesore currently. He doesn't feel that this plan follows the future potential mixed zoning. He feels that there needs to be more screening to the west; even though those homes are zoned industrial they have been used as residential for many years. He inquires if the site balances. Mr. Stapleton states yes; with the lower level units they were able to change the design of the roads. By putting the lower level in and allowing that road to come down with the land, the site is close to balancing. They may need to bring some topsoil in order to restore areas. Mr. Antonelli feels this is a good project and

will be an asset to the Town and will enhance the Whitney Road corridor. There is still some engineering to do and other issues to be worked out first.

Mr. O'Brien states that he remembers when there was a project proposed for heavy industrial here so he feels that this is a good use. There is a large buffer area in the back between the senior units and the existing residential homes. He feels that additional screening to the west is necessary for the existing homes that are being used as residential even though they are zoned industrial. He supports eliminating parking row closest to Whitney Road. He thinks that with a building of this size there can be a corridor through the building from the back to get to the retail up front. The proposed walking path is a nice amenity, but if the neighbors don't want it then perhaps they don't need to put it in if it is a big issue with the neighbors. He likes the overall project but is not ready to go forward at this time until the engineering issues have been worked out.

Mr. Brasley thanks the neighbors for attending and feels that some of their comments are valid. He thinks that there are some things that the Planning Board can do to help minimize the impact of this project on their existing homes. He thinks that putting a fence along the west property line is a good idea as it is so close there. The proposed buildings are hundreds of feet away from the existing townhouses in the rear and although he understands that these neighbors feel the impacts will be huge, he disagrees. If the drainage can get worked out to the satisfaction of the Town Engineer and a lighting plan submitted and reviewed that meets Town Code he is prepared to go forward. There will be some impacts to the existing neighbors and they will see some lights, but the Planning Board can try to minimize that. He doesn't think that a double row of parking in front of the existing building along Whitney Road will make the frontage look better. A fair compromise is to have a strip closest to Whitney Road and keep the row of parking in front of the building. He asks why they are proposing more parking than is required by Code. He supports the apartment parking, but the proposed parking along the Whitney Road building is too much and he doesn't see a need for the ones closest to Whitney Road. He likes the elevations but doesn't think there should be four uniform stories. It will look better if the building has a bottom, middle, and top. What is currently proposed is a bottom and a top. Even just a different color will give it a better look. He would like to see retaining wall details shown on the plans and he doesn't support them to be any taller than 4' – 6'. He feels that the applicant should consider switching to masonry dumpster enclosures as they are easier to maintain and will last a lot longer.

Mr. Lewis appreciates the comments of the neighbors and agrees with some of them. He doesn't feel that parking should intrude on the setback to Whitney Road. A reasonable compromise is to take out the row right off of Whitney and leave the one next to the building. He prefers to have a building out at the road with parking behind it. He inquires if the retail use could be to the rear with parking to the rear (north) as opposed to the south. Although this building already exists, he feels that there is too much parking along Whitney Road between the road and the building. He inquires if the proposed walking path crosses the wetland and how that will work. Mr. Stapleton states it is intended to be natural. Mr. Lewis inquired if it is wet. Mr. Stapleton says it is at certain times of the year. They don't plan to construct or fill within the wetland to create disturbance. Mr. Lewis inquires if there will be fencing along the path and Mr. Stapleton states no. Mr. Lewis likes the plan keeping residential in the rear. He is concerned about the neighbors' comments regarding the wetlands and the work that was done when sewers were put in creating a mess in the yards of the neighbors. He feels this is a good use of the land and likes retail use along the front. He inquires if there will be enough parking for the residential use. Mr. Stapleton states that it is 1 to 1 for surface parking and the option of using the garage for an additional vehicle. Mr. Lewis inquired if each unit has a garage and Mr. Stapleton states no. Mr. Beck states that this project exceeds parking requirements.

Mr. Anderson states that this is a complex project on a challenging site that has generated numerous comments from Town staff. This is a key parcel to the revitalization of Whitney Road. He supports one row of parking in the front. He feels that an 11' setback is too severe. The mixed use code design guide suggests that parking be in the back or on the side and there is an opportunity to put some parking on the side. Parking can be landbanked and could be considered. He is not prepared to go forward at this time until the technical issues are worked out with the DPW regarding drainage. He would like to see additional information on the elevations and lighting. He is supportive of the project overall but it needs more work currently. He thanks the neighbors for coming out and letting the Board know of their concerns. He would like to make sure the walking path is viable without disturbing the wetland.

Carol Engel, 43 Fairvale, inquires if the Board would consider doing a walk on the site. Mr. Anderson states that they can consider that.

Mr. Anderson made a motion to defer decision for preliminary and final site plan approval for rehabilitation of existing 28,500 square foot building into a retail/office building with associated parking, three residential buildings consisting of 151 apartment units with associated parking, gazebo and outdoor pavilion for Whitney Town Center, LLC, owner of properties located at 666 Whitney Road (tax id # 157.07-1-21 – approximately 3.6 acres) and vacant land (northern portion - tax id# 157.07-1-20 – approximately 14.73 acres), for plans received by the Town on 2/13/15, subject to the following conditions:

1. Until such time as the applicant has had an opportunity to review and address the issues identified tonight by the DPW, CED, the Planning Board and neighbors with specific focus on the technical drainage dimensions of the project.
2. Re-addressing the walkouts on A & B to ensure that there is not going to be drainage issues.
3. The applicant to provide additional information on elevations of a larger scale, including height definition, color and materials.
4. The applicant to provide additional information on the lighting fixtures and color with attention to ensure that there is no nuisance to adjoining neighbors.
5. The snow storage plan be identified.
6. The applicant to re-address the screening for the dumpsters and consider using masonry versus wood.
7. The applicant to develop a screening plan for the neighbors adjacent to the west side and also consider landscaping and other types of fencing to the east along Lonesome Road.
8. The applicant to consider only one row of parking for the commercial building.

Mr. Lewis seconds the motion.

Mr. Gardner inquires if something can be put on the western property where there is a 10' easement to the MCWA. Mr. Beck states likely not.

Motion to defer carries 7 – 0.

Mr. Anderson thanks the applicant for working so hard to create a thoughtful design.

Mr. Stapleton inquires of the Conservation Board what information they are waiting for. Mr. Rodman states that the Conservation Board wanted to have a site walk with the wetlands being staked out from the survey information and have the botanist go along on the walk. The Conservation Board is concerned about what water is coming into the wetlands and wants to see some information on that during different storm events. Mr. Stapleton states that was provided to Mr. Rainis and copied to Mr. Kozarits as requested. Mr. Rodman states that the information that was provided was not satisfactory. There is now 6” of clearance between the walkouts and the high water table and they want to know what will happen to those 6” during different events. Mr. Stapleton states that he was unaware that the Conservation Board was waiting for information from him.

Discussion(s):

Recommendation to Town Board – proposed Code Change – 208-8 – Building Height definition

The Board briefly discussed the proposed code change and felt that they would like to wait until Mr. Doser was present at the meeting to ask questions about the proposed change. Mr. Anderson states that this discussion item will rollover to the next Planning Board meeting on 4/1/15.

ZBA – 3/23/15

Marathon Engineering as agent for Whitney Town Center, LLC, owner of properties located at 666 Whitney Road (tax id # 157.07-1-21 – approximately 3.6 acres) and vacant land (northern portion - tax id# 157.07-1-20 – approximately 14.73 acres), requesting the following variances of the Town of Perinton Zoning Ordinance:

A. Section 208-27:

1. to allow the side setback for Building A to be 49.2 feet instead of 80 feet,
2. to allow the side setback for Garage A-1 A to be 40.4 feet instead of 80 feet,
3. to allow the side setback for Building B to be 40.1 feet instead of 80 feet,
4. to allow the side setback for Garage B-3 to be 44.9 feet instead of 80 feet,
5. to allow the side setback for Building C to be 48 feet instead of 80 feet.

B. Section 208-42 H to allow the front landscaping buffer area to be 11 feet instead of 50 feet.

C. Section 208-42 D to allow the front setback for the existing building to be 79 feet instead of 85 feet.

Said properties being located in an Industrial District & Residential B District.

The Board discussed the above variance request and determined that they will write a recommendation to the ZBA stating that the Planning Board deferred approval of the applicants’ site plan application. Multiple conditions need to be satisfied prior to moving forward with this application. The overall site plan layout may change during this process; therefore it may lead to different variance requests. The Board recommends deferral of the variance requests until such time the applicant satisfies the Planning Boards site plan concerns and conditions.

The Planning Board has no comment on the remaining ZBA agenda applications.

Minutes – 3/4/15

Mr. Brasley made a motion to approve minutes of 3/4/15 as submitted.

Mr. O’Brien seconds the motion.

Motion carries 6 – 0 with one abstention of Mr. Gardner, due to absence.

There being no further business before the Board, the meeting adjourned at 9:35 PM.

Respectfully Submitted,

Lori L. Stid, Clerk